

FORM NO. 65

[See rule 11P]

**Application for *exercising/renewing option for the
tonnage tax scheme under *sub-section (1) of
section 115VP or sub-section (1) of section 115VR
of the Income-tax Act, 1961**

To,
The Joint Commissioner,

Sir,

I, on behalf of _____ [Name of the company] hereby apply for *exercising/renewing the option for the tonnage tax scheme in accordance with the provisions of *sub-section (1) of section 115VP or sub-section (1) of section 115VR of the Income-tax Act, 1961 with effect from the assessment year _____

2. A statement of particulars for the purpose of *exercising/renewing the option is enclosed as per Annexure to this Form.

Verification**

I, _____ (full name in block letters), do hereby declare that what is stated in this application and the Annexure hereto is true to the best of my information and belief. I further confirm that :

(1) _____ [Name of the company] is an Indian company within the meaning of clause (26) of section 2 of the Income-tax Act, 1961.

(2) The place of effective management of the company within the meaning of section 115VC of the Income-tax Act, 1961 is in India.

(3) The company owns _____ qualifying ship(s).

(4) The main object of the company is operation of ships. Copy of Memorandum of Association of the company is enclosed.

2. I further declare that I am making this application in my capacity as _____ and I am also competent to make this application and verify it.

Place :

Date :

Name and Signature

Note :

1. This application should be filed with the Joint Commissioner of Income-tax, having jurisdiction over the applicant company.
2. All the columns in the application must be filled in. Part A and Part B (if applicable) of the Annexure must be filled in, failing which the application shall be treated as incomplete.
3. *Strike out whichever is not applicable.
4. **Before signing the verification every person should satisfy himself that the application, the accompanying statements and documents are, to the best of his knowledge and belief, correct and complete in all respects. Any person making any false statement shall be liable to be prosecuted under section 277 of the Income-tax Act, 1961.
5. The application shall be signed and verified on behalf of the company by the managing director of the company, or where for any unavoidable reason such managing director is not able to sign and verify this Form, or where there is no managing director, by any director :

Provided that :

- (a) where the company is being wound up, whether under the orders of a court or otherwise, or where any person

has been appointed as the receiver of any assets of the company, the statement shall be signed and verified by the liquidator referred to in sub-section (1) of section 178 of the Income-tax Act;

- (b) where the management of the company has been taken over by the Central Government or any State Government under any law, the statement of the company shall be signed and verified by the principal officer thereof.

ANNEXURE

Statement of particulars to be furnished for *exercising/ renewing option for tonnage tax scheme

PART A

1. Name of the company in full (in block letters)
2. Permanent Account Number
3. Address of the Registered Office
4. Address(es) of branch office(es)
5. Date of incorporation (enclose a copy of the certificate of incorporation)
6. Date on which the company became a qualifying company [to be given only in case of a company which becomes a qualifying company after the initial period] (enclose evidence in support of the claim)
7. Details of ships owned or chartered by the company

(i) Owned ships

Sl. No.	Name of the ship	Net tonnage	Flag	Type of ship	Whether qualifying or not
(1)	(2)	(3)	(4)	(5)	(6)

(ii) Ships chartered in on bareboat charter-cum-demise terms

Sl. No.	Name of the ship	Net tonnage	Flag	Type of ship	Date of commencement of charter	Period of charter	Reference No. of DG (Shipping) approval	Whether qualifying or not
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

(iii) Ships chartered in on bareboat charter terms for more than three years

Sl. No.	Name of the ship	Net tonnage	Flag	Type of ship	Date of commencement of charter	Period of charter	Reference No. of DG (Shipping) approval	Whether qualifying or not
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

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(iv) Ships chartered in on bareboat charter terms for less than three years

<i>Sl. No.</i>	<i>Name of the ship</i>	<i>Net tonnage</i>	<i>Flag</i>	<i>Type of ship</i>	<i>Date of commencement of charter</i>	<i>Period of charter</i>	<i>Reference No. of DG (Shipping) approval</i>	<i>Whether qualifying or not</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

(v) Ships chartered out on bareboat charter-cum-demise terms

<i>Sl. No.</i>	<i>Name of ship</i>	<i>Net tonnage</i>	<i>Date of commencement of charter</i>	<i>Period of charter</i>	<i>Whether qualifying or not</i>
(1)	(2)	(3)	(4)	(5)	(6)

(vi) Ships chartered out on bareboat charter terms for more than three years

<i>Sl. No.</i>	<i>Name of ship</i>	<i>Net tonnage</i>	<i>Date of commencement of charter</i>	<i>Period of charter</i>	<i>Whether qualifying or not</i>
(1)	(2)	(3)	(4)	(5)	(6)

(vii) Ships chartered out on bareboat charter terms for less than three years

<i>Sl. No.</i>	<i>Name of ship</i>	<i>Net tonnage</i>	<i>Date of commencement of charter</i>	<i>Period of charter</i>	<i>Whether qualifying or not</i>
(1)	(2)	(3)	(4)	(5)	(6)

(viii) Other ships chartered in [other than those referred to at (ii), (iii) and (iv) above]

<i>Sl. No.</i>	<i>Name of the ship</i>	<i>Net tonnage</i>	<i>Flag</i>	<i>Type of ship</i>	<i>Date of commencement of charter</i>	<i>Period of charter</i>	<i>Reference No. of DG (Shipping) approval</i>	<i>Whether qualifying or not</i>
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

8. Name(s) and address(es) of directors of the applicant company.

PART B

(Statement of particulars to be furnished only in case of

renewing of option for tonnage tax scheme)

1. Date(s) of exercising earlier option(s) along with date(s) of order approving the option [enclose a copy of the order(s)].
2. Details regarding earlier options :
 - (i) Whether the company ceased to be a qualifying company at any time during earlier option(s).
 - (ii) Whether any default was made in complying with the provisions of section 115VT or section 115VU or section 115VV (if yes, give details).
 - (iii) Whether the company was excluded from the scheme under section 115VZC (if yes, give details).
 - (iv) Whether the company voluntarily opted out of the tonnage tax scheme (if yes, give details).
 - (v) Whether there was an amalgamation of the company with a company, which was a qualifying company on 1st October, 2004 and had not exercised the option within the initial period.

Place :

Date :

****Signed**

Note :

1. *Strike out whichever is not applicable.
2. **This Annexure has to be signed by the person competent to sign the application.
3. “Initial period” means the period after the 30th day of September, 2004 but before the 1st day of January, 2005.
4. Part A is to be filled up both in case of exercising the option and while renewing the option. However, Part B is to be filled up only in cases where an application is being filed for renewing the option.
5. In respect of each of the ships, details of which are being given in item 7, a copy of the following certificates, as may be relevant, in case of each qualifying ship should be enclosed :
 - (i) Certificate of registration under the Merchant Shipping Act, 1958 and certificate under Merchant Shipping (Tonnage Measurement of Ship) Rules, 1987 made under the Merchant Shipping Act, 1958;
 - (ii) Certificate of registration under the Merchant Shipping Act, 1958 and international tonnage certificate issued under the provisions of the Convention on Tonnage Measurement of Ships, 1969 as specified in the Merchant Shipping (Tonnage Measurement of Ship) Rules, 1987 made under the Merchant Shipping Act, 1958;
 - (iii) Permission obtained from the Director-General of Shipping to charter in a ship in case of ships registered outside India”.