

Circular No. - 8...

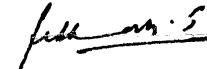
F. No: 500/182/2018-FT & TR-V/860
Government of India
Ministry of Finance
Department of Revenue
Central Board of Direct Taxes
Foreign Tax & Tax Research - II
FT & TR-V Division

New Delhi, dated 10.05.2019

Subject: Clarification regarding definition of "Fund Manager" under Section 9A(4)(b) of the Income-tax Act, 1961.


Representations have been received in the Board for inclusion of an Asset Management Company (AMC) approved in accordance with Securities and Exchange Board of India (Mutual Funds) Regulations, 1996 for the purpose of Section of 9A(4)(b) of the Income-tax Act, 1961.

2. The matter has been examined in the Board in consultation with SEBI. SEBI has stated that an AMC is engaged in the activity of fund management of Mutual Funds and hence is in substance, a Fund Manager, and entitled for benefits u/s 9A of the Income-tax Act. Therefore, it is hereby clarified that the phrase "fund manager" in Section 9A(4)(b) of the Income-tax Act includes an AMC as approved by SEBI under the SEBI (Mutual Funds) Regulations, 1996. A notification (No. 27/2019 dated 20th March 2019) has already been issued to include the Securities and Exchange Board of India (Mutual Funds) Regulations, 1996 in the definition of "specified regulations" in Section 9A(9)(e) of the Income-tax Act.


(Subhash Jangala)
Under secretary (FT&TR-V)

To

- (a) Revenue Secretary
- (b) Chairman, Members and all other Officers of the Central Board of Direct Taxes.
- (c) Commissioner (Media & Technical Policy) and Official Spokesperson, CBDT.
- (d) Addl Director General of Income-tax (PR, PP & OL)
- (e) ITCC Section of CBDT (3 copies)
- (f) ADG (Systems)-IV for uploading on the Departmental website.
- (g) Database Cell for uploading on the IRS Officers website.
- (h) Hindi cell of Department of Revenue, for Hindi translation.
- (i) Guard File.


(Subhash Jangala)
Under secretary (FT&TR-V)

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Smt. Smita, IT
for M. P. J.

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