

**IN THE INCOME TAX APPELLATE TRIBUNAL RANCHI 'E-COURT' AT KOLKATA**

**Before Shri S.S, Godara, JM & Dr. A.L. Saini, AM**

**ITA Nos.39 to 44/Ran/2018**  
**Assessment Years:2011-12 to 2016-17**

<b>The Dhanbad Central Cooperative Bank Ltd.</b>	<b>बनाम / V/s.</b>	<b>DCIT(I&amp;CI), Patna</b>
Head Office, Hirapur, Dhanbad-826001.		
<b>[PAN No.AADAT4932C]</b>		
अपीलार्थी /Appellant	..	प्रत्यर्थी /Respondent

अपीलार्थी की ओर से/By Appellant	Shri Devesh Poddar, A/R
प्रत्यर्थी की ओर से/By Respondent	Shri A.K. Mohanti, Addl. CIT
सुनवाई की तारीख/Date of Hearing	14-07-2020
घोषणा की तारीख/Date of Pronouncement	14-07-2020

**आदेश /O R D E R**

**Per Bench(Oral):**

These assessee's six appeals for assessment years 2011-12 to 2016-17 arise against the Director of Income-tax (Intelligence & Criminal Investigation), Patna's orders all dated 20.11.2017, involving proceedings u/s 271FA of the Income Tax Act, 1961 (in short 'the Act'); respectively.

Heard both the parties. Case files perused.

2. The assessee's identical sole substantive grievance raised in all these six cases seeks to reverse the DIT's action imposing section 271FA penalty of Rs.22,000/- each in former four and 1,10,000/- each in the latter two assessment years; respectively, for the sole reason that it had failed to report the corresponding banking transactions within the prescribed time period. The assessee's sole plea is that it is a cooperative bank having rural branches throughout the district of Dhanbad wherein it does not

have computer facilities for all transactions. We find merit in assessee's explanation since it is a cooperative bank not equipped with modern tally purchases. Be that as it may, we make it clear that the assessee is already regulated by all the rules and regulations applicable for a cooperative bank and it did not stand to gain by delaying any information to the authorities. This tribunal's coordinate bench's decision in Durgapur Steel Peoples' Cooperative Bank Ltd. vs. Director of Income Tax [2016] 74 taxmann.com 97 (Kolkata-Trib.) also holds the same view only. We follow the same mutatis mutandis and direct the DIT to delete the impugned penalty.

3. These assessee's six appeals are allowed.

Order pronounced in open court on 14/07/2020.

Sd/-  
(A. L. Saini)  
Accountant Member

Sd/-  
(S.S. Godara)  
Judicial Member

Kolkata;  
Date: 14/07/2020  
RS

**आदेश की प्रतिलिपि अग्रेषित / Copy of Order Forwarded to:-**

1. अपीलार्थी/Appellant-The Dhanbad Central Cooperative Bank Ltd.
2. प्रत्यर्थी/Respondent- DCIT(I&CI), Patna
3. संबंधित आयकर आयुक्त / Concerned CIT
4. आयकर आयुक्त- अपील / CIT (A)
5. विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण / DR, ITAT,
6. गार्ड फाइल / Guard file.

//True Copy//

By Order

Assistant Registrar,  
I.T.A.T, Ranchi Benches, Ranchi