Commissioner of Income-tax, West Bengal, Calcutta v. Raja Benoy Kumar Sahas Roy

Civil Appeal No. 165 of 1954
[1958] SCR 101 | 1957-05-23

Historical interpretation: Indian Income-tax Act, 1922, sections 2(1) and 4(3)(viii)

Indian Income-tax Act, 1922, sections 2(1) and 4(3)(viii)

3-judge bench | N. H. Bhagwati | T. L. Venkatarama Ayyar | J. L. Kapur

Historical statutory scope and source qualifications

Historical 1922 Act judgment; no current-law clearance. Metadata/front heading uses “Saras Roy”; running title and substantive report use “Sahas Roy”. Canonical party follows the body; exact original retained.

01 FACTS OF THE CASE

The assessee owned about 6,000 acres of sal and piyasal forest, originally of spontaneous growth and about 150 years old. In reopened AY 1944–45 assessment, gross forest receipts were Rs.51,978; after expenses of Rs.17,548, Rs.34,430 was taxed. Staff pruned, weeded, guarded and tended the forest and sowed seeds after digging denuded areas. The High Court treated the income as agricultural; Revenue appealed.

Source: Primary report: SCR 103–106

02 DISCUSSION BY THE HON'BLE COURT

After reviewing the authorities, the Court required basic operations on the land itself—tilling, sowing, planting or similar human skill and labour—followed, where necessary, by integrated subsequent operations such as weeding, tending, pruning, harvesting and market preparation. Subsequent care of spontaneous growth alone is insufficient. Agriculture is not confined to food crops: useful commercial crops and planted timber may qualify, but mere connection with land does not bring livestock, dairying or poultry within the term. The separate constitutional entries for agriculture and forests did not make them mutually exclusive for the statutory income definition.

Source: Primary report: SCR 106–158, especially 154–158

03 JUDICIAL DECISION

Income from trees planted in denuded parts qualified as agricultural income; income attributable solely to spontaneous growth did not. The Department had not ascertained the split. Given the forest’s age, substantial maintenance expenditure and lapse of time, the Court declined a fresh enquiry and found no basis on the record to reverse the High Court’s result.

Source: Primary report: SCR 158–160

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04 OUTCOME / IN WHOSE FAVOUR

Assessee succeeded in the appeal: Revenue's appeal dismissed with costs. This was not a holding that every receipt from any forest is agricultural income.
Source: Primary report: SCR 159–160

05 AKHB REVIEW POINT

Document actual basic cultivation operations and separate receipts from planted growth and naturally occurring growth. The taxpayer's success depended on the record and the Department's failure to quantify the taxable component; do not convert it into a blanket forestry exemption. Apply the relevant year's statute and verify later treatment before current advice.
Source: Primary report: SCR 154–160

SOURCE & VERIFICATION

Supreme Court Reports primary scan — public eSCR mirror

All 60 pages read, including the full survey of authorities and final application. Single opinion by Bhagwati J.; no separate opinion or adjacent case included.

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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