

**Dated: 09-10-2012**

**Press Release**

**Subject: Report of the Expert Committee on retrospective amendments made by Finance Act, 2012 to Income-tax Act, 1961 relating to taxation of non-residents on indirect transfer.**

Vide notification dated July 17, 2012, an Expert Committee was constituted on General Anti Avoidance Rules (GAAR) to undertake stakeholder consultations and finalize the guidelines.

2. Subsequently vide notification dated September 1, 2012 the Government modified the Terms of Reference of the Committee to include an additional item “to examine the applicability of the amendment on taxation of non-resident transfer of assets where the underlying asset is in India, in the context of all non-resident taxpayers”.

3. The Committee has submitted its draft report on indirect transfer, which reflects consultations and written representations from a number of stakeholders including tax advisory firms comprising accountants and lawyers, chambers of commerce and industry, foreign investor associations and individual industry representatives.

4. The views expressed in Report of the Committee are that of an independent Committee and it should not be construed in any manner whatsoever as the views of the Government.

5. The report of the Committee has been uploaded on the Finance Ministry website ([www.finmin.nic.in](http://www.finmin.nic.in)) and Income-tax Department website ([www.incometaxindia.gov.in](http://www.incometaxindia.gov.in)) for comments from stakeholders and the general public.

6. The comments and suggestions on the draft report may be submitted by 19<sup>th</sup> October, 2012 at the email address ([jstpl2@nic.in](mailto:jstpl2@nic.in)) or by post at the following address with “comments on Expert Committee Report on Retrospective Amendments” written on the envelope.

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7. The views of the Government on the recommendations of the Expert Committee will be formed after receipt of their final Report.

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