

**RESERVE BANK OF INDIA
FOREIGN EXCHANGE DEPARTMENT
CENTRAL OFFICE
MUMBAI - 400 001**

Notification No.FEMA 119 /2004-RB

June 29, 2004

**Foreign Exchange Management (Remittance of Assets)
(Amendment) Regulations, 2004**

In exercise of the powers conferred by Section 47 of the Foreign Exchange Management Act, 1999 (42 of 1999) and in partial modification of its Notification No.FEMA.13/2000-RB dated May 3, 2000, the Reserve Bank of India makes the following amendments in the Foreign Exchange Management (Remittance of Assets) Regulations, 2000, namely:-

Short title and commencement :-

1. (i) These Regulations may be called the "Foreign Exchange Management (Remittance of Assets) (Amendment) Regulations, 2004"
- (ii) They shall come into force from the date of their publication in the official Gazette.

Amendment of the Regulations :-

2. (i) In the Foreign Exchange Management (Remittance of Assets) Regulations, 2000, in Regulation 4, for sub-regulation (3), the following sub-regulation shall be substituted, namely:-

"(3) A Non-Resident Indian (NRI)/Person of Indian Origin (PIO) may remit an amount, not exceeding US \$ 1,000,000 (US Dollar One million only) per calendar year,

(i) out of the balances held in NRO accounts/sale proceeds of assets/the assets in India acquired by him by way of inheritance/legacy on production of:

(a) documentary evidence in support of acquisition, inheritance or legacy of assets by the remitter, and

(b) a tax clearance/no objection certificate from the Income Tax Authority for the remittance.2..

(ii) Under a deed of settlement made by either of his parents or a close relative (as defined in Section 6 of the Companies Act, 1956) and the settlement taking effect on the death of the settler, on production of :

(a) the original deed of settlement; and

(b) a tax clearance/No objection certificate from the Income-Tax Authority for the remittance;

Provided that in respect of remittance of sale proceeds of immovable property(acquired other than by way of inheritance/legacy/settlement),the property/sale proceeds were held/retained as eligible investments cumulatively for a minimum period of 10 years;

Provided further that where the remittance under Clause (i) and (ii) is made in more than one instalment, the remittance of all instalments shall be made through the same Authorised Dealer".

(Shyamala Gopinath)
EXECUTIVE DIRECTOR

Foot Note:- *The Principal Regulations were published in the Official Gazette Vide G.S.R. No.396 (E) dated May 5, 2000 in Part II, Section 3, Sub-section (i) and subsequently amended vide G.S.R. Nos.576 (E) dated August 19, 2002, 630 (E) dated August 4, 2003 and 699 (E) dated September 1, 2003*

G.S.R.No.493(E)/04.08.2004