

**Annex – 9- I**  
**[PART I, Section V, para 2 ]**

<b>Form FC-TRS</b>	
<b>Declaration regarding transfer of shares / compulsorily and mandatorily convertible preference shares (CMCPS) / debentures/others by way of sale from resident to non resident / non-resident to resident</b>	
(to be submitted to the designated AD branch in quadruplicate within 60 days from the date of receipt of funds)	
<p><b>The following documents are enclosed</b></p> <p><i>For sale of shares / compulsorily and mandatorily convertible preference shares / debentures/others by a person resident in India</i></p> <ol style="list-style-type: none"> <li>i. Consent Letter duly signed by the seller and buyer or their duly appointed agent and in the latter case the Power of Attorney Document.</li> <li>ii. The shareholding pattern of the investee company after the acquisition of shares by a person resident outside India.</li> <li>iii. Certificate indicating fair value of shares from a Chartered Accountant.</li> <li>iv. Copy of Broker's note if sale is made on Stock Exchange.</li> <li>v. Declaration from the buyer to the effect that he is eligible to acquire shares / compulsorily and mandatorily convertible preference shares / debentures/others under FDI policy and the existing sectoral limits and Pricing Guidelines have been complied with.</li> <li>vi. Declaration from the FII/sub account to the effect that the individual FII / Sub account ceiling as prescribed has not been breached.</li> </ol> <p><i>Additional documents in respect of sale of shares / compulsorily and mandatorily convertible preference shares / debentures/others by a person resident outside India</i></p> <ol style="list-style-type: none"> <li>vii. If the sellers are NRIs/OCBs, the copies of RBI approvals, if applicable, evidencing the shares held by them on repatriation/non-repatriation basis.</li> <li>viii. No Objection/Tax Clearance Certificate from Income Tax Authority/ Chartered Account.</li> </ol>	
<b>1</b>	<b>Name of the company</b>

	Address (including e-mail , telephone Number, Fax no)	
	Activity	
	NIC Code No. <sup>70</sup>	
<b>2</b>	<b>Whether FDI is allowed under Automatic route</b>	
	Sectoral Cap under FDI Policy	
<b>3</b>	<b>Nature of transaction</b> <i>(Strike out whichever is not applicable)</i>	Transfer from resident to non resident / Transfer from non resident to resident
<b>4</b>	<b>Name of the buyer</b>	
	<b>Constitution / Nature of the investing Entity</b> Specify whether 1. Individual 2. Company 3. FII 4. FVCI <sup>#</sup> 5. Foreign Trust 6. Private Equity Fund 7. Pension/ Provident Fund 8. Sovereign Wealth Fund (SWF <sup>π</sup> )	

<sup>70</sup> In terms of [AP \(DIR Series\) Circular No 5 dated July 17, 2014](#), NIC 2008 codes may be reported

<sup>#</sup> The initial investment/s was/were made by FVCI under FDI scheme in terms of Schedule 1 to [Notification No. FEMA.20/2000-RB dated May 3, 2000](#).

<sup>π</sup> SWF means a Government investment vehicle which is funded by foreign exchange assets, and which manages those assets separately from the official reserves of the monetary authorities.

	9. Partnership / Proprietorship firm 10. Financial Institution 11. NRIs / PIOs 12. Others	
	Date and Place of Incorporation	
	Address of the buyer <i>(including e-mail, telephone number. Fax no.)</i>	
<b>5</b>	<b>Name of the seller</b>	
	<b>Constitution / Nature of the disinvesting entity</b> Specify whether <ol style="list-style-type: none"> <li>1. Individual</li> <li>2. Company</li> <li>3. FII</li> <li>4. FVCI<sup>##</sup></li> <li>5. Foreign Trust</li> <li>6. Private Equity Fund</li> <li>7. Pension/ Provident Fund</li> <li>8. Sovereign Wealth Fund (SWF<sup>¶</sup>)</li> <li>9. Partnership/ Proprietorship firm</li> <li>10. Financial Institution</li> <li>11. NRIs/PIOs</li> <li>12. others</li> </ol>	
	Date and Place of Incorporation	
	Address of the seller	

<sup>##</sup> The initial investment/s was/were made by FVCI under FDI scheme in terms of Schedule I to [Notification No.FEMA.20/2000-RB dated May 3, 2000](#)

<sup>¶</sup> SWF means a Government investment vehicle which is funded by foreign exchange assets, and which manages those assets separately from the official reserves of the monetary authorities.

	<i>(including e-mail, telephone Number Fax no)</i>				
<b>6</b>	<b>Particulars of earlier Reserve Bank / FIPB approvals</b>				
<b>7</b>	<b>Details regarding shares / compulsorily and mandatorily convertible preference shares (CMCPS) / debentures/others (such as FDI compliant instruments like participating interest/ rights in oil fields, etc.) to be transferred</b>				
	<b><i>Date of the transaction</i></b>	<b><i>Number of shares CMCPS / debentures/others</i></b>	<b><i>Face value in Rs.</i></b>	<b><i>Negotiated Price for the transfer**in Rs.</i></b>	<b><i>Amount of consideration in Rs.</i></b>
<b>8</b>	<b>Foreign Investments in the company</b>		<i>No. of shares</i>	<i>Percentage</i>	
		Before the transfer			
		After the transfer			
<b>9</b>	<b>Where the shares / CMCPS / debentures/others are listed on Stock Exchange</b>				
	<i>Name of the Stock exchange</i>				
	<i>Price Quoted on the Stock exchange</i>				
	<b>Where the shares / CMCPS / debentures/others are Unlisted</b>				
	<i>Price as per Valuation guidelines*</i>				
	<i>Price as per Chartered</i>				

<i>Accountants * / ** Valuation report (CA Certificate to be attached)</i>	
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**Declaration by the transferor / transferee**

**I / We hereby declare that :**

- i. The particulars given above are true and correct to the best of my/our knowledge and belief.
- ii. I/ We, was/were holding the shares compulsorily and mandatorily convertible preference shares / debentures/others as per FDI Policy under FERA/ FEMA Regulations on repatriation/non repatriation basis.
- iii. I/ We, am/are eligible to acquire the shares compulsorily and mandatorily convertible preference shares / debentures/others of the company in terms of the FDI Policy.
- iv. The Sectoral limit under the FDI Policy and the pricing guidelines have been adhered to.

**Signature of the Declarant or  
his duly authorised agent**

**Date:**

**Note:**

*In respect of the transfer of shares / compulsorily and mandatorily convertible preference shares / compulsorily and mandatorily convertible debentures/others from resident to non resident the declaration has to be signed by the non resident buyer, and in respect of the transfer of shares / compulsorily and mandatorily convertible preference shares / compulsorily and mandatorily convertible debentures/others from non-resident to resident the declaration has to be signed by the non-resident seller.*

**Certificate by the AD Branch**

It is certified that the application is complete in all respects.

The receipt /payment for the transaction are in accordance with FEMA Regulations / Reserve Bank guidelines.

Signature

Name and Designation of the Officer

**Date:** Name of the AD Branch

AD Branch Code