

To,
The Assistant Chief Commissioner of Income Tax (HQ) CCIT – IV, Chennai
Room No 219, Main Building
Aayakar Bhawan
121, M G Road, Nungambakkam
Chennai – 600 034

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 Viduthalai Chiruthaigal Katchi (FOR Assessment Years 2002-03, 2003-04, 2004-05, 2005-06, 2006-07, 2007-08, 2008-09, 2009-10, 2010-11, 2011-12 and 2012-13)

1. Whether the political party, **Viduthalai Chiruthaigal Katchi**, 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 **Viduthalai Chiruthaigal Katchi** 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: 05F 372379) 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
B-1/6 Hauz Khas
New Delhi-110016
Phone: 011-40817601



GOVERNMENT OF INDIA
INCOMETAX DEPARTMENT
OFFICE OF THE CHIEF COMMISSIONER OF INCOMETAX, CHENNAI-IV,
Room No.305, III Floor, 'Aayakar Bhawan',
No.121, MAHATMA GANDHI ROAD, CHENNAI 600 034

C.No.4047/CCIT-IV /2012-13

Date : 08.10.2012

To

The Income tax Officer,
(Central Public Information Officer),
Business Ward – II(2),
III, Floor, New Block,
121, Mahathma Gandhi Road,
Nungambakkam,
Chennai – 600 034.

Sir,

Sub: Furnishing of information under the RTI Act - Forwarding of the
Letter received from Shri. Anil Bairwal, New Delhi – regarding.
Ref: Letter from Shri. Anil Bairwal, Association for Democratic Reforms,
Table No.04, B-1/6 Hauz Khas, New Delhi – 110 016, dated: 28.09.2012.
Letter No-ADR04/RTI/CCIT-VCK/01.

Please find enclosed a copy of the application for obtaining information under the Right to Information Act, 2005, received from Shri. Anil Bairwal, Association for Democratic Reforms, Table No.04, B-1/6 Hauz Khas, New Delhi – 110 016.

As this office does not maintain any records relevant to the details of information sought in Para 2 and Para 3 of the letter received from Shri. Anil Bairwal, therefore, in accordance with the circular No.F.10/2/2008-IR, dated 12.06.2008, issued by the Ministry of Personnel, Public Grievances & Pensions, Department of Personnel & Training, the above petition filed by Shri. Anil Bairwal is forwarded to you for your kind information and necessary action at your end.

Yours faithfully,

(S. TAMILVANAN)

(Central Public Information Officer)
Income-tax Officer (H.Qrs.)
O/o the CCIT-IV, Chennai - 34.

Encl: As above.

✓ Copy to:

Shri. Anil Bairwal, for kind information
Association for Democratic Reforms,
Table No.04, B-1/6 Hauz Khas, New Delhi – 110 016.

Bay Nejal Road with A.D.



GOVERNMENT OF INDIA
INCOMETAX DEPARTMENT

OFFICE OF THE INCOMETAX OFFICER BUSINESS WARD -II(2)
ROOM NO.317,3rd FLOOR, NEW BLOCK, INCOME TAX OFFICE,
121, MAHATMA GANDHI ROAD, NUNGAMBAKKAM, CHENNAI-600034
Phone No.28338222

No.RTI/B.W.II(2)/2012-13

Date : 07-11-2012

To

M/s. Vidhuthalai Chiruthaigal Katchi
R-62, TNHB Colony,
II Avenue, Velachery,
Chennai-42.

Sir,

Sub : Request for information under the Right to Information
Act, 2005 - Reg.

Ref: Application received from Shri Anil Bairwal, Association
for Democratic Reforms, Table No.4, B-1/6, Haus Khas,
New Delhi- 110 016 under Right to Information Act.

An application has been received under the Right to Information Act from Shri Anil Bairwal, Association for Democratic Reforms, New Delhi as referred to above. The applicant has sought for information on Income Tax Returns and Income & Expenditure Account, Balance Sheet, Auditor's Sheet, Schedules, Contribution Reports, Copy of Asst. Orders for the Asst. Years 2002-03 to 2012-13. The undersigned is intend to provide the information available with this office.

In this connection, it is brought to your notice that the information being related to third party, your objections if any, with regard to providing the information to the applicant may be filed in writing such that the same may reach this office on or before 14-11-2012. Please note that if your objections are not received by the said date, it will be presumed that you have no objections for parting with the information as called for.

Under the Right to Information Act, 2005, the third party can file appeal against the decision by the undersigned, before the Joint Commissioner of Income-tax, Range-II, 3rd floor, New Block Aayakar Bhavan, 121 M.G.Road, Nungambakkam Chennai-34, if the applicant is aggrieved by the decision to furnish the information.


(K. SARAVANAN)

Income Tax Officer & CPIO,
Business Ward-II(2), Chennai

To

Shri Anir Bairwal,
Association for Democratic Reforms.



GOVERNMENT OF INDIA
INCOME TAX DEPARTMENT

OFFICE OF THE INCOME TAX OFFICER, BUSINESS WARD-II(2)
3rd FLOOR, NEW BLOCKAAYAKAR BHAWAN, 121, M.G. ROAD, CHENNAI-34.

No. RTI/B.W. II(2)/2012-13

Dated: 22.11.2012

Order under Section 11(3) of Right to Information Act, 2005.

Applicant: Shri. Anil Bairwal
Association for Democratic Reforms
Table No. 4, B-1/6,
Hauz Khas, New Delhi – 110 016.

Third Party: M/s. Viduthalai Chiruthaigal Katchi
R-62, TNHB Colony,
II Avenue, Velachery, Chennai – 42.

The applicant Shri. Anil Bairwal vide his application received in this office sought the information such as copies of income tax returns of M/s. Viduthalai Chiruthaigal Katchi (a Political party) for the assessment years 2002-03,2003-04,2004-05,2005-06,2006-07,2007-08,2008-09,2009-10,2010-11,2011-12,2012-13 and the documents such as income and expenditure, Balance sheet, Auditor's report, Schedules, contribution reports and copy of assessment orders.

Since the information sought involves "third party information", an opportunity to make representations against intended disclosure of information was given to M/s.Viduthalai Chiruthaigal Katchi vide this office communication in No. RTI/B.W.II(2)/2012-13 dated 07/11/2012. In response to the above communication, M/s. Viduthalai Chiruthaigal Katchi vide their letter dated 14/11/2012 objected to disclosing/furnishing the copies of income tax returns filed by them to the applicants. The reasons stated by them are that "the information in the income tax returns filed by us consists of important and sensitive details of our party. Also information pertaining to persons and entities associated with our party. It would be unfair on our part and also that of the department to disclose these information to any other third party".

However, in the case of Ms. Anumeha C/o. Association for Democratic Reforms, B1/6, Hauz Khas, New Delhi – 110 048, the Central Information Commission in its order dated 29/04/2008 has directed that Public Authorities holding income tax returns and assessment orders are to be disclosed and PAN of those political parties should not be disclosed.

In view of the above decision of Central Information Commission, it is decided that the copy of income tax returns with enclosures will be furnished to the applicant.

Under the Right to Information Act, 2005, the third party can file appeal against this order, before the Joint Commissioner of Income-tax, Range-II, 3rd Floor, New Block Aayakar Bhavan, 121 M.G. Road, Nungambakkam, Chennai – 34, if the applicant is aggrieved by the decision to furnish the information.



(K. SARAVANAN)
CPIO & INCOME-TAX OFFICER
BUSINESS WARD-II(2), CHENNAI.

To

1. M/s. Viduthalai Chiruthaigal Katchi
R-62, TNHB Colony,
II Avenue, Velachery, Chennai – 42.

Copy to : 2. Shri. Anil Bairwal
Association for Democratic Reforms
Table No. 4, B-1/6,
Hauz Khas, New Delhi – 110 016