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[Paragraph 10C.6(i) and 10C.7(i)]

Declaration for direct investment made by NRIs in proprietorship/ partnership concern and by NRIs/OCBs in Indian companies under the general permission granted by Reserve Bank vide its Notifications Nos. FERA. 113 and FERA. 114/92-RB dated 27th April 1992

Instructions:

1. The declaration should be submitted by
 - a) Investee company in case of investment in a limited company.
 - b) NRI in case of investment in a partnership firm/ proprietary concern.
2. The declaration should be submitted to the concerned Regional office of Exchange Control Department of Reserve Bank of India within whose jurisdiction the place of business of the investee proprietorship concern/ partnership firm or the registered office of the investee company is situated.

Documentation:

3. Names of NRI/OCB investors and other details(see note to item II).
 4. Certificate/s from the bankers in India evidencing receipt of inward remittance/s in foreign exchange through normal banking channel or withdrawal of funds from the investor's NRE/FCNR/NRO / NRSR accounts.
 5. A certificate in form OAC/OAC 1, as the case may be, showing the ownership pattern of the investor(s) if it is an Overseas Corporate Body.
 6. A declaration to the effect that the firm/ company does neither undertake nor will undertake agriculture/ plantation/ real estate business (excluding real estate development) or Chit Fund/ Nidhi business/ trading in Transferable Development Rights(TDRs).
 7. A certified copy of Board Resolution for allotment of shares in the case of companies.
 8. NRU in the prescribed form from the investor.
 9. If the shares are allotted on preferential basis (in the case of Indian companies), CA's certificate regarding valuation of shares as per erstwhile CCI/ SEBI guidelines.
 10. Copies of approvals/acknowledgements obtained from RBI for earlier investments by NRIs/OCBs.
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- I In the case of proprietorship/ partnership concern, please state:
- 1 (a) Full name and address of the proprietorship/ partnership concern
(b) Full name, local and overseas address of the investor, his nationality and origin
 - 2 (a) Amount invested
(b) Total capital of the concern
(c) Percentage interest held by NRIs
(d) Date of investment
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- II In the case of an Indian company, please state:
1. (a) Full name and address (regd. office) of the company
(b) NRI/OCB Investors *
(c) Date of incorporation
(d) Date of commencement of business.
 - 2 (a) Amount invested by
 - (i) NRIs
 - (ii) OCBs
(b) (i) Total capital of the company
(ii) Total number of shares/ convertible debentures issued.
(iii) Face value of each share/ convertible debenture
(iv) Total face value
(c) Percentage interest held by
 - (i) NRIs
 - (ii) OCBs
(d) Date of allotment of shares
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- 3 Whether the company is an 100% EOU; if yes, a notarised copy of GOI (SIA) approval obtained may be produced.
 - (a) Number of NRI investors.
 - (b) Number of OCB investors.
 - (c) Amount invested by (excluding the present investment)
 - (i) NRIs.
 - (ii) OCBs

III. Brief description of the activities of the concern/
firm/ company

- IV (a) Source of funds for non-resident investment
i.e. by way of
- (i) Remittance from abroad
 - (ii) withdrawal from NRE account
 - (iii) Withdrawal from FCNR account
 - (iv) ithdrawal from NRO account
 - (v) Withdrawal from NRSR account
- (b) Name/s and address/es of the bank/s receiving
inward remittance/ maintaining NRE/FCNR/NRO/
NRSR account of the non-resident investor.
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I /We hereby declare that the particulars given above are true and correct to the best of my/our knowledge and belief.

I/We confirm that the required undertaking regarding non-repatriation of capital invested in the firm/ company and income earned thereon(in the case of investment from NRSR account) has been obtained from all non-resident investors.

Place:

Date:

Seal

(Signature)

Name(s) : _____

Designation(s): _____

*** Note:-** Attach list of NRI/OCB investors in Part A(NRIs/PIOs) and Part B (OCBs) giving (a) Sr. No.(b) Folio. No. (c) Name (d) overseas address (e) Nationality and origin (f) No.of shares/convertible debentures issued (g) Face value per share/ convertible debentures and (h) Total face value. . List should be certified by the company.
