Notification No 163/ 2005, Dated: June 17, 2005

In exercise of the powers conferred by 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. (1) These rules may be called the **Income-tax (14th Amendment) Rules, 2005.**

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

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

   (a) in Part VI, after rule 29C, the following rule shall be inserted, namely:-

   "29D. (1) The declaration under the second proviso to clause(i) of sub-section (3) of section 194C by a sub-contractor shall be in Form No.15-I and shall be verified in the manner indicated therein by such sub-contractor.

   (2) The declaration referred to in sub-rule (1) may be furnished to the contractor responsible for paying or crediting any sum to the account of the sub-contractor before the event of such sum being credited or paid to such sub-contactor.

   (3) The particulars under the third proviso to clause (i) of sub-section (3) of section 194C to be furnished by a contractor responsible for paying any sum to such sub-contractor shall be in Form No. 15J.

   (4) The particulars referred to in sub-rule (3) shall be furnished,-

   (i) to the Commissioner of Income-tax, so designated by the Chief Commissioner of Income-tax; within whose area of jurisdiction, the office of the contractor referred to in sub-rule (3) is situated:
   (ii) on or before the 30th June following the financial year."

   (b) in Appendix II, after Form No. 15H, the following forms shall be inserted, namely:-

"FORM NO.15-I
[See sub-rule (1) of rule 29D]

Declaration for non-deduction of tax at source to be furnished to contractor under the second proviso to clause (i) of sub-section (3) of section 194C by sub-contractor not owning more than two heavy goods carriages/trucks during the Financial Year _________.

1. Name of the individual (truck owner) : ....

2. Name of the father: ....

3. Permanent Account Number (PAN): ....
(wherever the truck owner has PAN)

4. Address : ....
....

5. If assessed to tax, Assessment Jurisdiction (Circle/Ward): ....

6. Particulars of the heavy goods carriages/trucks owned during the Financial Year are as under:

S. No.	Heavy goods carriage/truck Registration Number	Date of Registration
1.		
2.		

Verification

I, ..., son/daughter of Shri ....
solemnly declare that to the best of my knowledge and belief, the information given in this declaration is correct and complete and particulars shown therein are true.

Place ....
Date ....

....
(Signature)

FORM NO.15J
(See sub-rule (3) of rule 29D]

Particulars to be furnished by the Contractor under the third proviso to clause (i) of sub-section (3) of section 194C for the Financial Year ______________ (Assessment Year ______________)

1. Name of the person (contractor): ....

2. Tax Deduction and Collection Account Number (TAN): ....

3. Permanent Account Number (PAN): ....

4. Address : ....

5. Details of the declaration furnished under the second proviso to clause (i) of sub-section (3) of section 194C by the heavy goods carriage/truck owners:

S. No.	Name of the individual (heavy goods carriages/ trucks owner)	PAN (wherever the sub-contractor has quoted)	Address of the sub-contractor	Amount paid or credited during the year	Heavy goods carriage/truck Registration Number	Date of Registration
1.						
2.						
3.						

Verification

I, ..., hereby certify that all the particulars furnished above are correct and complete.

Place ....

Dale ....

Signature of the person responsible for crediting/paying any sum to the sub-contractor..."

Sd/-
(A Sreenivasa Rao)
Under Secretary to the Government of India

F.No.142/12/2005-TPL

Note. - The principal rules were published vide Notification No. S.O. 969(E) dated the 26th March, 1962 and last amended by Income-tax (13th Amendment) Rules, 2005 vide Notification S.O. No. 756(E) dated 01.06.2005.