K. C. Gajapati Narayan Deo and Others v. State of Orissa

Civil Appeals Nos. 71–76 of 1953

[1954] SCR 1 | 1953-05-29

Historical interpretation: Orissa Agricultural Income-tax (Amendment) Act, 1950

Orissa Agricultural Income-tax (Amendment) Act, 1950 | Orissa Estates Abolition Act, 1952: sections 23, 26, 27, 37 | Constitution: article 31(4); List II entry 46; List III entry 42

5-judge bench | Patanjali Sastri C.J. | B. K. Mukherjea J. | S. R. Das J. | Ghulam Hasan J. | N. H. Bhagwati J.

Historical statutory scope and source qualifications

Agricultural income-tax and constitutional legislative competence, not central income-tax computation. Historical constitutional property provisions; no current-law clearance.

State agricultural-income-tax scope

This note concerns the identified State agricultural-income-tax legislation and its constitutional or statutory setting. It does not establish a central Income-tax Act computation or reopening rule.

01 FACTS OF THE CASE

Estate proprietors challenged the abolition scheme, including the sharp increase in agricultural income-tax that reduced net estate income used to calculate compensation. They alleged the tax amendment disguised a device to minimise compensation.

Source: Primary report: SCR 4–10

02 DISCUSSION BY THE HON'BLE COURT

Colourable legislation concerns constitutional competence and the law’s substance, rather than legislative good or bad motives. The increased tax was an actual existing liability when abolition took effect. Both agricultural income taxation and the compensation principles were within the relevant legislative fields.

Source: Primary report: SCR 11–20

03 JUDICIAL DECISION

The agricultural income-tax amendment was not invalid as colourable legislation. The Court also upheld the challenged acquisition and compensation provisions. Separate delegation and equality objections to rent-settlement amendments were expressly left open by consent.

Source: Primary report: SCR 18–29

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04 OUTCOME / IN WHOSE FAVOUR

All six appeals were dismissed, each side bearing its own costs. The open rent-settlement questions were not decided.

Source: Primary report: SCR 24, 29–30

05 AKHB REVIEW POINT

This includes a substantive agricultural income-tax validity holding, not merely an incidental tax reference, but it is not a central income-tax assessment case. Keep the tax issue distinct from the land-reform holdings and the questions expressly reserved.

Source: Primary report: SCR 8–20, 24

SOURCE & VERIFICATION

Supreme Court Reports primary scan — public eSCR mirror

All thirty PDF pages and the complete single opinion read. Last page begins the separate Kedar Nath Bajoria/Hari Ram Vaid criminal-law report.

Open cited source rendition

STATUTORY SCOPE

Historical legislation expressly identified in this note. This is not a decision under the Income-tax Act, 1961 or the Income-tax Act, 2025. Verify enacted wording, commencement, transition and subsequent judicial treatment independently before modern reliance.

LATER TREATMENT

Source checked 2026-10-23. Subsequent treatment and present-law applicability have not been comprehensively checked.

AI DISCLOSURE

This AKHB research note uses AI assistance and a preserved full-primary review, with refreshed exact original-byte verification. Independent human review is not represented.

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