

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART-II,
SECTION 3, SUB-SECTION (ii)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)
(CENTRAL BOARD OF DIRECT TAXES)

NOTIFICATION

New Delhi, the 24th June, 2015

INCOME-TAX

S.O. 1683(E).— In exercise of the powers conferred by section 295 read with sub-clause (viii) of *Explanation* to sub-section (2) of section 288 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 (Ninth Amendment) Rules, 2015.
(2) They shall come into force on the date of its publication in the Official Gazette.

2. In the Income-tax Rules, 1962, after rule 51, the following rule shall be inserted, namely:-

“51A. Nature of business relationship.— For the purposes of sub-clause (viii) of *Explanation* below sub-section (2) of section 288, the term “business relationship” shall be construed as any transaction entered into for a commercial purpose, other than, –

- (i) commercial transactions which are in the nature of professional services permitted to be rendered by an auditor or audit firm under the Act and the Chartered Accountants Act, 1949 (38 of 1949) and the rules or the regulations made under those Acts;
- (ii) commercial transactions which are in the ordinary course of business of the company at arm’s length price – like sale of products or services to the auditor, as customer, in the ordinary course of business, by companies engaged in the business of telecommunications, airlines, hospitals, hotels and such other similar businesses.”

[Notification No. 50/2015, F.No.142/9/2015-TPL]

(RAJESH KUMAR BHOOT)
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Note.— *The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (ii) vide notification No. S.O. 969(E), dated the 26th March, 1962 and last amended vide notification No. S.O. 1660(E), dated 22/06/2015.*