



CBDT exempts Non-residents & foreign investors from furnishing of ITR, subject to fulfillment of conditions

The Central Board of Direct Taxes (CBDT) exempts Non-resident and foreign investors from furnishing Income Tax Return under provisions of the Income-tax Act, 1961 (the Act) subject to conditions as under:

SN	Class of Persons	Conditions
1	<ul style="list-style-type: none"> • A Non-Resident, not being a company; or • A Foreign Company. 	<ul style="list-style-type: none"> • No income is earned in India during previous year, other than income from investment in the specified fund being a trust or a company or LLP or a body corporate as referred to in clause (c)(i) of Explanation to section 10(4D); and • The provisions of requirement of PAN are not, subject to fulfillment of conditions mentioned in rule 114AAB(1) of the Income-tax Rules, 1962 (the Rules).
2	A Non-Resident, being an eligible foreign investor.	<ul style="list-style-type: none"> • During previous year, transaction is made only in capital asset referred to in section 47(viiab), which are listed on a recognised stock exchange located in any IFSC and the consideration on transfer of such capital asset is paid or payable in foreign currency; • No income is earned in India during previous year, other than income from transfer of capital asset referred to in section 47(viiab); • The provisions of requirement of PAN are not, subject to fulfillment of conditions mentioned in rule 114AAB(1) of the Rules.

The above exemption from the requirement of furnishing a return of income shall not be available to the said class of persons where a notice under section 142(1) or section 148 or section 153A or section 153C of the Income Tax Act, 1961, has been issued for filing a return of income for the assessment year specified therein.

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