

आयकर अपीलिय अधिकरण  
दिल्ली पीठ "एस एम सी", दिल्ली  
श्री विकास अवस्थी, न्यायिक सदस्य

IN THE INCOME TAX APPELLATE TRIBUNAL  
DELHI BENCH "SMC", DELHI  
BEFORE SHRI VIKAS AWASTHY, JUDICIAL MEMBER

आअसं.2783/दिल्ली/2023 (नि.व. 2017-18)

ITA No.2783/DEL/2023 (A.Y.2017-18)

Poonam Sachdeva,  
K-83, B.K. Dutt Colony, Lodhi Road,  
New Delhi 110003  
PAN: AKVPS-3355-H

..... अपीलार्थी/Appellant

बनाम Vs.

Income Tax Officer, Ward-67(2),  
Civic Centre, New Delhi 110002

..... प्रतिवादी/Respondent

अपीलार्थी द्वारा/ Appellant by : None  
प्रतिवादीद्वारा/ Respondent by : Ms. Shivani Bansal , Sr. DR  
सुनवाई की तिथि/ Date of hearing : 11/09/2024  
घोषणा की तिथि/ Date of pronouncement: : 29/11/2024

आदेश/ORDER

**PER VIKAS AWASTHY, JM:**

This appeal by the assessee is directed against the order of Commissioner of Income Tax (Appeals), National Faceless Appeal Centre, Delhi (hereinafter referred to as 'the CIT(A)') dated 01.09.2023, for assessment year 2017-18.

2. The solitary issue in appeal by the assessee is against addition of Rs.10,77,000/- on account of unexplained cash credit u/s. 69A of the Income Tax Act, 1961(hereinafter referred to as 'the Act'), during the period of demonetization.

3. Facts of the case in brief as emanating from documents on records are: The assessee filed her return of income for the impugned assessment year on 26.07.2017 declaring income of Rs.9,08,150/-. The case of the assessee was selected for scrutiny under CASS to verify cash deposits during demonetization period. During the course of assessment proceedings the bank statements of the assessee were called for. The assessee furnished following bank statements and the cash deposits during demonetization period:

Sr. No	Name of the Bank	Account No.	Cash deposited during demonetization period i.e. 09.11.2016 to 31.12.2016 (in Rs.)
1	ICICI Bank, Jor Bagh	028601000468	140000
2	ICICI Bank, Greater Kailash	002901037155	376000
3	HDFC Bank, Kalkaji	15591020000238	245000
4	HDFC Bank, Jor Bagh	50100036551206	244000
5	HDFC Bank, Jor Bagh	50100068932065	146000
6	Bank of India	3857	196000
<b>Total</b>			<b>13,47,000</b>

4. To explain the source of deposit, she submitted that the cash was deposited out of her Stree Dhan and past savings, and her income for the past several years. She further pointed that the cash deposits also include withdrawals from her bank account in the past and deposited during demonetization period. To substantiate her income from preceding assessment years she furnished copies of ITR's for the last six years. The Assessing Officer (AO) while completing the assessment gave benefit of Rs.2,70,000/- i.e. for the withdrawals made during Financial Year 2016-17 and made addition of remaining cash deposits i.e. Rs10,77,000/-. Against the Assessment Order dated 26.12.2019, the assessee filed

appeal before the CIT(A), but remained unsuccessful. Hence, present appeal by the assessee.

5. Ms. Shivani Bansal, representing the department vehemently defended the impugned order and prayed for dismissing appeal of the assessee. She submitted that the assessee failed to substantiate source of cash deposits in her bank accounts during the demonetization period.

6. Submissions made by Id. DR heard and order of the authorities below examined. The solitary addition in dispute is addition of Rs.10,77,000/- on account of cash deposits in the bank account during demonetization period. The assessee during assessment proceedings explained that the cash was deposited out of Stree Dhan, savings from the past years, withdrawals from the bank and balance cash in hand from the marriages of her two sons solemnized on 14.02.2017 and 04.12.2017. The AO gave benefit of only cash withdrawals from the bank and did not consider the other explanations given by the assessee. The assessee in order to substantiate her contentions has placed on record ITR's for the past six assessment years and the copies of marriage cards of her sons and their marriage registration certificate. The deposit of cash from past savings and Stree Dhan cannot be ignored. It is customary in the Indian society that the ladies hold Stree Dhan and have savings in the form of cash. The CBDT vide Circular No.3 of 2017 allowed cash deposits during demonetization without asking any question up to Rs.2,50,000/-. Further, the assessee in past has disclosed income in her return of income averaging Rs.7,17,806/-. Keeping in view the fact that the assessee was declaring annual income of Rs. 7,17,806/- in past assessment years, the assessee must be having some cash savings which was subsequently deposited in the bank during demonetization period. The benefit of such savings amounting to Rs.2,50,000/- is extended to the assessee. Thus, in aggregate an amount of Rs5,00,000/- is directed to be deleted. The balance addition of Rs.5,77,000/- is upheld.

7. In the result, appeal of the assessee is partly allowed.

Order pronounced in the open court on Friday the 29<sup>th</sup> day of November, 2024.

Sd/-

(VIKAS AWASTHY)

न्यायिक सदस्य/JUDICIAL MEMBER

दिल्ली/Delhi, दिनांक/Dated 29/11/2024

NV/-

प्रतिलिपि अग्रेषित Copy of the Order forwarded to :

1. अपीलार्थी/The Appellant ,
2. प्रतिवादी/ The Respondent.
3. The PCIT
4. विभागीय प्रतिनिधि, आय.अपी.अधि., दिल्ली /DR, ITAT, दिल्ली
5. गार्ड फाइल/Guard file.

BY ORDER,

//True Copy//

(Dy./Asstt. Registrar) ITAT, DELHI