

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE

LOK SABHA

STARRED QUESTION NO. *92

TO BE ANSWERED ON Friday, December 4, 2015/Agrahayana 13, 1937 (Saka)

DTAA

†*92. DR. MAHENDRA NATH PANDEY:
SHRI B. VINOD KUMAR:

Will the Minister of FINANCE be pleased to state:

- (a) whether the International Conventions follow models developed by the Organisation for Economic Co-operation and Development and the United Nations Organisation for Double Taxation Avoidance Agreement (DTAA) and if so, the details thereof along with the norms adopted under the said models;
- (b) the names of the countries with which the Indian Government has signed DTAA, model-wise including Thailand and Seychelles;
- (c) whether the Government has reviewed and signed fresh DTAA with the signatory countries; and
- (d) if so, the details thereof along with the reasons therefor and the status thereon, country-wise including Thailand and Seychelles?

ANSWER

THE FINANCE MINISTER
(SHRI ARUN JAITLEY)

(a) to (d): A Statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) to (d) OF LOK SABHA
STARRED QUESTION NO. *92 FOR 4th DECEMBER, 2015 REGARDING "DTAA"
TABLED BY DR. MAHENDRA NATH PANDEY AND SHRI B. VINOD KUMAR**

(a): International Conventions on avoidance of double taxation may follow model developed by Organisation of Economic Co-operation and Development (OECD) and the model developed by the United Nations (UN). However, Double Taxation Avoidance Agreements (DTAAs) of various countries may vary from both the OECD and UN models and may contain provisions different from the two models as agreed upon between the signatory countries. The OECD and UN DTAA models allocate taxation rights between the country from which the income is sourced (source country) and the country of which the taxpayer is a resident (resident country) so as to avoid double taxation of income. Many provisions of the two models are similar, but in general, the UN Model allocates more taxing rights to the source country.

(b): India has signed 94 DTAAs with various countries namely., Albania, Armenia, Australia, Austria, Bangladesh, Belarus, Belgium, Bhutan, Botswana, Brazil, Bulgaria, Canada, China, Colombia, Croatia, Cyprus, Czech Republic, Denmark, Egypt, Estonia, Ethiopia, Fiji, Finland, France, Georgia, Germany, Greece, Hungary, Iceland, Indonesia, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kenya, Korea, Kuwait, Kyrgyz Republic, Latvia, Libya, Lithuania, Luxembourg, Macedonia, Malaysia, Malta, Mauritius, Mexico, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Norway, Oman, Philippines, Poland, Portuguese Republic, Qatar, Romania, Russia, Saudi Arabia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, Sri Lanka, Sudan, Sweden, Swiss Confederation, Syria, Taiwan, Tajikistan, Tanzania, Thailand, Trinidad and Tobago, Turkey, Turkmenistan, United Arab Emirates, Uganda, UK, Ukraine, Uruguay, USA, Uzbekistan, Vietnam and Zambia. These DTAAs contain provisions as per the OECD and the UN models, as well as provisions deviating from these models, as agreed upon by the two sides during negotiations. India does not have a DTAA with Seychelles. However, India signed a Tax Information Exchange Agreement with Seychelles.

(c) and (d): Yes, Sir. Government reviews and signs revised DTAA's with countries, as required. Review of DTAA's is an on-going process normally aimed at updating the DTAA so as to bring it to the latest international standards, to incorporate new provisions for mutual co-operation in tax matters as well as for making amendments that may be desired by either of the treaty partners. Government has accordingly revised DTAA's with Australia, Austria, Belgium, Canada, Czech Republic, Denmark, Finland, France, Germany, Hungary, Indonesia, Italy, Japan, Korea, Malaysia, Malta, Nepal, Norway, Oman, Romania, Russia, Singapore, Sri Lanka, Sweden, Swiss Confederation, Syria, Tanzania, Thailand and UK. The revised DTAA with Thailand has entered into force on 13th October, 2015.
