

**IN THE INCOME TAX APPELLATE TRIBUNAL  
HYDERABAD BENCHES “SMC”, HYDERABAD**

**BEFORE SHRI S.S.GODARA, JUDICIAL MEMBER**

**I.T.A. No.32/HYD/2022**

Assessment Year: 2017-18

Primary Agricultural Co-operative Credit Society Limited, Rudraram [PAN: AAABP0973F]	Vs	Income Tax Officer, Ward-1, Sangareddy
(Appellant)		(Respondent)

For Assessee : Shri R.M.Reddy, AR  
For Revenue : Shri Jeevanlal Lavidiya, Sr.DR

Date of Hearing : 07-03-2022  
Date of Pronouncement : 09-03-2022

**ORDER**

This assessee's appeal for AY.2017-18 arises from the arises from the National Faceless Appeal Centre (NFAC), Delhi's order dated 09-12-2021 passed in DIN & Order No.ITBA / NFAC / S / 250 / 2021-22 / 1037642295(1), involving proceedings u/s.144 of the Income Tax Act, 1961 [in short, 'the Act'].

Heard both the parties. Case file perused.

2. It transpires at the outset that this assessee's instant appeal suffers from ten days delay. Hon'ble apex court's recent directions "IN RE: COGNIZANCE FOR EXTENSION OF

LIMITATION”, Miscellaneous Application No. 21 of 2022 in Suo Motu Writ Petition(C) No.3 of 2020 has directed exclusion of time period from 15-03-2020 to 28-02-2022 for all limitations. The impugned delay stands condoned accordingly.

3. Coming to the assessee’s sole substantive grievance that both the learned lower authorities have erred in law and on facts in making Section 68 un-explained cash deposits addition involving the taxpayer primary agricultural co-operative credit society limited herein, I notice at the outset that the Assessing Officer had framed his Section 144 best judgment assessment on 04-10-2019 whilst treating the impugned amount of Rs.5,93,000/- as “not explained”. The factual position has remained the same in lower appellate proceedings in the CIT(A)’s impugned order under challenge passed during the Covid-19 pandemic out-break.

4. The assessee’s sole substantive plea raised during the course of hearing is that the impugned sum represents its collections from farmers/members only *qua* their respective loan accounts only. There is hardly any dispute that the learned lower authorities could not verify this clinching aspect in the assessment as well as in the CIT(A)’s order. Faced with this situation, I deem it appropriate to restore the instant issue back to the Assessing Officer with a rider that it shall be the assessee’s onus only to produce all the concerned parties as well as the corresponding details *qua* the impugned collections as per law before the Assessing Officer so as to discharge its

onus in consequential proceedings within three effective opportunities. Ordered accordingly.

5. This assessee's appeal is treated as allowed for statistical purposes in above terms.

*Order pronounced in the open court on 9<sup>th</sup> March, 2022*

Sd/-  
**(S.S.GODARA)**  
**JUDICIAL MEMBER**

Hyderabad,  
Dated: 09-03-2022

TNMM

*Copy to :*

*1.Primary Agricultural Co-operative Credit Society Limited,  
Rudraram Village, Patancheru Mandal, Sangareddy.*

*2.The Income Tax Officer, Ward-1, Sangareddy.*

*3.CIT(Appeals)-NFAC, Delhi.*

*4.D.R. ITAT, Hyderabad.*

*5.Guard File.*