



THE INDIAN INCOME TAX ACT.

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[Price six annas and six pies.]

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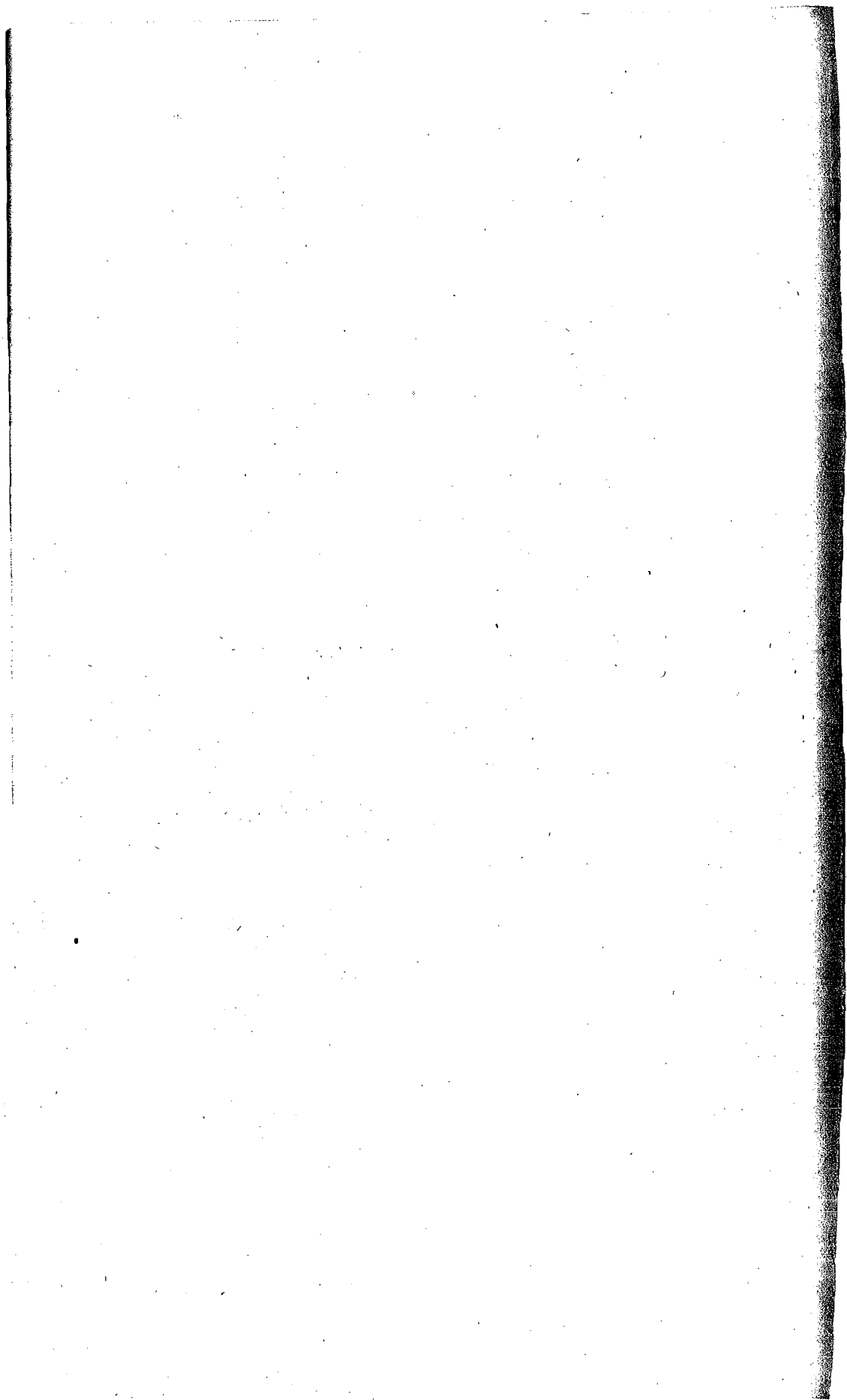
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ACT No. VIII OF 1872.

PASSED BY THE GOVERNOR GENERAL OF INDIA IN COUNCIL.

(Received the assent of the Governor General on the 19th April 1872).

An Act for imposing Duties on Income.

FOR the purpose of imposing duties on income arising from offices, property, professions and trades; It is hereby enacted as follows:— Preamble.

PART I.

PRELIMINARY.

1. This Act may be called "The Indian Income Tax Act:" Short title.

It extends to the whole of British India; Local extent.

It shall be deemed to have come into force on the first day of April 1872, and it shall cease to be in force on the thirty-first day of March 1873, except as to taxes payable in respect of the period previous to the said thirty-first day of March 1873 and as to penalties incurred under this Act. Commencement and continuance of Act.

The references made in the Court Fees Act, schedule II, to the Indian Income Tax Act shall be deemed to be made to this Act.

2. In this Act—unless there be something repugnant in the subject or context— Interpretation-clause.

"Income" means income and profits accruing and arising in British India: "Income."

"Magistrate" means, till the first day of September 1872, "Magistrate."

any person exercising the powers of a Magistrate, or of a Subordinate Magistrate of the First Class, and after the said day,

any

any Magistrate of the First or Second Class ; and it includes a Magistrate of Police and a Justice of the Peace :

“Company.” “Company” means an Association carrying on business in British India whose stock or funds is or are divided into shares and transferable, whether such Company be incorporated or not, and whether its principal place of business be situate in British India or not :

“Person.” “Person” includes a firm and a Hindú undivided family :

“Defaulter.” “Defaulter” includes a Company or firm making default under this Act :

“Collector.” In the case of any firm or of any Company or Municipal or other public Body or Association not being a Company, “Collector” means the Collector of Land Revenue of the place or district at or in which its principal place of business in British India is situate. And, in the case of any person or Hindú undivided family chargeable under this Act, “Collector” means the Collector of Land Revenue of the place or district at or in which such person or family resides.

Exemptions
from Act.

3. Nothing in this Act applies to the pay and allowances of officers, warrant officers, non-commissioned officers and privates of Her Majesty's Forces or of Her Majesty's Indian Forces, who are not in Civil employment, when such pay and allowances do not exceed five hundred rupees per mensem ;

or to any moveable or immoveable property solely employed for religious or charitable public purposes.

And no member of a firm or of a Hindú undivided family, which is for the time being chargeable under this Act, shall, as such, be chargeable under this Act.

Power to
exempt from
Act.

4. The Governor General in Council may from time to time, by order, wholly exempt from the operation of this Act the whole or any part of the income of any tribe or class of persons in British India.

The Governor General in Council may revoke any such order.

All

All orders and revocations made under this section shall be published in the *Gazette of India*.

PART II.

DUTIES ON OFFICES.

5. A duty of two pies for every rupee shall be levied in respect of every office or employment of profit in British India under Government or under a Company or a Municipal or other public body or Association not being a Company, Duties on offices.

and upon every salary, annuity or pension, paid in British India by Government or by a Company or by a Municipal or other public body or Association not being a Company to any person residing in British India or serving on board a ship plying to and from British Indian ports, whether on account of himself or another person.

6. No income amounting to less than eighty-three rupees, five annas and four pies per mensem, shall be chargeable under this Part. Exemption of incomes less than Rs. 83-5-4 per mensem.

7. In the case of every person holding any paid office, employment or commission under Her Majesty or under the Government of India, or under any Local Government, or receiving any annuity or pension from Her Majesty or any such Government, Deduction in case of Government officials and pensioners.

the duty to which he is liable under this Part shall be deducted from his pay, annuity or pension at the time of payment by the Examiner of Claims or other proper officer, and shall be deemed to be a tax paid under this Act.

8. In the case of every person holding a paid employment under, or receiving any annuity or pension from, any Company or any Municipal or other public body or Association not being a Company, the duty to which he is liable under this Part shall be deducted from his pay, annuity or pension at the time of payment by the Treasurer or other officer whose duty it is to make such payments, and shall be deemed to be a tax payable under this Act. Deductions in case of servants and pensioners of Companies and Municipalities.

Every

Payment to Government.

Every such Treasurer or other officer shall, as soon as may be after making such deductions, pay to the credit of the Government of India, or as such Government from time to time directs, the amount of such deductions, and shall be answerable to such Government for such payment.

Indemnity.

Every Company, public Body or Association, Treasurer or other officer as aforesaid is hereby indemnified for all deductions and payments made in pursuance of this Part.

Annual return by Treasurer, &c.

The Treasurer, Secretary or principal Agent or Manager of every such Company and public Body or Association shall prepare, and, on or before the fifteenth day of May next, deliver to the Collector, in such form as may be prescribed by the Governor General in Council, a return in writing showing the names of every person holding at the date of the said return a paid employment under, or receiving a pension or annuity from, such Company or Body or Association, whose pay or pension or annuity as such amounts to eighty-three rupees, five annas and four pies per mensem or upwards, together with the salaries, annuities or pensions payable by the Company or public Body or Association to all such persons respectively.

Subsequent deduction of duty omitted to be levied.

9. Whenever the duty leviable under this Part in any month is not deducted at the time of payment in that month from the pay, annuity or pension chargeable therewith, it shall be deducted from such pay, annuity or pension at some subsequent time of payment.

PART III.

DUTIES ON PROFITS OF COMPANIES.

Shipping Companies.

10. The Treasurer, Secretary or principal Agent or Manager in India of every Company shall, in the case of a Shipping Company trading between British India and any other country, pay to Government in respect of one moiety of the nett profits made by each of the ships of such Company engaged in such trade, during the year ending on the day on which the

the Company's accounts shall have been last made up, the duty of two pies in the rupee :

and, in the case of every other Company, pay to Government in respect of the whole of the nett profits made in British India by such Company during the year ending on the day on which the Company's accounts shall have been last made up, the duty of two pies for every rupee.

Other Companies.

and shall prepare, and, on or before the fifteenth day of May next, deliver to the Collector a statement in writing signed by him showing the result of such accounts.

Statement of result of accounts.

11. If in the case of any Company no such accounts have been made up within the year ending on the thirty-first day of March 1872, the Treasurer, Secretary or principal Agent or Manager of such Company shall prepare, and, on or before the fifteenth day of May next, deliver to the Collector a return in writing, signed by him and stating the nett profits made by such ships or by the Company (as the case may be) during the year ending on the said thirty-first day of March.

Annual return of nett profits.

12. Whenever the Collector has reason to believe that any statement or return mentioned in section ten or section eleven is incorrect or incomplete, he may cause a notice to be served on the Treasurer, Secretary, Agent or Manager by whom such statement or return was delivered, requiring him, on or before a day to be mentioned in the notice, to attend at the Collector's office and to produce for the inspection of the Collector such of the accounts of the Company as refer to the year mentioned in section ten or section eleven, as the case may be, and as are in the possession or power of such Treasurer, Secretary, Agent or Manager.

Power to require officers of Companies to attend and produce accounts.

The Collector shall thereupon make an order, determining the amount at which the Company shall be assessed under this Part and the day on which such amount shall be paid; and, subject to the provisions hereinafter contained, such sum shall be payable accordingly.

13. Every

Indemnity.

13. Every such Treasurer, Secretary, Agent or Manager is hereby indemnified for all payments made in pursuance of section ten or section twelve.

PART IV.

DUTIES ON INTEREST ON GOVERNMENT SECURITIES.

Duty on interest.

14. A yearly duty of two pies for every rupee shall be levied upon all interest on securities of the Government of India becoming due on or after the first day of April 1872.

Deduction of duty.

15. Every person empowered to pay such interest shall deduct the duty at the place where the interest is paid,

and shall, as soon as may be after making such deduction, pay the same to the credit of the Government of India, or as such Government from time to time directs :

Proviso.

Provided that no such duty shall be deducted from the interest on any such security, where the owner thereof produces a certificate signed by the Collector that his annual income, including such interest, is less than one thousand rupees.

PART V.

DUTIES ON ALL OTHER INCOME.

Duty on income not charged under Parts II, III and IV.

16. A yearly duty of two pies for every rupee shall be levied upon all incomes of one thousand rupees per annum or upwards, not chargeable under Part II, Part III, or Part IV of this Act.

Trustees, guardians and committees of incapacitated persons to be charged.

17. The trustee, guardian, curator, or committee of any infant, married woman subject to the law of England, lunatic or idiot, and having the control of the property of such infant, married woman, lunatic or idiot, whether such infant, married woman, lunatic or idiot resides in British India or not, shall, if the infant, married woman, lunatic or idiot be chargeable under this Part, be chargeable with the said duty in like manner and to the same amount as would be charged

charged to such infant if of full age, or to such married woman if she were sole, or to such lunatic or idiot if he were capable of acting for himself.

Any person not resident in British India, whether a subject of Her Majesty or not, being in receipt, through an agent, of any income chargeable under this Part, shall be chargeable in the name of such agent in the like manner and to the like amount as he would be charged if resident in British India and in actual receipt of such income.

Non-residents charged in names of their agents.

18. Every trustee, guardian, curator, committee or agent shall, when required by the Collector, deliver a statement signed by him, of the amount of the income in respect whereof he is chargeable on account of such infant, married woman, lunatic, idiot or non-resident, together with a declaration of the truth of the statement.

Trustees or agents of persons incapacitated or non-resident to furnish statements of income.

The Collector shall have power to serve a notice upon any person whom he has reason to believe to be a trustee, guardian, curator, committee or agent, requiring him to deliver, on or before a day to be specified in the notice, a statement signed by him of the names of the persons for or of whom he is trustee, guardian, curator, committee or agent.

19. Receivers or Managers appointed by any Court in India, the Courts of Wards, the Administrators General of Bengal, Madras and Bombay, and the Official Trustees, shall be chargeable under this Act in respect of all income officially in their possession or under their control.

Receivers, Managers, Courts of Wards, Administrators General and Official Trustees.

20. When any trustee, guardian, curator, committee or agent is assessed under this Act in such capacity ;

Power to retain duties charged on trustees, &c.

or when any Receiver or Manager appointed by any Court, any Court of Wards, Administrator General, or Official Trustee is assessed under this Act in respect of the income and profits officially received by him ;

every person and Court so assessed may, from time to time, out of the money coming to his or its possession as such trustee, guardian, curator, committee or agent, or as such receiver, manager, Court of

Wards,

Wards, Administrator General or Official Trustee, retain so much as shall be sufficient to pay the amount of the assessment.

Indemnity. Every such person and Court is hereby indemnified for every retention and payment made in pursuance of this Act.

Owners of lands and houses occupying them. **21.** Owners of lands or houses occupying the same shall be chargeable in respect of the annual value thereof at nine-tenths of the full rent at which such lands or houses are worth to be let for the year.

Rules for assessing income from land. The Local Government may, with the sanction of the Governor General in Council, prescribe, for the whole or any part of the territories subject to such Local Government, special rules for the assessment of incomes derived from land, at an amount bearing a fixed proportion to the revenue assessed thereon.

All such rules shall be published in the local official Gazette and shall thereupon have the force of law.

Persons assessed under Part V of Act XII of 1871, on incomes of 1,000 rupees and upwards, to be assessed at same amount. **22.** Every person chargeable under this Part shall, if he was assessed under Part V of Act XII of 1871 on an income of rupees one thousand or upwards, be assessed at the same amount as that at which he was assessed under the said Act; but any such person may apply under the provisions of Part VI to have such assessment reduced or cancelled.

Notice requiring returns. In the case of every person chargeable under this Part, to whom the provisions of the last preceding paragraph do not apply, and whose annual income is, in the Collector's opinion, four thousand rupees or upwards, the Collector shall,

and in the case of every such person whose annual income is, in the Collector's opinion, less than four thousand rupees, the Collector may,

cause a notice to be served on him, requiring him to fill in a return of his income during one year ending on the day of the year immediately preceding the year of assessment on which his accounts have been usually made up, or on the thirty-first day of March 1872, and to state in such return the period during which such income has actually accrued.

Such

Such notice shall be in the form to be prescribed by the Governor General in Council, and shall specify the day by which the return is to be made, and the place of the Collector's office at which the return is to be made.

Every such notice shall be signed by the Collector.

The form of the return shall accompany the notice.

23. Every person on whom such notice is served shall send to or deliver at the Collector's office the return duly filled and signed by him. Return how made.

A declaration shall be added by such person at the foot of the return, (a) that the income stated therein is truly estimated on all the sources therein mentioned, (b) that it has actually accrued within the period therein stated, and (c) that he has no other source of income.

24. Every person, when required so to do by a notice in the form to be prescribed by the Governor General in Council, shall, within the period mentioned in such notice, prepare and deliver to the Collector a list containing, to the best of his belief, the name of every lodger or inmate resident in his dwelling-house, and of any other persons receiving salary or emoluments amounting to eighty-three rupees, five annas and four pies per mensem or upwards, employed in his service, whether resident in such dwelling-house or not, and the place of residence of such of them as are not resident in such dwelling-house, and also of any such lodger or inmate who has any ordinary place of residence elsewhere, at which he is liable under this Act to be assessed, and who desires to be so assessed at such place. Lists of lodgers and employees.

Such lists shall be signed by the persons respectively delivering the same, and shall be prepared in the form to be prescribed as aforesaid.

25. The Collector shall from time to time determine what persons are chargeable under this Part, and the amount at which every such person shall be assessed ; Collector to determine persons chargeable.

and in making such assessment income exempted under section six shall be treated as chargeable under this Part.

26. Every

Assessment
to be made on
past year's
income.

26. Every such assessment shall be made upon the full amount of such person's income during the year ending on the day of the year next before the year of assessment on which his accounts have been usually made up, or on the thirty-first day of March 1872.

Assessment
when assessee
becomes
chargeable
within year.

In the case of a person for the first time becoming chargeable under this Part within the year of assessment, or within the year next before such year, the assessment shall be made according to an average of his income for such period as the Collector, under the circumstances, directs.

Notice to
persons
chargeable.

27. The Collector shall cause a notice to be served on every person chargeable under this Part, stating—

(1.)—The name and the profession, trade or other source of the income of such person, or in respect of which he is chargeable;

(2.)—The year or portion of the year for which the duty is to be paid;

(3.)—The place or places, district or districts, where such income accrues; and

(4.)—The amount to be paid;

and requiring him within fifteen days from the date of the service either to pay such amount or to apply to the Collector to have the assessment reduced or cancelled.

Officer to
give receipts.

28. Such amount shall be paid to the Collector, who shall give a receipt for such payment to the person making the same:

Provided that, if such income accrues at or in more than one place or district, the receipt shall be granted and payment made by and to the Collector for the place or district at or in which the person mentioned in the notice resides, or (in the case of a firm) at or in which its principal place of business in British India is situate.

Every such receipt shall be signed by the Collector granting it, or by such other officer as he shall from time to time empower in this behalf, and such signature shall be judicially noticed.

29. Every

29. Every such receipt shall specify—

Contents of receipt.

(1.)—The name and source or sources of the income of the person by or on whose behalf the duty is paid ;

(2.)—The year or portion of the year for which the duty is paid ;

(3.)—The amount paid, and the date of payment ; and—

(4.)—The place or places, district or districts, where the income accrues ;

and shall be admissible as evidence of all matters contained therein.

PART VI.**PETITIONS AND APPEALS AGAINST ASSESSMENTS.**

30. Any person objecting to the amount at which he is assessed, or denying his liability to be assessed, under Part V, may apply by petition to the Collector in order to establish his right to have the assessment reduced or cancelled :

Petition against assessment under Part V.

Such petition shall ordinarily be presented within fifteen days from the date of the service of the notice mentioned in section twenty-seven. But if the Collector is satisfied that the objector has not received such notice, the petition may be presented within fifteen days from the day on which, in the Collector's opinion, he became aware of the assessment :

Provided that no person served with a notice under section twenty-two shall be entitled to apply by petition under this section, unless he has made the return required in such notice on or before the day therein mentioned, or unless he satisfies the Collector that he had a sufficient excuse for not making such return.

Proviso.

The petition shall be in the form contained in the schedule hereto annexed, or as near thereto as circumstances admit ; and the statements therein contained shall be verified by the petitioner or some other competent person in the manner required by law for the verification of plaints.

Form and verification of petition.

31. The

Hearing of
petition.

31. The Collector shall fix a day and place for the hearing of the petition, and, on the day and at the place so fixed, or on the day and at the place (if any) to which he has adjourned such hearing, shall hear such petition and pass his order thereon.

Such order may be in favour of the petitioner, or it may simply reject the petition, or it may reject the petition and enhance the petitioner's assessment to an amount to be specified in the order.

If the order be in favour of the petitioner, the Collector shall at once refund the fee on the petition.

If the order simply reject the petition, or reject the petition and enhance the petitioner's assessment, the petitioner shall within fifteen days from the passing of the order pay the amount mentioned in the said notice or in the order of enhancement, as the case may be.

Appeal to
Commissioner
from order
under section
12 or section
31.

32. Any person dissatisfied with any order under section twelve or section thirty-one may, within fifteen days from the date thereof, on payment of the sum payable under such order, present a petition of appeal to the Commissioner of Revenue of the Division, whose order upon such appeal shall be final.

The time requisite for obtaining a copy of the order shall be excluded in computing the said period of fifteen days.

The order of such Commissioner shall be final. It may be in favour of the petitioner, or it may simply reject the petition, or it may reject the petition and enhance the assessment to an amount to be specified in the decision.

If the order rejects the petition and enhances the assessment, the petitioner shall, within one week from the passing of the order, pay the amount mentioned in the order of enhancement.

Documents to
accompany
appeal.

Every petition presented under this section shall be accompanied by a copy of the petition to the Collector, and a copy of the Collector's order thereon, and a list of the documents, if any, on which the appellant relies.

Copies of pe-
tition and
order exempt
from fees.

Neither of such copies shall be chargeable under the Court Fees Act.

When

When the decision on such appeal is in favour of the petitioner, the value of the fee on his petition of appeal, and (where he has presented a petition to the Collector) the fee on such petition, together with the excess paid by him, or (when the decision is that the petitioner, or the Company which he represents, is not chargeable under this Act) the whole sum so paid, shall at once be refunded.

Return of fees and excess.

33. The Collector or Commissioner may summon any person whom he thinks able to give evidence for the purpose of enabling him to determine how the petitioner, or the Company which he represents, should be assessed; and may examine on oath the person so summoned and the petitioner; and may require each of them to produce any documents in his possession or power relating to the sources of the income in question.

Power to summon persons to give necessary information.

34. Whenever the Collector has reason to believe that, in assessing any person under this Act, any source of income not specified in the receipt granted to him under section twenty-eight has been overlooked; which source, if it had then been known to exist, would have increased the assessment, the Collector may cause a further notice to be served on such person, stating the amount to be paid in respect of such source.

Power to issue fresh notice.

The provisions contained in sections twenty-seven to thirty-three (both inclusive) shall apply to such notice and regulate the procedure thereunder.

PART VII.

PAYMENT AND RECOVERY OF DUTIES.

35. All duties under this Act, except when they are deducted under section seven, section eight or section fifteen, shall be payable on the first day of May 1872:

Tax when payable.

Provided that the amount so payable may be paid by two equal instalments: the first instalment to be paid on some day not later than fifteen days after service of the notice mentioned in section twenty-

Payment by instalments.

seven

seven upon the person paying the same, and the second instalment on the first day of October next.

Recovery
under reve-
nue law.

36. In any case of default under this Act, the Collector may, if a notice has been served on the defaulter requiring him to pay, within fifteen days from the date of the service, the amount of the duty or instalment due by him under this Act, either recover a sum not exceeding double the amount as if it were an arrear of land-revenue,

or pass an order that a sum not exceeding double the amount of such duty or instalment shall be recovered from such defaulter.

Every such order shall have the force of a decree of a Civil Court in a suit in which the Government is the plaintiff and the defaulter is the defendant; and such order may be enforced in manner provided by the Code of Civil Procedure for the enforcement of decrees for money; and the procedure under the said Code in respect of the following matters:—

- (a) sales in execution of decrees:
- (b) arrests in execution of decrees for money:
- (c) execution of decrees by imprisonment:
- (d) claims to attached property; and
- (e) execution of decrees out of the jurisdiction of the Courts by which they were passed,

shall apply to every execution issued for levying the moneys mentioned in such order; save that all the powers and duties conferred and imposed by the said Code upon the Court shall be executed by the Collector by whom such order has been made or to whom a copy thereof has been transmitted for execution according to the provisions of the said Code, section two hundred and eighty-six:

Provided that, where any person has presented a petition under section thirty, such sum shall not be recoverable from him unless, within fifteen days from the passing of the order thereon, he fails to pay the amount, if any, required by such order.

On the recovery of such sum from the defaulter, the Collector shall grant him a receipt without any further payment.

Every

Every such receipt shall bear date from the recovery of the amount, and save as aforesaid, the provisions of this Act relating to receipts shall apply to receipts granted under this section.

37. If, during or within two months from the end of the year for which any assessment under Part V has been made, the Company or person assessed proves to the satisfaction of the Collector, that the nett profits or income of such Company or person during such year fell short of the sum so assessed, the Collector may cause the assessment made for such year to be amended as the case requires, and if the sum assessed has been paid, may refund the sum overpaid.

Amendment
of assessment.

In case any Company or person assessed under Part III or Part V ceases to carry on the trade or business in respect whereof such assessment was made, or if any such person dies or becomes insolvent before the end of the year for which the assessment was made, or if any such Company or person is, from any other specific cause, deprived of or loses the income on which the assessment was made,

such Company or person or its or his representative in interest may apply to the Collector within three months after the end of such year, and on proof thereof to his satisfaction, the Collector shall amend the assessment as the case may require, and give such relief to the Company or person charged as is just, and in cases requiring it, the Collector shall refund such sum as has been overpaid on the assessment amended or vacated.

PART VIII.

PENALTIES.

38. Every Treasurer, Secretary, Agent, Manager or other person failing to make any payment or deduction, or to prepare and deliver in due time any statement or return, or to produce any accounts, required by section eight, ten, eleven or twelve,

Treasurers,
&c., failing to
make pay-
ments or de-
liver returns.

and

Trustees, &c., failing to deliver statements or declarations. and every trustee, guardian, curator, committee or agent, failing to deliver any statement or declaration required by section eighteen,

shall, for every day during which such default continues, be fined, on conviction before a Magistrate, ten rupees.

The Commissioner of the Division shall have power to remit wholly or in part any penalty imposed under this section.

False statement in declaration, list or petition.

39. Whoever makes a statement in any declaration or list made or delivered under section twenty-three or twenty-four, which is false, and which he either knows or believes to be false or does not believe to be true, shall be deemed to have committed the offence described in section one hundred and seventy-seven of the Indian Penal Code.

Whoever makes a statement in any petition presented under section thirty which is false, and which he either knows or believes to be false or does not believe to be true, shall be deemed to have intentionally given false evidence in a stage of a judicial proceeding.

Prosecution to be at instance of Collector.

40. No person shall be proceeded against for any offence under section thirty-eight or section thirty-nine except at the instance of the Collector.

Sections 193 and 228 of Penal Code to apply to proceedings.

41. In sections one hundred and ninety-three and two hundred and twenty-eight of the Indian Penal Code, the words "judicial proceeding" shall be taken to include any proceeding under this Act.

PART IX.

MISCELLANEOUS.

Bar of suits in Civil Court.

42. No suit shall lie in any Civil Court to set aside or modify any assessment made under this Act.

Exercise of powers of Collector and Commissioner.

43. All or any of the powers and duties conferred and imposed by this Act on a Collector and on a Commissioner of Revenue may be exercised and performed by such other officers or persons as the

Local

Local Government from time to time appoints in this behalf.

44. Service of any notice under this Act shall be made by delivering or tendering a copy thereof under the signature of the Collector. Service of notices.

Whenever it may be practicable, the service of the notice shall be on the person therein named; or, in the case of a firm or a Hindú undivided family, on some member thereof.

When such person or member cannot be found, the service may be made on any adult male member of his family residing with him; and if no such adult male member can be found, the serving officer shall fix the copy of the notice on the outer door of the house in which the person or firm therein named ordinarily dwells or carries on business.

45. When any Company or firm has several places of business in the territories subject to different Local Governments, the Governor General in Council shall have power to declare which of such places shall, for the purposes of this Act, be deemed to be the principal place of business, and, when any Company has several Agents or Managers, which of them shall, for the purposes of this Act, be deemed to be the principal Agent or Manager. Power to declare principal place of business.

When any Company or firm has several places of business in the territories subject to a single Local Government, such Government shall have power to declare which of them shall, for the purposes of this Act, be deemed to be the principal place of business.

When any person has several places of residence in the territories subject to different Local Governments, the Governor General in Council shall have power to declare which of such places shall, for the purposes of this Act, be deemed to be his residence; and when any person has several places of residence in the territories subject to a single Local Government, such Government shall have power to declare which of such places shall, for the purposes of this Act, be deemed to be his residence. Power to declare residence.

The powers given by this section may be delegated to and exercised by such officers as the Governor General in Council or the Local Government, as the case may be, from time to time appoints in this behalf.

Power to
prescribe
forms and
make rules.

46. The Governor General in Council may from time to time

(a) prescribe forms for the returns, notices and lists hereinbefore mentioned,

(b) make rules consistent with this Act for the guidance of officers in matters connected with its enforcement, and

(c) delegate to any Local Government the powers given by this section, clause (b), so far as regards the territories subject to such Government.

1872.]

Income Tax.

SCHEDULE.

Form of Petition under section 30.

Stamp
eight annas.

TO THE COLLECTOR OF

The day of 187 .

The petition of A. B. of

SH EWETH—

1.—That, under the Indian Income Tax Act, your petitioner has been assessed in the sum of *twenty-seven* rupees for the year commencing the first day of April 1872.

2.—That your petitioner's income and profits accruing and arising from [*here specify petitioner's trade or other source or sources of income or profits, and the place or places at which such income or profits accrues or arise*] for the year ending the thirty-first day of March last were rupees

, as will appear from the documents of which a list is presented herewith.

3.—That such income and profits actually accrued and arose during a period of months and days [*here state the exact number of months and days in which the income and profits accrued and arose*].

4.—That during the said year your petitioner had no other income or profits.

Your petitioner therefore prays that he may be assessed accordingly, and that the value of the fee on this petition may be refunded [*or that he may be declared not to be chargeable under the said Act, and that the value of the fee on this petition may be refunded*].

(Signed) A. B.

Form of Verification.

I, A. B., the petitioner named in the above petition, do declare that what is stated therein is true to the best of my information and belief.

(Signed) A. B.