

आयकर अपीलीय अधिकरण, 'बी' न्याय पीठ, चेन्नई
IN THE INCOME TAX APPELLATE TRIBUNAL, 'B' BENCH, CHENNAI
श्री वी. दुर्गा राव, न्यायिक सदस्य एवं श्री जी. मंजुनाथ, लेखा सदस्य के समक्ष
BEFORE SHRI V.DURGA RAO, JUDICIAL MEMBER
AND SHRI G.MANJUNATHA, ACCOUNTANT MEMBER

आयकर अपील सं./I.T.A.Nos.182 & 183/Chny/2020

(निर्धारणवर्ष / Assessment Years: 2014-15 & 2015-16)

The Income Tax Officer, Non-Corporate Ward 3(2) (i/c), Chennai-600 034.	Vs	M/s. Ratna Foundation, 18, Kothari Bagh, Mahatma Gandhi Road, Nungambakkam, Chennai-34.
		PAN:AACTR2289Q
(अपीलार्थी/Appellant)		(प्रत्यर्थी/Respondent)

अपीलार्थी की ओरसे/ Appellant by	:	Mr. J.Pavithran Kumar , JCIT
प्रत्यर्थी की ओरसे/Respondent by	:	Mr. Saroj Kumar Parida, Advocate

सुनवाई की तारीख/Date of hearing	:	30.09.2020
घोषणा की तारीख /Date of Pronouncement	:	30.09.2020

आदेश / ORDER

PER G.MANJUNATHA, ACCOUNTANT MEMBER:

These two appeals filed by the Revenue are directed against the common order of the Commissioner of Income Tax (Appeals)-4, Chennai dated 05.11.2019 and they pertain to the assessment years 2014-15 & 2015-16.

2. It is stated before us that the tax effect in this case is less than Rs. 50 lakhs and therefore, the Circular No. 17 of 2019 dated 08.08.2019 issued by the Central Board of Direct Taxes (CBDT) in exercise of its power vested under section 268A(1) of the Income Tax Act, 1961 comes into play wherein, the monetary limit for filing the appeal by the Revenue before the ITAT and various High Courts as well as Apex Court are revised with an object of the reducing the

tax litigation. In the said circular, it is stated that in cases where the tax effect in the appeals to be filed before the Appellate Tribunal does not exceed Rs. 50 lakhs appeals should not be filed. Thus, taking note of CBDT Circular No. 17 of 2019 dated 08.08.2019 and considering the fact that the tax effect in the instant appeal is less than Rs. 50 lakhs, the present appeals deserves to be dismissed as not pressed / not maintainable. However, we make it clear that the issues raised in the instant appeal is left open to be examined in the appropriate proceedings, if arises, in future. At the same time, we also make it clear that if the appeals fall in any of the exceptions referred to in the above said CBDT Circular, the Revenue is at liberty to move an application for recalling the order if so advised. Accordingly, in the light of CBDT circular No. 17 of 2019 dated 08.08.2019, both the appeals stand dismissed.

3. In the result, the appeals filed by the Revenue for both assessment years are dismissed.

Order pronounced in the open court on 30th September, 2020

Sd/-
(वी. दुर्गा राव)
(V.Durga Rao)
न्यायिक सदस्य /Judicial Member
चेन्नई/Chennai,
दिनांक/Dated 30th September, 2020
DS

Sd/-
(जी.मंजुनाथ)
(G.Manjunatha)
लेखा सदस्य / Accountant Member

आदेश की प्रतिलिपि अग्रेषित/Copy to:

1. Appellant
2. Respondent
3. आयकर आयुक्त (अपील)/CIT(A)
4. आयकर आयुक्त/CIT
5. विभागीय प्रतिनिधि/DR
6. गार्ड फाईल/GF.