

NRC

[Paragraph 10 C.21(iv)]

Application from an overseas company/partnership firm/society/trust or any other corporate body predominantly owned by non-residents of Indian nationality/origin for permission under Section 29 (1)(b) of Foreign Exchange Regulation Act, 1973 to purchase shares of Indian companies through stock exchange/s in India without benefits of repatriation of capital invested and income earned thereon.

Instructions:

- 1. The application should be completed in duplicate and submitted to the Chief General Manager, Exchange Control Department, Reserve Bank of India, Central Office (Foreign Investment Division), NRI Cell, Mumbai- 400 001 through a designated branch of a bank authorised to deal in foreign exchange in India. Under the Portfolio Investment Scheme, only certain branches have been designated to undertake the work relating to investments. In order to facilitate such investments, it would be advisable if the applicant's account is maintained with the same branch of the bank through which this application is submitted.*
- 2. This form may be used for permission to purchase debentures also.*
- 3. Applicants wishing to purchase shares/debentures with repatriation benefits should submit a separate application on form RPC to the above office of Reserve Bank through the same designated branch.*
- 4. To qualify for necessary permission for investment in shares/debentures at least 60% ownership of the applicant company/firm/society should, either directly or indirectly be with individuals of Indian nationality/origin resident outside India. In the case of trust, atleast 60% of the beneficial interest must either directly or indirectly be held irrevocably by individuals of Indian nationality/origin resident outside India.*
- 5. For the purpose of the facility of investment in shares and securities, a person (not being a citizen of Pakistan or Bangladesh) shall be deemed to be of 'Indian origin' if (i) he at any time, held Indian passport, or (ii) he or either of his parents or any of his grandparents was a citizen of India by virtue of the Constitution of India or Citizenship Act, 1955 (57 of 1955). A spouse (not being a citizen of Pakistan or Bangladesh) of an Indian citizen or of a person of Indian origin is also deemed to be a person of Indian origin.*

Documentation:

6. A certificate (in original) of a recent date in form OAC/OAC1 from an Overseas Auditor/Chartered Accountant/Certified Public Accountant.

1.	(i) Name and address of the applicant (ii) Whether the applicant is a company, partnership firm, society or trust. (iii) Place of incorporation/registration (iv) Date of incorporation/registration (v) Percentage of ownership of the applicant company/firm/society (irrevocable beneficial interest in case of a trust) held directly or indirectly by individuals of Indian nationality/origin resident outside India.	(i) (ii) (iii) (iv) (v)
2.	Name and address of the bank branch in India through which the applicant desires to purchase shares/debentures	
3.	Source of funds from which payment for shares/debentures to be purchased will be made (i) By remittances from abroad (ii) From non-resident bank account in India (a) Nature of account viz. NRE/FCNR/NRO account (b) Account number (c) Address of the bank branch maintaining the account	(i) (ii) (a) (b) (c)

We solemnly declare that the particulars given above are true and correct to the best of our knowledge and belief.

We undertake that if the ownership interest of the individuals of Indian nationality/origin resident outside India in our company/firm/society falls below the level of 60% at any time in future, we shall inform such a change to the designated bank mentioned in column 2 of this application and the Reserve Bank of India promptly. In the case of trust, this undertaking would relate to any change in the beneficial interest of individuals of Indian nationality/origin resident outside India.

We also hereby agree and undertake that in the event of the Reserve Bank of India permitting us to purchase shares/debentures in Indian companies, we will not, at any time, seek repatriation of the capital invested or of the income earned thereon. This undertaking will also be binding on our executors, successors and assignee and they will not be entitled to seek repatriation of any capital so invested by us or any income earned thereon.

Place :
Date :

Stamp

(Signature of authorised official)
Name:
Designation:

(To be completed by the designated bank)

We hereby certify that the applicant is our bona fide constituent. We also undertake to ensure that shares/debentures will be purchased through recognised stock exchange/s in India in conformity with the relevant Exchange Control regulations and we shall comply with the terms and conditions as may be stipulated by the Reserve Bank while granting its permission to purchase shares/debentures on behalf of the applicant.

Date :

Stamp

(Signature of authorised official)
Name:
Designation:
Name and Address of
Designated Bank