

Notification No. 4752.

TO BE PUBLISHED IN PART II SECTION 3 SUB SECTION (11)
OF THE GAZETTE OF INDIA EXTRAORDINARY

CENTRAL BOARD OF DIRECT TAXES

New Delhi, the 21st June, 1982

INCOME-TAX

S.O. In exercise of the powers conferred by 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 (Third Amendment) Rules, 1982.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Income-tax Rules, 1962 (hereinafter referred to as the principal rules), after rule 29B, the following rule shall be inserted, namely:-

* 29C. Declaration by person claiming receipt of certain income without deduction of tax.

(1) A declaration under sub-section (1) of section 197A by an individual, who is resident in India, for payment of "Interest on securities" without deduction of tax under section 193 shall be in Form No. 15F and shall be verified in the manner indicated therein.

(2) A declaration under sub-section (1) of section 197A by an individual, who is resident in India, for payment of dividend without deduction of tax under section 194 shall be in Form No. 15G and shall be verified in the manner indicated therein.

(3) A declaration under sub-section (1) of section 197A by an individual, being resident in India, for payment of interest other than "Interest on securities" without deduction of tax under section 194A shall be in Form No. 15H and shall be verified in the manner indicated therein.

(4) The declaration referred to in sub-rule (1) or sub-rule (2) or sub-rule (3) shall be furnished in duplicate to the person responsible for paying the "Interest on securities" or dividend or, as the case may be, interest other than "Interest on securities".

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- (5) The person referred to in sub-rule (4) shall deliver or cause to be delivered to the Commissioner one copy of the declaration referred to in sub-rule (1) or sub-rule (2) or, as the case may be, sub-rule (3) on or before the seventh day of the month next following the month in which the declaration is furnished to him.

Explanation: For the purposes of sub-rule (5)

"Commissioner" means the Commissioner to whom the Income-tax Officer having jurisdiction to assess the person referred to in sub-rule (4) is subordinate."

3. In Appendix II to the principal rules, after Form No. 15E the following Forms shall be inserted, namely:-

FORM NO. 15/F

[See rule 29C(1)]

DECLARATION UNDER SECTION 197A(1) OF THE INCOME-TAX ACT, 1961 TO BE MADE BY AN INDIVIDUAL CLAIMING RECEIPT OF "INTEREST ON SECURITIES" WITHOUT DEDUCTION OF TAX.

I, _____ son/daughter/wife
resident of _____
do hereby declare -

1. that the securities, particulars of which are given below, stand in my name and are beneficially owned by me, and the interest therefrom is not includible in the total income of any other person under sections 60 to 64 of the Income-tax Act, 1961;

Description of securities	Number of securities	Dates of securities	Amount of securities	Date(s) on which the securities were acquired by the declarant

2. that my present occupation is _____
3. that my estimated total income including the interest on securities referred to in paragraph 1 above, computed in accordance with the provisions of the Income-tax Act, 1961, for the previous year ending on _____ relevant to the assessment year 19____ - 19____ will be less than the minimum liable to income-tax;
- 4* that I have not been assessed to income-tax at any time in the past but I fall within the jurisdiction of the Commissioner of Income-tax, _____;

OR

that I was last assessed to income-tax for the assessment year 19____ - 19____ by the Income-tax Officer _____ Circle/Ward/District and the permanent account number allotted to me is _____;

5. that I am resident in India within the meaning of section 6 of the Income-tax Act, 1961.

Signature of the declarant.

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 _____ day of _____, 19____

Place _____

Signature of the declarant

NOTES:

1. * Give complete postal address.
2. The declaration should be furnished in duplicate.
3. * Delete whichever is not applicable.
4. Before signing the verification the declarant should satisfy himself that the information furnished in the declaration is true, correct and complete in all respect. 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 one 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 three years and with fine.

(FOR USE BY THE PERSON TO WHOM THE DECLARATION IS FURNISHED)

1. Name and address of the person responsible for paying the interest on securities mentioned in paragraph 1 of the declaration.
2. Date on which the declaration was furnished by the declarant.
3. Period for which interest is paid
4. Amount of interest.
5. Date on which interest is paid.

Forwarded to the Commissioner of Income-tax.....

Place _____

Date _____

.....
Signature of the person responsible
for paying the interest on securities.

[See rule 29C (2)]

DECLARATION UNDER SECTION 197A(1) OF THE INCOME-TAX ACT, 1961
TO BE MADE BY AN INDIVIDUAL CLAIMING RECEIPT OF DIVIDEND WITHOUT
DEDUCTION OF TAX.

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I, _____ son/daughter/wife of _____
resident of _____
do hereby declare -

1. that I am a shareholder in _____
(name and address of the company)

2. that the shares in the said company, particulars of which are given below, stand in my name and are beneficially owned by me, and the dividends therefrom are not includible in the total income of any other person under sections 60 to 64 of the Income-tax Act, 1961;

No. of shares	Class of shares and face value of each share	Total face value of shares	Distinctive numbers of the shares	Date(s) on which the shares were acquired by the declarant

3. that my present occupation is _____;
4. that my estimated total income, including the dividends from the shares referred to in paragraph 2 above, computed in accordance with the provisions of the Income-tax Act, 1961 for the previous year ending on _____ relevant to the assessment year 19__ - 19__, will be less than the minimum liable to income-tax;
5. that I have not been assessed to income-tax at any time in the past but I fall within the jurisdiction of the Commissioner of Income-tax _____;

OR

that I was last assessed to income-tax for the assessment year 19__ - 19__ by the Income-tax Officer _____ Circle/Ward/District and the permanent account number allotted to me is _____;

6. that I am resident in India within the meaning of section 6 of the Income-tax Act, 1961.

Signature of the declarant

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, theday of, 19....

Place.....

Signature of the declarant

Notes:

- 1.3 Give complete postal address.
2. The declaration should be furnished in duplicate.
- 3.* Delete whichever is not applicable.
4. Before signing the verification, the declarant should satisfy himself that the information furnished in the declaration 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 one 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 three years and with fine.

(FOR USE BY THE PERSON TO WHOM THE DECLARATION IS FURNISHED)

1. Name and address of the company.
2. Date on which the declaration was furnished by the declarant.
3. Date of declaration, distribution or payment of dividends.
4. Period in respect of which dividend has been declared.
5. Amount of dividend paid.

Forwarded to the Commissioner of Income-tax,.....

Place _____

Date _____

.....
Signature of the principal
officer of the company