

MINISTRY OF FINANCE**(Department of Revenue)**

(CENTRAL BOARD OF DIRECT TAXES)

NOTIFICATION

New Delhi, the 3rd July, 2020

INCOME-TAX

G.S.R. 429(E).— In exercise of the powers conferred by sections 194A, 194J, 194K, 194LBA, 194N, 194-O, 197A and 200 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. Short title and commencement.— (1) These rules may be called the Income-tax (16th Amendment) Rules, 2020.

(2) Save as otherwise provided in these rules, they shall come into force from the date of their publication in the Official Gazette.

2. In the Income-tax Rules, 1962 (hereinafter referred to as the principal rules), in rule 31A, in sub-rule (4), --

(a) in clause (viii), after the words “not deducted”, the words “or deducted at lower rate” shall be inserted;

(b) for clause (ix) the following shall be substituted from the 1st day of July, 2020, namely:-

“(ix) furnish particulars of amount paid or credited on which tax was not deducted or deducted at lower rate in view of the notification issued under second proviso to section 194N or in view of the exemption provided in third proviso to section 194N or in view of the notification issued under fourth proviso to section 194N”;

(c) after clause (ix), the following clauses shall be inserted, namely:--

“(x) furnish particulars of amount paid or credited on which tax was not deducted or deducted at lower rate in view of the notification issued under sub-section (5) of section 194A.

(xi) furnish particulars of amount paid or credited on which tax was not deducted under sub-section (2A) of section 194LBA.

(xii) furnish particulars of amount paid or credited on which tax was not deducted in view of clause (a) or clause (b) of sub-section (1D) of section 197A.

(xiii) furnish particulars of amount paid or credited on which tax was not deducted in view of the exemption provided to persons referred to in Board Circular No. 3 of 2002 dated 28th June 2002 or Board Circular No. 11 of 2002 dated 22nd November 2002 or Board Circular No. 18 of 2017 dated 29th May 2017.”

3. In the principal rules, in Appendix II,

(I) in form 26Q –

(a) for the brackets, words, figures and letters

“[See sections 192A, 193, 194, 194A, 194B, 194BB, 194C, 194D, 194DA, 194EE, 194F, 194G, 194H, 194-I, 194J, 194LA, 194LBA, 194LBB, 194LBC, 194N and rule 31A]”

the following brackets, words, figures and letters

“[See sections 192A, 193, 194, 194A, 194B, 194BB, 194C, 194D, 194DA, 194EE, 194F, 194G, 194H, 194-I, 194J, 194K, 194LA, 194LBA, 194LBB, 194LBC, 194N, 194-O, 197A and rule 31A]” shall be substituted;

(b) for the “Annexure”, the following “Annexure” shall be substituted, namely :-

“[ANNEXURE: DEDUCTEE/PAYEE WISE BREAK UP OF TDS

(Please use separate Annexure for each line-item in Table at Sl. No. 4 of main Form 26Q)

Details of amount paid/credited during the quarter ended..... (dd/mm/yyyy) and of tax deducted at source

BSR Code of branch/Receipt Number of Form No. 24G
Date on which challan deposited/Transfer voucher date (dd/mm/yyyy)
Challan Serial Number / DDO Serial No. of Form No. 24G
Amount as per Challan
Total tax to be allocated among deductees/payees as in the vertical total of Col. 421
Total interest to be allocated among the deductees/payees mentioned below

Name of the Deductor/Payer	
TAN	

Sl. No.	Deductee /payee reference number provided by the deductor/payer, if available	Deductee/ payee code (01-Company 02-Other than company)	PAN of the deductee/ payee	Name of the deductee/ payee	Section code (See Note 12)	Date of payment or credit (dd/mm/yyyy)	Amount paid or credited	Amount of cash withdrawal in excess of Rs. 1 crore as referred to in section 194N (in cases not covered by the first proviso to section 194N)	Amount of cash withdrawal which is in excess of Rs. 20 lakhs but does not exceed Rs. 1 crore for cases covered by sub-clause (a) of clause (ii) of first proviso to section 194N	Amount of cash withdrawal which is in excess of Rs. 1 crore for cases covered by sub-clause (b) of clause (ii) of first proviso to section 194N	Total tax deducted	Total tax deposited	Date of deduction (dd/mm/yyyy)	Rate at which deducted	Reason for non-deduction/ lower deduction/ Higher Deduction/ Threshold/ Transporter etc. (See notes 1 to 11)	Number of the certificate under section 197 issued by the Assessing Officer for non-deduction/ lower deduction
[412]	[413]	[414]	[415]	[416]	[417]	[418]	[419]	[419A]	[419B]	[419C]	[420]	[421]	[422]	[423]	[424]	[425]
1																
2																
3																
Total																

Verification

I,, hereby certify that all the particulars furnished above are correct and complete.

Place:

.....

Signature of the person responsible for deducting tax at source

Date:

.....

Name and designation of the person responsible for deducting tax at source

Notes:

1. Write "A" if "lower deduction" or "no deduction" is on account of a certificate under section 197.
2. Write "B" if no deduction is on account of declaration under section 197A other than the cases mentioned in sub-section (1F) of section 197A.
3. Write "C" if deduction is on higher rate on account of non-furnishing of PAN by the deductee/payee.
4. Write "D" if no deduction or lower deduction is on account of payment made to a person or class of person on account of notification issued under sub-section (5) of section 194A.
5. Write "E" if no deduction is on account of payment being made to a person referred to in Board Circular no. 3 of 2002 dated 28th June, 2002 or Board Circular no. 11 of 2002 dated 22nd November, 2002 or Board Circular no. 18 of 2017 dated 28th May, 2017.
6. Write "Y" if no deduction is on account of payment below threshold limit specified in the Income-tax Act, 1961.
7. Write "T" if no deduction is on account of deductee/payee being transporter. PAN of deductee/payee is mandatory [section 194C (6)].
8. Write "Z" if no deduction or lower deduction is on account of payment being notified under section 197A (1F).
9. Write "M" if no deduction or lower deduction is on account of notification issued under second proviso to section 194N.*
10. Write "N" if no deduction or lower deduction is on account of payment made to a person referred to in the third proviso to section 194N or on account of notification issued under the fourth proviso to section 194N.*
11. Write "O" if no deduction is as per the provisions of sub-section (2A) of section 194LBA.
12. List of section codes is as under:

Section	Nature of Payment	Section Code
192A	Payment of accumulated balance due to an employee	192A
193	Interest on securities	193
194	dividend	194
194A	Interest other than interest on securities	94A

194B	Winnings from lotteries and crossword puzzles	94B
194BB	Winnings from horse race	4BB
194C	Payment of contractors and sub-contractors	94C
194D	Insurance Commission	94D
194DA	Payment in respect of life insurance policy	4DA
194EE	Payments in respect of deposits under National Savings Schemes	4EE
194F	Payments on account of repurchase of Units by Mutual Funds or UTIs	94F
194G	Commission, prize etc., on sale of lottery tickets	94G
194H	Commission or Brokerage	94H
194-I(a)	Rent	4-IA
194-I (b)	Rent	4-IB
194J(a)	Fees for Technical Services(not being professional services), royalty for sale, distribution or exhibition of cinematographic films and call centre (@2%)	94J-A
194J (b)	Fee for professional service or royalty etc. (@10%)	94J-B
194K	Income in respects of units.	94K
194LA	Payment of Compensation on acquisition of certain immovable property	4LA
194LBA(a)	Certain income in the form of interest from units of a business trust to a residential unit holder	4BA1
194LBA(b)	Certain income in the form of dividend from units of a business trust to a resident unit holder	4BA2
194LB	Income in respect of units of investment fund	LBB
194LBC	Income in respect of investment in securitization trust	LBC
194N	Payment of certain amounts in cash	94N
194N First proviso*	Payment of certain amounts in cash to non-filers	94N-F
#194-O	Payment of certain sums by e-commerce operator to e-commerce participant	94O''

(II) in form 27Q --

(a) for the brackets, words, figures and letters

“[See sections 194E, 194LB, [194LBA, 194LBB, 194LBC], 194LC, 195, 196A, 196B, 196C, 196D, and rule 31A]”

the brackets, words, figures and letters

“[See section 194E, 194LB, [194LBA, 194LBB, 194LBC], 194LC, 194N, 195, 196A, 196B, 196C, 196D, 197A and rule 31A]” shall be substituted;

(b) for the “Annexure” the following “Annexure” shall be substituted, namely:--

“[ANNEXURE: DEDUCTEE WISE BREAK UP OF TDS]

(Please use separate Annexure for each line item in Table at Sl. No. 04 of main Form 27Q)

Details of amount paid/credited during the quarter ended (dd/mm/yyyy) and of tax deducted at source

BSR Code of branch/Receipt Number of Form No. 24G		Name of the Deductor/Payer TAN
Date on which challan deposited/Transfer voucher date (dd/mm/yyyy)		
Challan Serial Number/DDO Serial No. of Form No. 24G		
Amount as per Challan		
Total TDS to be allocated among deductees as in the vertical total of Col. 726		
Total interest to be allocated among the deductees mentioned below		

Sl. No.	Deductee reference number provided by the deductor, if available	Deductee code (01-Company 02-Other than company)	[Permanent Account Number or Aadhaar Number] of the deductee [see note 9]	Name of the deductee	Section code (See Note 8)	Date of payment or credit (dd/mm/yyyy)	Amount of cash withdrawal in excess of Rs. 1 crore as referred to in section 194N (in cases not covered by the first proviso to section	Amount of cash withdrawal which is in excess of Rs. 20 lakhs but does not exceed Rs. 1 crore for cases covered by sub-clause (a) of	Amount of cash withdrawal which is in excess of Rs. 1 crore for cases covered by sub-clause (b) of first proviso to section	Amount paid or credited	Tax	Surcharge	Education Cess	Total tax deducted [722+ 723 + 724]	Total tax deposited
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							194N)*	clause (ii) of first proviso to section 194N*	194N *						
[714]	[715]	[716]	[717]	[718]	[719]	[720]	[720A]	[720B]	[720C]	[721]	[722]	[723]	[724]	[725]	[726]
1															
2															
3															
Total															

Date of deduction (dd/mm/yyyy)	Rate at which deducted	Reason for non-deduction/ lower deduction/ grossing up/ Higher Deduction (See notes 1 to 3)	Number of the certificate issued by the Assessing Officer for non-deduction/ lower deduction	Whether the rate of TDS is as per IT Act (a) DTAA (b)	Nature of Remittance	Unique Acknowledgement of the corresponding Form No. 15CA, if available	Country to which remittance is made	Email ID of deductee	Contact number of deductee	Address of deductee in country of residence	Tax Identification Number/ Unique identification number of deductee
[727]	[728]	[729]	[730]	[731]	[732]	[733]	[734]	735	736	737	738
1											
2											
3											
Total											

Verification

I, hereby certify that all the particulars furnished above are correct and complete.

Place:

Date:

Signature of the person responsible for deducting tax at source

Name and designation of the person responsible for deducting tax at source

Notes:

1. Write “A” if “lower deduction” or “no deduction” is on account of a certificate under section 197.
2. Write “C” if grossing up has been done.
3. Write “D” if deduction is on higher rate on account of non-furnishing of [*Permanent Account Number or Aadhaar Number*] by the deductee.
4. Write “O” if no deduction is in view of sub-section (2A) of section 194LBA.
5. Write “M” if no deduction or lower deduction is on account of notification issued under second proviso to section 194N.*
6. Write “N” if no deduction or lower deduction is on account of payment made to a person referred to in the third proviso to section 194N or on account of notification issued under the fourth proviso to section 194N.*
7. Write “G” if no deduction is in view of clause (a) or clause (b) of sub-section (1D) of section 197A.
8. List of section codes is as under:

<i>Section</i>	<i>Nature of Payment</i>	<i>Section Code</i>
192A	Payment of accumulated balance due to an employee	192A
194E	Payments to non-resident Sportsmen/Sport Associations	94E
194LB	Income by way of interest from infrastructure debt fund	4LB
194LBA(a)	Income referred to in section 10(23FC)(a) from units of a business trust	LBA1
194LBA (b)	Income referred to in section 10(23FC)(b) from units of a business trust	LBA2
194LBA(c)	Income referred to in section 10(23FCA) from units of a business trust	LBA3
194LBB	Income in respect of units of investment fund	LBB
194LBC	Income in respect of investment in securitisation trust	LBC]
194LC	Income by way of interest from Indian company	4LC
194LD	<i>Income by way of interest on certain bonds and Government securities.</i>	4LD
194N	<i>Payment of certain amounts in cash</i>	94N

194N First Proviso*	Payment of certain amount in cash to non-filers.	94N-F
195	Other sums payable to a non-resident	195
196A	Income in respect of units of Non-Residents	96A
196B	Payments in respect of Units to an Offshore Fund	96B
196C	Income from Foreign Currency Bonds or shares of Indian Company payable to Non-Resident	96C
196D	Income of foreign institutional investors from securities	96D

9. In case of deductees covered under rule 37BC, *Permanent Account Number or Aadhaar Number* NOT AVAILABLE” should be mentioned.”

*in relation to section 194N, the changes shall come into effect from 1st July, 2020.

#in relation to section 194-O, the changes shall come into effect from 1st October, 2020.

[Notification No. 43/2020/F. No. 370142/11/2020-TPL]

ANKIT JAIN, Under Secy. (Tax Policy and Legislation Division)

Note: The principal rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (ii) *vide* number S.O. 969 (E), dated the 26th March, 1962 and were last amended *vide* notification number G.S.R. 423 (E), dated 30.06.2020.