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An Exploration of India's Tax System from the Ground Up

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Abstract

Taxation is widely seen as a hallmark of a civilized society. Taxation underwent distinct evolution and development within the context of the prominent ancient empires. The notions that underwent development were disseminated to other empires and cultures, hence facilitating the establishment and adoption of tax principles. This trend persists in contemporary times, since states are subject to the effect of tax innovations originating from other countries. This article aims to illustrate the significant shifts in elite perspectives on tax policy during the last century and the consequential impact of these views on the evolution of contemporary income tax legislation. The adage commonly known asserts that there are only two certainties in life: death and taxes. While it is possible that this statement holds some validity, it is important to note that taxes often exhibit a higher level of complexity and a significant degree of inconsistency. Furthermore, it is important to note that their existence in its current form was not always a reality. This study will examine the historical trajectory of India, from the period of the Manusmriti to the present day, with a particular focus on the role of taxation. The objective is not to engage in a comprehensive analysis, but rather to provide a chronological account of the main contributions based on the perspectives of prominent experts. This study endeavours to provide a concise overview of the historical development and progression of taxation in India, spanning from ancient periods to the present day.

Keywords: Tax, India, Taxation, History, Progression, Evolution.

Introduction

In the current era, it is critical that the government play a substantial role in promoting the holistic advancement of society. In addition to performing traditional responsibilities such as maintaining order and safeguarding national security and defense, the government is tasked with undertaking welfare and development initiatives, which encompass healthcare, education, sanitation, rural development, and water supply, among others. Furthermore, it is obligated to bear the expenses linked to its internal administrative operations. Significant public funding is required to fulfill each of these obligations (Halland et al., 2015). Taxes

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function as the principal method through which the government obtains revenue to finance public expenditures (Cullis & Jones, 2009). There exist two primary classifications of taxes: direct taxes and indirect taxes. The income tax is commonly considered the most important form of direct tax due to the substantial influence it has on both individuals and businesses (Adams, 1993). The efficacy of the system is augmented through the incorporation of diverse incentive programs, the establishment of exemption thresholds, and the implementation of a progressive rate schedule. As Gopal (1958) posits, the implementation of this methodology possesses the capacity to satisfy the prerequisites for a resilient taxation structure, while concurrently making a substantial contribution towards the realization of numerous socio-economic objectives delineated by the economic system. Furthermore, it promotes the attainment of distributive justice through the imposition of a greater tax burden on the more prosperous class of individuals. Additionally, it can serve as a mechanism for managing inflation. As a result of these many circumstances, income tax has acquired significant significance within the framework of direct taxation. Hence, it is a common practice for politically developed democracies to implement various forms of personal taxes, often predicated on an individual's income (Sklair, 2013).

The historical research demonstrates that there has been a significant economic characteristic in the past two centuries, which is the growth of governmental institutions and their ability to produce money from the population. Taxation has consistently been a topic that engenders vigorous and heated discourse, characterized by a repeated pattern of broad discontent and hostility towards taxes and government spending whenever a budget is ratified (Buggeln et al., 2017). The government is frequently attributed with accountability for the increasing financial challenges, and across the historical and literary contexts of many nations and epochs, there exists a multitude of references to 'taxation' and 'tax legislation'. The historical roots of taxation may be traced back to ancient civilizations, suggesting that it is a lengthy tradition rather than a modern phenomenon. Throughout history, emperors, monarchs, and rulers of various countries have used taxation or levies as a means to fund military expeditions, sustain fortifications and palatial structures, and facilitate other public endeavours.

Tax- Meaning and Implications

The Latin word "taxare," meaning "to estimate," is where the word "tax" comes from.

According to Dillinger and Webb (1999), a tax is an obligatory financial responsibility that is imposed by the government under the power of legislation, rather than a voluntary payment

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or contribution. Regardless of the precise terminology employed, it includes any mandatory financial contribution imposed by the government, including tolls, tributes, imposts, duties, customs, excises, subsidies, aid, supplies, or any other designation (Abomaye-Nimenibo et al., 2018).

Another way to define a tax is as a "pecuniary burden laid upon individuals or property owners to support the government, a payment exacted by legislative authority" (Cobham, 2007 referenced by Kimaru & Jagongo, 2014). Instead of being a voluntary payment or donation, it is an enforced contribution that is being withheld in compliance with legal authority. It can be paid in cash or in labour equivalents, and it can be either an indirect or direct tax. A One type of charge known as a direct tax is one that is placed directly on the taxpayer and is reimbursed to the government by the individuals (natural or juristic) who are subject to it. A direct tax is one that the taxpayer is unable to transfer to another party. In contrast, an indirect tax is one that is collected from the party that ultimately suffers the financial burden of the tax—the customer—by an intermediary, such a retail establishment (Aamir et al., 2011; Atkinson & Stiglitz, 1976; Cremer & Rochet, 2001). Afterwards, the middleman files a tax return and sends the tax revenue to the government together with the return. In this way, the phrase "indirect tax" is used to contrast with "direct tax," which is levied against natural or legal persons and collected directly by the government.

Recent Tax Reforms

The economic crisis that occurred in 1991 prompted the implementation of structural tax reforms in India, primarily aimed at rectifying the fiscal imbalance. Following that, the Tax Reforms Committee, led by Raja Chelliah under the Government of India in 1992, and the Task Force on Direct Taxes, led by Vijay Kelkar under the Government of India in 2002, put up numerous recommendations aimed at enhancing the Income Tax System (Chelliah, 1992; Bernardi & Fraschini, 2005; Rao & Sen, 2011). Over time, the administration has gradually put these suggestions into practice. Notable changes have been made to the personal income tax system, such as a significant decrease in the top marginal rate, reorganizing tax brackets to include lower tax rates, and raising the exemption threshold. In addition, the government increased the reach of Tax Deducted at Source (TDS) and made initiatives to rationalize a number of incentive schemes. The government has put in place a number of initiatives pertaining to business tax (Rao, 2005; Acharya, 2005). These consist of lowering tax rates for both domestic and foreign businesses, starting to depreciate intangible assets, and simplifying a number of incentive schemes. The Minimum Alternative Tax and Dividend Distribution Tax, Securities Transaction Tax, Fringe Benefit Tax, and Banking Cash Transaction Tax are among the new taxes that have been put into place (Agrawal, 2007). The Finance Act of 2009 resulted in the withdrawal of the Fringe Benefit Tax and the Banking Cash Transaction Tax. The restructuring of the Income Tax administration took place on August 1, 2001, in order to simplify the implementation of computer technology (Belavadimath, 2019; Palil, 2010). Moreover, in regard to the current worldwide advancements, the department has undertaken significant endeavours to initiate reforms in the tax administration in recent times. Several significant measures have been implemented to enhance tax administration. These include the compulsory requirement of quoting the Permanent Account Number (PAN), the adoption of electronic filing of returns, electronic Tax Deducted at Source (TDS) and electronic payment systems. Additionally, the Tax Information Network (TIN), the Annual Information Return (AIR) for high-value transactions, the Integrated Taxpayer Profiling System (ITPS), and the Refund Banker Scheme in select cities have been introduced (Rani & Arora, 2010; Belavadimath, 2019). The primary aim of these reforms has been to augment tax revenue through the enlargement of the taxpayer base, the enhancement of operational efficiency within the tax administration, the promotion of voluntary tax compliance, the establishment of a taxpayer-friendly environment, and the streamlining of procedural regulations.

Objectives

- To assess the Indian Tax system
- To examine the historical trajectory of taxes, from the ancient period to the present day in India.

Research Methodology

This study employs the explanatory research approach, utilizing secondary data sourced from many journals, newspapers, magazines, and websites that encompass a broad range of academic literature pertaining to taxes.

Findings

- ***Taxation System of India***

India presently possesses a robust and sophisticated tripartite federal tax structure, characterized by a clear delineation of authority between the Central Government, State Governments, and local municipal bodies (Tillin, 2019). The Central Government is responsible for imposing income taxes, with the exception of agricultural income, which falls under the jurisdiction of State Governments (Tyagi, 2021). Additionally, the Central Government levies customs duties, as well as the Central Goods and Services Tax (CGST) and the Integrated Goods and Services Tax (IGST). State governments impose several taxes, including the State Goods and Services Tax (SGST), stamp duty, state excise, land revenue,

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and profession tax (Nayar & Singh, 2018; Mukherjee, 2015). Local governments possess the jurisdiction to levy taxes on properties, octroi, and amenities such as water supply and drainage. As per the Indian tax system, the government levies taxes on its citizens with the objective of generating cash for public infrastructure initiatives and enhancing the nation's economic standing. According to Section 2(24) of the Income Tax Act of 1931, the term "Income" is defined as the monetary amount acquired by an individual or corporation within a certain timeframe, originating from several available sources of income (Tyagi, 2021). It denotes that a person's primary source of income is the money they receive as pay and compensation from the company that has hired them to perform a certain work. Likewise, within the context of a corporation, the financial proceeds generated through the successful execution of essential commercial activities are recognized as the organization's revenue. In simpler language, income refers to the monetary compensation earned by an individual within a defined timeframe.

Taxation in Ancient India

Taxation in India may be traced back to ancient texts such as the 'Manu Smriti' and 'Arthasastra' (Kumar, 2016). This early tax system was designed with the aim of promoting social welfare and fostering economic success. However, throughout the colonial period and under some rulers, taxation was often exploited as a means to accumulate wealth for the ruling authorities. In the Raghuvansha, Kalidasa describes King Dileepa's approach to taxation as being solely motivated by the welfare of his subjects (Prasad, 1987; Kumar, 2003). He draws a parallel between this act and the Sun's extraction of moisture from the Earth, which is then returned in abundance. The verdicts suggest that the objective for the collection of taxes was driven by the desire to benefit and promote welfare. The saint expressed the notion that taxes need to be proportionate to the income and expenditure of the individual. However, he proceeded to advise the monarch regarding the potential drawbacks of implementing excessive taxation. It was suggested that a ruler should refrain from imposing exorbitant tax rates, as well as from granting complete tax exemptions to all individuals inside the realm.

The detailed analysis presented by Manu and Kautilya about taxes serves as a clear illustration of the existence of a substantial taxing system during ancient times. According to Manu in the text 'Manushamarti', it was stipulated that the King should claim a portion of the wealth possessed by the people. Specifically, in the context of livestock and gold, the King was entitled to one-fiftieth of the total value, while in the case of grains, the King's share was either one-eighth, one-sixth, or one-twelfth, depending on the circumstances (Prasad, 1987).

Gautama stipulated that agricultural practitioners were obligated to remit a tax equivalent to ten percent, twelve and a half percent, or sixteen and two-thirds percent of their crop yield to the ruling monarch. It has been asserted by several individuals that a tax is imposed on both cattle and gold, namely amounting to one-fifth of the whole stock (Kumar, 2016; Shome, 2021). According to Baudhāyana's observation, it is stated that the monarch should ensure the safeguarding of his subjects, while obtaining a remuneration equivalent to one-sixth of their earnings (Altekar, 2002; Sarkar, 2003). According to Vaśiṣṭha, it is stated that a monarch who governs in accordance with the sacred law is entitled to appropriate one-sixth of the riches possessed by their subjects (Altekar, 2002). Viṣṇu believes that it is appropriate to collect taxes from his subjects in the form of a one-sixth portion of each ear of corn and other seeds, as well as two percent of animals, money, and clothing. The verdicts of ancient scholars provide ample proof that taxes were imposed in various ways, even in early and primitive societies. This substantiation extends beyond the texts of Manusmriti and Arthasastra. However, Manusmriti continues to be recognized as an old and often referenced source for rules related to income tax. According to the Manusmriti, it is recommended that the process of taxing should not impose undue hardship on the common populace. Taxation should be implemented in a manner that is both rational and justifiable to the public, ensuring that it generates a significant income. The Arthasastra, authored by Kautilya, is a comprehensive and methodical exploration of the taxation system (Kumar, 2016). During the period of the Mauryan Empire's hegemonic expansion, Kautilya's prescribed resolutions and treaties played a crucial role in facilitating effective governance of the state. These resolutions shed light on the taxation system employed by the Mauryan state around 300 BCE. As the first fully-fledged empire in India, the Mauryan Empire provides valuable insights into the earliest formulation and implementation of state taxation. Conversely, the concepts of society and governance are solidified into normative principles inside the Manusmriti. Hence, by comparing and contrasting these two works in relation to the contemporary development of taxes, it unveils novel perspectives within the field of economic history.

Kautilya's approach encompassed not just the taxation of agricultural products, but also included the imposition of water rates, octroi duties, tolls, customs duties, salt tax, taxes on forest produce, mining of metals, and various other forms of taxation (Sihag, 2009). In addition to this, individuals were also categorized and subjected to taxation based on their professions, such as performers, singers, dancing girls, and musicians. These taxes were collected in many forms, including gold coins, animals, gray products, grains, and individualized services. Taxes such as vartanam were imposed on all imported commodities from outside, while Dvarodaya was placed on businessmen for the importation of goods from abroad (Blankson, 2007). Additionally, ferry tolls were charged, and yatravetana was imposed on pilgrims. The primary objective of taxation was not solely to generate cash, but rather to establish a sense of obligation and duty (dharma) between the ruler and the citizenry. The imposition of taxes has not been mandated, and individuals possess the right to request a reimbursement of taxes remitted if they see that the monarch has failed in their obligations to safeguard and foster the prosperity of the populace. Nevertheless, a diverse range of revenue streams were generated. However, the underlying principle was not to exploit individuals through excessive taxation, but rather to allocate funds towards the betterment and welfare of the populace. This included investing in infrastructure, establishing educational institutions, and undertaking other socially advantageous endeavours. Consequently, this approach laid the groundwork for the contemporary taxation system.

Taxation In Medieval India

Several kingdoms, including the Sultanats, Mughals, and Marathas, implemented a variety of taxing schemes during the medieval period, including the khiraj, zakt, zabti, dastur-ul-amal, and chauth tax. Various monarchs conducted several modifications and experiments during this historical time. For instance, Ajatashatru displayed support for other religions, resulting in the reduction or elimination of taxes for ascetics. Additionally, Chandragupta Maurya (322 BCE) established the collection of sales taxes (Kumar, 2016). During the reign of Ashoka, there were two sorts of taxes that were levied: one based on the extent of cultivated land, and the other based on the agricultural yield (Dasgupta, 2002). In the era of King Akbar, the finance minister Raja Todar Mal implemented several taxation systems such as "zabt" and "dahshala" to establish a new framework for taxation and income generation. Moreover, the British and French were granted the authority to levy taxes on behalf of the monarch under the 'Treaty of Allahabad of 1765'.

Following India's initial war of independence, known as the Sepoy Mutiny of 1857, the British government found itself grappling with a significant financial crisis. As a result, in July 1860, the government invoked the words of Manu, emphasizing the necessity for the king to gradually extract resources from his realm through moderate annual taxation, likening this process to the way a leech, calf, or bee consumes its sustenance incrementally. James

Wilson is credited with the introduction of the Income Tax Act in India (Bhattacharya, 2005). The time span from 1860 to 1886 witnessed a sequence of endeavors in the realm of direct taxation. These efforts oscillated between the implementation of income tax legislation, specifically the Income Tax Acts of 1860-1863 and 1869-1873, and the imposition of license taxes on various trades and professions. These license taxes bore resemblance to the local practices of Mohturfa and Veesabuddy. The conclusive iteration of the tax was established in 1886, marking the initial instance of comprehensive law pertaining to income-tax. In 1886, the government, driven by financial constraints, implemented an income tax once again, incorporating significant stipulations. The rationale behind implementing the deemed essential modifications to the Income Tax Act of 1886 can be attributed to the First World War, with the aim of generating cash to sustain the British government's provision of leisure and amenities.

The Indian Income Tax Act of 1918 implemented several notable revisions and repealed the Income Tax Act of 1886 (Alagappan, 2018). The significance of the Indian Income Tax legislation of 1918 rests in the provision that tax rates, previously included in the legislation itself, are now determined through the annual Finance Act. The Act of 1922 remained in effect until 1961 (Singh, 2019). However, during this period, distinct agencies were established, and the administration of the Act gradually transitioned from the revenue authorities to the Central Board of Revenue, which assumed responsibility for overseeing central taxes. The mentioned legislation enhanced the flexibility of India's taxation system and provided a comprehensive structure and administrative body for tax management, which remained in place for the subsequent four decades. The Act under consideration holds significant historical importance in the context of income tax in India, as it stands as a prominent milestone and exemplifies a highly structured, systematic, and meticulously designed tax framework inside the country. The concept of tax rate flexibility, which aligns with the budgetary needs of the state and is compatible with the existing taxing system, was initially introduced in this legislation (Pechman, 2001). The legislative measures enacted during the British colonial rule, particularly those pertaining to taxation, established the groundwork for subsequent statute provisions concerning income taxation. The attainment of independence necessitates the responsible management of financial resources in a manner that achieves two primary objectives: generating finances for sustenance and ensuring the provision of essential facilities to the populace. The prioritization of its own wellbeing over the accomplishments of British interests and developments has led to various alterations and amendments to the statute since its inception. Nevertheless, the Income Tax Act of 1922

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continued to serve as the primary reference for income tax matters in India until the year 1962 (Singh, 2019). The Indian government introduced a new legislation known as the "Income Tax Act 1961" with the aim of addressing the specific needs and circumstances of the Indian context. This act continues to serve as the primary legislative framework for the assessment and collection of income tax in India. The current legislation regarding income tax was established in 1961, following the guidance of the law commission and multiple inquiry committees. It officially commenced on 1 April, 1962, and has since been modified and adjusted by numerous finance Acts, taking into consideration the socio-economic conditions of the nation.

Following the achievement of independence, three tax-related legislations were enacted in the mid-1950s, including the Wealth Tax Act, the Expenditure Act, and the Gift Tax Act (Barkha & Deepika, 2023). In 1963, the Information Technology department, which was overwhelmed with the administration and dissemination of many legal matters, contemplated the establishment of a distinct and independent board (Woll, 1963). As a result, the Central Board of Revenue Act of 1963 was enacted and established. Anatomical changes in the Indian tax system have been observed since 1961. Over the years, it has experienced significant growth, expansion, and increased complexity. The organization has effectively coordinated the allocation of resources and financial support to promote the development and enhance the socio-economic well-being of the population.

Over the past six decades, the tax structure has experienced a sequence of modifications. The primary determinant of alterations in the form of income-tax has been the imperative requirement for supplementary revenues. However, additional elements, including evolving economic circumstances, legal rulings, and recommendations put forth by various Enquiry Committees, have also contributed to the shape of income-tax. The Constitution of India designated tax policy as the primary mechanism for shifting private savings towards public consumption and investment. It can be noted that during its assimilation into the Indian context, the tax system acquired distinct characteristics. This is evident in the treatment of agricultural income and the income of the Hindu undivided family, as well as in the developments related to the taxation of corporate income. Furthermore, the introduction of the goods and service tax on July 1, 2017, replaced the existing value-added tax, excise duty, and service tax at both the central and state levels (Kour et al., 2016). Additionally, the income tax department has launched a new website with enhanced features, such as ease in filing income tax returns, the TRACES system, banking cash transaction tax, and the integrated taxpayer management system, among others. Just as in antiquity, taxes continue to

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serve as the primary means of government revenue. However, a notable distinction lies in the fact that although taxation was compulsory for all individuals in the past, contemporary tax obligations are limited to those who meet specific financial eligibility criteria. There are essentially two distinct categories of taxes: direct taxes and indirect taxes. The respective revenue authorities responsible for overseeing these taxes are the Central Board of Direct Taxes and the Central Board of Excise and Customs. Each year, suggested revisions are put forth via the finance bill. In order for the bill to be enacted as a finance act, it must be approved by both houses of parliament and receive the assent of the president of India. The statement made during Manu's day remains relevant in contemporary times: "If an individual possesses a taxable income, they are obligated to pay taxes to the government." (Barkha & Deepika, 2023).

Income Tax's role in the Indian Economy

Income taxes, often known as direct taxes, contribute less to India's GDP than indirect taxes. Since income tax in India is tied to people's wages and there is a cap on how much money may be earned, the country's economy benefits from lower income tax and direct tax contributions. In India, income tax is only applied to income that exceeds the specified amount; however, as most people earn less than that limit, their income is not taxed. Only a tiny fraction of India's population pays income tax because their earnings are over the threshold. The Indian income tax system is progressive, meaning that the rich pay a larger share and the poor pay a smaller share (Dabla-Norris et al., 2015). There is a low direct tax or income tax contribution to the Indian economy because of the small number of individuals who fall into the richer section group and are subject to a high rate of income tax. This is because only a small fraction of the population has incomes exceeding the set limit. In contrast, products and services, not income, are subject to indirect taxes, which means they have a larger impact on the Indian economy. In indirect taxes, people's incomes are affected since the tax is included in the price of goods and services, and these prices are set. Since everyone pays the same for everything, there is no longer any difference between the wealthy and the poor. For this reason, indirect taxes—which are vital to the Indian economy—are able to collect more money than they would otherwise because the price of goods and services is the same for the wealthy and the poor (Singh, 2019; Burgess & Stern, 1993). The significance of income tax in the Indian economy can be ascertained by looking at the percentage of revenue generated by income tax (Mohan, 2008; Singh, 2019).

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Conclusion

From above discussion, it can be concluded that the historical chronicles show how taxes changed dramatically in ancient and medieval India, mirroring the intricate social structures and systems of government. From the primitive barter systems of the Vedic era to the highly developed tax systems of the Mauryan, Gupta, and Mughal periods, taxes were a reflection of the political and economic foundations of each historical period. Long-lasting roots were created by the Mughal era's thorough appraisals of land revenue and the creation of revenue collection mechanisms. During these times, agrarian economies and governance structures were closely linked with tax systems, which demonstrated the pragmatism and concern for the welfare of society on the part of the ruling class. As these eras come to a close, the legacy of these tax systems carries on, demonstrating the ingrained nature of taxes in India's historical fabric and offering priceless insights into the early years of fiscal policies that still have an impact on modern tax structures. It is the sacred duty of every citizen to honestly pay the direct and indirect taxes for the smooth functioning of the Government. It is only then that the country can prosper and have strong defence system, education system, health system and a strong infrastructure which is necessary for development of the Country

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