

# Central Information Commission

Decision No.296/IC(A)/2006  
F. No.CIC/MA/A/2006/00607

Dated, the 21<sup>st</sup> September, 2006

Name of the Appellant : Sh. G.P. Pathak, 152/A, Wright Town, Jabalpur

Name of the Public Authority: Commissionerate of Income Tax-I, Central Revenue Building, Napier Town, Jabalpur

## **DECISION**

### **Facts of the Case:**

1. The Lokayukta of M.P. conducted a search under the prevention of Corruption Act and seized cash, jewelry and other assets, worth over Rs.30 lakhs from the appellant. Under the law, these assets were taken under the custody of the DIT. In this backdrop, the appellant had asked for a copy of 'Note of Satisfaction' written by the Commission of Income Tax.
2. The CPIO has refused to provide the information and sought exemption u/s 8(1)(h) of the Act. The appellate authority has upheld the decision of the CPIO
3. The case was heard on 20.9.2006. The appellant could not be present. The CPIO was present, who provided a detailed background of the case. He mentioned that the case is under investigation as the extent of unaccounted assets and the amount of tax evasion are yet to be determined.
4. The CPIO showed the copy of the 'note' asked for by the appellant. It contains such details as the source of the information and actions taken by the officials, who are identifiable in the note. He, therefore, pleaded that the disclosure of details would endanger the life of officials associated with the process of seizure of assets.

### **Commission's Decision:**

5. The disclosure of information sought would identify the officials who were associated with the conduct of raid and seizure of un-accounted assets, under

the Prevention of Corruption Act. The matter is also under investigation to determine the extent of tax evasion. The CPIO has, therefore, correctly applied exemption u/s 8(1)(d) & (h) of the Act, from disclosure of information.

6. The appeal is therefore dismissed.

Sd/-

(Prof. M.M. Ansari)  
Information Commissioner

Authenticated true copy:

(L.C. Singhi)  
Additional Registrar

Cc:

1. Sh. G.P. Pathak, 152/A, Wright Town, Jabalpur
2. Sh. M.S.S. Rao, Commissioner of Income Tax & CPIO, Commissionerate of Income Tax-I, Central Revenue Building, Napier Town, Jabalpur