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FY 2025-2026

TDS&TCS CHART



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SYNOPSIS

1	TDS / TCS deduction Applicability
2	Resident -TDS
3	Non -Resident -TDS
4	TCS Provision
5	Equalisation Levy
6	Other important Points in TDS/TCS

Note: FY 2025-26 related Amendments if any highlighted in Red colour for quick reference

1. TDS / TCS / EQUALISATION LEVY SHALL BE APPLICABLE TO THE FOLLOWING PERSONS:

- a) All Companies
- b) All Partnership Firms
- c) All Trusts
- d) All co-operative society
- e) All society registered under the Societies Registration Act, 1860 (21 of 1860) or under any law corresponding to that Act in force in any part of India
- f) Central Government or any State Government or any local authority
- g) 1. Business Individuals / HUF's:

Having a Business Turnover of INR 1 crore or Professional Turnover of INR 50 Lakhs during the preceding previous year – applicable Sections - 194A, 194C, 194H, 194I, 194J and 194R

2. Non-Business Individuals / HUF's:

The following TDS sections are applicable even other than business individual (as said above point g)(1)) – applicable Section – 194IA, 194IB, 194M, 194S (Refer the section detail below)

2. TDS ON RESIDENT PAYMENTS

TDS % and Exemption Limits

	Particulars		Individual / HUF	Domestic company/ firm/Trust	Criteria for Deduction
Nature of payments Sec. Cod			Rate in %	Rate in %	Payment in Excess of
1	Salary	192		prescribed ra & senior citiz	ates applicable to zens
2	Payment of accumulated balance of provident fund which is taxable in the hands of an employee. Note: Above mentioned payment would be subject to tax only if the employee makes withdrawal before continuous service of five years (other than due to ill health, discontinuance of business, cessation of employment) and does not opt for transfer of existing accumulated balance to the new employer.	192A	10%	-	Rs. 50,000

2	Internal or an arraition	102			
3	Interest on securities - Interest on (a) debentures/securities for money issued by or on behalf of any local authority/statutory corporation (b) listed debentures of a company (c) any security of the Central or State Government [i.e. 8% Savings (Taxable) Bonds, 2003; 7.75% Savings (Taxable) Bonds, 2018(w.e.f. 01-10-2024); Floating Rate Savings Bonds, 2020 (Taxable) or any notified Government Security]	193	10%	10%	Rs.10,000
	 Any other interest on securities (including interest on non- listed debentures) 		10%	10%	Rs. 10,000.
4	Dividend	194			Da 10 000 /
	 Buy-back of shares deemed as dividend u/s 2(22)(f) 		10%	10%	Rs 10,000/- (Provided the dividend is paid in any
	- Any other dividend or deemed dividend u/s 2(22)		10%	10%	mode other than cash)
5	Interest other than interest on	194A			
	securities Paid/payable by a bank/co-operative bank/post office to a senior citizen		10%	10%	• Rs.1,00,000/- p.a
	- Paid/payable by a bank/co-operative bank/post office to a person other than senior citizen		10%	10%	• Rs.50,000/-p.a
	- Paid/payable by any other person		10%	10%	• Rs.10,000/- p.a
6	Winnings from cross word puzzles, lotteries, card games, other games of any sort (Other than winnings from online games)	194B	30%	30%	Rs. 10,000/- (Single transaction)
7	Winnings from online games	194BA	30%	30%	No limit
8	Winnings from horse races	194BB	30%	30%	Rs. 10,000/- (Single Transaction)
9	Payment or credit to a Resident Contractor/Sub-contractor	194C	1%	2%	Rs. 30,000/- per transaction (or) Rs. 1,00,000/- p.a
					rior 1,00,000/ pia

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1	ANDAL DO LA MIG				
	KEY POINTS:				
	No TDS on	1 .	11		
	(i) manufacturing or supplying a using material purchased from				
	customer, (ii) any sum referred to in section	1941(1)			
10	Payment to contract	194C	1%	2%	Rs. 30,000/- per
10	transporters not covered 44AE	1740	170	2 /0	transaction (or) Rs. 1,00,000/- p.a
11	Insurance commission	194D	2%	10%	Rs. 20,000/- p.a
12	Payment in respect of life insurance policy including bonus (if taxable)	194DA	2%	2%	Rs. 1,00,000/-p.a [No TDS if maturity amount exempt u/s 10(10D)]
13	Payment in respect of deposit under National Savings Scheme, 1987	194EE	10%	10%	Rs. 2,500/- p.a.
14	Commission, remuneration or prize on sale of lottery tickets	194G	2%	2%	Rs. 20,000/- p.a.
15	Commission & Brokerage	194H	2%	2%	Rs. 20,000/- p.a.
1.6	a. Rent - Plant & Machinery.	194I(a)	2%	2%	D 50,000/
16	b. Rent - Land, Building & Furniture or fittings.	194I(b)	10%	10%	Rs. 50,000/- per month or part of a month
17	Sale of Immovable Property other than Rural Agricultural Land	194IA	1%	1%	Rs. 50,00,000/- and above per transaction
	TDS is to be deducted at the rate of the stamp duty value of such properties of the stamp duty value of such properties of suc	perty, whiche nore than one	ver is higher e transferor	or transfer	ee, then the consideration
18	Payment of Rent By individuals /HUFs not covered u/s 194 I	194IB	2%	2%	Rs.50,000 per month
19	Payment of monetary consideration (not being a consideration in kind) under Joint Development Agreements	194IC	10%	10%	No limit
20	Payment for Fees for technical services, Professional service, Royalty or Remuneration to a director- a. Fees for technical service (not	194J	2%	2%	Rs.50,000/- for each
	being a professional service) b. Fees for professional service - Payee engaged only in the business of operation of call center (w.e.f. 01.07.2017) c. Royalty consideration for sales, distribution, or exhibition of cinematographic films				category of payment

	Other Cases :				
	a. Fees for professional services b. Remuneration/fee/commission by a company to a director (when director is not an employee, TDS is not applicable) c. Other Royalty d. Any sum referred to in section 28(va)		10%	10%	Rs.50,000/- p.a. for each category of payment
21	Payment of compensation on compulsory acquisition of certain immovable property (Other than Agri Land)	194LA	10%	10%	Aggregate amount during FY not exceeding Rs. 5,00,000
22	Payment made by Individual / HUF to any resident contractor or professional or commission.	194M	2%	2%	Above Rs. 50,00,000/-
23	a. Cash withdrawal during the year from one or more account maintained with a bank, cooperative society engaged in business of banking or a post office	194N	2%	2%	Cash withdrawal in excess of Rs. 1 crore (in case of Co- Operative Society - in excess of Rs. 3 Crores)
	b. Cash withdrawal by any person has not filed return of income for 3 previous years as per	194N	2%	2%	Cash withdrawal in excess of Rs. 20 Lakhs upto Rs. 1 crore.
	Sec 139(1) from bank, co- operative society		5%	5%	Cash withdrawal Above 1 Crore (in case of Co- Operative Society - in excess of Rs. 3 Crores)
24	Applicable for E-Commerce operator for sale of goods or provision of service facilitated by it through its digital or electronic facility or platform.	194-0	0.1%	0.1%	Rs.5,00,000/- No Limit for other than individual/HUF
25	Purchase of goods (This section is applicable for the person whose turnover exceeds 10 crores during preceding FY) Not applicable:	194Q	0.1% (If No PAN – 5%)	0.1% (If No PAN – 5%)	If aggregate purchase from single vendor > 50 lakhs in the financial year. (Limit of 50 lakhs is
	Transaction on which any other TDS section applicable				considered in each financial year. The 50 lakhs exemption is for every financial year for every vendor)
26	TDS on benefit or perquisite of a business or profession (Applies to any benefit or perquisite whether	194R	10%	10%	20,000/-

	in cash or in kind or partly in cash and partly in kind)				
27	Payment / credit of consideration for transfer of virtual digital assets (W.e.f. 1st July 2022)	194S	1%		"Specified Person" Payer– 50,000 Other Payers – 10,000
28	Payments in the nature of salary, remuneration, commission, bonus or interest to a partner of the firm (W.e.f 01.04.2025)	194Т	10%	10%	Rs.20,000/- per FY

3. TDS ON NON - RESIDENT PAYMENTS:

For Non-resident payments there is no basic exemption limits like Resident TDS payment (i.e. 1 L for Contractors, 50K for professions, 6 L rent, etc)

3.1. TDS Rates for Frequent /Common Payments (As per Indian Income Tax Act)

		Individ	ual			Firm	/ society	Non-I	Oomestic C	ompany
Nature of Payment	0-50L TDS (incl. of SC- Nil; Ed.cess 4%)	> 50L - 1 Cr TDS (incl. of SC- 10% ; Ed.cess 4%)	>1 Cr - 2 Cr TDS (incl. of SC- 15% ; Ed.cess 4%)			0 - 1 Cr TDS (incl. of SC- Nil; Ed.cess 4%)	> 1 Cr TDS (incl. of SC- 12%; Ed.cess 4%)	0- 1 Cr TDS (incl. of SC- Nil; Ed.cess 4%)	> 1 Cr - 10 Cr TDS(incl. of SC- 2% ;Ed.cess 4%)	>10 Cr TDS (incl. of SC- 5% ; Ed.cess 4%)
Interest on foreign borrowing Except mentioned in 194 LB or LC	20.8	22.88	23.92	26	28.496	20.8	23.296	20.8	21.216	21.84
Other Income	31.2	34.32	35.88	39	42.744	31.2	34.944	36.4	37.128	38.22
Royalty	20.8	22.88	23.92	26	28.496	20.8	23.296	20.8	21.216	21.84
FTS	20.8	22.88	23.92	26	28.496	20.8	23.296	20.8	21.216	21.84

3.2. Other Than 10% TDS for Royalty and Fees for Technical Services (FTS) Withholding Tax Rates as per DTAA

No	Country Name	Royalty (Tax rate)	FTS - {Fees for Technical service} - (Tax rate)			
1	Australia (MAC)	a) 10% in case of rental of equipment and				
1	Australia (MAC)	know-how and technical service.	Service provided along with			
		b) In other case –				
		(i) 15% if the payer is govt or specified organization (or) 20% in				
		any other cases (1st 5 years)	cified organization (or) 20 / m			
		(ii) 15% (subsequent years) in all				
2	Bangladesh	10%	No separate provision in DTAA			
3	Belarus	15%	15%			
4	Brazil	25% for use of trademark;	No separate provision in DTAA			
		15% for others	F T T T T			
5	Bulgaria	15% of royalty relating to literary,	20%			
	0	artistic, scientific works other than				
		films or tapes used for radio or				
		television broadcasting;				
		20% in other cases				
6	Canada (MAC)	10% - 20%	10% - 20%			
7	Denmark	20%	20%			
8	Greece	10%	No separate provision in DTAA			
9	Italy	20%	20%			
10	Jordan	20%	20%			
11	Kyrgyz Republic	15%	15%			
12	Libyan Arab Jamahiriya	30%	No separate provision in DTAA			
13	Mongolia	15%	15%			
14	Mauritius	15%	10%			
15	Myanmar	10%	No separate provision in DTAA			
16	Mozambique	10%	No separate provision in DTAA			
17	Nepal	15%	No separate provision in DTAA			
18	Oman	15%	15%			
19	Philippines	15% If it is payable in pursuance of any	No separate provision in DTAA			
	PP	collaboration agreement approved by the	r care			
		government of India				
20	Poland	15%	15%			
21	Saudi Arabia	10%	No separate provision in DTAA			
22	Syrian Arab Republic	10%	No separate provision in DTAA			
23	Tajikistan	10%	No separate provision in DTAA			
24	Tanzania	10%	No separate provision in DTAA			
25	Thailand	10%	No separate provision in DTAA			
26	Turkey	15%	15%			
27	United Arab Emirates	10%	No separate provision in DTAA			
28	UK (MAC)	a) 10% in case of rental of equipment and				
	,	know-how and technical service.				
		b) In other case –				
		(i)15% if the payer is govt or specified organization (or)20% in any other				
		(i) 15% if the payer is govt or specified organization (or) 20% in any other cases (1st 5 years)				
		(ii)15% (subsequent years) in all cases				
29	USA (MAC)	a) 10% in case of rental of equipment and	Service provided along with			

	know how and technical service.
	b) In other case –
	(i)15% if the payer is govt or specified organization (or)20% in any other
	cases (1st 5 years)
	(ii)15% (subsequent years) in all cases

3.3. *Make Available Clause (MAC)*

Countries in which Make Available Clause is mentioned under Fees for technical services of DTAA;

No	Country name	Fees for Technical service (FTS)
1	Australia	Make Available Clause apply
2	Canada	Make Available Clause apply
3	Netherlands	Make Available Clause apply
4	Portuguese Republic	Make Available Clause apply
5	Singapore	Make Available Clause apply
6	UK	Make Available Clause apply
7	USA	Make Available Clause apply
8	Cyprus	Make Available Clause apply
9	Hungary	Make Available Clause apply
10	Brazil	Make Available Clause apply
11	South Africa	Make Available Clause apply

3.4. *Most Favoured Nations (MFN)*

As per the CBDT circular No. 3/2022 with subject - Clarification regarding the Most-Favoured-Nations (MFN) clause in the Protocol to India's DTAAs with certain countries it clarify applicability of the MFN clause. The relevant extract is as follows:

- "5. In view of the above, it is hereby clarified that the applicability of the MFN clause and benefit of the lower rate or restricted scope of source taxation rights in relation to certain items of income (such as dividends, interest income, royalties, Fees for Technical Services, etc.) provided in India's DTAAs with the third States will be available to the first (OECD) State only when all the following conditions are met:
 - (i) The second treaty (with the third State) is entered into **after** the signature/ Entry into Force (depending upon the language of the MFN clause) of the treaty between India and the first State;
 - (ii) The second treaty is entered into between India and a State which **is a member of the OECD** at the time of signing the treaty with it;
 - (iii) India limits its taxing rights in the second treaty in relation to rate or scope of taxation in respect of the relevant items of income; and
 - (iv) A **separate notification** has been issued by India, importing the benefits of the second treaty into the treaty with the first State, as required by the provisions of sub-section (1) of Section 90 of the Income Tax Act, 1961.

If all the conditions enumerated in Paragraph 5(i) to (iv) are satisfied, then the lower rate or restricted scope in the treaty with the third State is imported into the treaty with an OECD State having MFN clause

from the date as per the provisions of the MFN clause in the DTAA, after following the due procedure under the Indian tax law.

With the above background the following countries having the MFL clause (under **PROTOCOL**) under respective DTAA, however MFN clause shall be applied based on aforesaid circular.

S.NO	Country
1	Belgium
2	Finland
3	France
4	Hungary
5	Netherlands
6	Spain
7	Sweden
8	Switzerland

Note: Even some countries covered under Most-Favoured Nation clause but based on the status member countries of WTO, but it may not relevant to DTAA applicability.

3.5 <u>The Multilateral Instrument (MLI)</u> to Implement Tax Treaty Relate Measures to <u>Prevent Base Erosion and Profit Shifting (BEPS)</u>

The Multilateral Instrument (MLI) plays a crucial role in international taxation by enabling swift implementation of tax treaty-related measures to prevent Base Erosion and Profit Shifting (BEPS). It modifies existing bilateral tax treaties to incorporate BEPS recommendations without the need for separate bilateral negotiations. The MLI helps tackle tax avoidance, improve dispute resolution, prevent treaty abuse, and ensure more effective tax treaty implementation. Its adoption signifies a commitment to a coherent international tax framework and enhances transparency and fairness in the global tax landscape.

Important Note: Therefore, when determining the applicable withholding tax rate, it's essential to consider if the other country has signed the Multilateral Instrument (MLI) with India, as this may influence the withholding tax obligations.

4. TCS % AND PRESCRIBED LIMITS FOR TCS COLLECTION

Sec.	Particulars	TCS Rates (in %)
206C(1)	Sale of the following:	
	a) Alcoholic Liquor for Human Consumption	1%
	b) Tendu leaves	5%
	c) Timber or any other forest produce (not being	2%
	tendu leaves) obtained under a forest lease	

	d) Timber obtained by any mode other than under a forest lease	2%
	e) Scrap	1%
	f) Minerals, being coal or lignite or iron ore	1%
206C(1C)	Grant of lease or license of the following:	
	a) Parking lot	2%
	b) Toll Plaza	2%
	c) Mining and quarrying (Other than mining and quarrying of mineral oil, petroleum and natural gas)	2%
206C(1F)	Sale of Motor Vehicle value more than 10 Lakhs or other goods(specified by the Central Government by Notification), whether in cheque or in any other mode of receipt	1%
206C(1G)(a)	@- Remittances for educational and medical treatment done under Liberalised Remittance Scheme (LRS)	5% (subject to a threshold limit exceeds of INR 10 Lakhs per year)
	@- All other remittances done under Liberalised Remittance Scheme (LRS) –(W.E.F 1st July 2023)	20%(subject to a threshold limit exceeds of INR 10 Lakhs per year)
206C(1G)(b)	@-TCS on selling of overseas tour package –(w.e.f. 1st July 2023)	Up to Rs.10 Lakhs per year - 5% Above Rs.10 Lakhs per year - 20%
206C(1H)	@-selling goods other than those already covered	0.1% of the goods sold
OMITTED	under TCS provisions (Not applicable business turnover is less than INR 10 Crore in the preceding financial year)	exceeding INR 50 Lakhs in financial year
		(In non-PAN/Aadhaar
		cases the rate shall
		be 5%)

5. EQUALISATION LEVY

S. EQUILIBRITION ELVI		
Applicability	% of Levy	Responsibility of payment of Levy
Any payable to a non-resident person greater than		
1,00,000/- for the online advertisement services and other	6% from the	
related services such as provisioning of digital space.	consideration	The
eg:- Advertisement in Facebook / Google Ads / Twitter /	paid or payable	Receiver of
Linkedin / Amazon or other Cloud space and billing from	to a non-	the service
abroad	resident	
Sum received or receivable by an e-commerce operator for		
e-commerce supply of goods or services made or provided	2% from the	
or facilitated to	consideration	E-commerce
i) A person resident in India; or	received or	operator
ii) A person who buys such goods or services or both	receivable by an	
using internet protocols located address in India;	e-commerce	
or	operator	

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iii)	Sale of advertisement which targets a customer	
	who is resident in India or a customer who	
	accesses the advertisement through internet	
	protocol address located in India; or	
iv)	Sale of data collected from a person who is	
	resident in India or from a person who uses	
	internet protocol address located in India	
(This levy is not applicable if the sale, turnover or gross		
receipts of the e-commerce operator from e-commerce		
supply or services made or provided or facilitated to the		
persons mentioned above is less than Rs. 2 crores during		
th	e previous year)	
eg:- This is applicable to the companies like Amazon /flipkart		
and having No permanent establishment in India		

6. OTHER IMPORTANT POINTS IN TDS / TCS

6.1.1 TDS on "NO PAN" or "Invalid PAN" Cases (SEC. 206AA)

If the transactions liable to TDS and the deductee has not intimated the PAN (or) having No PAN (or) having Invalid PAN (may be non-linking of Aadhar), then TDS deduction would be *Higher of* the rate specified in the relevant provision or at the rate or rates in force or **20%**.

Exemption for Non-resident from Sec 206AA with terms & Conditions

CBDT has issued notification no. 53/2016 dated 24 June 2016 giving relaxation to Nonresidents, not being a company, or a foreign company from furnishing PAN No. in India. TDS at higher rate of 20% will not be deducted if following conditions are satisfied by non-resident:-Provisions of Sec 206AA shall not apply in respect of payments in the nature of

- Interest,
- Royalty,
- Fees for technical services and
- Payments on transfer of any capital asset,

If the non-resident furnishes the following details/ documents

- (i) name, e-mail id, contact number:
- (ii) address in the country of which the non-resident is a resident;
- (iii) Tax Residency Certificate (TRC) from the Government of that country if the law of that country provides for issuance of such certificate;
- (iv) Tax Identification Number (TIN) or any other Unique Identification Number of the non-resident of his residence country.

All the above information needs to be furnished in TDS returns as well.

For example:- ABC Pvt Ltd is making payment of Fees for technical services to **X Inc**, a US Company who do not have PAN in India. Higher rate of 20% u/s 206AA will not be applicable if **X Inc** provides Name, E-mail, Contact no, Address of USA, TRC, TIN or SSN of USA

6.1.2 TCS on "NO PAN" or "Invalid PAN" Cases (SEC. 206CC)

If PAN of collectee is not intimated to the collector (or) having No PAN (or) having Invalid PAN (maybe non-linking of Aadhar), then TCS will be collected by virtue of sec 206CC either *twice* the *rate specified in the table* give above (point No.4 in page No.11) or at the rate of 5 % whichever is higher.

BUDGET 2025 UPDATE:

It was proposed to omit Section 206AB (Requires higher TDS rates for non-filers of income tax returns.) and 206CCA (Requires higher TCS rates for non-filers of income tax returns) in order to avoid blocking of capital and reduce the compliance burden for the deductor/collector.

6.2 Requirement of FORM 15CA and CB for foreign remittance

- For all non-resident remittance Form 15CA to be issued <u>except</u> transactions which are given in the Rule 37BB which include payments for imports.
- Where remittance is chargeable to tax under domestic law and the remittance, or the aggregate of such remittances exceeds 5 lakh rupees during the FY and a certificate in Form No. 15CB to be obtained from a CA to be electronically.

6.3 TDS on goods carriage transports

Declaration to be obtained from goods carriage contractors for non-deduction of TDS: With effect from 1st July, 2015 TDS will be applicable at the rate of 1% or 2%, for all payments made to a transport contractor during the course of plying, hiring or leasing of **goods carriage**, except in cases where such contractor has furnished a Declaration that they are owning not more than 10 goods carriage at any time during the year.

6.4 <u>Identifying the category of the Person based on the PAN</u>

If 4th letter of PAN is P – then the PAN belongs to Person (i.e., Individual)

H – HUF

F – Firm (Partnership Firm)

C - Company

T – Trust

5th letter of the PAN represents the 1st Letter of Name of person/Firm/Company

6.5 Other General Points

- GST to be excluded for TDS/TCS calculation.
- For Reimbursement If Proper supporting documents is in the Company's Name, then it is excluded for TDS calculation eg:- payment of tax like GST, TDS, ESI, PF etc

6.6 Interest for Late payment of TDS /TCS

• If deducted but not paid – 1.5% p.m or part thereof from the month of deduction (not from

the due date of the month) till the date of payment.

- If Not deducted 1% p.m or part thereof from the month of Deduction till the date of Payment.
- **6.7** *Late Filing fees* for not filing of TDS /TCS return on or before due date. Rs.200 per day or maximum of TDS amount for the guarter whichever is lower.

"Wish you all the success."

We hope you find this TDS / TCS analysis useful, and we also solicit your feedback on these updates. If you require any clarification related to this document, feel free to reach us.

Thank You.V.K. DINESH & SENTHILRAJA
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