

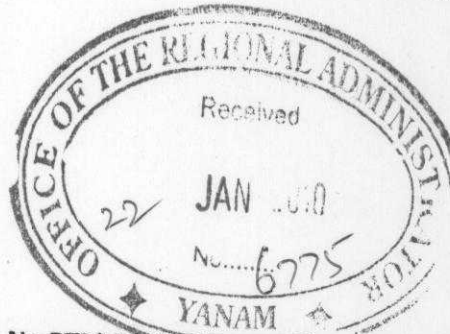
FORM-2
REJECTION ORDER UNDER RIGHT TO INFORMATION ACT, 2005

No.141/DCTOY/RTI/2007-08. Vol.II /130

Yanam dt. 20.01.2010

From
The Public Information Officer-cum-Deputy
Commercial Tax Officer
2nd Floor,
Mini Civil Station
Yanam-533 464.

To
Thiru. Kodi Mallikarjuna Rao,
4-4-035, Kaki lane
Yanam-533 464.



Sir,

Please refer to your application No.RTI/KMR/NS/017 dated 21.12.2009 addressed to the undersigned regarding supply of (i) Certified copies of the licences granted to pulses and dall dealers in Yanam Region and (ii) Particulars of godowns permitted to dall/pulses dealers of Yanam including the following dealers (1) Sree Lakshmi Ganapathi Dhall Merchants, Panchala Street, Yanam. (2) Sree Lakshmi Ganesh Traders, Gopal Nagar, Yanam.

2. The information asked for cannot be supplied due to the following reasons:

(a) The Tax Identification Number allotted to the business community doing business within the territory limit of the Puducherry Administration is treated as confidential in Law. The PVAT Act, 2007 regulates the grant of certificate of registration subject to payment of fee as provided under section 8(2) of the PVAT Act 2007 and copies of Registration Certificates subject to payment of Rs.100/- as provided under section 8(5) of the PVAT Act, 2007 only to the registered dealers concerned. The VAT Law, also regulates that the display of the certificate at the registered place of business and printing of the Tax Identification Number (TIN No.) allotted to them in each and every sales invoice thereby its bonafide use is fully controlled and regulated by law. So long as the TIN No. is utilized for business purpose of the dealer, law regulates the use of such identification number allotted under the Act. In case such TIN No. allotted under the Act is used by any person other than the purpose of the Act such usage of Tin Number is treated in law as an offence under Section 59(2)(d) read with section 61 of the PVAT Act, 2007. Further, Certificate of Registration are by law under Section 74(1) of the said PVAT Act, 2007 treated as confidential. Hence the TIN Number containing Certificate of Registration is not liable for disclosure for any person other than the purpose of the PVAT Act, 2007. It is also exempted from furnishing the details to you under Section 8(1)(e), 8(1)(g) and 8(1)(j) of the the Right to Information Act, 2005.

(b) The information about the particulars of godown furnished by the dealers to the Registering Authority are purely their personal information for the purpose of bonafide discharge of duties assigned under VAT law and not for any other purpose. The record in question held by the Public Information Officer-cum-DCTO, Yanam are purely personal information and such details are exempted from disclosure under the Act as per Sub section (9) of Section 7 read with section 8(1)(e), 8(1)(g) and 8(1)(j) of the RTI Act, 2005.

3. As per section 19 of the RTI Act, 2005 you may file an appeal to the First Appellate Authority of this Department, within 30 days of the issue of this order whose particulars are given below:-

The Commissioner (CT)
Commercial Taxes Department,
100 Ft Road, Pudupalayam, Ellapillaichavady,
Puducherry.

[Signature]
20/01/2010.

(P. DEVARAJAN)
DEPUTY COMMERCIAL TAX OFFICER-cum-
PUBLIC INFORMATION OFFICER.
Ph.0884-2321215

Copy to:

- 1/ The PIO-cum-CTO(HQ), CTD, Puducherry for favour of kind information.
2. National Informatic Centre, O/o the Regional Administrator, Yanam.

PRA
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