

### Double Tax Avoidance Agreements

Sl. No.	Country DTAA between India and	Effective date in India	Tax rate on				Remarks
			Dividend (other than u/s. 115-O) (%)	Interest (%)	Royalties (%) See Note 4	Technical Service Fees (%) See Note 4	
1	Albania 355 ITR 80	01.04.2014 A. Y. 2015-16	10@	10@	10@	10@	Agreement between Republic of India and Republic of Albania was notified by way of Press Release dated 8 July 2013.
2	Armenia 271 ITR 72	01.04.2005 A. Y. 2006-07	10@	10@	10@	10@	Interest derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division or a local authority; or (b) RBI and the Central Bank of Armenia or any other institutions as may be agreed upon. For Limitation Of Benefits ('LOB') Clause – Refer Note 6.
3	Australia 194 ITR 241 Modified via Protocol 358 ITR 15	01.04.1992 A.Y. 1993-94	15 @	15 @	[See Note 2]	[See Note 2]	Protocol amends Article 3 (Definitions), Article 5 (Permanent Establishment), Article 7 (Business

							Profits), Article 24A (Non-Discrimination), Article 26 (Exchange of Information) and Article 26A (Assistance in collection of Taxes).
4	Austria 251 ITR 97	01.04.2002 A.Y. 2003-04	10 @	10 @	10 @	10 @	—
5	Bangladesh 198 ITR 99 Modified via Protocol 355 ITR 97	01.04.1992 A.Y. 1993-94	10 @ 15 @	10 @	10 @	No separate provision	10% tax on dividends if at least 10% of the capital is owned by Company; in other cases 15%. Protocol amends Article 21 (Students) and Article 28 (Exchange of Information).
6	Belarus 233 ITR 4	01.04.1999 A.Y. 2000-2001	10 @ 15 @	10 @	15 @	15 @	10% tax on dividends if at least 25% of the capital is directly and beneficially owned by a company; in other cases 15%.
7	Belgium 228 ITR 79 247 ITR 39	01.04.1998 A.Y. 1999-2000	15 @	15 @ 10 @	10 @	10 @	10% tax on interest if loan granted by bank, other cases 15%. 10% tax on royalties and technical services fees w.e.f. 1.4.1998. Modification also restricts scope of royalties.
8	Botswana 302 ITR 277	01.04.2009 A.Y. 2010-11	7.5 @ 10 @	10 @	10 @	10 @	7.5% tax on dividends if at least 25% of the capital is owned by Company; in other cases 10%. Interest derived and beneficially owned by following entities is exempt
							(a) the Government, a political sub-division or a local authority; or (b) Reserve Bank of India and the Central Bank of Botswana or any other bank or Governmental financial institutions or agencies that may be mutually agreed.
9	Brazil 195 ITR 73	01.04.1993 A.Y. 1994-1995	15 @	15 @	25 @ 15 @	25 @ 15 @ Fees for Technical	Royalties arising from use or right to use trademarks

						Services are covered under Royalty article as per protocol	taxable at 25%, in other cases tax rate is 15%.
10	Bulgaria 220 ITR 30	01.04.1996 A.Y. 1997-98	15 @	15 @	15 @ 20 @	20 @	Royalties relating to Copyrights etc. taxable at 15%, in all other cases 20@
11	Canada 229 ITR 44	01.04.98 A.Y. 1999-2000	15 @ 25 @	15 @	[See Note 2]	[See Note 2]	15% tax on dividends if at least 10% of capital is owned by a Co., in other cases 25%
12	China 214 ITR 160	01.04.95 A.Y. 1996-97	10 @	10 @	10 @	10 @	—
13	Croatia PIB Press Release dated 19-Jan-06						On 19 January 2006, the Union Cabinet has approved the signing of the DTAA with Croatia. The DTAA is awaited.
14	Cyprus 218 ITR 70	01.04.1993 A.Y. 1994-95	10 @ 15 @	10 @	15 @	10 / 15* @	10% tax on dividends if at least 10% of the capital is owned by Company; in other cases 15%. * Technical Fees are taxable at 10% under Article 13, Fees for included services taxable at 15% under Article 12
15	Czech Republic 241 ITR 90	01.04.2000 A.Y. 2001-02	10 @	10 @	10 @	10 @	—
16	Denmark 180 ITR 1	01.04.1990 A.Y. 1991-92	15 @ 25 @	10 + 15 +	20 @	20 @	15% tax on dividends if at least 25% of the capital is owned by Company; in other cases 25%. Interest is taxable at 10% on loan from bank; in other cases it is taxable at 15%.
17	Estonia 346 ITR 143	01.04.2013 A.Y 2014-15	10@	10@	10@	10@	Interest derived and beneficially owned by following entities is exempt
							(a) the Government, a political sub-division or a local authority of the other contracting state (b) (i) in case of India, the Reserve Bank of India and (ii) in case of Estonia, the Bank of Estonia (c) any other

							institution as may be agreed upon from time to time between the competent authorities of the contracting states For LOB Clause – Refer Note 5.
18	Ethiopia 353 ITR 78	01.04.2013 A.Y 2014-15	7.5 @	10@	10@	10@	Interest derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division or a local authority of the other contracting state (b) (i) in case of India, the Reserve Bank of India and (ii) in case of Ethiopia, the National Bank of Ethiopia (c) any other institution as may be agreed upon from time to time between the competent authorities of the contracting states For LOB Clause – Refer Note 5
19	Finland 324 ITR 1	01.04.2011 A.Y. 2012-13	10 @	10 @	10 @	10 @	1. Interest arising in India and paid to state of Finland, or a local authority or a statutory body thereof, Finnfund, Finn Vera Fund and other specified entities would be exempt from tax in India. 2. Interest arising in Finland and paid to Government of India, a political subdivision, local authority or statutory body thereof, RBI, NHB, EXIM Bank and other specified entities will be exempt from Finnish tax For LOB Clause – Refer Note 6
20	French Republic 209 ITR 130 244 ITR 134	01.04.1995 A.Y. 1996-97	10 @	10 @	10 @	10 @	10% tax on dividend, interest, royalties and technical services fees w.e.f. 1-4-1997. Modification reflects the position in

							Protocol.
21	Fiji	01.04.2015 A.Y.: 2016-17	5@	10@	10@	10@	<p>1. Divident provided beneficial owner is resident of that State.</p> <p>2. Interest derived and beneficially owned by following entities is exempt</p> <p>(a) The Government a political subdivision or local authority of ohere contracting state.  (b) If India -RBI ₹m &amp; NHB  (c) In case of Fiji – Reserve Bank of Fiji  Fiji Development Bank.  (d) Any other institution as may be agreed upon between competent authorities of contracting states.</p>
22	Georgia 341 ITR 1	01.04.2012 A.Y. 2013-14	10 @	10 @	10@	10@	<p>Interest will be exempt from tax if it is derived and beneficially owned by</p> <p>(a) In case of India, (i) the Government, a political sub-division or a local authority (ii) the Reserve Bank of India, the Export Import Bank of India, the National Housing bank. (b) In case of Georgia,(i) the Government or local authority (ii) The National Bank of Georgia (c) any other institution government agencies, political administrative sub-divisions as agreed from time to time.  For LOB Clause – Refer Note 5</p>
23	Germany (Federal Republic of Germany) 223 ITR 130	01.04.1997 A.Y. 1998-99	10 @	10 @	10 @	10 @	<p>Treaty has some of the lowest withholding rates. It also effectively lowers from 29.10.1996, withholding rates of</p>

							India's Treaties with other OECD countries such as France, Netherlands, Norway, Spain, etc.
24	Greece 64 ITR 86	01.04.1963 A.Y. 1964-65	*	*	*	No separate provision	* Dividend, interest and royalty income is chargeable as per domestic law in source country only.
25	Hungary 274 ITR 74	01.04.2006 A.Y. 2007-08	10 @	10 @	10 @	10 @	Interest derived and beneficially owned by following entities is exempt (i) Government, political subdivision or local authority of other contracting state (ii) Central Bank of other contracting states (iii) the Hungarian Exim Bank or a resident of Hungary if the interest is paid in respect of a loan made, guaranteed or insured or a credit extended guaranteed or insured by the Hungarian Bank (iv) Export Import Bank of India or a resident of India if the interest is paid in respect of a loan made, guaranteed or insured or a credit extended, guaranteed or insured by the Exim Bank (v) Any other bank or government financial institution that may be mutually agreed upon between the two contracting states.
26	Iceland 298 ITR 2	01.04.2008 A.Y 2009-10	10 @	10 @	10 @	10 @	Interest derived and beneficially owned by following entities is exempt a) the Government, a political sub-division or a local authority b) RBI, EXIM bank and NHB of India, Central Bank of Iceland and c) any other institution as may be agreed upon. For LOB

							Clause – Refer Note 6
27	Indonesia 171 ITR 27	01.04.1988 A.Y. 1989-90	10 @ 15 @	10 @	15 @	No separate provision	10% tax on dividends if at least 25% of the capital is owned by Company; in other cases 15%.
28	Israel 222 ITR 10	1.6.96/1.4.94	10 @	10 @	10 @	10 @	For TDS on dividend, interest, royalties and technical service fees effective date is 1.6.1996, for taxes on Income and Capital effective date is 1.4.1994.
29	Ireland 254 ITR 245 255 ITR 95	01.04.2002 A.Y. 2003-04	10@	10@	10@	10@	—
30	Italy 220 ITR 3	01.04.1996 A.Y. 1997-98	15 @ 25 @	15 +	20 @	20 @	15% tax on dividends if at least 10% of the capital is owned by Company; in other cases 25%. Protocol amending the DTAA with Italy has been signed on 13th December, 2005 and awaiting notification, pursuant to which the tax rates would change to 10% for Dividends, Interest, Royalties and Fees for Technical Services. Concepts of Service PE and conditions to treat Insurance PEs to be introduced.
31	Japan 182 ITR 380 245 ITR 15 284 ITR 64 345 ITR 91	01.04.1990 A.Y. 1991-92	10 @	10 @	10 @	10@	10% rate is applicable with effect from 1 April 2007 vide Notification No. 186/2006 dated 19 July 2006. Interest derived by following entities is exempt: (a) the Government, a political sub-division or a local authority of the other contracting state; (b) (i) in case of Japan, the Bank of Japan; Japan Bank for international Co-operation; the Japan International Co-operation Agency; such other financial institutions the capital of which is

							wholly owned by the Government of Japan as may be agreed upon from time to time between the Governments of the two contracting states;
							(ii) in case of India, the Reserve Bank of India; the Export-Import Bank of India; such other financial institutions the capital of which is wholly owned by the Government of India as may be agreed upon from time to time between the Governments of the two contracting states; and (c) By any resident of the other contracting state with respect to Debt-claims guaranteed or indirectly financed (a) and (b) above.
32	Jordan 241 ITR 69	01.04.2000 A.Y. 2001-02	10 @	10 @	20 @	20 @	—
33	Kazakhstan 228 ITR 162	01.04.1998 A.Y. 1999-2000	10 @	10 @	10 @	10 @	—
34	Kenya 157 ITR 8	01.04.1984 A.Y. 1985-86	15 @	15 +	20 +	No separate provision	There is a specific clause for management and professional fees which is taxable income @ 17.5 %.
35	Korea (South) 165 ITR 191	01.04.1986 A.Y. 1987-88	15 @ 20 @	15 @ 10 @	15 @	15 @	15% tax on dividend if at least 20% of the capital is owned by co.; in other cases 20%. For interest at 10% if received by bank or Government, other cases it is 15%.
36	Kuwait 295 ITR 44	01.04.2008 A.Y. 2009-10	10 @	10 @	10 @	10@	Interest derived and beneficially owned by following entities is exempt a) the Government, a political sub-division or a local authority b) Central Banks of India and Kuwait and any other Government agency or financial



							institution as may be agreed upon. For LOB Clause – Refer Note 6.
37	Kyrgyz Republic 248 ITR 218	1.4.2002 A.Y. 2003-04	10 @	10 @	15 @	15 @	Interest paid to Government or Government F.I. or Central Bank exempt. See protocol for other articles.
38	Latvia 363 ITR 177	1.4.2014 A.Y. 2015-16	10 @	10 @	10 @	10 @	Interest arising and beneficially owned by the following shall be exempt (a) The Government, a political subdivision or a local authority; (b)(i) in case of India, the RBI, EXIM Bank, the National Housing Bank (ii) In case of Latvia, the Bank of Latvia, the Mortgage and Land Bank of Latvia and the Latvian Guarantee Agency or (c) any other similar institution, as may be agreed upon from time to time between the competent authorities of the Contracting States through exchange of letters (d) a resident of India, if the interest is paid in respect of a loan made, guaranteed or insured or a credit extended, guaranteed or insured by the Government, a political sub-division or a local authority of India or by any of the bodies mentioned in (b)(i) or (c) or (e) a resident of Latvia, if the interest is paid in respect of a loan made, guaranteed or insured or a credit extended, guaranteed or insured by the Government or a local authority of Latvia or by any of the bodies

							mentioned in (b) (ii) or (c). For LOB Clause – Refer Note 6
39	Libya 137 ITR 27	01.04.83 A.Y. 1984-85	*	*	*	No separate provision	* Dividend, interest, royalty will be taxable as per domestic law of source country.
40	Lithuania 346 ITR 116	01.04.2013 A.Y 2014-15	*5@ 15@	**10@	10@	10@	*5% tax on dividends if at least 10% of the capital is owned by Company; in other cases 15%. ** Interest derived and beneficially owned by following entities is exempt (a) The Government, a political sub-division or a local authority (b) (i) in case of India, the Reserve Bank of India, the Export-Import Bank of India, the National Housing Bank and (ii) in case of Lithuania, the Bank of Lithuania
							(c) any other financial institution wholly owned by the Government as agreed upon from time to time between the competent authorities of the Contracting states. For LOB Clause – Refer Note 6
41	Luxembourg 318 ITR 9	01.4.2010 AY 2011-12	10 @	10 @	10 @	10 @	Interest derived and beneficially owned by following entities is exempt: (a) the Government, a political sub-division or a local authority of Luxembourg (b) in case of India, the RBI, EXIM and NHB (c) any other institutions as may be agreed from time to time between the competent authorities of the Contracting States. For LOB Clause – Refer Note 5
42	Malaysia 353 ITR 53	01.04.2013	5@	10@	10@	10@	Interest derived and

		A.Y 2014-15					beneficially owned by following entities is exempt (a) in case of Malaysia, Government of Malaysia; Government of the States; Bank Negara Malaysia, the local authorities, the statutory bodies wholly owned by the Government; Export-Import Bank of Malaysia Berhad (EXIM Bank); Bank Pembangunan Malaysia Berhad (Development Bank of Malaysia Berhad); Bank Perusahaan Kecil & Sederhana Malaysia Berhad (Small & Medium Enterprise Bank of Malaysia Berhad); and Malaysia Industrial Development Finance Berhad (b) in case of India, the Government, political sub-divisions, statutory bodies wholly owned by the Government; local authorities, EXIM Bank, RBI, IFCI, IDBI, NHB, SIDBI and (c) any other institutions as may be agreed from time to time between the competent authorities of the Contracting States. For LOB Clause – Refer Note 5
43	Malta 218 ITR 13	01.04.1996 A.Y. 1997-98	10 @ 15 @	10 @	15 @	10 / 15* @	10% tax on dividends if at least 25% of the capital is owned by Company; in other cases 15%. * Technical Fees are taxable at 10% under Article 13, Fees for included services taxable at 15% under Article 12
44	Mauritius 146 ITR 214 243 ITR 25	01.04.1982 A.Y. 1983-84	5 @ 15 @	* @	15 +	No separate provision	5% tax on dividends if at least 10% of the capital is owned by Company, in other cases 15%.* Interest exempt if beneficially

							owned by Government or bank carrying bona fide banking business, in other cases rate as per domestic laws.
45	Mexico 329 ITR 7	01.04.2011 A.Y. 2012-13	10 @	10 @	10 @	10 @	1. Interest arising in either state would be exempt from tax if it is derived it is derived / paid by the government, political sub-division, local authority or central bank of the other state 2. Interest arising in Mexico and paid to RBI, EXIM bank and NHB will be exempt from Mexican tax. 3. Interest arising in India and paid to Banco de Mexico, Banco Nacional de Comercio Exterior, S.N.C, Nacional Financiera S.N.C. and Banco Nacional de Obras y Servicios, S.N.C. will be exempt from Indian tax. For LOB Clause – Refer Note 6
46	Mongolia 222 ITR 44	01.04.1994 A.Y. 1995-96	15 @	15 @	15 @	15 @	—
47	Montenegro 308 ITR 42	01.04.2009 A.Y. 2010-11	5 @ 15 @	10 @	10 @	10 @	5% tax on dividends if at least 25% of the capital is owned by Company; in other cases 15%. Interest derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division or a local authority; or (b) RBI and the Central Bank of Montenegro.
48	Morocco 243 ITR 26	01.04.2001 A.Y. 2002-03	10 @	10 @	10 @	10 @	Interest exempt if beneficially owned by Government or Government owned banks
49	Mozambique 335 ITR 65	01.04.2012 A.Y 2013-14	7.5 @	10 @	10 @	No separate provision *	Interest derived and beneficially owned by following entities will be exempt
							(a) The Government, a political sub-division or a local

							authority (b) (i) In case of India, the Reserve Bank of India, the Export-Import Bank of India, the National Housing Bank and (ii) in case of Mozambique, the Bank of Mozambique (c) any other institution as agreed upon from time to time between the competent authorities. *Any remuneration for technical assistance relating to the use of or the right to use the right or property referred to in the definition of property is included in the term royalty. For LOB Clause – Refer Note 6
50	Myanmar 314 ITR 6	01.04.2010 A.Y. 2011-12	5@	10@	10@	No separate provision	Interest derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division or a local authority (b) (i) in case of Myanmar, the Central Bank of Myanmar, Myanmar Foreign Trade Bank, Myanmar Investment and Commercial Bank, Myanmar Economic Bank (ii) in case of India, the RBI, EXIM Bank, NHB, SIDBI (c) any other institutions as may be agreed from time to time between the competent authorities of the Contracting States. For LOB Clause – Refer Note 6
51	Namibia 236 ITR 230	01.04.2000 A.Y. 2001-02	10 @	10 @	10 @	10 @	Unique LOB clause - Each country gets right to tax income exempted from tax in other country
52	Nepal 345 ITR 128	01.04.2013 A.Y 2014-15	*5@ 10 @	**10 @	15@	No separate provision	*5% tax on dividends if at least 10% of the capital is owned by Company; in other cases 10%. **Interest derived

							and beneficially owned by following entities is exempt (a) The Government, a political sub-division or a local authority
							(b) (i) in case of India, the Reserve Bank of India and (ii) in case of Nepal, the Nepal Rashtra Bank (c) any other institution as may be agreed upon from time to time between the competent authorities of the Contracting states. For LOB Clause – Refer Note 6
53	Netherlands 177 ITR 72 239 ITR 56 350 ITR 39	01.04.1997 [01.04.1987 for Air transport] A.Y. 1998-99	10 @	10 @	10 @	10 @	Reduced rates for dividend and interest from 1.4.1997. Interest earned by the Government, certain institutions like the Central Banks, local authorities or institutions the capital of which is held by the Government of the respective countries etc. is exempt. Protocol replaces Article 26- Exchange of Information to make it more comprehensive.
54	New Zealand 166 ITR 90 225 ITR 15 242 ITR 147	01.04.87 A.Y. 1988-89	15 @	10 @	10 @	10@	Protocol restricting treaty benefits to Indian or New Zealand residents. Reduced rates come into force from 1.4.2000 and apply to A.Y. 2001-02.
55	Norway 345 ITR 157	01.04.2012 A.Y 2013-14	10@	10@	10@	10@	Interest derived and beneficially owned by the following entities is taxable only in the contracting state of which the recipient is resident: (a) in case of Norway.(i) the Government, political sub-division, local authority, (ii) Central Bank of Norway,(iii) the Government

							Pension Fund,(iv) the Norwegian Guarantee Institute for Export Credits, (v) Norfund to the extent they are wholly owned and controlled by the Government of Norway (b) (in case of India, (i) the Government, political sub-division, local authority,(ii) the Reserve Bank of India, (iii) the Export Import Bank of India and the National Housing Bank to the extent they are wholly owned and controlled by the Government of India or Reserve Bank of India (c) any other institution as may be agreed upon from time to time between the competent authorities of the Contracting states. For LOB Clause – Refer Note 6.
56	Oman (Sultanate of) 228 ITR 21	01.04.1998 A.Y. 1999-00	10 @ 12.5 @	10 @	15 @	15 @	10% tax on dividends if beneficial owner is company owning at least 10% of capital in payer company. 12.5% in all other cases.
57	Philippines 219 ITR 60	01.04.1995 A.Y. 1996-97	15 @ 20 @	10 @ 15 @	15 @	No separate provision	15% tax on dividends if at least 10% of the capital is owned by Company; in other cases 20%. Interest at 10% in hands of financial institutions, Insurance Company and also on public issues of bond, debentures, etc., and at 15% in all other cases.
58	Poland 182 ITR 147	01.04.1990 A.Y. 1991-92	15 @	15 @	22.5 @	22.5 @	* Dividend should relate to new contribution after 1.4.1990.
59	Portuguese Republic 244 ITR 57	1.4.2001 A.Y. 2002-03	10 @ 15 @	10 @	10 @	10 @	10% tax on dividend if at least 25% of the

							capital is owned by a Company for an uninterrupted period of 2 years prior to payment of the dividend, otherwise 15% limitation of tax on interest to be settled under Mutual Agreement Procedure by competent Authorities. See protocol to the Treaty for details on other Articles.
60	Qatar 242 ITR 165	01.04.2001 A.Y. 2002-03	5 @ 10 @	10 @	10 @	10 @	5% tax on dividend if beneficial owner is company owning, at least 10% of capital in payer company. 10% in all other cases.
61	Romania Notification No 13/2014 F.No.501/10/1995- FTD-I	01.04.2014 A.Y 2015-16	10 @	10 @	10 @	10@	Interest derived and beneficially owned by following entities is exempt (a) the Government, an administrative-territorial unit political sub-division or a local authority of the other Contracting state; or (b) (i) in case of Romania, the National Bank of Romania, Export-Import Bank of Romania, and (ii) in case of India, the Reserve Bank of India, Export-Import Bank of India, the National Housing Bank, or (c) any other institutions as may be agreed upon from time to time between the competent authorities of the Contracting states through exchange of letters. For LOB Clause – Refer Note 6
62	Russian Federation 233 ITR 90	01.04.1999 A.Y. 2000-01	10 @	10 @	10 @	10 @	—
63	Saudi Arabia 286 ITR 87	01.04.2007 AY 2008-09	5 @	10 @	10 @	No Separate provision	Interest derived and beneficially owned by following entities is exempt (a) the



							Government, a political sub-division or a local authority; or (b) RBI, Export-Import Bank of India, the National Housing Bank, the Saudi Arabian Monetary Agency (c) any other financial institutions wholly owned directly and controlled by the Government. "Resident" includes (in case of Saudi Arabia), an Indian national who is present in Saudi Arabia for a period of at least 183 days in a fiscal year. "Zakat" is treated as a tax on income. DTA to be reviewed after 5 years for inclusion of FTS clause
64	Serbia 308 ITR 18	01.04.2009 A.Y. 2010-11	5 @ 15 @	10 @	10 @	10 @	5% tax on dividends if at least 25% of the capital is owned by Company; in other cases 15%. Interest derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division or a local authority; or (b) RBI and Central Bank or National Bank.
65	Singapore 209 ITR 1 Modified via Protocol signed pursuant to CECA 276 ITR 142 Further Modified via Protocol 337 ITR 93	01.04.94 A.Y. 1995-96	10 @ 15 @	10 @ 15 @	10 @	10 @	10% tax on dividend if at least 25% of the capital is owned by co. In other cases 15%. Interest at 10% if recipient is bank, insurance co. or similar financial institution. In other cases 15%. Article on Capital Gains similar to India-Mauritius DTAA subject to satisfaction of additional conditions in the LOB clause - via Protocol dated 29th June, 2005 (effective A. Y. 2006-07). Protocol replaces Article 28-Exchange of

							Information to make it more comprehensive.
66	Slovenia 275 ITR 144	01.04.06 A.Y. 2007-08	5 @ 15 @	10 @	10 @	10 @	5% tax on dividend if beneficial owner is company owning at least 10% of capital in payer company, 15% in all other cases.
67	South Africa 231 ITR 23	01.04.98 A.Y. 1999-2000	10 @	10 @	10 @	10 @	—
68	Spain 214 ITR 197	01.04.1996 A.Y. 1997-98	15 @	15 @	10 @	10 @	Royalty payment for use of or right to use equipment was taxable at 10%, in other cases taxable rate was 20%. However, Royalties and Fees for Technical Services taxable at 10% as per lower rate specified in Indo-German DTAA w.e.f. 26-10-1996.
69	Sri Lanka 363 ITR 39	01.04.2014 A.Y. 2015-16	7.5 @	10 @	10 @	10 @	Interest derived and beneficially owned by the following shall be exempt a) the Government, a political sub-division or a local authority; (b)(i) in the case of India, the RBI, EXIM Bank, the National Housing Bank and (ii) in case of Sri Lanka, the Central Bank of Sri Lanka or (c) any other institution the capital of which is wholly owned by the Government of that state, as may be agreed upon from time to time between the competent authorities of the Contracting States through exchange of letters For LOB Clause – Refer Note 6
70	Sudan 271 ITR 3	01.04.2005 A. Y. 2006-07	10@	10@	10@	10@	Interest or gains derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division

							or a local authority; (b) in case of India, the RBI, IFCI, IDBI, NHB, SIBBI and ICICI; (c) In case of Sudan, The Bank of Sudan and the Sudanese
							Development Corporation; or (d) any other institution as may be agreed upon from time to time between the competent authorities of the Contracting States through exchange of letters
71	Sweden 229 ITR 11	01.04.1998 A.Y. 1999-2000	10@	10@	10@	10@	—
72	Swiss Confederation 214 ITR 223 248 ITR 209	01.04.1995 A.Y. 1996-97	10@	10@	10@	10@	Extensive Modifications to many articles including P.E. come into effect from 1.4.2001.
73	Syria 312 ITR 9	01.04.2009 A.Y. 2010-2011	5 @ 10 @	10@	10 @	No separate provision	5% tax on dividend at least 10% of capital is held by company, 10% in all other cases Interest derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division or a local authority; or (b) RBI and the Central Bank of Syria For LOB Clause – Refer Note 6.
74	Tajikistan 315 ITR 1	01.04.2010 A.Y. 2011-12	5 @ 10 +	10 @	10 @	No separate provision	Dividend is taxable at 5% where the beneficial owner is a company holding at least 25% of the share capital. Interest derived and beneficially owned by following entities is exempt (a) the Government, a political sub-division or a local authority; or (b) RBI, Export-Import Bank of India, the National Housing Bank (India) and the National Bank, Tajikistan. (c) Any other institution

							agreed upon between the Contracting States. For LOB Clause – Refer Note 6
75	Tanzania 343 ITR 5	01.04.2012 A.Y. 2013-14	*5@ 10@	**10@	10@	No separate provision	*5% tax on dividends if at least 25% of the capital is owned by Company; in other cases 10% 10% Interest derived and beneficially owned by following entities is exempt: (a) the Government, a political sub-division or a local authority;
							(b) (i) in case of India, RBI, Export-Import Bank of India, the National Housing Bank and (ii) in case of Tanzania, the Bank of Tanzania (c) any other institution as agreed upon from time to time between the competent authorities of the Contracting States. For LOB Clause – Refer Note 6
76	Thailand 161 ITR 82	01.01.1987 A.Y. 1988-89	15 @ 20 @	10 + 25 +	15 +	No separate provision	Dividend taxable at 15% if payer is industrial company and payee company is holding at least 10% of voting shares in it. Taxable at 20% if payee is industrial company or recipient company is beneficial owner holding at least 25% of voting shares. In other cases as per domestic law. Interest taxable at 10% if recipient is financial institution including insurance company, otherwise at 25%.
77	Trinidad and Tobago 240 ITR 184	01.04.2000 A.Y. 2001-02	10@	10@	10@	10@	—
78	Turkey 224 ITR 145	01.04.1994 (notified on 03.02.97) A.Y. 1995-96	15 @	10 @	15 @	15 @	Interest is taxable at 10% if recipient is a bank or a financial institution, in other cases 15%.

79	Turkmenistan 228 ITR 44	01.04.1998 A.Y. 1999-2000	10 @	10 @	10 @	10 @	—
80	Uganda 270 ITR 83	01.04.2005 A. Y. 2006-07	10 @	10 @	10 @	10 @	Interest derived and beneficially owned by following entities is exempt (a) Government, political sub- division or a local authority of the other Contracting State; or (b) the Central Bank or the other Contracting State; or any other bank, or government financial institutions/agencies that may be mutually agreed upon between the two Contracting States.
81	Ukraine 253 ITR 54	01.04.2002 A.Y. 2003-04	10 @ 15 @	10 @	10 @	10 @	Dividend taxable @ 10% if at least 25% of the capital beneficially owned, otherwise @ 15%
82	United Arab Emirates 205 ITR 49 Notification no. 282 dated 28.11.2007 295 ITR 40 352 ITR 43	01.04.1994 A.Y. 1995-96	10@	5 @ 12.5 @	10 @	No separate provision	Tax on interest at 5% in cases of banks, etc. and at 12.5% in all other cases. Interest exempt in case of Government, political sub-division or a local authority and Central Banks of the two states Protocol replaces Article 28 - Exchange of Information to make it more comprehensive. For LOB Clause – Refer Note 6
83	United Arab Republic (Egypt) 74 ITR 11	01.01.1970 A.Y. 1971-72 (01.01.61 operation of aircraft)	*	*	Taxable only in source country	No separate provision	* For rate of tax and basis of taxation refer to the DTAA provisions.
84	United Kingdom 206 ITR 235	01.04.1994 A.Y. 1995-96	15 @	15 @ 10 @	[See Note 2]	[See Note 2]	Interest taxable at 10% if beneficial owner is bank which is resident, in other cases at 15%. Interest paid to following entities is exempt: a) Government, a political sub-division or a local authority;

							b) RBI, United Kingdom Export Credits Guarantee Department, EXIM Bank, Export Credits and Guarantee Corporation of India.
85	United States of America 187 ITR 102	01.04.1991 A.Y. 1992-93	15 @ 25 @	10 @ 15 @	[See Note 2]	[See Note 2]	15% tax on dividends if at least 10% of the capital is owned by Company, in other cases 25%. Interest taxable at 10% if recipient is bona fide bank or financial institution, in other cases 15%. Technical Services termed as included services. Treaty has LOB clause and P.E. Tax Articles. Protocol is very important. For LOB Clause – Refer Note 6
86	Uruguay CBDT Circular No. F.No.500/138/2002-FTD-II	01.04.2014 A.Y. 2015-16	5 @	10 @	10 @	10 @	Interest arising in a Contracting State shall be exempt from tax in that State, provided that it is derived and beneficially owned by: a) The Government, a political sub-division or a local authority of the other Contracting state; or b) (i) in the case of India, the Reserve Bank of India, the Export-Import Bank of India; the National Housing Bank and (ii) in the case of Uruguay, Banco Central del Uruguay, Banco de la Republica Oriental del Uruguay, Banco Hipotecario del Uruguay or c) Any other institution as may be agreed upon from time to time between the Competent authorities of the Contracting States through exchange of letters. For LOB Clause – Refer Note 6.
87	Uzbekistan 223 ITR	01.04.1993	15 @ 10@	15 @ 10@	15 @ 10@	15 @ 10@	* Interest received

	60 349 ITR 171	A.Y. 1994-95 01.04.2013 A.Y 2014-15					from transaction approved by source country's government will be exempt. In other cases normal provision of domestic tax law will apply. Protocol replaces Article 28 - Exchange of Information to make it more comprehensive For LOB Clause – Refer Note 6
88	Vietnam (Socialist Republic of Vietnam) 214 ITR 137	01.04.96 A.Y. 1997-98	10 @	10 @	10 @	10 @	—
89	Zambia 146 ITR 233	A.Y. 1979-80	5 + 15 +	10 +	10 +	10+	Dividend taxable at 5% if the recipient is a company which holds at least 25% of the shares during at least 6 months before the date of payment and at 15% in all other cases. Article 14 is titled 'Management and Consultancy Fees'

Notes:

1. In most cases the aforesaid rates of tax are on gross income but in some cases, tax is levied on the net income and, hence, each article of the respective agreement/s must be carefully analysed and applied.
2. In the Country of Source, Royalties and Fees for Technical Services are taxed at following rates :
  - i. 10% for Equipment Rental and for Services ancillary or subsidiary thereto.
  - ii. for other cases.
    - a. during 1st 5 years of Agreement 15% if Government or Specified Organisation is payer 20% for other payers
    - b. subsequent years, 15% in all cases. Income of Government/Government Organisations exempt from Taxation in Country of Source.
3. Pages referred to in citation are statute page Nos.@ — Beneficial Ownership required

+ — Beneficial Ownership may not be required
4. The rate of tax under the I.T. Act on royalty or fees for technical services receivable by a foreign company is as below:
  - o For agreements made before 1st April, 1976 – 50%
  - o For agreement made on or after 1st April, 1976 – 25%

As per section 90(2), this rate may be adopted if it is lower than rate under DTAA.
5. Separate Limitation of Benefits Article to combat treaty shopping. Anti-avoidance provisions under domestic law will override treaty
6. Separate Limitation of Benefits Article to combat treaty shopping.

7. List of important Circulars on DTAA and Income of Non-Residents in India

Circular / Notification No. & Date	Reference	Matter
No. 5 DT. 28-09-2004:	270 ITR (St.) 0031	Taxation of business process outsourcing units of Non-Residents in India. (Revised, withdrawing Circular No. 1 dated 02-01-2004 [265 ITR (St.) 0023]).
No. 1 of 2004 DT. 02-01-2004:	265 ITR (St.) 0023	Taxation of business process outsourcing units of Non-Residents in India.
No. 1 of 2003 DT. 10-02-2003:	260 ITR (St.) 0245	Residential status under Indo-Mauritian Tax Treaty.
No. 10 DT. 09-10-2002	258 ITR (St.) 9	Submission of No Objection Certificate in case of remittance to a non-resident.
No. 787 DT. 10-02-2000	243 ITR (St.) 1	Taxation of income of artists, entertainers, sportsmen etc. from international/local events.
No. 742 DT. 02-05-1996: No. 765 DT. 15-04-1998: No. 6/2001, dtd 5-3-2001	219 ITR (St.) 0049 231 ITR (St.) 0010 248 ITR (St.) 247	Taxation of foreign telecasting companies.
No. 740 DT. 17-04-1996:	219 ITR (St.) 0008	Taxability of remittance of interest by Branch of a foreign bank to its head office.
No. 734 DT. 24-01-1996:	217 ITR (St.) 0074	Rates of TDS under DTAA between India & U.A.E.
No. 728 DT. 30-10-1995:	216 ITR (St.) 0141A	Clarification regarding rate of TDS u/s. 195 for remittance, clarified that such rates shall be as provided in relevant Finance Act or in DTAA whichever is more beneficial to the assessee.
No. 588 DT. 02-01-1991:	187 ITR (St.) 0063	Taxability of import of system software from Non-Residents.
No. 333 DT. 02-04-1982:	137 ITR (St.) 0001B	A conflict in application of DTAA and provisions of Income-tax Act, 1961, clarified that beneficial provision shall apply.
No. 108 DT. 20-03-1973:		In relation to exchange of information between the countries for preventing evasion or avoidance of taxes and recovery thereof.
Nos 90 and 91/ 2008 DT 28-08-2008	304 ITR 63	Where treaty provides that any income of an Indian Resident "may be taxed" in the other country, such income shall be included in the total Income of such resident and relief shall be available as per DTAA.
CBDT Instruction No. 3 /2004 dated 19-03-2004		Suspension of collection of taxes during operation of Mutual Agreement Procedure in respect of India-UK DTAA
Circular No.7/2009 [F.No. 500/135/2007-FTD-I] dated 22nd October 2009	318 ITR 1	Circular No 23 dated 23rd July 1969 and Circular No 163 dated 29th May 1975 (both relating to taxability and accrual of Income of Non-resident in India) are withdrawn. Further, Circular No. 786 dated 7th February 2000 (relating to clarification of taxability of export commission in the hands of non-resident in India) is also withdrawn
Circular No.7 dated 23rd October 2007 amended on 27 September 2011	338 ITR 1	The CBDT has laid down the procedure for refund of tax deducted at source under Section 195 of the Income-tax Act, 1961 to the person deducting tax at source from the payment to a non-resident. Refund will now be available to residents who have deducted tax at a higher rate, relying on a Tax Treaty, while a lower rate of tax deduction has been prescribed under domestic law.
Notification No. 57/2013/F.No.142/16/2013-TPL	356 ITR 21	The CBDT has amended Rule 21AB of Income Tax Rules, 1962. As per the amendment, subject to provisions of Sections 90 and 90A of the Act, if the TRC doesn't contain specified details viz. status of the taxpayer, country of registration, PAN, tax identification number etc.; non-resident taxpayer to furnish the same through Form 10F.



Notification No. 93/2009 dated 9th December, 2009	320 ITR 14	“The territory in which the taxation law administered by the Ministry of Finance in Taipei is applied” has been notified as ‘Specified Territory’ and “India-Taipei Association in Taipei” and “Taipei Economic and Cultural Centre in New Delhi” have been notified as ‘Specified Association’ under Section 90A of the Income-tax Act, 1961.
Notification No. 22/2010/F.No. 142/5/2010-SO(TPL) dated 8th April, 2010	323 ITR 52	The following areas outside India have been notified as ‘Specified territory’ under Section 90 of the Income-tax Act, 1961: <ul style="list-style-type: none"> <li>i. Bermuda;</li> <li>ii. British Virgin Islands;</li> <li>iii. Cayman Islands;</li> <li>iv. Gibraltar;</li> <li>v. Guernsey;</li> <li>vi. Isle of Man;</li> <li>vii. Jersey;</li> <li>viii. Netherlands Antilles;</li> <li>ix. Macau</li> </ul>
Notification No. 25/2010 [F.NO. 500/124/97-FTD-II], dated 20th April 2010	323 ITR 52	Hong Kong Special Administrative Region of the People’s Republic of China has been notified as ‘Specified territory’ under Section 90 of the Income-tax Act, 1961
Notification No. 54/2012 [F.NO. 503/14/2012-FTD-I(PT),dated 17th December, 2012	350 ITR 4	Sint Maarten, a part of Kingdom of Netherlands, has been notified as ‘Specified territory’ under Section 90 of the Income-tax Act, 1961
Notification No F.No.504/05/2003-FTD-I	359 ITR 8	Cyprus has been notified as ‘notified jurisdictional area’ under Section 94A of the Income-tax Act, 1961
Notification No.03/2011-FTD-II [F.NO. 500/96/97-FTD_II] dated 10th January 2011	330 ITR 6	Agreement among Governments of SAARC Member States for avoidance of double taxation and mutual administrative matters is effective from 1st April, 2011
Notification No.05/2011/F.No.503/2/2009-FTD-I	330 ITR 83	Tax Information Exchange Agreement between India and Bermuda signed on 7th October, 2010
Notification No.25/2011/F.No.503/6/2009-FTD-I	334 ITR 296	Tax Information Exchange Agreement between India and Bahamas signed on 11th February, 2011
Notification No.54/2011/F.No.503/10/2009-FTD-I	338 ITR 25	Tax Information Exchange Agreement between India and British Virgin Islands signed on 9th February, 2011 Press Note / Release No. 402/92/2006-MC (43 of 2011) 332 ITR 4
Notification No.26/2011/F.No.503/01/2008-FTD-I	334 ITR 313	Tax Information Exchange Agreement between India and Isle of Man was signed on 4th February, 2011
Notification No.61/2011/F.No.503/03/2009-FTD-I	340 ITR 1	Tax Information Exchange Agreement between India and Cayman Islands was signed on 21st March, 2011
Notification No.32/2012-FT-TR-II/F.No.503/02/2010-FT&TR-II	348 ITR 132	Tax Information Exchange Agreement between India and Liberia was signed on 03rd October, 2011
Notification No.26/2012/F.No.503/6/2008-FTD-I	346 ITR 1	Tax Information Exchange Agreement between India and Jersey was signed on 03rd November, 2011
Notification No.30/2012/F.No.503/01/2009-FTD-I	346 ITR 169	Tax Information Exchange Agreement between India and Guernsey was signed on 20th December, 2011
Notification No.43/2012-FT&TR-II/F.No.503/04/2009-FT&TR-II	349 ITR 3	Tax Information Exchange Agreement between India and Macao Special Administrative Region of the People’s Republic of China was signed on 03rd January, 2012

Notification No. 28/2013[F.NO.503/11/2009-FTD-I]	352 ITR 58	Tax Information Exchange Agreement between India and Gibraltar was signed on 01st February, 2013.
Notification No. 22/2013/504/3/2010 FTD-II],	352 ITR 46	Tax Information Exchange Agreement between India and Argentina was signed on 21st November, 2011.
Notification No. 43/2013/F. No. 503/4/2009 – FTD- I	355 ITR 197	Tax Information Exchange Agreement between India and Monaco was signed on 31st July, 2012.
Notification No. 3/2014/F.No. 503/4/2012-FTD-I	360 ITR 44	Tax Information Exchange Agreement between India and Belize was signed on 18th September, 2013.
Notification No. 48/2011/F.No. 500/02/2001/FTD-II	337 ITR 96	Agreement between India – Taipei Association in Taipei and Taipei Economic and Cultural Center in New Delhi for Avoidance of Double Taxation and the prevention of Fiscal Evasion with respect to Taxes on Income shall be effective from 1st April, 2012. The Agreement notifies the following rates for taxes on income:- a) Dividend – 12.5%@ b) Interest – 10%@ Interest will be exempt if derived and beneficially owned by (i) The authority administering a territory, a sub-division or a local authority of other territory; or (ii) Central Banks and Export-Import Banks of the territories referred above ; or (iii) any other institution as may be identified and accepted from time to time by competent authorities of both the territories. c) Royalty and Fees for Technical Services – 10%@

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