

स्थान _____

(लेखाकार का नाम और हस्ताक्षर)

तारीख _____

टिप्पण : 1. “लेखाकार” से आयकर अधिनियम 1961 की धारा 288 की उपधारा (2) के नीचे स्पष्टीकरण में यथा परिभाषित लेखाकार अभिप्रेत है।

2. सभी रकम भारतीय रुपए में वर्णित की जाएं।

*जो लागू न हो, उसे काट दें।”

[अधिसूचना सं. 55/2020/ फा. सं.142/22/2015-टीपीएल]

नेहा सहाय, अवर सचिव (कर नीति और विधान अनुभाग)

टिप्पण : मूल नियम, भारत के राजपत्र, असाधारण, भाग III, खंड 3, उपखंड (ii) में अधिसूचना सं. का.आ. 969(अ), तारीख 26 मार्च, 1962 द्वारा प्रकाशित किए गए और अधिसूचना सं. 464(अ) तारीख 24 जुलाई, 2020 द्वारा अंतिम बार संशोधित किए गए।

MINISTRY OF FINANCE

(Department of Revenue)

[CENTRAL BOARD OF DIRECT TAXES]

NOTIFICATION

New Delhi, the 28th July, 2020

INCOME-TAX

G.S.R. 469(E).—In exercise of the powers conferred by sub-section (7) of section 115UB 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 (18th Amendment) Rules, 2020.

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

2. In the Income-tax Rules, 1962,-

(a) for rule 12CB, the following rule shall be substituted, namely:-

“12CB. Statement under sub-section (7) of section 115UB.—(1) The statement of income paid or credited by an investment fund to its unit holder shall be furnished by the person responsible for crediting or making payment of the income on behalf of an investment fund and the investment fund to the-

- (i) unit holder by 30th day of June of the financial year following the previous year during which the income is paid or credited in Form No. 64C after generating and downloading the same from the web portal specified by the Principal Director General of Income-tax (Systems) or the Director General of Income-tax (Systems) or the person authorised by him and duly verified by the person paying or crediting the income on behalf of the investment fund in the manner indicated therein; and
- (ii) Principal Commissioner or the Commissioner of Income-tax, as the case may be, within whose jurisdiction the Principal office of the investment fund is situated by 15th day of June of the financial year following the previous year during which the income is paid or credited, electronically under digital signature, in Form No. 64D duly verified by an accountant in the manner indicated therein.

(2) The Principal Director General of Income-tax (Systems) or the Director General of Income-tax (Systems), as the case may be, shall specify the,-

- (i) procedure for filing of Form No. 64D and shall also be responsible for evolving and implementing appropriate security, archival and retrieval policies in relation to the statements of income paid or credited so furnished under this rule; and
- (ii) procedure, formats and standards for generation and download of statement in Form No. 64C from the web portal specified by him or by the person authorised by him and he shall be responsible for the day-to-day administration in relation to the generation and download of certificates from the web portal specified by him or the person authorised by him.”
- (b) in Appendix-II, for Form No. 64C and 64D, the following Forms shall be substituted, namely: -

“FORM NO. 64C

[See clause (i) of sub-rule (1) of rule 12CB]

Statement of income distributed by an investment fund to be provided to the unit holder under section 115UB of the Income-tax Act, 1961

1. Name of the unit holder:
2. Address of the unit holder:
3. Permanent Account Number/AADHAAR of the unit holder:
4. Previous year ending:
5. Name and address of the Investment Fund:
6. Permanent Account Number of the Investment Fund:
7. Details of the income or loss [after ignoring the loss under clause (ii) of sub-section (2) of section 115UB] paid or credited by the Investment Fund to the unit holder during the previous year:

(In Rs)

| S. No. | Amount paid or credited | Date of payment or credit | Breakup of Amount paid/ credited under Heads of Income | | | | | | | | |
|--------|-------------------------|---------------------------|--|--------------------------|---|-----------------|---------------------------|-----------------|-------------------------------|---|--|
| | | | 'Business or Profession' | 'Long Term Capital Gain' | | | 'Short Term Capital Gain' | | | 'Other Sources' | |
| | | | | Chargeable @10% u/s 112A | Chargeable @10% (other than section 112A) | Chargeable @20% | Chargeable @15% 111A | Chargeable @30% | Chargeable at applicable rate | 'Dividend' [referred to in Section 115O]* | Others (Please specify section if taxed at special rate) |
| Income | Income/ Loss | Income/ Loss | Income/ Loss | Income/ Loss | Income/ Loss | Income/ Loss | Income | Income/ Loss | | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) |
| | | | | | | | | | | | |

*[referred to in Section 115O] shall be omitted with effect from the Assessment year 2021-22.

8. Details of deemed loss as on 31st March, 2019 in terms of sub-section (2A) of section 115UB (to be passed to the unit holder holding unit on 31st March, 2019):

(In Rs)

| S. No. | Assessment year | Breakup of deemed loss under Heads of Income | |
|--------|-----------------|--|---------------------------|
| | | 'Long Term Capital Loss' | 'Short Term Capital Loss' |
| (1) | (2) | (3) | (4) |
| | | | |

I, _____ (Name in full and in block letters) son/ daughter/ wife 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

[See clause (ii) of sub-rule (1) of rule 12CB]

Statement of income paid or credited by investment fund to be furnished under section 115UB of the Income-tax Act, 1961

1. Name of the Investment Fund:
2. Address of the registered office:
3. Legal status [company/ trust/ limited liability partnership/ body corporate:
4. Permanent Account Number:
5. Previous year ending:
6. Name and address of the Directors/ Trustees/ Partners of the Investment fund*:

| S. No | Name | Address | PAN/ AADHAAR |
|-------|------|---------|--------------|
| (1) | (2) | (3) | (4) |
| | | | |

7. (i) Whether registered as Alternative Investment Fund with Securities and Exchange Board of India under the Securities and Exchange Board of India (Alternative Investment Funds) Regulations, 2012: Yes/No*

(ii) If yes, furnish following details:

(d) Whether registered as Category I/ II : Yes/No*

(e) Registration number :

(f) Date of registration :

8. (a) Total income of Investment Fund during the previous year:

(b) Break-up of total income [aggregate of amounts under column (7) of the following table for each head]:

| S. No. | Under the head | Income/ Loss | | | Loss to be set off in accordance with sub-section (2) of section 115UB | Net Income/ loss after set-off of losses in terms of sub-section (2) of section 115UB [(5) minus (6)] |
|--------|--|--------------|---|---------------------|--|---|
| | | Amount | from Off-shore investment out of the investment of non-resident unit holder | Net [(2) minus (3)] | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| 1. | Profit and gains of business or profession | | | | | |
| 2. | Long Term Capital Gains [Chargeable @10% u/s 112A/ @10% (other than section 112A)/ at @20%] | | | | | |
| 3. | Short Term Capital Gains [Chargeable @15% u/s 111A/ @30%/ at applicable rate] | | | | | |
| 4. | Income from other sources (Dividend/ Others) <i>(Please specify section if taxed at special rate)</i> | | | | | |

9. (i) Details of losses of the previous year, if any; required to be ignored for purposes of sub-section (1) of section 115UB in accordance with,-

(a) sub-clause (b) of clause (i) of sub-section (2) of section 115UB:

| S. No. | Head of Income | Amount of loss |
|--------|--|----------------|
| (1) | (2) | (3) |
| | Profit and gains of business or profession | |

(b) clause (ii) of sub-section (2) of section 115UB:

| S. No. | Head of Income | Amount of loss |
|--------|----------------|----------------|
| (1) | (2) | (3) |
| | | |

(ii) Details of losses under the head "Profit and gains of business or profession", if any;:

| S. No. | Details of brought forward loss, if any, | | Amount of income/ loss during the previous year after set-off [in accordance with section 115UB(2)] | Amount of loss to be carried forward [(5) minus (6)] | |
|--------|--|--------|---|---|--------|
| | Assessment Year | Amount | | Assessment Year | Amount |
| (1) | (2) | (3) | (4) | (5) | (6) |
| | | | | | |

(iii) Aggregate of positive income of the Investment Fund under various heads after setting off of losses at (ii) above [aggregate of the positive amounts in column (7) of the table under para 8(b) after set off] :
.....

(a) Income under head 'Profit and gains of business or profession':

| S. No. | Amount | Proportion [Column 2/ Amount at 9(iii) above] |
|--------|--------|---|
| (1) | (2) | (3) |
| | | |
| | | |
| | | |

(b) Income under head 'Capital Gain':

| S. No. | Category | Amount | Proportion [Column 3/ Amount at 9(iii) above] |
|--------|--|--------|--|
| (1) | (2) | (3) | (4) |
| 1 | Long Term Capital Gain [Chargeable @10% u/s 112A] | | |
| 2 | Long Term Capital Gain [Chargeable @10% (other than section 112A)] | | |
| 3 | Long Term Capital Gain [Chargeable @20%] | | |
| 4 | Short Term Capital Gain [Chargeable @15% u/s 111A] | | |
| 5 | Short Term Capital Gain [[Chargeable @30%] | | |
| 6 | Short Term Capital Gain [Chargeable at applicable rate] | | |

(c) Income under the head 'Other Sources':

| S. No | Category | Amount | Proportion [Column 3/Amount at 9(iii) above] |
|-------|--|--------|--|
| (1) | (2) | (3) | (4) |
| 1. | Dividends [referred to in Section 115-O]* | | |
| 2. | Others (Please specify section if taxed at special rate) | | |

*[referred to in section 115O] shall be omitted with effect from the assessment year 2021-2022.

10. Details of loss other than the loss under the head "Profits and gains of business or profession", if any, accumulated at the level of investment fund as on 31st March, 2019:

| Assessment Year | Amount of Loss under various Heads of Income | | Total |
|-----------------|--|-------------------------|-------|
| | Long Term Capital Loss | Short Term Capital Loss | |
| (1) | (2) | (3) | (4) |
| 2016-2017 | | | |
| 2017-2018 | | | |
| 2018-2019 | | | |
| 2019-2020 | | | |
| Total | | | |

11. Aggregate of loss under various heads after ignoring the loss in 9(i)(b) above [aggregate of the negative amounts in column (7) of the table under 8(b)]:

(i) Loss under head 'Capital Gain':

| S. No. | Category | Amount | Proportion [Column 3/Amount at s no. 11] |
|--------|--|--------|--|
| (1) | (2) | (3) | (4) |
| 1 | Long Term Capital Gain [Chargeable @10% u/s 112A] | | |
| 2 | Long Term Capital Gain [Chargeable @10% (other than section 112A)] | | |
| 3 | Long Term Capital Gain [Chargeable @20%] | | |
| 4 | Short Term Capital Gain [Chargeable @15% u/s 111A] | | |
| 5 | Short Term Capital Gain [Chargeable @30%] | | |
| 6 | Short Term Capital Gain [Chargeable at applicable rate] | | |

(ii) Loss under the head 'Other Sources':

| S. No | Category | Amount | Proportion [Column 3/ Amount at s no. 11] |
|-------|--|--------|---|
| (1) | (2) | (3) | (4) |
| 1 | Other sources (Please specify section if taxed at special rate) | | |
| | | | |

12. Details of person being a unit holder, referred to in sub-section (1) of section 115UB by whom the income or loss is received or in whose name it has been credited in a case where,-

(i) there is positive income:

| S. No. | Name of Unit Holder | Address | PAN/AADHAAR | Total Amount of positive income paid/credited/Deemed to be credited | Income under the head 'Business or Profession' [Column 5 × Column 3(1) of Table at s.no. 9(iii)] | Income under the head 'Long Term Capital Gains' | | | Income under the head 'Short Term Capital Gains' | | | Income under the head 'Other Sources' | |
|--------|---------------------|---------|-------------|---|--|--|---|---|--|---|--|---|---|
| | | | | | | Chargeable @ 10% u/s 112A [Column 5 × Column 4(1) of Table at s.no. 9(iii)(b)] | Chargeable @ 10% (other than section 112A) [Column 5 × Column 4(2) of Table at s.no. 9(iii)(b)] | Chargeable @ 20% [Column 5 × Column 4(3) of Table at s.no. 9(iii)(b)] | Chargeable @ 15% u/s 111A [Column 5 × Column 4(4) of Table at s.no. 9(iii)(b)] | Chargeable @ 30% u/s [Column 5 × Column 4(5) of Table at s.no. 9(iii)(b)] | Chargeable at applicable rate [Column 5 × Column 4(6) of Table at s.no. 9(iii)(b)] | 'Dividend' [referred to in Section 115-O]* [Column 5 × Column 4(1) of Table at s.no. 9(iii)(c)] | Others [Column 5 × Column 4(2) of Table at s.no. 9(iii)(c)] |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) | (13) | (14) |

*[referred to in Section 115O] shall be omitted with effect from the Assessment year 2021-2022.

(ii) there is loss in respect of units held for more than 12 months as per clause (b) of sub-section (2) of section 115UB :

| S. No. | Name of Unit Holder | Address | PAN/AADHAAR | Total Amount of loss paid/credited/Deemed to be credited | Loss under the head 'Long Term Capital Gains' | | | Loss under the head 'Short Term Capital Gains' | | | Loss under the head 'Other Sources' [Column 5 × Column 4(1) of Table at s.no. 11(ii)] |
|--------|---------------------|---------|-------------|--|--|---|---|--|---|--|---|
| | | | | | Chargeable @ 10% u/s 112A [Column 5 × Column 4(1) of Table at s.no. 11(i)] | Chargeable @ 10% (other than section 112A) [Column 5 × Column 4(2) of Table at s.no. 11(i)] | Chargeable @ 20% [Column 5 × Column 4(3) of Table at s.no. 11(i)] | Chargeable @ 15% u/s 111A [Column 5 × Column 4(4) of Table at s.no. 11(i)] | Chargeable @ 30% u/s [Column 5 × Column 4(5) of Table at s.no. 11(i)] | Chargeable at applicable rate [Column 5 × Column 4(6) of Table at s.no. 11(i)] | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) | (10) | (11) | (12) |

(iii) there is deemed loss as on 31st March, 2019 in terms of clause (i) of sub-section (2A) of section 115UB[#]:

| Assessment year* | | | | | | |
|------------------|---------------------|---------|-------------|---|--|-------|
| S. No. | Name of Unit Holder | Address | PAN/AADHAAR | Loss under the head 'Long Term Capital Gains' | Loss under the head 'Short Term Capital Gains' | Total |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| | | | | | | |

[#] Point (iii) above shall be omitted with effect from the Assessment Year 2020-2021.

* To be filled separately for each assessment year (2016-2017, 2017-2018, 2018-2019 and 2019-2020).

Attach a copy of the certificate of registration under Securities and Exchange Board of India (Alternative Investment Funds) Regulations, 2012.

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 (6) of section 115UB].

I, _____ (Name in full and in block letters) son/daughter/wife 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 (6) of section 115UB] to the unit holder by the _____ (name of the Alternative Investment Fund) 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)

Date _____

Notes: 1. "Accountant" shall have the same meaning as assigned to it 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. "

[Notification No. 55/2020/ F. No.142/22/2015-TPL]

NEHA SAHAY, Under Secy. (Tax Policy and Legislation Division)

Note : The principal rules were published in the Gazette of India Extraordinary, Part III, section 3, sub-section (ii), *vide* notification number S.O. 969(E), dated the 26th March, 1962 and last amended *vide* notification number 464(E) dated the 24th July, 2020.