

# TCK

[Paragraph 10 B.5(i)]

## Certificate for Payment of Technical know-how fee under Foreign Technical collaboration

This certificate has reference to the foreign technical collaboration between M/s.

\_\_\_\_\_ (hereinafter referred to as "Indian company" and M/s. \_\_\_\_\_  
\_\_\_\_\_ (hereinafter referred to as "overseas collaborator" for \_\_\_\_\_  
\_\_\_\_\_

(specify purpose)

2. The above collaboration has been approved by the Reserve Bank of India/Government of India, Ministry of Industry, vide its letter No. \_\_\_\_\_ dated \_\_\_\_\_ and subsequent amendment(s) vide letter(s) No. (s) \_\_\_\_\_ dated \_\_\_\_\_ setting out that a lump sum technical know-how fee of \_\_\_\_\_ (amount) net of taxes/subject to taxes is payable to the overseas collaborator in \_\_\_\_\_ (number) instalments (each being of \_\_\_\_\_) on fulfilment of the condition governing payment of each such instalment.

3. The above collaboration bears Registration No. \_\_\_\_\_ accorded by RBI, FITT Section, Bombay/Reserve Bank of India, \_\_\_\_\_ vide its letter number \_\_\_\_\_ dated \_\_\_\_\_.

4. A sum of \_\_\_\_\_ towards payment of instalment/s number(s) \_\_\_\_\_ has already been remitted on \_\_\_\_\_ paid subject to fulfilment of obligation thereunder by the overseas collaborator.

5. A payment of \_\_\_\_\_ net of tax/subject to tax towards \_\_\_\_\_ instalment has now become due to the overseas collaborator on their having completely fulfilled the obligation cast on them for receiving this instalment, under the collaboration agreement dated \_\_\_\_\_ and as approved by the Reserve Bank of India/Government vide its letter dated \_\_\_\_\_ cited in paragraph 2 above.

6. We have verified the books of accounts, the collaboration agreement, Government's letter of approval, RBI's letter dated \_\_\_\_\_, technical documents and other relevant paper/documents etc. and having fully satisfied ourselves, hereby certify that :

- (i) the statement made above are true and correct to the best of our knowledge and belief;
- (ii) The Reserve Bank's/Government's letter of approval and subsequent amendment, if any, form part of the collaboration agreement, dated \_\_\_\_\_;
- (iii) the collaboration agreement in question has been concluded within the validity period of the Reserve Bank's/Government's letter of approval;
- (iv) the proposed payment does not in any way involve payment of any interest on delayed payment and/or any other payment which is not specifically permitted under RBI/Government's letter of approval dated \_\_\_\_\_;
- (v) the Indian company has paid income-tax at the rate specified by the Government and deposited with \_\_\_\_\_  
(Name of bank and branch)  
on \_\_\_\_\_.

**OR**

a 'No Objection Certificate'/tax clearance certificate issued by \_\_\_\_\_ vide No. \_\_\_\_\_ dated \_\_\_\_\_ is enclosed, in original;

- (vi) the indian company has paid cess under R & D Cess Act, 1986, on the amount of technical know-how fee in question;
- (vii) the Indian company has submitted to Reserve Bank of India, \_\_\_\_\_ the Return in form TCD for the year ended 31st December \_\_\_\_\_;
- (viii) a payment of \_\_\_\_\_ has fallen due to the overseas collaborator after adjustment of income-tax as follows :

a) Gross amount of payable instalment of fee	
b) <u>Less</u> amount reduced towards income-tax if the payment is "subject to tax"	
Balance payable	

Place :



Chartered Accountant/Chartered Engineer  
(Signature of the authorised signatory)

Name: .....

Address: .....

Date :

Registration No. ....

**Notes:** (i) Delete under authentication whatever is not applicable but no item/clause should be omitted from this format of the Certificate.

(ii) Additional information, if any, may be supplied on separate sheet under proper authentication.