

IN THE INCOME TAX APPELLATE TRIBUNAL
PUNE BENCH "SMC", PUNE

BEFORE SHRI R.S. SYAL, VICE PRESIDENT

आयकर अपील सं. / ITA No.335/PUN/2022

निर्धारण वर्ष / Assessment Year : 2013-14

Gauri Ganesh Steels, Plot No.X-4, First Floor, Shop No.4 and 5, Addl. MIDC, Jalna- 431 203 Maharashtra PAN : AAIFG8418J	Vs.	ITO, Ward-1, Jalna
(Appellant)		(Respondent)

Appellant by None
Respondent by Shri M.G. Jasnani

Date of hearing 03-08-2022
Date of pronouncement 05-08-2022

आदेश / ORDER

PER R.S.SYAL, VP :

This appeal by the assessee is directed against the order passed by the National Faceless Appeal Centre (NFAC), Delhi on 23-03-2022 in relation to the assessment year 2013-14.

2. The only issue raised in this appeal is against the confirmation of disallowance of Rs.1,56,234/- being 10% of certain expenses.

3. Briefly stated, the facts of the case are that the assessee is a partnership firm engaged in trading activities of MS steel bars. During the course of assessment proceedings, the

Assessing Officer (AO) observed that the assessee had debited certain expenses to its Profit and loss account under the heads - Loading and Unloading – Rs.8,15,062/-; Freight expenses – Rs.5,47,115/-; and Vehicle hire expenses of Rs.2,00,172/- totalling to Rs.15,62,349/-. By observing that these expenses were incurred through self-made vouchers on which complete names and addresses of the recipients were not given, the AO disallowed 10% of total expenses, which resulted into an addition of Rs.1,56,234/-. The Id. CIT(A) sustained the disallowance, against which the assessee has come up in appeal before the Tribunal.

4. I have heard the Id. DR and gone through the relevant material on record. There is no appearance from the side of assessee despite notice. As such, I am proceeding to dispose off the appeal *ex parte qua* the assessee.

5. It is seen that the AO made disallowance @10% of the expenses under the heads Loading and Unloading, Freight expenses and Vehicle hire expenses. The assessee categorically stated before the Id. CIT(A) that only loading and unloading expenses were not properly vouched because the persons to whom payments were made was not literate. As regards the

Freight expenses, the assessee submitted that all such details were available and provided to the AO. Similar was the position regarding Vehicle hire expenses. In view of the foregoing submissions made by the assessee before the Id. CIT(A), I am of the considered opinion that only the expenses under the heading “Loading and Unloading” are not properly vouched. I, therefore, restrict the disallowance at 10% to the Loading and Unloading expenses totalling to Rs.8,15,062/-, which comes to Rs.81,506/-.

6. In the result, the appeal is partly allowed.

Order pronounced in the Open Court on 05th August, 2022.

**Sd/-
(R.S.SYAL)
उपाध्यक्ष/ VICE PRESIDENT**

पुणे Pune; दिनांक Dated : 05th August, 2022
Satish

आदेश की प्रतिलिपि अग्रेषित / Copy of the Order is forwarded to :

1. अपीलार्थी / The Appellant;
2. प्रत्यर्थी / The Respondent;
3. The NFAC, Delhi
4. The CIT concerned
विभागीय प्रतिनिधि, आयकर अपीलीय अधिकरण, पुणे "SMC"
5. / DR 'SMC', ITAT, Pune;
6. गार्ड फाईल / Guard file.

आदेशानुसार/ BY ORDER,**// True Copy //**Senior Private Secretary
आयकर अपीलीय अधिकरण ,पुणे / ITAT, Pune

		Date	
1.	Draft dictated on	03-08-2022	Sr.PS
2.	Draft placed before author	05-08-2022	Sr.PS
3.	Draft proposed & placed before the second member	--	JM
4.	Draft discussed/approved by Second Member.	--	JM
5.	Approved Draft comes to the Sr.PS/PS		Sr.PS
6.	Kept for pronouncement on		Sr.PS
7.	Date of uploading order		Sr.PS
8.	File sent to the Bench Clerk		Sr.PS
9.	Date on which file goes to the Head Clerk		
10.	Date on which file goes to the A.R.		
11.	Date of dispatch of Order.		

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