

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART-II,  
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA  
MINISTRY OF FINANCE  
(DEPARTMENT OF REVENUE)  
(CENTRAL BOARD OF DIRECT TAXES)

NOTIFICATION

New Delhi, the 16<sup>th</sup> December, 2015

INCOME-TAX

**G.S.R. 978(E).**— In exercise of the powers conferred by sub-section (6) of section 195 read with section 295 of the Income-tax Act, 1961 (43 of 1961), the Central Board of Direct Taxes hereby makes the following rules further to amend the Income-tax Rules, 1962, namely:-

1. (1) These rules may be called the Income-tax (21st Amendment) Rules, 2015.  
(2) They shall come into force on the 1<sup>st</sup> day of April, 2016.
2. In the Income-tax Rules, 1962 (hereafter referred to as the said rules), for rule 37BB, the following rule shall be substituted, namely:-

**“37BB. Furnishing of information for payment to a non-resident, not being a company, or to a foreign company.**— (1) The person responsible for paying to a non-resident, not being a company, or to a foreign company, any sum chargeable under the provisions of the Act, shall furnish the following, namely:-

- (i) the information in Part A of Form No.15CA, if the amount of payment or the aggregate of such payments, as the case may be, made during the financial year does not exceed five lakh rupees;
- (ii) for payments other than the payments referred in clause (i), the information,—
  - (a) in Part B of Form No.15CA after obtaining,—
    - (I) a certificate from the Assessing Officer under section 197; or
    - (II) an order from the Assessing Officer under sub-section (2) or sub-section (3) of section 195;
  - (b) in Part C of Form No.15CA after obtaining a certificate in Form No. 15CB from an accountant as defined in the *Explanation* below sub-section (2) of section 288.

(2) The person responsible for paying to a non-resident, not being a company, or to a foreign company, any sum which is not chargeable under the provisions of the Act, shall furnish the information in Part D of Form No.15CA.

(3) Notwithstanding anything contained in sub-rule (2), no information is required to be furnished for any sum which is not chargeable under the provisions of the Act, if,—

(i) the remittance is made by an individual and it does not require prior approval of Reserve Bank of India as per the provisions of section 5 of the Foreign Exchange Management Act, 1999 (42 of 1999) read with Schedule III to the Foreign Exchange (Current Account Transaction) Rules, 2000; or

(ii) the remittance is of the nature specified in column (3) of the specified list below:

#### SPECIFIED LIST

| Sl. No. | Purpose code as per RBI | Nature of payment   |
|---------|-------------------------|---|
| (1)     | (2)                     | (3)   |
| 1       | S0001                   | Indian investment abroad-in equity capital (shares)                           |
| 2       | S0002                   | Indian investment abroad-in debt securities                                   |
| 3       | S0003                   | Indian investment abroad-in branches and wholly owned subsidiaries            |
| 4       | S0004                   | Indian investment abroad-in subsidiaries and associates                       |
| 5       | S0005                   | Indian investment abroad-in real estate                                       |
| 6       | S0011                   | Loans extended to Non-Residents   |
| 7       | S0101                   | Advance payment against imports   |
| 8       | S0102                   | Payment towards imports-settlement of invoice                                 |
| 9       | S0103                   | Imports by diplomatic missions  |
| 10      | S0104                   | Intermediary trade  |
| 11      | S0190                   | Imports below Rs.5,00,000-(For use by ECD offices)                            |
| 12      | S0202                   | Payment for operating expenses of Indian shipping companies operating abroad. |
| 13      | S0208                   | Operating expenses of Indian Airlines companies operating abroad              |
| 14      | S0212                   | Booking of passages abroad - Airlines companies                               |

|    |       |   |
|----|-------|---|
| 15 | S0301 | Remittance towards business travel.   |
| 16 | S0302 | Travel under basic travel quota (BTQ)   |
| 17 | S0303 | Travel for pilgrimage   |
| 18 | S0304 | Travel for medical treatment  |
| 19 | S0305 | Travel for education (including fees, hostel expenses etc.)   |
| 20 | S0401 | Postal services   |
| 21 | S0501 | Construction of projects abroad by Indian companies including import of goods at project site                           |
| 22 | S0602 | Freight insurance - relating to import and export of goods  |
| 23 | S1011 | Payments for maintenance of offices abroad  |
| 24 | S1201 | Maintenance of Indian embassies abroad  |
| 25 | S1202 | Remittances by foreign embassies in India   |
| 26 | S1301 | Remittance by non-residents towards family maintenance and savings  |
| 27 | S1302 | Remittance towards personal gifts and donations   |
| 28 | S1303 | Remittance towards donations to religious and charitable institutions abroad  |
| 29 | S1304 | Remittance towards grants and donations to other Governments and charitable institutions established by the Governments |
| 30 | S1305 | Contributions or donations by the Government to international institutions  |
| 31 | S1306 | Remittance towards payment or refund of taxes   |
| 32 | S1501 | Refunds or rebates or reduction in invoice value on account of exports  |
| 33 | S1503 | Payments by residents for international bidding.  |

(4) The information in Form No. 15CA shall be furnished,—

(i) electronically under digital signature in accordance with the procedures, formats and standards specified by the Principal Director General of Income-tax (Systems) under sub-rule (8) and thereafter printout of the said form shall be submitted to the authorised dealer, prior to remitting the payment; or

(ii) electronically in accordance with the procedures, formats and standards specified by the Principal Director General of Income-tax (Systems) under sub-rule (8) and thereafter signed printout of the said form shall be submitted to the authorised dealer, prior to remitting the payment.

(5) An income-tax authority may require the authorised dealer to furnish the signed printout of Form No.15CA referred to in clause (ii) of sub-rule (4) for the purposes of any proceedings under the Act.

(6) The certificate in Form No. 15CB shall be furnished and verified electronically in accordance with the procedures, formats and standards specified by the Principal Director-General of Income-tax (Systems) under sub-rule (8).

(7) The authorised dealer shall furnish a quarterly statement for each quarter of the financial year in Form No.15CC to the Principal Director General of Income-tax (Systems) or the person authorised by the Principal Director General of Income-tax (Systems) electronically under digital signature within fifteen days from the end of the quarter of the financial year to which such statement relates in accordance with the procedures, formats and standards specified by the Principal Director General of Income-tax (Systems) under sub-rule (8).

(8) The Principal Director General of Income-tax (Systems) shall specify the procedures, formats and standards for the purposes of furnishing and verification of Form 15CA, Form 15CB and Form 15CC and shall be responsible for the day-to-day administration in relation to the furnishing and verification of information, certificate and quarterly statement in accordance with the provisions of sub-rules (4), (6) and (7).

*Explanation.*— For the purposes of this rule ‘authorised dealer’ means a person authorised as an authorised dealer under sub-section (1) of section 10 of the Foreign Exchange Management Act, 1999 (42 of 1999).”.

3. In the said rules, in Appendix-II, for Form No.15CA and Form No. 15CB, the following Forms shall be substituted, namely:-

|                                  |  |  |
|----------------------------------|--|--|
| <b>Income-Tax<br/>Department</b> | <b>“FORM NO. 15CA</b><br>(See rule 37BB)<br><b>Information to be furnished for payments to a non-resident not<br/>being a company, or to a foreign company</b> | Ack. No. <input style="width: 50px; height: 20px;" type="text"/> |
|----------------------------------|--|--|

### Part A

(To be filled up if the remittance is chargeable to tax under the provisions of the Income-tax Act,1961 and the remittance or the aggregate of such remittances, as the case may be, does not exceed five lakh rupees during the financial year)

|            |   |                          |
|------------|---|--------------------------|
| REMITTER   | Name of remitter  |                          |
|            | PAN of the remitter (if available)  |                          |
|            | TAN of the remitter (if available)  |                          |
|            | Complete address, email and phone number of the remitter  |                          |
|            | Status of remitter <sup>1</sup>   | <input type="checkbox"/> |
|            | Residential status of remitter <sup>2</sup>   |                          |
| REMITTEE   | Name of recipient of remittance   |                          |
|            | PAN of the recipient of remittance, if available <sup>3</sup>                                     |                          |
|            | Complete address, email <sup>4</sup> and phone number <sup>5</sup> of the recipient of remittance |                          |
|            | Country to which remittance is made   |                          |
| REMITTANCE | Amount payable before TDS (In Indian Currency)  |                          |
|            | Aggregate amount of remittances made during the financial year including this proposed remittance |                          |
|            | Name of bank  |                          |
|            | Name of the branch of the bank  |                          |
|            | Proposed date of remittance   |                          |
|            | Nature of remittance  |                          |
|            | Please furnish the relevant purpose code as per RBI   |                          |
|            | Amount of TDS   |                          |
|            | Rate of TDS   |                          |
|            | Date of deduction   |                          |

### VERIFICATION

I/We\*, \_\_\_\_\_ (full name in block letters), son/daughter of \_\_\_\_\_ in the capacity of \_\_\_\_\_ (designation) solemnly declare that the information given above is true to the best of my knowledge and belief and no relevant information has been concealed. I/We\* further undertake to submit the requisite documents for enabling the income-tax authorities to determine the nature and amount of income of the recipient of the above remittance as well as documents required for determining my liability under the Income-tax Act as a person responsible for deduction of tax at source.

Place: \_\_\_\_\_ Signature of the person responsible for paying to non-resident

Date: \_\_\_\_\_ Name and Designation of the person responsible for paying to non-resident

\* Delete whichever is not applicable.

<sup>1</sup> Write 1 if company, write 2 if firm, write 3 if individual and write 4 if others.

<sup>2</sup> In case of company, write 1 if domestic company, write 2 if foreign company, in case of person other than company, write 3 if resident, write 4 if non-resident

<sup>3</sup> In case of non-availability of PAN, provisions of section 206AA shall be applicable

<sup>4</sup> If available

<sup>5</sup> If available

## Part B

(To be filled up if the remittance is chargeable to tax under the provisions of the Income-tax Act, 1961 and the remittance or the aggregate of such remittances, as the case may be, does not exceed five lakh rupees during the financial year and an order/ certificate u/s 195(2)/ 195(3)/ 197 of Income-tax Act has been obtained from the Assessing Officer.)

|               |   |                      |                          |
|---------------|---|----------------------|--------------------------|
| REMITTER      | Name of remitter  |                      |                          |
|               | PAN of the remitter   |                      |                          |
|               | TAN of the remitter <sup>1</sup>  |                      |                          |
|               | Complete address, email and phone number of the remitter  |                      |                          |
|               | Status of remitter <sup>2</sup>   |                      | <input type="checkbox"/> |
|               | Residential status of remitter <sup>3</sup>   |                      |                          |
| REMITTEE      | Name of recipient of remittance   |                      |                          |
|               | PAN of the recipient of remittance, if available <sup>4</sup>                                     |                      |                          |
|               | Complete address, email <sup>5</sup> and phone number <sup>6</sup> of the recipient of remittance |                      |                          |
| A.O.<br>ORDER | Section under which order/certificate has been obtained   |                      |                          |
|               | Name and designation of the Assessing Officer who issued the order/certificate                    |                      |                          |
|               | Date of order/certificate   |                      |                          |
|               | Order/ certificate number   |                      |                          |
| REMITTANCE    | Country to which remittance is made   | Country:             | Currency:                |
|               | Amount payable  | In foreign currency: | In Indian Rs.            |
|               | Name of the Bank  | Branch of the Bank   |                          |
|               | BSR Code of the bank branch (7 digit)   |                      |                          |
|               | Proposed date of remittance   |                      | (DD/MM/YYYY)             |
|               | Nature of remittance as per agreement/ document   |                      |                          |
|               | Please furnish the relevant purpose code as per RBI   |                      |                          |
|               | Amount of TDS   |                      |                          |
|               | Rate of TDS   |                      |                          |
|               | Date of deduction   |                      |                          |

### VERIFICATION

I/We\*, \_\_\_\_\_ (full name in block letters), son/daughter of \_\_\_\_\_ in the capacity of \_\_\_\_\_ (designation) solemnly declare that the information given above is true to the best of my knowledge and belief and no relevant information has been concealed. I/We\* certify that a certificate/order under section 195(2)/195(3)/197 of the Income-tax Act, 1961 has been obtained, particulars of which are given in this Form. I/We\* further undertake to submit the requisite documents for enabling the income-tax authorities to determine the nature and amount of income of the recipient of the above remittance as well as documents required for determining my liability under the Income-tax Act as a person responsible for deduction of tax at source.

Place:

.....  
Signature of the person responsible for paying to non-resident

Date:

.....  
Name and Designation of the person responsible for paying to non-resident

\* Delete whichever is not applicable.

<sup>1</sup>In case TAN is applied for, please furnish acknowledgement number of the application.

<sup>2</sup> Write 1 if company, write 2 if firm, write 3 if individual and write 4 if others.

<sup>3</sup> In case of company, write 1 if domestic company, write 2 if foreign company, in case of person other than company, write 3 if resident, write 4 if non-resident

<sup>4</sup>In case of non-availability of PAN, provisions of section 206AA shall be applicable

<sup>5</sup>If available

<sup>6</sup>If available

## Part C

(To be filled up if the remittance is chargeable to tax under the provisions of Income-tax Act, 1961 and the remittance or the aggregate of such remittances, as the case may be, exceeds five lakh rupees during the financial year and a certificate in Form No. 15CB from an accountant as defined in the *Explanation* below sub-section (2) of section 288 has been obtained)

| Section A  |  | GENERAL INFORMATION  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|------------|--|--|--|--|--|---|--|---|---|---------------|---------|--|------------|--|-------|--|
| REMITTER   | Name of the remitter                                     |  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | PAN of remitter  |  |  |  |  |   |  |   | Area Code                                   |               | AO Type |  | Range Code |  | AO No |  |
|            | Principal Place of Business                              |  |  |  |  |   |  |   | TAN of remitter <sup>1</sup>                |               |         |  |            |  |       |  |
|            | Complete address, email and phone number of the remitter |  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | Status <sup>2</sup> <input type="checkbox"/>             |  |  |  | Residential status of remitter <sup>3</sup> <input type="checkbox"/> |   |  |   |   |               |         |  |            |  |       |  |
| REMITTEE   | Name of recipient of remittance                          |  |  |  |  |   |  |   | PAN of recipient of remittance <sup>4</sup> |               |         |  |            |  |       |  |
|            | Status <sup>5</sup> <input type="checkbox"/>             |  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | Address  |  |  |  |  |   |  |   | Country to which remittance is made:        |               |         |  |            |  |       |  |
|            | Principal place of business                              |  |  |  | Email address  |   |  |   | (ISD code)-Phone Number<br>( )              |               |         |  |            |  |       |  |
| ACCOUNTANT | (a)  | Name of the Accountant <sup>6</sup> signing the certificate  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | (b)  | Name of the proprietorship/firm of the accountant  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | (c)  | Address  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | (d)  | Registration no. of the accountant   |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | (e)  | Date of certificate (DD/MM/YYYY)   |  |  |  |   |  | Certificate No. <sup>7</sup>                                    |   |               |         |  |            |  |       |  |
| A.O. ORDER | (a)  | Whether any order/ certificate u/s 195(2)/ 195(3)/ 197 of Income-tax Act has been obtained from the Assessing Officer. |  |  |  |   |  | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |   |               |         |  |            |  |       |  |
|            | (b)  | Section under which order/certificate has been obtained  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | (c)  | Name and designation of the Assessing Officer who issued the order/certificate   |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | (d)  | Date of order/certificate  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | (e)  | Order/ certificate number  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
| Section B  |  | PARTICULARS OF REMITTANCE AND TDS ( as per certificate of the accountant)  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
| REMITTANCE | 1.   | Country to which remittance is made  |  |  |  | Country:  |  |   |   | Currency:     |         |  |            |  |       |  |
|            | 2.   | Amount payable   |  |  |  | In foreign currency:  |  |   |   | In Indian Rs. |         |  |            |  |       |  |
|            | 3.   | Name of the Bank   |  |  |  | Branch of the Bank  |  |   |   |               |         |  |            |  |       |  |
|            | 4.   | BSR Code of the bank branch (7 digit)  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | 5.   | Proposed date of remittance  |  |  |  | (DD/MM/YYYY)  |  |   |   |               |         |  |            |  |       |  |
|            | 6.   | Nature of remittance as per agreement/ document  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | 7.   | Relevant purpose code as per RBI   |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            | 8.   | In case the remittance is net of taxes, whether tax payable has been grossed up?                                       |  |  |  | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |  |   |   |               |         |  |            |  |       |  |
| I.T.ACT    | 9.   | Taxability under the provisions of the Income-tax Act (without considering DTAA)                                       |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            |  | (a) the relevant section of the Act under which the remittance is covered  |  |  |  |   |  |   |   |               |         |  |            |  |       |  |
|            |  | (b) the amount of income chargeable to   |  |  |  |   |  |   |   |               |         |  |            |  |       |  |

|      |  |   |   |                               |  |
|------|--|---|---|-------------------------------|--|
|      |  | tax   |   |                               |  |
|      |  | (c) the tax liability   |   |                               |  |
|      |  | (d) basis of determining taxable income and tax liability   |   |                               |  |
| DTAA | 10.  | If any relief is claimed under DTAA-<br>(i) whether tax residency certificate is obtained from the recipient of remittance                                | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |                               |  |
|      |  | (ii) please specify relevant DTAA   |   |                               |  |
|      |  | (iii) please specify relevant article of DTAA   |   | Nature of payment as per DTAA |  |
|      |  | (iv) taxable income as per DTAA   |   | In Indian Rs.                 |  |
|      |  | (v) tax liability as per DTAA   |   | In Indian Rs.                 |  |
|      |  | A. If the remittance is for royalties, fee for technical services, interest, dividend, etc.(not connected with permanent establishment) please indicate:- | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |                               |  |
|      |  | (a) Article of DTAA   |   |                               |  |
|      |  | (b) Rate of TDS required to be deducted in terms of such article of the applicable DTAA   |   | As per DTAA (%)               |  |
|      |  | B. In case the remittance is on account of business income, please indicate:-   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |                               |  |
|      |  | (a) The amount of income liable to tax in India   |   |                               |  |
|      |  | (b) The basis of arriving at the rate of deduction of tax.  |   |                               |  |
|      |  | C. In case the remittance is on account of capital gains, please indicate:-   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |                               |  |
|      |  | (a) amount of long term capital gains   |   |                               |  |
|      |  | (b) amount of short-term capital gains  |   |                               |  |
|      |  | (c) basis of arriving at taxable income   |   |                               |  |
|      |  | D. In case of other remittance not covered by sub-items A,B and C   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |                               |  |
|      |  | (a) Please specify nature of remittance   |   |                               |  |
|      |  | (b) Whether taxable in India as per DTAA  |   |                               |  |
|      |  | (c) If yes, rate of TDS required to be deducted in terms of such article of the applicable DTAA   |   |                               |  |
|      |  | (d) if not, please furnish brief reasons thereof specifying relevant article of DTAA  |   |                               |  |
| TDS  | 11.  | Amount of tax deducted at source  | In foreign currency   |                               |  |
|      |  |   | In Indian Rs.   |                               |  |
|      | 12.  | Rate of TDS   | As per Income-tax Act (%)<br>or<br>As per DTAA (%)              |                               |  |
|      | 13.  | Actual amount of remittance after TDS   | In foreign currency   |                               |  |
| 14.  | Date of deduction of tax at source, if any | (DD/MM/YYYY)  |   |                               |  |



**VERIFICATION**

1. I/We\*, \_\_\_\_\_ (full name in block letters), son/daughter of \_\_\_\_\_ in the capacity of \_\_\_\_\_ (designation) solemnly declare that the information given above is true to the best of my/our\* knowledge and belief and no relevant information has been concealed. I/We\* certify that a certificate has been obtained from an accountant, particulars of which are given in this Form, certifying the amount, nature and correctness of deduction of tax at source. In case where it is found that the tax actually deductible on the amount of remittance has not been deducted or after deduction has not been paid or not paid in full, I/We\* undertake to pay the amount of tax not deducted or not paid, as the case may be, along with interest due. I/We\* shall also be subject to the provisions of penalty for the said default as per the provisions of the Income-tax Act, 1961. I/We\* further undertake to submit the requisite documents for enabling the income-tax authorities to determine the nature and amount of income of the recipient of the above remittance as well as documents required for determining my/our liability under the Income-tax Act, 1961 as a person responsible for deduction of tax at source.

Place: \_\_\_\_\_ Signature of the person responsible for paying to non-resident

Date: \_\_\_\_\_ Name and Designation of the person responsible for paying to non-resident

\* Delete whichever is not applicable.

<sup>1</sup>In case TAN is applied for, please furnish acknowledgement number of the application.

<sup>2</sup> Write 1 if company, write 2 if firm, write 3 if individual and write 4 if others.

<sup>3</sup> In case of company, write 1 if domestic company, write 2 if foreign company, in case of person other than company, write 3 if resident, write 4 if non-resident

<sup>4</sup>In case of non-availability of PAN, provisions of section 206AA shall be applicable

<sup>5</sup> Write 1 if company, write 2 if firm, write 3 if individual and write 4 if others.

<sup>6</sup>Accountant shall have the meaning as defined in Explanation below sub-section (2) of section 288 of the Income-tax Act, 1961.

<sup>7</sup>Please fill the serial number as mentioned in the certificate of the accountant.

## Part D

**[To be filled up if the remittance is not chargeable to tax under the provisions of the Income-tax Act,1961 {other than payments referred to in rule 37BB(3)} by the person referred to in rule 37BB(2)]**

|            |   |                      |                                |  |  |
|------------|---|----------------------|--------------------------------|--|--|
| REMITTER   | Name of the remitter  |                      |                                |  |  |
|            | PAN of the remitter, if available   |                      |                                |  |  |
|            | TAN of the remitter, if available   |                      |                                |  |  |
|            | Complete address, email and phone number of the remitter  |                      |                                |  |  |
|            | Status of remitter <sup>1</sup>   |                      | <input type="checkbox"/>       |  |  |
|            | Residential status of the remitter <sup>2</sup>   |                      |                                |  |  |
| REMITTEE   | Name of recipient of remittance   |                      |                                |  |  |
|            | PAN of the recipient of remittance, if available  |                      |                                |  |  |
|            | Complete address, email <sup>3</sup> and phone number <sup>4</sup> of the recipient of remittance |                      |                                |  |  |
|            | Country to which remittance is made   | Country:             | Currency:                      |  |  |
|            | Country of which the recipient of remittance is resident, if available                            |                      |                                |  |  |
| REMITTANCE | Amount payable  | In foreign currency: | In Indian Rs.                  |  |  |
|            | Name of the bank  |                      | Name of the branch of the bank |  |  |
|            | BSR code of the bank branch (7 digit)   |                      |                                |  |  |
|            | Proposed date of remittance   |                      | (DD/MM/YYYY)                   |  |  |
|            | Nature of remittance  |                      |                                |  |  |
|            | Please furnish the relevant purpose code as per RBI   |                      |                                |  |  |
|            |   |                      |                                |  |  |

2. I certify that I have reason to believe that the remittance as above is not chargeable under the provision of Income-tax Act 1961 and is not liable for deduction of tax at source.

### VERIFICATION

I/We\*, \_\_\_\_\_ (full name in block letters), son/daughter of \_\_\_\_\_ in the capacity of \_\_\_\_\_ (designation) solemnly declare that the information given above is true to the best of my/our\* knowledge and belief and no relevant information has been concealed. In a case where it is found that the tax actually deductible on the amount of remittance has not been deducted or after deduction has not been paid or not paid in full, I/We\* undertake to pay the amount of tax not deducted or not paid, as the case may be, along with interest due. I/We\* shall also be subject to the provisions of penalty for the said default as per the provisions of the Income-tax Act, 1961. I/We\* further undertake to submit the requisite documents for enabling the income-tax authorities to determine the nature and amount of income of the recipient of the above remittance as well as documents required for determining my/our\* liability under the Income-tax Act as a person responsible for deduction of tax at source.

Place:

.....  
Signature of the person responsible for paying to non-resident

Date:

.....  
Name and Designation of the person responsible for paying to non-resident

\* Delete whichever is not applicable.

<sup>1</sup> Write 1 if company, write 2 if firm, write 3 if individual and write 4 if others.

<sup>2</sup> In case of company, write 1 if domestic company, write 2 if foreign company, in case of person other than company, write 3 if resident, write 4 if non-resident

<sup>3</sup> If available

<sup>4</sup> If available

|                     |  |
|---------------------|--|
| For Office Use only | For Office Use Only<br>Receipt No.<br>Date<br>Seal and Signature of receiving official |
|---------------------|--|

**Form No. 15CB**  
(See rule 37BB)  
**Certificate of an accountant<sup>1</sup>**

I/We\* have examined the agreement (wherever applicable) between Mr./Ms./M/s\*..... and Mr./Ms./M/s\*.....  
(Remitters) (Beneficiary)

requiring the above remittance as well as the relevant documents and books of account required for ascertaining the nature of remittance and for determining the rate of deduction of tax at source as per provisions of Chapter- XVII-B.

We hereby certify the following :-

|          |   |  |   |
|----------|---|--|---|
| <b>A</b> | Name and address of the beneficiary of the remittance |  |   |
| <b>B</b> | 1.  | Country to which remittance is made  | Country: _____ Currency: _____                                  |
|          | 2.  | Amount payable   | In foreign currency: _____<br>In Indian Rs. _____               |
|          | 3.  | Name of the bank   | Branch of the bank _____  |
|          | 4.  | BSR Code of the bank branch (7 digit)  | _____   |
|          | 5.  | Proposed date of remittance  | (DD/MM/YYYY) _____  |
|          | 6.  | Nature of remittance as per agreement/document   |   |
|          | 7.  | In case the remittance is net of taxes, whether tax payable has been grossed up?   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |
|          | 8.  | Taxability under the provisions of the Income-tax Act (without considering DTAA)   |   |
|          |   | (i) is remittance chargeable to tax in India   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |
|          |   | (ii) if not reasons thereof  |   |
|          |   | (iii) if yes,  |   |
|          |   | (a) the relevant section of the Act under which the remittance is covered  |   |
|          |   | (b) the amount of income chargeable to tax   |   |
|          |   | (c) the tax liability  |   |
|          |   | (d) basis of determining taxable income and tax liability  |   |
|          | 9.  | If income is chargeable to tax in India and any relief is claimed under DTAA-  |   |
|          |   | (i) whether tax residency certificate is obtained from the recipient of remittance   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |
|          |   | (ii) please specify relevant DTAA  |   |
|          |   | (ii) please specify relevant article of DTAA   | Nature of payment as per DTAA                                   |
|          |   | (iii) taxable income as per DTAA   | In Indian Rs. _____   |
|          |   | (iv) tax liability as per DTAA   | In Indian Rs. _____   |
|          |   | A.If the remittance is for royalties, fee for technical services, interest, dividend, etc.(not connected with permanent establishment) please indicate:- | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |

|     |   |   |
|-----|---|---|
|     | (a) Article of DTAA   |   |
|     | (b) Rate of TDS required to be deducted in terms of such article of the applicable DTAA         | As per DTAA (%)   |
|     | B. In case the remittance is on account of business income, please indicate:-                   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |
|     | (a) Whether such income is liable to tax in India   | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |
|     | (b) If so, the basis of arriving at the rate of deduction of tax.                               |   |
|     | (c) If not, please furnish brief reasons thereof, specifying relevant article of DTAA           |   |
|     | C. In case the remittance is on account of capital gains, please indicate:-                     | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |
|     | (a) amount of long term capital gains   |   |
|     | (b) amount of short-term capital gains  |   |
|     | (c) basis of arriving at taxable income   |   |
|     | D. In case of other remittance not covered by sub-items A,B and C                               | (Tick) <input type="checkbox"/> Yes <input type="checkbox"/> No |
|     | (a) Please specify nature of remittance   |   |
|     | (b) Whether taxable in India as per DTAA  |   |
|     | (c) If yes, rate of TDS required to be deducted in terms of such article of the applicable DTAA |   |
|     | (d) if not , please furnish brief reasons thereof, specifying relevant article of DTAA          |   |
| 10. | Amount of TDS   | In foreign currency<br>In Indian Rs.                            |
| 11  | Rate of TDS   | As per Income-tax Act (%)<br>or<br>As per DTAA (%)              |
| 12  | Actual amount of remittance after TDS   | In foreign currency   |
| 13. | Date of deduction of tax at source, if any  | (DD/MM/YYYY)  |

**Certificate No.<sup>2</sup>**

|  |  |  |  |  |  |
|--|--|--|--|--|--|
|  |  |  |  |  |  |
|--|--|--|--|--|--|

**Signature :**

**Name:**

**Name of the proprietorship/ firm:**

**Address:**

**Registration No.:**

<sup>1</sup>. To be signed and verified by an accountant (other than employee) as defined in the Explanation below sub-section (2) of section 288 of the Income-tax Act,1961.

<sup>2</sup>. Certificate number is an internal number to be given by the Accountant.

\* Delete whichever is not applicable. .

**Form No.15CC**  
(See rule 37BB)

Quarterly statement to be furnished by an authorised dealer in respect of remittances made for the quarter of ..... of ..... (Financial Year)

1. Name and address of the authorised dealer: .....
2. Permanent Account Number: .....
3. Details of remittances made:

| Sl. No. | Name of the remitter | PAN of the remitter | Name of the remittee | PAN of the remittee, if available | Amount of remittance | Date of remittance | Country to which remittance is made | Purpose Code as per RBI |
|---------|----------------------|---------------------|----------------------|-----------------------------------|----------------------|--------------------|-------------------------------------|-------------------------|
|         |                      |                     |                      |                                   |                      |                    |                                     |                         |

**Verification**

I .....(full name in block letters), son/daughter of ..... solemnly declare that to the best of my knowledge and belief, the information given above are correct and complete.

Place .....

Signature .....

Date .....

Name and Designation .....”.

[Notification No. 93/2015, F.No.133/41/2015-TPL]

(PITAMBAR DAS)  
DIRECTOR (TAX POLICY AND LEGISLATION)

*Note.— The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification number S.O. 969(E), dated the 26<sup>th</sup> March, 1962 and last amended vide notification number S.O.3357 (E), dated the 11<sup>th</sup> December, 2015 .*