

**RESERVE BANK OF INDIA
FOREIGN EXCHANGE DEPARTMENT
CENTRAL OFFICE
MUMBAI**

Notification No.FEMA 146 / 2006-RB

dated 10th February, 2006

Foreign Exchange Management (Acquisition and Transfer of Immovable Property in India) (Amendment) Regulations, 2006.

In exercise of the powers conferred by clause (i) of sub-section (3) of Section 6, sub-section (2) of Section 47 of the Foreign Exchange Management Act, 1999 (42 of 1999) the Reserve Bank of India hereby makes the following amendments in the Foreign Exchange Management (Acquisition and Transfer of Immovable Property in India) Regulations, 2000, (Notification No.FEMA 21/2000-RB dated May 3, 2000) :-

1. Short Title and Commencement:

(i) These Regulations may be called the Foreign Exchange Management (Acquisition and Transfer of Immovable Property in India) (Amendment) Regulations, 2006.

(ii) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Regulation 3 -

In regulation 3 of the Foreign Exchange Management (Acquisition and Transfer of Immovable Property in India) Regulations, 2000 (hereinafter referred to as the principal regulations), for clause (a), the following shall be substituted, namely :-

"(a) acquire immovable property in India other than an agricultural property, plantation, or a farm house:

Provided that in case of acquisition of immovable property, payment of purchase price, if any, shall be made out of (i) funds received in India through normal banking channels by way of inward remittance from any place outside India or (ii) funds held in any non-resident account maintained in accordance with the provisions of the Act and the regulations made by the Reserve Bank.

Provided further that no payment of purchase price for acquisition of immovable property shall be made either by traveller's cheque or by foreign currency notes or by other mode other than those specifically permitted by this clause".

3. **Amendment of Regulation 4 –**

In regulation 4, for clause (a), the following shall be substituted, namely :-

"(a) acquire immovable property in India other than an agricultural property , plantation, or a farm house :

Provided that in case of acquisition of immovable property, payment of purchase price, if any, shall be made out of (i) funds received in India through normal banking channels by way of inward remittance from any place outside India or (ii) funds held in any non – resident account maintained in accordance with the provisions of the Act and the regulations made by the Reserve Bank.

Provided further that no payment of purchase price for acquisition of immovable property shall be made either by traveller's cheque or currency notes of any foreign country or any mode other than those specifically permitted by this clause".

(Vinay Bajjal)
Chief General Manager

Footnote:-

The Pricipal Regulations were published in the Official Gazette vide No. G.S.R. 407(E) dated May 8,2000 in Part II, Section 3, Sub-section (i) and subsequently amended vide No. G.S.R.578(E) dated August 19, 2002 and 557(E) dated July 22, 2003.

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