

**IN THE INCOME TAX APPELLATE TRIBUNAL, CUTTACK BENCH CUTTACK**

BEFORE SHRI GEORGE MATHAN, JUDICIAL MEMBER AND  
SHRI MADHUSUDAN SAWDIA, ACCOUNTANT MEMBER

ITA No. 821/CTK/2025

(Assessment Year: 2020-21)

Rasmita Panda, D/o- R C Panda, Kanehipur, CRRI, Cuttack-753006 (Odisha) <b>PAN No. DBUPP 9233 C</b>	Vs.	I.T.O., Ward- 1(1), Cuttack.
Appellant/ Assessee		Respondent/ Revenue

Assessee represented by	Shri Diganta Das, A.R.
Department represented by	Shri Sanjib Banerjee, Sr. DR
Date of hearing	25/02/2026
Date of pronouncement	25/02/2026

**ORDER**

**PER: BENCH**

1. This is the appeal filed by the assessee against the order of the Id. CIT(A), NFAC, Delhi in Appeal No. NFAC/2019-20/10422992 dated 08/10/2025 for the A.Y. 2020-21.
2. Shri Diganta Das, Id. A.R. appeared on behalf of the assessee and Shri Sanjib Banerjee, Id. Sr. DR represented on behalf of the revenue.
3. It was submitted by the Id. AR that the assessee received commission of Rs. 30.00 lacs from Kambson Express & Logistics India Private Limited during the impugned assessment year. TDS has also been deducted on the said commission. It was the submission that the assessee filed her return in response to the notice issued under Section 148 of the Income Tax Act, 1961 (in short, the Act) claiming expenses of 35% in respect of the earning of such income. It was the submission that the Assessing

Officer rejected the assessee's books of account and treated the entire receipts as income of the assessee. It was a prayer that the claim of expenditure by the assessee may be allowed. It was the submission that the expenses were in the nature of commission payment, repairs to machinery, salary and wages, travelling expenses and also depreciation. It was the prayer that the expenses as claimed by the assessee may be allowed.

4. In reply, Id. Sr. DR vehemently supported the orders of the Assessing Officer and Id. CIT(A).
5. We have considered the rival submissions. Perusal of the facts in the present case clearly shows that the Assessing Officer has rejected the books of account of the assessee and estimated the entire receipts of the assessee as income of the assessee. The assessee has filed written submissions which reads as follows:

"The Appellant, Rasmita Panda (PAN: DBUPP9233C), is an individual resident in India, carrying on business activities primarily involving providing customer leads and execution of related service contracts in the logistics sector and freight forwarding agency services, leading to earning of commission income. The Appellant permanent residence is at D/o R. C Panda, Kanheipur, CRRI, Cuttack, Cuttack-753006, Odisha, India.

The comparative year wise profit declared by the assessee immediately preceding year and subsequent year is as follows:

Sl. No.	Assessment Year	Gross Receipt	Net profit	Profit %	Assessment Status	Remarks
1.	2019-20	26,50,000.00	11,48,251.00	43%	143(1)	Returned Figure accepted
2.	2020-21	30,00,000.00	10,58,980.00	35%	147	Addition-Depreciation Rs. 168,978.00 & Gross commission income amounting Rs. 30,00,000.00
3	2021-22	32,81,150.00	17,06,200.00	52%	143(1)	Returned Figure accepted

That it is humbly submitted that the gross receipts for A.Y. 2020-21 increased compared to A.Y. 2019-20. Despite higher receipts, the profit percentage remained at a reasonable 35%, consistent with business realities. In the immediately succeeding year (A.Y. 2021-22), the profit percentage increased significantly to 52%, and the return was accepted under section 143(1). The returned figures for both preceding and succeeding years were accepted without scrutiny. Therefore, it is humbly prayed that the reopening under section 147 and addition of the entire gross commission income of Rs. 30,00,000, along with depreciation disallowance, is arbitrary and contrary to settled principles that only real income can be taxed, not gross receipts.

Perusal of the written submissions shows that the assessee has shown profit of 43% for the immediately preceding assessment year, 35% for the impugned assessment year and 52% for the immediately succeeding assessment year. Considering these facts, the income of the assessee is estimated at 40% for the impugned assessment year.

6. In the result, this appeal of the assessee is partly allowed.

Order dictated and pronounced in the open court on 25/02/2026.

Sd/-  
(MADHUSUDAN SAWDIA)  
ACCOUNTANT MEMBER

Sd/-  
(GEORGE MATHAN)  
JUDICIAL MEMBER

Ranchi, Dated: 25/02/2026

*\*Ranjan*

Copy to:

1. Assessee
2. Revenue
3. CIT(A)
4. CIT
5. DR
6. Guard File

By Order

Assistant Registrar, ITAT, Cuttack