

Date- 13/08/2012

To,
Deputy Commissioner of Income Tax
Circle-1, Main Building, Aayakar Bhawan
121, MG Road Nungambakkam
Chennai - 600034
Dear Sir,

Sub: Application for Information under Section 6(1) of the *Right to Information Act, 2005* regarding Income Tax returns of political parties

Kindly provide information on the following

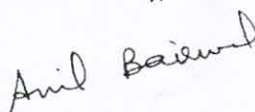
Income Tax Returns of Desiya Murpokku Dravida Kazhagam (FOR Assessment Years 2003-2004, 2004-2005, 2005-2006, 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011 & 2011-2012)

1. Whether the political party **Desiya Murpokku Dravida Kazhagam (DMDK)** has filed their complete Income Tax Returns for the above mentioned assessment years?
2. Whether their Annual Income Tax Returns contains the following documents-
 - Income and Expenditure Account
 - Balance Sheet
 - Auditors Report
 - Schedules
 - Contribution Reports
 - Copy of Assessment Order
3. If yes, kindly provide the full Income Tax Returns including all the mentioned documents for the above mentioned assessment years.
4. If no, whether any notice has been sent or any action taken against Desiya Murpokku Dravida Kazhagam for filing of incomplete Income Tax Returns(i.e. without the Balance Sheet and Income and Expenditure account) for any assessment year, if any?

I have attached a postal order for Rs 10/- (bearing number: 06F 646898) towards payment of application fees as prescribed. Kindly intimate me the additional fees payable, if any. I would like to receive the aforesaid information by registered post on my office address given below.

Enclosure: - Order of CIC

Yours sincerely,


Anil Bairwal
Association for Democratic Reforms
Table No -04
B1/6 Hauz Khas
New Delhi-110016
Phone: 011-40817601



GOVERNMENT OF INDIA
INCOME TAX DEPARTMENT

Office of the Commissioner of Income-tax, Chennai – VI,
6th Floor, Aykar Bhavan Annexe Building, 121, Nungambakkam High Road, Nungambakkam,
CHENNAI-600 034. PH/FAX: 044-28338160 MAIL: cit6chennai@gmail.com

C.No.6901/RTI/2012-13/ CIT-VI

Dated: 07/12/2012

To
The Income-tax Officer,
Business Ward III(3)
Chennai.

Sir,

Sub : Petition under RTI Act 2005 – filed by
Anil Bairwal, New Delhi – forwarding of
- Reg.

Ref : Petition from Sh. Anil Bairwal, NewDelhi 16
dated 13/08/2012.

I am directed to forward the petition under Right to Information Act 2005, filed by Sh. Anil Bairwal, dated 13/08/2012, seeking information about Desiya Murpokku Dravida Kazhagam (DMDK) for the Assessment Years 2003-04 to 2011-12, with a request to dispose the petition in accordance with law under intimation to this office.

Encl: As above.

Yours faithfully

(C.P. SOLOMON)
IncomeTax Officer (H.Qrs)
O/o the CIT-VI, Chennai.

Copy to:

Sh. Anil Bairwal
National Coordinator
Association for Democratic Reforms
Table No.04, B-1/6, Hauz Khas
New Delhi – 110 016.

] With a request to have further
] correspondence in the matter
] with Income-tax Officer, Business
] Ward III(3), Annexe Building
] 4th Floor, 121, N.H. Road, Chennai 34



GOVERNMENT OF INDIA
OFFICE OF THE ASSISTANT COMMISSIONER OF INCOME TAX,
CENTRAL CIRCLE- I(2) 108, M. G. ROAD, CHENNAI - 34.

C.No.ACIT I(2)/RTI/2012-13

Dated: 10/12/2012

To
The Commissioner of Income-tax
Central I, Chennai 34.

Sir,

- Sub.: Information sought for under Right to Information Act, 2005 – in respect
Shri Anil Bairwal, Association for Democratic Reforms, Table No.04,
B1/6 Hauz Khas, New Delhi 110 016 – petition dt.13/8/2012 received in
this office on 13/9/2012 - reply of - reg.
- Ref: (i) Appeal Petition dt.26/11/2012 filed by the applicant received in this
office on 4/12/2012.
(ii) RTI application filed by the applicant dated 13/8/2012 received in
this office on 13/9/2012

Kind reference is solicited to the above.

In this connection, it is submitted that the information sought for under Right to Information Act, 2005 vide reference cited in (ii) above was not furnished to the petitioner as per Section 24 of the RTI Act, which relates to certain organizations specified in second schedule to the Act to whom the RTI Act is not applicable. As per the notification published in Gazette of India (part II) dated 27.03.2008 of Ministry of Personnel, Public Grievances and Pensions, (Department of Personnel and Training) New Delhi, the Central Government has made a further amendment in the second schedule read with section 24 of the RTI Act 2005 (22 of 2005) by including therein Directorate General of Income-tax(Investigation). Since the provisions of the RTI Act are not applicable to Directorate General of Income-tax (Investigation), the applicant is not entitled to information as sought for.

Order u/s.7(1) of the RTI Act was passed on 18/9/2012 and the same was dispatched to the petitioner on 20/9/2012. A copy of the order is enclosed herewith for the perusal of the Commissioner of Income-tax.

Yours faithfully,

(C MURUGESAN)

Asst. Commissioner of Income-tax,
Central Circle I(2)(i/c), Chennai.

Encl.: As above

- (i) Copy submitted to Joint Commissioner of Income-tax, Central Range I, Chennai 34.
(ii) Copy to: Shri Anil Bairwal, Association for Democratic Reforms, Table No.04,
B1/6 Hauz Khas, New Delhi 110 016

**PROCEEDINGS OF THE CENTRAL PUBLIC INFORMATION OFFICER
CENTRAL CIRCLE I(2), CHENNAI**

PRESENT: C. MURUGESAN
Assistant Commissioner of Income-tax & CPIO

RTI/CC I(2)/2012-13

Dated: 18/9/2012

Sub: Order u/s 7(1) of the Right to Information Act, 2005 –
Anil Bairwal, Association for Democratic Reforms,
Table No.-04, B1/6 Hauz Khas, New Delhi 110 016 – Reg.

ORDER u/s 7(1) OF THE RTI ACT:

The applicant, Shri Anil Bairwal, has made an application dated 13/8/2012, received in this office on 13/9/2012, under the Right to Information Act, 2005 (The Act) seeking the following information:

“Income-tax returns of Desiya Murpokku Dravida Kazhagam (for Assessment Years 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11 & 2011-2012”

1. Whether the political party Desiya Murpokku Dravida Kazhagam (DMDK) has filed their complete Income Tax Returns for the above mentioned assessment years?
2. Whether their Annual Income Tax Returns contains the following documents:-
 - Income and expenditure Account
 - Balance Sheet
 - Auditors Report
 - Schedules
 - Contribution Reports
 - Copy of Assessment Order
3. If yes, kindly provide the full Income Tax Returns including all the mentioned documents for the above mentioned assessment years.
4. If no, whether any notice has been sent or any action taken against Desiya Murpokku Dravida Kazhagam for filing of incomplete income tax Returns (i.e. without the Balance Sheet and Income and Expenditure account) for any assessment year, if any?”

II. Section 24 of the RTI Act 2005 relates to certain organizations specified in second schedule to the Act to whom the RTI Act is not applicable. As per the notification published in Gazette of India (part II) dated 27.03.2008 of Ministry of Personnel, Public Grievances and pensions, (Department of Personnel and training) New Delhi, the Central Government has made a further amendment in the second schedule read with section 24 of the RTI Act 2005 (22 of 2005) by including therein Directorate General of Income-tax(Investigation). Since the

provisions of the RTI Act are not applicable to Directorate General of Income-tax (Investigation), the applicant is not entitled to information as sought for.

III. This Central Circle I(2) Chennai comes under the Commissioner of Income tax Central I which is under the Directorate General of Income-tax (Investigation), Chennai.

IV. Therefore the information is not furnished to the applicant.

V. Appeal against this order lies with the Joint Commissioner of Income - tax, Central Range I, Room No. 308, New Building, 46, Mahatma Gandhi Road, Chennai-34. Appeal is to be filed within 30 (thirty) days of receipt of this order.


(C. MURUGESAN)

Assistant Commissioner of Income-tax
Central Circle I(2)(i/c) & CPIO, Chennai 34.

To

Shri Anil Bairwal
Association for Democratic Reforms
Table No.04,
B1/6 Hauz Khas
New Delhi 110 016.

Copy submitted to:

- Commissioner of Income-tax, Central I, Chennai
2. Joint Commissioner of Income-tax, Central Range I, Chennai

Deed
20/9/12

RRAD

GOVERNMENT OF INDIA
INCOME TAX DEPARTMENT
OFFICE OF THE INCOME TAX OFFICER,
BUSINESS WARD-III(3), AAYAKAR BHAWAN,
121, MAHATMA GANDHI ROAD, NUNGAMBAKKAM,
CHENNAI – 600 034.

F.No.3/RTI/ITO/III(3)/2012-13

Dated: 11.12.2012

To

The Asst. /Deputy Commissioner of Income Tax,
Central Circle-I(2), Chennai-34.

Sir,

Sub: Petition under Right to Information Act, 2005 – Filed by Shri Anil Bairwal,
New Delhi – Forwarding of Petition – Regarding.

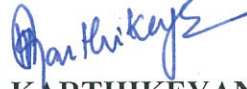
Ref: Letter in C.No.6901/RTI/2012-13/CIT-VI, dated 07.12.2012 received from
The Office of the Commissioner of Income Tax-VI, Chennai -34.

I am forwarding herewith the letter mentioned in the above reference along with the with the application under Right To Information Act, 2005 received from Shri Anil Bairwal seeking information on Desiya Murpokku Dravida Kazhagam(DMDK).

Since the jurisdiction of the case mentioned in the above application lies with the Assistant Commissioner of Income Tax, Central Circle-I(2), Chennai-34, the same is forwarded for necessary action.

Yours faithfully,

Encl: as above.


(R.KARTHIKEYAN)
Income Tax Officer, BW-III(3),
Chennai -34.

Copy submitted to:

1. The Commissioner of Income Tax –VI, Chennai -34.
2. The Joint Commissioner of Income Tax, Range-III, Chennai-34.
3. The ITO(Hqrs.). (Coord), Office of the Chief Commissioner of Income Tax, Chennai-34.

Copy to:

1. ✓ Shri Anil Bairwal, National Co-ordinator, Association for Democratic Reforms, Table No.04, B-1/6, Hauz Khas, New Delhi – 110016 for further correspondence in this matter.