

Declaration to be submitted by NRIs if availing relief under DTAA along with Form 10F

To,
ICICI Home Finance Company Limited,

I, _____ son / daughter of
_____ aged _____ years, presently residing at

_____ (Complete overseas residential address) do hereby solemnly declare and affirm on oath as follows:

1. I am a resident/domiciled in _____ as referred to under Article 4 of the Double Taxation Avoidance Agreement entered into between India and _____ which is my country of residence & I do not have any permanent establishment in India as per DTAA entered.
2. I am not a resident of India in terms of the Treaty for the financial year 20____.
3. Accordingly, I am attaching a copy of the 'Tax Residency Certificate' issued by the Tax/Government authority of _____ < mention country > for the period _____ to _____.
4. I understand that the DTAA benefit will be applicable from the date the complete declaration along with a copy of 'Tax Residency Certificate' is received and updated in ICICI HFCL's records and will be valid only for the financial /calendar year to which it pertains with.
5. I am the beneficial owner of the investments made by me in India/ income receivable by me from such investments in India.
6. The amount receivable is towards interest and falls under the head "Interest" under Article _____ of the Treaty.
7. The place of assessment of my world income is _____.
8. I undertake to promptly inform ICICI HFCL in writing should there be any change in the facts given above, including but not limited to change in tax residential status, nature of holding of income, etc.
9. I grant irrevocable exclusive right to ICICI HFCL to recover any withholding tax at source and other charges arising on account of change in facts mentioned in point 8/ change in tax laws or interpretations thereof from any amounts due to me, or, otherwise, at the discretion of ICICI HFCL. I undertake to pay on demand by ICICI HFCL any shortfall between the amounts recovered by ICICI HFCL and the amount payable by me and indemnify and hold ICICI HFCL harmless from any loss on account of the change of facts.
10. In the event there is any income tax demand (including interest, charges or levies) raised in India in respect of these amounts we undertake to pay the demand forthwith and indemnify and hold ICICI HFCL harmless from any income tax demand (including interest, penalty, charges or levies) raised in India on the ICICI HFCL on account of any Misstatement / misrepresentation/ errors of omission or commission by me or any other person, and provide ICICI HFCL with all information/documents that may be necessary for any proceedings before its jurisdictional Income-tax / Appellate Authorities in India.
11. I will not hold ICICI HFCL responsible for any additional deductions made due to non availability of the Tax Residency Certificate. I also undertake to provide, if there is any change in residential status, a fresh certificate to the ICICI HFCL for every financial year, positively on or before March 20 of the concerned financial year. My claim, for refund of excess Indian income tax, if any, will lie directly against the Indian income tax department, Ministry of Finance, Government of India and ICICI HFCL will not be liable for the same in any manner.

I confirm that, I have read and understood the provisions of the Double Taxation Avoidance Agreement between India and _____ (country of residence) including the Articles 1, 2, 4 and _____ (Article on Interest) of the Treaty.

I, _____
_____ (name and address), hereby declare that the contents above are correct, complete and truly stated.

Signature of FD Customer (NRI)

Indian Income Tax Permanent Account Number (PAN): _____

Name of FD Customer (NRI): _____