

On the Letter Head of Vendor

Date:

To,
Phonon Communications Private Limited
106, Blue Diamond Complex,
Fatehgunj,
Vadodara 390002
India

Dear Sirs,

We refer to the consideration payable to us under the _____ Agreement ("the Agreement") dated _____ in respect of _____ (nature of consideration)

In connection with the above, we do hereby confirm as under:

1. We are a _____ {Individual/Partnership Firm/Company Incorporated /Trust/AOP/Bank/ Government Body } *(Keep applicable item and remove others)* formed/incorporated in _____ *(Name of the Country)* and a Tax Resident of *(Name of the Country)* under the Domestic Tax laws of the Country.
2. We qualify as Tax resident of _____ *(Name of the Country)* in terms of the India- _____ *(Name of the Country)* Double Tax Avoidance Agreement ("Tax Treaty") and do not qualify as a 'resident' of India under section 6 of the Indian Income Tax Act, 1961. We are therefore eligible to invoke the beneficial provisions of the Tax Treaty in respect of any income derived from India.
3. We do not have any office or other fixed place of business in India as envisaged in Article 5(1) and Article 5(2) of Tax Treaty.
4. We do not have any dependent agent performing activities in India as envisaged in Article 5(5) of the tax treaty which may constitute a dependent agency Permanent Establishment for us in India in terms of thereof.
5. Our presence/activities in India in connection with the provision of Technical Services for which payment is being made, would not constitute a Service PE in India in terms of Article 5 of Tax treaty. **(strike out if not applicable)**
6. We are the beneficial owner of the consideration receivable under the Agreement.
7. In view of the above, we certify that we qualify as a tax resident of _____ *(Name of the Country)* and do not have a 'Permanent Establishment' in India.

In the event of any change in the above position, we will intimate the same to you in writing. You may consider the above representations as subsisting unless intimated otherwise.

We trust that the above meets with your requirements.

Yours faithfully,

For _____ ***(Company name.)***

Authorised Signatory

Name:

Designation: