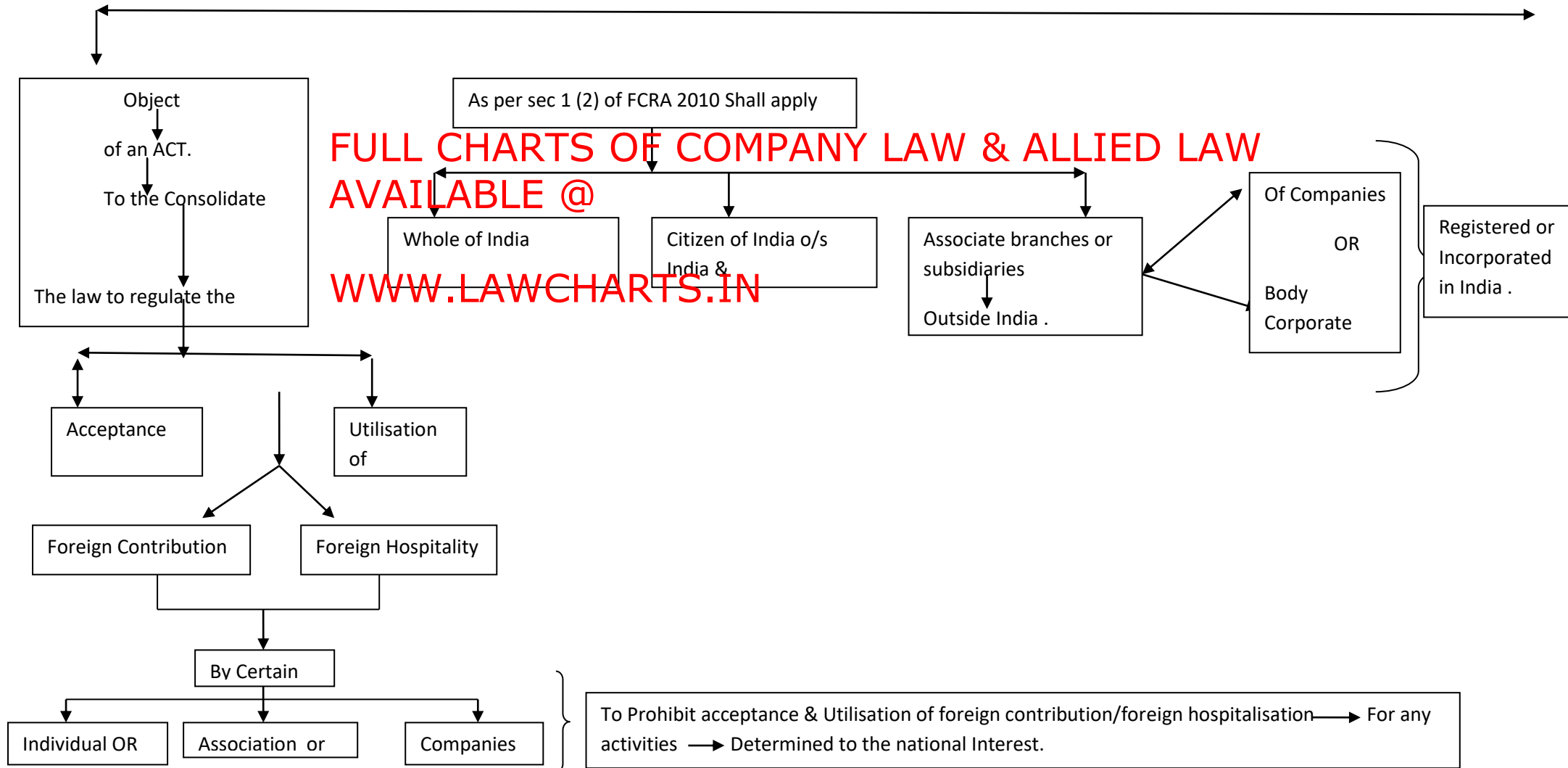
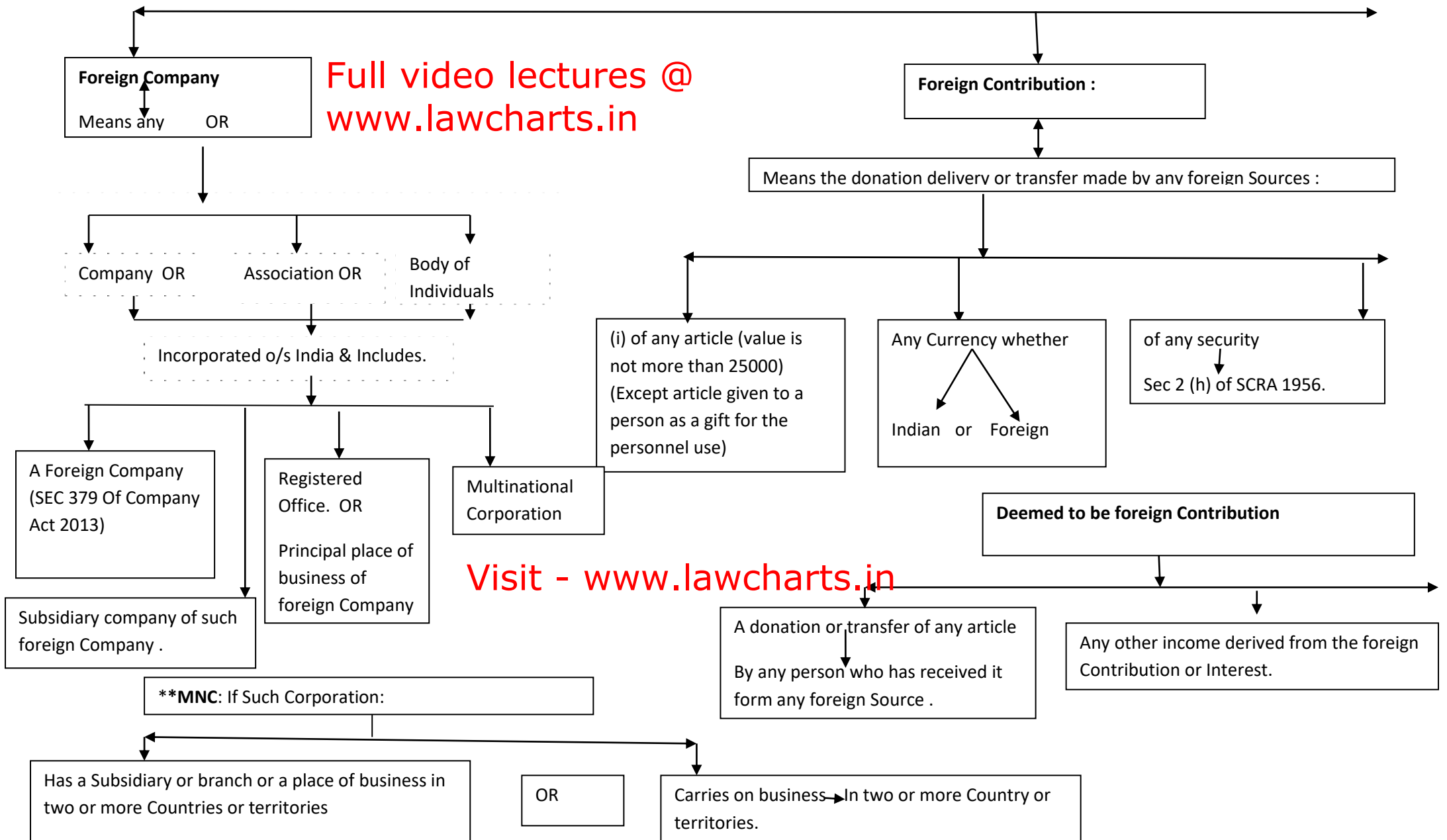


Foreign Contribution (Regulation) Act ,2010 (Applicable dated 1st May 2011) .

Foreign Contribution (Regulation) Rules ,2011





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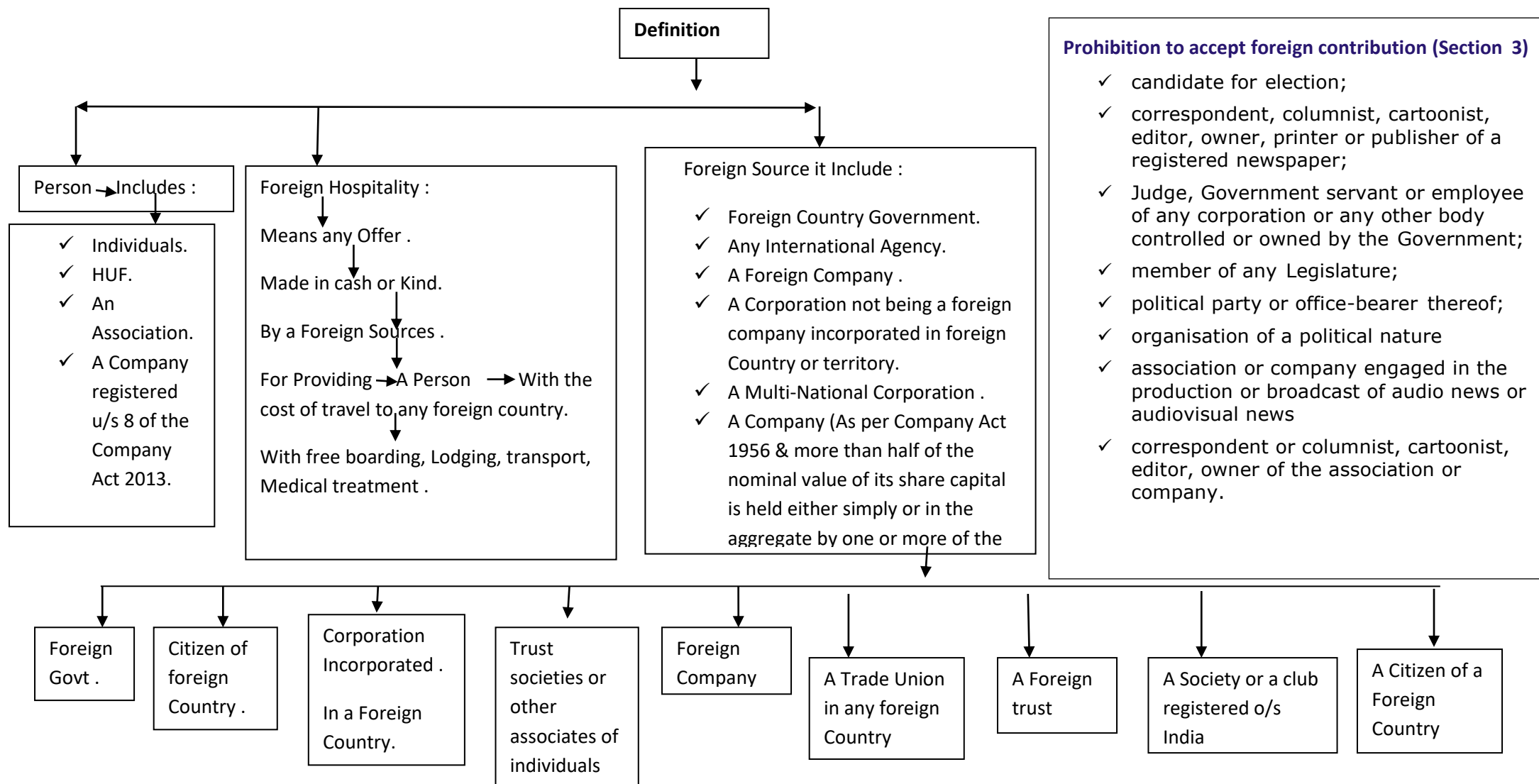
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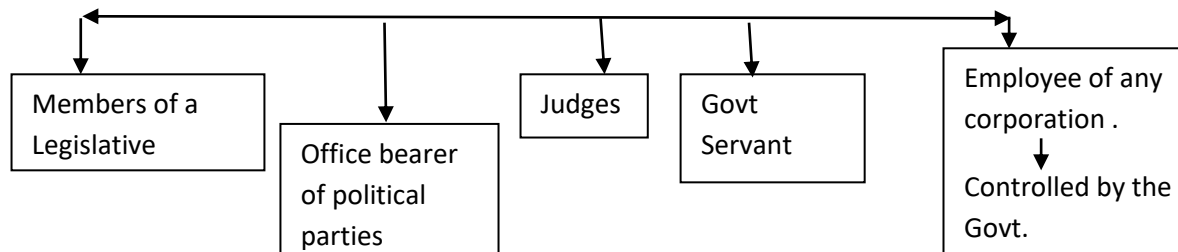
Edition – 3rd

Section 4: Person to whom Sec 3 shall not apply:

- 1) By the way of salary, wages or other remuneration due to him in the Ordinary course of business transacted.
- 2) By Way of payment in the course of international trade.
- 3) As an Agent of a foreign Sources.
- 4) By Way of a gift or presentation made to him as a member of any Indian delegation.
- 5) From his relatives.
- 6) By Way of remittance received in the ordinary course of business through any official Channel.
- 7) By way of any scholarship, Stipend or any Payment.

Sec 6: Restriction on acceptance of foreign Hospitality :

Following Person require price approval of ministry of home affairs before acceptance of foreign hospitality.



Exception :

- ✓ Above permission is not required for any emergency medical aid needed on account of sudden illness Contracted during a visit o/s Indian.
- ✓ If the foreign hospitality has been received then such person shall give intimation to the C.G. WITHIN 1 Months from the date of its receipts.

Foreign hospitality may be received by specified categories of Person .

Any Person above can avail foreign hospitalisation shall apply to C.G. for prior permission

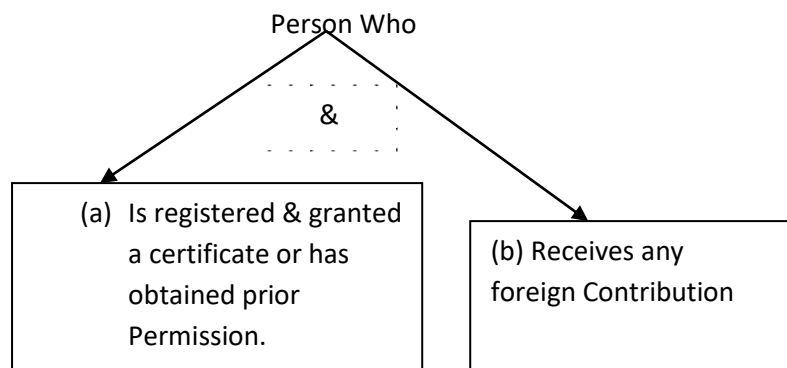
Every Application +Initiation letter from the host country & administrative clearance of the Ministry.

Must Reach
↓
To the appropriate authority .
↓
2 weeks before the proposed date of outward journey.

In Case of emergency medical aid .
↓
On account of sudden illness.
↓
Within 60 days of such receipt.
Shall be intimate to the C.G.

No Intimation is require up to 1 lacs Rs .
↓
If value of such hospitality in emergency Medical.

Prohibition to transfer foreign Contribution to other Person (Sec 7).



Shall not transfer such foreign Contribution.

To any other Person.

Unless such other person is also registered & had been granted the certificate or obtained Prior Permission

Competition act 2000
<https://youtu.be/Ejg7AyP5ZB8>
Youtube link

Rule 24 of FCRR 2011

Procedure for transferring foreign contribution to any unregistered Person:

Registered → to a person who is not registered.

May transfer to an extent not exceeding 10% of total Value .

→ An Application shall be accompanied by a Declaration .

Amount proposed to be transferred is less than 10% of the total value of the F.C. received by him during the F.Y.

The Transferor shall not transfer Any amount of Foreign Contribution Until the C.G. Approval such transfer.

Both the transferor & the recipient shall be responsible for Ensuring Proper Utilisation.

↓
Shall be reflected in the return in form FC-4 TO BE SUBMITTED by the both transferor & the recipient.

Restriction to utilise foreign contribute for administrative purpose (Sec-8)

Every Person Who is registered & granted certificate & records any foreign Contributes Shall:

Not use for Speculator Purpose.

Not Defray

More than 50% of such Contribution received.

To Meet Administrative Expenses.

However for excess of above require & C.G.

Power of CG to prohibit receipt of foreign contribution etc in certain cases

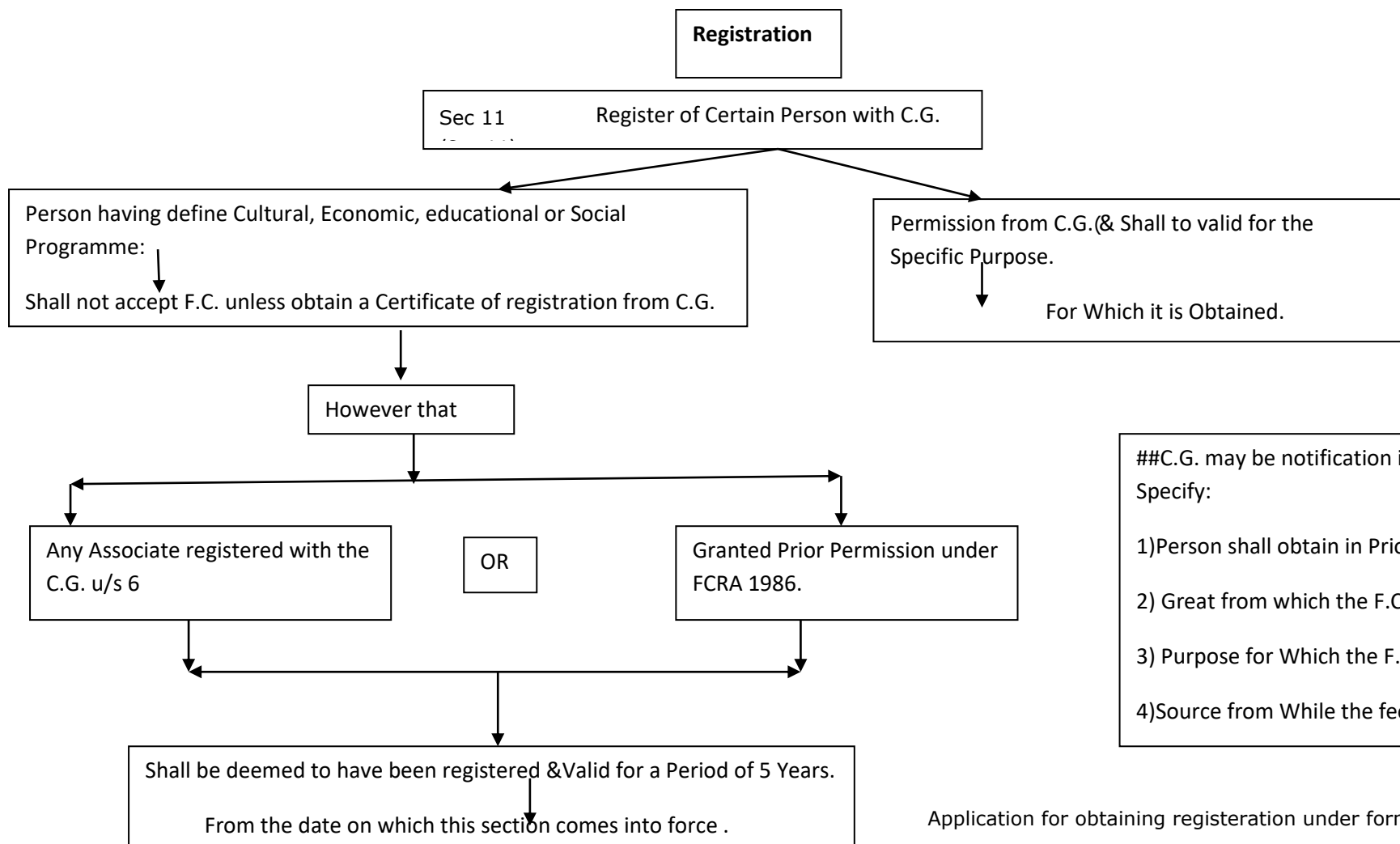
The C.G. may -

- ✓ Prohibit any person or organisation (Not Specified in Sec 3) from accepting any foreign Contribution .
- ✓ Require any person (Not Specified in Sec-6) to obtain from permission of the C.G. BEFORE ACCEPTING ANY FOREIGN Hospitalisation.
- ✓ Require any person (Not Specified in section) to furnish intimation as to the amount of any foreign contribution received by.

Exception:

Above Prohibition or requirement shall not be made unless the C.G. is Satisfied that the acceptance of foreign Contribution by such person is likely to affect Prejudicially:

- ✓ The Sovereignty & Integrity of India .
- ✓ Public Interest.
- ✓ Freedom or fairness if election to any legislature.
- ✓ Friendly relation with any foreign state .
- ✓ Harmony between religion racial, social, Caste as Communities .



##C.G. may be notification in the official Gazette Specify:

- 1) Person shall obtain in Prior Permission
- 2) Great from which the F.C. Shall be accepted.
- 3) Purpose for Which the F.C. Shall be Utilised.
- 4) Source from While the fees shall be accepted.

Application for obtaining registration under form - FC 3

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Section -12 Grants of Certificate of Registration

The Person making an application for registration grant of _____ permission: -

- ✓ Is not fictitious or business.
- ✓ Has not been prosecuted for Creating Communal
- ✓ Has not been found to be guilty of direction or misutilisation of its funds.
- ✓ Has not Contravened any of the Provision of this Act.
- ✓ Has been prohibited from the accepting foreign contribution.

In Prescribed Mode +Fees to CG.

On the receipt → if find it is.

NO
Incomplete
YES

Then reject the application

Then allot Certificate within 90 days from the date of receipt of applications.

Not provided then C.G. Will intimate reasons.

##Validity 5 year from the date of its Issue of the prior permission shall be valid for the specific Purpose.

Section 13: Suspension of Certificate C.G. is satisfied that pending Consideration of the questions of the cancelling the certificate U/s 14 (1)

Then is made by order in writing Suspect the certificate Not exceeding 180 days or specified in order

Effects of Suspension

Not Eligible to receive any foreign Contribution.

During the period of suspension of Certificate

Utilise such F.C. in his custody with the prior approval of the C.G.

###Unspent amount that can be utilised in case of suspension of a certificate of registration.

Up to 25% of the Unutilised amount may be spent with the prior approval of C.G. For the declared aim & object for Which the F.C. was received.

The remain 75% of the unutilised foreign contribution shall be utilised.

Only after revocation of suspension of the certificate of registration.

Cancellation of Certificate (Sec 14)

The C.C May by an order cancel the certificate if ,

- ✓ The holder of the certificate has made a statement which is in incorrect or false.
- ✓ Holder of the certificates has Violated any of the terms .
- ✓ Not started its reasonable activity for 2 consecutive years or has become default .

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Before order of cancellation
Given a reasonable
opportunity of being Heard .

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##Cooling Period of 3 years

If any person whose certificate has been cancelled.

Renewable of Certificate (Sec-16)

✓ Every Person → Who has been granted.

A Certificate → Shall be renew such certificate

within 6 months before the expiry of the period of the certificate.

C,G Will remain within 90 days from the date of receipt of application & grant a certificate of renewable for a period of 5 years .

✓ Fees Rs 500 → Shall be paid by DD.

“Pay and Account officer ministry of home affairs” Payable at new Delhi or through online affairs

✓ If the Validity of the certificate of registration of a person has been ceased.

↕
A Fresh requested for the grant of a Certificate of registration .

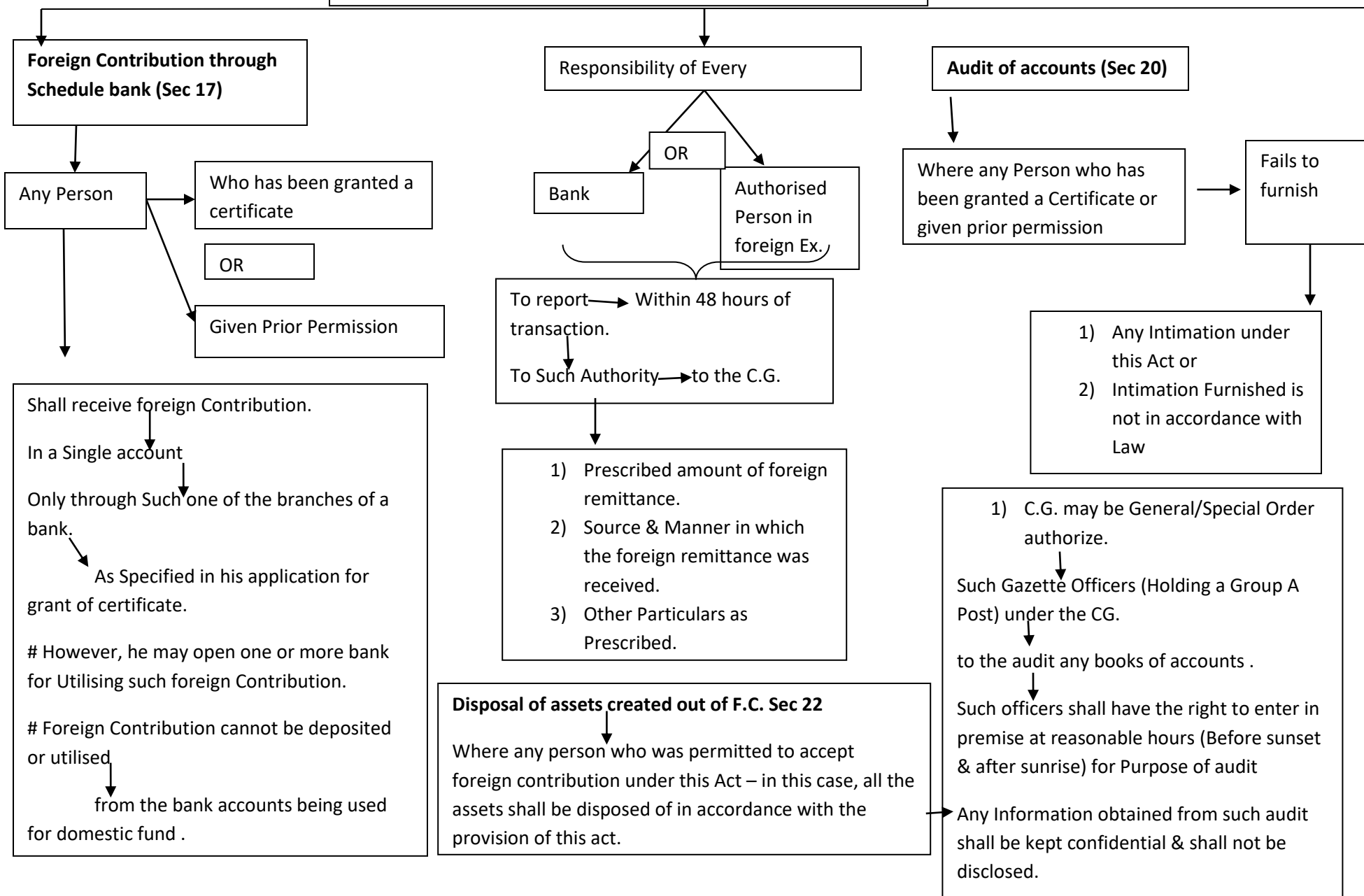
✓ If any person fails to renew same his application may be accepted for Consideration .

↓
But not later than 4 month

↓
After the expiry of the original Certificate of registration .

Doubt clearing through whats app or call .

Sec 17 to 22 Accounts ,Intimation, Audit & Disposed of assets etc.



Adjudication:

Any Articles or Currency or security → Which is seized under the Act.

Shall be liable to Confiscation.

May be Adjudged,

by the

Court of Session.

Without limit of sum involved in Article .

Not below the rank of an assistant session Judge.

If the Value of such article does not exceed Rs 10 lacs .

May Make such order as they fit think so but after provides opportunities of being heard .

The C.G. May either

Of its Own Motion

On an application for revision by the Person

Registered under this Act .

Revision of order by (C.G. SEC-30)

Call for & examine the record of any proceeding under this act .

###The C.G. shall not its own motion revise any orders.

If the order has been made more than 1 year Previously.

####Application for revision must be made within 1 year.

From the date on which the order in Questioned.

Was Communicated to him or the date on which he otherwise came to known of it.

Which Ever is earlier .

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Appeal can be filled within 1 month /+1m

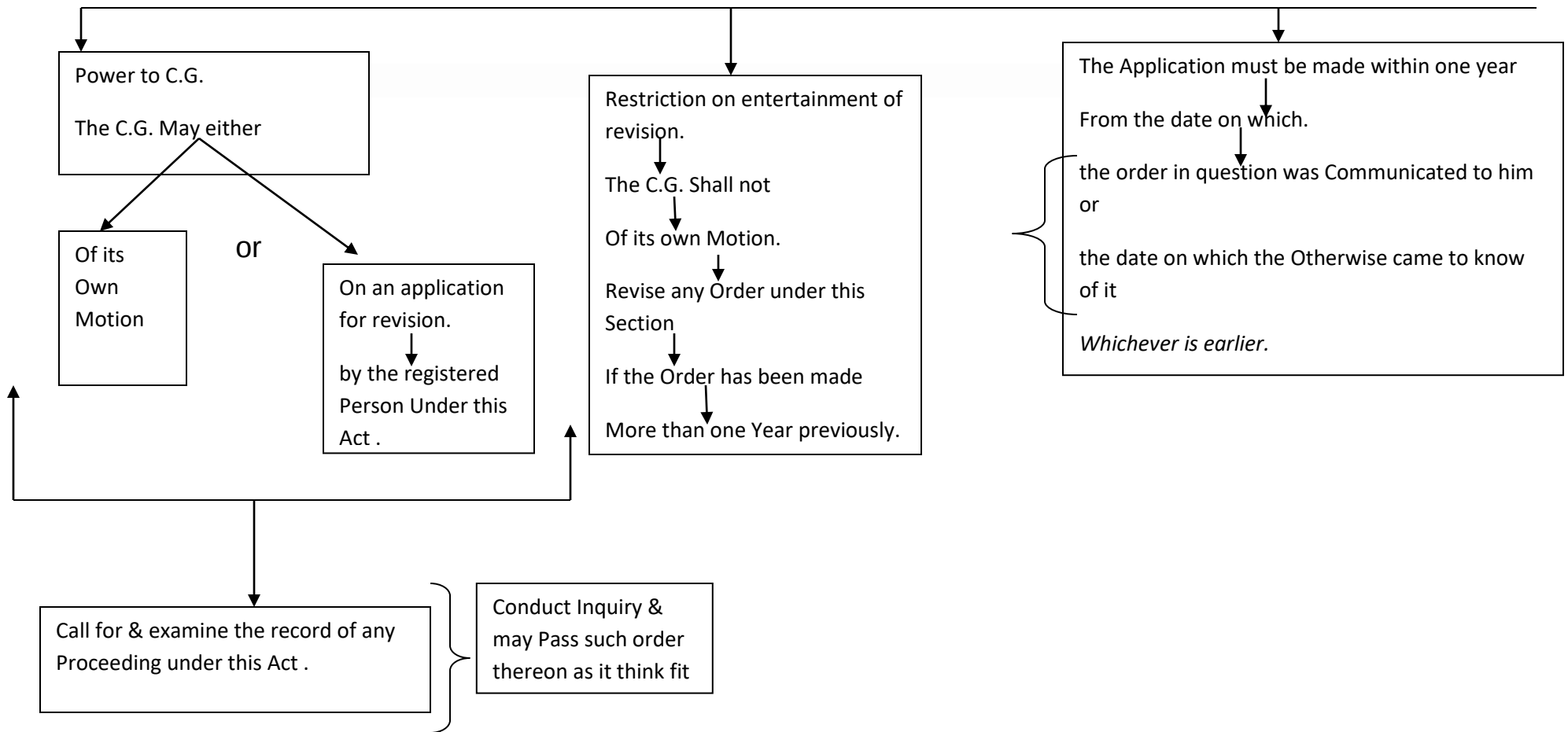
To the H.C.

If decision provided by Court of session.

To the Court of Session .

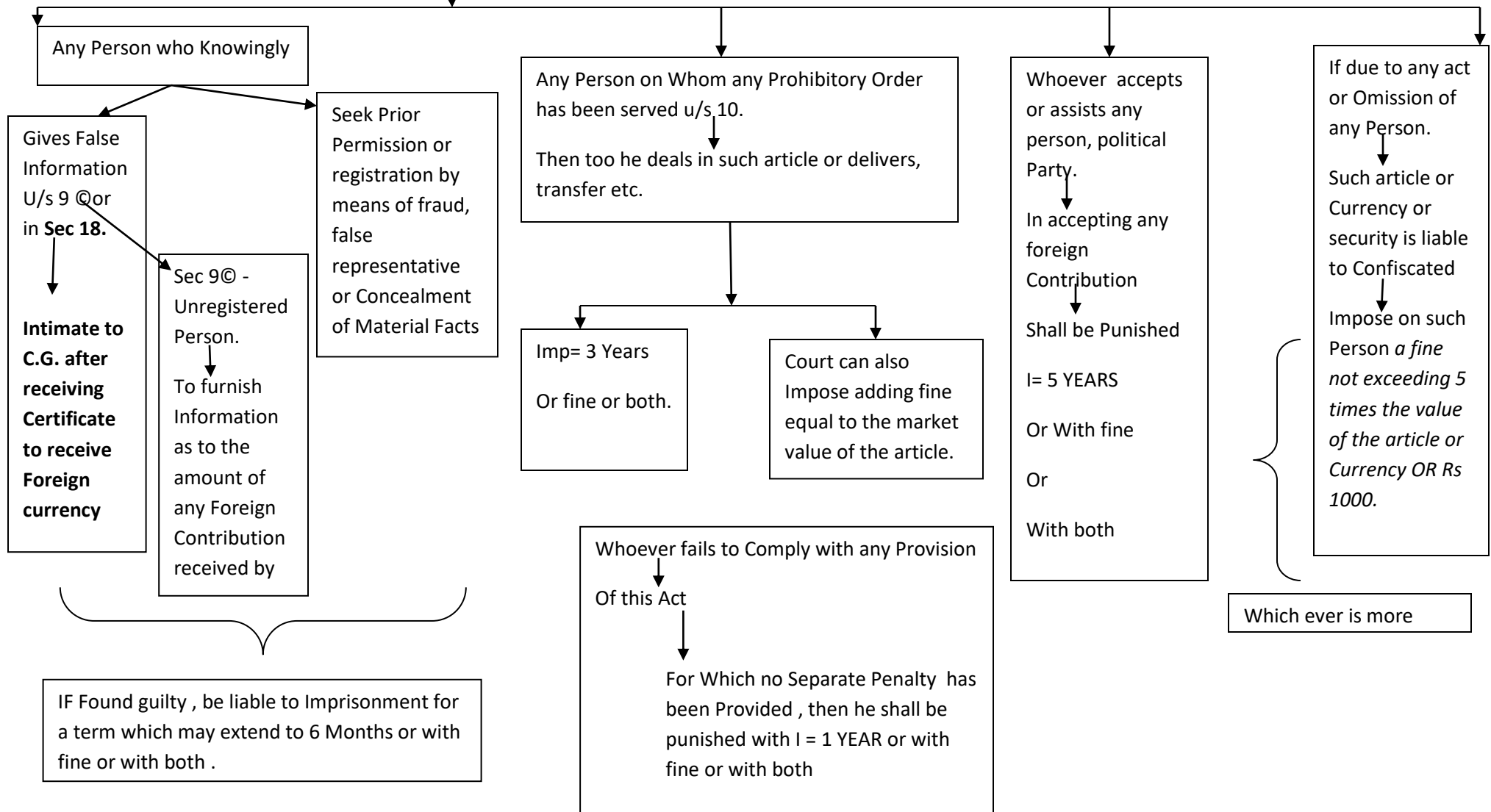
If Order is made by Officers .

Revision of Order by C.G. (Sec 32)



Offences & Penalties

The Provision related to Offences & Penalties are Covered **u/s 33 to 41** of the Act
Types of Offences & Penalties



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