

(Self-declaration by the non-resident payee under the applicable DTAA read with MLI)

Date

To,

HFCL Limited

8, Electronics Complex, Chambaghat,
Solan-173213 (Himachal Pradesh)

Dear Sir,

In the context of enabling HFCL Ltd, to comply with its withholding tax obligations, under the provisions of Indian Income-tax Act, 1961, if any, we hereby confirm as under:

1. I/We qualify as a tax resident of _____ and my Place of Effective Management is situated in _____ in terms of Article 4 of the Double Tax Avoidance Agreement between India and _____ country ("DTAA") and do not qualify as a 'resident' of India under section 6 of the Indian Income-tax Act, 1961. Self-attested copy of Tax Residency Certificate (TRC) valid as on the AGM date obtained from the tax authorities of the Country of which the Shareholder is resident is enclosed along with information contained in Form 10F* as prescribed under Rule 21AB(1) of the Income-TAX Rules, 1962.

*** Form 10F to be furnished electronically at income tax e-filing portal as per Notification no. 03/2022 dated 16th July, 2022. The copy of acknowledgement generated from income tax portal should be submitted to the Company.**

2. Our/My Tax Identification Number is _____
3. I/We confirm that I/we are entitled to claim benefits under the India – _____ DTAA as modified by the Multilateral Instrument ('MLI'), (wherever applicable) and that all its relevant provisions of the MLI are fulfilled including the "Principal Purpose Test" in order to implement tax treaty related measures to prevent base erosion and profit shifting signed by India and (country _____). We hereby further confirm that obtaining the benefit of the DTAA by way of lower withholding tax on dividend, is not one of the principal purposes of the arrangement or transaction that resulted directly or indirectly in that benefit.
4. I/We do not have and do not foresee to have a Permanent Establishment ('PE') in India as defined in Article 5 of the India (country) DTAA (read with the amendments made by MLI) I/We do not have any business connection in India as per the Indian Income- tax Act, 1961 and do not carry out any operations in India.
5. We do not have any business connection/ Significant Economic Presence (SEP) in India as per the Indian Income Tax Act, 1961 and the amounts paid/ payable to us, in any case, are not attributable to business operations/ SEP, if any, carried out in India.
6. As required to claim the benefits of the lower tax rate under the applicable tax treaty in relation to the dividend income to be received by me from the Company, I/We specifically confirm that I/We am/are the beneficial owner of the equity shares of the Company and the dividend income receivable from the Company in relation to the said shares.
7. I/We further declare that I/We have the right to use and enjoy the dividend received/ receivable from the above shares and such right is not constrained by any contractual and/ or legal obligation to pass on such dividend to another person.

8. We further declare that we have the right to use and enjoy the dividend received/ receivable from the above shares and such right is not constrained by any contractual and/ or legal obligation to pass on such dividend to another person.
9. Further, my/our claim for relief under the tax treaty is not restricted by application of Limitation of Benefit clause, if any, thereunder.
10. My/Our Permanent Account Number in India is _____. Self attested copy enclosed or does not have a PAN in India.
11. This declaration is valid for the period 1 April 2023 to 31 March 2024. This declaration is issued to the Company to enable them to decide upon the withholding tax applicable on the dividend income receivable by us/me.

I/We hereby certify that the declarations made above are true and bonafide. In case in future, a business connection is constituted in India or operations are undertaken by me/us or by another person on our behalf in India either on account of the aforesaid Agreement or otherwise, during the subsistence of the Agreement, we undertake to promptly intimate you of the said event.

In the event that any of the conditions above are found to have not been satisfied or there is misrepresentation of facts by me/us and the Indian tax authorities do not allow the benefit under the DTAA as modified by MLI, I/We shall indemnify HFCL Limited for any additional tax recoverable under the Income-tax Act, 1961, on account of lower withholding of taxes by HFCL Limited along with applicable interest and penalties, if any.

Verification

- I. do hereby declare that to the best of my knowledge and belief what is stated above is correct complete and is truly stated.
- II. Verified today the day of.....

Yours faithfully,
For, (Name of Party)

Name of the Person Signing along with its Designation and Company's Stamp

Place