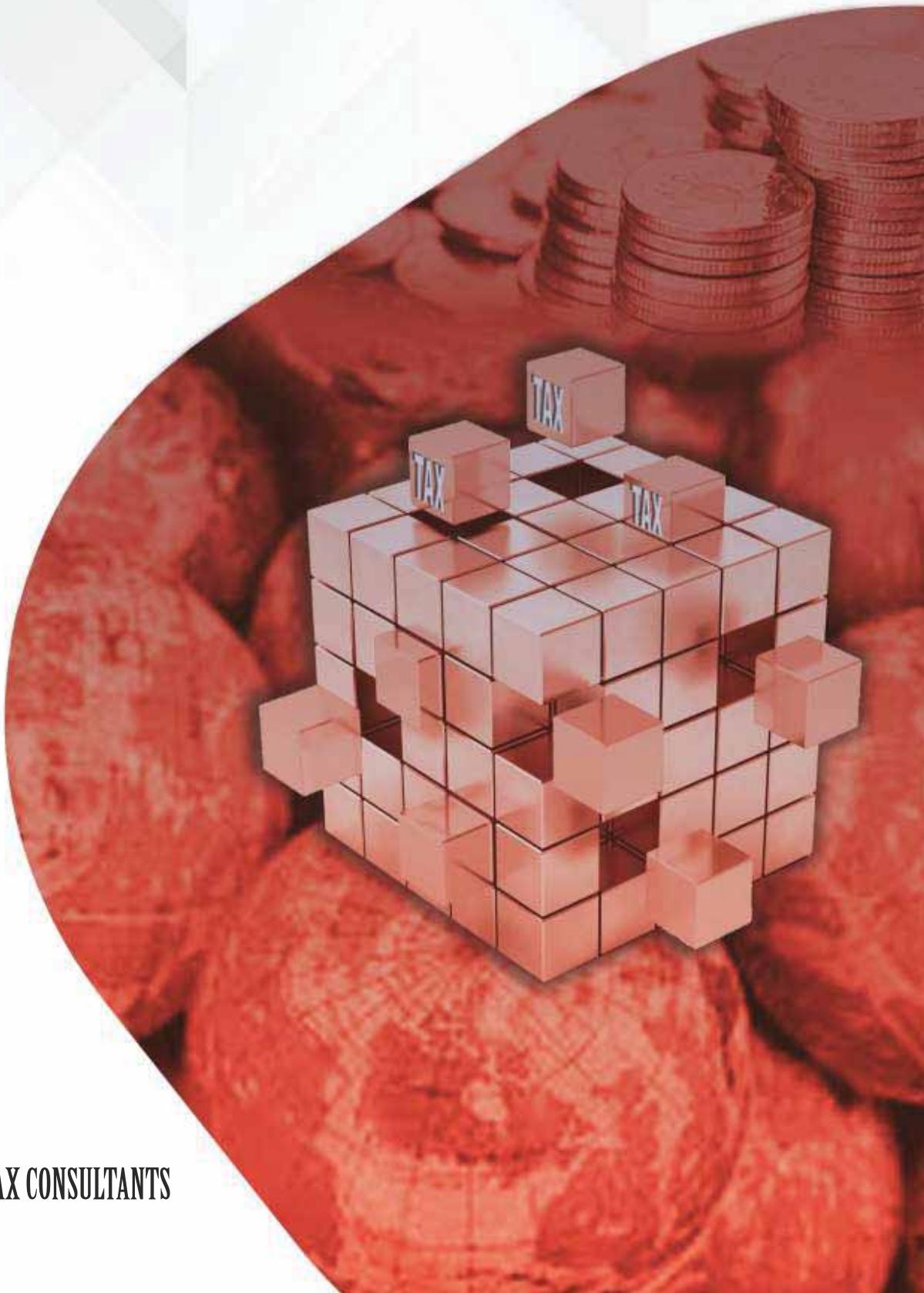


# THE CHAMBER'S INTERNATIONAL TAX JOURNAL

DECEMBER - 2018 | CTCITJ. II | NO. 2 (2018)



A Quarterly Journal of  
THE CHAMBER OF TAX CONSULTANTS

# Contents

December

|                          |     |
|--------------------------|-----|
| Editorial.....           | iii |
| — <b>Paresh P. Shah</b>  |     |
| From the President.....  | v   |
| — <b>Hinesh R. Doshi</b> |     |

| <b>Chapter<br/>No.</b>   | <b>Subject</b> | <b>Page<br/>No.</b> |
|--|----------------|---------------------|
| 1. Permanent Establishment - MLI perspective<br>— <b>CA Jiger Saiya</b>  |                | 1                   |
| 2. Effect of MLI on Permanent Establishment - India-Netherlands DTAA<br>— <b>Paras S. Savla and Harsh R. Shah, Advocates</b> |                | 11                  |
| 3. Alta Energy Luxembourg - GAAR and taxpayer's right to claim treaty benefits<br>— <b>CA Dharini Minawala</b>               |                | 19                  |
| 4. Ajanta Pharma's Case – Tolerance to Restructuring Reduced?<br>— <b>CA Anish Thacker</b>                                   |                | 28                  |
| 5. Developments in Europe on taxation of the digital economy<br>— <b>Advocate Sudarshan Rangan</b>                           |                | 33                  |
| 6. Non-Residents Taxation in the Netherlands<br>— <b>CA P. V. Srinivasan</b>   |                | 40                  |
| 7. The Case of the Hard-to-Value Intangibles<br>— <b>CA Ajit Jain and CA Asmi Nandola</b>                                    |                | 56                  |
| 8. Permanent Establishment Attribution: Challenges and Controversies<br>— <b>CA Sunil Shah and CA Geeta Bhatia</b>           |                | 63                  |