

FNC7
[Paragraph 10 C.8 and 11 A.5(I)]

Application for permission under Section 29 of Foreign Exchange Regulation Act 1973 to purchase shares in India of any company carrying on trade commerce or industry

Instruction :

1. The application should be completed in duplicate and submitted to the Chief General Manager, Exchange Control Department (Foreign Investment Division), Reserve Bank of India, Central Office, Mumbai-400001. However, applications for purchase of shares on non-repatriation basis by non-residents of Indian nationality/origin (NRIs) or overseas corporate bodies owned to the extent of at least 60% by such persons (OCBs) or by foreign nationals of Indian origin resident in India should be submitted in duplicate to the concerned office of Reserve Bank within whose jurisdiction the Registered/Head Office of the investee company is situate.

Documentation :

Please submit the following documents in triplicate:

2. Balance Sheets and Profit and Loss Accounts statements for the preceding three years, if the applicant is a company already functioning in India.
3. Balance Sheets and Profit and Loss Account statements for the preceding three years of the company whose shares are proposed to be purchased.
4. An Auditor's certificate showing the fair valuation of shares to be purchased.
5. Certified copies of sale deed/agreement for sale in respect of purchase of shares by private arrangements.
6. A non-repatriation undertaking in the prescribed form, where applicable.
7. In case the proposed investment is to be made by an OCB under Non-resident Indian Investment Scheme a certificate in original of a recent date in form OAC/OAC 1 from an overseas auditor/chartered accountant/certified public accountant.

1. (a) Full name and address of the applicant (b) Nationality (if the applicant is an individual) (c) Place of incorporation (if the applicant is a company) (d) Nature of business or manufacturing activity in India of the applicant.	(a) (b) (c) (d)
2. (A) If the applicant is a person resident outside India, please	

<p>state whether -</p> <p>(a) Citizen of India</p> <p>(b) Not a citizen of India</p> <p>(B) If the applicant is a foreign citizen residing in India, please state -</p> <p>(a) Country of birth</p> <p>(b) Date of birth</p> <p>(c) Since when staying in India and probable duration of further stay in India.</p> <p>(d) Purpose of stay in India.</p> <p>(e) Particulars of Reserve Bank's approval obtained (if any) under Section 30 of F.E.R. Act, 1973 for practicing any profession or carrying on any occupation, trade or business in India.</p> <p>(f) Whether enjoying any recurring remittance facilities; if so, details thereof.</p> <p>(g) Whether he is a person of India origin.</p>	<p>(a)</p> <p>(b)</p> <p>(a)</p> <p>(b)</p> <p>(c)</p> <p>(d)</p> <p>(e)</p> <p>(f)</p> <p>(g)</p>																												
<p>3. If the applicant is a company, please furnish the following particulars/documents</p> <p>(A) Authorised capital</p> <p>(a) Equity</p> <p>(b) Preference</p> <p>(B) Paid-up capital</p> <p>(a) Equity</p> <p>(b) Preference</p> <p>(C) Held by</p> <p>(I) Non-resident -</p> <p>(a) Corporate Bodies</p> <p>(i) Firms, companies and institutions/bodies other than those included in below</p> <p>(ii) Firms, companies and other bodies directly or indirectly owned to the</p>	<table border="1"> <tr> <td data-bbox="803 1129 1015 1192">(a) Rs.....</td> <td data-bbox="1015 1129 1414 1192">divided into.....</td> </tr> <tr> <td data-bbox="803 1192 1015 1255">shares of Rs.....</td> <td data-bbox="1015 1192 1414 1255">each</td> </tr> <tr> <td data-bbox="803 1255 1015 1318">(b) Rs.....</td> <td data-bbox="1015 1255 1414 1318">divided into.....</td> </tr> <tr> <td data-bbox="803 1318 1015 1381">shares of Rs.....</td> <td data-bbox="1015 1318 1414 1381">each</td> </tr> <tr> <td data-bbox="803 1381 1015 1444">Rs.....</td> <td data-bbox="1015 1381 1414 1444">divided into.....</td> </tr> <tr> <td data-bbox="803 1444 1015 1507">shares of Rs.....</td> <td data-bbox="1015 1444 1414 1507">each</td> </tr> <tr> <td data-bbox="803 1507 1015 1570">Rs.....</td> <td data-bbox="1015 1507 1414 1570">divided into.....</td> </tr> <tr> <td data-bbox="803 1570 1015 1633">shares of</td> <td data-bbox="1015 1570 1414 1633"></td> </tr> <tr> <td colspan="3" data-bbox="803 1633 1015 1696">Equity</td></tr> <tr> <td data-bbox="803 1696 1015 1759">No. of shares</td><td data-bbox="1015 1696 1112 1759">Face Value</td><td data-bbox="1112 1696 1414 1759">%</td></tr> <tr> <td data-bbox="803 1759 1015 1822"></td><td data-bbox="1015 1759 1112 1822"></td><td data-bbox="1112 1759 1414 1822"></td></tr> <tr> <td data-bbox="803 1822 1015 1885"></td><td data-bbox="1015 1822 1112 1885"></td><td data-bbox="1112 1822 1414 1885"></td></tr> </table>	(a) Rs.....	divided into.....	shares of Rs.....	each	(b) Rs.....	divided into.....	shares of Rs.....	each	Rs.....	divided into.....	shares of Rs.....	each	Rs.....	divided into.....	shares of		Equity			No. of shares	Face Value	%						
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<p>extent of atleast 60% by non-residents of Indian nationality/origin</p> <p>(b) Individuals</p> <p>(i) Indian nationals and persons of Indian origin;</p> <p>(a) with repatriation benefits</p> <p>(b) without repatriation benefits</p> <p>(ii) Others</p> <p>(II) Resident -</p> <p>(a) Firms, companies and other institutions/bodies</p> <p>(b) Individuals</p> <p>(i) Indian nationals</p> <p>(ii) Other than Indian nationals</p> <p>Total :</p>						
<p>4. Particulars of the company whose shares are proposed to be purchased</p> <p>(a) Name, address and place of its incorporation</p> <p>(b) Nature of its business or manufacturing activity</p> <p>(c) Whether the activity is covered by Annexure III to Industrial Policy Statement dated 24th July 1991</p>						
	(a)					
	(b)					
	(c)					

<p>5. Particulars of the shares to be purchased</p> <p>(a) Equity shares</p> <p>(i) Total number</p> <p>(ii) Total face value</p> <p>(iii) Percentage of total equity shares of the company</p> <p>(b) Preference shares</p> <p>(i) Total number</p> <p>(ii) Total face value</p> <p>(iii) Percentage of total equity shares of the company</p> <p>(c) Whether the shares are quoted on a recognized stock exchange in India; if so, give the current quotation.</p>	<p>(a)</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(b)</p> <p>(i)</p> <p>(ii)</p> <p>(iii)</p> <p>(c)</p>	
<p>6. How the shares are proposed to be purchased i.e., whether through a recognized stock exchange or by private arrangement with the seller. in the latter case, please furnish the following:</p> <p>(a) Name and address of the seller</p> <p>(b) The price or consideration money to be paid</p>	<p>(a)</p> <p>(b)</p>	
<p>7. Source of funds from which payment for the shares to be purchased will be made</p>		

<p>8. Whether apart from the shares proposed to be purchased (vide item 5 above) the applicant already holds any shares of the same company; if so, state.</p> <p>(a) Total number and face value of the shares (Details of equity and preference shares to be given separately as required under item above)</p> <p>(b) Percentage of total capital (equity and preference to be indicated separately) of the company</p> <p>(c) The date when the shares were acquired</p> <p>(d) Number and ate of the Reserve Bank's approval obtained (if any) for acquiring / holding the shares</p>	<p>(a)</p> <p>(b)</p> <p>(c)</p> <p>(d)</p>	
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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.

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(Signature of Applicant/Authorised Official)

Place :

Date :

Name :

Designation :