**Clarification regarding provision on tax residency of NRIs in Finance Bill 2020**

The Finance Bill, 2020 has proposed that an Indian citizen shall be deemed to be resident in India, if he is not liable to be taxed in any country or jurisdiction. This is an anti-abuse provision since it is noticed that some Indian citizens shift their stay in low or no tax jurisdiction to avoid payment of tax in India.

The new provision is not intended to include in tax net those Indian citizens who are bonafide workers in other countries. In some section of the media the new provision is being interpreted to create an impression that those Indians who are bonafide workers in other countries, including in the Middle East, and who are not liable to pay tax in these countries will be taxed in India on the income that they have earned there. This interpretation is not correct.

In order to avoid any misinterpretation, **it is clarified that in case of an Indian citizen who becomes deemed resident of India under this proposed provision, income earned outside India by him/her shall not be taxed in India unless it is derived from an Indian business or profession.** Necessary clarification, if required, shall be incorporated in the relevant provision of the law.