**No Permanent Establishment and Beneficial Ownership Declaration**

Date : -

**To Whomsoever it may concern**

We, **<vendor name>**, hereby confirm the following:

1. We are a ***<insert legal entity status>*** having registered address at ***<insert registered address>***.
2. We are registered with Securities and Exchange Board of India (SEBI) as a Category I Foreign Portfolio Investor (FPI) [if applicable)

1. The Tax Identification Number / Unique Identification Number as issued by the Government of ***<name of the country>*** is **\_\_\_\_\_\_\_\_\_\_\_\_\_\_**
2. We are tax resident of ***<name of the country>*** in accordance with the provisions of Article 4 of the Double Taxation Avoidance Agreement between India and ***<insert country>*** (“treaty”). The Tax Residency Certificate issued by \_\_\_\_\_\_ is attached herewith. We further confirm that we are entitled to claim the benefits of the treaty between the two countries, taking into consideration the Multilateral Instrument (‘MLI’) signed by both the countries, including, but not limited to, satisfaction of the “Principal Purpose Test” provided in such MLI.
3. We are the owner of all Indian securities acquired by **<vendor name>** and that any interest income/ dividend income arising to <**vendor name>** in respect of the above Indian securities is beneficially owned by <**vendor name**>
4. We hereby confirm that we do/ will not have a place of effective management, during the period 1 April 2023 to 31 March 2024, in India and none of the key management and commercial decisions for the conduct of business in substance are/ will be made in India.
5. **<vendor name**> does not have a permanent establishment in India as defined under Article 5 of the treaty.
6. The affairs of <**vendor name**> in relation to its investment in Indian securities are not arranged with the main purpose of obtaining a tax benefit and these do not/ are not:

* create right, or obligation, which are not ordinary created between persons dealing at arm’s length; or
* result, directly or indirectly, in the misuse, or abuse, of the provision of the Income-tax Act, 1961 (Act); or
* lack commercial substances or is deemed to lack commercial substance under section 97 of the Act, in whole or in part; or
* entered into, or carried out, by means or in a manner which are not ordinarily employed for bona-fide purposes.

1. <**vendor name>** is provided with a tax residence certificate [date], [reference number] issued by the Revenue Authority of **<name of the country**> (the TRC) confirming that <**vendor name>** is tax resident in <**name of the country**> . We confirm that the certificate is valid during the [period]. We have enclosed the TRC as Annexure 1.
2. Further, Section 90(5) of the Act (introduced by the Finance Act, 2013) provides that an assessee to whom a DTAA applies shall provide such other documents and information, as may be prescribed. We understand that where the required information is not explicitly mentioned in the TRC, we shall be required to furnish a self- declaration in Form No 10F and keep and maintain such documents as are necessary to substantiate the information provided. In this regard, we have enclosed Form 10F as Annexure 2.
3. Our e-mail id \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and contact number is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ respectively.

We hereby certify that declarations made above are true and *bona fide*. In case of any change in the declaration on any of the above aspects, we undertake to promptly intimate you of the said event.

We also undertake to provide all additional documents/ information, as may be prescribed / required by the Indian Revenue authorities, in order to substantiate any of the above aspects.

Any liability (including tax, interest and penalty) arising on account of misrepresentation of any of the above aspects by us, including denial of tax treaty benefit (read with MLI) to us, would be indemnified by us.

Yours sincerely,

For ***<Vendor Name>***

Authorised Signatory

Name : << Name of person signing declaration>>

Designation :