



May 28, 2020

BSE Limited
Phiroze Jeejeebhoy Towers
Dalal Street
Mumbai – 400 001
Scrip Code: 500770

National Stock Exchange of India Ltd.
Exchange Plaza
Bandra-Kurla Complex Bandra (E)
Mumbai – 400 051
Symbol: TATACHEM

Dear Sir/Madam,

Sub: Communication to Shareholders - Intimation on Tax Deduction on Dividend

Pursuant to the Finance Act, 2020, with effect from April 1, 2020, Dividend Distribution Tax is abolished and dividend income is taxable in the hands of the shareholders.

In this regard, please find enclosed herewith an email communication which has been sent to all the shareholders having their email ID's registered with the Company/Depositories explaining the process on withholding tax from dividends paid to the shareholders at prescribed rates along with the necessary annexures.

This is for your information and records. This communication is also available on the website of the Company at www.tatachemicals.com

Thanking you,

**Yours faithfully,
For Tata Chemicals Limited**

**Rajiv Chandan
General Counsel & Company Secretary**

Encl.: as above

TATA CHEMICALS LIMITED

Bombay House 24 Homi Mody Street Fort Mumbai 400 001
Tel 91 22 6665 8282 Fax 91 22 6665 8143/44 www.tatachemicals.com
CIN : L24239MH1939PLC002893



TATA CHEMICALS LIMITED

Corporate Identity Number (CIN): L24239MH1939PLC002893
Registered Office: Bombay House, 24 Homi Mody Street, Fort, Mumbai - 400 001
Tel. No.: +91 22 6665 8282
Email: investors@tatachemicals.com **Website:** www.tatachemicals.com

May 25, 2020

We are pleased to inform you that the Board of Directors at their Meeting held on May 15, 2020 have recommended a Final Dividend of Rs. 11/- per Ordinary Share of Rs. 10/- each (110%) for the Financial Year ended March 31, 2020. As you are aware, as per the Income Tax Act, 1961, as amended by the Finance Act, 2020, dividends paid or distributed by a company after April 1, 2020 shall be taxable in the hands of the shareholders. The Company shall therefore be required to deduct tax at source at the time of making the payment of the Final Dividend, if declared at the Annual General Meeting of the Company to be held on July 7, 2020.

This communication provides the applicable Tax Deduction at Source (TDS) provisions under the Income Tax Act, 1961 for Resident and Non-Resident shareholder categories.

I. For Resident Shareholders -

Tax is required to be deducted at source under Section 194 of the Income Tax Act, 1961 at 7.5% on the amount of dividend where shareholder(s) have registered their valid Permanent Account Number (PAN) and at a rate of 20% for cases where the shareholder(s) does not have PAN / has not registered their valid PAN details in their account.

a. Resident Individuals:

No tax shall be deducted on the dividend payable to resident individuals if -

- o Total dividend to be received by them during the Financial Year 2020-21 does not exceed Rs. 5,000/-
- o The shareholder provides Form 15G (applicable to any person other than a Company or a Firm) / Form 15H (applicable to an Individual above the age of 60 years), as per the attached Formats, provided that all the required eligibility conditions are met

b. Resident Non Individuals:

Are requested to provide -

- o **Insurance Companies:** Public & Other Insurance Companies, a declaration that it has full beneficial interest with respect to the shares owned by it along with PAN
- o **Mutual Funds:** Self-declaration that they are specified in Section 10 (23D) of the Income Tax Act, 1961 along with self-attested copy of PAN card and registration certificate
- o **Alternative Investment Fund (AIF):** AIF established/incorporated in India - Self-declaration that its income is exempt under Section 10 (23FBA) of the Income Tax Act, 1961 and they are

governed by SEBI regulations as Category I or Category II AIF along with self-attested copy of the PAN card and registration certificate

- o Other Non-Individual shareholders:** Who are exempted from TDS under provisions of Section 194 of the Income Tax Act, 1961 and who are covered u/s 196 of the Income Tax Act, 1961 are also not subject to withholding of any tax are required to submit an attested copy of the PAN along with the documentary evidence in relation to the same
- c.** In case where the shareholders provide certificate under Section 197 of the Income Tax Act, 1961 for lower / NIL withholding of taxes, rate specified in the said certificate shall be considered based on submission of self-attested copy of the same.

II. For Non-resident Shareholders -

- a.** Taxes are required to be withheld in accordance with the provisions of Section 195 of the Income Tax Act, 1961 as per the rates in force. As per the relevant provisions of the Act, the withholding tax shall be at the rate of 20% (plus applicable surcharge and cess) on the amount of dividend payable to them. In case, certificate issued under Section 197/195 of the Income Tax Act, 1961 is given by non-resident shareholders for lower/ Nil withholding of taxes, rate specified in the said certificate shall be considered based on submission of self-attested copy of the same.
- b.** Further, as per Section 90 of the Income Tax Act, 1961 the non-resident shareholder has the option to be governed by the provisions of the Double Tax Avoidance Treaty between India and the country of tax residence of the shareholder, if they are more beneficial to them. For this purpose, i.e. to avail Tax Treaty benefits, the non-resident shareholders will have to provide the following:
 - o** Self-attested copy of the PAN Card allotted by the Indian Income Tax authorities. If the PAN is not allotted, please provide your email address, contact number, tax identification number allotted in the country of residence and address in country of residence
 - o** Self-attested copy of Tax Residency Certificate (TRC) (*of FY 2019-20 or later*) obtained from the tax authorities of the country of which the shareholder is resident
 - o** Self-declaration in Form 10F (attached herewith), if all the details required in this form are not mentioned in the TRC
 - o** Self-declaration by the non-resident shareholder of having no Permanent Establishment in India in accordance with the applicable Tax Treaty (*of FY 2019-20 or later*)
 - o** Self-declaration of Beneficial ownership (*of FY 2019-20 or later*) by the non-resident shareholder (draft format attached herewith)
 - o** Preliminary Checklist duly filed in.

Kindly note that the Company is not obligated to apply beneficial tax treaty rates at the time of tax deduction / withholding on dividend amounts. Application of beneficial rate of tax treaty for the purpose of withholding taxes shall depend upon completeness and satisfactory review by the Company of the documents submitted by the non-resident shareholder.

- c.** In case of Foreign Institutional Investors (FII) and Foreign Portfolio Investors (FPI), taxes shall be withheld at 20% plus applicable surcharge and cess in accordance with provisions of Section 196D of the Income Tax Act, 1961.

Accordingly, in order to enable us to determine the appropriate TDS / withholding tax rate applicable, **we request you to provide these details and documents as mentioned above on or before June 20, 2020.**

The Final Dividend for FY 2019-20 will be paid after deducting the tax at source as under:

A. FOR RESIDENT SHAREHOLDERS:

Nil for resident shareholders in case Form 15G / Form 15H (as applicable) is submitted along with self-attested copy of the PAN. *Please note that the duly filled up forms submitted through your registered email id will be accepted in the present circumstances due to COVID-19*

- o Lower/ NIL withholding tax rate on submission of self-attested copy of the certificate issued under Section 197 of the Income Tax Act, 1961
- o 7.5% for resident shareholders in case PAN is provided / available
- o 20% plus applicable surcharge and cess, for resident shareholders in case PAN is not provided / not available

B. FOR NON-RESIDENT SHAREHOLDERS:

- o Beneficial tax treaty rate (based on tax treaty with India) for non-resident shareholders, as applicable will be applied on the basis of documents submitted by the non-resident shareholders
- o Lower/ NIL withholding tax rate on submission of self-attested copy of the certificate issued under Section 195/197 of the Income Tax Act, 1961
- o 20% plus applicable surcharge and cess for non-resident shareholders in case the aforementioned documents are not submitted (including FII/ FPI)

C. FOR SHAREHOLDERS HAVING MULTIPLE ACCOUNTS UNDER DIFFERENT STATUS / CATEGORY:

Shareholders holding shares under multiple accounts under different status / category and single PAN, may note that, higher of the tax as applicable to the status in which shares held under a PAN will be considered on their entire holding in different accounts.

Kindly note that the aforementioned documents are required to be emailed as mentioned below :

Resident shareholders to send to	:	csg-exemptforms@tsrdarashaw.com
Non-Resident shareholders to send to	:	tdsdivnr@tatachemicals.com

These documents should reach us **on or before June 20, 2020** in order to enable the Company to determine and deduct appropriate TDS / withholding tax rate. No communication on the tax determination / deduction shall be entertained post June 20, 2020. It may be further noted that in case the tax on said Final Dividend is deducted at a higher rate in the absence of receipt of the aforementioned details/documents from you, there would still be an option available with you to file the return of income and claim an appropriate refund, if eligible.

In view of the prevailing lockdown due to COVID 19, shareholders are requested to complete necessary formalities with regard to their bank accounts attached to their demat account for enabling the Company to make timely credit of dividend in the respective bank accounts.

Disclaimer: This communication shall not be treated as an advice from the Company or its affiliates or its Registrar & Transfer Agent. Shareholders should obtain the tax advice related to their tax matters from a tax professional.

We request your cooperation in this regard.

We urge you to stay safe.

Thanking you,

Yours faithfully,
For Tata Chemicals Limited
Rajiv Chandan
General Counsel & Company Secretary

Encl.: as above

INCOME-TAX RULES, 1962

FORM NO. 15G

[See section 197A (1), 197A (1A) and rule 29C]

Declaration under section 197A (1) and section 197A (1A) to be made by an individual or a person (not being a company or firm) claiming certain incomes without deduction of tax

PART I

Name of the Company		Folio No. / DP id Client id / FDR No.		
1. Name of Assessee (Declarant)		2. PAN of the Assessee ¹ SELF ATTESTED COPY of valid PAN Card to be attached		
3. Status ²	4. Previous year(P.Y.) ³ (for which declaration is being made)	5. Residential Status ³		
6. Flat/Door/Block No.	7. Name of Premises	8. Road/Street/Lane	9. Area /Locality	
10. Town / City / District	11. State	12. PIN	13. Email	
14. Telephone No. (with STD Code) and Mobile No.	15 (a) Whether assessed to tax under the Income-tax Act, 1961 ⁵ : (b) If yes, latest assessment year for which assessed		Yes <input type="checkbox"/>	No <input type="checkbox"/>
16. Estimated income for which this declaration is made		17. Estimated total income of the P.Y. in which income mentioned in column 16 to be included ⁶		
18. Details of Form No. 15G other than this form filed during the previous year, if any ⁷				
Total No. of Form No. 15G filed		Aggregate amount of income for which Form No. 15G .filed		
19. Details of income for which the declaration is filed				
Sl. No.	Identification number of relevant investment/account, etc. ⁸	Nature of income	Section under which tax is deductible	Amount of income

.....
*Signature of the Declarant*⁹

Declaration/ Verification¹⁰

*I/We..... do hereby declare that to the best of *my/our knowledge and belief what is stated above is correct, complete and is truly stated. *I/ We declare that the incomes referred to in this form are not includible in the total income of any other person under sections 60 to 64 of the Income-tax Act, 1961.*I/We further declare that the tax *on my/our estimated total income including *income/incomes referred to in column 16*and aggregate amount of *income/incomes referred to in column 18 computed in accordance with the provisions of the Income-tax Act, 1961, for the previous year ending on..... relevant to the assessment year.....will be nil.* I/We also declare that *my/our *income / incomes referred to in column 16* and the aggregate amount of *income / incomes referred to in column 18 for the previous year ending on..... relevant to the assessment year..... will not exceed the maximum amount which is not chargeable to income-tax.

Place:
Date:..... *Signature of the Declarant*⁹

1. Substituted by IT (Fourteenth Amdt.) Rules 2015, w.e.f. **1-10-2015**. Earlier Form No. 15G was inserted by the IT (Fifth Amdt.) Rules, 1982, w.e.f. 21-6-1982 and later on amended by the IT (Fifth Amdt.) Rules, 1989, w.r.e.f. 1-4-1988, IT (Fourteenth Amdt.) Rules, 1990, w.e.f. 20-11-1990 and IT (Twelfth Amdt.) Rules, 2002, w.e.f. 21-6-2002 and substituted by the IT (Eighth Amdt.) Rules, 2003, w.e.f. 9-6-2003 and IT (Second Amdt.) Rules, 2013, w.e.f. 19-2-2013.

PART II

[To be filled by the person responsible for paying the income referred to in column 16 of Part I]

1. Name of the person responsible for paying		2. Unique Identification No. ¹¹	
3. PAN of the person responsible for paying	4. Complete Address		5. TAN of the person responsible for paying
6. Email	7. Telephone No. (with STD Code) and Mobile No.		8. Amount of Income paid ⁶
9. Date on which Declaration is received (DD/MM/YYYY)		10. Date on which the income has been paid /credited (DD/MM/YYYY)	

Place:

Date:

.....
Signature of the person responsible for paying
the income referred to in column 16 of Part I

*Delete whichever is not applicable.

¹As per provisions of section 206AA(2), the declaration under section 197A(1) or 197A(1A) shall be invalid if the declarant fails to furnish his valid Permanent Account Number (PAN).

²Declaration can be furnished by an individual under section 197 A(1) and a person (other than a company or a firm) under section 197A(1A).

³The financial year to which the income pertains.

⁴Please mention the residential status as per the provisions of section 6 of the Income-tax Act, 1961.

⁵Please mention “Yes” if assessed to tax under the provisions of Income-tax Act, 1961 for any of the assessment year out of six assessment years preceding the year in which the declaration is filed.

⁶Please mention the amount of estimated total income of the previous year for which the declaration is filed including the amount of income for which this declaration is made.

⁷In case any declaration(s) in Form No. 15G is filed before filing this declaration during the previous year, mention the total number of such Form No. 15G filed along with the aggregate amount of income for which said declaration(s) have been filed.

⁸Mention the distinctive number of shares, account number of term deposit, recurring deposit, National Savings Schemes, life insurance policy number, employee code, etc.

⁹Indicate the capacity in which the declaration is furnished on behalf of a HUF, AOP, etc.

¹⁰Before signing the declaration/verification, the declarant should satisfy himself that the information furnished in this form is true, correct and complete in all respects. Any person making a false statement in the declaration shall be liable to prosecution under section 277 of the Income-tax Act, 1961 and on conviction be punishable-

(i) in a case where tax sought to be evaded exceeds twenty-five lakh rupees, with rigorous imprisonment which shall not be less than six months but which may extend to seven years and with fine;

(ii) in any other case, with rigorous imprisonment which shall not be less than three months but which may extend to two years and with fine.

¹¹The person responsible for paying the income referred to in column 16 of Part I shall allot a unique identification number to all the Form No. 15G received by him during a quarter of the financial year and report this reference number along with the particulars prescribed in rule 3 1A (4) (vii) of the Income-tax

Rules, 1962 in the TDS statement furnished for the same quarter. In case the person has also received Form No.15H during the same quarter, please allot separate series of serial number for Form No.15G and Form No.15H.

¹²The person responsible for paying the income referred to in column 16 of Part I shall not accept the declaration where the amount of income of the nature referred to in sub-section (1) or sub-section (1A) of section 197A or the aggregate of the amounts of such income credited or paid or likely to be credited or paid during the previous year in which such income is to be included exceeds the maximum amount which is not chargeable to tax. For deciding the eligibility, he is required to verify income or the aggregate amount of incomes, as the case may be, reported by the declarant in columns 16 and 18.

1FORM NO. 15H

[See section 197A(1C) and rule 29C]

Declaration under section 197A(1C) to be made by an individual who is of the age of sixty years or more claiming certain incomes without deduction of tax.**PART I**

Name of the Company		Folio No./ DP id Client id/ FDR No.		
1. Name of Assessee (Declarant)		2. Permanent Account Number or Aadhaar Number of the Assessee ¹ SELF ATTESTED COPY of valid PAN Card to be attached		3. Date of Birth ² (DD/MM/YYYY)
4. Previous year(P.Y.) ³ (for which declaration is being made)		5. Flat/Door/Block No.		6. Name of Premises
7. Road/Street/Lane	8. Area/Locality	9. Town/City/District		10. State
11. PIN	12. Email	13. Telephone No. (with STD Code) and Mobile No.		
14 (a) Whether assessed to tax ⁴ :				Yes <input type="checkbox"/> No <input type="checkbox"/>
(b) If yes, latest assessment year for which assessed				
15. Estimated income for which this declaration is made				
16. Estimated total income of the P.Y. in which income mentioned in column 15 to be included ⁵				
17. Details of Form No.15H other than this form filed for the previous year, if any ⁶				
Total No. of Form No.15H filed		Aggregate amount of income for which Form No. 15H filed		
18. Details of income for which the declaration is filed				
Sl. No.	Identification number of relevant investment/account, etc. ⁷	Nature of income	Section under which tax is deductible	Amount of income

.....
Signature of the Declarant

1.Substituted by IT (Fourteenth Amdt.) Rules 2015, w.e.f. **1-10-2015**. Earlier Form No. 15H was amended by the IT (Fifth Amdt.) Rules, 1982, w.e.f. 21-6-1982, IT (Fifth Amdt.) Rules, 1989, w.r.e.f. 1-4-1988, IT (Fourteenth Amdt.) Rules, 1990, w.e.f. 20-11-1990, IT (Twelfth Amdt.) Rules, 1992, w.e.f. 1-6-1992, IT (Seventh Amdt.) Rules, 1995, w.e.f. 1-7-1995, IT (Thirty-second Amdt.) Rules, 1999, w.e.f. 19-11-1999, IT (Twelfth Amdt.) Rules, 2002, w.e.f. 21-6-2002, IT (Eighth Amdt.) Rules, 2003, w.e.f. 9-6-2003, IT (Fourteenth Amdt.) Rules, 2003, w.e.f. 1-8-2003, w.e.f. 1-8-2003 and IT (Second Amdt.) Rules, 2013, w.e.f. 19-2-2013

Declaration/Verification⁸

I do hereby declare that I am resident in India within the meaning of section 6 of the Income-tax Act, 1961. I also hereby declare that to the best of my knowledge and belief what is stated above is correct, complete and is truly stated and that the incomes referred to in this form are not includible in the total income of any other person under sections 60 to 64 of the Income-tax Act, 1961. I further declare that the tax on my estimated total income including *income/incomes referred to in column 15 *and aggregate amount of *income/incomes referred to in column 17 computed in accordance with the provisions of the Income-tax Act, 1961, for the previous year ending on..... relevant to the assessment year..... will be *nil*.

Place:

Date:

.....

Signature of the Declarant

PART II

[To be filled by the person responsible for paying the income referred to in column 15 of Part I]

1. Name of the person responsible for paying		2. Unique Identification No. ⁹	
3. Permanent Account Number or Aadhaar Number of the person responsible for paying	4. Complete Address		5. TAN of the person responsible for paying
6. Email	7. Telephone No. (with STD Code) and Mobile No.		8. Amount of income paid ¹⁰
9. Date on which Declaration is received (DD/MM/YYYY)		10. Date on which the income has been paid/credited (DD/MM/YYYY)	

Place:

.....

Date:

*Signature of the person responsible for paying the income referred to in column 15 of Part I **

*Delete whichever is not applicable.

1. As per provisions of section 206AA(2), the declaration under section 197A(1C) shall be invalid if the declarant fails to furnish his valid Permanent Account Number or Aadhaar Number.
2. Declaration can be furnished by a resident individual who is of the age of 60 years or more at any time during the previous year.
3. The financial year to which the income pertains.
4. Please mention "Yes" if assessed to tax under the provisions of Income-tax Act, 1961 for any of the assessment year out of six assessment years preceding the year in which the declaration is filed.
5. Please mention the amount of estimated total income of the previous year for which the declaration is filed including the amount of income for which this declaration is made.
6. In case any declaration(s) in Form No. 15H is filed before filing this declaration during the previous year, mention the total number of such Form No. 15H filed along with the aggregate amount of income for which said declaration(s) have been filed.
7. Mention the distinctive number of shares, account number of term deposit, recurring deposit, National Savings Schemes, life insurance policy number, employee code, etc.
8. Before signing the declaration/verification, the declarant should satisfy himself that the information furnished in this form is true, correct and complete in all respects. Any person making a false statement in the declaration shall be liable to prosecution under section 277 of the Income-tax Act, 1961 and on conviction be punishable—

- (i) in a case where tax sought to be evaded exceeds twenty-five lakh rupees, with rigorous imprisonment which shall not be less than six months but which may extend to seven years and with fine;
- (ii) in any other case, with rigorous imprisonment which shall not be less than three months but which may extend to two years and with fine.

9. The person responsible for paying the income referred to in column 15 of Part I shall allot a unique identification number to all the Form No. 15H received by him during a quarter of the financial year and report this reference number along with the particulars prescribed in rule 31A(4)(vii) of the Income-tax Rules, 1962 in the TDS statement furnished for the same quarter. In case the person has also received Form No.15G during the same quarter, please allot separate series of serial number for Form No.15H and Form No.15G.

10. The person responsible for paying the income referred to in column 15 of Part I shall not accept the declaration where the amount of income of the nature referred to in section 197A(1C) or the aggregate of the amounts of such income credited or paid or likely to be credited or paid during the previous year in which such income is to be included exceeds the maximum amount which is not chargeable to tax after allowing for deduction(s) under Chapter VI-A, if any, or set off of loss, if any, under the head “income from house property” for which the declarant is eligible. For deciding the eligibility, he is required to verify income or the aggregate amount of incomes, as the case may be, reported by the declarant in columns 15 and 17.

¹ **[Provided** that such person shall accept the declaration in a case where income of the assessee, who is eligible for rebate of income-tax under section 87A, is higher than the income for which declaration can be accepted as per this note, but his tax liability shall be nil after taking into account the rebate available to him under the said section 87A.]

FORM NO. 10F

[See sub-rule (1) of rule 21AB]

**Information to be provided under sub-section (5) of section 90 or
sub-section (5) of section 90A of the Income-tax Act, 1961**

I _____ *son/daughter of Shri _____ in the capacity of _____
(designation) do provide the following information relevant to the previous year _____
*in my case/ in the case of _____ for the purposes of sub-section (5) of *section
90/section 90A.

<i>Sl.No.</i>	<i>Nature of information</i>	<i>:</i>	<i>Details#</i>
(i)	Status (individual, company, firm etc.) of the assessee	:	
(ii)	Permanent Account Number (PAN) of the assessee if allotted	:	
(iii)	Nationality (in the case of an individual) or Country or specified territory of incorporation or registration (in the case of others)	:	
(iv)	Assessee's tax identification number in the country or specified territory of residence and if there is no such number, then, a unique number on the basis of which the person is identified by the Government of the country or the specified territory of which the assessee claims to be a Resident	:	
(v)	Period for which the residential status as mentioned in the certificate referred to in sub-section (4) of section 90 or sub-section (4) of section 90A is applicable	:	
(vi)	Address of the assessee in the country or territory outside India during the period for which the certificate, mentioned in (v) above, is applicable	:	

2. I have obtained a certificate referred to in sub-section (4) of section 90 or sub-section (4) of section 90A from the Government of _____.

Signature:

Name: _____

Address: _____

Permanent Account Number: ____

Verification

I _____ do hereby declare that to the best of my knowledge and belief what is stated above is correct, complete and is truly stated.

Verified today the 1st Aug 2018

.....
Signature of the person providing the information

Place: _____

Notes :

1. *Delete whichever is not applicable.
2. #Write N.A. if the relevant information forms part of the certificate referred to in sub-section (4) of section 90 or sub-section (4) of section 90A.

Letter in case a Foreign Company does not have a “PE” in India

<Company’s letter head>

Date:

Name and Address of the Company

Folio No:

This is to certify **that**

1. <insert company’s name>, is a body corporate incorporated and registered in <Name of the country > under the laws of <mention Name of the country>.
2. We, << Name of the shareholder >> confirm that we are a tax resident of <<Insert country>> and are eligible to claim benefits of the India - << Insert country>> Double Tax Avoidance Agreement (DTAA), read with the provisions laid down in Multilateral Instrument (MLI), wherever applicable.
3. Our Tax Identification Number issued by <Name of the authority> is <mention number>
4. We, <<Name of the shareholder >> are the beneficial owner of the shares allotted in above folio no. as well as of the dividend arising from such shareholding. .
5. I/ We further declare that I/ we have the right to use and enjoy the dividend received/ receivable from the above shares and such right is not constrained by any contractual and/ or legal obligation to pass on such dividend to another person.
6. We either do not have a Permanent Establishment (P.E.) in India or Dividend income earned by us is not attributable/effectively connected to the our P.E. in India as defined under the Income Tax Act, 1961 and DTAA between India and <Name of Country> read with the provisions laid down in Multilateral Instruments (MLI), wherever applicable, during the financial year <<<Year>>>. We further confirm that we do not have any business connection in India as per provisions of Income Tax Act 1961. In the event of we having a P.E. in India or Dividend income is attributable/effectively connected to such P.E., we acknowledge our obligation to inform you forthwith with necessary details.

We further indemnify << Name of the Company >> for any penal consequences arising out of any acts of commission or omission initiated by << Name of the Company >> by relying on our above averment.

Thanking you,

Yours Sincerely,

For <company’s name>

Letter in case a Foreign Company does not have a “PE” in India

Name: <insert authorised person name>
<Insert designation>

Date:

Name and Address of the Company

Folio No:

This is to certify **that**

1. I, << Name of the shareholder >> confirm that I am a tax resident of <<Insert country>> and are eligible to claim benefits of the India - << Insert country>> Double Tax Avoidance Agreement (DTAA), read with the provisions laid down in Multilateral Instrument (MLI), wherever applicable.
2. My Tax Identification Number issued by <Name of the authority> is <mention number>
3. I, am beneficial owner of the shares allotted in above folio no. as well as of the dividend arising from such shareholding.
4. I further declare that I have the right to use and enjoy the dividend received/ receivable from the above shares and such right is not constrained by any contractual and/ or legal obligation to pass on such dividend to another person.
5. I do not have a Permanent Establishment (P.E.) or any fixed base in India as defined under the Income Tax Act, 1961 and DTAA between India and <Name of Country> read with the provisions laid down in Multilateral Instruments (MLI), wherever applicable, during the financial year <<<Year>>>. In the event of I would have a P.E. or fixed base in India., I acknowledge my obligation to inform you forthwith with necessary details.

I further indemnify << Name of the Company >> for any penal consequences arising out of any acts of commission or omission initiated by<< Name of the Company >> by relying on my above averment.

Thanking you,

Yours Sincerely,

Name:

**PRELIMINARY CHECK LIST FOR FOREIGN REMITTANCE U/S 195 OF THE I.T. ACT
(To be furnished by the Recipient of remittance in consultation with their Tax Advisors)**

1. Particulars of the **Beneficial Owner** of the proposed remittance as under:
 - 1.1. Full name and address.
 - 1.2. **Country** where the remittance is to be sent.
 - 1.3. **Status** of the Beneficial Owner for the purpose of taxation in the country of **Residence**.
(Whether Individual, Partnership Firm, Incorporated Company, Trust, Association of Persons (Society etc), Bank or Government or a Government Body or any other status)
[Taxability and Rate of tax depends upon the Status of the payee]
 - 1.4. If the Payee is a company, is it a Branch of the company/ entity which a Resident of another Tax Jurisdiction? (e.g. an Entity based in Singapore could be a Branch of a company incorporated in U.S.A. or U.K. or Japan etc.)
 - 1.5. Principal Place of Business (City and Country) .
 - 1.6. Email Address.
 - 1.7. Telephone No(s). with ISD code.
 - 1.8. **Tax Residency Certificate (TRC)** issued to the Beneficial Owner by the Tax Authorities of the country where it is **liable to tax**. If it is a Branch, TRC of the Parent Company. If the Beneficial Owner is not a Taxable Unit/ Entity not liable/subjected to tax, (i.e. it is a transparent or pass – through entity) please furnish the names, shares and TRC’s of the persons who are the partners/ members/ beneficiaries liable to tax on their respective share of income distributed.
2. **Nature of Payment:** Whether Royalty, Fees for Technical Services, Professional Fees, Business Income, Interest, Dividend, Management Fees, Reimbursement of expenses or any Other Income.
3. Whether the Beneficial Owner is assessed to Income Tax in India? **YES/No**
 - 3.1 If ‘Yes’, please provide a photo copy of the **Income Tax PAN (i.e. Permanent Account Number)** issued by the Indian Income Tax Authorities.
 - 3.2 In case the beneficial owner is not assessed to income tax in India, but has obtained / has been allotted Income tax PAN, please provide a photo copy of the same.
4. If the payment is in the nature of Fees for Technical Services, please **furnish a declaration** to the effect that its presence/ activities in India would/ would not constitute a Service PE in India in terms of Article 5 of the applicable Tax Treaty.

5. Please state whether you have any Place of management, Branch, Office, Factory, Warehouse, Sales-outlet, Installation or Assembly Projects or Supervisory Activities connected therewith in India which constitutes its permanent establishment in India or Service PE or Agency PE in India as per Article 5 of DTAA between India and the Country of its residence. **Please furnish a declaration in this regard.**

5.1 In case you have a Permanent Establishment (PE) in India. Please state whether the aforesaid remittance is “effectively connected with or attributable to the business activities” of such Permanent Establishment in India.

6. Whether the Beneficial Owner has a liaison office in India? **YES/NO**

6.1 Whether the liaison office is concluding business contracts or securing orders on its behalf in India? **YES/NO**

7. In case of Independent Personal Services (i.e. Professional Services)

7.1 An Undertaking from the Non-resident Professional (i.e. Proprietor or Partners) providing the Professional Services **in India** stating his/their likely stay **in India** (No. of Days) during the relevant Financial Year (from 01 April to 31 March);

7.2 Whether any Fixed Base is available in India for rendering such Professional Services?

7.3 Place (**Country**) where the professional services have been/ shall be rendered?

8. To ascertain the correct classification of income, please furnish the following details/documents:

8.1.1. Contract/ agreement/ MOU with the payer and any other correspondence/ emails,

8.1.2. Invoice,

8.1.3. In case of Reimbursement of expenses, supporting invoices/ vouchers and other documentary proof.

9. Detailed note on services rendered.

10. Place (**Country**) where the Services have been rendered.

11. In case of remittance of Shipping Freight/ Air Freight /Demurrage, please provide the following informations:-

11.1 Whether the recipient enterprise is engaged in the business of **“operation of ships/Aircraft in international traffic?”** **YES/No.**

11.2 Country where the **“Place of Effective Management of the Enterprise”** is situated?