

Taxpayer's Bill of Rights

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THE last decade has witnessed rapid metamorphosis in the taxation sector. Several affirmative measures have been put in place to simplify the tax administration and streamline tax collection procedures. However, complexity and uncertainty continue to prevail in the system thereby eroding the credibility of several tax reform measures. The declaratory commitments in the Citizens Charter appear as fragile fantasies when confronted by operating policies and procedures. To ensure consistent application of tax laws and to guarantee that the rights, privacy and property are adequately protected during assessment, collection and enforcement process, there is a need to codify the legislative rights and protections that are available to the tax payer.

Several countries have promulgated Taxpayer's Bill Of Rights to codify responsibilities and rights with respect to taxation procedures for collection, refunds and appeals. Our tax departments, both, Central and State should set in motion appropriate steps to introduce a Taxpayer's Bill Of Rights focussing on advising the rights of taxpayers with reference to :

- ++ Tax revenue collection process
- ++ Examination of Returns
- ++ Refund of overpaid tax
- ++ Adjudications
- ++ Appeal hierarchies and processes
- ++ Penalties and levy of interest
- ++ Protection of Privacy
- ++ Access to an Ombudsman to review taxpayer's problems
- ++ Taxpayer assistance
- ++ Advise on legal rights available

A legislation on the above aspects would make our tax administrations transparent and fair apart from being a legal milestone in our democratic process.

(The views expressed are personal of the author)