

CBDT issues directions/clarification on issue of certificates for lower rate/ nil deduction/ collection of TDS or TCS u/s 195, 197 and 206C (9)

S. No.	Condition 1	Condition 2	Direction/ clarification by CBDT
a.	Assessee having certificate for lower/ nil deduction/collection of TDS/ TCS for F.Y. 2019-20	Assessee applied for lower/ nil deduction/ collection of TDS/ TCS for F.Y. 2020-21	Certificate for F.Y. 2019-20 would be applicable in respect of transactions and the deductor/collector, if any, for whom certificate was issued: <ul style="list-style-type: none"> • Till Disposal of their application by AO; or • Till 30.06.2020 whichever is earlier
b.	Assessee having certificate for lower/ nil deduction/ collection of TDS/ TCS for F.Y. 2019-20	Assessee could not apply for lower/ nil deduction/collection of TDS/ TCS for F.Y. 2020-21	Certificate for F.Y. 2019-20 would be applicable in respect of transactions and the deductor/collector, if any, for whom certificate was issued till 30.06.2020 of F.Y. 2020-21. However, assessee needs to apply for the certificate at the earliest giving details of transaction and deductor/collector of TDS/TCS as per procedure mentioned in (c) point below: <ul style="list-style-type: none"> • As soon as normalcy is restored; or • Till 30.06.2020; whichever is earlier

c.	Assessee not having certificate for lower/nil deduction/collection of TDS/ TCS for F.Y. 2019-20	Assessee could not apply for lower/ nil deduction/ collection of TDS/ TCS for F.Y. 2020-21 so far	<p>Applicant shall apply for Lower/Nil deduction/collection certificate under Section 197/206C (9) of the Act by Email addressed to AO along with following documents:</p> <ul style="list-style-type: none"> • Duly filled in Form 13 along with annexures; • Documents/ information required to be uploaded with Form 13; • Projected Balance Sheet and P&L Account for F.Y. 2020-21; • Provisional Balance Sheet and P&L Account for F.Y. 2019-20; • Balance Sheet and P&L Account for F.Y. 2018-19; • Form 26AS for F.Y. 2018-19 & 2019-20; • ITR Pertaining to F.Y. 2018-19 <p>The certificate shall be issued by AO vide Email in the prescribed format upto 30.06.2020 or any other earlier date as specified by AO.</p>
d.	Payment to Non-residents (including Foreign Company	Having Permanent establishment in India not covered by (a) and (b) above	Tax will be deducted @10% including surcharge and cess on such payments till 30.06.2020 of F.Y. 2020-21 or disposal of their application, whichever is earlier.

Disclaimer:

The above information is in summary form related to CBDT order u/s 119 of the Act dated 31st March 2020. For more details, please refer the link above. Reader should conduct and rely upon their own examination, investigation and analysis and are advised to seek their own professional advice. This document is not an offer, invitation, advice or solicitation of any kind. We accept no responsibility for any errors it may contain or for any loss, howsoever caused or sustained, by the person who relies on it.