

MINISTRY OF FINANCE
(Department of Revenue)
(CENTRAL BOARD OF DIRECT TAXES)

NOTIFICATION

New Delhi, the 28th November, 2016

INCOME-TAX

S.O. 3573(E).—In exercise of the powers conferred by section 295 read with sub-section (4) of section 115TCA 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 (33rd Amendment) Rules, 2016.
(2) It shall be deemed to have come into force from the 1st day of June, 2016.
2. In the Income-tax Rules, 1962, (hereinafter the said rules), after rules 12CB, the following rule shall be substituted, namely:-

“12CC. Statement under sub-section (4) of section 115TCA. (1) The statement of income distributed by a securitisation trust to its investor shall be furnished to the Principal Commissioner or the Commissioner of Income-tax within whose jurisdiction the principal office of the securitisation trust is situated, by 30th day of November of the financial year following the previous year during which such income is distributed:

Provided that the statement of income distributed shall also be furnished to the investor by 30th day of June of the financial year following the previous year during which the income is distributed.

(2) The statement of income distributed shall be furnished under sub-section (4) of section 115TCA by the securitisation trust to-

- (i) the Principal Commissioner or the Commissioner of Income-tax referred to in sub-rule (1), in Form No. 64E, duly verified by an accountant in the manner indicated therein and shall be furnished electronically under digital signature;
- (ii) the investor in Form No. 64F, duly verified by the person distributing the income on behalf of the securitisation trust in the manner indicated therein.

(3) The Principal Director General of Income-tax (Systems) or Director General of Income-tax (Systems), as the case may be, shall specify the procedure for filing of Form No. 64E and shall also be responsible for evolving and implementing appropriate security, archival and retrieval policies in relation to the statements so furnished.”

3. In the said rules, in Appendix-II, after the Form No. 64D, the following Forms shall be inserted, namely:--

“FORM NO. 64E

[See rule 12CC (2)(i)]

Statement of income paid or credited by a securitisation trust to be furnished under section 115TCA of the Income-tax Act, 1961

1. Name of the securitisation trust:
2. Address of the registered office:
3. Legal status:
4. Permanent Account Number:
5. Previous year ending:

6. Name and address of the Trustees/ Directors/ Partners of the securitisation trust:

S. No	Name	PAN	Aadhar, if any	Address
(1)	(2)	(3)	(4)	(5)

7. (i) Status of Securitisation Trust:

(please mention applicable sub-clause of the clause (d) of the Explanation below section 115TCA)

(ii) Registration number:

(Please also indicate Act/Regulation under which registered)

(iii) Date of registration:

8. Details of income of Securitisation Trust:

(i) Total income of securitisation trust (in Rs):

(ii) Income under the head 'Income from house property':

S. No.	Amount	Proportion [Column 2/Amount at 7(i) above]
(1)	(2)	(3)
1.		

(iii) Income under the head 'Profits and gains of business or profession':

S. No.	Amount	Proportion [Column 2/Amount at 7(i) above]
(1)	(2)	(3)
1.		

(iv) Income under the head 'Capital gains':

S. No.	Category	Amount	Proportion [Column 3/Amount at 7(i) above]
(1)	(2)	(3)	(4)
1	Long Term Capital Gain referred to in Section 10(38)		
2	Long Term Capital Gain [Others]		
3	Short Term Capital Gain [To which Section 111A applies]		
4	Short Term Capital Gain [Others]		

(v) Income under the head 'Income from other sources':

S. No	Category	Amount	Proportion [Column 3/Amount at 7(i) above]
(1)	(2)	(3)	(4)
1	Dividends [referred to in Section 115-O]		
2	Others		

9. Details of person being an Investor, referred to in sub-section (1) of section 115TCA by whom the income is received or in whose name it has been credited:

S . N o.	Name of Investor	Address	PAN	Total amount paid/ credited/ Deemed to be credited	Income under the head 'Business or Profession' [Column 5 × Column 3(1) of Table at s.no. 7(ii)]	Income from House Property [Column 5 × Column 3(1) of Table at s.no. 7(iii)]	Income under the head 'Long Term Capital Gains'		Income under the head 'Short Term Capital Gains'		Income under the head 'Other Sources'	
							Referred to in Section 10(38) [Column 5 × Column 4(1) of Table at s.no. 7(iv)]	Others [Column 5 × Column 4(2) of Table at s.no. 7(iv)]	To which Section 111A applies [Column 5 × Column 4(3) of Table at s.no. 7(iv)]	Others [Column 5 × Column 4(4) of Table at s.no. 7(iv)]	'Dividend' [referred to in Section 115-O] [Column 5 × Column 4(1) of Table at s.no. 7(v)]	Others [Column 5 × Column 4(2) of Table at s.no. 7(v)]
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)

Attach a copy of the certificate of registration under the applicable Act/ Regulations, viz., in case of securitisation trust, under the Securities and Exchange Board of India (Public Offer and Listing of Securities Debt Instruments) Regulations, 2008; in case of Special Purpose Vehicle regulated by the guidelines of Standard Assets issued by the Reserve Bank of India; and in case of Securitisation Company or a Reconstruction Company, under the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002.

Attach audited accounts including balance sheet, annual report, if any, with certified copies of income and appropriation towards payment of income or credit of income [including amount deemed to have been credited in accordance with provisions of sub-section (3) of section 115 TCA].

I, _____ (Name in full and in block letters) son/daughter* of _____ do hereby solemnly declare that to the best of my knowledge and belief what is stated above and in the Annexure(s), including the documents accompanying such Annexure(s), is correct and complete. I further declare that I am furnishing such statement in my capacity as _____ (designation) and that I am competent to furnish this statement and verify it.

Verified today the _____ day of _____.

Place _____

Signature _____

Verification

I/We* _____ have examined the books of account and other documents showing the particulars of income earned and the income paid / credited [including amount deemed to have been credited in accordance with provisions of sub-section (3) of section 115TCA] to the investor by the _____ (name of the Securitisation Trust) for the previous year ending _____.

2. I/We* declare that the above particulars are true and correct to the best of my/our knowledge and belief.

Place _____

(Signature with name of the Accountant)

Membership No. _____

Date _____

Notes: 1. "Accountant" means the accountant as defined in the Explanation below sub-section (2) of section 288 of the Income-tax Act, 1961.

2. All amount to be mentioned in Indian Rupees

* Strike out whichever is not applicable.

FORM NO. 64F

[See rule 12CC (2)(ii)]

Statement of income distributed by a securitisation trust to be provided to the investor under section 115TCA of the Income-tax Act, 1961

1. Name of the investor:
2. Address of the investor:
3. Permanent Account Number of the investor:
4. Previous year ending:
5. Name and address of the securitisation trust:
6. Permanent Account Number of the securitisation trust:
7. Details of the income paid or credited by the securitisation trust to the investor during the previous year:

(In Rs.)

S. No.	Amount paid or credited/ Deemed to be credited	Date of payment or credit/ Deemed to be credited	Breakup of Amount paid/credited under Heads of Income							
			'Income from House Property'	'Business or Profession'	'Long Term Capital Gain'		'Short Term Capital Gain'		'Other Sources'	
					Referred to in section 10(38)	Others	To which section 111A applies	Others	'Dividend' [referred to in section 1150]	Others
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)

I, _____ (Name in full and in block letters) son/ daughter* of _____ do hereby solemnly declare that to the best of my knowledge and belief what is stated above and in the Annexure(s), including the documents accompanying such Annexure(s), is correct and complete. I further declare that I am furnishing such statement in my capacity as _____ (designation)

Verified today the _____ day of _____

Place _____

* Strike out whichever is not applicable.

Signature

_____”.

[Notification No. 107/2016/ F.No. 370142/28/2016-TPL]

NIRAJ KUMAR, Under Secy. (Tax Policy and Legislation)

Note:- The principal rules were published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (ii), vide notification number S.O. 969(E), dated the, 26th March, 1962 and last amended vide notification number S.O. No.3498(E) dated the 21st November, 2016.