

DRAFT LETTER BY SHAREHOLDER

Date:

To
Benares Hotels Limited,
Nadesar Palace Compound,
Varanasi – 221 002

Dear Sir,

Sub: Certification with regard to Payment of Dividend for FY 2021-22

For the purpose of determination of tax liability under section 195 of the [Indian] Income-tax Act, 1961 ('the IT Act'), I/We hereby certify that -

Nature of the information	Details
Name of the shareholder	
Folio No./ DP ID & Client ID	
Address in the country of residence	
Email ID	
Contact Number	
Status	Company/LLP/Partnership/Trust/Individual
Tax Identification Number in the country of residence	

1. I/We, << Name of the shareholder >> confirm that I/We are a tax resident of <<Insert country>> and are eligible to claim benefits of the India - << Insert country>> Double Tax Avoidance Agreement (DTAA), read with the provisions laid down in Multilateral Instrument (MLI), wherever applicable.
2. I/We, <<Name of the shareholder >> are the beneficial owner of the shares allotted in above folio no. as well as of the dividend arising from such shareholding.
3. I/We further declare that I/we have exclusive possession and control over the dividend received/ receivable from the above shares and I/we have the absolute discretion to utilise the dividend received without being constrained by any contractual and/ or legal obligation to pass on such dividend to another person.
4. I/We either do not/will not have a Permanent Establishment (P.E.) in India or Dividend income earned by us is not attributable/effectively connected to our P.E. in India as defined under the IT Act and DTAA between India and <Name of Country> read with the provisions laid down in Multilateral Instruments (MLI), wherever applicable, during the financial year <<<Year>>>. In the event of I/We having a P.E. in India or Dividend income is attributable/effectively connected to such P.E., I/We acknowledge our obligation to inform you forthwith with necessary details.

5. We hereby confirm that we do/ will not have a place of effective management, during the period 1 April 2022 to 31 March 2023, in India and none of the key management and commercial decisions for the conduct of business in substance are/ will be made in India.
6. I/We hereby declare that the investments made by me/us in the shares of Benares Hotels Limited are not arranged in a manner which results in obtaining a tax benefit, whether directly or indirectly, as one of its principal purposes. The tax benefit, if any, derived from such investments would be in accordance with the object and purpose of the relevant provisions of the Double Taxation Avoidance Agreement between India and *[Insert name of country of which the shareholder is tax resident]*.
7. I/We hereby declare that the investments made by me/us in the shares of Benares Hotels Limited are not arranged such that the main purpose of the arrangement was to obtain tax benefit and the provision of 'Chapter X-A – General Anti Avoidance Rule' of the IT Act, are not applicable to me/us in this case.
8. I/We hereby furnish a copy of valid Tax Residency Certificate dated _____ having Tax Identification number _____ issued by _____ along with a copy of Form 10F duly filled and signed for the period April 2022 to March 2023.
9. We also undertake to provide all additional documents/ information, as may be prescribed / required by the Indian Revenue authorities, in order to substantiate any of the above aspects.
10. I/We hereby confirm that the above declaration should be considered to be applicable for all the shares held in the Company under PAN/ accounts declared in the form.
11. I/We further agree to indemnify Benares Hotels Limited for any liability (including towards tax, interest and penalty), arising out of any acts of commission or omission initiated by << *Name of the Shareholder*>> by relying on our above averment.

Thanking you,

Yours Sincerely,

For <Name of the Shareholder>

Name: <insert authorised person name>

<Insert designation>