

**Rule: 37BB**

(1) *The person responsible for paying to a non-resident, not being a company, or to a foreign company, any sum chargeable under the provisions of the Act, shall furnish the following, namely:—*

- (i) *the information in Part A of Form No.15CA, if the amount of payment or the aggregate of such payments, as the case may be, made during the financial year does not exceed five lakh rupees;*
- (ii) *for payments other than the payments referred in clause (i), the information,—*

(a) *in Part B of Form No.15CA after obtaining,—*

- (I) *a certificate from the Assessing Officer under section 197; or*
- (II) *an order from the Assessing Officer under sub-section (2) or sub-section (3) of section 195;*

(b) *in Part C of Form No.15CA after obtaining a certificate in Form No. 15CB from an accountant as defined in the Explanation below sub-section (2) of section 288.*

(2) *The person responsible for paying to a non-resident, not being a company, or to a foreign company, any sum which is not chargeable under the provisions of the Act, shall furnish the information in Part D of Form No.15CA.*

(3) *Notwithstanding anything contained in sub-rule (2), no information is required to be furnished for any sum which is not chargeable under the provisions of the Act, if,—*

- (i) *the remittance is made by an individual and it does not require prior approval of Reserve Bank of India as per the provisions of section 5 of the Foreign Exchange Management Act, 1999 (42 of 1999) read with Schedule III to the Foreign Exchange (Current Account Transaction) Rules, 2000; or*
- (ii) *the remittance is of the nature specified in column (3) of the specified list below:*

**SPECIFIED LIST**

| <b>Sl. No.</b> | <b>Purpose code as per RBI</b> | <b>Nature of payment</b>   |
|----------------|--------------------------------|--|
| (1)            | (2)                            | (3)  |
| 1              | S0001                          | Indian investment abroad - in equity capital (shares)                |
| 2              | S0002                          | Indian investment abroad - in debt securities                        |
| 3              | S0003                          | Indian investment abroad - in branches and wholly owned subsidiaries |
| 4              | S0004                          | Indian investment abroad - in subsidiaries and associates            |
| 5              | S0005                          | Indian investment abroad - in real estate                            |
| 6              | S0011                          | Loans extended to Non-Residents                                      |
| 7              | S0101                          | Advance payment against imports                                      |
| 8              | S0102                          | Payment towards imports - settlement of invoice                      |

|    |       |  |
|----|-------|--|
| 9  | S0103 | <i>Imports by diplomatic missions</i>  |
| 10 | S0104 | <i>Intermediary trade</i>  |
| 11 | S0190 | <i>Imports below Rs.5,00,000 - (For use by ECD offices)</i>  |
| 12 | SO202 | <i>Payment for operating expenses of Indian shipping companies operating abroad</i>  |
| 13 | SO208 | <i>Operating expenses of Indian Airlines companies operating abroad</i>  |
| 14 | S0212 | <i>Booking of passages abroad - Airlines companies</i>   |
| 15 | S0301 | <i>Remittance towards business travel</i>  |
| 16 | S0302 | <i>Travel under basic travel quota (BTQ)</i>   |
| 17 | S0303 | <i>Travel for pilgrimage</i>   |
| 18 | S0304 | <i>Travel for medical treatment</i>  |
| 19 | S0305 | <i>Travel for education (including fees, hostel expenses etc.)</i>   |
| 20 | S0401 | <i>Postal services</i>   |
| 21 | S0501 | <i>Construction of projects abroad by Indian companies including import of goods at project site</i>                           |
| 22 | S0602 | <i>Freight insurance - relating to import and export of goods</i>  |
| 23 | S1011 | <i>Payments for maintenance of offices abroad</i>  |
| 24 | S1201 | <i>Maintenance of Indian embassies abroad</i>  |
| 25 | S1202 | <i>Remittances by foreign embassies in India</i>   |
| 26 | S1301 | <i>Remittance by non-residents towards family maintenance and savings</i>  |
| 27 | S1302 | <i>Remittance towards personal gifts and donations</i>   |
| 28 | S1303 | <i>Remittance towards donations to religious and charitable institutions abroad</i>  |
| 29 | S1304 | <i>Remittance towards grants and donations to other Governments and charitable institutions established by the Governments</i> |
| 30 | S1305 | <i>Contributions or donations by the Government to international institutions</i>  |
| 31 | S1306 | <i>Remittance towards payment or refund of taxes</i>   |
| 32 | S1501 | <i>Refunds or rebates or reduction in invoice value on account of exports</i>  |
| 33 | S1503 | <i>Payments by residents for international bidding.</i>  |

(4) The information in Form No. 15CA shall be furnished,—

- (i) *electronically under digital signature in accordance with the procedures, formats and standards specified by the Principal Director General of Income-tax (Systems) under sub-rule (8) and thereafter printout of the said form shall be submitted to the authorised dealer, prior to remitting the payment; or*
- (ii) *electronically in accordance with the procedures, formats and standards specified by the Principal Director General of Income-tax (Systems) under sub-rule (8) and thereafter signed printout of the said form shall be submitted to the authorised dealer, prior to remitting the payment.*

(5) An income-tax authority may require the authorised dealer to furnish the signed printout of Form No.15CA referred to in clause (ii) of sub-rule (4) for the purposes of any proceedings under the Act.

*(6) The certificate in Form No. 15CB shall be furnished and verified electronically in accordance with the procedures, formats and standards specified by the Principal Director-General of Income-tax (Systems) under sub-rule (8).*

*(7) The authorised dealer shall furnish a quarterly statement for each quarter of the financial year in Form No.15CC to the Principal Director General of Income-tax (Systems) or the person authorised by the Principal Director General of Income-tax (Systems) electronically under digital signature within fifteen days from the end of the quarter of the financial year to which such statement relates in accordance with the procedures, formats and standards specified by the Principal Director General of Income-tax (Systems) under sub-rule (8).*

*(8) The Principal Director General of Income-tax (Systems) shall specify the procedures, formats and standards for the purposes of furnishing and verification of Form 15CA, Form 15CB and Form 15CC and shall be responsible for the day-to-day administration in relation to the furnishing and verification of information, certificate and quarterly statement in accordance with the provisions of sub-rules (4), (6) and (7)*

**Explanation.—** *For the purposes of this rule 'authorised dealer' means a person authorised as an authorised dealer under sub-section (1) of section 10 of the Foreign Exchange Management Act, 1999 (42 of 1999).]*