

**IN THE INCOME TAX APPELLATE TRIBUNAL
DELHI BENCH 'I-1', NEW DELHI**

Before Sh. H. S. Sidhu, Judicial Member

Dr. B. R. R. Kumar, Accountant Member

(Through Video Conferencing)

ITA No. 6485/Del/2017 : Asstt. Year : 2010-11

Income Tax Officer, Ward-2(2), New Delhi-110002	Vs	M/s Alcoa India Pvt. Ltd., 7 th Floor, Meridian Commercial Tower New Delhi-110001
(APPELLANT)		(RESPONDENT)
PAN No. AAFC9777L		

Assessee by : Sh. Mayank Patawari, Adv.

Revenue by : Sh. Surender Pal, CIT DR

Date of Hearing: 15.12.2020

Date of Pronouncement: 15.12.2020

ORDER

Per Dr. B.R.R. Kumar, Accountant Member:

The present appeal has been filed by the revenue against the order of the Id. CIT(A)-42, New Delhi, dated 25.08.2017.

2. As per the instant Circular No. 17/2019 dated 08/08/2019 inforce, the CBDT in supersession of earlier instructions has directed that department's appeals before ITAT shall not be filed in cases where the tax effect does not exceed the monetary limit of Rs. 50 lacs. The tax will not include any interest thereon. It is further clarified that even if in the case of an assessee, disputed issues arise in more than one assessment year, appeal cannot be filed in respect of such assessment year or years in which the tax effect in respect of disputed issues exceeds the monetary limit so specified.

3. Admittedly, in the departmental appeal, the tax effect is less than Rs. 50 lacs, therefore, departmental appeal is not maintainable. The Ld. DR could not bring to our notice any exceptions mentioned in the said Circular.

4. In the result, the appeal of the Revenue is dismissed.
Order Pronounced in the Open Court on 15/12/2020.

Sd/-

(H. S. Sidhu)
Judicial Member

Dated: 15/12/2020

Subodh

Copy forwarded to:

1. Appellant
2. Respondent
3. CIT
4. CIT(Appeals)
5. DR: ITAT

Sd/-

(Dr. B. R. R. Kumar)
Accountant Member

ASSISTANT REGISTRAR