



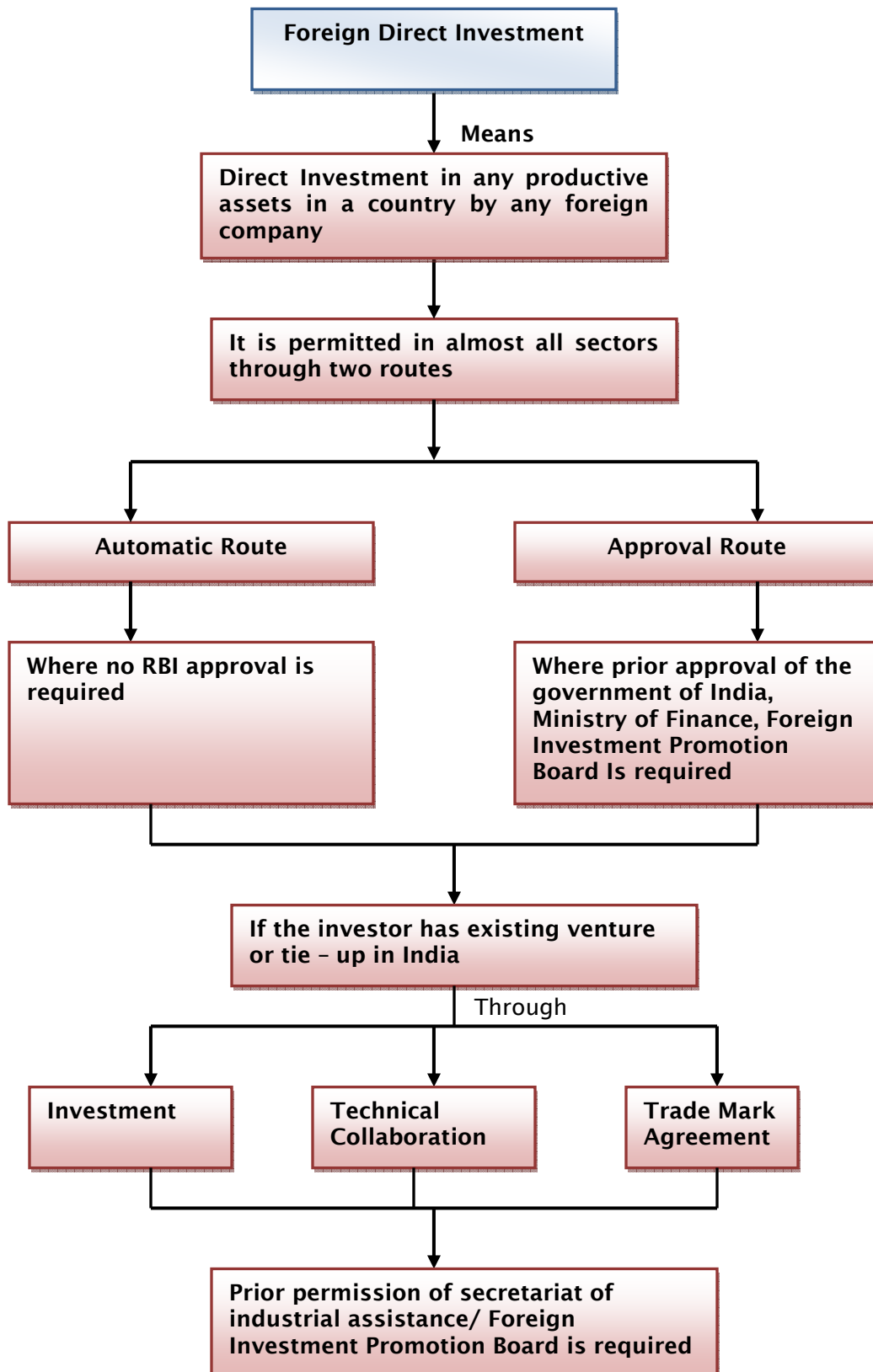
## ***FOREIGN DIRECT INVESTMENT***



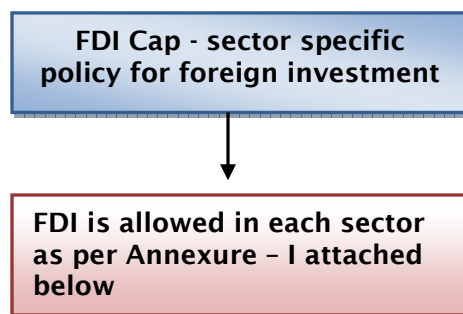
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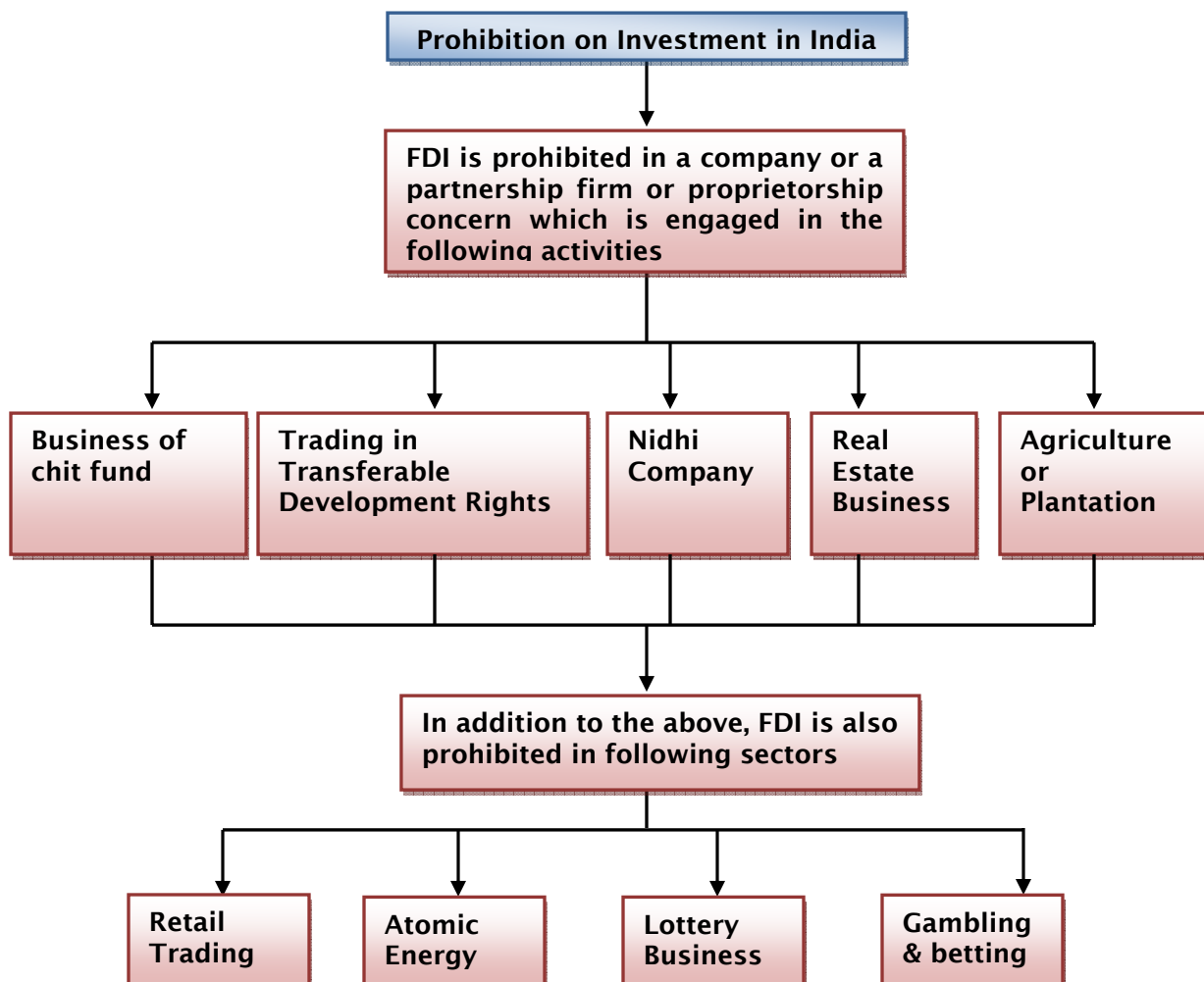
## FOREIGN DIRECT INVESTMENT



## FDI CAP

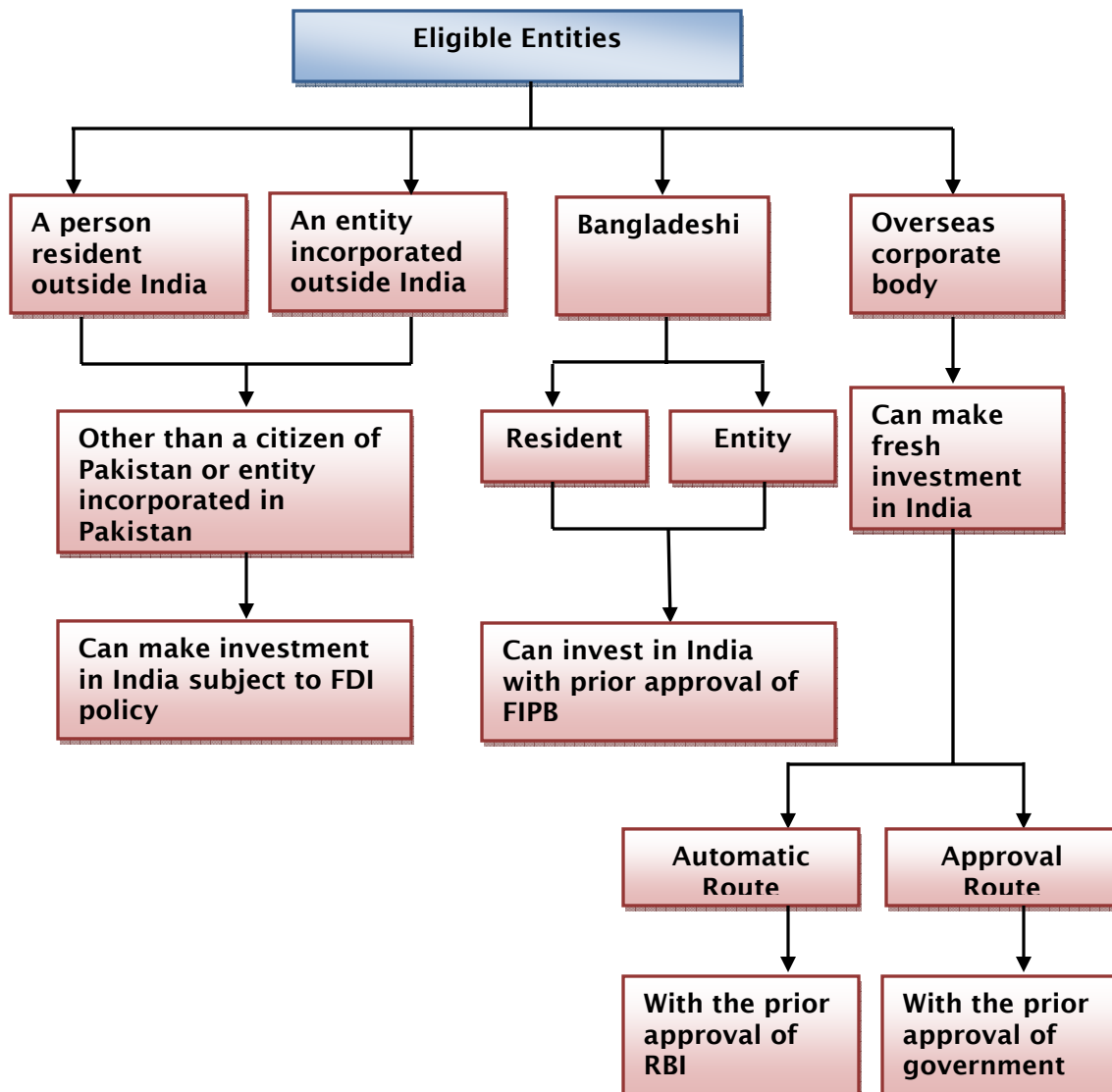


## PROHIBITION ON INVESTMENT IN INDIA



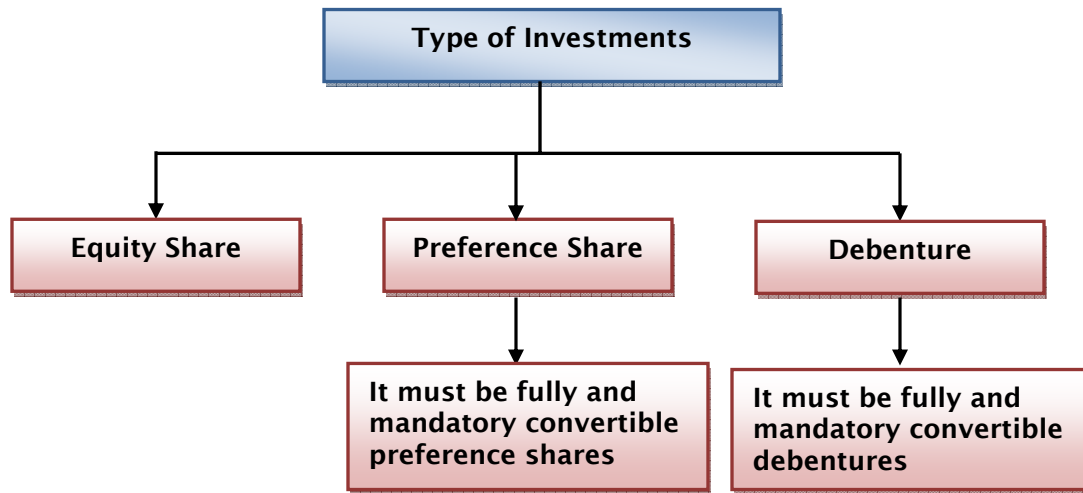
**Note:** Real Estate business does not include development of townships, construction of residential/ commercial premise, roads or bridges, educational institutions, recreational facilities, city and regional level infrastructure, townships. It is further clarified that partnership firms/ proprietorship concerns having investment as per FEMA regulations are not allowed to engage in print Media sector.

## ELIGIBLE ENTITIES



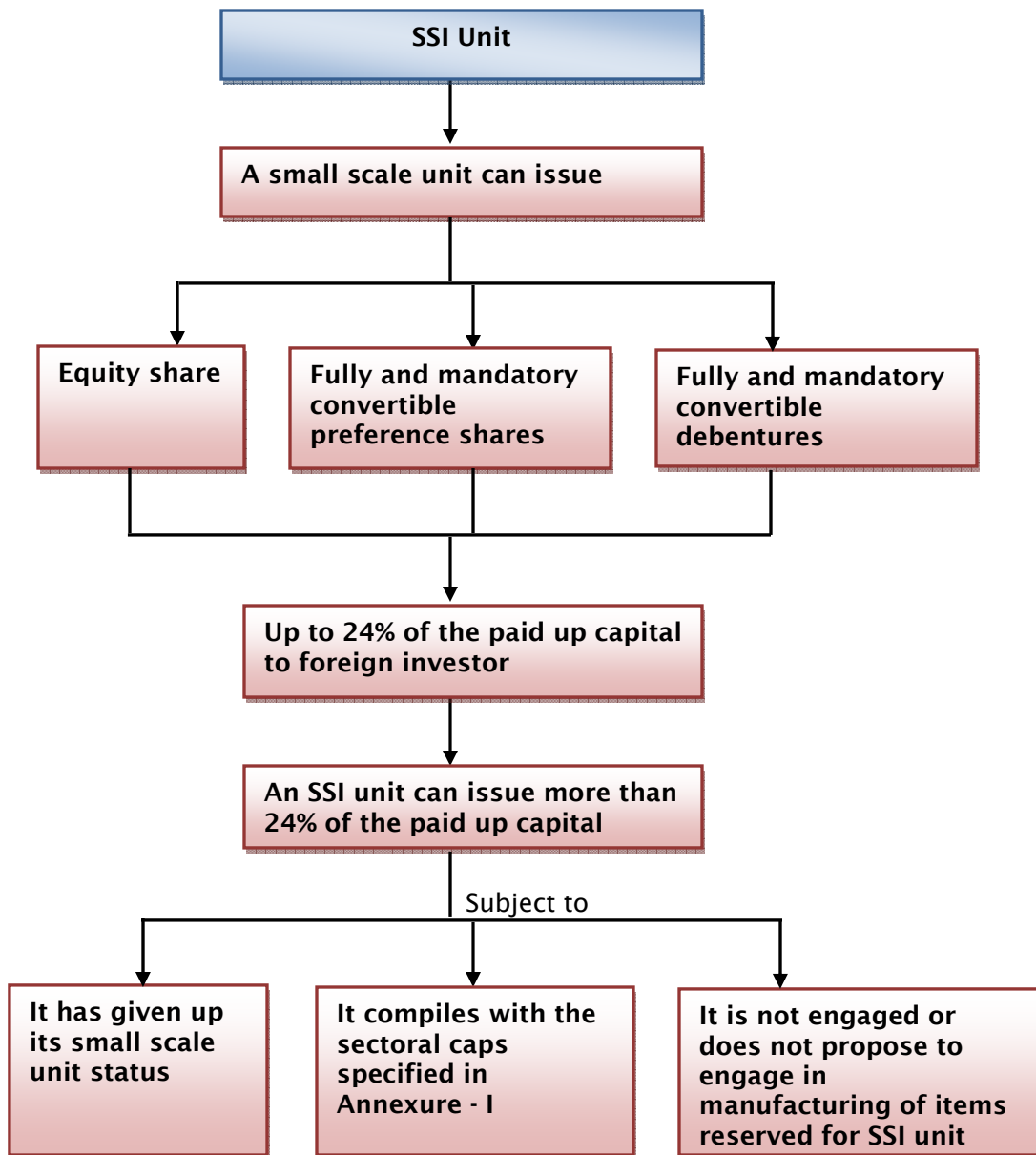
**Note:** Overseas corporate body means a company, partnership firm, society and other corporate body owned directly or indirectly to the extent of at least sixty per cent by non-resident Indians and includes overseas trust in which not less than sixty per cent beneficial interest is held by non-resident Indians, directly or indirectly, but irrevocably.

### Type of Investments



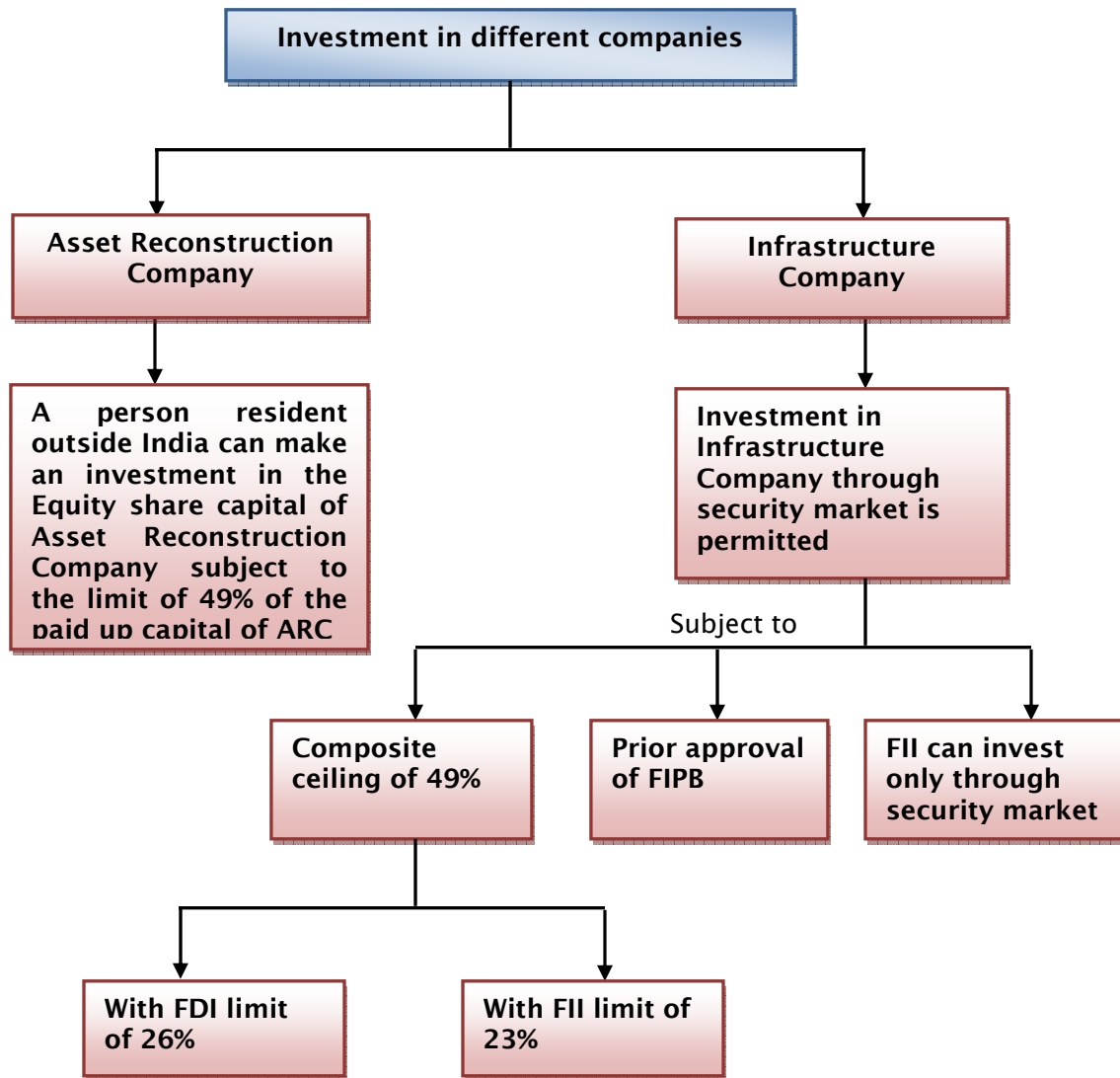
**Note:** Other types of preference shares – such as non-convertible, optionally convertible or partially convertible, have to be in accordance with the guidelines applicable for External Commercial Borrowings. Since these instruments are denominated in rupees, the rupee interest rate will be based on the swap equivalent of London Interbank Offered Rate (LIBOR) plus the spread permissible for ECBs of corresponding maturity.

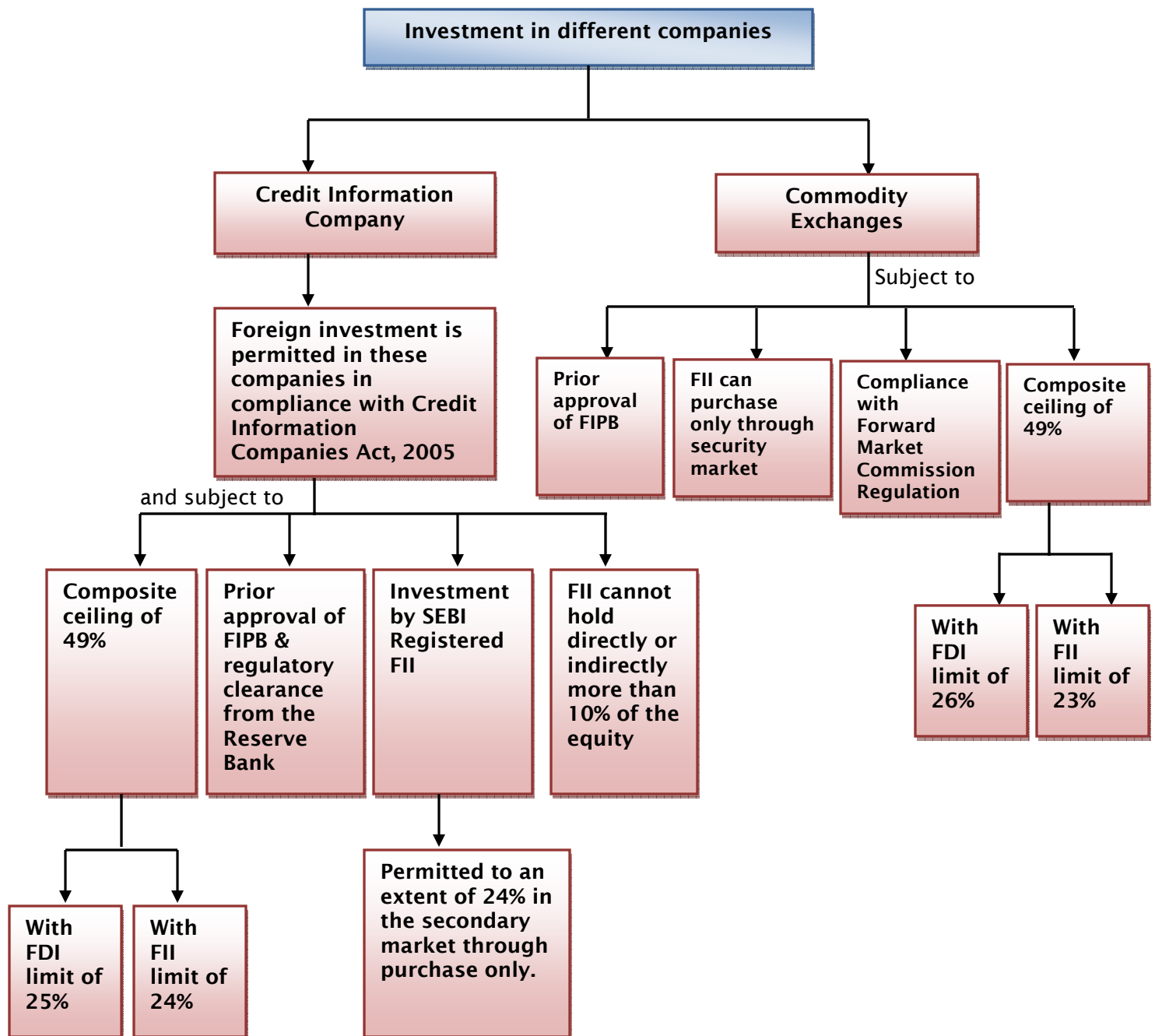
## INVESTMENT IN SMALL SCALE INDUSTRIAL UNITS

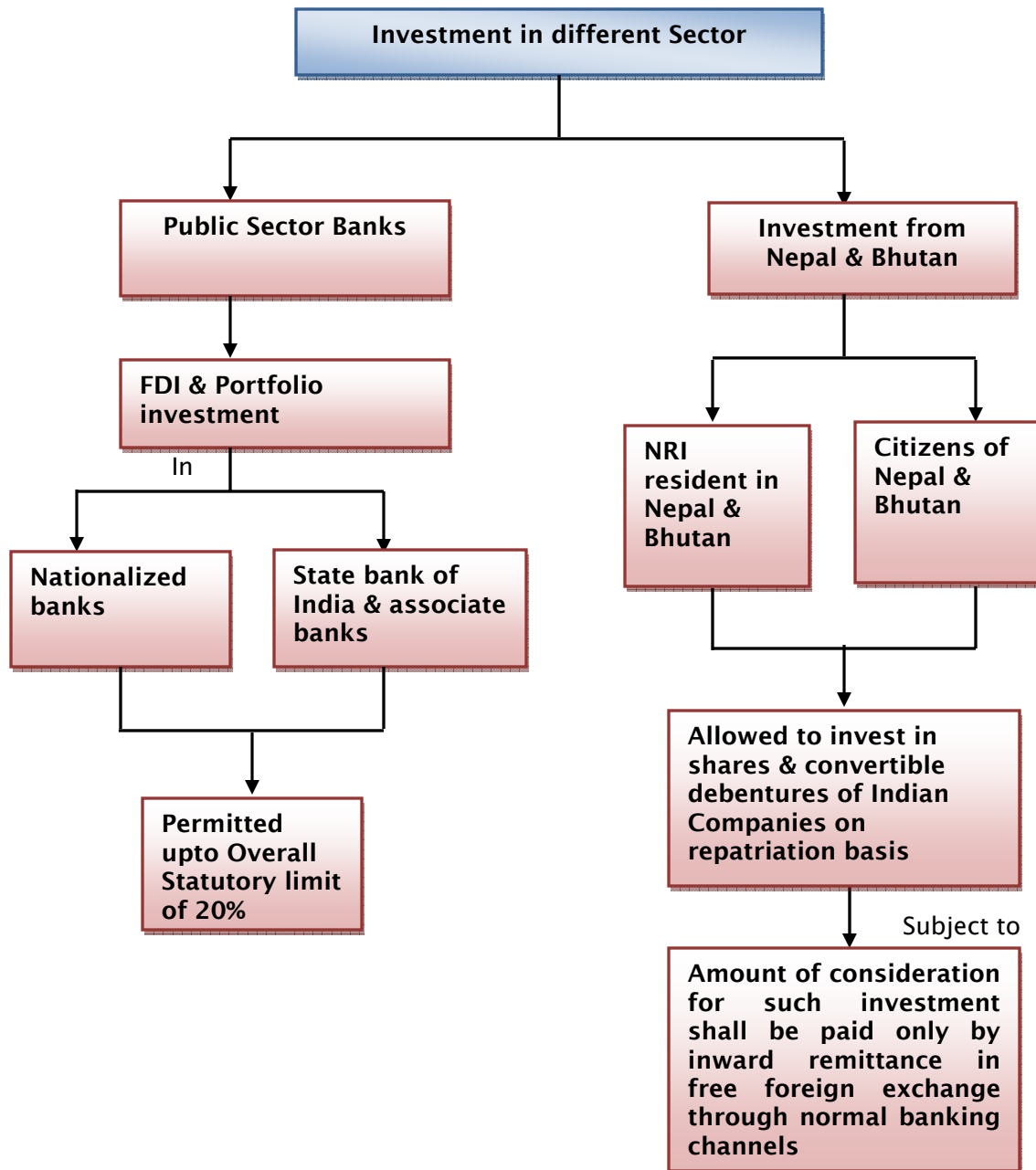


**Note:** It is clarified that the Indian company/ SSI unit would be reckoned as having given up its SSI status, if the investment in plant and machinery exceeds the limits prescribed under the Micro, Small and Medium Enterprises (MSME) Development Act, 2006

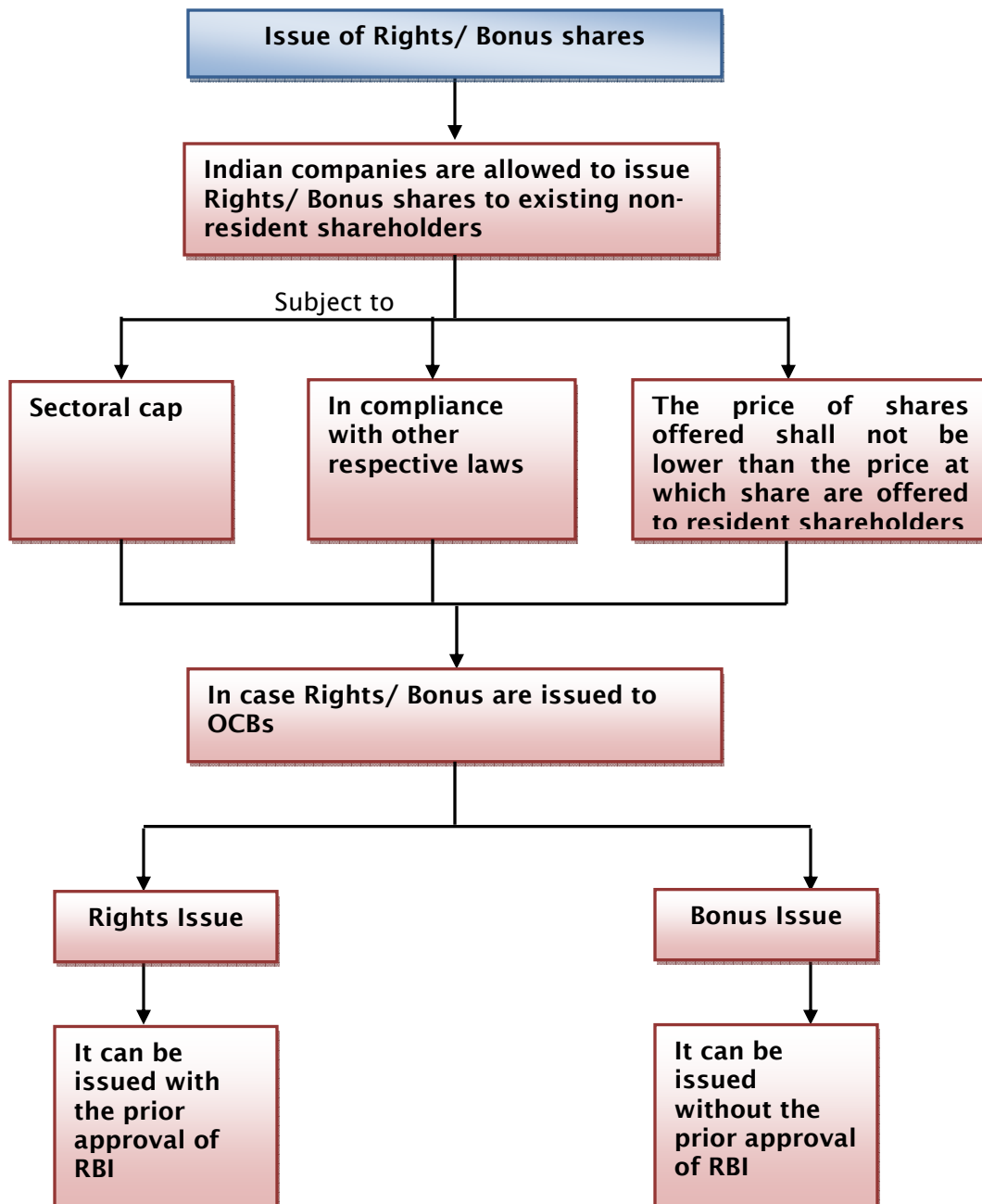
## INVESTMENT IN DIFFERENT COMPANIES





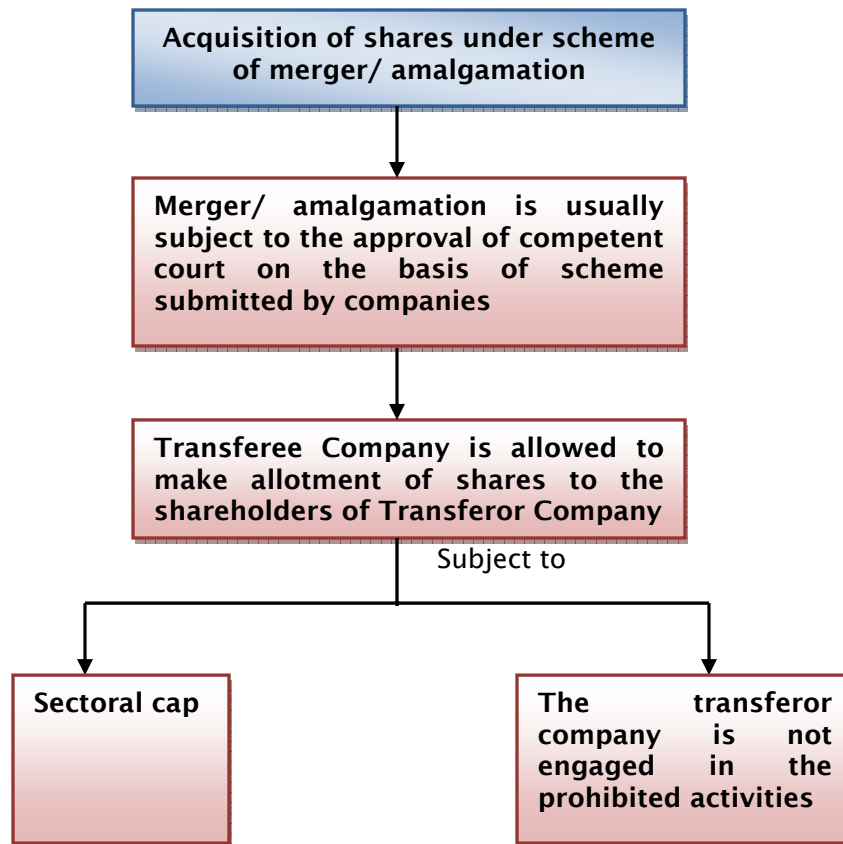


## ISSUE OF RIGHTS/ BONUS SHARES

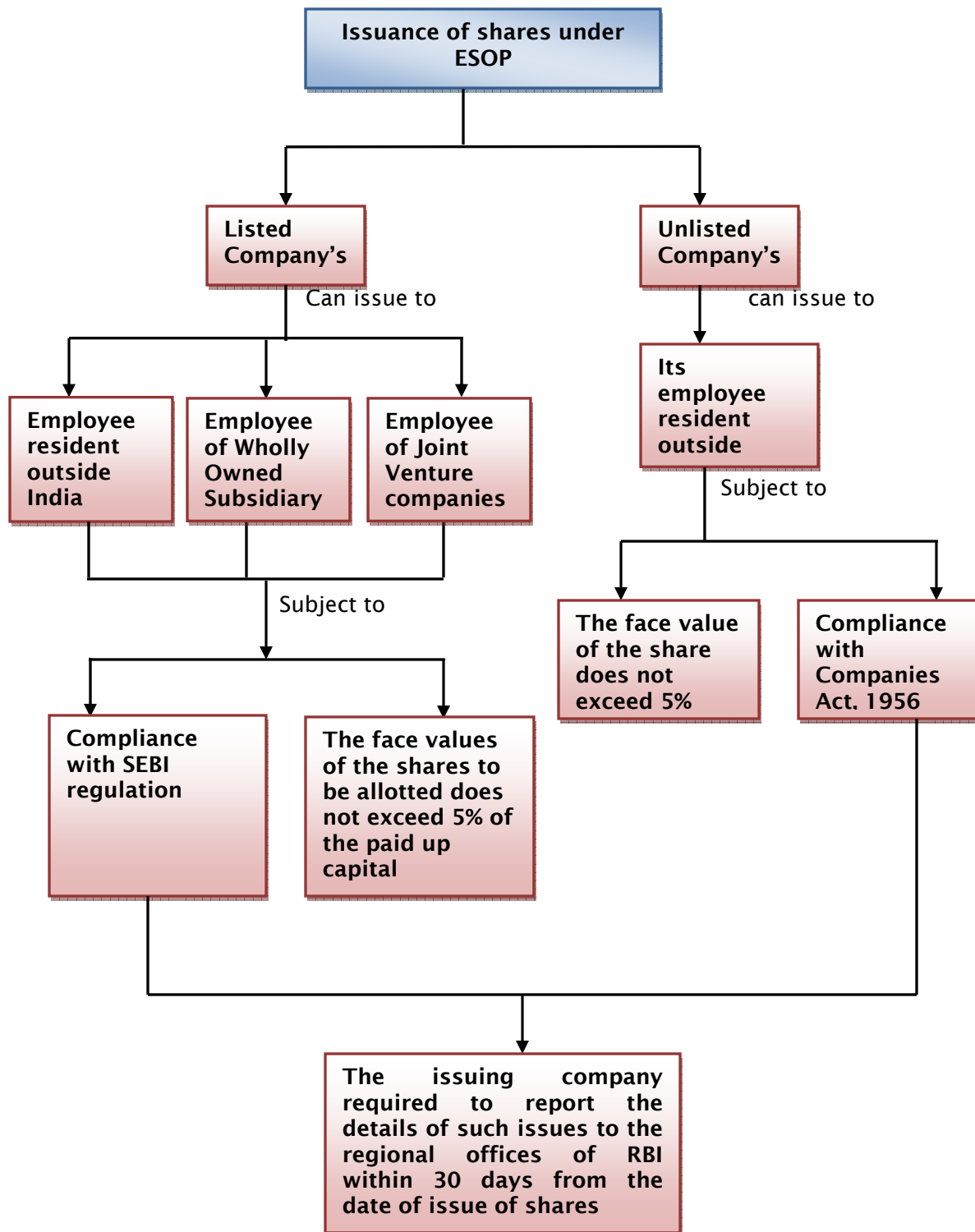


**Note:** Existing non-resident shareholders are allowed to apply for issue of additional shares/ convertible debentures/ preference share over and above their rights share entitlements. The investee company can allot the additional rights share out of unsubscribed portion, subject to the condition that the overall issue of shares to non-residents in the total paid-up capital of the company does not exceed the sectoral cap.

## ACQUISITION OF SHARES UNDER SCHEME OF MERGER/ AMALGAMATION



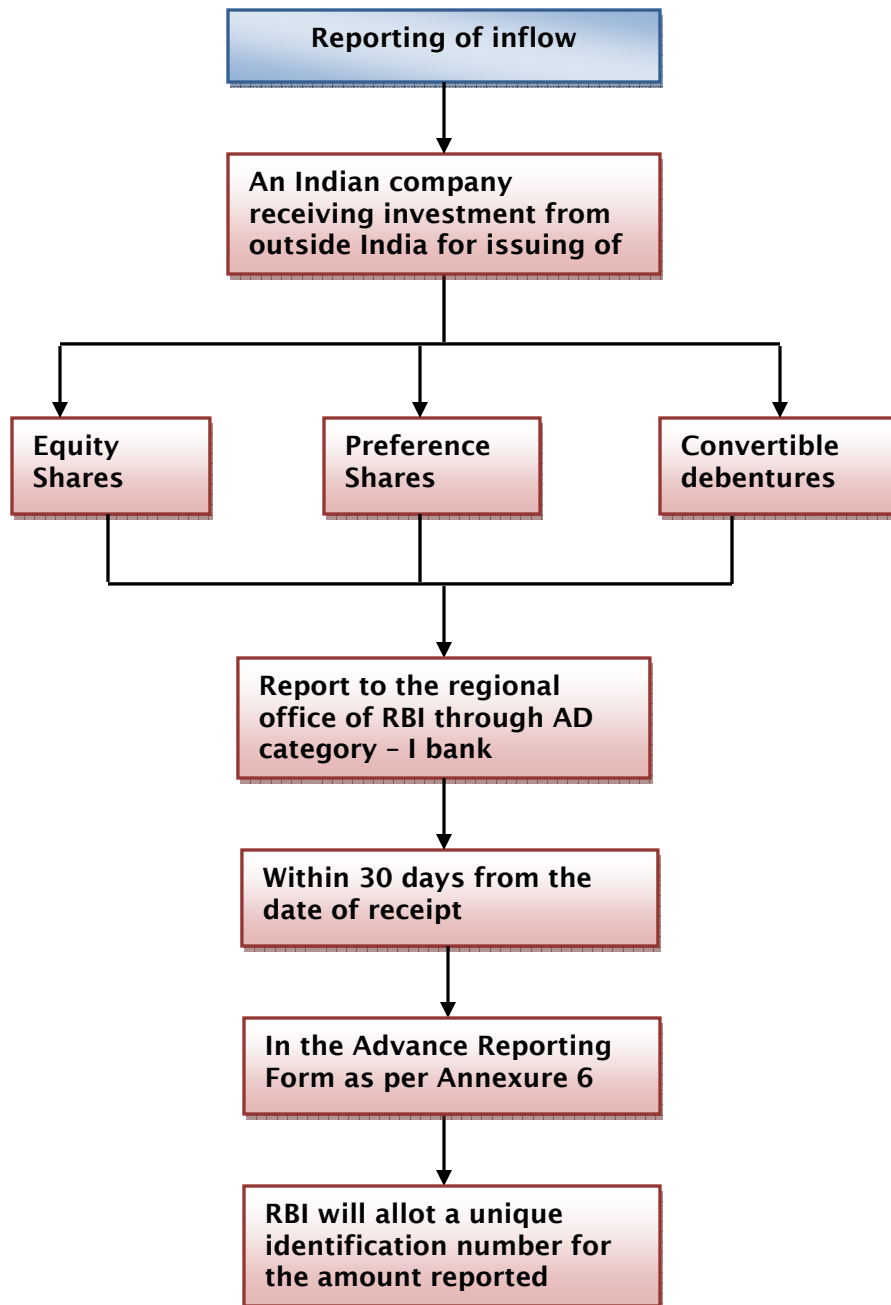
## ISSUANCE OF SHARES UNDER EMPLOYEES STOCK OPTION SCHEME



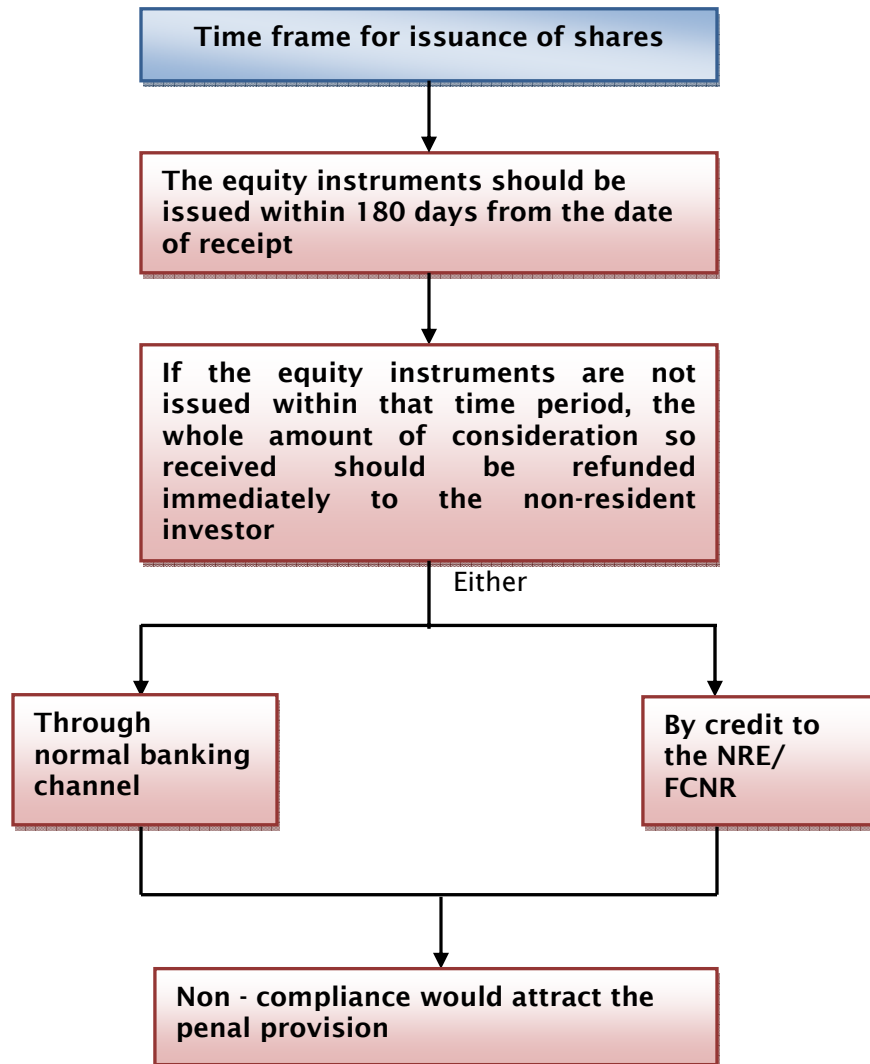
**Note:** Citizens of Bangladesh can invest with the prior approval of the FIPB

## REPORTING OF FDI

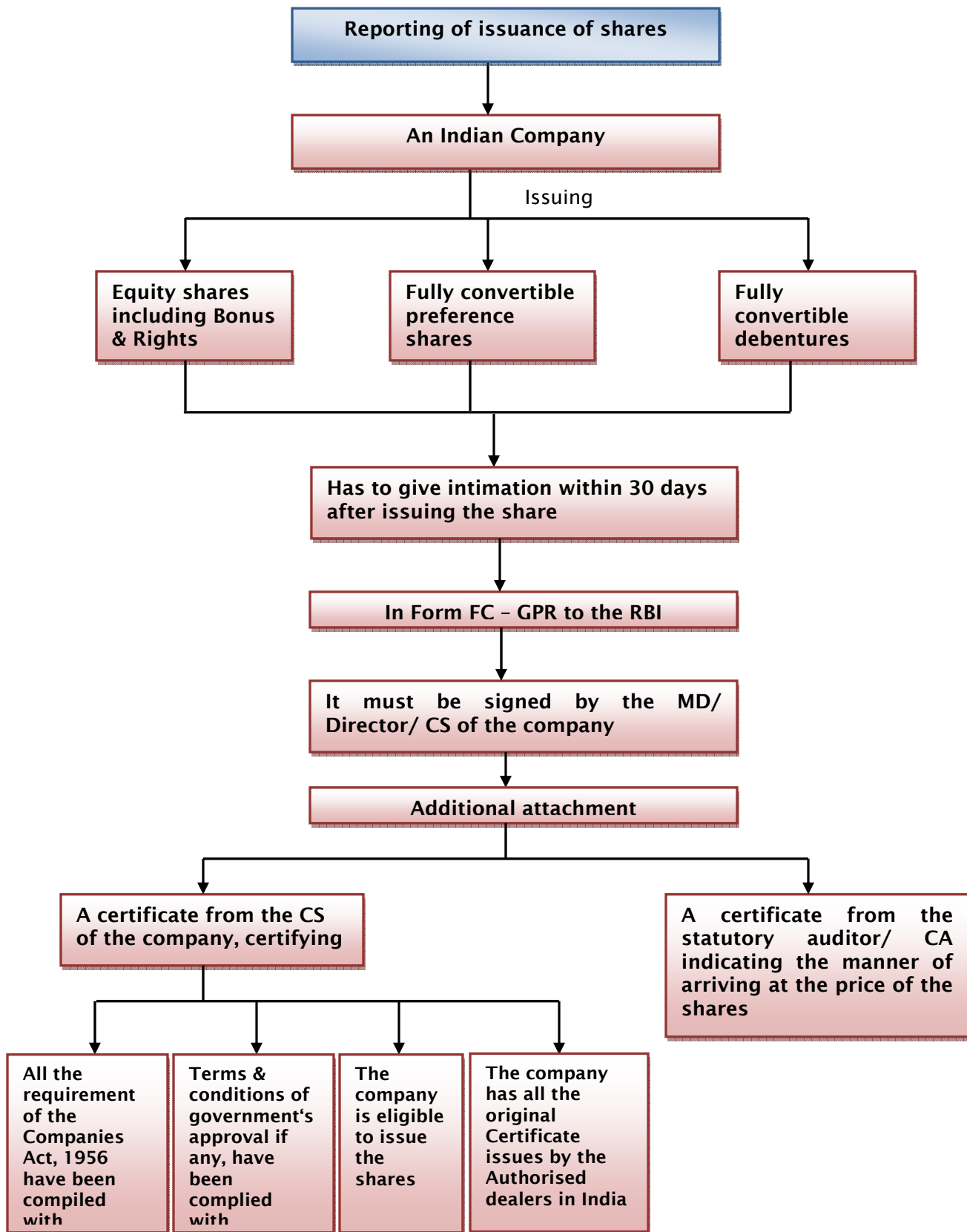
### Reporting of Inflow



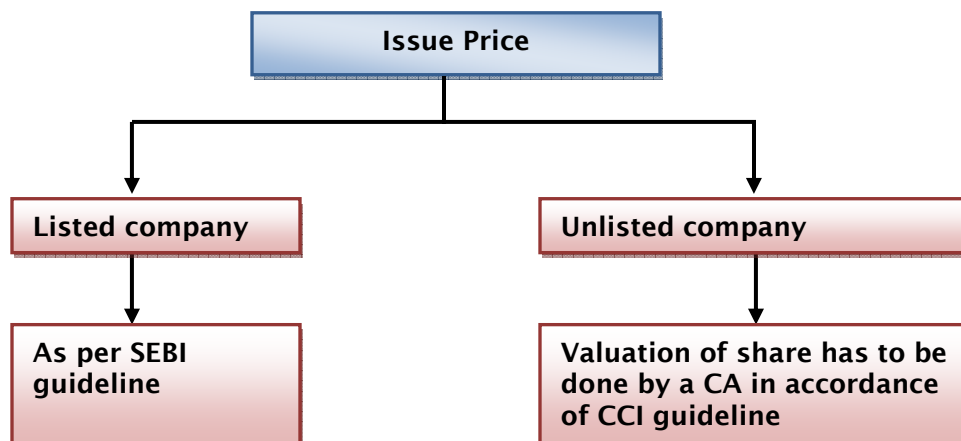
## Time frame for issuance of shares



## Reporting of issuance of shares

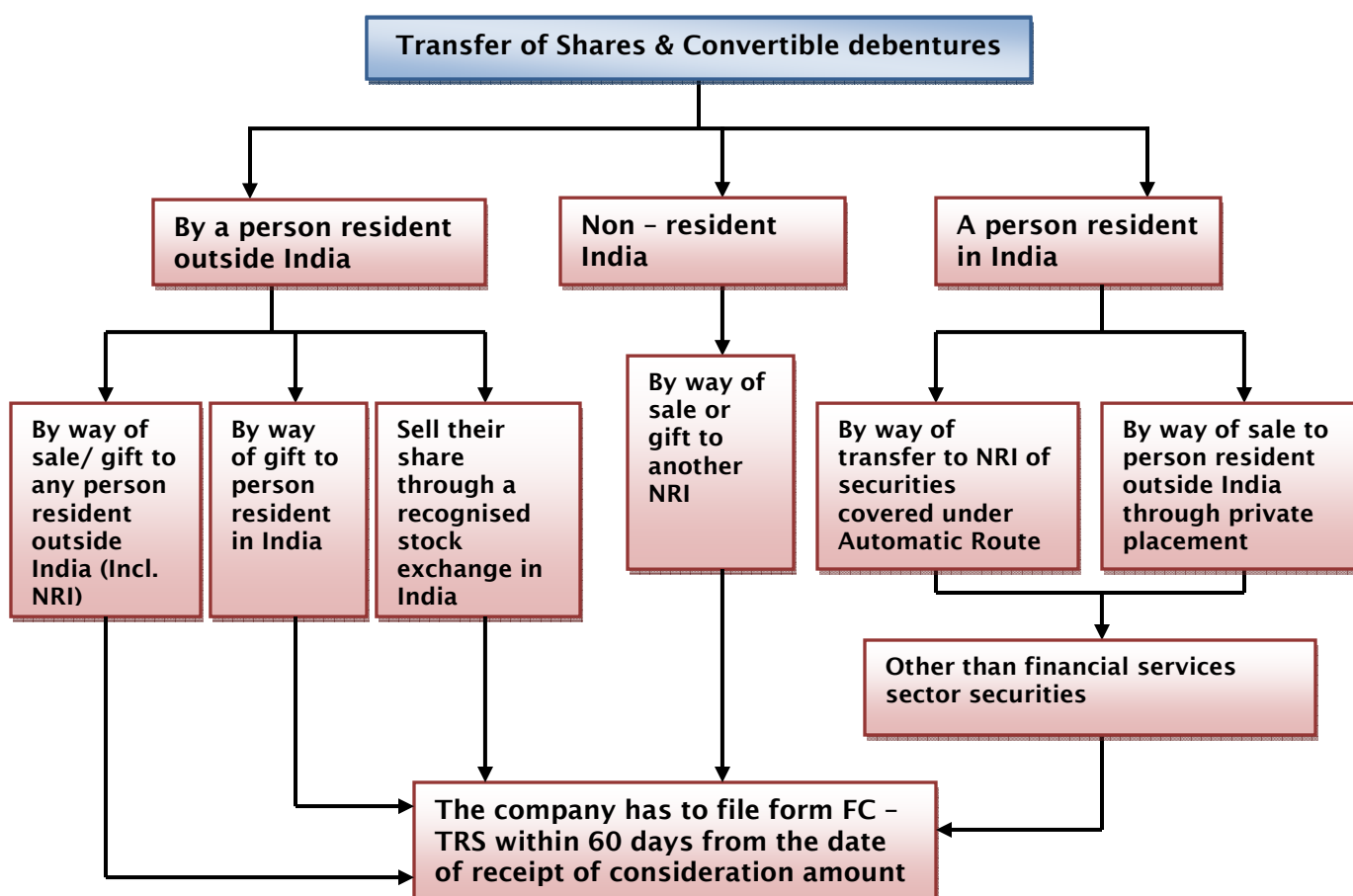


## ISSUE PRICE

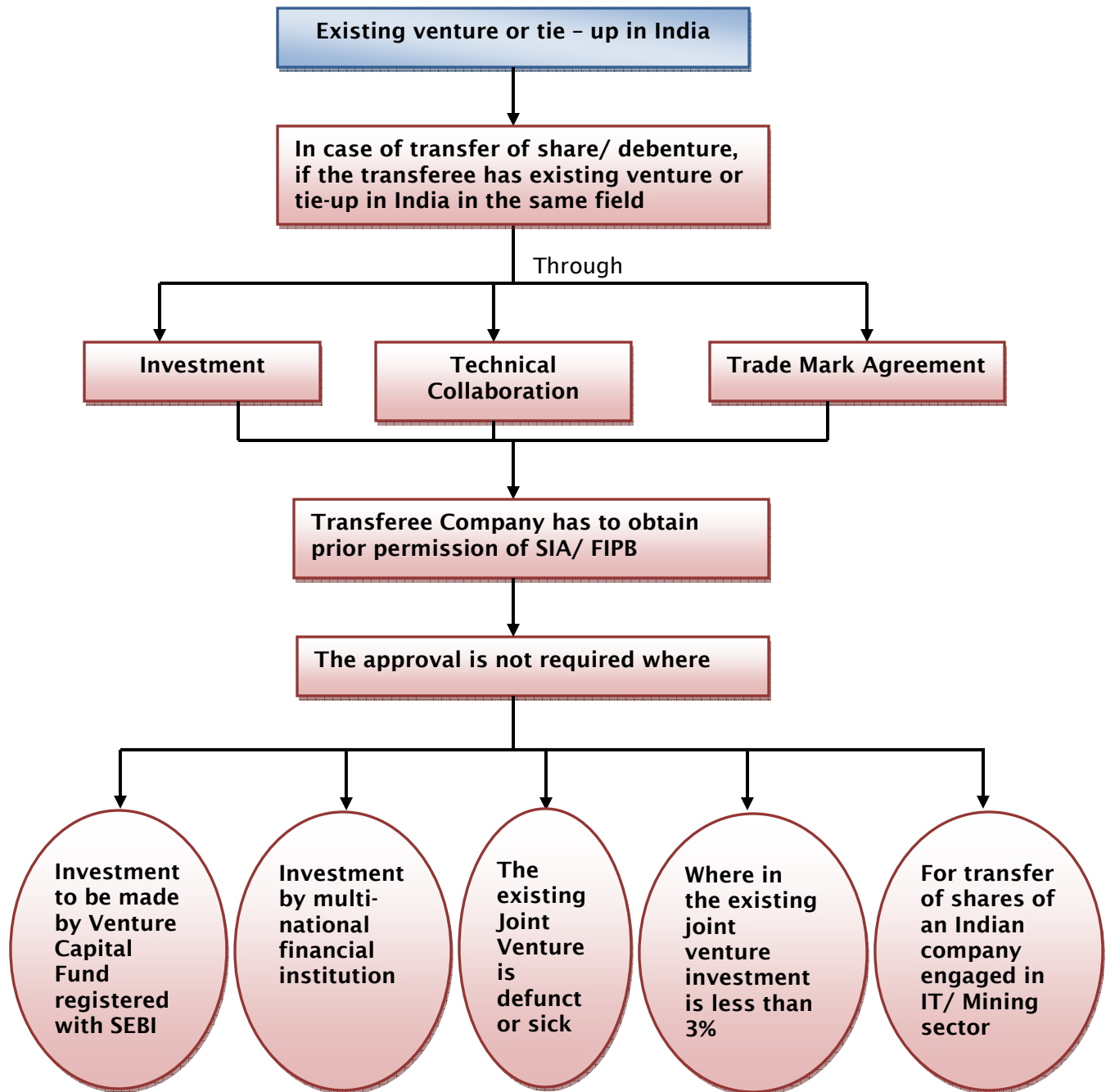


**Note:** Indian companies which are eligible to issue shares to person resident outside India under the FDI scheme will be allowed to retain the share subscription amount in a Foreign Currency Account, with the prior approval of Reserve Bank.

## TRANSFER OF SHARES AND CONVERTIBLE DEBENTURES

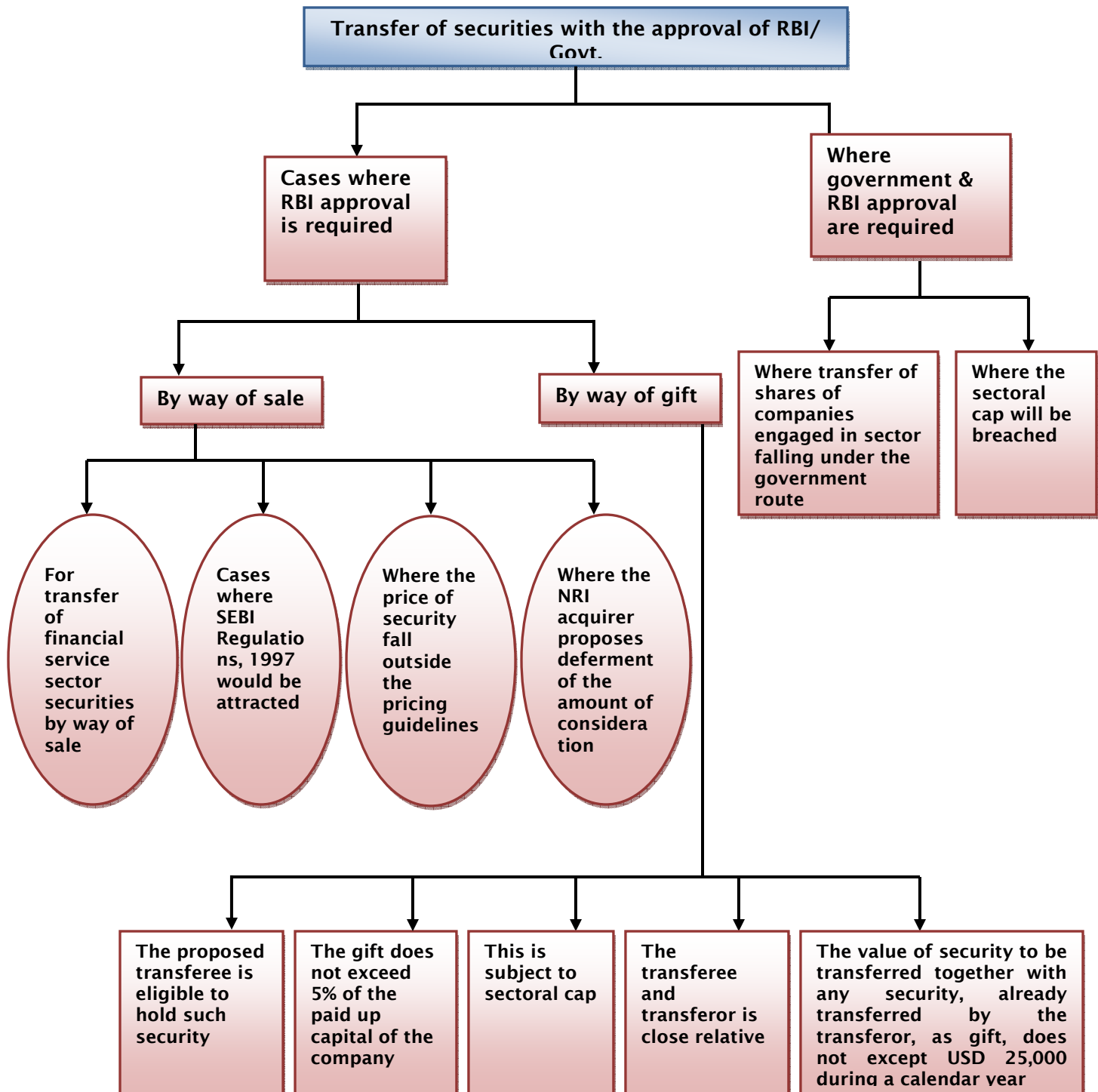


## EXISTING VENTURE OR TIE - UP IN INDIA



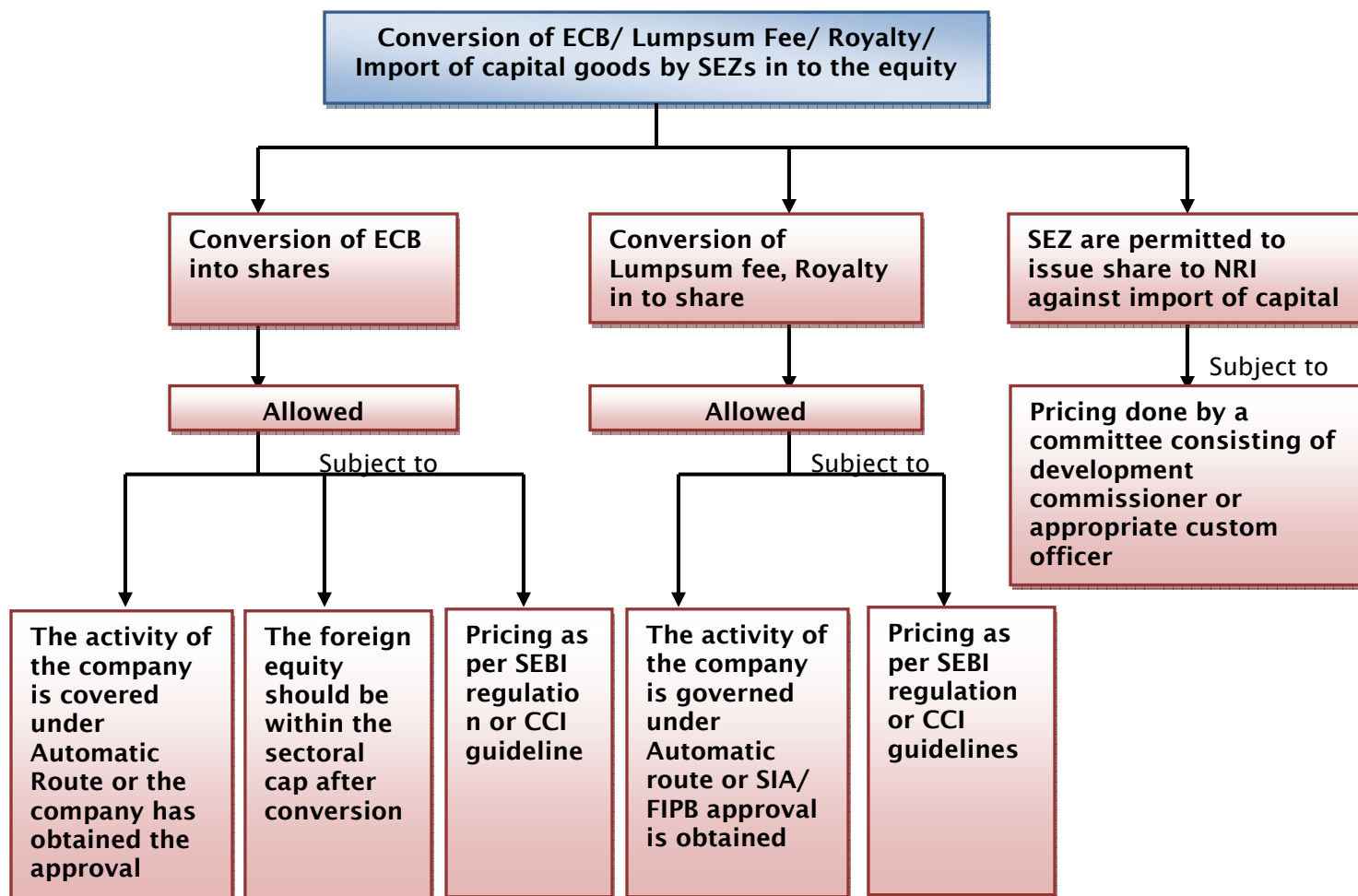
**Note:** AD category - I banks have been given general permission to open Escrow account and Special account of non-resident corporate for open offers/ exit offers and delisting of shares. The relevant SEBI (SAST) Regulations or any other applicable SEBI Regulations/ provisions of the Companies Act, 1956 will be applicable.

## TRANSFER OF SECURITIES WITH THE APPROVAL OF RBI/ GOVERNMENT

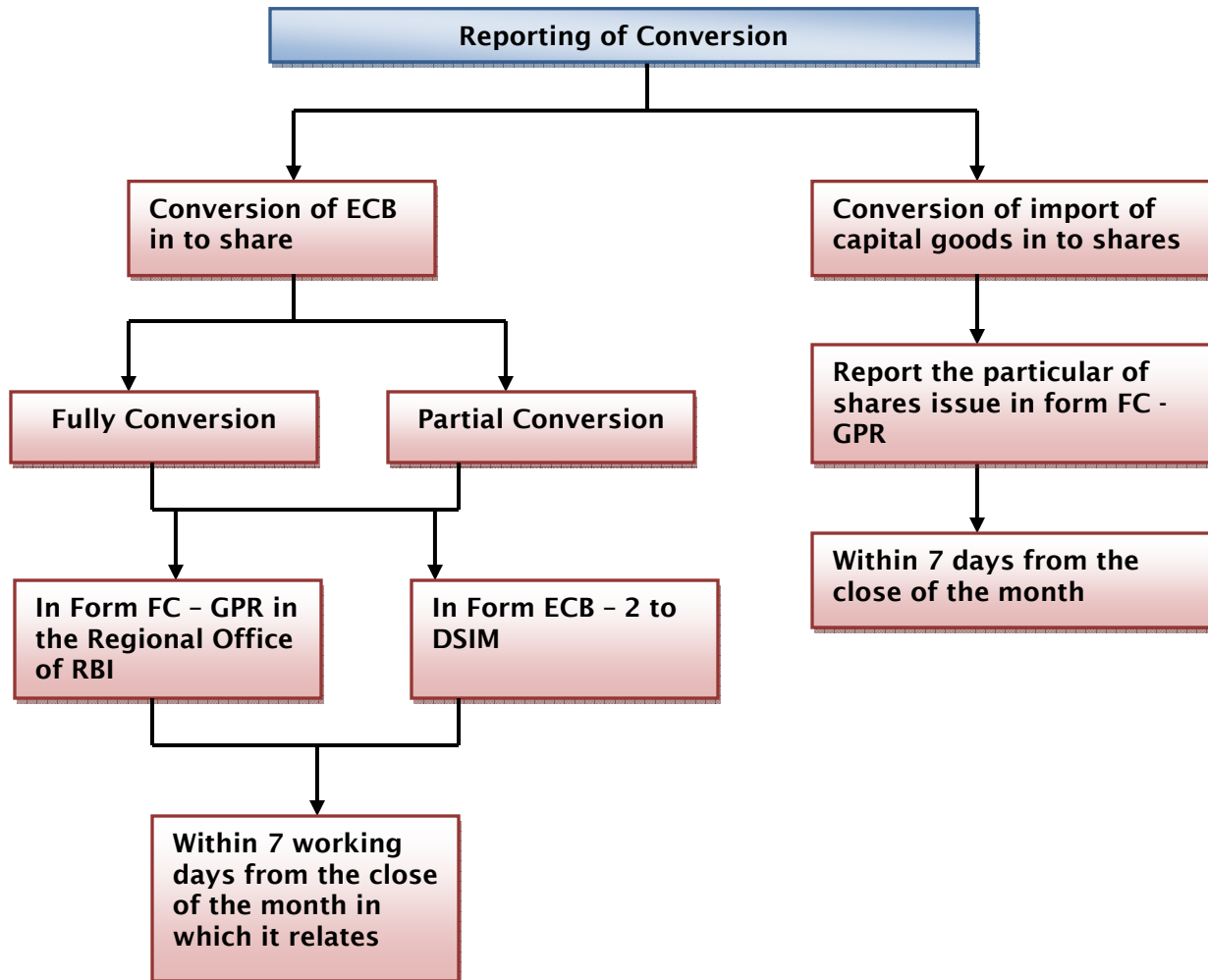


**Note:** Banks, NBFCs, Asset Reconstruction Companies, CICs, Insurance, Infrastructure companies in the securities market such as, Stock Exchanges, Clearing Corporations and Depositories, Commodity Exchanges, etc.

**CONVERSION OF ECB/ LUMPSUM FEE/ ROYALTY/ IMPORT OF CAPITAL GOODS BY SEZs INTO THE EQUITY**

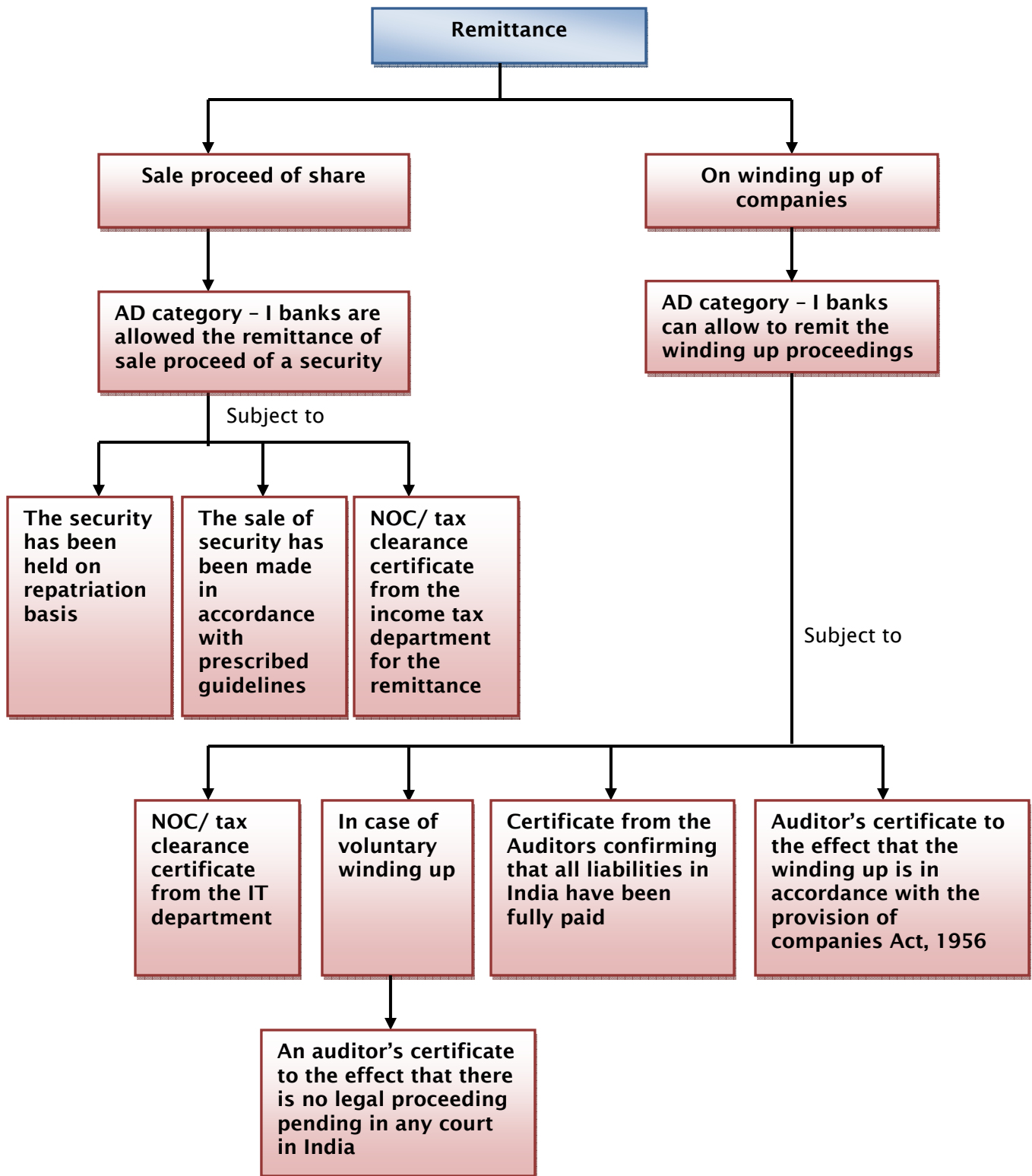


## REPORTING OF CONVERSION

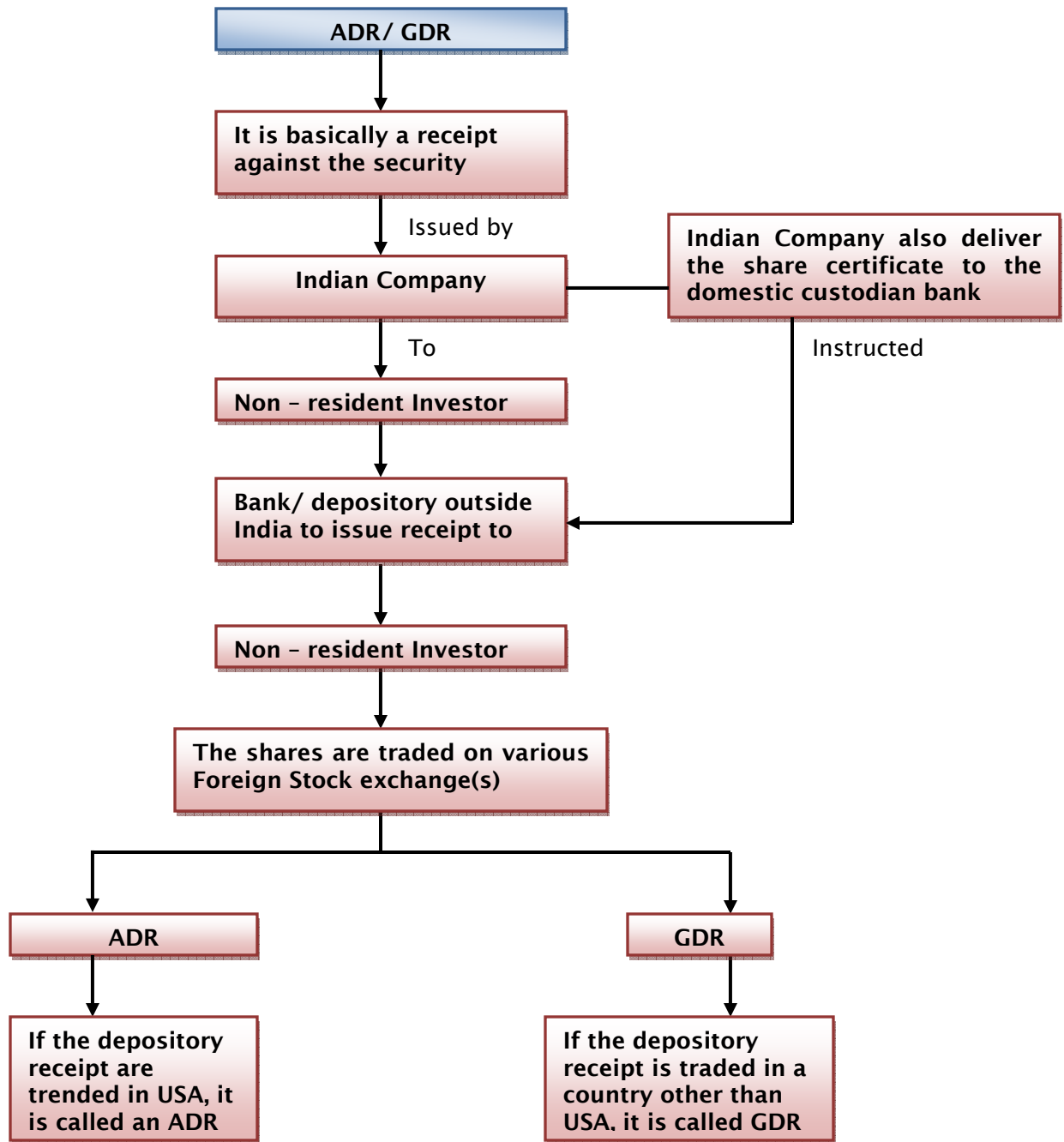


**Note:** 'ECB wholly converted to equity' shall be clearly indicated on top of the Form ECB - 2. Once reported, filing of Form ECB - 2 in the subsequent months is not necessary.

## REMITTANCE

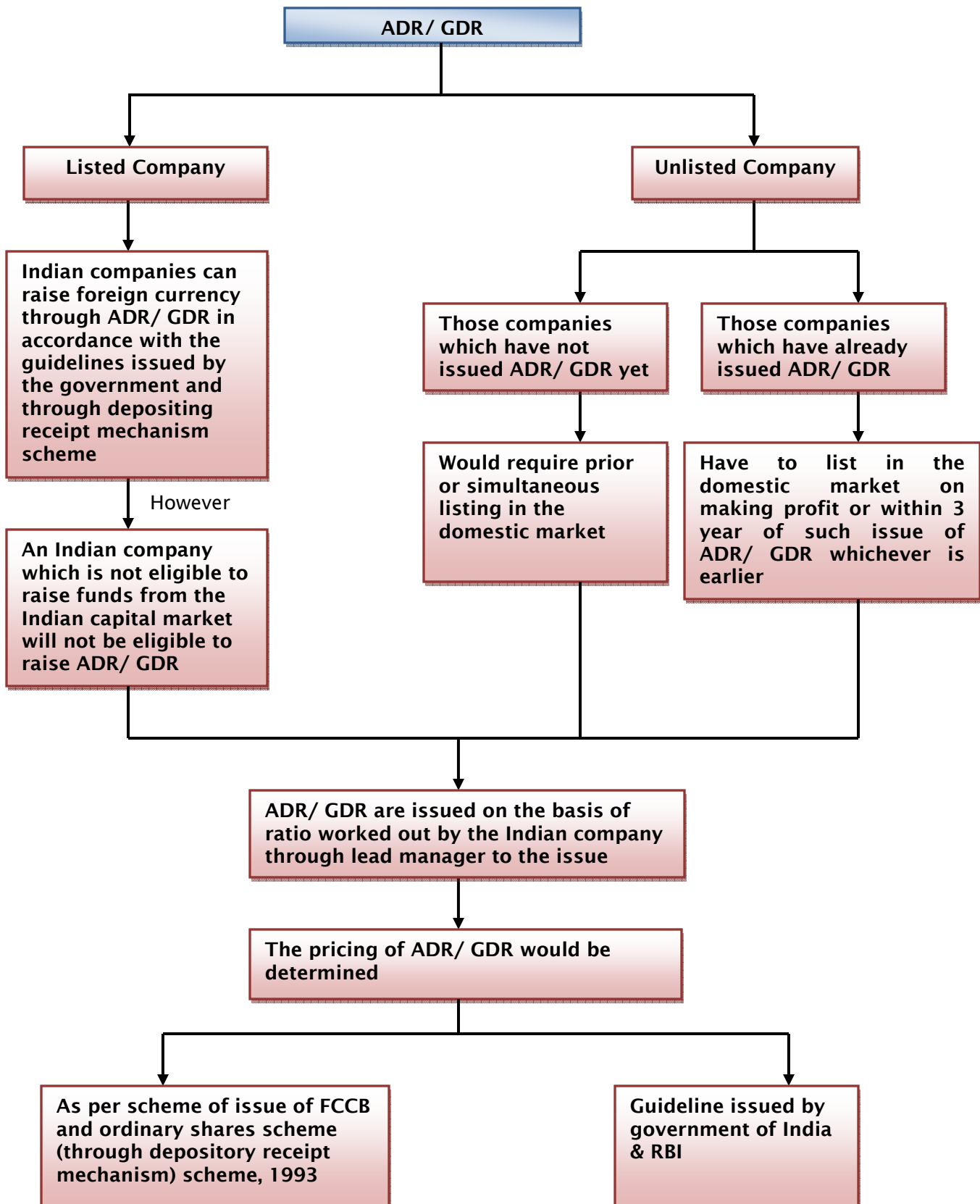


## American Depositary Receipt (ADR)/ Global Depositary Receipt (GDR)

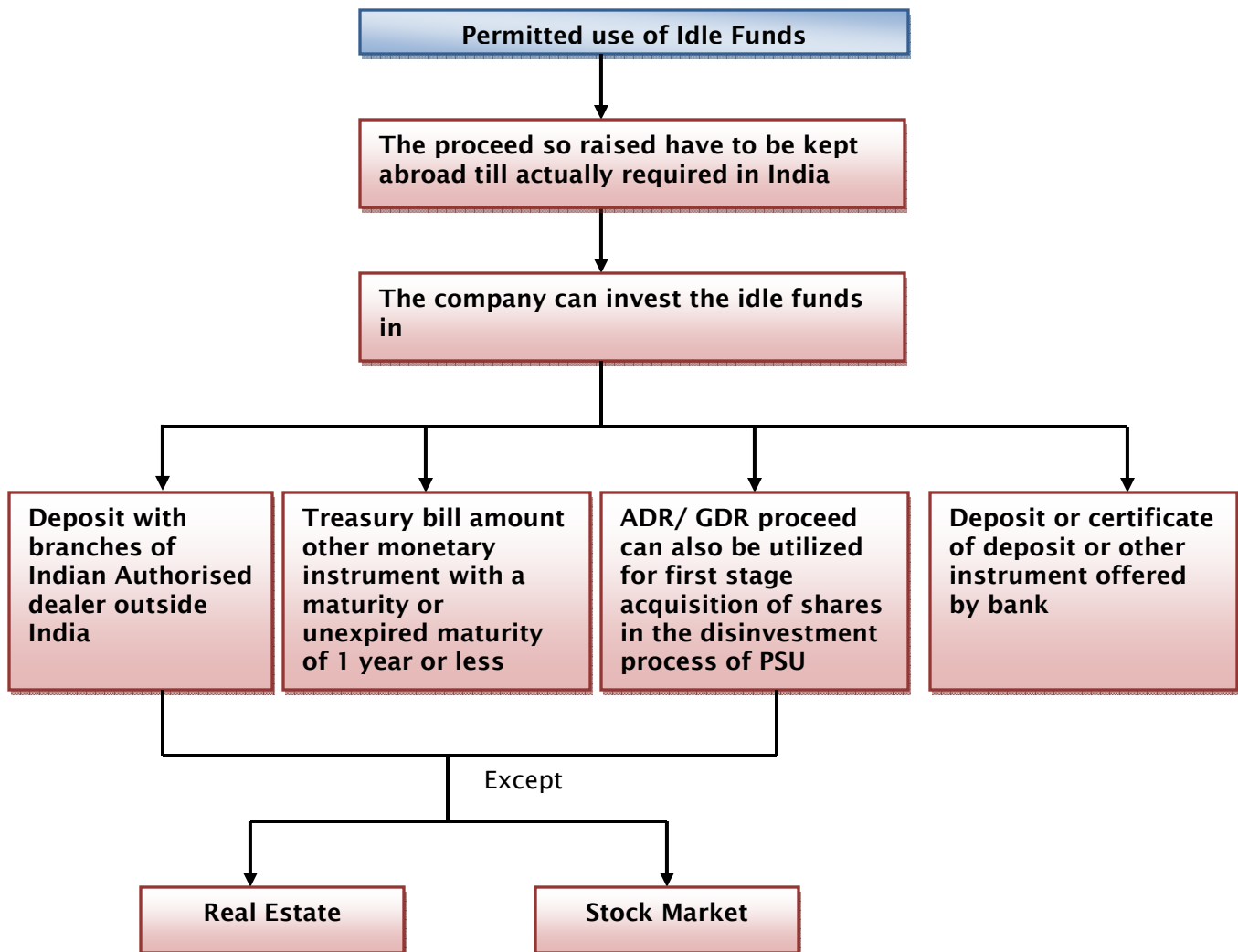


**Note:** Every publicly traded company issues shares – and these shares are listed and traded on various stock exchanges. Thus, companies in India issue shares which are listed and traded on Indian Stock Exchanges like BSE, NSE etc. These shares are sometimes also listed and traded on foreign stock exchanges like NYSE or NASDAQ. But to list on a foreign stock exchange, the company has to comply with the policies of those stock exchanges. Many times, the policies of these exchanges in US or Europe are much more stringent than the policies of the exchanges in India. This deters these companies from listing on foreign stock exchanges directly. But many good companies get listed on these stock exchanges indirectly – using ADRs and GDRs

## ISSUANCE OF SHARE UNDER ADR/ GDR

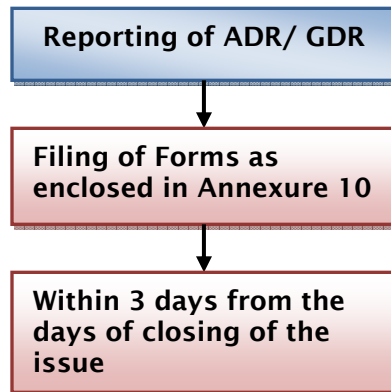


## PERMITTED USE OF IDLE FUNDS

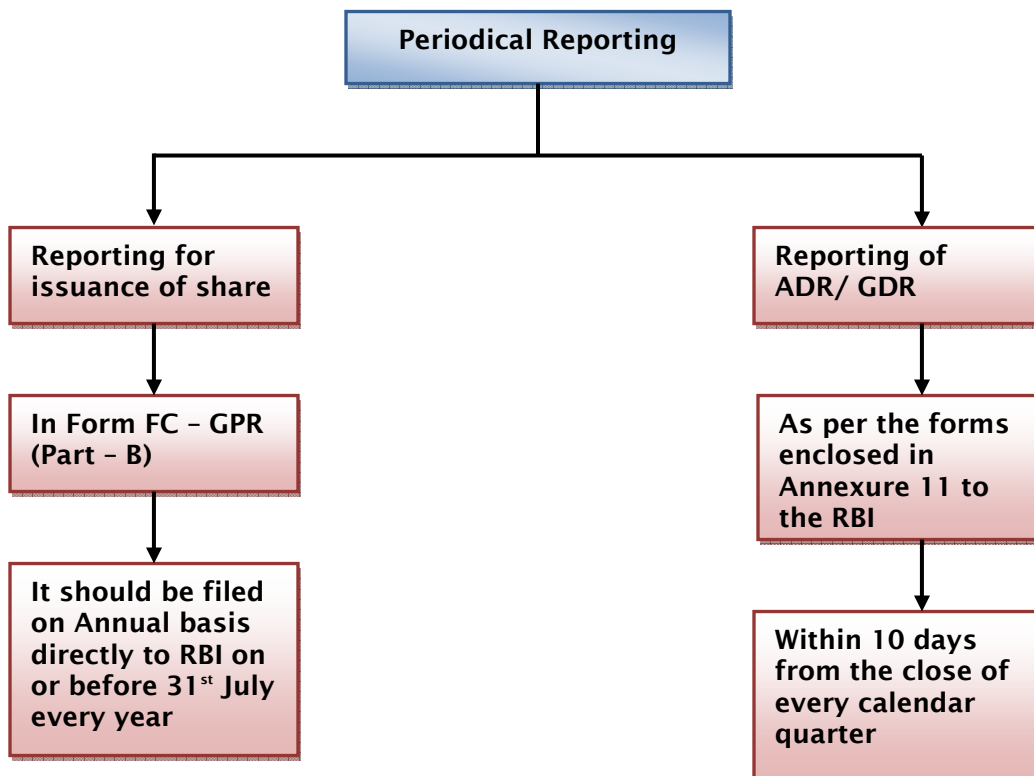


**Note:** There is no monetary limit up to which an Indian company can raise ADR/ GDR.

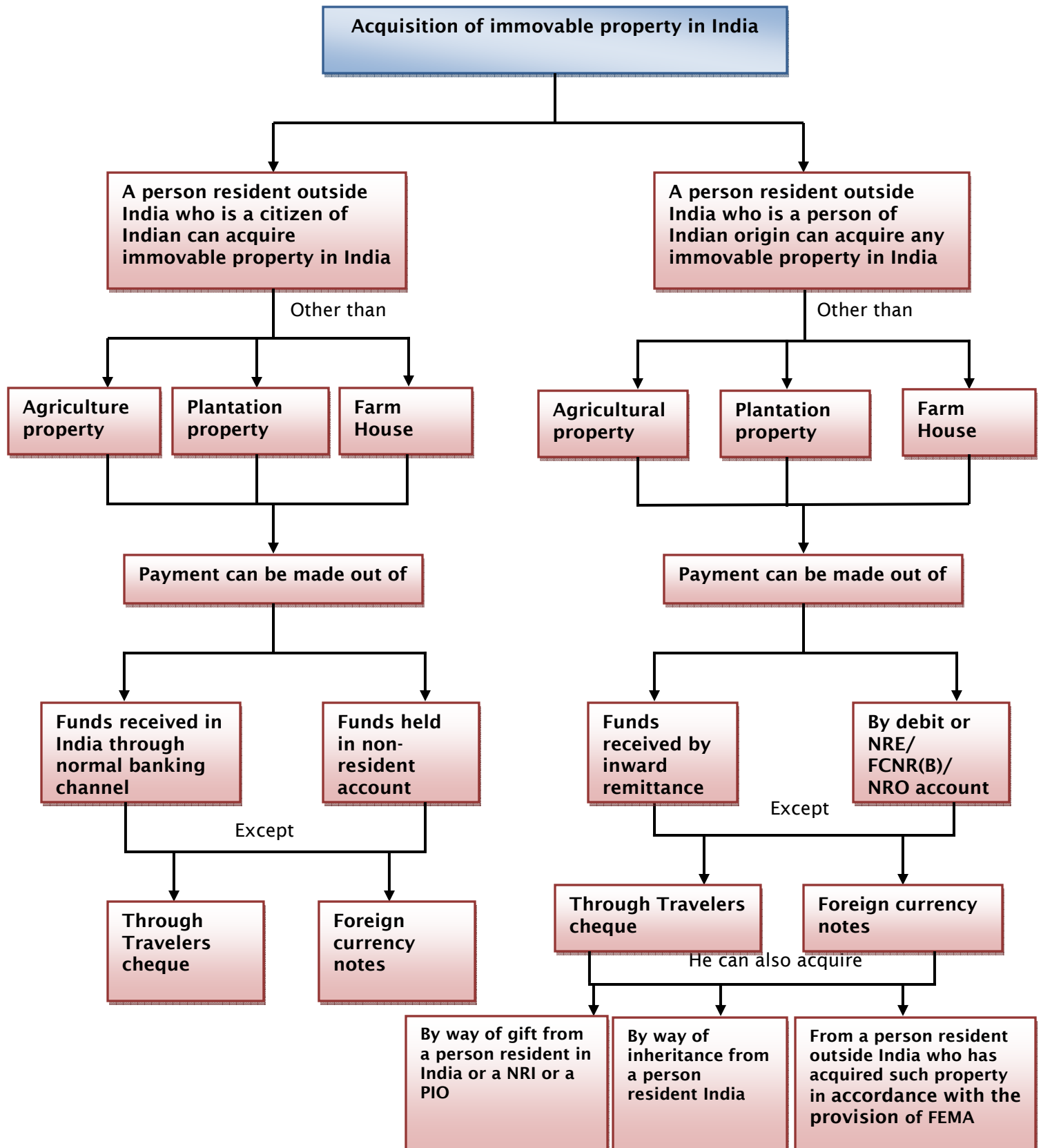
## REPORTING OF ADR/ GDR



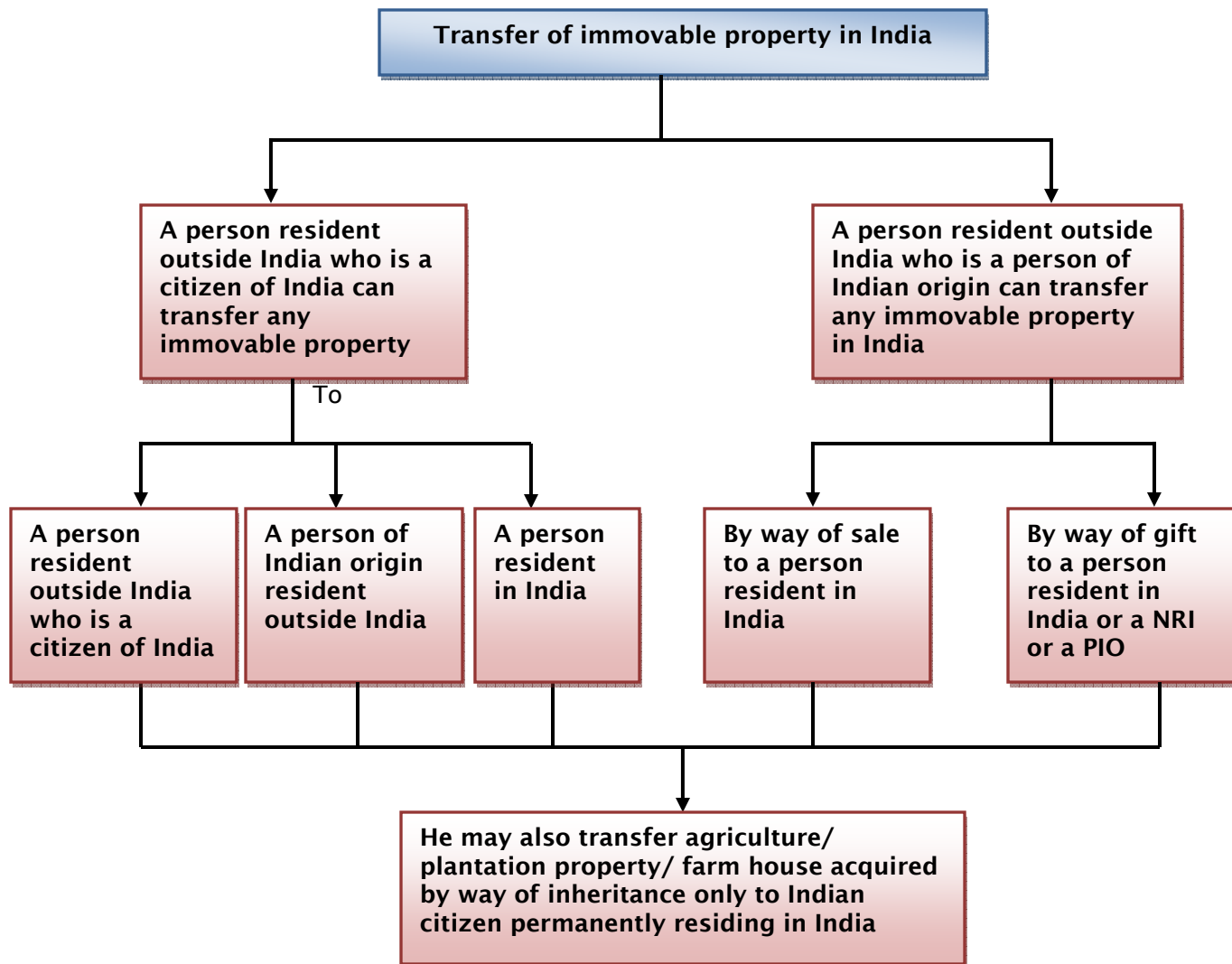
## PERIODICAL REPORTING



## ACQUISITION OF IMMOVABLE PROPERTY IN INDIA



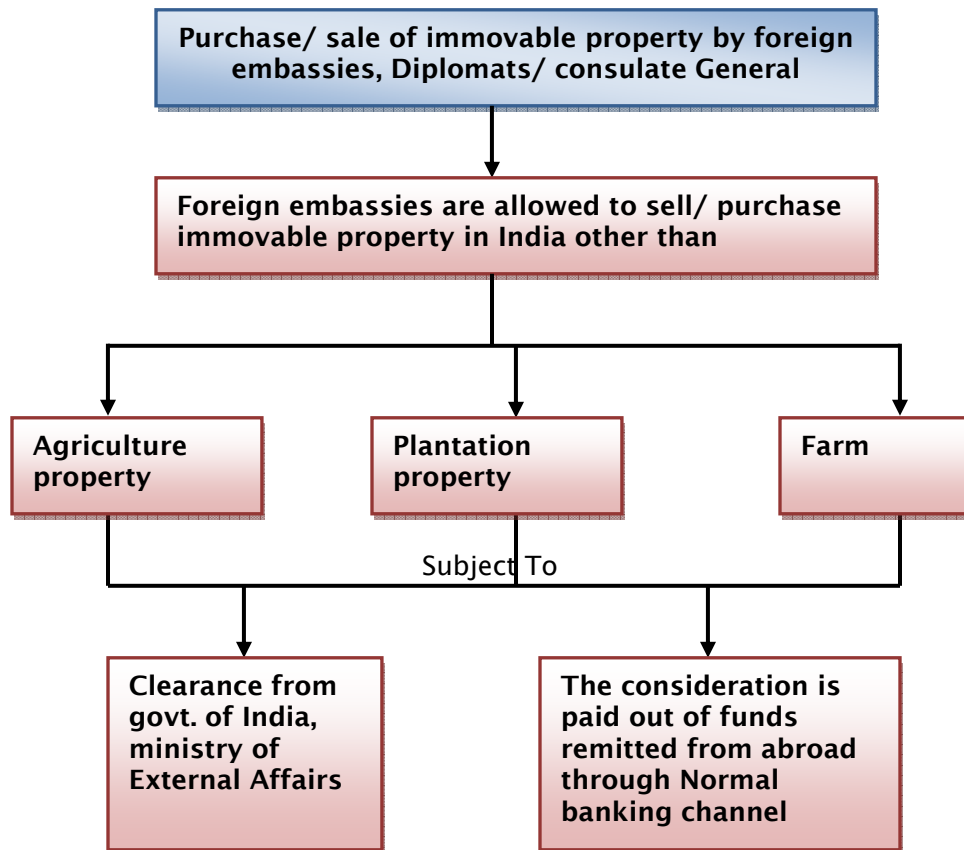
## TRANSFER OF IMMOVABLE PROPERTY



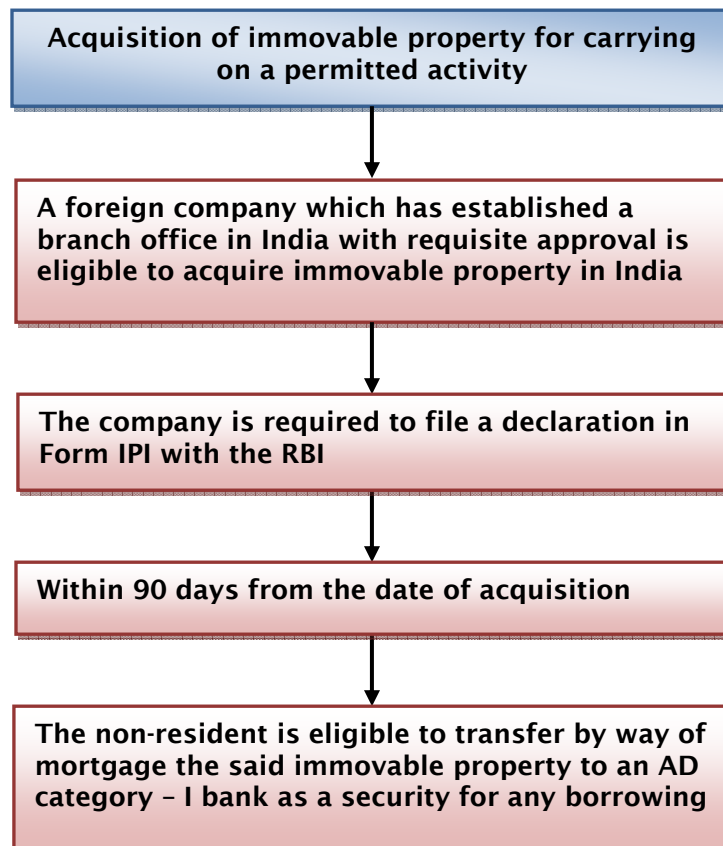
**Note:** No person being a citizen of Pakistan, Bangladesh, Sri Lanka, Afghanistan, China, Iran, Nepal or Bhutan, whether resident in India or outside India, shall acquire or transfer immovable property in India, other than lease, not exceeding five years without prior permission of the Reserve Bank.

Foreign nationals of non-Indian origin resident outside India are not permitted to acquire any immovable property in India unless such property is acquired by way of inheritance from a person who was resident in India. Foreign nationals of non-Indian origin who have acquired immovable property in India by way of inheritance or purchase with the specific approval of the Reserve bank cannot transfer such property without prior permission of the Reserve Bank

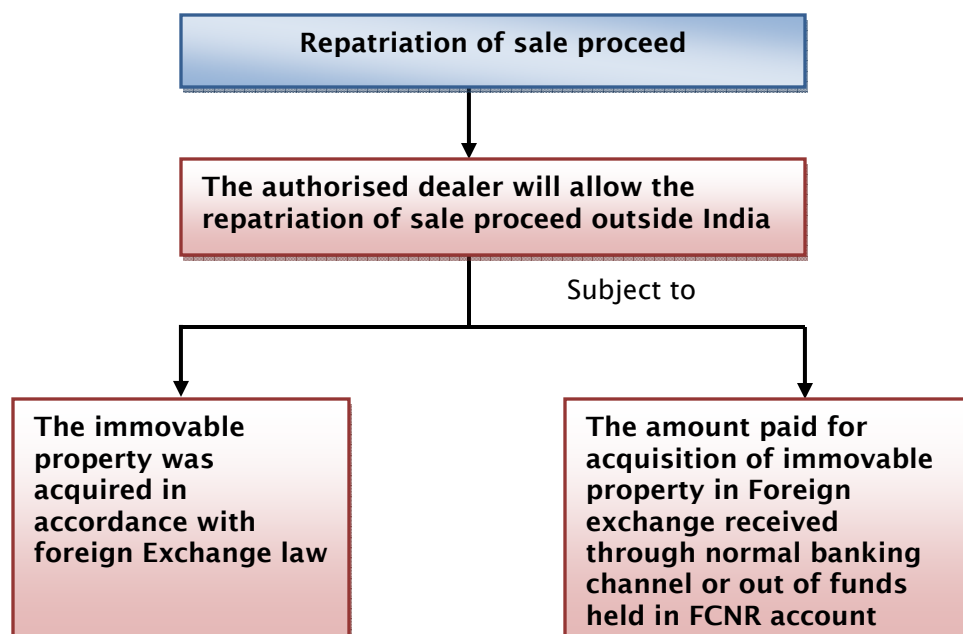
**PURCHASE/ SALE OF IMMOVABLE PROPERTY BY FOREIGN EMBASSIES/ DIPLOMATS/ CONSULATAE GENERAL**



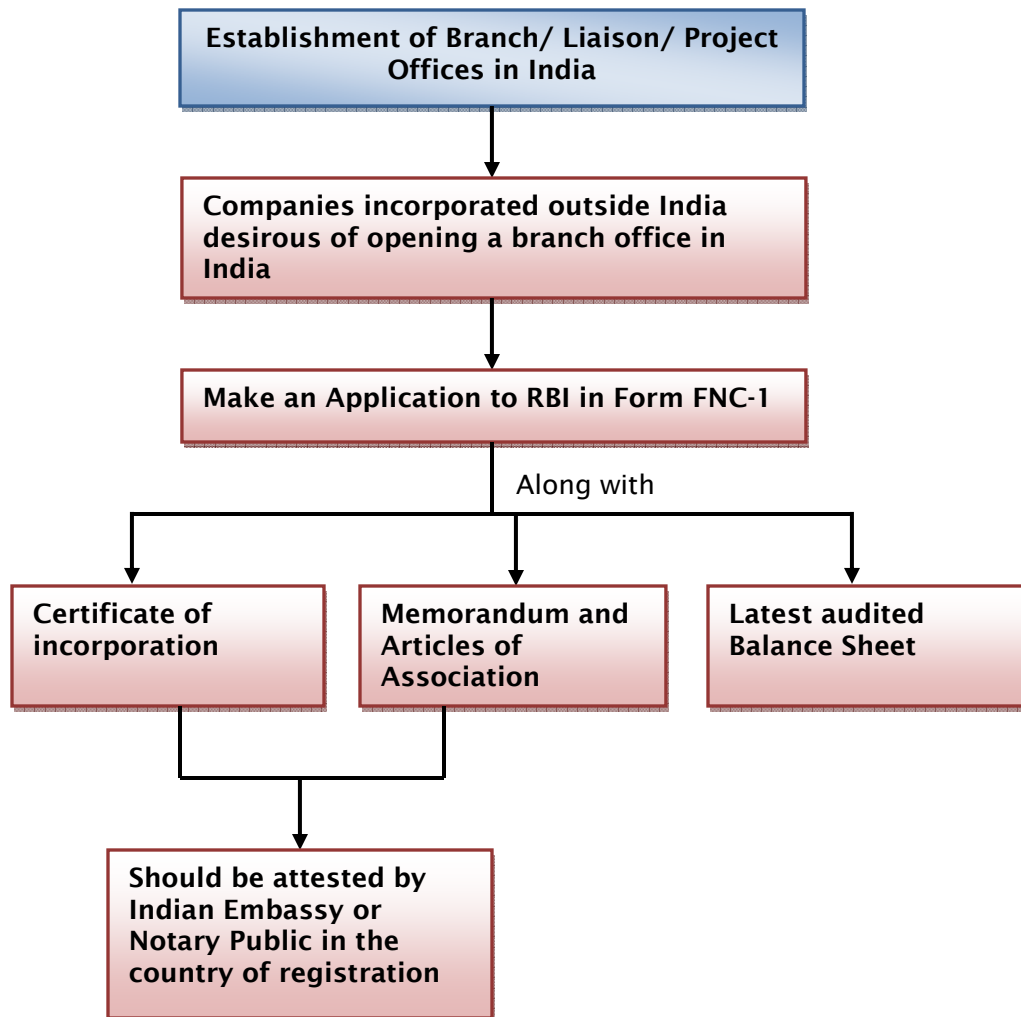
## ACQUISITION OF IMMOVABLE PROPERTY FOR CARRYING ON A PERMITTED ACTIVITY



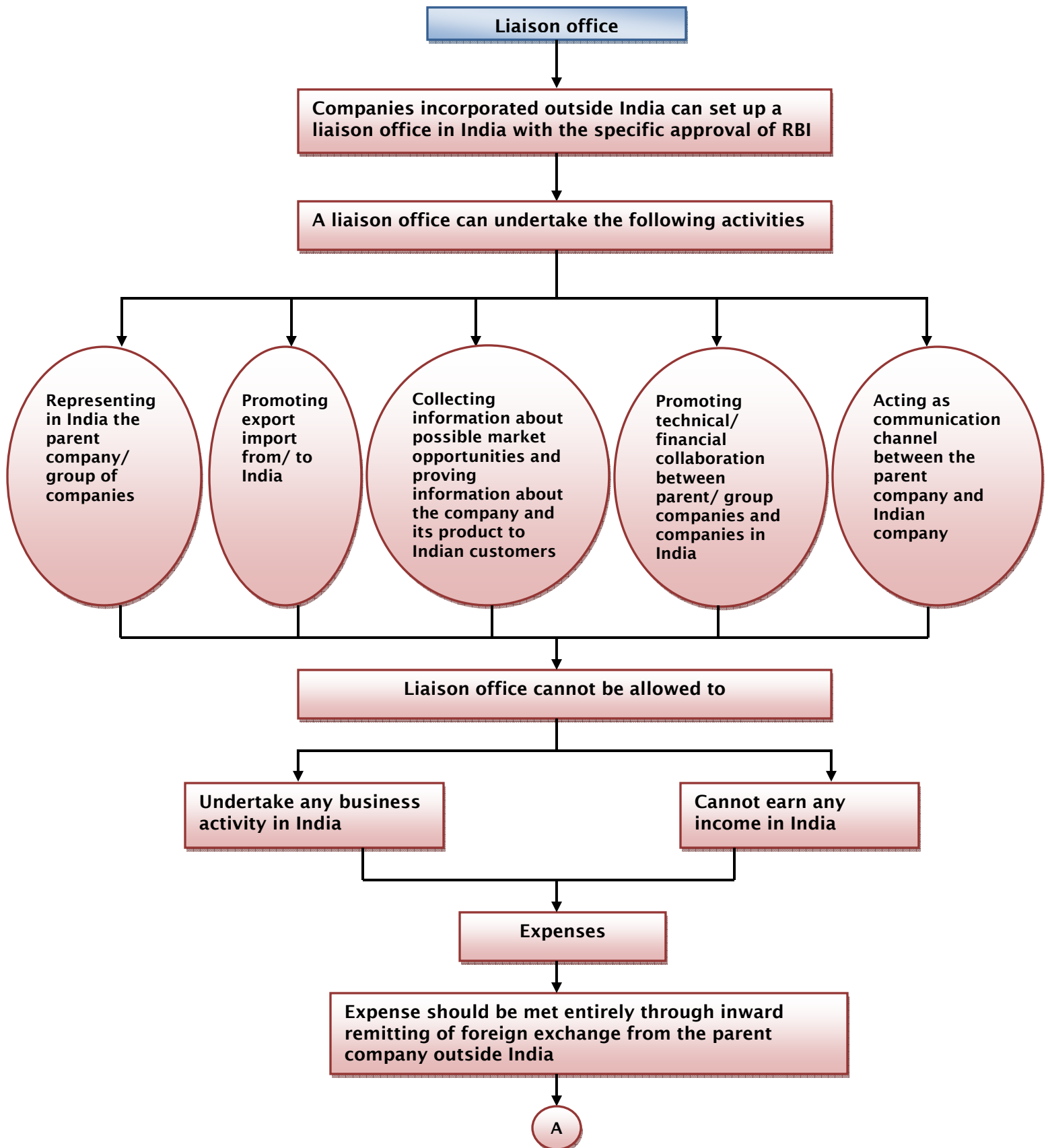
## REPATRIATION OF SALE PROCEEDS

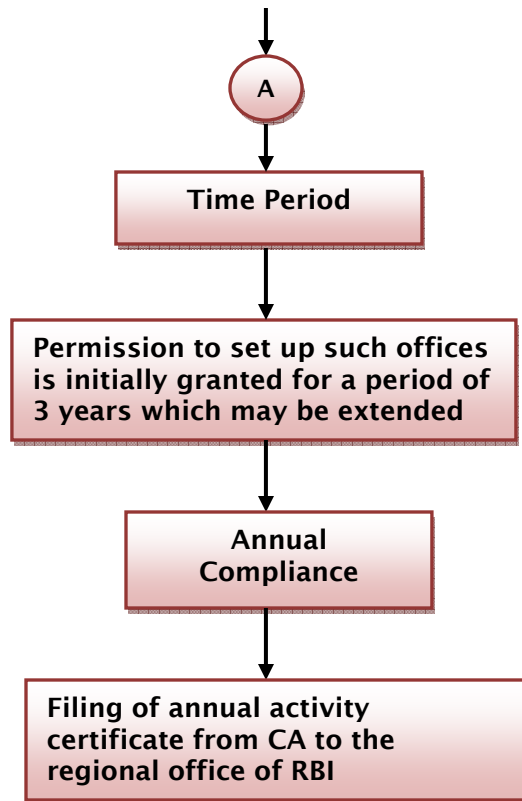


## ESTABLISHMENT OF BRANCH/ LIASION/ PROJECT OFFICES IN INDIA



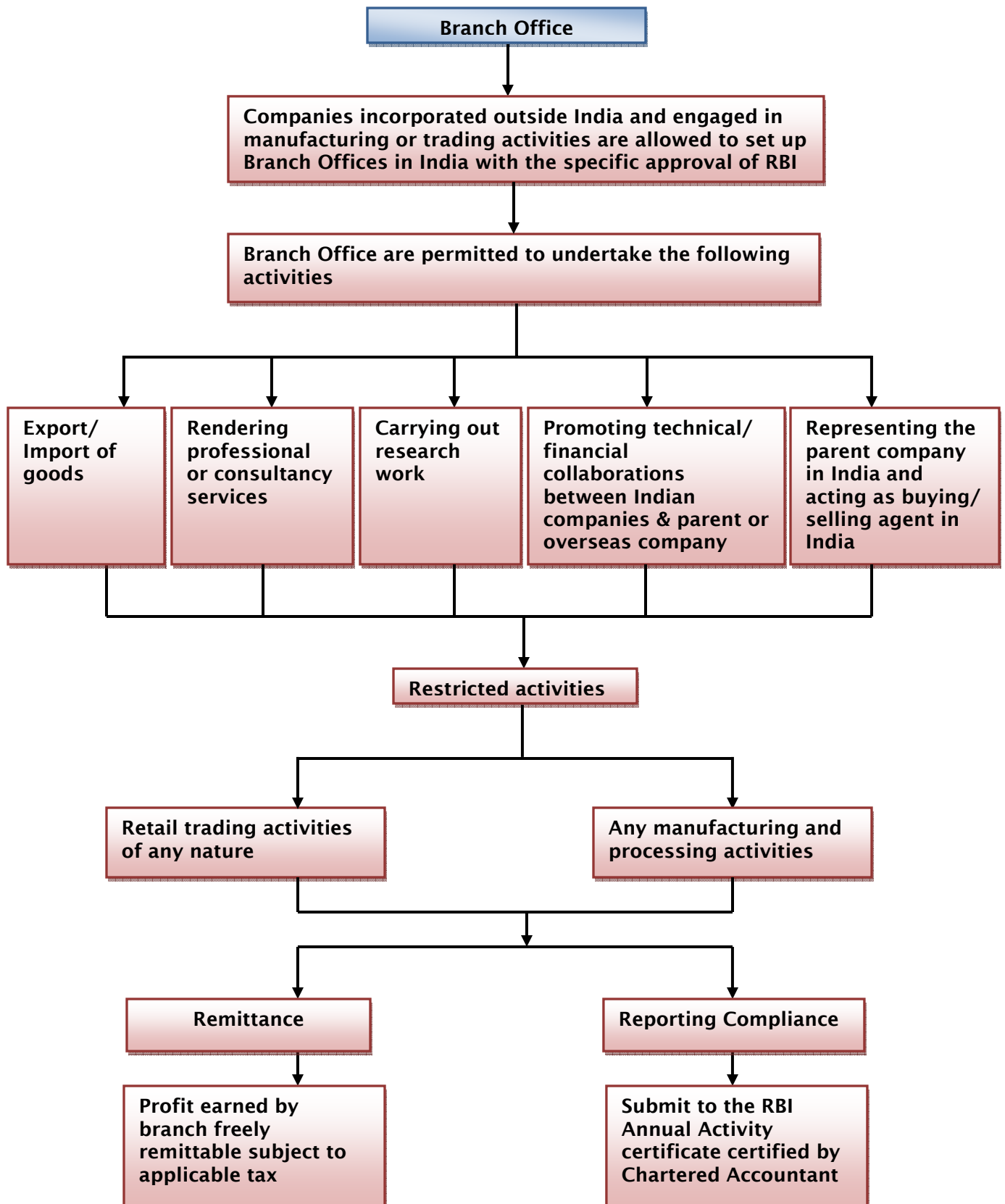
## Liaison Office



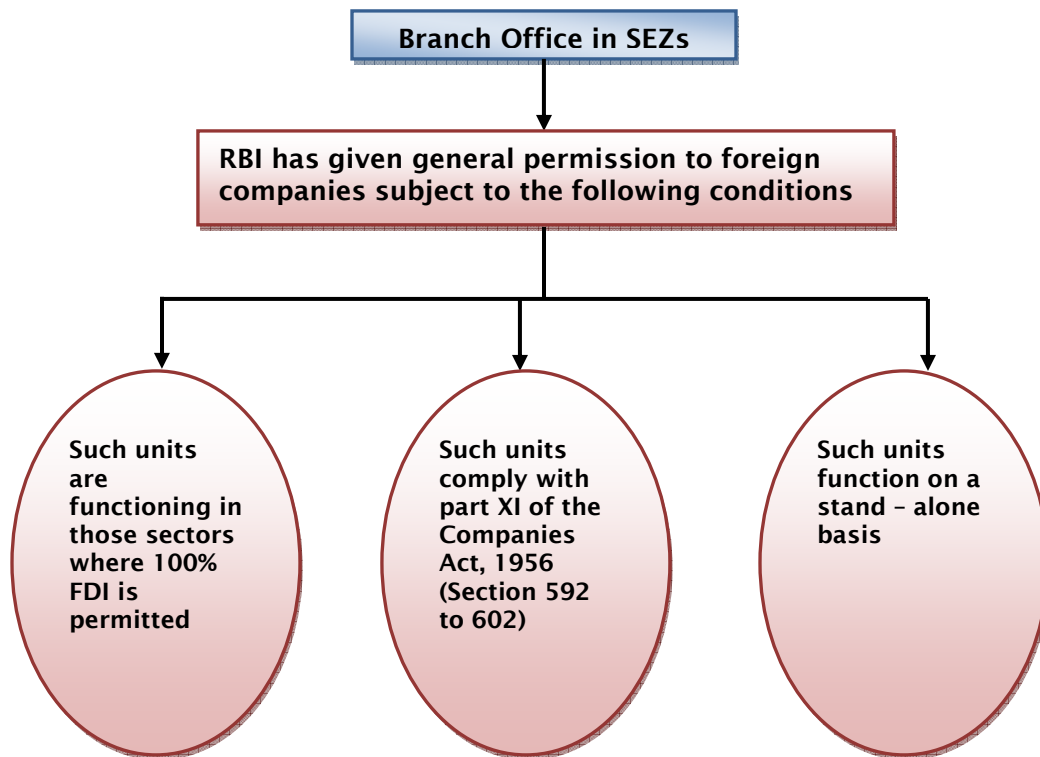


**Note:** Foreign Insurance companies can establish Liaison Offices in India after obtaining approval from the Insurance Regulatory and Development authority. (IRDA)

## Branch Office



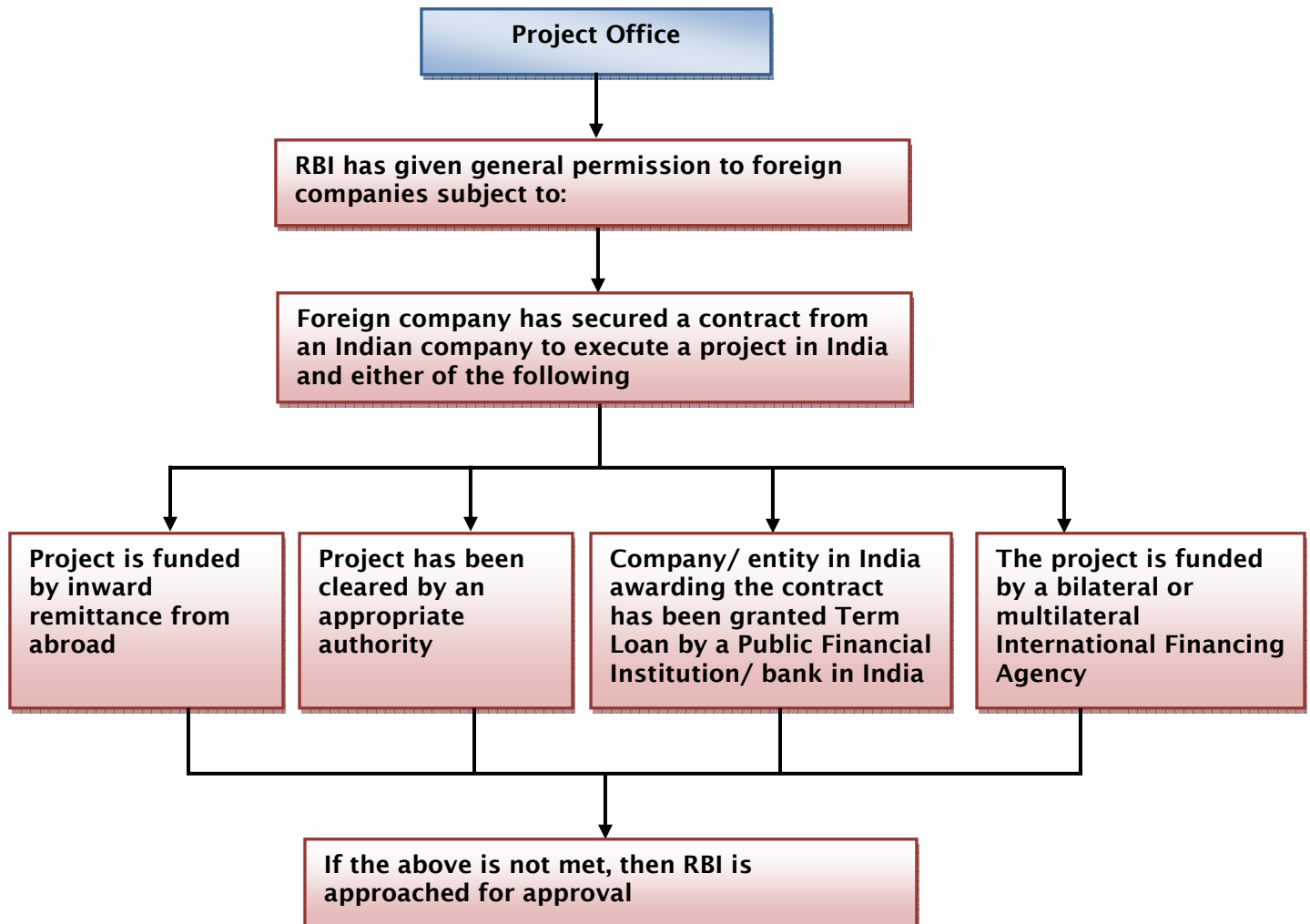
## BRANCH OFFICE IN SPECIAL ECONOMIC ZONES (SEZs)



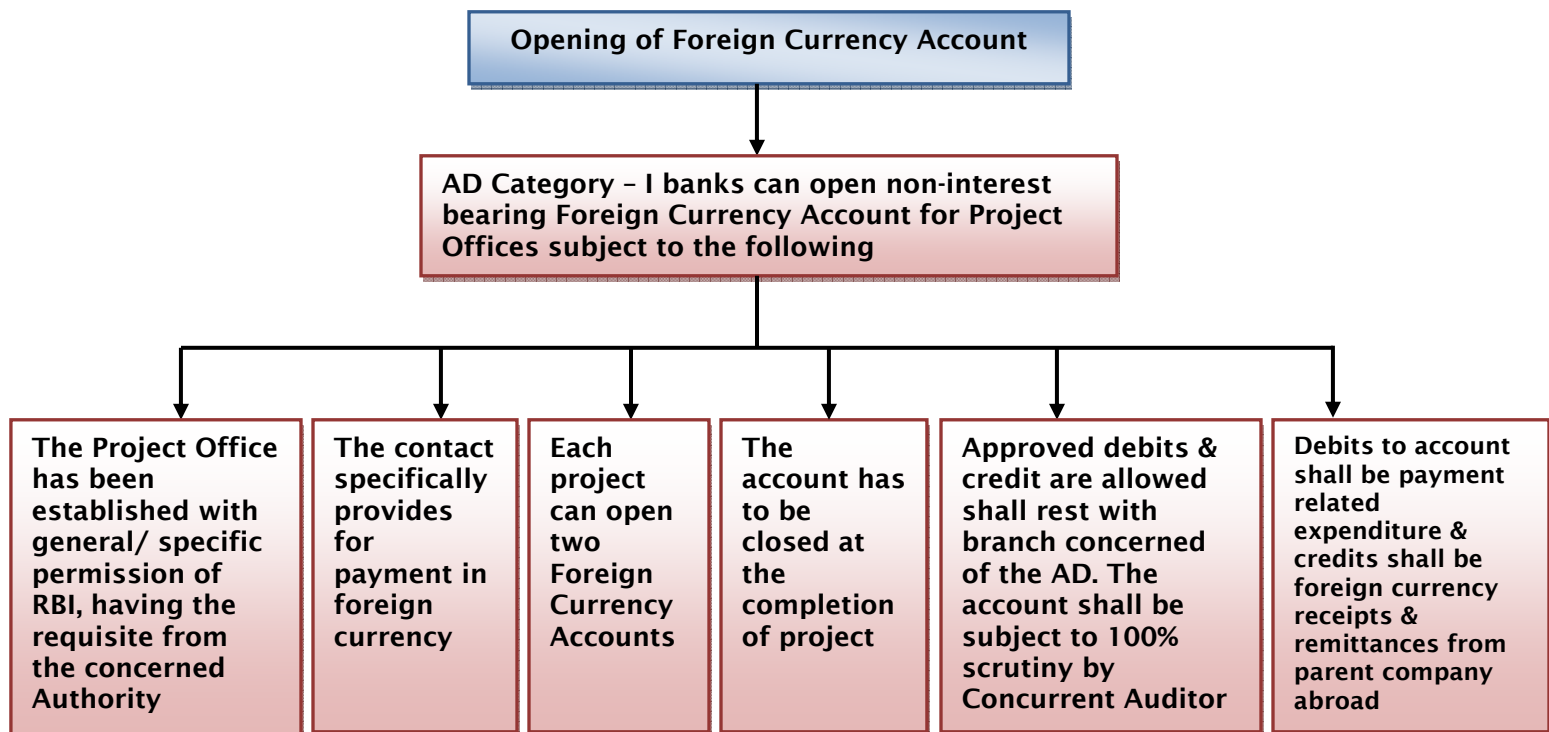
**Note:** In the event of winding-up business and for remittance of winding-up proceeds, the branch shall approach an AD category - I bank with the documents mentioned in paragraph 11 ("closure of Office") except the copy of the letter granting approval by the Reserve Bank

Foreign banks do not require separate approval under FEMA for opening branch office in India. Such banks are required to obtain necessary approval under the provisions of the Banking Regulation Act, 1949, from Department of Banking Operations & Development, RBI

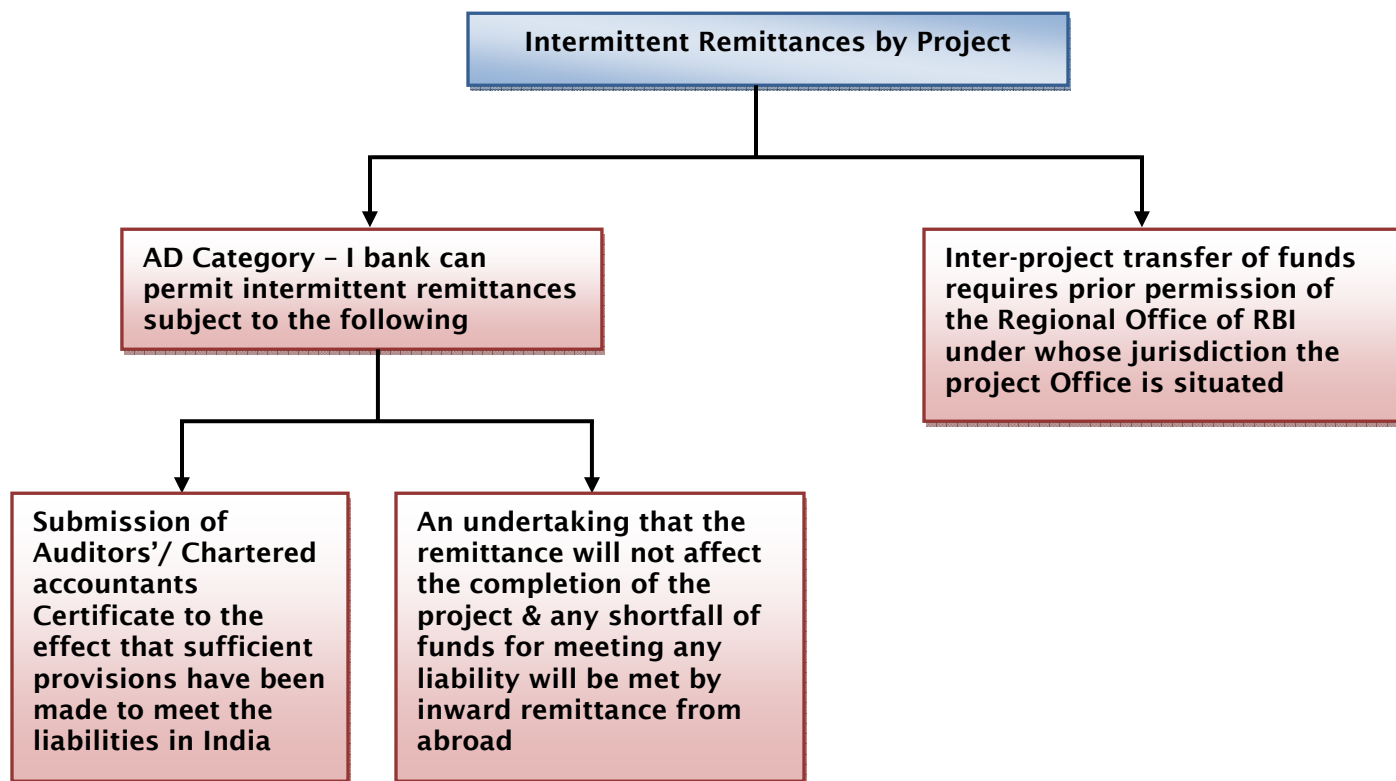
## PROJECT OFFICES



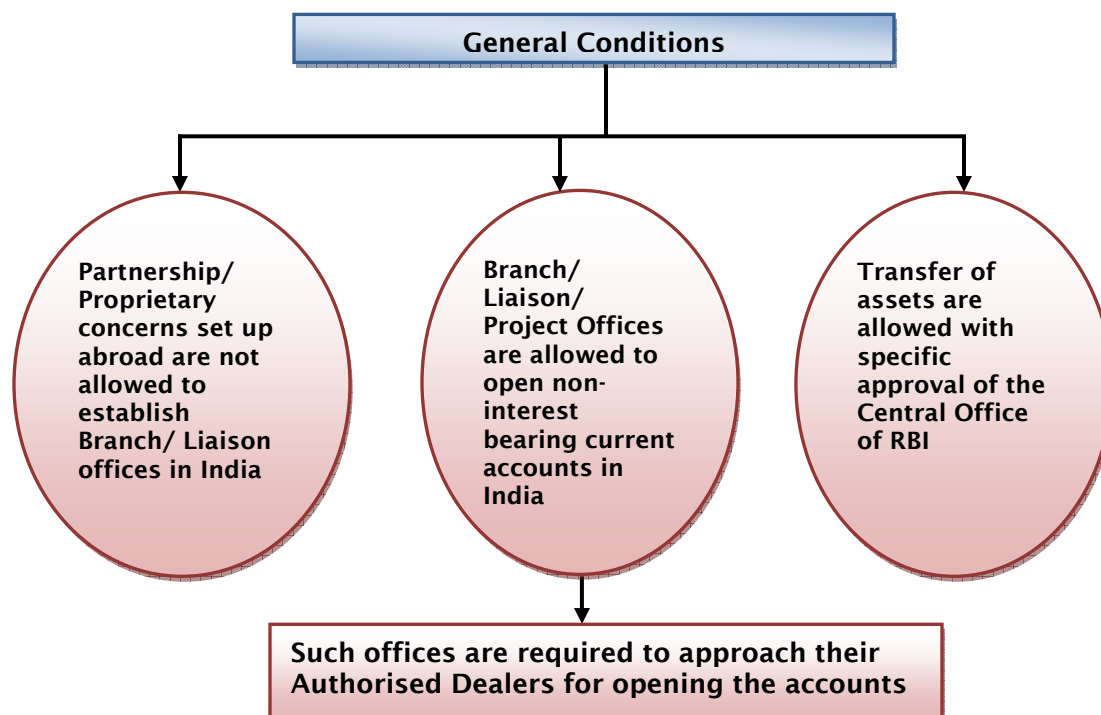
## OPENING OF FOREIGN CURRENCY ACCOUNT



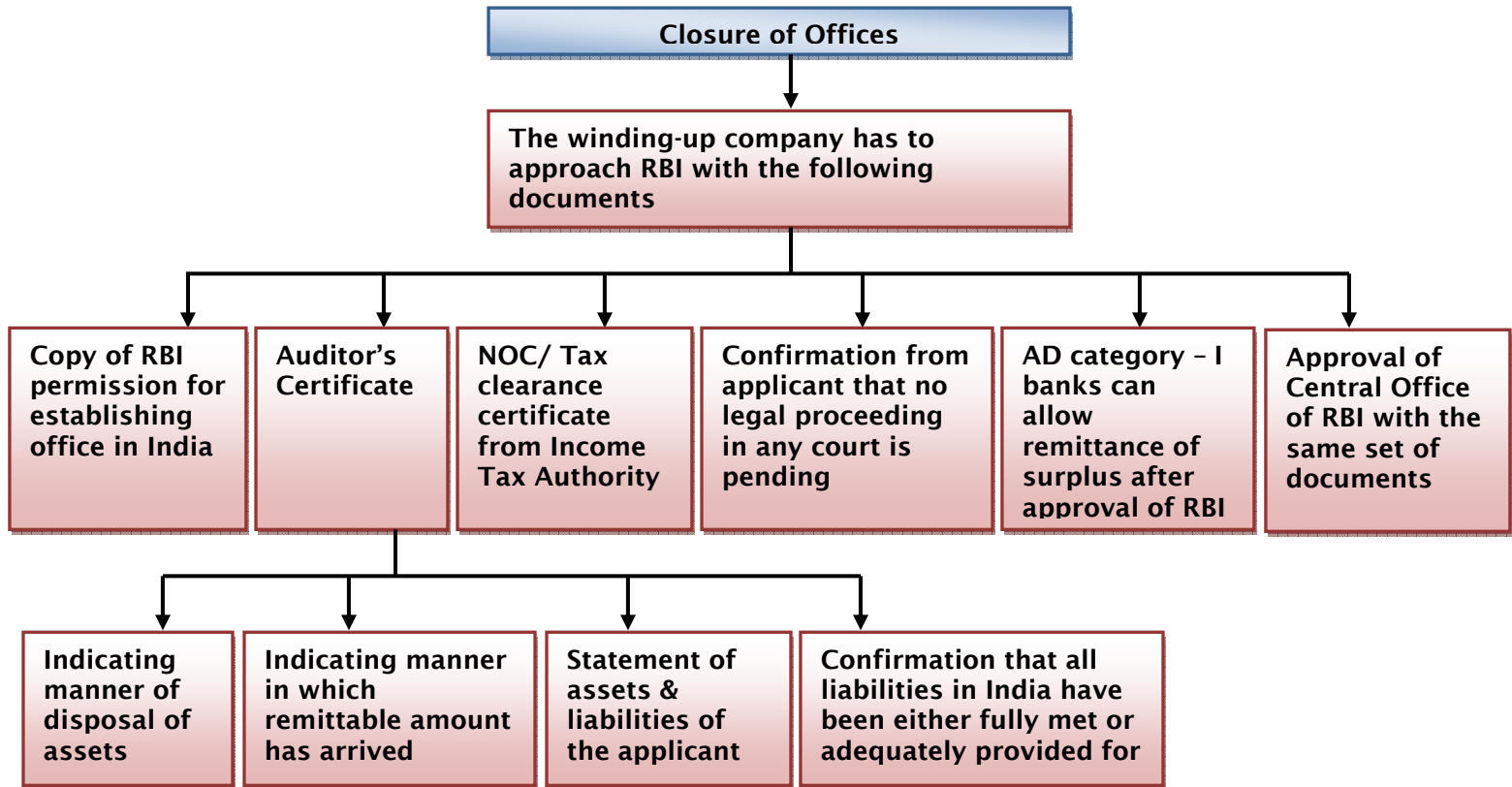
## INTERMITTENT REMITTANCES BY PROJECT OFFICES IN INDIA



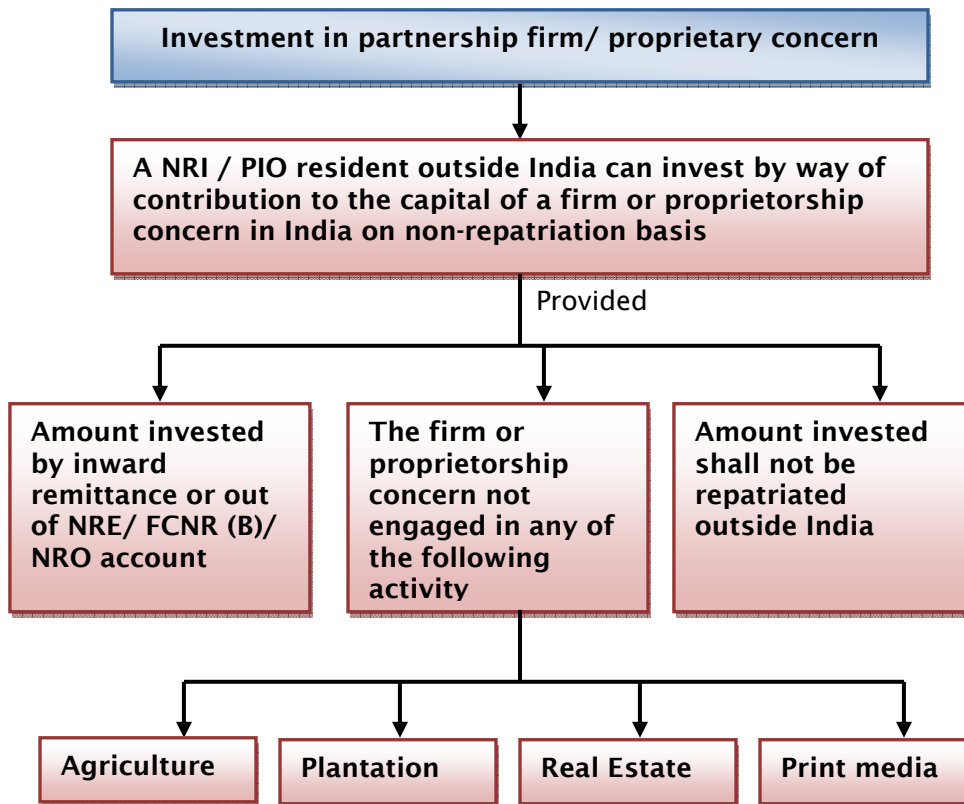
## GENERAL CONDITIONS



## CLOSEURE OF OFFICES



## INVESTMENT IN PARTNERSHIP FIRM/ PROPRIETARY CONCERN



**Note:** NRI's/ PIO may seek prior permission of Reserve bank for investment in sole proprietorship concerns/ partnership firms with repatriation benefits. The application will be decided in consultation with the Government of India



Annex - 1  
(PART I, Section I, para 2)

**Sector- specific policy for foreign investment**

In the following sectors/activities, FDI up to the limit indicated below is allowed subject to other conditions as indicated. In Sectors/Activities not listed below, FDI is permitted up to 100 per cent on the automatic route subject to sectoral rules/ regulations applicable.

| Sr. No.  | Sector/Activity                                                                                                                                                                                                                                                                                                      | FDI Cap / Equity | Entry Route | Other conditions                                                                                                                                                                                                                                    |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>I</b> | <b>AGRICULTURE</b>                                                                                                                                                                                                                                                                                                   |                  |             |                                                                                                                                                                                                                                                     |
| 1.       | Floriculture, Horticulture, Development of Seeds, Animal Husbandry, Pisciculture, Aquaculture, Cultivation of Vegetables & Mushrooms under controlled conditions and services related to agro and allied sectors.<br><br><b>NB: Besides the above, FDI is not allowed in any other agricultural sector /activity</b> | 100%             | Automatic   | ---                                                                                                                                                                                                                                                 |
| 2.       | <b>Tea Sector</b> , including tea plantation<br><br><b>NB: Besides the above, FDI is not allowed in any other plantation sector /activity</b>                                                                                                                                                                        | 100%             | FIPB        | Subject to divestment of 26% equity in favour of Indian partner/Indian public within 5 years and prior approval of State Government concerned in case of any change in future land use.                                                             |
|          | <b>INDUSTRY</b>                                                                                                                                                                                                                                                                                                      |                  |             |                                                                                                                                                                                                                                                     |
|          | <b>MINING</b>                                                                                                                                                                                                                                                                                                        |                  |             |                                                                                                                                                                                                                                                     |
| 3.       | <b>Mining</b> covering exploration and mining of diamonds & precious stones; gold, silver and minerals.                                                                                                                                                                                                              | 100%             | Automatic   | Subject to Mines & Minerals (Development & Regulation) Act, 1957 ( <a href="http://www.mines.nic.in">www.mines.nic.in</a> )<br><br>Press Note 18 (1998) and Press Note 1 (2005) are not applicable for setting up 100% owned subsidiaries in so far |



|                      |                                                                                                                                                                                                                                                                                                                               |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                      |                                                                                                                                                                                                                                                                                                                               |      |           | as the mining sector is concerned, subject to a declaration from the applicant that he has no existing joint venture for the same area and/ or the particular mineral.                                                                                                                                                                                                                                                                                                                                                         |
| 4.                   | <b>Coal &amp; Lignite mining</b> for captive consumption by power projects, and iron & steel, cement production and other eligible activities permitted under the Coal Mines (Nationalisation) Act, 1973.                                                                                                                     | 100% | Automatic | Subject to provisions of Coal Mines (Nationalisation) Act, 1973.<br>(www.coal.nic.in)                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 5.                   | <b>Mining and mineral</b> separation of titanium bearing minerals and ores, its value addition and integrated activities.<br><br><b>NB: FDI will not be allowed in mining of "prescribed substances" listed in Government of India notification No. S.O. 61(E) dated 18.1.2006 issued by the Department of Atomic Energy.</b> | 100% | FIPB      | Subject to sectoral Regulations and the Mines and Minerals (Development & Regulation) Act, 1957 and the following conditions –<br><br>i. value addition facilities are set up within India along with transfer of technology;<br><br>ii. disposal of tailings during the mineral separation shall be carried out in accordance with Regulations framed by the Atomic Energy Regulatory Board such as Atomic Energy (Radiation Protection) Rules, 2004 and the Atomic Energy (Safe Disposal of Radioactive Wastes) Rules, 1987. |
| <b>MANUFACTURING</b> |                                                                                                                                                                                                                                                                                                                               |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| 6.                   | <b>Alcohol-Distillation &amp; Brewing</b>                                                                                                                                                                                                                                                                                     | 100% | Automatic | Subject to license by appropriate authority.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 7.                   | <b>Cigars &amp; Cigarettes-Manufacture</b>                                                                                                                                                                                                                                                                                    | 100% | FIPB      | Subject to industrial license under the Industries (Development & Regulation) Act, 1951.                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 8.                   | <b>Coffee &amp; Rubber processing &amp; warehousing</b>                                                                                                                                                                                                                                                                       | 100% | Automatic | --                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| 9.                   | <b>Defence production</b>                                                                                                                                                                                                                                                                                                     | 26%  | FIPB      | Subject to licensing under                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |



|                              |                                                                                                                                                                             |                                     |                 |                                                                                                                                                   |
|------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-----------------|---------------------------------------------------------------------------------------------------------------------------------------------------|
|                              |                                                                                                                                                                             |                                     |                 | Industries (Development & Regulation) Act, 1951 and guidelines on FDI in production of arms & ammunition.                                         |
| 10.                          | <b>Hazardous chemicals</b> , viz., hydrocyanic acid and its derivatives; phosgene and its derivatives; and isocyanates and diisocyanates of hydrocarbon.                    | 100%                                | Automatic       | Subject to industrial license under the Industries (Development & Regulation) Act, 1951 and other sectoral Regulations.                           |
| 11.                          | <b>Industrial explosives</b> - Manufacture                                                                                                                                  | 100%                                | Automatic       | Subject to industrial license under the Industries (Development & Regulation) Act, 1951 and Regulations under Explosives Act, 1898                |
| 12.                          | <b>Drugs and Pharmaceuticals including those involving use of recombinant DNA technology</b>                                                                                | 100%                                | Automatic       | --                                                                                                                                                |
| <b>POWER</b>                 |                                                                                                                                                                             |                                     |                 |                                                                                                                                                   |
| 13.                          | <b>Power</b> including generation (except Atomic energy); transmission, distribution and Power trading.                                                                     | 100%                                | Automatic       | Subject to provisions of the Electricity Act, 2003 ( <a href="http://www.powermin.nic.in">www.powermin.nic.in</a> )                               |
| <b>SERVICES</b>              |                                                                                                                                                                             |                                     |                 |                                                                                                                                                   |
| <b>CIVIL AVIATION SECTOR</b> |                                                                                                                                                                             |                                     |                 |                                                                                                                                                   |
| 14.                          | <b>Airports-</b>                                                                                                                                                            |                                     |                 |                                                                                                                                                   |
| a.                           | Greenfield projects                                                                                                                                                         | 100%                                | Automatic       | Subject to sectoral Regulations notified by Ministry of Civil Aviation ( <a href="http://www.civilaviation.nic.in">www.civilaviation.nic.in</a> ) |
| b.                           | Existing projects                                                                                                                                                           | 100%                                | FIPB beyond 74% | Subject to sectoral Regulations notified by Ministry of Civil Aviation ( <a href="http://www.civilaviation.nic.in">www.civilaviation.nic.in</a> ) |
| 15.                          | <b>Air Transport Services including Domestic Scheduled Passenger Airlines; Non-Scheduled Airlines; Chartered Airlines; Cargo Airlines; Helicopter and Seaplane Services</b> |                                     |                 |                                                                                                                                                   |
| a.                           | <b>Scheduled Transport Services/ Domestic Air</b>                                                                                                                           | 49%- FDI; 100%- for NRIs investment | Automatic       | Subject to no direct or indirect participation by foreign airlines and Sectoral Regulations.                                                      |



|            |                                                                                                              |                                                                         |           |                                                                                                                                                                                                                                                                                                                                  |
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|            | <b>Scheduled Passenger Airline</b>                                                                           |                                                                         |           | ( <a href="http://www.civilaviation.nic.in">www.civilaviation.nic.in</a> )                                                                                                                                                                                                                                                       |
| b.         | <b>Non-Scheduled Air Transport Service / Non-Scheduled airlines, Chartered airlines, and Cargo airlines</b>  | 74%- FDI<br>100%- for NRIs investment                                   | Automatic | Subject to no direct or indirect participation by foreign airlines in Non-Scheduled and Chartered airlines. Foreign airlines are allowed to participate in the equity of companies operating Cargo airlines. Also subject to sectoral Regulations.<br>( <a href="http://www.civilaviation.nic.in">www.civilaviation.nic.in</a> ) |
| c.         | <b>Helicopter Services / Seaplane services requiring DGCA approval</b>                                       | 100%                                                                    | Automatic | Foreign airlines are allowed to participate in the equity of companies operating Helicopter and seaplane airlines. Also subject to sectoral Regulations.<br>( <a href="http://www.civilaviation.nic.in">www.civilaviation.nic.in</a> )                                                                                           |
| <b>16.</b> | <b>Other services under Civil Aviation Sector</b>                                                            |                                                                         |           |                                                                                                                                                                                                                                                                                                                                  |
| a.         | <b>Ground Handling Services</b>                                                                              | 74%- FDI<br>100%- for NRIs investment                                   | Automatic | Subject to sectoral Regulations and security clearance.                                                                                                                                                                                                                                                                          |
| b.         | <b>Maintenance and Repair organizations; flying training institutes; and technical training institutions</b> | 100%                                                                    | Automatic | --                                                                                                                                                                                                                                                                                                                               |
| <b>17.</b> | <b>Asset Reconstruction Companies</b>                                                                        | 49%<br>(only FDI)                                                       | FIPB      | Where any individual investment exceeds 10% of the equity, provisions of Section 3(3) (f) of Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 should be complied with.<br>( <a href="http://www.finmin.nic.in">www.finmin.nic.in</a> )                                       |
| <b>18.</b> | <b>Banking - Private sector</b>                                                                              | 74%<br>(FDI+FII)<br>Within this limit, FII investment not to exceed 49% | Automatic | Subject to guidelines for setting up branches / subsidiaries of foreign banks issued by RBI.<br>( <a href="http://www.rbi.org.in">www.rbi.org.in</a> )                                                                                                                                                                           |



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| <b>19.</b> | <b>Broadcasting</b>                                                                                                                                                                               |                                                                   |           |                                                                                                                                                                                                                                                                                                    |
| a.         | FM Radio                                                                                                                                                                                          | FDI +FII investment up to 20%                                     | FIPB      | Subject to guidelines notified by Ministry of Information & Broadcasting. ( <a href="http://www.mib.nic.in">www.mib.nic.in</a> )                                                                                                                                                                   |
| b.         | Cable network                                                                                                                                                                                     | 49% (FDI+FII)                                                     | FIPB      | Subject to Cable Television Network Rules (1994), notified by Ministry of Information & Broadcasting. ( <a href="http://www.mib.nic.in">www.mib.nic.in</a> )                                                                                                                                       |
| c.         | Direct-To-Home                                                                                                                                                                                    | 49% (FDI+FII). Within this limit, FDI component not to exceed 20% | FIPB      | Subject to guidelines issued by Ministry of Information & Broadcasting. ( <a href="http://www.mib.nic.in">www.mib.nic.in</a> )                                                                                                                                                                     |
| d.         | Setting up hardware facilities such as up-linking, HUB, etc.                                                                                                                                      | 49% (FDI+FII)                                                     | FIPB      | Subject to Up-linking Policy notified by Ministry of Information & Broadcasting. ( <a href="http://www.mib.nic.in">www.mib.nic.in</a> )                                                                                                                                                            |
| e.         | Up-linking a News & Current Affairs TV Channel                                                                                                                                                    | 26% (FDI+FII)                                                     | FIPB      | Subject to guidelines issued by Ministry of Information & Broadcasting. ( <a href="http://www.mib.nic.in">www.mib.nic.in</a> )                                                                                                                                                                     |
| f.         | Up-linking a Non-news & Current Affairs TV Channel                                                                                                                                                | 100%                                                              | FIPB      | Subject to guidelines issued by Ministry of Information & Broadcasting. ( <a href="http://www.mib.nic.in">www.mib.nic.in</a> )                                                                                                                                                                     |
| <b>20.</b> | <b>Commodity Exchanges</b>                                                                                                                                                                        | 49% (FDI+FII)<br>FDI – 26%<br>FII – 23%                           | FIPB      | FII purchases shall be restricted to secondary market only. Subject to regulations specified by concerned Regulators.                                                                                                                                                                              |
| <b>21.</b> | <b>Construction Development projects</b> , including housing, commercial premises, resorts, educational institutions, recreational facilities, city and regional level infrastructure, townships. | 100%                                                              | Automatic | Subject to conditions notified vide Press Note 2 (2005 Series) including:<br><br>a. Minimum capitalization of US\$ 10 million for wholly owned subsidiaries and US\$ 5 million for joint venture. The funds would have to be brought within six months of commencement of business of the Company. |



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|     | <b>NB: FDI is not allowed in Real Estate Business</b>                                                                                          |                                                                      |           | <p>b. Minimum area to be developed under each project- 10 hectares in case of development of serviced housing plots; and built-up area of 50,000 sq. mts. in case of construction development project; and any of the above in case of a combination project.</p> <p><b>[Note 1: For investment by NRIs, the conditions mentioned in Press Note 2 (2005) are not applicable.</b></p> <p><b>Note 2: For investment in SEZs, Hotels &amp; Hospitals, conditions mentioned in Press Note 2(2005) are not applicable ]</b></p> |
| 22. | <b>Courier services</b> for carrying packages, parcels and other items which do not come within the ambit of the Indian Post Office Act, 1898. | 100%                                                                 | FIPB      | Subject to existing laws and exclusion of activity relating to distribution of letters, which is exclusively reserved for the State. (www.indiapost.gov.in)                                                                                                                                                                                                                                                                                                                                                                |
| 23. | <b>Infrastructure companies in securities markets</b> namely, Stock Exchanges, Depositories and Clearing Corporations                          | 49% (FDI+FII)<br>FDI – 26%<br>FII – 23%                              | FIPB      | FII purchases shall be restricted to secondary market. Subject to regulations specified by concerned Regulators.                                                                                                                                                                                                                                                                                                                                                                                                           |
| 24. | <b>Credit Information Companies(CIC)</b>                                                                                                       | 49% (FDI+FII)<br>Within this limit, FII investment not to exceed 24% | FIPB      | Foreign Investment in CIC will be subject to Credit Information Companies (Regulation) Act, 2005. Subject to regulations specified by concerned Regulators.                                                                                                                                                                                                                                                                                                                                                                |
| 25. | <b>Industrial Parks both setting up and in established Industrial Parks</b>                                                                    | 100%                                                                 | Automatic | <p>Conditions in Press Note 2(2005) applicable for construction development projects would not apply provided the Industrial Parks meet with the under-mentioned conditions-</p> <p>i. it would comprise of a minimum of 10 units and</p>                                                                                                                                                                                                                                                                                  |



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|       |                                                                                        |      |           | <p>no single unit shall occupy more than 50% of the allocable area and ;</p> <p>ii. the minimum percentage of the area to be allocated for industrial activity shall not be less than 66% of the total allocable area.</p>                                                                                                                                                                                                                                                                                                            |
| 26.   | <b>Insurance</b>                                                                       | 26%  | Automatic | <p>Subject to licensing by the Insurance Regulatory &amp; Development Authority (<a href="http://www.irda.nic.in">www.irda.nic.in</a>)</p>                                                                                                                                                                                                                                                                                                                                                                                            |
| 27.   | <b>Investing companies in infrastructure / services sector (except telecom sector)</b> | 100% | FIPB      | <p>Where there is a prescribed cap for foreign investment, only the direct investment will be considered for the prescribed cap and foreign investment in an investing company will not be set off against this cap provided the foreign direct investment in such investing company does not exceed 49% and the management of the investing company is with the Indian owners.</p>                                                                                                                                                   |
| 28.   | <b>Non-Banking Finance Companies</b>                                                   |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| i)    | <b>Merchant banking</b>                                                                | 100% | Automatic | <p>Subject to:</p> <p>a. Minimum capitalization norms for fund based NBFCs - US\$ 0.5 million to be brought upfront for FDI up to 51%; US\$ 5 million to be brought upfront for FDI above 51% and up to 75%; and US\$ 50 million out of which US\$ 7.5 million to be brought upfront and the balance in 24 months, for FDI beyond 75% and up to 100%.</p> <p>b. Minimum capitalization norms for non-fund based NBFC activities- US\$ 0.5 million.</p> <p>c. Foreign investors can set up 100% operating subsidiaries without the</p> |
| ii)   | <b>Underwriting</b>                                                                    |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| iii)  | <b>Portfolio Management Services</b>                                                   |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| iv)   | <b>Investment Advisory Services</b>                                                    |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| v)    | <b>Financial Consultancy</b>                                                           |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| vi)   | <b>Stock Broking</b>                                                                   |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| vii)  | <b>Asset Management</b>                                                                |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| viii) | <b>Venture Capital</b>                                                                 |      |           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |



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| ix)        | <b>Custodial Services</b>                                                                                                                                         |                                                               |                                                                        | condition to disinvest a minimum of 25% of its equity to Indian entities subject to bringing in US\$ 50 million without any restriction on number of operating subsidiaries without bringing additional capital.<br><br>d. Joint venture operating NBFCs that have 75% or less than 75% foreign investment will also be allowed to set up subsidiaries for undertaking other NBFC activities subject to the subsidiaries also complying with the applicable minimum capital inflow.<br><br>e. Compliance with the guidelines of the RBI. |
| x)         | <b>Factoring</b>                                                                                                                                                  |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xi)        | <b>Credit Rating Agencies</b>                                                                                                                                     |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xii)       | <b>Leasing &amp; Finance</b>                                                                                                                                      |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xiii)      | <b>Housing Finance</b>                                                                                                                                            |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xiv)       | <b>Forex Broking</b>                                                                                                                                              |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xv)        | <b>Credit card Business</b>                                                                                                                                       |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xvi)       | <b>Money changing business</b>                                                                                                                                    |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xvii)      | <b>Micro credit</b>                                                                                                                                               |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| xviii)     | <b>Rural credit</b>                                                                                                                                               |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>29.</b> | <b>Petroleum &amp; Natural Gas sector</b>                                                                                                                         |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| a.         | Refining                                                                                                                                                          | 49% in case of PSUs.<br><br>100% in case of Private companies | FIPB (in case of PSUs)<br><br>Automatic (in case of private companies) | Subject to Sectoral policy and no divestment or dilution of domestic equity in the existing PSUs. (www.petroleum.nic.in)                                                                                                                                                                                                                                                                                                                                                                                                                 |
| b.         | Other than Refining and including market study and formulation; investment/ financing; setting up infrastructure for marketing in Petroleum & Natural Gas sector. | 100%                                                          | Automatic                                                              | Subject to sectoral Regulations issued by Ministry of Petroleum & Natural Gas. (www.petroleum.nic.in)                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>30.</b> | <b>Print Media</b>                                                                                                                                                |                                                               |                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| a.         | Publishing of <b>newspaper and periodicals</b> dealing with news and current affairs                                                                              | 26%                                                           | FIPB                                                                   | Subject to guidelines notified by Ministry of Information & Broadcasting. (www.mib.nic.in)                                                                                                                                                                                                                                                                                                                                                                                                                                               |



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| b.         | <b>Publishing of scientific magazines/ specialty journals/ periodicals</b>                                                                                                                                                             | 100%                                                                                                                                                        | FIPB                                         | Subject to guidelines issued by Ministry of Information & Broadcasting. (www.mib.nic.in)                                                                                                                                                                                |
| <b>31.</b> | <b>Telecommunications</b>                                                                                                                                                                                                              |                                                                                                                                                             |                                              |                                                                                                                                                                                                                                                                         |
| a.         | Basic and cellular, Unified Access Services, National/ International Long Distance, V-Sat, Public Mobile Radio Trunked Services (PMRTS), Global Mobile Personal Communications Services (GMPCS) and other value added telecom services | 74%<br>(Including FDI, FII, NRI, FCCBs, ADRs, GDRs, convertible preference shares, and proportionate foreign equity in Indian promoters/ Investing Company) | Automatic up to 49%.<br><br>FIPB beyond 49%. | Subject to guidelines notified in the Press Note 3(2007 Series) dated April 19, 2007.                                                                                                                                                                                   |
| b.         | ISP with gateways, radio-paging, end-to-end bandwidth.                                                                                                                                                                                 | 74%                                                                                                                                                         | Automatic up to 49%.<br>FIPB beyond 49%.     | Subject to licensing and security requirements notified by the Department of Telecommunications. (www.dotindia.com)                                                                                                                                                     |
| c.         | (a) ISP without gateway;<br>(b) infrastructure provider providing dark fibre, right of way, duct space, tower (Category I);<br>(c) electronic mail and voice mail.                                                                     | 100%                                                                                                                                                        | Automatic up to 49%.<br><br>FIPB beyond 49%. | Subject to the condition that such companies shall divest 26% of their equity in favour of Indian public in 5 years, if these companies are listed in other parts of the world. Also subject to licensing and security requirements, where required. (www.dotindia.com) |
| d.         | Manufacture of telecom equipments                                                                                                                                                                                                      | 100%                                                                                                                                                        | Automatic                                    | Subject to sectoral requirements. (www.dotindia.com)                                                                                                                                                                                                                    |
| <b>32.</b> | <b>Trading</b>                                                                                                                                                                                                                         |                                                                                                                                                             |                                              |                                                                                                                                                                                                                                                                         |
| a.         | Wholesale/cash & carry trading                                                                                                                                                                                                         | 100%                                                                                                                                                        | Automatic                                    |                                                                                                                                                                                                                                                                         |



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| b.  | Trading for Exports                                                                                                                 | 100% | Automatic | Subject to the condition that the test marketing approval will be for a period of two years and investment in setting up manufacturing facilities commences simultaneously with test marketing.<br>Subject to guidelines for FDI in trading issued by Department of Industrial Policy & Promotion vide Press Note 3 (2006 Series) dated February 10, 2006. |
| c.  | Trading of items sourced from small scale sector                                                                                    | 100% | FIPB      |                                                                                                                                                                                                                                                                                                                                                            |
| d.  | Test marketing of such items for which a company has approval for manufacture                                                       | 100% | FIPB      |                                                                                                                                                                                                                                                                                                                                                            |
| e.  | Single Brand Product retailing                                                                                                      | 51%  | FIPB      |                                                                                                                                                                                                                                                                                                                                                            |
| 33. | <b>Satellites -</b><br>Establishment and operation                                                                                  | 74%  | FIPB      | Subject to sectoral guidelines issued by Department of Space / ISRO. ( <a href="http://www.isro.org">www.isro.org</a> )                                                                                                                                                                                                                                    |
| 34. | <b>Special Economic Zones and Free Trade Warehousing Zones</b> covering setting up of these Zones and setting up units in the Zones | 100% | Automatic | Subject to Special Economic Zones Act, 2005 and the Foreign Trade Policy. ( <a href="http://www.sezindia.nic.in">www.sezindia.nic.in</a> )                                                                                                                                                                                                                 |
| 35. | <b>Drugs and Pharmaceuticals</b> including those involving recombinant DNA technology                                               | 100% | Automatic | --                                                                                                                                                                                                                                                                                                                                                         |

Note : All the above sector / activities are governed by the respective Press Notes / Releases issued by the Government of India from time to time