

**FEMA**

**FOREIGN EXCHANGE MANAGEMENT ACT(FEMA)**

**Reporting under FEMA on Foreign Direct Investment –  
Revised Procedure**

1. In terms of the earlier applicable regulations, the following reporting was prescribed:
  - 1.1 The details of receipt of foreign inward remittance for issue of shares/convertible debentures were to be reported to the Regional Office of RBI within 30 days of the receipt of remittance, giving particulars of the remittance as prescribed. However, there was no format prescribed for the above reporting
  - 1.2 Within 30 days of allotment of shares/convertible debentures, details were required to be reported to the Regional Office of RBI through the Authorized Dealer – Category 1 (Bank), in the prescribed form, FC-GPR.
2. Presently, RBI had made changes in the above reporting requirements: [Vide AP (DIR Series) Circular No. 44 dated May 30, 2008] (see attachment)



AP(DIR Series)  
Circular No.44 dt.30.!

- 2.1 The foreign inward remittance report has now to be furnished in a format which has been prescribed by RBI for the first time. This format contains the remittance details as earlier required.

**Additionally, the following information /documents are required:**

- 2.1.1 Permanent Account Number (PAN) of the investee Company has to be furnished;
- 2.1.2 Copy of the FIRC is specifically to be attached;
- 2.1.3 The above report is now required to be filed by the investee Company with the Regional Office of the RBI, within 30 days of receipt of remittance, through an Authorized Dealer-Category I (Bank);
- 2.1.4 Along with this Remittance Report, a Know Your Customer (KYC) Report on the non-resident investor has to be furnished in a prescribed format.

The following particulars of the non-resident investor are required to be furnished in the KYC Report which is to be signed by the Authorized Dealer –Category I (Bank)

If the investor is a Company:

- Registration number of the Company along with registered address;
- Name of the remitter's Bank;

- Bank account number of the remitter;
- Period of banking relationship with the remitter.

If the remitter is an individual:

- Any identification number such as Passport Number, Social Security Number etc;
- Permanent address;
- Other particulars as applicable to a Company.

2.1.5 The KYC Report will be signed by the Authorized Dealer, based on relevant information provided by the overseas remitting Bank of the non-resident investor.

2.1.6 Upon receipt of the remittance report as above, a Unique Identification Number (UIN) will be allotted by the RBI. Such UIN will be allotted for each remittance.

2.2 The format of reporting the allotment of shares/convertible debentures in FC-GPR has also been revised and enlarged.

2.2.1 The following additional information is required to be furnished therein:

- (a) Date of incorporation of the Non-Resident investor;
- (b) Certain information as required has now been enlarged;
- (c) UIN for the remittances received.

- 3. As may be observed from the above, the details required for filing the reports have to be carefully planned and coordinated with the foreign investor, foreign investor's remitting bank, the Authorized Dealer in India, etc., so as to be able to file the reports complete in all respects within the prescribed time.**