

**OFFICE OF THE
ASSAM INFORMATION COMMISSION
JONAKKEE COMPLEX, PANJABARI, GUWAHATI-781 037**

Case No. : KP(M).128 /2014
Complainant/ appellant : Shri Dulal Bora
Respondent : Commissioner of Taxes, Assam
Date of hearing : 21.4.2016
Complaint/ Second : Shri H.S. Das, IAS (Retd)
Appeal heard by : Chief Information Commissioner, Assam

O R D E R
21.4.2016

The petitioner Shri Dulal Bora is absent without information. The Public Authority is represented by Shri B.B. Hagjer, Addl. Commissioner of Taxes, Assam, Guwahati.

In view of the large number of cases pending with this Commission and in view of absence of the petitioner without any information, his Second Appeal petition dtd 30.10.13 is taken up for hearing ex-parte.

Vide his RTI application dtd 18.6.13 the petitioner Shri Dulal Bora wanted information about names of the registered dealers of Morigaon district dealing in dry fish, who were given refunds of tax during the period 2008 to 2012.

The SPIO of the Commissioner of Taxes deposed orally that the RTI petition was transferred to the Superintendent of Taxes, Morigaon , who refused to provide the information as exempted information u/s 8(1)(g) of the RTI Act, 2005.

This Commission is of the view that Tax refunds can be given to a registered dealer only by following rules and procedure laid down under the relevant laws. Such refunds are made out of the State exchequer. As such question of privacy, secrecy or confidentiality cannot come in disclosing the names of the recipients of such tax refunds.

This Commission, therefore, directs the SPIO of Commissioner of Taxes to furnish the sought for information within 30 days from the date of receipt of this order to the petitioner.

With the above order, the Second Appeal petition dtd 30.10.13 is disposed of.

(H. S. Das)
Chief Information Commissioner, Assam
Panjabari, Guwahati

Authenticated true copy.

Registrar
Assam Information Commission

Memo No. SIC/ KP(M).128/2014/

Dtd. 21.4.2016

Copy to: 1. The SPIO in the office of the Commissioner of Taxes, Assam, Kar Bhawan, Dispur, Guwahati-781 006 for information and necessary action.
2. Shri Dulal Bora, Kainadhara, House No. 118, Khanapara, Guwahati-22 for information.
3. Computer Section for uploading in the Website.
4. Office File.

Registrar
Assam Information Commission