

Name of form as per I.T. Rules, 1962	NEW FORM	Name of form as per I.T. Rules, 2026	54
Corresponding section of I.T. Act, 1961	92CC	Corresponding section of I.T. Act, 2025	168
Corresponding Rule of I.T. Rules, 1962	10-I	Corresponding Rule of I.T. Rules, 2026	119

New Form 54 – Application for Renewal of an Advance Pricing Agreement (APA)

Purpose:

Form 51 of the Income Tax Rules, 2026 (Erstwhile Form 3CED of the Income Tax Rules, 1962) is the application form for an Advance Pricing Agreement (APA). An APA is an agreement between a taxpayer and the Central Board of Direct Taxes (CBDT) to determine the transfer price or the manner of determining the transfer price for international transactions (and specified domestic transactions) for a specified period. The form is filed under **Rule 119** read with **Rule RN106 and Rule RN111** of the Income tax Rules, 2026 (Erstwhile **Rule 101 (1) and Rule 10MA(5)** of the Income-tax Rules, 1962), and can be filed by person eligible to apply under **Rule 104** of the Income tax Rules 2026 (Erstwhile **Rule 10G** of the Income-tax Rules, 1962.)

However, in cases wherein the Applicant has already signed an Agreement or has previously filed an application under Form 51 (or 3CED) for APA which is being processed, filing a fresh Form 51 represents a repetition of applications which runs counter to the aim of the APA program of providing advanced certainty to applicants in terms of their tax obligations. This is even more relevant in cases where the transactions proposed to be undertaken and the terms and conditions proposed in the current application are the same or highly similar to those in the earlier signed APA/ application filed.

The renewal form aims to ensure non-duplication of efforts and lowering of compliance burden for applicants already engaged in the APA process. It also aims to accelerate the APA program by providing visibility to the department and the APA teams over cases which have the same/similar transactions and terms and conditions as APAs signed/applied for previously, potentially leading to lower processing times.

The Renewal Form will be filed under Rule 106 and Rule 119 of the Income-tax Rules, 2026, and can be filed by person to eligible to apply under Rule 104 of the Income-tax Rules, 2026.

Who Should File:

Any person who has entered into or is contemplating entering into international transactions with an associated enterprise and has previously signed an APA/ applied for an APA with same/similar transactions can file the proposed Renewal Form, subject to certain conditions laid out in the Form. Eligible applicants seeking rollback can also file Form 54.

Frequency & Due Dates:

The application must be filed before the start of the first tax year for which the APA is sought in respect of transactions which are of a continuing nature from dealings that are already occurring; or before undertaking the transaction in respect of remaining transactions and is applicable for a duration, typically of five tax years ahead in case of forward-looking APAs, and four tax years back in case of rollback, for a total of nine tax years.

Structure of Form 54:

- Part A: Particulars of the Person
- Part B: Other Details:
 - Particulars of proposed APA
 - Period of APA proposed
 - International Transactions proposed to be covered along with details of the same
 - International Transactions proposed to be covered along with details of the same in case Rollback request has been made
 - **Mention if there are any changes in the details/documents in the current application as compared to the last APA application filed. If the answer is yes, specific details to be provided in the Annexures I-26.**
- Other details to be updated as annexures in separate enclosure, if so required as per S.No. 14 of the Form:

<i>General</i>			
A-1	History and background of the applicant and the associated enterprise.		
A-2	General description of business and products/services.		
A-3	Multinational structure, organizational arrangement, operational set-up, including major transaction flows.		
A-4	Details of all other transaction flows of the multinational enterprise (volumes, directions and amounts) that may have an impact on the pricing of the covered transactions.		
A-5	Proposed terms and conditions, and critical assumptions, for the APA.		
A-6	Details of all the business location(s)		
	Address of the location(s)	Functions performed	Employee headcount
A-7	Details of parent company		
a.	Details of all Immediate Parent Company:		Yes/ No
b.	Details of Ultimate Parent Company:		Yes/ No
<i>Functional Analysis</i>			
A-8	Detailed functional analysis of the applicant and all relevant entities with respect to the covered transactions.		
A-9	Business strategies:- (i) current and future Budget statements, (ii) projections and business plans for future period covered by proposed APA, (iii) general business and industry trends, (iv) future direction/business strategy including R&D, (v) production and marketing,		

	(vi) Relevant marketing and financial studies (enclose copies).
A-10	Financial statements on a consolidated and unconsolidated basis for the prior 5 years, (Also provide interim statements for the most recent period prior to the date of the submission).
<i>Industry and Market Analysis</i>	
A-11	Comprehensive description of industry as well as generally accepted industrial and commercial practices.
A-12	Identification and general profile of competitors, including respective market shares.
A-13	Industry and general business statistics, financial ratios, and analyses/studies.
A-14	Critical success factors for detailed industry analysis.
A-15	Detailed analysis of the markets for all countries involved.
<i>Transfer Pricing Background</i>	
A-16	Discussion of relevant legal considerations and requirements as per Indian law, foreign Law and DTAA between India and the foreign country including competent authority history.
A-17	Discussion of relevant rulings, UAPAs/BAPAs/MAPAs, and other similar arrangements entered into with foreign tax administrations, for transfer pricing or other valuation bases, or other taxation matters entered into by the applicant (or its associated enterprises)
A-18	History of transfer pricing audits and present status of appeals.)(
A-19	History of foreign transfer pricing audits and present status of appeals.
A-20	Copies of all relevant agreements (pricing, cost-sharing, licensing, agency, distributorship, etc.) relevant to this application is to be provided.
A-21	Operating data (gross and net) segmented by product line, division, unit, and geographic region for the prior 5 years,
<i>Transfer Pricing Methodology (TPM) Analysis</i>	
A-22	Provide all information, including detailed analyses and explanations needed to establish the appropriateness of a proposed TPM, in accordance with transfer pricing regulations as contained in the Indian Income-tax law.
A-23	Discussion and analysis of each transfer pricing method, applied or rejected, for each covered transaction. In particular provide details on accepted or rejected internal comparable. (Indicate assumptions, strategies and policies that may have influenced the acceptance or rejection of each TPM).
A-24	Summary of selected TPMs and secondary TPMs, if used as a sanity check.
A-25	Application of the proposed TPMs to the covered transactions for the 5 prior years' operations and the time period applicant wants to cover in APA, and discuss results.
A-26	Discussion and quantification of the variance from the proposed TPM, if any, from the TPM applied previously for the 5 prior years.
A-27	In case where rollback is not opted for any Transaction ID for any tax year, the reasons for the same is to be provided

What are the documents required to file the Form?

Documents required are specifically mentioned in the Form and include (but are not limited to):

- Financial Statements for the covered years of the APA Application
- Inter-company agreements relevant to the Application

What is the process flow of filing Form?

The process flow includes following steps:

1. The Applicant shall file Form electronically to the Principal Chief Commissioner of Income-tax (International Taxation) or the Competent Authority in India (in case of Bilateral/Multilateral transactions).
2. The PCCIT (IT)/Competent Authority shall assign the application to one of the 5 APA teams.
3. On receipt of the Application, the relevant APA team shall take necessary action on the Application as per procedure outlined in the Income-tax Rules, 2026.

Outcome of Processed Form

The outcome of a processed Renewal Form could be:

- Signing of an Advance Pricing Agreement (APA)
- Withdrawal of the Application
- Closure of the Application prior to signing or withdrawal

Brief note on broad or qualitative changes proposed:

- This is a new Form. While the details in the Form are similar to those asked for in Form 51, i.e. Application for an Advanced Pricing Agreement, detail/documentary requirements are relaxed to the extent of deviation from details/documents already submitted as part of an earlier APA application filed/APA signed.
- Similar to the form 51 which combines the erstwhile Form 3CED (to apply for an Advance Pricing Agreement) and Form 3CEDA (to apply for Rollback of an Advance Pricing Agreement), rollback requests have been accommodated in the renewal form as well. This has been done in view of the similarities of the two forms and shall lead to reduction in compliance burden and avoiding duplication of Forms
- A number of queries which were raised in the earlier version of the Form along with additional documentary requirements have been omitted with the aim of lowering compliance burden. Further, details have been asked for in easy-to-fill tabular form to the extent possible.

Common Changes made across Forms:

1. To make Forms system-friendly and enable e-filing and uploading, certain anomalies found due to grouping of Name, Designation, Address, PAN and Aadhaar number have been separated into different boxes.
2. Assessment / Financial / Previous year or years have been replaced with Tax year or years, wherever appearing in the Form/Annexure.
3. Sections, Clauses and Schedules changes as per the Income-tax Act, 2025.
4. Currency symbol "Rs." has been replaced with "₹".