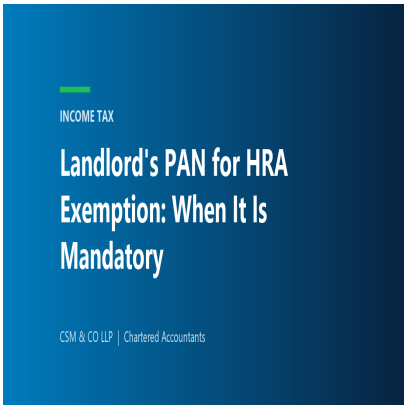

Landlord’s PAN for HRA Exemption: When It Is Mandatory

Description

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Quick summary

- You must give your landlord’s PAN to your employer if the rent you pay in the year is more than ?1,00,000 (about ?8,333 a month).
- If the landlord has no PAN, a declaration from the landlord with name and address is accepted.
- Form 124 (earlier Form 12BB) asks for the landlord’s name, address, PAN, Aadhaar, relationship and rent paid; Aadhaar is not mandatory unless your employer asks.
- The HRA exemption is only for the old tax regime. Rent paid to a spouse is not accepted, and rent to parents needs them to report the income.

If you claim the HRA exemption and pay a high rent, you must give your employer the landlord’s PAN. The rule is meant to make sure the rent is real and that the landlord reports it as income.

The rule

- If the rent you pay in the year is more than ?1,00,000 (about ?8,333 a month), the landlord’s PAN must be given. The Income Tax Department’s FAQ on Form 124 says the PAN must be furnished if the annual rent exceeds ?1,00,000.
- If the rent is ?1,00,000 or less, the PAN is not required, but you still give the landlord’s name and address.
- Aadhaar is not mandatory unless your employer specifically asks for it.

If the landlord has no PAN

Get a declaration from the landlord that they do not have a PAN, stating their name and address, as allowed by CBDT Circular 8/2013 dated 10/10/2013. Give it to your employer with your other documents. The declaration should be from the landlord, not from you.

Where do you give it?

In Form 124, the statement to your employer. Up to FY 2025-26 this was Form 12BB. For HRA it asks for:

1. Name of the landlord.
2. Address.
3. PAN.
4. Aadhaar number.
5. Relationship with the landlord, if any.
6. Rent paid to the landlord.

A copy of the rent agreement is the supporting document. Form 124 is given to your employer. It is not uploaded on the income tax portal.

Other conditions for the HRA exemption

- You must be getting HRA from your employer and be in the old tax regime.
- You must actually pay rent for a house that you do not own.
- Rent paid to your spouse is not accepted. If you pay rent to your parents, they must own the house and show the rent as income in their return.
- The exemption is the lowest of the HRA received, 50% (eight metro cities) or 40% of salary, and rent paid less 10% of salary.

Documents to keep

- Rent agreement.
- Rent receipts or, better, bank proof of payment each month.
- Landlord’s PAN or the landlord’s no-PAN declaration.
- Salary slips showing HRA.

If you do not give the proof

- Your employer can refuse the exemption and deduct higher TDS.
- You can still claim the exemption in your return if you have the proof, and get a refund of the excess TDS.
- A claim without proof may be questioned by the department.

TDS on rent is a separate matter

The tenant’s own duty to deduct tax at source on rent is different from the HRA rule. Under the Income-tax Act, 2025 (section 393, Table Sl. No. 2), a tenant who is not a specified person, such as an individual or HUF who is not liable to a tax audit, deducts tax at 2% on rent where it is ?50,000 or more for a month or part of a month. A specified person (an audited individual or HUF, or other person) deducts 2% for machinery, plant or equipment and 10% for land, building or furniture, on the same threshold. The 1961 Act equivalents are sections 194-IB and 194-I. Check your own status with a professional.

Frequently asked questions

When is landlord PAN required for HRA?

When the rent you pay in the year is more than ?1,00,000, that is above about ?8,333 a month.

What if the landlord does not have a PAN?

Give your employer a declaration from the landlord that they do not have a PAN, along with their name and address.

Is Aadhaar required?

Form 124 asks for the landlord's Aadhaar, but it is not mandatory unless your employer specifically asks for it.

Can I claim HRA without giving rent proof?

Your employer may refuse the exemption and deduct more TDS. You can still claim it in your return if you have the proof.

Is the HRA exemption available in the new tax regime?

No. It is available only in the old tax regime.

Official sources

- Income Tax Department: Form No. 124
- Income-tax Rules, 2026 (Rule 205 and Form 124)
- Income Tax Department: e-Filing portal

Related reading

- Landlord's PAN for HRA Exemption: When It Is Mandatory
- Can You Claim Both HRA and Home Loan Interest Deduction?
- What is House Rent Allowance (HRA): Exemption, Calculation and New Rules 2026

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