



Katra Madan Mohan Residents Welfare Association

2513-2530, Nalwa Street, Chuna Mandi, Pahar Ganj, New Delhi-110055

THROUGH SPEED POST
F.NO.KMMRWA/DOR/2014/376

Aug 18, 2014

THE CPIO CUM UNDER SECRETARY (NC. I)
DEPARTMENT OF REVENUE
ROOM NO. 267-D, NORTH BLOCK,
NEW DELHI -110001

Subject: To provide information under RTI Act, 2005

Respected Sir/Madam,

Kindly refer to our application dated 04.06.2014 intimated you about detailed information sent to the many levels of Income-tax Departments regarding black money involved in the sale-purchase transactions of immovable properties no. 2513-2530 & 2438-2450, Khasra No.521,522,523 Block B, Nalwa Street, Paharganj, New Delhi. Copy again enclosed for your reference. Also again enclosed copies of such letters providing such information for your reference.

The concerned matter is under investigation at the end of Addl. Director of Income-tax (Investigation), Unit-4, ARA Centre, Jhandewalan Extn., New Delhi. However, we have come across information that the involved parties have duly managed the said Addl. Director financially & politically as a result of which the file has been kept on hold by him. Further, it has also come to our knowledge that the valuation of subject matter properties also has not been referred by him to valuation cell in order to arrive at the exact market value in order to recover the tax revenue from the involved parties.

You are requested to kindly provide the following information under RTI Act, 2005. The requisite fee of Rs.10/- is enclosed vide Postal Order No. 23F 419226 dated 11.04.2014.

1. Please provide the detail of inquiry was conducted by Addl. Director of Income-tax (Investigation), Unit-4, ARA Centre, Jhandewalan Extn., New Delhi in this connection?
2. Please provide the detail of senior officials through whom the subject matter file has been marked to the Addl. Director of Income-tax (Investigation), Unit-4, ARA Centre, Jhandewalan Extn., New Delhi for action/inquiry? Did any action taken report was demanded by them from him? If yes, what please provide detail of such action taken reports. If no, why?

2/6/14
122/8714

V.S. NC-1
hny
22/8/14

153/29
22/8/14

RTI MATTER
TIME BOUND

FTS 153/29 /2014-RTI CELL

Government of India
Ministry of Finance
Department of Revenue
RTI CELL

Dated 22/8 2014.

Indian Postal Order/Demand Draft No. 23F 419229

For Rs 10/- is/are retained . Please take action as per the provisions of RTI Act, 2005.


(G.N.SHARMA)

Section Officer(RTI Cell)
Tele.No.-23095588

Under Secretary (N(-1))
Department Of Revenue

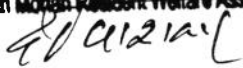
3. How much revenue in form of tax has been recovered by the Income-Tax Department from the respective persons involved?
4. Is the Addl. Director of Income-tax (Investigation), Unit-4, ARA Centre, Jhandewalan Extn., New Delhi is time bound to complete the investigation proceedings. If no, why he is not bound for a specified period of time to complete the investigations?
5. What action can be taken against the investigation officer, if he/she fails to do his/her duties honestly, as also fails to recover the tax/revenue inspite of full details available on records?

You are requested to kindly provide the information so sought in the RTI application irrespective of the fact that as per notification GSR 235(E) dt. 23.08.2008, in exercise of powers conferred by sub-section 2 of section 24 of RTI Act, 2005, the office of the Director General of Income-tax (Investigation) has been included in the Second Schedule of RTI Act as an intelligence and security organization as the Hon'ble CIC has viewed in its judgment in the case of Sh. Ashok Kr. Gupta vs. DIT (Inv.), Air Int. Unit & DIT (Inv.), SB/AIT, Delhi that though the office of DIT (Inv) is exempted organization, a blanket ban on disclosure of information regarding action taken on a tax evasion petition is not the best policy and that feedback should be provided to the person who provides information. A copy of the said judgment is enclosed for your reference.

Thanking you,

For Katra Madan Mohan Residents Welfare Association

For Katra Madan Mohan Resident Welfare Association



President

~~President~~

Properties No.2513-2530,
Khasra No.521, 522, 523 Block-B,
Nalwa Street, Chuna Mandi,
Paharganj, New Delhi-110055.



CENTRAL INFORMATION COMMISSION

Club Building (Near Post Office)

Old JNU Campus, New Delhi-110067

Tel: +91-11-26105682

File No.CIC/RM/A/2012/000699

Appellant: Sh. Ashok Kumar Gupta, Delhi

Public Authority: DIT (Inv.), Air Int. Unit, & DIT(Inv.), SB/AIT, Delhi

Date of Hearing: 01.05.2013

Date of decision: 01.05.2013

Heard today, dated 01.05.2013.

Appellant present.

The Public Authority is represented by Shri M. Burnwal, DDIT (Investigation), (AIU)/CPIO and Shri Gajender Prasad, ITO (Investigation), Unit-5.

FACTS

Vide RTI dt 9.4.2012 appellant had sought information on 4 points relating to 3 complaints filed by him relating to tax evasion committed by certain persons.

2. CPIO vide letter dt 30.4.2012 observed that the Office of DGIT(Investigation) is exempt from the purview of the RTI Act and rejected the request.

3. An appeal was filed on 14.5.2012.

4. AA vide order dt 13.6.2012 upheld the decision of the CPIO.

5. Submissions made by the appellant and public authority were heard. Appellant submitted that he has not been provided information in respect of the queries raised by him and alleged wrong doing on the part of the Public Authority. CPIO has submitted a written submission dated 30.4.2013 which is taken on record. It is the contention of the CPIO that the Office of DG (Investigation) has been included in the second schedule of the RTI Act as an Intelligence and Security organisation and excluded from the purview of the RTI Act.

DECISION