



GOVERNMENT OF INDIA
INCOME TAX DEPARTMENT
OFFICE OF THE DEPUTY COMMISSIONER OF INCOME-TAX,
MEDIA CIRCLE I, Room No. 311, III Floor, New Block,
121, Mahathma Gandhi Road, Chennai-34

DCIT/Media Circle-I/RTI/3/2012-13

08.01.2013

PROCEEDINGS OF THE DEPUTY COMMISSIONER OF INCOME TAX, MEDIA
CIRCLE I, CHENNAI & CPIO.

Present: Pranob Kumar Koley

Deputy Commissioner of Income Tax.

Sub: Petition under the Right to Information Act, 2005 - filed by Shri
Anil Bairwal, New Delhi dated 06.12.2012 received on 18.12.2012 -
reg.

ORDER U/S. 7 OF THE RTI ACT, 2005.

Shri Anil Bairwal, New Delhi has filed an application dated 06.12.2012 under the Right to Information Act, 2005 before the Commissioner of Income Tax-I, Chennai seeking some information about Smt.M.K.Kanimozhi, Member of Parliament (Rajya Sabha) under the Act which was received by the O/o CIT-I, Chennai on 13.12.2012. This petition was transferred by the ITO, Hqrs, O/o CIT-I, Chennai to ITO, Hqrs, O/o CIT-IV, Chennai on 14.12.2012, who in turn had further transferred this application to this office on 18.12.2012.

2. The applicant in his application has sought the following information:-
- i. Whether the above mentioned MP (Smt Kanimozhi) who falls in your jurisdiction has filed her IT returns for all the eight assessment years (2004-05 to 2012-13). [More personal details (Members bioprofile from Rajya Sabha website) has been attached as annexure];
 - ii. Please provide the years for which the MP has not filed her returns;
 - iii. Please provide copies of the IT returns & assessment orders for all the years for which she has filed.

3. From the petition, it is clear that the Petitioner has sought the above information which relate to a third party. Section 11 of the RTI Act clearly spells out the procedure relating to obtaining third party information and has prescribed calling for objections or otherwise of the third party before considering disclosure of

5.4 The applicant in his application has not disclosed any reason as to how the information sought by him is in the larger public interest so as to override the personal rights of the third party. Especially, information sought at 2(iii) above, is more of personal in nature and is clearly hit by the provisions of Section 8(d) & 8(j) of the RTI Act. However, the information sought at 2(i) & 2(ii) are of general nature and information of fact, which in my opinion, may not prejudice the rights of the Third Party. Accordingly, I propose to furnish the information in respect of 2(i) & 2(ii) only and hold that the information at 2(iii) cannot be disclosed to the applicant as no larger public interest is involved in disclosing the said information.

5.5. The petition is disposed of accordingly.

6. An appeal against this order lies with the Joint Commissioner of Income Tax, Media Range, III Floor, New Block, Central Revenues Building, 121, Nungambakkam High Road, Chennai 600 034 within 30 days of the receipt of this order as per the provisions of Section 19(1) of the RTI Act, 2005. Either the applicant or the Third Party, if they so desire, may file appeal against this decision under Section 19 of the Act before the JCIT, Media Range, Chennai. The information at 2(i) & 2(ii) would be disclosed on expiry of time limit for filing appeal by the Third Party provided no appeal is filed against this order by the Third Party.


(Pranob Kumar Koley)

Deputy Commissioner of Income Tax
Media Circle I, Chennai & CPIO

To

✓ Shri Anil Bairwal, New Delhi

Association of Democratic Reforms,
Table No 4, B-1/6, Hauz Khas, New Delhi-110016.

Ms. M.K. Kanimozhi (Third Party), Chennai.

Telegram: 'AAYAKAR'
Chennai
Post Box : 3308



Telephone No:2833 8110
2833 8441
Fax :2833 8401

GOVERNMENT OF INDIA
INCOMETAX DEPARTMENT
OFFICE OF THE COMMISSIONER OF INCOME TAX, CHENNAI-I
Room No, 701,VII Floor, New Block,121, Mahatma Gandhi Road, Chennai-34

C.No.278/CIT-I /2/2012-13

Dated: 14.12.2012

To

The Income Tax Officer (H.Qrs),
O/o Commissioner of Income Tax -IV,
Chennai.

Sir / Madam,

Sub : Right to Information Act 2005 –forwarding of petition-Reg.

I am directed to forward the petition (in original) under the RTI Act, filed by Sri.Anil Bairwal, New Delhi-16 seeking information under Right to Information Act, 2005 about Smt.Kanimozhi, along with postal order for Rs.10/- (bearing no.08F 711368), as the jurisdiction over the case vests with your charge.

Yours faithfully,

(K.KALA)

Income tax Officer (Hqrs.)
Nodal Officer, O/o CIT,Ch-I, Chennai.

Encl: As above.

✓ Copy to : Sri.Anil Bairwal, Association for Democratic Reforms, Table No.4, B-1/6, Hauz Khas, New Delhi -110016 – with a request to contact the Income tax Officer (H.Qrs), O/o Commissioner of Income Tax -IV, Chennai-34, for further information.