

Mapping of TDS/TCS provision & Key changes in important Income Tax Rules and Forms

Preface

- » With the introduction of the Income-tax Act 2025 (ITA 2025), India's direct tax framework is set to undergo a structural transition beginning Tax Year 2026-27 (April 1, 2026 onwards). Further the Income-tax Rules 2026 have replaced the existing Income-tax Rules 1962.
- » The new framework seeks to simplify tax provisions, rationalize compliance requirements, and reduce potential litigation, while eliminating outdated or redundant rules and forms.
- » Though there is no policy related changes in TDS/TCS provisions. However, its structure and way of presentation in the ITA 2025 significantly differs which requires understanding and Mapping with ITA 1961.
- » Further a significant feature of the new rules is the substantial consolidation and reduction in the number of rules and prescribed forms, along with restructuring of several compliance processes.
- » This presentation provides overview of TDS/TCS provision under ITA 2025 with mapping thereof with ITA 1961 & summarizes the key changes in important rules and forms which is to be used with effect from April 1, 2026.

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 - » Trust related
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Overview

- » Transition to New Rules and Forms – A time frame
 - » Up to March 31, 2026 - FY 2025-26 (Assessment Year 2026-27)
 - » Existing Rules & Forms will be applicable for all transactions & compliances pertaining to FY 25-26 or prior years - Total 511 Rules & 399 Forms
 - » From April 1, 2026 - Tax Year (Financial Year) 2026-27 onwards
 - » New Rules & Forms will be applicable
 - » Substantial Reduction in Rules & Forms – Total 333 Rules and 190 Forms
 - » Changes in existing Rules & Forms
 - » Simplification of language of rules including consolidation of forms
 - » Reduction in possible litigation
 - » Obsolete provision and forms deleted
 - » Compliance reduction
 - » Forms will be integrated into Revamped Web-portal – PAN 2.0 and TIN 2.0 – TRACES, OLTAS, E-Portal

Structure of TDS / TCS Provisions under ITA 2025

- » TDS & TCS Provisions under ITA 1961
 - » Covered in Chapter XVII – B - Contains TDS Provisions of section 192 to 196D & TCS Provisions of 206C
 - » Each section contains its conditions for applicability and non-deduction
- » TDS & TCS Provisions under ITA 2025
 - » Covered in Chapter XIX
 - » Section 392 - TDS provisions of salary
 - » Section 393 - TDS provisions other than salary
 - » Section 394 - TCS provisions
 - » Section 395 – Certificates for lower / non deduction
 - » Section 396 – Requirement of obtaining TAN, consequences of non furnishing of PAN, Due of date of depositing tax so deducted & furnishing of TDS statements, CA certificate for foreign remittance
 - » Section 397 - Consequences of failure to deduct or pay TDS – levy of interest, penalty etc.

Structure of TDS / TCS Provisions under ITA 2025

Particulars	Section OF ITA 2025	Description
TDS basis nature of payment	393(1) [Table Sr. No. 1 to 8]	Payment to Resident
	393(2) [Table Sl. No. 1 to 17]	Payment to Non-Resident
	393(3) [Table Sl. No. 1 to 7]	Payment to any other person (contains TDS on winning from lotteries, online games, horse races, commission on sale of lottery tickets, payment of deposit under NSS, cash withdrawal, payment to Partner)
No deduction of TDS	393(4) [Table Sl. No. 1 to 19]	Exemption List from TDS
	393(6) & (7)	Furnishing of Declaration for no taxable income and furnishes of such declaration to tax authorities by Deductor
	393(8)	Payment of interest by offshore banking unit to a non-resident or RNOR
	393(9)	Payment for or on behalf of New Pension System Trust
Exemption to certain category	393(5)	Payment to Government, RBI, Corporation established by or under Central Act, SEBI Registered Mutual Fund
Others	393(10)	Grossing up of TDS
	393(11)	TDS applicable even if books as suspense account or any other name

Mapping of TDS/TCS provisions with ITA 2025

ITR 1962 Form No	ITR 2026 Form No	Nature of Payment	ITA 1961 Section	ITA 2025 Section	TDS Rate	ITR 1962 Section Code	ITR 2026 Section Code
24Q	138	Salary	192	392(1)	As per Slab	92A	1001
		- Government employees other than Union Government			As per Slab	92B	1002
		- Other than Government employees - Indian Government employee			As per Slab	92C	1003
26Q	140	Interest on securities	193	393(1) [Table: Sr. No. 5(i)]	Rate in Force	193	1019
		Dividend	194	393(1) [Table: Sl. No. 7] &[Table Sl. No. 4(ii)]	10%	194	1029
		- Any Dividend - Units of a business trust			10%		1015
		Rent	194I	393(1) [Table: Sl. No. 2(ii)] 393(1) [Table: Sl. No. 4 (ii)]	2%	4IA	1008
		- Plant/Machinery/Equipment			10%		1009
		- Rent other than above - Renting from units of a business trust being Real Estate Investment Trust			10%		4IB
- Fees for technical services (not being professional) and payee engaged in the business of operation of call centre	194J	393(1) [Table: Sl. No. 6 (iii)]	2%	4JA	1026		
- Professional services			10%	4JB	1027		
- Royalty			10%	4JB	1026		
- Remuneration, Fees or commission to Director (other than salary)			10%	4JB	1028		

Mapping of TDS/TCS provisions with ITA 2025

ITR 1962 Form No	ITR 2026 Form No	Nature of Payment	ITA 1961 Section	ITA 2025 Section	TDS Rate	ITR 1962 Section Code	ITR 2026 Section Code
26Q	140	- Carrying out any work (including supply of labour) – Individual or HUF	194C	393(1)	1%	94C	1023
		- Carrying out any work (including supply of labour) – Other than Individual or HUF		[Table: Sl. No. 6(i)]	2%	94C	1024
		Commission or brokerage – insurance	194D	393(1) [Table: Sl. No. 1 (i)]	2%	94D	1005
		Commission or brokerage – others	194H	393(1) [Table: Sl. No. 1 (ii)]	2%	94H	1006
		Commission on sale of lottery tickets to Resident / Non-Resident	194G	393(3) [Table: Sl. No. 4]	2%	94G	1063
		- Salary, Remuneration, commission, bonus or interest to a partner of firm (including capital account)	194T	393(3) [Table: Sl. No. 7]	2%	94T	1067
		- Interest other than interest on securities – Senior Citizen	194A	393(1) [Table: Sl. No. 5 (ii) & (iii)]	10%	94A	1020
		- Interest other than interest on securities – other than Senior Citizen			10%	94A	1021
		Any income being interest other than interest on securities			10%	94A	1022
		For purchase of any goods	194Q	393(1) [Table: Sl. No. 8 (ii)]	0.1%	94Q	1031

Mapping of TDS/TCS provisions with ITA 2025

ITR 1962 Form No	ITR 2026 Form No	Nature of Payment	ITA 1961 Section	ITA 2025 Section	TDS Rate	ITR 1962 Section Code	ITR 2026 Section Code
26Q	140	- Any benefit or perquisite arising from business or profession – Convertible into money or not	194R	393(1) [Table: Sl. No. 8 (iv)]	10%	94R	1033
		- Any benefit or perquisite arising from business or profession – Whether cash or in kind			10%	94R-P	1034
		- Any income by way of interest	194LB	393(2) [Table: Sl. No.5]	5%	4LB	1044
27EQ	143	- Sale of alcoholic liquor for human consumption	206C(1)	394(1) [Table: Sl. No. 1, 2 & 3]	2%	A	1068
		- Sale of any other forest produce (not being timber or tendu leaves) obtained under a forest lease.			2%	D	1072
		- Sale of tendu leaves			2%	I	1069
		- Sale of scrap	206C	394(1) [Table: Sl. No. 4]	2%	E	1073
		- Sale of minerals, being coal or lignite or iron ore	206C(1)	394(1) [Table: Sl. No. 4]	2%	J	1074
		- Sale of overseas tour program package including related expenses – Upto threshold limit	206(1G)	394(1) [Table: Sl. No. 8]	2%	O	1088
		- Sale of overseas tour program package including related expenses – Above threshold limit			2%		1089
- Sale of motor vehicle above Rs. 10 lakhs	206C(1F)	394(1) [Table: Sl. No. 6]	1%	L	1075		

Mapping of TDS/TCS provisions with ITA 2025

ITR 1962 Form No	ITR 2026 Form No	Nature of Payment	ITA 1961 Section	ITA 2025 Section	TDS Rate	ITR 1962 Section Code	ITR 2026 Section Code
27Q	144	Payment of other sums to Non-Resident	195	393(2) [Table: Sl. No. 17]	Rate specified in Part II of First Schedule of the Bill	195	1057

Rules & Forms to be used effectively immediate from April 1, 2026

TDS/TCS related Forms

- TDS & TCS Statements
- TAN Application Form
- Application for Lower/Non-Deduction of TDS
- Non-deduction of tax basis declaration
- TDS/TCS Certificates
- Application for claiming TDS Credit in different financial year
- Declaration for purchase of certain goods without payment of TCS
- Annual Information Statement

Foreign Remittance

- Certificate of foreign remittance by Assessee and Chartered Accountant
- Form for availing DTAA benefits & TRC Application and Certificate
- Form for determination of tax for non-resident
- Application for receipt of sum without deduction of tax
- Application for determination of appropriate sum payable to NR for TDS purpose
- Tax Clearance Certificate and No Objection Certificate for Expatriates

Other Forms

- PAN Application
- Trust Application/ Renewal Form
- Form for filing appeal to CIT(Appeals)
- Form for filing ITAT Appeal and Cross Objection Form
- Quoting of PAN and Declaration in lieu of PAN

Comparison of Important Rules & Forms

Nature of Form	ITR 1962 Rule No	ITR 2026 Rule No	ITR 1962 Form No	ITR 2026 Form No
TDS Return -Salary	31A	219	24Q	138
TDS Return – Payment to resident other than Salary	31A	219	26Q	140
TCS Return	31AA	219	27EQ	143
TDS Return- Payment to non-resident	31A	219	27Q	144
PAN Application- Resident Assessee	114	158	49A	93 & 94
PAN Application- Non -resident Assessee	114	158	49AA	95 & 96
TAN Application	114A	216	49B	135
Foreign Remittance Certificate by Assessee and Chartered Accountant	37BB	220	15CA & 15CB	145 & 146
Form for availing DTAA benefit, TRC Application and TRC Certificate	21AB	75	10F, 10FA & 10FB	41, 42 & 43
Lower/No Deduction of TDS for non-resident	29B	209	15C, 15D	126
Determination of taxable income for non-resident	29BA	214	15E	129
Tax Clearance Certificate and NOC for expatriates	42 to 44	227 to 229	30A, 30B, 30C, 31,33	154 to 159

Comparison of Important Rules & Forms

Nature of Form	ITR 1962 Rule No	ITR 2026 Rule No	ITR 1962 Form No	ITR 2026 Form No
Lower/No Deduction of TDS u/s 197	28/28AA/28AB/29/37G/37H	213	13	128
Declaration for receipt of income without deduction of TDS	29C	211	15G & 15H	121
TDS Certificate- payment towards salary	31	215	16	130
TDS Certificate- other than salary	31		16A	131
TDS Certificate- payment of rent, immovable property, virtual digital assets etc.	31		16B, 16C & 16D	132
TCS Certificate	37D		27D	133
Annual Information Statement	114-I	245	26AS	135
Form for filing of appeal to CIT(Appeals)	45	167	35	99
Form for filing of appeal to ITAT and Cross objection before ITAT	47	193	36 & 36A	115 & 116
Declaration for not having PAN	114B	159	60	97
Application for Trust Registration and renewal application	11AA/17A/5CA	181	10A & 10AB	104 & 105
Filing of application for immunity from penalty	129	231	68	161
Application for claiming TDS credit in a different year	134	178	71	102
Declaration for obtaining goods without payment of TCS	37C	212	27C	127

TDS - TCS Statements

- » Changes in rules related to TDS-TCS Statements
 - » Separate Rules for TDS (Rule 31A)- TCS (Rule 31AA) Statements now merged into one Rule 219
 - » Due date for filing TCS Statements now aligned with TDS Return
 - » For first 3 quarters of Tax Year – Last day of month after end of the quarter
 - » For last quarter of Tax year – 31st May of next year
 - » Rule 33 under ITR 1962 for TDS statement by superannuation fund is also merged in Rule 219
 - » New Rule 208 - Declaration for deduction of TDS on pension & interest income of specified senior citizen which was earlier in Rule 31A
 - » Furnishing of TDS / TCS Statement in Paper Form or through NSDL in Form 27A has been removed
 - » Now Rule 332 – Either through DSC or EVC
 - » Correction TDS / TCS Statements for FY 18 -19(Q4) to FY 23-24(Q3) allowed up to 31.03.2026
 - » Under New Act, Correction Statements allowed up to 2 years from of Tax year

- » Rule 31A under ITR 1962 required to report transactions on which TDS not made for following reasons
 - › Non- deduction of TDS on Payment to Contractors basis declaration u/s 194C(6)
 - › Non deduction of Tax in view of Form 15G / 15H submitted u/s 197A(1C)/(1A)
 - › Non deduction of Tax in view of exemption notification u/s 197A(1F)
 - › Non deduction of Tax by Off-shore banking Unit u/s 197(1D)
 - › Non deduction of tax for persons who are exempt u/s 10 and notified in CBDT Circulars like No 18 of 2017 etc.
 - › Many others given in Rule 31A(4)
 - › Similar reporting for Non applicability of TCS for transactions prescribed under Rule 31AA(4)

- » Though New Rule 219 does not specifically prescribe any of above transactions to be furnished in TDS Statements, however Form 140 (26Q) / 143 (27EQ) requires to report such transactions and there is inconsistency between Rules and Forms.

TDS - TCS Statements

» Further following form under ITR 1962 is combined under ITR 2026

Applicability of Form	ITR 1962	ITR 2026
Statement cum Challan for Purchase of immovable property	26QB	141
Statement cum Challan for transaction of transaction of rent payment by individual & HUF,	26QC	
Statement cum Challan for transaction of Payment to Contractors by Individual or HUF exceeds 50 lacs	26QD	
Single TDS Statement cum Challan for transaction of TDS on virtual digital assets	26QE	

- » Overview of New TDS Statements - TCS Statement Forms
 - » Divided into two parts i.e. Part-A and Part -B
 - » Form 138 – TDS Statement for Salary Payment
 - » Part A – Basic Details of deductor and person responsible for paying taxes
 - » Part B – Details of TDS deposited
 - » Annexure 1- Quarterly TDS details (Employee wise and date wise)
 - » Annexure 2 – Salary break up for full year –head wise and computation of tax liability
 - » Annexure 3 – Details of pension and interest income paid to specified senior citizen
 - » Form 140 / 144 / 143
 - » Part A – Basic Details of deductor and person responsible for paying taxes
 - » Part B - Details of TDS / TCS deposited
 - » Annexure – Quarterly TDS / TCS details (Vendor wise and date wise)
- » Structure of Forms under ITR 1962 and New Forms under ITR 2026 are more or less same

- » Overview of New TDS Statements - TCS Statement Forms (Continued...)
 - » Reporting of total tax deducted/collected amount instead of separate amount of tax, surcharge, cess
 - » PAN of authorised signatory is mandatory
 - » Reference of challan Sr. No. only instead of entire challan details against deductee details
 - » Removal of alternate contact number and e-mail id under Deductor/Collector details
- » Form Specific Changes - Form 138 (24Q) - Annexure II - salary paid or credited during tax year
 - » Corrected error of common column for Joining date and end date of employment
 - » Removal of Deduction of entertainment allowance - Not allowed under ITA 2025
 - » Income under other head of Income
 - › Separate Reporting Column Loss under House Property
 - › Now any other head of income (including house property) to be reported instead of other source
 - » Reporting of deduction u/s 80C, 80CCC, 80CCD(1) into single column - Deduction u/s 123
 - » Allowing relief in respect of payment of arrears etc. u/s 157 (89A) - Acknowledgement number of Form 39 is mandatory

TDS - TCS Statements

- » Form Specific Changes - Form 138 (24Q) - Annexure III - Details of pension and interest income to specified senior citizen
 - » Reporting of PAN is mandatory instead of earlier PAN or Aadhar
 - » Reporting of separate deduction u/s 80C, 80CCC, 80CCD(1) into single column- Deduction u/s 123
 - » Reporting of Deductee Type “1” for age less than 80 years or “2” for more than 80 years
- » Form Specific Changes - Form Form 140 (26Q) - Annexure - Deductee/Payee wise break up of TDS
 - » Removal of deductee reference number
 - » Removal of deductee code (01- Company, 02-other than company)
 - » Removal of reference of TDS u/s 194N - Non-filer of ITR
 - » Unique Identification Number of Form 121 (15G/15H)- Mandatory for Declaration of no deduction of TDS

- » Form Specific Changes - Form 144 (27Q) - Annexure - Deductee/Payee wise break up of TDS
 - » Removal of deductee reference number
 - » Replacement of Status with Deductee Code (01 - Company, 02- Individual etc.)
 - » Removal of reference of TDS u/s 194N - non-filer of ITR
 - » Separate column for Grossing up of amount - “Yes” or “No” to select
- » Form Specific Changes - TCS Return Form 143 (27EQ) - Annexure Party wise break up of TCS
 - » Removal of collectee reference number
 - » Removal of column - total value of transaction
 - » Mandatory requirement to obtain permanent establishment declaration in case of Non-resident
 - » Referencing Error - Under challan Sr. No. reference of column A of Sr. No. I of Part B instead of Sr. No. 1 of Part B

TAN Application Form

- » TAN Application Form Structure
 - » Divided in two category
 - » Form 134- Government entity
 - » Form 135 – Other than Government entity
 - » Changes in existing rules
 - » One month has been replaced with 30 days for filing of application from deduction/collection of tax
 - » Government entity defined as entity of Central, State, local authority (Central/State)

TAN Application Form

» Changes in TAN Form 134 – Government Entity

- » Separate Form - Category - Central, State, Local Authority (Central, State)
- » Dividend in two parts – Part – A & Part – B
- » Require to mention Account Office Name and Accounts Office Identification Number

» Changes in TAN Form 135 – Non-Government Entity

- » Dividend in two parts – Part – I & Part – II
- » To mention Registration Number – Other than Individual
- » Removal of Government Entity details – As separate form notified
- » Authorised Person - PAN and contact number also required
- » Removal of Tax Deduction/Collection Number from existing form
- » Proof of date of birth/incorporation is mandatory

Application for Lower/Non-Deduction of TDS

- » Following different category of Rules under ITR 1962 now consolidated in one common Rule 213 in ITR 2026
 - » Rule 28 – Application seeking certificate of lower / nil deduction of tax
 - » Rule 28AA – Issue of certificate of lower / nil deduction of tax and AO’s power & duties
 - » Rule 28AB – Issue of certificate of Nil deduction of tax in case of Charitable Trusts / NPO and other entities
 - » Rule 29 – Issue of certificate of lower or Nil deduction of tax in case of dividend
 - » Rule 37G – Application seeking collection of tax at lower / nil rate
 - » Rule 37H – Issue of Certificate of lower / nil collection of tax and AO’s power & duties
- » Now application can be filed for all types of payment where TDS provisions apply
 - » Earlier application was permitted only for specified payments, now, interestingly application can also be filed following payments:
 - » Payment for purchase of immovable property, Payment of rent by certain individuals or HUF, Payment of interest on ECBs & Bonds to non-resident covered by erstwhile section 194LC, Payment in nature of perquisite / benefits as covered under erstwhile section 194R, Payment to partner of firms
- » In case where application is filed by NPOs / Charitable trust etc, earlier it was required that trust has furnished ROI for all earlier years before due date, now it has been provided to fulfil same for last 4 years only

Application for Lower/Non-Deduction of TDS

» Changes in Form 128 vis-à-vis Form 13

» Last 4 years tax returns details now mandatory which includes:

- › Acknowledgement Number
- › Date of filing
- › Taxable Income
- › Tax Liability

» If return not filed since due date yet not expired, merely computation of income to submit (in line with earlier requirement)

Non-deduction of tax basis Declaration

- » Forms applicable to avoid TDS on income like Interest, rent, commission, dividend etc. earned by person other company & firm where income does not exceed basic exemption limit
- » No Substantial Change in Rule 211 vis-à-vis 29C
- » Form 15G / 15H now integrated in single Form 121
- » Part I and Part II in Form 15G/15H is now Part A & Part B in Form 121
- » New Requirement added
 - » Last two years ITR Acknowledgement number with details of income
 - » Specific declaration for person subject to penalty / prosecution if statement is false is now part of Form itself
- » Removal of requirement
 - » Declaration required as to details of year in which recipient was last assessed to tax
 - » PAN is now mandatory, Aadhar no longer a valid to file Form 121

TDS/TCS Certificates

» Certificate of Tax deducted at source / Tax Collected at Source

ITR 2026	ITR 1962	Description
130	16	Certificate of TDS on Salary
131	16A	Certificate of TDS on other payments
132	16B	Certificate of TDS on purchase of immovable property
132	16C	Certificate of TDS on Payment of Rent by Individuals
132	16D	Certificate of TDS on Certain Contractual Payments by Individuals
133	27D	Certificate of Tax Collected at Source

» No Changes in Rule 215 vis-à-vis 31 & 37D

» Common Changes in Form 130 / 131 / 132 / 133 vis-à-vis Form 16/16A/16B/16C/16D / 27D

- » Average rate of deduction of tax for each quarter to be furnished
- » Option to use Aadhar in place of PAN is removed
- » Jurisdiction details of deductor removed
- » Deductee reference number / Employee reference number requirement removed

TDS/TCS Certificates

- » Form 130 is now divided in three parts
 - › Part A – Basic details of employer & employee
 - › Part B – Quarter wise Details of tax deducted and tax payment made
 - › Part C – Annexure I- Computation of income and tax liability
 - › Part C – Annexure II – Computation of income and tax liability for specified Senior Citizen

Application for claiming TDS Credit in different financial year

- » No changes in Rule 178 vis-à-vis Rule 134
- » Changes in Form 102 vis-à-vis Form 71
 - » Form 71 allows taxpayer to file application seeking credit of TDS in following circumstances, however, New Form 102 does not allow the same
 - › Claim of TDS by legal heir of deceased person
 - › Claim of TDS by Successor entity for predecessor entity which is no longer in existence due to
 - › Amalgamation & merger
 - › Conversion from one form of entity to another
 - » Mandatory to furnish PAN, option to provide Aadhar Number instead of PAN deleted

Declaration for purchase of certain goods without payment of TCS

- » Provision of the Act allow buyer of scrap to avoid TCS if same is used in manufacturing etc basis declaration
- » No changes in Rule 212 vis-à-vis Rule 37C
- » Changes in Form 127 vis-à-vis Form 27C
 - » Consolidated declaration is now allowed
 - » Specific filed is now introduced - Estimated amount of payment for which declaration is made for no TCS
 - » However, Form continue its requirement to furnish date of debit / receipt
 - » How future date of debit / receipt to be furnished?
 - » Mandatory to furnish PAN, option to provide Aadhar Number instead of PAN deleted
 - » Nature of buyer i.e. Individual, company, firm etc seems inadvertently deleted
 - » Requirement to furnish details of Jurisdictional AO deleted
 - » PAN of buyer and Seller mandatory in declaration part of Form 127

Certificate of foreign remittance

- » No substantial changes in Rule 220 vis-à-vis Rule 37BB
- » Changes in Form 146 vis-à-vis Form 15CB
 - » Newly Added fields
 - › Residential Status of Remitter (R/NOR/NR) now need to be mentioned
 - › TAN, Email ID & Contact details of Remitter & Remittee
 - › TIN of Remittee now mandatory, if not available, any Unique Identification number
 - › Principal Place of Business of Remittee
 - › IFSC Code to be mentioned over & above BSR Code
 - › Country Code and Number
 - » Reporting of Authorised dealer if different then remittee's bank along with its ITDREIN

Certificate of foreign remittance

- » Changes in Form 146 vis-à-vis Form 15CB (Continued.....)
 - » Rate of TDS to be mentioned separately for taxability under the Act
 - » If DTAA benefits are claimed and quoting of TRC number is required
 - » If DTAA benefits are claimed for Capital gain income, below details now added for certification
 - › Separate Computation of Long term and short term capital gain
 - › Date of sale & purchase
 - › Consideration, cost of acquisition and cost of improvement and net gain
 - › Rate of TDS as per DTAA

Certificate of foreign remittance

- » Changes in Form 145 vis-à-vis Form 15CA
 - » Broad Classification in Part A, Part B, Part C and Part D remains same
 - » TIN of Remittee now mandatory, if not available, any Unique Identification number
 - » Field added - Country of residence and address of country of residence
 - › Earlier it was option in Part D and absent in Part A, B and C
 - » Now clarified that aggregate amount of remittance to be made should mentioned before TDS
 - » Country Code, IFSC Code and ITDREIN of authorised dealer if remittee's bank is different, now need to be specified
 - » In Part B -Particulars of certificate issued by AO – fields added for Rate of TDS and amount on which TDS to be applied
 - » In Part C – Changes are mirrored from Form 146 (discussed in earlier slide)
 - » However, Part C of Form 145 will not capture detailed working of capital gain in case of DTAA benefit like Form 146

Form for availing DTAA benefits & TRC Application and Certificate

- » Changes in Rule 75 vis-à-vis Rule 21AB
 - » Form 10F is now Form 41 – Self Certification to be filed electronically to claim Treaty benefit by NR
 - › Relaxation as to furnishing of Form 41(10F) where TRC contains all necessary details is now done away with
 - › i.e. Now Form 41 is mandatory to claim DTAA benefits irrespective of details in TRC
 - » Form 10FA is now Form 42 – Application by Resident in India seeking TRC from Indian tax authority
 - » Form 10FB is now Form 43 – Certificate of tax residency by Indian tax authority
- » Changes in Form 41 vis-à-vis Form 10F
 - » For Individual – Earlier form required nationality, new form requires country of residence
 - » Communication address in India now need to be mentioned
 - » TRC copy to be attached now becomes mandatory and part of form
 - » Tax Year under ITA 2025 to be specifically mentioned over & above period for which TRC is applicable

Form for availing DTAA benefits & TRC Application and Certificate

- » Changes in Form 42 vis-à-vis Form 10FA
 - » All Address of application during period for which TRC is sought requires to be provided along with
 - › Date wise period
 - › Number of days
 - » Form now specifically requires to submit proof of residency
 - › Passport copies
 - › Document of incorporation
 - › Proof of stay in India
- » Changes in Form 43 vis-à-vis Form 10FB
 - » New form will not certify the status of applicant whether company, firm, LLP etc.

Application for receipt of sum without deduction of tax

- » Certificate pursuant to Application entitles branches of foreign Banking Company / foreign insurance company and other foreign company in India to received certain sums without deduction of tax on fulfilment of certain conditions
- » Changes in Rules 209 vis-à-vis Rule 29B
 - » New Condition added for foreign banking company or foreign insurer - interest or other sum is receivable by the branches on their own account and not on behalf of its head office or any branch situated outside India, or any other person
 - » Condition of requirement of mandatory filing of tax return of all years as on date of filing application now relaxed to previous 5 years immediately the date on which application is made
- » No Substantial changes in Form 126 vis-à-vis Form 15C / 15D except consolidation of Form 15C and 15D into common Form 126 having Part A for Foreign banking company and foreign insurer and Part B for other foreign company having branch in India

Application for Certificate determining sum payable to NR for TDS purpose

- » Application is made by payer of income to non-resident for determining appropriate sum on which TDS is required to be made u/s 393(2) (195).
- » Change in Rule 214 vis-à-vis Rule 29BA
 - » AO now required to consider prepaid taxes (i.e. advance tax, TDS etc) till date of issuance of certificate instead of till date of application for determining TDS to be made on subject payment
- » Changes in Form 129 vs Form 15E
 - » Non critical information like date of birth / date of incorporation, Jurisdictional AO details Passport No etc have been eliminated in New Form
 - » New Form requires specific mention of section under which payment is subject to tax or relevant article of DTAA
 - » Requirement to provide income wise justification as to taxability of sum under provisions of the Act is now done away with
 - » If payment is considered not taxable either under Act or DTAA. a separate note is to be attached separately
 - » For payment in nature of Royalty, form prescribes various nature of arrangement and the applicant requires to classify payment in one of them
 - » For FTS Payment, payment need to be classified either as managerial services, technical services or consultancy services

Application for Certificate determining sum payable to NR for TDS purpose

- » Changes in Form 129 vs Form 15E (Continued.....)
 - » New form requires specific declaration as to whether royalty attributable to PE in India If any
 - » New form requires declaration as to recipient of FTS / interest being beneficial owner or not?
 - » New Form requires specific declaration as to whether FTS/ interest attributable to PE in India If any
 - » Specific disclosure for any reliance on 'Make available' Clause for FTC & its inclusion in DTAA through 'Most Favoured nation' now officially part of form
 - » Form requires declaration as to whether notification by government is issued where MFN clause is invoked to read 'make available' for purpose of DTAA as applicable to recipient
 - » Specific justification require if 'Make available' clause is invoked and if not, why not FTS?
 - » For FTS Payment, payment need to be classified either as managerial services, technical services or consultancy services
 - » Attachment to Forms
 - » Newly Added – Note on business connection in India
 - » Detailed note on how the amount chargeable to tax (out of total amount of payment) has been determined along with its working and supporting documents,

Tax Clearance Certificate and No Objection Certificate for Expatriates

» No Substantial Changes in Rule 227 to 229 vis-à-vis 42 to 44

ITR 1962	Nature	ITR 2026	Nature
30A	Undertaking by employer/other payer to discharge tax of non-domiciled person leaving India	154	Undertaking to be furnished under section 420(1) (employer/payer responsibility)
30B	No Objection Certificate (NOC) issued for non-domiciled person	155	NOC for person not domiciled in India under section 420(1) (with detailed passport details with date of issue and expiry)
30C	Details to be furnished by a person domiciled in India before departure	156	Form for furnishing details under section 420(3) (domiciled person particulars)
		157	Form for furnishing details under section 420(4) (domiciled person particulars w/o PAN)
31	Application for tax-clearance certificate by domiciled person in flagged cases	158	Application for Certificate under section 420(5)
33	Clearance certificate issued by AO under first proviso to section 230(1A)	159	Clearance Certificate under section 420(5) (with detailed passport details with date of issue and expiry)

PAN Application

» Change in PAN Application Form Structure

» Existing under ITR 1962

- » 49A – Indian Citizen, Indian Company / entities incorporated in India / Unincorporated entities in India
- » 49AA – Individual not citizen of India / foreign company / entities incorporated outside India / Unincorporated entities outside India

» New ITR 2026

- » Form 93 – Individual being Citizen of India - Divided into Part - A to Part - F
- » Form 94 – Indian Company / entities incorporated in India / Unincorporated entities in India - Divided into Part A to Part - D
- » Form 95 – Individual not citizen of India - Divided into Part - A to Part - G
- » Form 96 – Foreign Company / entities incorporated outside India / Unincorporated entities outside India Divided into Part - A to Part - E

PAN Application

- » Changes in existing rules
 - » Fees of Rs. 1000 - failure to intimate Aadhar Number by 30.06.2023 instead of two separate fees
 - » Removal of Rule – Allotment of PAN on the basis of Aadhar Enrolment ID
 - » PAN Correction Application – Forms and format shall be specified by DGIT (Systems)
 - » Yet to be notified

PAN Application

- » Changes in PAN Form – Indian Resident
 - » Residential Status (Resident, Non-Resident, RNOR) now mandatory
- » Changes in PAN Form – Non-Resident
 - » Citizen Type (Foreigner, Person of Indian Origin, Overseas citizen) now mandatory
 - » Documentary Proof of date of birth also required now
 - » Removal of KYC details of Foreign Institutional Investor or Qualified Foreign Investor
- » Common changes to PAN Form has been covered in subsequent slide.

PAN Application

Particulars	Description
General	<ul style="list-style-type: none">▪ Increase in photograph size – 4.5 cm x 3.5 cm▪ Signature at two places – Removal of signature below photograph▪ Removal of reference addressing to Assessing Officer
Personal Information	<ul style="list-style-type: none">▪ Removal of title (Shri, Smt., Kumari, M/s) before full name▪ Removal of abbreviation of name on PAN Card▪ Removal from mentioning any other name if know by▪ Passport number mandatory – if Non-Resident or RNOR▪ Tax Identification Number – country of Residence
Representative Details	<ul style="list-style-type: none">▪ Requirement to mention PAN or Aadhar is mandatory now▪ To mention Aadhar number if PAN is not available▪ Contact details (mobile number, e-mail id) is mandatory▪ Tax Identification Number – country of Residence
Communication Address	<ul style="list-style-type: none">▪ Representative Assessee – Address added
Verification & Declaration	<ul style="list-style-type: none">▪ Declaration for not possessing PAN▪ Name and designation of signing person

PAN Application

Category of applicants	Changes in Documents Required
Individual - Citizen of India	<ul style="list-style-type: none"> Proof of Identity - Added - Transgender Identity card/certificate under transgender persons Act, 2019 Proof of DOB - Birth Certificate is mandatory - Born on or after 1.10.2023, Removal of Aadhar Card
HUF	<ul style="list-style-type: none"> Original Affidavit of Karta in place of affidavit Affidavit to include PAN and Aadhar of all the coparceners Affidavit by notary public or oath commissioner or judicial magistrate
LLP	<ul style="list-style-type: none"> Category of LLP separate from firm LLP Identification Number is mandatory
Local Authority or AJP	<ul style="list-style-type: none"> Category separated from AOP or BOI Proof of Identity and Address - only document originating from Central or State Government
Person on behalf of Government (Central or State) or Union Territory	<ul style="list-style-type: none"> New category separately added Document Proof - Certificate from Head of the Department/Pay and Accounts Officer/Zonal Accounts Officer/District Treasury Officer/ Cheque Drawing and Disbursing Officer
Individual - Not being a citizen of India	<ul style="list-style-type: none"> Mandatory to provide proof of date of birth

Trust Application/ Renewal Form

- » Change in Rule 181 vis-à-vis Rule 11AA, 17A & 5CA
 - » Application for provisional registration (i.e. New NPO where activities have not commenced) to be made in Form 104
 - » To be processed by CPC – auto approval
 - » Application for renewal of registration / post commencement of activities / modification of object clause etc – Form 105
 - » To be processed by Jurisdictional CIT(E)
 - » Option to surrender the registration has been introduced if no exemption has ever claimed
 - » Option to *withdraw the application* now allowed if request made in 7 days post filing
 - » One time option to re-apply is now allowed where earlier application rejected for procedural reasons subject to no appeal against old rejection order
 - » Request for correction of application now allowed for error in selection of section code or nature of activity code

Trust Application/ Renewal Form

- » Changes in Form 104 vis-à-vis Form 10A (Application seeking Provisional Registration)
 - » Form now clearly requires Religious activity if any, must be provided at public at large
 - › Option to select Religious as one of the charitable object is now deleted
 - » If one of the object is advancement of other objects of General Public Utility, applicant need to specify such purpose categorically
 - » Modification in Form for provisional registration or approval
 - » Requirement to report registration with SEBI Act and any other law has been added
 - » Details of natural persons who are beneficial owners (5% or more) to be furnished if trustee etc are person other than individual
 - » Requirement as to reporting of expenditure on religious activities now required when it exceeds 5% of total income in any year
 - » Requirements deleted
 - › Past three years income data
 - › Details of assets and liabilities of applicant as on date of application

Trust Application/ Renewal Form

- » Changes in Form 105 vis-à-vis Form 10AB
 - » Nature of application being (i) Re-application (since new rule allow to re-apply for application earlier rejected for procedural reasons) (ii) Application with delay, along with details of condonation of delay (iii) Application without delay
 - » If one of the object is advancement of other objects of General Public Utility, applicant need to specify such purpose categorically
 - » Form now clearly requires Religious activity if any, must be provided at public at large
 - » Option to select Religious as one of the charitable object is now deleted
 - » Additional document requirement introduced:
 - » Trust deed
 - » Order passed If delay in application has been condoned.
 - » Letter before appellate forum for withdrawal of appeal, in case of re-application.
 - » Cause of delay in filling application, if any & Cause of delay in filling re-application, if any.
 - » Requirement to report registration with SEBI Act and any other law has been added
 - » Disclosure if separate books of account maintained where one of the object is "advancement of any other object of general public utility"
 - » Disclosure of total income without considering exemption for past two years,

Trust Application/ Renewal Form

- » Reporting requirement deleted in new form
 - › Disclosure of business undertaking as "property held under trust"
 - › Reporting of any income in the nature of profits and gains of business
 - › Reporting of claiming exemption under clause 21 of section 10 of the ITA 1961

Form for filing appeal to CIT(Appeals)

- » Important Changes in Rule 167 vis-à-vis Rule 45
 - » Changes related to allow filing of appeal even in case of Block Assessment u/s 294
- » Important Changes in Form 99 vis-à-vis Form 35
 - » Ground wise details of additional documentary evidence to be submitted
 - » Need to upload copy of Appellate order for ground already decided
 - » Amount involved against each ground of appeal, need to be quantified and mentioned specifically
 - » Due date of filing of appeal to be mentioned specifically
 - » Details of Form 117 along with copy (erstwhile Form 8) for pending identical question of law either before HC or SC to be furnished
 - » SOF and Justification for condonation of delay in filing appeal to be uploaded separately rather than describing in form itself

Form for filing appeal to CIT(Appeals)

- » Important Changes in Form 99 vis-à-vis Form 35 (Continued...)
 - » Form does not allow to select section (either 356 or 357) under appeal is preferred
 - » Changes related to allow filing of appeal even in case of Block Assessment u/s 294
 - » Separate information to furnish if appeal pertains to TCS / TDS demand
 - » Pending appeal details will be auto captured
 - » Basic details of taxpayer including, details of return of income filed such Acknowledgement number, date of filing, total income, total taxes etc to be auto populated by form
 - » With regard to details of underlying return of Income, now details of total income to be provided along with tax paid details

Form for filing ITAT Appeal

- » No change in rule except simplification of language
- » Important Changes in Form 115 vis-à-vis Form 36
 - » Due date of filing of appeal to be mentioned specifically
 - » Changes related to allow filing of appeal even in case of Block Assessment u/s 294
 - » Separate information to furnish if appeal pertains to TCS / TDS demand
 - » Separate disclosure for (i) Amount of addition / disallowance of loss disputed in assessment and (ii) Amount of addition / disallowance of loss disputed **in appeal**
 - » Now Amount of disputed demand also needs to be disclosed

Form for filing Cross Objections before ITAT

- » No change in rule except simplification of language
- » Important Changes in Form 116 vis-à-vis Form 36A
 - » Due date of filing of objections to be mentioned specifically
 - » Changes related to allow filing of objections even in case of Block Assessment u/s 294
 - » Separate information to furnish if objections pertains to TCS / TDS demand
 - » Separate disclosure for (i) Amount of addition / disallowance of loss disputed in assessment and (ii) Amount of addition / disallowance of loss disputed **in appeal**
 - » Now Amount of disputed demand also needs to be disclosed

Quoting of PAN and Declaration in lieu of PAN

- » Change in Rule 159 vis-à-vis Rule 114B – Rule requires mandatory quoting PAN in case of specified transactions
 - » New Transaction added for Quoting of PAN
 - › Cash Withdrawal from Banks – Aggregating Rs; 10 lacs or more in FY from one or more bank accounts
 - » Modification in Existing Transactions prescribed for quoting of PAN
 - › Only in Credit Card Application with Bank, Debit card application removed
 - › Cash Deposit – Limited enhanced from Rs. 50K in a day to Rs. 10 lacs in FY from one or more bank accounts
 - › Purchase of vehicles now include two wheelers and threshold introduced of Rs. 5 lacs
 - › Vehicle not to include tractor
 - › JDA and Gift of immovable property now included along with Sale and purchase of immovable property
 - › Threshold revised from Rs. 10 lacs to Rs. 20 lacs
 - › All types of insurance transactions to be reported instead of mere life insurance premium transaction
 - › Payment to Convention Centre, Banquet hall, Event manager now covered over & above payment to hotels and restaurants, threshold revised from Rs. 50K to Rs 1 lac

Quoting of PAN and Declaration in lieu of PAN

- » Modification in Existing Transactions prescribed for quoting of PAN (Continued.....)
 - › Only in Credit Card Application with Bank, Debit card application removed
- » Transaction deleted from requirement of quoting of PAN
 - › Payment in connection with travel to any foreign country or
 - › Payment for purchase of any foreign currency
 - › Purchase of bank drafts or pay orders or banker's cheques
 - › Payment for one or more pre-paid payment instruments from Banks

Quoting of PAN and Declaration in lieu of PAN

- » Changes in Form 97 vis-à-vis Form 60
 - » The New Form No. 97 has been divided into six parts as below
 - › Part A: Nature of Transaction
 - › Part B: Declaration
 - › Part C: Identity and Address details
 - › Part D: Details of the Transaction
 - › Part E: Documents submitted as proof
 - › Part F: Verification
 - » Proof of date of birth mandatory over & above proof of identity and proof of address
 - » Acknowledgement as to false certification liable for consequences under IT Act is added
 - » Declarant status Individual/ HUF/AOP/BOI/AJP/ Government body/Trust/ Local authority/ foreign company specifically added
 - » Nature of transaction with few other details and mode of transaction now specifically to be mentioned
 - » Details of Estimated total income now need not to be furnished

Thank You

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