

CHAPTER -12
Summary Table of TDS Provisions

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Section	Payer	Recipient	Nature of payment attracting TDS	Time of TDS	Rate	Amount exempt from TDS	Exceptions & other remarks
193 Interest on securities	Any person	Resident	Interest of Securities (defined under clause 28B of Section 2)	At the time of Credit/ payment in cash/through cheques/draft, which ever is earlier	As per rate in force		Securities listed specifically in Section 193
194 Dividends	Principal Officer of Indian Company/ Company which has made arrangement for declaration of dividend in India	Resident share holder	Dividend within meaning of sub clauses (a), (b), (c) or (d) or (c) of clause(22) of section(2)	Before making payment in Cash, through Cheque/ warrant of before making distribution or payment	As per rate in force	Dividend of less than Rs.- 2500/- in F.Y.	(i) No TDS in case of Individual share holders where payment is by account payee cheque (ii) No TDS in case of dividends referred in Section 115-O

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Section	Payer	Recipient	Nature of payment attracting TDS	Time of TDS	Rate	Amount exempt from TDS	Exceptions & other
194A Interest other than Interest on Security	Any person	Not an individual or HUF Any resident	Interest other than interest on Securities	At the time of credit or payment in cash through cheque/draft etc., which ever is earlier.	As per rate in force	As 10000/- in case of a banking company, cooperative society which is in business of banking or post office 5000/- in other cases	(i) TDS is to be done where recipient is individual or HUF whose total sales from business or profession exceeds Rs. 40 lacs. (ii) No TDS to be done in case of Interest income specified in clause iii to x of sub-section 3 of 194(a).
194B Winnings from lottery or cross word, puzzles	Any person	Any person	Income by way of winning from lottery or crossword puzzle or card game or other game of any sort.	At the time of payment	As per rate in force	5000/- rupees	Where winnings are wholly in kind or partly in cash and partly in kind and the cash component is not sufficient to meet the TDS liability is to be ensured that the tax has been paid before releasing the winnings.

194BB Winnings from Horse race	A book maker or a person having license for horse racing or for arranging for wagering or the betting in an horse race.	Any person	Winnings from Horse race	At the time of payment	As per rate in force	2500/- rupees
194-C Payment to contractors and Sub-contractors	Any person	Any resident	Contractual payment for carrying out any work including supply of labour in pursuance of a contract between the contractor and persons specified in sub-clause 'A' to 'K' of 194(C)(1)	At the time of credit or at the time of payment in cash by cheque/draft etc. which ever is earlier	1% in case of advertising contract, 2% in other cases.	20,000/- rupees	No TDS to be done by an individual or an HUF on a contractual payment of work for the personal purpose of the individual or the HUF
194-D	Any person	Any resident	Income by way of remuneration or reward, whether by way of commission or otherwise for soliciting or procuring insurance business.	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	As per the rate in force.	5000/- rupees

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
194-E Payment to non-resident, sportsman or sports association	Any person	Non-resident sportsman who is not a citizen of India or a non-resident sports association or institution.	Income referred to Section 115BBA to non-resident sportsman or sports association.	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	—	—
194-EE Payment in respect of deposit under NSS etc.	Any person	Any person	Payment under National Savings Scheme – 1987 referred to in Section 80CC(A)(2) clause(a)	At the time of payment	20%	2500/- rupees	The provision is not applicable to heirs of the assessee.
194F Payment on account of re-purchase of units by mutual fund or UTI	Person making specified payment	Any person	Amount referred to in sub-section 2 of Sec. 80CCB	At the time of payment	20%	—	—
194G Commission etc. on sale of lottery tickets	Any person	Any person who has been stocking, purchasing, selling lottery tickets.	Income by way of commission, remuneration or prize on such tickets.	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	1000/- rupees

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
194H Commission of brokerage	Any person not being individual or HUF	Any resident	Any income by way of Commission or brokerage(not being insurance commission referred in sec. 194D)	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	2500/- rupees	i) The provision will apply to an individual or HUF whose total sales/gross receipts/turn over from business or profession exceeds Rs. 40,00,000/- ii) No TDS to be done by BSNL or MTNL on any commission or brokerage payable to the PCO franchisees.
194(I) Rent	Any person not being individual or HUF	Any resident	Income by way of rent	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	i) 10% for use of machinery, plant or equipment ii) 15% for use of land or building where the payee is an individual or HUF iii) 20% in case of land or building where the payee is an individual or HUF	1,20,000/- rupees	The provision will apply to an individual or HUF whose total sales/gross receipts/turn over from business or profession exceeds Rs. 40,00,000/-

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
194 J Fees for professional or technical services	Any person not being individual or HUF	Any resident	Fees for professional or technical services or royalty or any sum referred in clause (va) of Section 28	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	20,000/- rupees	i) The provision will apply to an individual or HUF whose total sales/gross return/turn over from business or profession expenses Rs. 40,00,000/- ii) However an individual or HUF making payment by way of fees for professional services for personal purposes is not liable to deduct tax at source.
194 K Income in respect of units	Entity making payment in respect of units of mutual fund/ UTI	Any resident	Income from units of mutual fund specified U/s. 10(23) or units of UTI	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	2500/- rupees	No deduction is to be made under this section for any amount credited or paid on or after 2003.
194L Payment of compensation on acquisition of capital asset	Person acquiring capital asset and paying compensation	Any resident	Sum being in nature of compensation/enhanced account of compulsory acquisition of a capital asset under any law.	At the time of payment of sum in cash or by cheque or draft or any other mode which ever is earlier.	10%	1,00,000/- rupees	No deduction to be made for any payment after 1.6.2000.

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
194LA Payment of compensation on acquisition of certain immovable property.	Any person requiring immovable property and paying compensation	Any resident	Payment in nature of compensation or consideration for compulsory acquisition of immovable property under any law (other than agricultural land)	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	1,00,000/- rupees
196A Income in respect of units of Non-residents	Any person making payment of units of mutual fund or UTI	Any non-resident (not being a company) or a foreign company	Any income in respect of units of mutual fund specified under clause 23(D) of Section 10 or UTI	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	20%	No deduction is to be made for any payment after 1.4.2003.
196-B Income from Units	Any entity making payment of income from units or LTCG on their transfer	Off Shore Fund	Income in respect of units referred to in Section 115AB or by way of long term capital gains arising from transfer of such units	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	—	—

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
196-C Income from foreign currency bonds	Any person	Non-resident	Income by way of interest or dividend in respect of bonds or GDR referred to in Section 115AC or by way of LTCG arising from their transfer	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	10%	—	No deduction is to be made in respect of any dividend referred to in Section 115A.
196-D Income of FIIs from Securities	Any person	Foreign Institutional investor	Income in respect of securities referred to in clause a of Sub-section (1) of Section 115AD	At the time of credit or payment in cash or by cheque/draft etc. which ever is earlier.	20%		No deduction is to be made in respect of any dividend referred to in Section 115-O.

ANNEXURE –I

**RATES FOR DEDUCTION OF TAX
AT SOURCE IN CERTAIN CASES**

In every case in which under the provisions of sections 193, 194, 194A, 194B, 194BB, 194D and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to the deduction at the following rates:—

	Rate of income-tax
1. In the case of a person other than a company—	
(a) where the person is resident in India—	
(i) on income by way of interest other than “Interest on securities”	10 per cent;
(ii) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent;
(iii) on income by way of winnings from horse races	30 per cent;
(iv) on income by way of insurance commission	10 per cent;
(v) on income by way of interest payable on—	10 per cent;
(A) any debentures or securities other than a security of the Central or State Government for money issued by or on behalf of any local authority or a corporation established by a Central, State or Provincial Act;	
(B) any debentures issued by a company where such debentures are listed on a recognised stock exchange in India in accordance with the	

Securities Contracts (Regulation) Act, 1956 (42 of 1956) and any rules made thereunder	
(C) any security of the Central or State Government	
(vi) on any other income	20 per cent;
(b) where the person is not resident in India—	
(i) in the case of a non-resident Indian—	
(A) on any investment income	20 per cent;
(B) on income by way of long-term capital gains referred to in Section 115E	10 per cent;
(C) On income by way of short-term capital gains referred to in Section 111A	15 per cent;
(D) on other income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33), (36) and (38) of Section 10]	20 per cent;
(E) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency	20 per cent;
(F) On income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights(including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section(1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section(1A) of section 115A of the Income-tax Act, to a person resident in India-	
(i) where the agreement is made on or after the 1 st day of June, 1997 but before the 1 st day of June, 2005	20 per cent;
ii) where the agreement is made on or after the 1 st day of June, 2005	10 per cent;
(G) On income by way of royalty[not being royalty of the nature referred to in sub-item(B)(i)(F)]	

	payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the Industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy-	
(i)	where the agreement is made on or after the 1 st day of June, 1997 but before the 1 st day of June, 2005	20 per cent;
(ii)	where the agreement is made on or after the 1 st day of June, 2005	10 per cent;
(H)	On income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy –	
(i)	where the agreement is made on or after the 1 st day of June, 1997 but before the 1 st day of June, 2005	20 per cent;
ii)	where the agreement is made on or after the 1 st day of June, 2005.	10 per cent;
(I)	on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent;
(J)	on income by way of winnings from horse races	30 per cent;
(K)	on the whole of the other income	30 per cent;
(ii)	in the case of any other person—	20 per cent;
(A)	on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency	
(B)	On income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights(including the granting	

	of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section(1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section(1A) of section 115A of the Income-tax Act, to a person resident in India-	
(i)	where the agreement is made on or after the 1 st day of June, 1997 but before the 1 st day of June, 2005.	20 per cent;
(ii)	where the agreement is made on or after the 1 st day of June, 2005.	10 per cent;
C)	On income by way of royalty [not being royalty of the nature referred to in sub-item(b)(ii)(B)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy-	
(i)	where the agreement is made on or after the 1 st day of June, 1997 but before the 1 st day of June, 2005.	20 per cent;
(ii)	where the agreement is made on or after the 1 st day of June, 2005	10 per cent;
(D)	On income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy-	
(i)	where the agreement is made on or after the 1 st day of June, 1997 but before the 1 st day of June, 2005.	20 per cent;
(ii)	where the agreement is made on or after the 1 st day of June, 2005.	10 per cent;
(E)	on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort	30 per cent;
(F)	on income by way of winnings from horse races	30 per cent;

- (G) On income by way of short-term capital gains referred to in section 111A 15 per cent;
- (H) on income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33), (36) and (38) of section 10] 20 per cent;
- (I) on the whole of the other income 30 per cent;
2. In the case of a company—
- (a) where the company is a domestic company—
- (i) on income by way of interest other than “Interest on securities” 20 per cent;
- (ii) on income by way of winnings from lotteries crossword puzzles, card games and other games of any sort 30 per cent;
- (iii) on income by way of winnings from horse races 20 per cent;
- (iv) on any other income
- (b) where the company is not a domestic company—
- (i) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort 30 per cent;
- (ii) on income by way of winnings from horse races 30 per cent;
- (iii) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency 20 per cent;
- (iv) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1976 where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (1A) of section 115A of the Income-tax Act, to a person resident in India—
- (A) where the agreement is made before the 1st day of June, 1997 30 per cent;
- (B) where the agreement is made on or after the 1st day of June, 1997 but before the 1st day of June, 2005 20 per cent;
- (C) where the agreement is made on or after the 1st day of June, 2005 10 per cent;
- (v) on income by way of royalty [not being royalty of the nature referred to in sub-item (b)(iv)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern,

the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—

- (A) where the agreement is made after the 31st day of March, 1961 but before the 1st day of April, 1976 50 per cent;
- (B) where the agreement is made after the 31st day of March, 1976 but before the 1st day of June, 1997 30 per cent;
- (C) where the agreement is made on or after the 1st day of June, 1997 but before the 1st day of June, 2005 20 per cent;
- (D) where the agreement is made on or after the 1st day of June, 2005 10 per cent;
- (vi) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—
- (A) where the agreement is made after the 29th day of February, 1964 but before the 1st day of April, 1976 50 per cent;
- (B) where the agreement is made after the 31st day of March, 1976 but before the 1st day of June, 1997 30 per cent;
- (C) where the agreement is made on or after the 1st day of June, 1997 but before the 1st day of June, 2005 20 per cent;
- (D) where the agreement is made on or after the 1st day of June, 2005 10 per cent;
- (vii) On income by way of short-term capital gains referred to in section 111A 15 per cent;
- (viii) on income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33), (36) and (38) of section 10] 20 per cent;
- (ix) on any other income 40 per cent;

Explanation.—For the purpose of item 1(b)(i) of this Part, “investment income” and “non-resident Indian” shall have the meanings assigned to them in Chapter XII-A of the Income-tax Act.

Surcharge on income-tax

The amount of income-tax deducted in accordance with the provisions of-

- (A) item 1 of this Part, shall be increased by a surcharge, for purposes of the Union, calculated, -
- (i) in the case of every individual, Hindu undivided family, association of persons and body of individuals, whether incorporated or not, at the rate of ten per cent of such tax where the income or the aggregate of such income paid or likely to be paid and subject to the deduction exceeds ten lakh rupees;
 - (ii) in the case of every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, at the rate of ten per cent of such tax;
 - (iii) in the case of every firm at the rate of ten per cent of such tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;
- (B) item 2 of this Part, shall be increased by a surcharge, for purposes of the Union, calculated -
- (i) in the case of every domestic company at the rate of ten per cent of such income-tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;
 - (ii) in the case of every company other than a domestic company at the rate of two and one-half per cent of such income-tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees.

Prescribed returns regarding tax deducted at source Under section 206

Every person, being a person responsible for deducting tax under Chapter XVII-B shall, in respect of a previous year, deliver or cause to be delivered to the Assessing Officer referred to in rule 36, the returns mentioned in column (1) of the Table below in Form No. specified in the corresponding entry in column (2) of the said Table by the end of the month falling in the financial year immediately following the previous year as specified in the corresponding entry in column (3) of the said Table .

However w.e.f.30.6.2005 the returns referred in rules 37 & rule 37A is required to be furnished to the Director General of Income tax (Systems) or the Person or the agency authorized by him.

The authorized agency for the aforesaid purpose is M/s NSDL.

Prescribed returns regarding tax deducted at source under section 206.

TABLE

<i>Sl. No.</i>	<i>Nature of returns</i>	<i>Form No.</i>	<i>Month</i>
	<i>(1)</i>	<i>(2)</i>	<i>(3)</i>
1.	Annual return of deduction of tax under section 192 from "Salaries"	24	June
2.	Annual return of deduction of tax under section 193 from "Interest on securities", under section 194 from "Dividends", under section 194A from "Interest other than interest on securities", under section 194B from "Winnings from lotteries or crossword puzzles", under section 194BB from "Winnings from horse races", under section 194C from "Payments to any contractor or sub-contractor", under section 194D from "Insurance commission", under section 194EE from "Payments in respect of deposits under the National Savings Scheme, etc.", under section 194F	26	June

from “Payments on account of repurchase of units by Mutual Fund or Unit Trust of India”, under section 194G from “Commission, etc., on sale of lottery tickets”, under section 194H from “Commission or brokerage”, under section 194-I from “Rent”, under section 194J from “Fees for professional or technical services” under section 194K from “Income in respect of units” and under section 194LA from “Payment of compensation on acquisition of certain immovable property”.

3.	Quarterly statement for tax deducted at source from “Salaries”	Form 24Q	Quarterly
4.	Quarterly statement of tax deducted at source in respect of all payments other than “Salaries”	Form 26Q	Quarterly
5.	Quarterly statement of deduction of tax from interest, dividend or any other sum payable to non-residents	Form 27Q	Quarterly
6.	Quarterly Statement of TCS	Form 27EQ	Quarterly
7.	Forms for furnishing information with the statement of deduction / collection of tax at source filed on computer media	Form 27A and 27B	

Rule 37A prescribes return (Form No.27Q) of tax deducted from payment to Non Residents. It is to be submitted within fourteen days from the end of the quarter to the Director General of Income tax (Systems) or the Person or the agency authorized by him.

However where the income is credited by a person to the account of the payee, as on the date up to which the accounts of such person are made, the statement in Form No. 27Q is required to be sent within fourteen days after the expiry of two months from the month in which income is so credited.

The income referred above is income by way of interest on securities referred to in section 193 or the payment to non-resident sportsmen or sports associations referred to in section 194E or the interest or any other sum referred to in section 195 or the income of a foreign company referred to in sub-section (2) of section 196A or the income from units referred to in section 196B or the income from foreign currency bonds or shares of an Indian company referred to in section 196C or the income of Foreign Institutional Investors from securities referred to in section 196D.

List of Forms

FORM No. 13	Application by a person for a certificate under Section 197 and/or 206C(9) of the Income-tax Act, 1961 for no deduction/ collection of tax or deduction/ collection of tax at a lower rate.
FORM No. 15C	Application by a banking company for a certificate under Section 195(3) of the Income-tax Act, 1961 for receipt of interest and other sums without deduction of tax.
FORM No. 15D	Application by a person other than a banking company for a certificate under Section 195(3) of the Income-tax Act, 1961, for receipt of sums other than interest and dividend without deduction of tax.
FORM No. 15G	Declaration under Sub-sections (I) and (IA) of Section 197A of the Income-tax Act, 1961 to be made by an individual or a person (not being Company or a firm) claiming certain receipt without deduction of tax.
FORM No. 15H	Declaration under Sub Section (1C) of 197A of the Income-tax Act, 1961, to be made by an individual who is of the age of 65 years or more claiming certain receipts without deduction of tax
FORM No.15I	Declaration for non deduction of tax at source to be furnished to contractor under the second proviso to clause I of sub section 3 of section 194C by sub-contractor not owning more than two heavy goods carriage / trucks during the financial year.
FORM No.15J	Particulars to be furnished by the contractor under the third proviso to clause I of sub section 3 of section 194C .
FORM No. 16	Certificate under Section 203 of the Income-tax Act, 1961 for tax deducted at source from income chargeable under the head “Salaries”.

FORM No. 16A Certificate of deduction of tax at source under Section 203 of the Income-tax Act, 1961.

FORM No. 16AA Certificate of deduction of tax at source from income chargeable under the head "Salaries" cum return of income.

FORM No. 24 Annual return of deduction of tax at source from income chargeable under the head "Salaries" under Section 206 of the Income-tax Act, 1961 for the financial year ending 31st March...

FORM NO. 24Q Quarterly statement of TDS for Salaries under Sub section 3 of Section 200.

FORM No. 26Q Quarterly statement of deduction of tax u/s 200(3) in respect of payments other than head salary for the quarter ended June/ September / December /March

FORM No. 26 Annual return of deduction of tax in respect of all payments "other than salaries" under Section 206 of the Income-tax Act, 1961 for the financial year ending 31st March .

FORM No. 26AS Annual tax statement u/s 203AA

FORM No. 26QA Particulars required to be maintained for furnishing quarterly returns u/s 206A

FORM No.26QAA Quarterly returns u/s 206A for the quarter ended June/ September / December /March.

FORM No. 27A Form for furnishing information with the statement of deduction / collection of tax at source filed on computer media for the period (from —to —)

FORM No. 27B Form for furnishing information with the statement of collection of tax at source filed on computer media for the period ending (———)

FORM No. 27C Declaration under sub-section (1A) of section 206C to be made by a buyer for obtaining goods without collection of tax .

FORM No. 27D Certificate of collection of tax at source under sub-section (5) of section 206C of the Income-tax Act, 1961.

FORM No. 27E Annual return of collection of tax under Section 206C in respect of collection of tax for the period ending (———)

FORM No. 27EQ Quarterly statement of collection of tax at source u/s 206C for the quarter ended June/ September / December /March

FORM No. 27Q Quarterly statement of deduction of tax u/s 200(3) in respect of payments other than salary made to non residents for the quarter ended June/ September / December /March .

FORM No. 49B Application for allotment of TAN

ANNEXURE - 4

Important Circulars & Notifications

- (1) **Circular No. 4/2008 dt. 29.4.2008** Clarification regarding non deduction of tax on Service Tax component of rental income.
- (2) **Notification No. 34/2008 dt. 13.3.2008 of CBDT.** This notification has introduced mandatory e payment of Taxes for deductors which are corporate assesseees and those assesseees to whom provisions of sec. 44AB of the I.T. Act are applicable.
- (3) **Notification No. 238/2007 dated 30.8.2007 of CBDT;** The scope of mandatory filing of e-TDS returns has been expanded to include certain additional categories of deductors.
- (4) **Circular No. 2/2007 dt. 21.5.2007.** The deductors may at their option, in respect of the tax to be deducted at source from income chargeable under the head Salaries, use their digital signatures to authenticate the certificates of deduction of tax at source in form No. 16.
- (5) **Notification No. 928E dt. 30.6.2005 of CBDT.** Regarding quarterly statements of TDS and amendment in Form 16
- (6) **Notification No. S.O. 974(e)dt. 26.08.2003.** Regarding filing of annual TDS return in electronic form with the e-TDS intermediary .
- (7) **Circular No. 749 dt. 27-12-1998** - Clarification regarding certificate for deduction of tax made by Central Govt. departments who are making payments by book adjustments.
- (8) **Circular No. 767 dated 22.5.1998 of CBDT** Circular No. 759 dated 18.11.97 on the subject - Remittance to a non-resident - deduction of tax at **source** - Submission of No objection Certificate - dispensing with clarifications.
- (9) **Circular No. 769 dated 6.8.1998** : Procedure for refund of tax deducted at source u/s. 195
- (10) **Circular No. 766 dated 24.4.1998** Deduction of tax at source u/s. 194-J- Payments by foreign companies and law firms to residents in India-Discontinuance of the requirement of sending quarterly statements.
- (11) **Circular No. 761 dt. 13-1-1998** - Issue of TDS certificate to person's by all branches of banks.
- (12) **Circular No. 759 dated 18.11.1997** Remittance to a non-resident-deduction of tax at source - Submission of No Objection Certificate -dispensing with.
- (13) **Circular No. 749 dt. 27.12.1996** TDS certificates issued by Central Government Departments should be accepted by Assessing Officer if they indicate that credit has been afforded to the Income Tax Department by book adjustment and, the date of such book adjustment is indicated therein.
- (14) **Circular No. 597 dt. 27-3-1996** - Issue of TDS certificate and prescribed form thereof, regarding
- (15) **Circular No. 707 dt. 11-7-1995** - Refunds due to non-resident employees after their departure from India.
- (16) **Circular No. 713, dated 2.2.1995** The provisions of Section 194C do not apply to the payments made to the airlines or the travel agents for purchase of tickets for air travel of individuals.
- (17) **Circular No. 714 dated 3.8.1995** Regarding the scope and meaning of the term '**advertising**' used in Section 194C(1)
- (18) **Circular No. 718 dt. 22.8.1995** Warehousing charges will be subject to deduction of tax under Section 194-I
- (19) **Circular No. 699 dated 30.1.1995** No requirement to deduct Income-tax at source on income by way of 'rent',if the payee is the Government.
- (20) **Circular No. 681, dated 8.3.1994** Materials contracts in the context of Section 194C.
- (21) **Circular No. 647 dated 22.3.1993** Section 194A of the Income-tax Act,1961 Deduction of Tax at source - interest other than "Interest on Securities".
- (22) **Circular No. 643 dated 22.1.1993** Deduction of tax at source from interest on cumulative deposits/debentures/bonds.
- (23) **Circular No. 640 dt. 26-11-1992** - Guideline for the purpose of Sec. 10(10c) of the Income tax Act. Clarification of the queries regarding.
- (24) **Circular No. 619 dated 4.12.1991 : F.No. 275/163/91-IT(B)** Section 194H of Income-tax Act-Deduction of tax at source from payments made by way of commission(other than insurance commission) or brokerage.
- (25) **Circular No. 618 dated 22.11.1991 F.No. 275/160/91-IT(B)** Deduction of tax at source from withdrawals of deposits made in the National Savings Scheme - Section 194EE of the Income-tax Act, 1961.
- (26) **Circular No. 597 dt. 27-3-96** - Issue of TDS certificate and prescribed form thereof, regarding.

- (27) **Circular No. 586 dt. 28-2-1990** - Members of crew of foreign going Indian ship, liability to income tax in India and deduction of tax at source clarification regarding.
- (28) **Circular No. 306 dt. 19-6-1981** - Place of payment of direct tax etc.
- (29) **Circular No. 292 dt. 5-2-1981** - Challan forms for payment of Income tax deducted at source clarification regarding use of 4th counterfoil.
- (30) **Circular No. 285 dt. 21-10-1980** - Procedure for regulating refund of amounts paid in excess of tax deducted and/or deductible.

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This booklet should not be construed as an exhaustive statement of the Law. In case of doubt, reference should always be made to the relevant provisions of the Direct Tax Laws and Rules and where necessary, notifications issued from time to time


PREFACE

The provisions of the Income Tax act relating to '**Tax Deduction at source (TDS) Other than Salaries**' are of immense importance in the present scenario when TDS collections account for almost 30% of total collection of Direct Taxes.

The Income Tax Act provides for penalty and prosecution for any default in respect of deduction of TDS or deposit of the deducted amount in the Government Account. Thus the Tax Deductors need to be well conversant with the provisions relating to the Tax Deduction at Source as provided in Sections 193 to 198 of the Income Tax Act. This booklet under the TPI Series is an attempt to put forth the various provisions on the subject in a lucid yet precise manner.

This book has been authored by Shri Madhukar Bhagat, Deputy Secretary (ITJ), CBDT, New Delhi, who has explained the provisions in a very simple language. We are grateful to Shri Bhagat for updating the booklet. I am sure that this volume will be appreciated and widely used by the general public.

Any suggestion for its further improvement will always be welcome.



New Delhi
Dated : July 4th, 2008

(Amitabh Kumar)
Director of Income Tax
(PR, PP & OL)

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