

CENTRAL INFORMATION COMMISSION

Room No.-307, 2nd Floor, B-Wing, August Kranti Bhawan
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File No.CIC/RM/A/2013/000640

Appellant: Shri Anil Bairwal, New Delhi
Public Authority: ITO, Ward 1(2) and JCIT, Range-I,
Bhubaneswar.
Date of Hearing: 05.11.2013
Date of decision: 24.12.2013

Heard today, dated 05.11.2013.

Appellant not present.

The Public Authority is represented by Shri Suresh Sivanandan, JCIT/AA, Range-I, Bhubaneswar.

FACTS

Vide RTI dt 31.8.12, appellant had sought the following information relating to ITRs of Biju Janata Dal for AY 2002-2012:

- a) Whether BJD has filed complete IT return for the above period?
- b) Whether their IT return contain the following
 - i. Income and expenditure account
 - ii. Balance sheet
 - iii. Auditor's report
 - iv. Schedules
 - v. Contribution reports
 - vi. Copy of assessment order.
- c) If yes, provide copies of ITRs.
- d) If no, whether any notice had been sent or action taken against BJD for filing of incomplete ITRs.

2 CPIO/ITO Ward 1(2), Bhubaneswar, vide letter dt 12.9.12, informed the appellant that the information sought related to a third party, their views were sought and the third party had objected to any information being shared. It was pointed out by the party representative that since they do not receive any grant from the government directly or indirectly, u/s 2(h) of the RTI Act, information regarding the party should not be supplied.

3. An appeal was filed on 25.9.12.

4. AA vide order dt 12.10.12, taking reliance on the orders of the Hon'ble Supreme Court in the case of Girish Ramchandra Deshpande, denied the information as no larger public interest is involved.

5. Submissions made by public authority were heard. The Commission finds that in an earlier petition filed by the Association for Democratic Reforms, the Commission vide their order dt 29.4.2008, had directed CCIT Bhubaneswar to provide copies of IT Returns of the Biju Janata Dal to the appellant for the period 2002-03 to 2006-07. As the information sought in the present appeal also pertains to

9. In view of the fact that a larger public interest has been established by the Commission in the judgement referred to above, the disclosure of IT Returns of Biju Janata Dal does not fall in the exemption clause of Section 8(1)(j) of RTI Act. The CPIO is directed to provide the information sought within three weeks of receipt of this order.

The appeal is disposed of.


Sd/-
(Rajiv Mathur)
Central Information Commissioner

Authenticated true copy forwarded to:

The ITO & CPIO
O/o the Income Tax Officer
Ward -1(2), Bhubaneswar -751 007.

The Jt. CIT & First Appellate Authority
O/o the Joint Commissioner of Income Tax
Range -1,3rd Floor, Aayakar Bhawan
Rajaswa Vihar, Bhubaneswar -751 007.

✓ Shri Anil Bairwal
NCADR, Kiwanis Centre,
4th Floor, B -35, Qutub Institutional Area,
New Delhi,


(Raghbir Singh)
Deputy Registrar
08/31 .12.2013