July 2, 2007

To,

All Banks Authorised to Deal in Foreign Exchange

Madam / Sir,

Master Circular on External Commercial Borrowings and Trade Credits

External Commercial Borrowings and Trade Credits availed of by residents are governed by clause (d) of sub-section 3 of section 6 of the Foreign Exchange Management Act, 1999 read with section 6 of Notification No. FEMA 3 / 2000-RB dated May 3, 2000 as amended from time to time.

2. This Master Circular consolidates all existing instructions on the subject of "External Commercial Borrowings and Trade Credits" at one place. The list of

underlying circulars/notifications consolidated in this Master Circular is furnished in

Appendix.

3. This Master Circular is being issued with a sunset clause of one year. This circular will stand withdrawn on July 1, 2008 and will be replaced by an updated

Master Circular on the subject.

Yours faithfully,

(Salim Gangadharan) Chief General Manager

### **INDEX**

PART - I	3
EXTERNAL COMMERCIAL BORROWINGS (ECB)	3
I. (A) AUTOMATIC ROUTE	
Eligible borrowers	
Recognised Lenders	
Amount and Maturity.	
All-in-cost ceilings.	
End-use	
End Uses not permitted	
Guarantees	
Security	
Parking of ECB proceeds overseas	
Prepayment	
Refinancing of an existing ECB.	
Debt Servicing	
Procedure	
I. (B) APPROVAL ROUTE	
Eligible borrowers	
Recognised Lenders	
All-in-cost ceilings.	
End-use End-use	
End Uses Not Permitted	
Guarantee	
Security	
Prepayment	
Debt Servicing	
Empowered Committee	
II . REPORTING ARRANGEMENTS AND DISSEMINATION OF INFORMATION	
Reporting Arrangements	
Dissemination of Information.	
III. STRUCTURED OBLIGATIONS	
IV. COMPLIANCE WITH ECB GUIDELINES	
V. CONVERSION OF ECB INTO EQUITY	
VI. CRYSTALLISATION OF ECB	16
VII. ECB UNDER THE ERSTWHILE USD 5 MILLION SCHEME	16
PART – II	
TRADE CREDITS FOR IMPORTS INTO INDIA.	
a) Amount and Maturity.	
	. 17
c) Guarantee	
d) Reporting Arrangements	
Form ECB	
Annex II	
Form 83	
Annex III	
ECB - 2	
Annex IV	
Form – TC	
Annex V	
Statement on Guarantees / Letter of Undertaking / Letter of Comfort	
issued by Authorised Dealer banks	
Appendix	
rr -	

### EXTERNAL COMMERCIAL BORROWINGS (ECB)

External Commercial Borrowings (ECB) refer to commercial loans [in the form of bank loans, buyers' credit, suppliers' credit, securitised instruments (e.g. floating rate notes and fixed rate bonds)] availed from non-resident lenders with minimum average maturity of 3 years.

Foreign Currency Convertible Bonds (FCCBs) mean a bond issued by an Indian company expressed in foreign currency, and the principal and interest in respect of which is payable in foreign currency. Further, the bonds are required to be issued in accordance with the scheme viz., "Issue of Foreign Currency Convertible Bonds and Ordinary Shares (Through Depositary Receipt Mechanism) Scheme, 1993", and subscribed by a non-resident in foreign currency and convertible into ordinary shares of the issuing company in any manner, either in whole, or in part, on the basis of any equity related warrants attached to debt instruments. The policy for ECB is also applicable to FCCBs. The issue of FCCBs are also required to adhere to the provisions of Notification FEMA No. 120/RB-2004 dated July 7, 2004, as amended from time to time.

ECB can be accessed under two routes, viz., (i) Automatic Route outlined in paragraph I (A) and (ii) Approval Route outlined in paragraph I (B).

ECB for investment in real sector -industrial sector, especially infrastructure sector-in India, are under Automatic Route, i.e. do not require RBI / Government approval. In case of doubt as regards eligibility to access Automatic Route, applicants may take recourse to the Approval Route.

# I. (A) AUTOMATIC ROUTE

### **Eligible borrowers**

- (a) Corporates (registered under the Companies Act except financial intermediaries (such as banks, financial institutions (FIs), housing finance companies and NBFCs) are eligible to raise ECB. Individuals, Trusts and Non-Profit making Organisations are not eligible to raise ECB.
- (b) Non-Government Organisations (NGOs) engaged in micro finance activities are eligible to avail ECB. Such NGO (i) should have a satisfactory borrowing relationship for at least 3 years with a scheduled commercial bank authorised to deal in foreign exchange and (ii) would require a certificate of due diligence on 'fit and proper' status of the board/committee of management of the borrowing entity from the designated Authorised Dealer (AD) bank.
- (c) Units in Special Economic Zones (SEZ) are allowed to raise ECB for their own requirement. However, they cannot transfer or on-lend ECB funds to sister concerns or any unit in the Domestic Tariff Area.

# Recognised Lenders

- (a) Borrowers can raise ECB from internationally recognised sources such as (i) international banks, (ii) international capital markets, (iii) multilateral financial institutions (such as IFC, ADB, CDC etc.,), (iv) export credit agencies, (v) suppliers of equipment, (vi) foreign collaborators and (vii) foreign equity holders (other than erstwhile OCBs). A "foreign equity holder" to be eligible as "recognized lender" under the automatic route would require minimum holding of equity in the borrower company as set out below:
  - (i) For ECB up to USD 5 million minimum equity of 25 per cent held directly by the lender,
  - (ii) For ECB more than USD 5 million minimum equity of 25 per cent held directly by the lender and debt-equity ratio not exceeding 4:1 (i.e. the proposed ECB not exceeding four times the direct foreign equity holding).

- (b) Overseas organisations and individuals complying with following safeguards may provide ECB to Non-Government Organisations (NGOs) engaged in micro finance activities.
  - (i) **Overseas organisations** proposing to lend ECB would have to furnish a certificate of due diligence from an overseas bank which in turn is subject to regulation of host-country regulator and adheres to Financial Action Task Force (FATF) guidelines to the AD bank of the borrower. The certificate of due diligence should comprise the following (i) that the lender maintains an account with the bank for at least a period of two years, (ii) that the lending entity is organised as per the local law and held in good esteem by the business/local community and (iii) that there is no criminal action pending against it.
  - (ii) Individual Lender has to obtain a certificate of due diligence from an overseas bank indicating that the lender maintains an account with the bank for at least a period of two years. Other evidence /documents such as audited statement of account and income tax return which the overseas lender may furnish need to be certified and forwarded by the overseas bank. Individual lenders from countries wherein banks are not required to adhere to Know Your Customer (KYC) guidelines are not eligible to extend ECB.

# Amount and Maturity

- (a) The maximum amount of ECB which can be raised by a corporate is USD 500 million or equivalent during a financial year.
- (b) ECB up to USD 20 million or equivalent in a financial year with minimum average maturity of three years
- (c) ECB above USD 20 million and up to USD 500 million or equivalent with a minimum average maturity of five years.
- (d) NGOs engaged in micro finance activities can raise ECB up to USD 5 million during a financial year. Designated

AD bank has to ensure that at the time of drawdown the forex exposure of the borrower is hedged.

(e) ECB upto USD 20 million can have call/put option provided the minimum average maturity of 3 years is complied with before exercising call/put option.

### All-in-cost ceilings

All-in-cost includes rate of interest, other fees and expenses in foreign currency except commitment fee, pre-payment fee, and fees payable in Indian Rupees. Moreover, the payment of withholding tax in Indian Rupees is excluded for calculating the all-in-cost.

The all-in-cost ceilings for ECB are reviewed from time to time.

The following ceilings are valid till reviewed:

# Average Maturity Period All-in-cost Ceilings over 6 month LIBOR\*

Three years and up to five years 150 basis points

More than five years 250 basis points

End-use

- \* for the respective currency of borrowing or applicable benchmark
- (a) ECB can be raised only for investment [such as import of capital goods (as classified by DGFT in the Foreign Trade Policy), new projects, modernization/expansion of existing production units] in real sector industrial sector including small and medium enterprises (SME) and infrastructure sector in India. Infrastructure sector is defined as (i) power, (ii) telecommunication, (iii) railways, (iv) road including bridges, (v) sea port and airport (vi) industrial parks and (vii) urban infrastructure (water supply, sanitation and sewage projects);
- (b) ECB proceeds can be utilised for overseas direct investment in Joint Ventures (JV)/Wholly Owned

- Subsidiaries (WOS) subject to the existing guidelines on Indian Direct Investment in JV/WOS abroad.
- (c) Utilisation of ECB proceeds is permitted in the first stage acquisition of shares in the disinvestment process and also in the mandatory second stage offer to the public under the Government's disinvestment programme of PSU shares.
- (d) NGOs engaged in micro finance activities may utilise ECB proceeds for lending to self-help groups or for micro-credit or for bonafide micro finance activity including capacity building.

# End Uses not permitted

### Guarantees

investment in capital market or acquiring a company (or a part thereof) in India by a corporate, real estate, working capital, general corporate purpose and repayment of existing Rupee loans.

Utilisation of ECB proceeds is not permitted for on-lending or

### Security

Issuance of guarantee, standby letter of credit, letter of undertaking or letter of comfort by banks, Financial Institutions and Non-Banking Financial Companies (NBFCs) relating to ECB is not permitted.

The choice of security to be provided to the lender/supplier is left to the borrower. However, creation of charge over immoveable assets and financial securities, such as shares, in favour of the overseas lender is subject to Regulation 8 of Notification No. FEMA 21/RB-2000 dated May 3, 2000 and Regulation 3 of Notification No. FEMA 20/RB-2000 dated May 3, 2000, respectively, as amended from time to time.

# Parking of ECB proceeds overseas

ECB proceeds shall be parked overseas until actual requirement in India. ECB proceeds parked overseas can be invested in the following liquid assets (a) deposits or Certificate of Deposit or other products offered by banks rated not less

### **Prepayment**

than AA(-) by Standard and Poor/Fitch IBCA or Aa3 by Moody's; (b) deposits with overseas branch of an Authorised Dealer in India; and (c) Treasury bills and other monetary instruments of one year maturity having minimum rating as indicated above. The funds should be invested in such a way that the investments can be liquidated as and when funds are required by the borrower in India.

# Refinancing of an existing ECB

Prepayment of ECB up to USD 400 million may be allowed by AD banks without prior approval of RBI subject to compliance with the stipulated minimum average maturity period as applicable to the loan.

### **Debt Servicing**

The existing ECB may be refinanced by raising a fresh ECB subject to the condition that the fresh ECB is raised at a lower all-in-cost and the outstanding maturity of the original ECB is maintained.

### Procedure

The designated Authorised Dealer (AD) bank has the general permission to make remittances of instalments of principal, interest and other charges in conformity with ECB guidelines issued by Government / Reserve Bank of India from time to time.

Borrowers may enter into loan agreement complying with ECB guidelines with recognised lender for raising ECB under Automatic Route without prior approval of RBI. The borrower must obtain a Loan Registration Number (LRN) from the Reserve Bank of India before drawing down the ECB. The procedure for obtaining LRN is detailed in para II (i) (b).

# I. (B) APPROVAL ROUTE

The following types of proposals for ECB are covered under the Approval Route.

### **Eligible borrowers**

- a) Financial institutions dealing exclusively with infrastructure or export finance such as IDFC, IL&FS, Power Finance Corporation, Power Trading Corporation, IRCON and EXIM Bank are considered on a case by case basis.
- b) Banks and financial institutions which had participated in the textile or steel sector restructuring package as approved by the Government are also permitted to the extent of their investment in the package and assessment by Reserve Bank based on prudential norms. Any ECB availed for this purpose so far will be deducted from their entitlement.
- c) ECB with minimum average maturity of 5 years by Non-Banking Financial Companies (NBFCs) from multilateral financial institutions, reputable regional financial institutions, official export credit agencies and international banks to finance import of infrastructure equipment for leasing to infrastructure projects.
- d) Foreign Currency Convertible Bonds (FCCB) by housing finance companies satisfying the following minimum criteria: (i) the minimum net worth of the financial intermediary during the previous three years shall not be less than Rs. 500 crore, (ii) a listing on the BSE or NSE, (iii) minimum size of FCCB is USD 100 million, (iv) the applicant should submit the purpose / plan of utilization of funds.
- e) Special Purpose Vehicles, or any other entity notified by the Reserve Bank, set up to finance infrastructure companies / projects exclusively, will be treated as Financial Institutions and ECB by such entities will be

- considered under the Approval Route.
- f) Multi-State Co-operative Societies engaged in manufacturing activity satisfying the following criteria i) the Co-operative Society is financially solvent and ii) the Co-operative Society submits its up-to-date audited balance sheet.
- g) Cases falling outside the purview of the automatic route limits and maturity period indicated at paragraph I (A) (iii).

# Recognised Lenders

- (a) Borrowers can raise ECB from internationally recognised sources such as (i) international banks, (ii) international capital markets, (iii) multilateral financial institutions (such as IFC, ADB, CDC etc.,), (iv) export credit agencies, (v) suppliers' of equipment, (vi) foreign collaborators and (vii) foreign equity holders (other than erstwhile OCBs).
- (b) From 'foreign equity holder' where the minimum equity held directly by the foreign equity lender is 25 per cent but debt-equity ratio exceeds 4:1(i.e. the proposed ECB exceeds four times the direct foreign equity holding).

# Amount and Maturity

Corporates can avail of ECB of an additional amount of USD 250 million with average maturity of more than 10 years under the approval route, over and above the existing limit of USD 500 million under the automatic route, during a financial year. Other ECB criteria such as end-use, all-in-cost ceiling, recognised lender, etc. need to be complied with. Prepayment and call/put options, however, would not be permissible for such ECB up to a period of 10 years

### All-in-cost ceilings

All-in-cost includes rate of interest, other fees and expenses in foreign currency except commitment fee, pre-payment fee, and fees payable in Indian Rupees. Moreover, the payment of withholding tax in Indian Rupees is excluded for calculating the

all-in-cost.

The all-in-cost ceilings for ECB are reviewed from time to time.

The following ceilings are valid till reviewed:

Average Maturity Period
All-in-cost Ceilings over 6 month LIBOR\*

Three years and up to five years 150 basis points

More than five years 250 basis points

### End-use

- \* for the respective currency of borrowing or applicable benchmark.
- (a) ECB can be raised only for investment [such as import of capital goods (as classified by DGFT in the Foreign Trade Policy), new projects, modernization/expansion of existing production units] in real sector - industrial sector including small and medium enterprises (SME) and infrastructure sector - in India. Infrastructure sector is defined as (i) power, (ii) telecommunication, (iii) railways, (iv) road including bridges, (v) sea port and airport (vi) industrial parks and (vii) urban infrastructure (water supply, sanitation and sewage projects);
- (b) ECB proceeds can be utilised for overseas direct investment in Joint Ventures (JV)/Wholly Owned Subsidiaries (WOS) subject to the existing guidelines on Indian Direct Investment in JV/WOS abroad.
- (c) Utilisation of ECB proceeds is permitted in the first stage acquisition of shares in the disinvestment process and also in the mandatory second stage offer to the public under the Government's disinvestment programme of PSU shares.

### End Uses Not Permitted

Utilisation of ECB proceeds is not permitted for on-lending or investment in capital market or acquiring a company (or a part

thereof) in India by a corporate except banks and financial institutions eligible under paragraph II (B) (ii) (a) and II (B) (ii) (b), real estate, working capital, general corporate purpose and repayment of existing Rupee loans.

### Guarantee

Issuance of guarantee, standby letter of credit, letter of undertaking or letter of comfort by banks, financial institutions and NBFCs relating to ECB is not normally permitted. Applications for providing guarantee/standby letter of credit or letter of comfort by banks, financial institutions relating to ECB in the case of SME will be considered on merit subject to prudential norms.

With a view to facilitating capacity expansion and technological upgradation in Indian Textile industry, issue of guarantees, standby letters of credit, letters of undertaking and letters of comfort by banks in respect of ECB by textile companies for modernization or expansion of textile units will be considered under the Approval Route subject to prudential norms.

### Security

The choice of security to be provided to the lender / supplier is left to the borrower. However, creation of charge over immovable assets and financial securities, such as shares, in favour of the overseas lender is subject *to* Regulation 8 of Notification No. FEMA 21/RB-2000 dated May 3, 2000 and Regulation 3 of Notification No. FEMA 20/RB-2000 dated May 3, 2000 as amended from time to time, respectively.

# Parking of ECB proceeds overseas

ECB proceeds shall be parked overseas until actual requirement in India. ECB proceeds parked overseas can be invested in the following liquid assets (a) deposits or Certificate of Depost or other products offered by banks rated not less than AA(-) by Standard and Poor/Fitch IBCA or Aa3 by Moody's; (b) deposits with overseas branch of an AD bank in India; and (c) Treasury bills and other monetary instruments of one year maturity having minimum rating as indicated above.

### **Prepayment**

The funds should be invested in such a way that the investments can be liquidated as and when funds are required by the borrower in India.

- (a) Prepayment of ECB up to USD 400 million may be allowed by the AD bank without prior approval of Reserve Bank subject to compliance with the stipulated minimum average maturity period as applicable to the loan.
- (b) Pre-payment of ECB for amounts exceeding USD 400 million would be considered by the Reserve Bank under the Approval Route.

# Refinancing of an existing ECB

Existing ECB may be refinanced by raising a fresh ECB subject to the condition that the fresh ECB is raised at a lower all-in-cost and the outstanding maturity of the original ECB is maintained

### **Debt Servicing**

The designated AD bank has general permission to make remittances of instalments of principal, interest and other charges in conformity with ECB guidelines issued by Government / Reserve Bank from time to time.

### **Procedure**

Applicants are required to submit an application in form ECB through designated AD bank to the Chief General Manager, Foreign Exchange Department, Reserve Bank of India, Central Office, External Commercial Borrowings Division, Mumbai – 400 001, along with necessary documents.

# Empowered Committee

Reserve Bank has set up an Empowered Committee to consider proposals coming under the Approval Route.

# II . REPORTING ARRANGEMENTS AND DISSEMINATION OF INFORMATION Reporting Arrangements

- (a) With a view to simplify the procedure, submission of copy of loan agreement is dispensed with.
- (b) For allotment of loan registration number, borrowers are required to submit Form 83, in duplicate, certified by the Company Secretary (CS) or Chartered Accountant (CA) to the designated AD bank. One copy is to be forwarded by the designated AD bank to the Director, Balance of Payments Statistics Division, Department of Statistical Analysis and Computer Services (DESACS), Reserve Bank of India, Bandra-Kurla Complex, Mumbai – 400 051 [Note: copies of loan agreement, offer documents for FCCB are not required to be submitted with form 83).
- (c) The borrower can draw-down the loan only after obtaining the loan registration number from DESACS, Reserve Bank of India.
- (d) Borrowers are required to submit ECB-2 Return certified by the designated AD bank on monthly basis so as to reach DESACS, RBI within seven working days from the close of month to which it relates.

# [Note: All previous returns relating to ECB viz. ECB 3 – ECB 6 have been discontinued with effect from January 31, 2004].

For providing greater transparency, information with regard to the name of the borrower, amount, purpose and maturity of ECB under both Automatic Route and Approval Route are put on the Reserve Bank website on a monthly basis with a lag of one month to which it relates.

# Dissemination of Information III. STRUCTURED OBLIGATIONS

In order to enable corporates to raise resources domestically and hedge exchange rate risks, domestic rupee denominated structured obligations are permitted to be credit enhanced by international banks/international financial institutions/joint venture partners. Such applications will be considered under the Approval Route.

# IV. COMPLIANCE WITH ECB GUIDELINES

The primary responsibility to ensure that ECB raised / utilised are in conformity with the ECB guidelines and the Reserve Bank regulations / directions is that of the concerned borrower and any contravention of the ECB guidelines will be viewed seriously and will invite penal action under FEMA 1999 (cf. A. P. (DIR Series) Circular No. 31 dated February 1, 2005). The designated AD bank is also required to ensure that raising / utilisation of ECB is in compliance with ECB guidelines at the time of certification.

### V. CONVERSION OF ECB INTO EQUITY

- (i) Conversion of ECB into equity is permitted subject to the following conditions:
  - (a) The activity of the company is covered under the Automatic Route for Foreign Direct Investment or Government approval for foreign equity participation has been obtained by the company,
  - (b) The foreign equity holding after such conversion of debt into equity is within the sectoral cap, if any,
  - (c) Pricing of shares is as per SEBI and erstwhile CCI guidelines/regulations in the case of listed/unlisted companies as the case may be.
- (ii) Conversion of ECB may be reported to the Reserve Bank as follows:
  - (a) Borrowers are required to report full conversion of outstanding ECB into equity in the form FC-GPR to the concerned Regional Office of the Reserve Bank as well as in form ECB-2 submitted to the DESACS, RBI within seven working days from the close of month to which it relates. The words "ECB wholly converted to equity" should be clearly indicated on top of the ECB-2 form. Once reported, filing of ECB-2 in the subsequent months is not necessary.

(b) In case of partial conversion of outstanding ECB into equity, borrowers are required to report the converted portion in form FC-GPR to the concerned Regional Office as well as in form ECB-2 clearly differentiating the converted portion from the unconverted portion. The words "ECB partially converted to equity" should be indicated on top of the ECB-2 form. In subsequent months, the outstanding portion of ECB should be reported in ECB-2 form to DESACS.

### VI. CRYSTALLISATION OF ECB

AD banks desiring to crystallize their foreign exchange liability arising out of guarantees provided for ECB raised by corporates in India into Rupees, may make an application to the Chief General Manager, Foreign Exchange Department, External Commercial Borrowings Division, Reserve Bank of India, Central Office, Mumbai, giving full details viz., name of the borrower, amount raised, maturity, circumstances leading to invocation of guarantee /letter of comfort, date of default, its impact on the liabilities of the overseas branch of the AD bank concerned and other relevant factors.

### VII. ECB UNDER THE ERSTWHILE USD 5 MILLION SCHEME

Designated ADs are permitted to approve elongation of repayment period for loans raised under the erstwhile USD 5 Million Scheme, provided there is a consent letter from the overseas lender for such reschedulement without any additional cost. Such approval with existing and revised repayment schedule along with the Loan Key/Loan Registration Number should be initially communicated to the Chief General Manager, Foreign Exchange Department, Reserve Bank of India, Central Office, ECB Division, Mumbai within seven days of approval and subsequently in ECB - 2.

### TRADE CREDITS FOR IMPORTS INTO INDIA

'Trade Credits' (TC) refer to credits extended for imports directly by the overseas supplier, bank and financial institution for maturity of less than three years. Depending on the source of finance, such trade credits include suppliers' credit or buyers' credit. Suppliers' credit relates to credit for imports in to India extended by the overseas supplier, while buyers' credit refers to loans for payment of imports in to India arranged by the importer from a bank or financial institution outside India for maturity of less than three years. It may be noted that buyers' credit and suppliers' credit for three years and above come under the category of External Commercial Borrowings (ECB) which are governed by ECB guidelines.

# a) Amount and Maturity

AD banks are permitted to approve trade credits for imports into India up to USD 20 million per import transaction for imports permissible under the current Foreign Trade Policy of the DGFT with a maturity period up to one year (from the date of shipment). For import of capital goods as classified by DGFT, AD banks may approve trade credits up to USD 20 million per import transaction with a maturity period of more than one year and less than three years. No roll-over/extension will be permitted beyond the permissible period.

AD banks shall not approve trade credit exceeding USD 20 million per import transaction.

### b) All-in-cost Ceilings

The current all-in-cost ceilings are as under:

### **Maturity period**

All-in-cost ceilings over 6 months LIBOR\*

Up to one year 50 basis points

More than one year but less than three years 125 basis points

### c) Guarantee

\* for the respective currency of credit or applicable benchmark.

The all-in-cost ceilings include arranger fee, upfront fee, management fee, handling/ processing charges, out of pocket and legal expenses, if any.

### d) Reporting Arrangements

ΑD banks are permitted to issue Letters of Credit/guarantees/Letter of Undertaking (LoU) /Letter of Comfort (LoC) in favour of overseas supplier, bank and financial institution, up to USD 20 million per transaction for a period up to one year for import of all non-capital goods permissible under Foreign Trade Policy (except gold) and up to three years for import of capital goods, subject to prudential guidelines issued by Reserve Bank from time to time. The period of such Letters of credit / guarantees / LoU / LoC has to be co-terminus with the period of credit, reckoned from the date of shipment.

AD banks are required to furnish details of approvals, drawal, utilisation, and repayment of trade credit granted by all its branches, in a consolidated statement, during the month, in form TC (format in Annex IV) from April 2004 onwards to the Director, Division of International Finance, Department of Economic Analysis and Policy, Reserve Bank of India, Central Office Building, 8th floor, Fort, Mumbai – 400 001 (and in MS-Excel file through email to deapdif@rbi.org.in ) so as to reach not later than 10th of the following month. Each trade credit may be given a unique identification number by the AD.

AD banks are required to furnish data on issuance of LCs/guarantees/LoU/LoC by all its branches, in a consolidated statement, at quarterly intervals (format in Annex V) to the Chief General Manager, Foreign Exchange Department, ECB Division, Reserve Bank of India, Central Office Building, Fort, Mumbai – 400 001 (and in MS-Excel file through email to fedcoecbd@rbi.org.in) from December 2004 onwards so as to reach the department not later than 10th of the following month.

**US\$** equivalent

### Form ECB

# <u>Application for raising External Commercial Borrowings (ECB) under Approval</u> <u>Route</u>

### Instructions

The complete application should be submitted by the applicant through the designated authorised dealer to the Chief General Manager-In-Charge, Foreign Exchange Department, Central Office, ECB Division, Reserve Bank of India, Mumbai 400 001.

### **Documentation:**

Following documents, (as relevant) certified by authorised dealer, should be forwarded with the application:

- (i) A copy of offer letter from the overseas lender/supplier furnishing complete details of the terms and conditions of proposed ECB.
- (ii) A copy of the import contract, proforma/commercial invoice/bill of lading.

PART-A-	GENERAL	INFORMATION	ABOUT TI	HE BORROWER
1 711 7			ADUU: 11	

- 1. Name of the applicant (BLOCK LETTERS) Address
- 2. Status of the applicant
- i) Private Sector
- ii) Public Sector

### PART-B-INFORMATION ABOUT THE PROPOSED ECB

Currency

Amount

1. Details of t	the ECB	•
(a) Purpose o	f the ECB	
(b) Nature of	ECB [Please put (x) in the appropriate box]	
(i) (ii) (iii) (iv) (v)	Suppliers' Credit Buyers' Credit Syndicated Loan Export Credit Loan from foreign collaborator/equity holder (with details of amount, percentage equity holding in the paid-up equity of the borrower company)	
(vi)	Floating Rate Notes	
(vii)	Fixed Rate Bonds	
(viii)	Line of Credit	
(iv)	Commercial Bank Loan	

(x) Others (please specify)

(c) Terms and conditions of the ECB	
(i) Rate of interest	:
(ii) Up-front fee	:
(iii) Management fee	:
(iv) Other charges, if any (Please specify)	:
(v) All-in-cost	:
(vi) Commitment fee	:
(vii) Rate of penal interest	:
(viii) Period of ECB	:
(ix) Details of call/put option, if any.	:
(x) Grace / moratorium period	:
(xi) Repayment terms (half yearly/annually/bullet)	:
(xii) Average maturity	:
2. Details of the lender	
Name and address of the lender/supplier	
3. Nature of security to be provided, if any.	
PART C – INFORMATION ABOUT DRAW DOWN AND	O REPAYMENTS

	Proposed Schedule											
	Draw-dow	/n	Repaymer	nt of Prin	cipal	Interest Payment						
Month	Year	Amount	Month	Year	Amount	Month	Year	Amount				

### PART D - ADDITIONAL INFORMATION

	PARI D - ADDII	IONAL	INFORMATION	
1. Info	rmation about the project Name & location of the project	:		
ii)	Total cost of the project	:	Rs.	USD
iii)	Total ECB as a % of project cost	:		
iv)	Nature of the project	:		
v)	Whether Appraised by financial institution/bank	:		
vi)	Infrastructure Sector	:		
	<ul> <li>a) Power</li> <li>b) Telecommunication</li> <li>c) Railways</li> <li>d) Roads including bridges</li> <li>e) Ports</li> <li>f) Industrial parks</li> <li>g) Urban infrastructure - Water sup</li> </ul>	ply, Sar	nitation and sewerage.	

Whether requires clearance from any : statutory authority? If yes, furnish the name of authority, clearance no. vii) and date.

2. ECB ava	2. ECB availed in the current & previous three financial years-(not applicable for the first time borrower)									
Year Registration No. Currency Loan Amount Amount Amount outstanding*										
				disbursed						

<sup>\*</sup> net of repayments, if any, on the date of application.

	PART E - CERTIFIC	CATIONS
1. By the applicant		
		e are true and correct to the best of our will be utilised for permitted purposes.
	(Signatu	re of Authorised Official of the applicant)
Place	(Olgilata	Te of Additionised Official of the applicant)
Name:		
Date		
Stamp		
Designation		
Phone No.		
Fax		
E-mail		
2. By the authorised dealer –		
	al letter of offer from the	r customer and (ii) we have scrutinised ne lender/supplier and documents to be in order.
		(Signature of Authorised Official)
Place	Name	
Date Same of the Bank/branch	Stamp	
A.D.Code		

### Form 83

Reporting of loan agreement details under Foreign Exchange Management Act, 1999 (for all categories and any amount of ECB)

### Instructions:

- 1. The borrower is required to submit completed Form 83, in duplicate, certified by the Company Secretary (CS) or Chartered Accountant (CA) to the designated Authorised Dealer (AD). One copy is to be forwarded by the designated AD to the Director, Balance of Payments Statistics Division, Department of Statistical Analysis and Computer Services (DESACS), Reserve Bank of India, Bandra-Kurla Complex, Mumbai 400 051 within 7 days from the date of signing loan agreement between borrower and lender for allotment of loan registration number.
- 2. Do not leave any column blank. Furnish complete particulars against each item. Where any particular item is not applicable write "N.A." against it.
- 3. All dates should be in format YYYY/MM/DD, such as 2004/01/21 for January 21, 2004.
- 4. Before forwarding Form 83 to the Reserve Bank, the Authorised Dealer must scrutinise all the related original documents and ensure that the form is complete in all respects and in order.
- 5. If space is not sufficient for giving full information/particulars against any item, a separate sheet may be attached to the form and serially numbered as Annex.
- 6. Firms/companies obtaining sub-loans through DFIs/FIs/banks/NBFCs etc. should not complete this form but approach the concerned financial institution directly for reporting.

FOR RBI (DESACS) Use only		Loan	_key									
			:									
CS-DRMS Team Received on			Actio	n Tal	ken o	n	Loar Clas	n sifica	tion			

Agreement Details (To be filled by borrowers of External Commercial Borrowings)

Part A: Basic Detai	ls												
ECB Title / Proje	ect												
Registration Num	ber												
No. and Date of F	RBI a <sub>l</sub>	pprov	al (if a	applic	able)								
Loan Key Numbe	er (allo	otted I	by RE	3I/ Go	vt.)								
Agreement Date	(YYY	Y/MN	1/DD)						/		/		
Currency Name								Curre	ncy C	ode			
								(S	WIFT	)			
Amount (in FC)											(F	or R	BI Use)
Guarantee	Guarantor					· (Nan	ne,						
Status	Address					, conta	act						
					numb	oer etc	c. )						

(Use code as per Box 1) ↑	Multi Currency Type					
Name and address of the Borrower (Block Letters)	Name and address of lender / foreign supplier / lesser (Block Letters)					
Contact Person's Name: Designation: Phone No. : Fax no. : E-mail ID :	Country: E-mail ID :					
(For RBI DESACS use)	(For RBI DESACS use)					
Borrower's Category (Tick in appropriate box)	Lender's Category					
Public Sector Unit Unit Unit Unit Unit Unit Unit Unit	Multi-lateral Financial Institution Foreign Government (Bilateral Agency) Export Credit Agency  Indian Commercial Bank branch abroad Other Commercial Bank Supplier of Equipment Leasing Company Foreign Collaborator / Foreign Equity Holder (Please provide details of foreign equity holding in the borrower company below) International Capital Market Other (Specify)  (b) Amount of paid-up equity					
Specify Authorised Dealer's Name, and bank code	Lender's Reference / IBRD No. (if it is a IBRD loan)					
Bank Code Part I:						
Part II: Fax: E-mail ID:						
Part B: Other Details  ECB approval Scheme (Tick in appropriate Box)	Maturity Details					
Automatic Route Approval Route Approved by Govt.	Effective Date of the Loan Last Date of Disbursement Maturity Date (Last payment date)					

			Grace	Period (Year/N	Month) Y Y	M M			
			Econo Box 3		lustry Code (See				
Purpose of Borrowings (See box2) If Import, specify the Co					ı details):				
Type of ECB  Buyers' Credit  Line of Credit  Commercial loan / (attach sheet for position among lenders)  Financial Lease  Refinancing of old  ECB  Approval No.	ercentage disti	ribution o. of the old	Suppliers' Credit Export Credit from Bilateral Sources Securitised instruments - Bonds, CP, FRN etc.  Others (Specify)  Amount refinanced: Reason:						
Hedging risks using	nterest rate swa	ap Curi swa	rency p	Others (s	specify)				
Part C: Schedule of trans Interest Payment Sched									
First Payment		/	Number of Payments in a Year						
Date									
Fixed Rate									
Floating Rate:	Margir	n	Cap Rate: Floor Rate:						
Base Sales of Brown Bases									
Schedule of Draw Down Tranc Date	Currency	Amount		If more than	one equal install	ments			
he No (YYYY/MM/DD) (Please see note below)			Total Number of drawals in a calendar year						
Note: 1. In the case of import of goods or services, date of import may be furnished against date of draw down.  2.In the case of financial lease date of acquisition (import) of the goods is to be mentioned as date of draw down.  3. In the case of securitised instruments, date of issue may be shown as date of draw down									
In case more than transaction to be m	4. In case more than equal draw down transactions are shown in a row above, date of first transaction to be mentioned.								
Principal Repayment Sch	<u>redule</u>			If more than a	ano oqual	Appuits			
Date (YYYY/MM/DD) (First repayment date)	Date (YYYY/MM/DD) Currency Amount in each trans								

Please tick																			
Please tick																			
	in appropriat	te Boxe		Call		Percent of						Pu			Perc		of		
those				Option	า :	Debt	: I					Οp	otion	١.	Debt				
	there in the	ioan																	
agreement		ad aftar	. ⊢						,			ı					I	,	
	an be execut	ed alter				'			/						/			/	
u	ate (s)																		
amount wit	e case of ann h rate. case of prin			•											•				
Penal In	terest for late	e payme	ent			Fixed	%	ре	r ar	nun	n or	Ba	se:		Ma	argi	n:		
Commit	ment Charge	S					%	ре	r ar	nun	n of	:			% (	of L	Jndi	aw	n
						Amour	nt												
Other Cha																			
Nature of Charge Expected				Cu	rrency		Amo	oun	t					e of m	any	eq /	ual		
(Specify) Date of												-	pay			- 1	_		
	Paymer		ment										No.				То		6
												payments in a year						er of ents	
													a ye	zai			μa	yıııc	51113
PART D : time borro	ECB availed	in the	currer	nt & p	orev	ious th	ree	fina	anc	ial y	ears	s-(ı	not a	app	olicab	le f	or 1	he	first
Year	Registration	n No.	Curr	ency		Loan Aı	mou	ınt		A	mou	ınt			Amou	ınt	outs	star	dino
											bur		<u> </u>						
* net of re	epayments, if	any, or	n the da	ate of	f app	olication	١.												
We hereby	epayments, if certify that the and belief. N	ne partio	culars (	given	abo	ve are	true									<b>J</b> .			
We hereby	certify that th	ne partio lo mate	culars (	given	abo	ve are	true									<b>i</b> .			
We hereby knowledge	certify that th	ne partio lo mate	culars ( rial info	given	abo ion I	ve are	true en w  ure d ny)	of th	eld ne A	and tho	orise	mi ed (	Srep	ial	of the				
We hereby knowledge Place :	certify that th	ne partio lo mate	culars ( rial info	given	abo ion I	ove are nas bee	true en w  ure d ny)	of th	eld ne A	and tho	orise	mi ed (	Srep	ial	of the				
We hereby knowledge Place :	certify that th	ne partio lo mate	culars ( rial info Stamp	given	abco	ove are nas bee	ure curre cu	of th	eld ne A	and	orise	mi	Offic Desi	ial	of the				

[For use of Authorised Dealer]

We certify that the borrower is our customer and the particulars given in this form are true and correct to the best of our knowledge and belief. Furthermore, the ECB is in

compliance with ECE	guidelines.		
Place :	Stamp		
		(Signature of Authorised Official)	
Date:		Name :	
		Designation:	
		Name of the bank/branch	

Bank Code:

BOX	( 1: Gu	arantee Status Code	BOX 2: Purpose of Borrowings Code					
Sr.	Cod	Description	Sr.	Cod	Description			
No	е	-	No	е	·			
1	GG	Govt. of India guarantee.	1	IC	Import of capital goods			
	CG	Public Sector guarantee	2	RL	Local sourcing of capital goods			
				(Rupee expenditure)				
2	PB	Public Sector Bank Guarantee.	3	SL	On-lending or sub- lending			
3	FI	Financial Institution	4	RP	Repayment of earlier ECB			
		Guarantee.	5	NP	New project			
4	MB	Multilateral /Bilateral Institution	6	ME	Modernisation/Expansion of existing			
		Guarantee.			units			
5	PG	Private Bank Guarantee	7	PW	Power			
6	PS	Private Sector Guarantee	8	TL	Telecommunication			
7	MS	Mortgage of Assets / Security	9	RW	Railways			
8	OG	Other Guarantee	10	RD	Roads			
9	NN	Not Guaranteed	11	PT	Ports			
			12	IS	Industrial parks			
			13	UI	Urban infrastructure			
			14	OI	Overseas investment in JV/WOS			
			15	DI	PSU Disinvestment			
			16	TS	Textile/Steel Restructuring Package			
			17	MF	Micro finance activity			
			18	OT	Others (Pl. specify)			

BOX 3 : Industry codes to be used		
Industry Group Name	Industry Description	Code
PLANTATIONS	TEA	111
	COFFEE	112
	RUBBER	113
	OTHERS	119
MINING	COAL	211
	METAL	212
	OTHERS	219
PETROLEUM & PERTOLEUM PRODUCT	S	300
MANUFACTURING		
AGRICULTURAL PRODUCTS (400)	FOOD	411
	BEVERAGES	412
	SUGAR	413
	CIGARETTES & TOBACCO	414
	BREWERIES & DISTILLERIES	415
	OTHERS	419
TEXTILE PRODUCTS (420)	COTTON TEXTILE	421

	JUTE & COIR GOODS	422
	SILK & RAYON	423
	OTHER TEXTILE	429
TRANSPORT EQUIPMENT (430)	AUTOMOBILES	431
	AUTO ACCESSORIES & PARTS	432
	SHIP BUILDING EQUIPMENTS & STORES	433
	RAILWAY EQUIPMENT & STORES	434
	OTHERS	439
MACHINERY & TOOLS (440)	TEXTILE MACHINERY	441
• •	AGRICULTURAL MACHINERY	442
	MACHINE TOOLS	443
	OTHERS	449
METAL & METAL PRODUCTS (450)	FERROUS (IRON & STEEL)	451
, ,	NON-FERROUS	452
	SPECIAL ALLOYS	453
	OTHERS	459
ELECTRICAL, ELECTRONIC GOODS &	· · · · · · · · · · · · · · · · · · ·	
MACHINERY (460)	ELECTRICAL GOODS	461
	CABLES	462
	COMPUTER HARDWARE & COMPUTER BASED	
	SYSTEMS	463
	ELECTRONIC VALVES, TUBES & OTHERS	464
	OTHERS	469
CHEMICALS & ALLIED PRODUCTS (470)	FERTILIZERS	471
	DYES & DYES STUFF	472
	MEDICINES & PHARMACEUTICALS	473
	PAINTS & WARNISHING	474
	SOAPS, DETERGENTS, SHAMPOOS, SHAVING	475
	PRODUCT	475
OTHERO of Manufacturing (400)	OTHERS	479
OTHERS of Manufacturing (480)	CEMENT	481
	OTHER BUILDING MATERIALS	482
	LEATHER & LEATHER PRODUCTS	483
	WOOD PRODUCTS	484
	RUBBER GOODS	485
	PAPER & PAPER PRODUCTS	486
	TYPEWRITERS & OTHER OFFICE EQUIPMENT	487
	PRINTING & PUBLISHING	488
	MISCELLANEOUS	489
TRADING		500
CONSTRUCTION & TURN KEY PROJECTS		600
TRANSPORT		700
HTH ITIEO (000)	POWER GENERATION, TRANSMISSION &	044
UTILITIES (800)	DISTRIBUTION	811
	OTHERS	812
BANKING SECTOR		888
SERVICES		900
TELECOMMUNICATION SERVICES		911
SOFTWARE DEVELOPMENT SERVICES	TEOLINICAL ENGINEERING & CONCUETANCE	912
	TECHNICAL ENGINEERING & CONSULTANCY	042
	SERVICES TOURS & TRAVEL SERVICES	913 914
	COLD STORAGE, CANNING & WAREHOUSING	914
	SERVICES	915
	MEDIA ADVERTISING & ENTERTAINMENT	916
	DII (ADVERNIOITO & EITI EIXIAIIWEITI	510

SERVICES	
FINANCIAL SERVICES	917
TRANSPORT SERVICES	919
OTHERS (NOT CLASSIFIED ELSEWHERE)	999

### **ECB - 2**

Reporting of actual transactions of External Commercial Borrowings (ECB) under Foreign Exchange Management Act, 1999 (for all categories and any amount of loan)

### Return for the Month of

- 1. This return should be filled in for all categories of ECB. It should be submitted within 7 working days from the close of the month through the designated Authorised Dealer to the Director, Department of Statistical Analysis and Computer Services (DESACS), Balance of Payments Statistics Division, Reserve Bank of India, C-8/9, Bandra-Kurla Complex, Bandra (East), Mumbai-400 051. If there is no transaction during a particular period, a Nil return should be submitted.
- 2. Please do not leave any column blank. Furnish complete particulars against each item. Where any particular item is not applicable write "N.A." against it.
- 3. All dates should be in format YYYY/MM/DD, such as 2004/01/21 for January 21, 2004.
- 4. Borrowers obtaining sub-loans through DFIs/Banks/NBFCs etc. should not complete this form as the concerned financial institution would directly submit ECB-2.
- 5. Before forwarding the return to Reserve Bank (DESACS), the Company Secretary / Chartered Accountant must scrutinise related original documents and ensure that the return is complete and in order as per ECB guidelines issued by Government/RBI.
- 6. The unique Loan Identification Number (LIN)/RBI Registration Number (in case of loan approved prior to February 01, 2004) must be specified as allotted by RBI. Similarly, the Loan Registration Number (since February 01, 2004) has to be specified.
- 7. If space is not sufficient for giving full information against any item, a separate sheet may be attached to the return and serially numbered as Annex.

8. For purpose of utilization of drawdowns, following codes may be used.

вох	BOX 1: Purpose of Utilisation Code									
No.	Code		No	Code						
		Description			Description					
1	IC	Import of capital goods	12	TL	Telecommunication					
2	IN	Import of non-capital	13	RW	Railways					
		goods								
3	RL	Local sourcing of capital	14	RD	Roads					
		goods (Rupee expenditure)								
4	RC	Working capital	15	PT	Ports					
		(Rupee expenditure)								
5	SL	On-lending or sub-lending	16	IS	Industrial parks					
6	RP	Repayment of earlier ECB	17	UI	Urban infrastructure					
7	IP	Interest payments	18	OI	Overseas investment in JV/WOS					
8	НА	Amount held abroad	19	IT	Development of Integrated Township					
9	NP	New project	20	DI	PSU Disinvestment					
10	ME	Modernisation /expansion of	21	TS	Textile/steel Restructuring					

		existing units			Package
11	PW	Power	22	MF	Micro finance activity
			23	OT	Others (Pl. specify)

9. For source of funds for remittances, following codes are to be used.

	BOX 2: Source of Funds for remittance								
No.	Code								
		Description							
1	Α	Remittance from India							
2	В	Account held abroad							
3	С								
		Exports proceeds held abroad							
4	D								
		Conversion of equity capital							
5	Е	Others (Specify)							

FOR RBI (L	JESACS) U	se only	Loan_	_кеу									
CS-DRMS Team Received		Received on		Actio	Action Taken on			Loan					
							Clas	sifica	ation				
Part A: Loa													

Loan Registration Number (LRN)					

	Loan Amount		Borrower Particulars				
As per Agreement	Currency	Amount	Name and address of the Borrower (Block Letters)				
Revised			Contact Person's Name: Designation: Phone No.: Fax no.: E-mail ID:				

Part B: Actual Transaction Details

1. Draw-down during the month:

Tranche No.	Date (YYYY/MM/DD) (Please see note	Currency	Amount		committed but not e end of the month
	below)			Currency	Amount

draw-dow 2.In the do	n. case of f <b>i</b> l own.	e of import nancial leas ecuritised	se date	of acquis	sition of th	ie go	ods is	to be n	nenti	oned as	s date	of draw-
2. Schedu	ule of bala	ance amoun	t of loan	ı to be dr	awn in fu	ture:						
Tranch e No	Expected Date (YYYY/N of drawd	/IM/DD)	Curre	ncy	Amount			ins To	talln	umber	No.	of vals in a ndar
3. Details  Tranche No.	Date	tion of draw-	-downs of Purpos		e month:	, C	urren	cy An	noun		resh	ement/
NO.	(11117			3OX 1)						F		Vc held
4. Amou	int parked	l abroad out	standing	g as on b	eginning	of th	e mon	nth	:			
Date (YYYY/M	M/DD)	Name of branch	bank an	d Acco	unt No.	Cu	rrency	/	Am	nount		
	tion of am	nount parked					ı					
Date (YYYY/M	M/DD)	Name of and branch		Account No.	t Cur	rency	y A	Amount		Purpo	se	
6. Debt S	6. Debt Servicing during the month -											
Tranche No.	Purpose		Date Remitt		of Curre	ncy	Amo	ount	re	ource o emittanc See Bo	e t	Principal

Interest @ rate
Others (Specify)

\* In case of prepayment please provide details: Automatic Route / Approval No. Date: Amount:

7. Deriva	ative tra	ansaction	าร (	Interest rat	te, Currency	swa	p) during the mo	onth (it	fany) -		
Type of Sv	wap		,	Swap Deal	er		Counter p	party			lementatio
		Name			Country	Na	ime	С	Country n D		ate
Interest	Rate										
swap										<u> </u>	
Currency										<u> </u>	
Others (sp	ecify)										
<b>T</b>				1.1			la lata and Dat		T 8 4 . 1 .		1 .
Tranche No.	New C	Currency	′		Rate on the New Interest Rate Maturit rency on the Loan Currency of the s				-		
INO.				New Curr	епсу	- 0	III IIIE LOAII CUII	Спсу	Of title	swap	ueai
8. Revised	d Princi	pal Repa	aym	nent Sched	ule (if revise	ed / e	ntered into Inter	est ra	te swap)		
							If more than or	ne ear	ıal		Annuity
Date (Y	YYY/M	M/DD)	Cı	urrency	Amount in		installments				Rate
(First re	payme	nt		-	Foreign		Total		of payme		(if annuit
date)					Currency i	in	Number of		calendar	•	payment
					transaction	ns	installments	year	, 3, 4, 6,	12)	
					tranoaotio	110		(1, 2	, 0, 4, 0,	12)	
	of outs	standing	loa	in at the en	d of the mo	nth :					
Currency							Amount: _				
					(F	or R	BI Use)				
											-
							ue and correct to withheld and / o				
Place :				Stamp							
				•			ture of Authorise				
Data :					N	ame	: nation :				
Date :					D	esigi	iation :				
				<b>(</b> 5.							
				(For	Borrower's	use)					-
<u>Ce</u>	rtificat	e from (	Cor	npany Sec	retary / Ch	arter	ed Accountant				
We	e hereb	v certify	tha	t the ECB	availed in te	rms (	of approval gran	ted by	/ Govern	ment	
or	RBI or	under a	ppr	oval route	/ automatic	route	e is duly accoun	ited in	the boo	ks of	
			er,	ECB proc	eeds have	beer	n utilised by the	e bor			
	rpose		too	l document	te and recor	'dc o	onnected with th	o utili		have	
							in accordance				
							proval granted l				

or under approval route / automatic route and is in conformity with the ECB Guidelines issued by the Government.

Authorised Signatory
Name & Address
Registration No.

Date: [Stamp]

Place:

### **Certificate by an Authorised Dealer**

We hereby certify that the information furnished above with regard to debt servicing, outstandings and repayment schedule is true and correct as per our record. The drawal, utilisation and repayment of the ECB have been scrutinised and it is certified that such drawal, utilisation and repayments of ECB are in compliance with ECB guidelines.

	_	
	[Stamp]	Signature of Authorised Dealer
Place :	_	
Name:		
Date :		
Designation :		
Name & Address of		
Authorised Dealer		
Uniform Code No		

Form – TC

	Year) Name of t						Contac			
	Address	:					Tel Fax	:		
Sr. No		Loan Identification No.			Country of Lender*	Curren cy		Equiv. Amt.inU SD		Other chages ir USD
1	2	3	4	5	6	7	8	9	10	11
Tota	1									

Form –	,					
TC		April 17,	2004			T
	Approvals of T		│ lit granted b	y all branc	hes during	the
(Month	/ Year)					
e-mail:						
Period of cre		credit	Type of Cr	dit**		f Import / ed Import
All-in- cost	No. of Days/Mon./Yr	Unit of time period	SC / BC	STC / LTC	Descript ion	Category*
12	13	14	15	16	17	18

- I. Supplier's Credit (SC)
- II. Buyer's Credit (BC)
- III. Short-term Trade Credit (STC) (maturity period up to one year)

  IV. Long-term Trade Credit (LTC) (maturity period more than one year & less than three years)
- V. Total Trade Credit (TC) (I+II)
- \*: or Supplier
- \*\*: Please type respective code such as SC or BC; STC or LTC.

\*\*\*: Petroleum Oil Lubricants (POL), Capital Goods (CG), Others (OT)

Note 1: The format of the loan identification number is : TC/(Name of the Bank/branch)/(Identification No.)

Note 2: Information in column nos. 8 to 13 should be numeric only. No alphabets should be entered in those columns.

Note 3:Date format in col. No 2 is YYYY/MM/DD. For example, December 31, 2003 should be entered as 2003/12/31

### Annex to A.P. (DIR Series) Circular No. 87 dated April 17, 2004

F	orn	<b>.</b> _	TC
	OHI	1 —	16

1 01	III – 1C										
	Part II: Disbursement, Utilisation and Debt Servicing of Trade Credit during (month) / (year)										
				Repayments (USD) Date of					of		
No	Loan Identific ation No.		Disburseme nt (USD)	Utilisatio n (USD)	Principal	Inter est		Total (6+7+8)	Outstanding (4-6)	Shipment	Final Repaym ent
1	2	3	4	5	6	7	8	9	10	11	12

Note 1: Information in column nos.1, 3 to 10 should be numeric only. No alphabets should be entered in those columns. Note 2: Date format in col. No 11, 12 is YYYY/MM/DD. For example, December 31, 2003 should be entered as 2003/12/31 Certificate by the Authorised Dealer

- 1. All trade credits for imports approved by all our branches during the month------ have been included in this statement.
- 2. Related import documents (including EC copy of Bill of Entry) towards utilisation of such trade credits have been verified and found in order.
- 3. The drawal, utilisation and repayment of all trade credits approved by our branches have been scrutinised and it is cerified that such drawal, utilisation and repayments of trade credits

Place:	
Date:	
Signature of Authorised Dea	ale

### Annex V

# Statement on Guarantees / Letter of Undertaking / Letter of Comfort issued by Authorised Dealer banks

As c	on quarter ended					
Nam	ne of the AD :	Contact Per	son:			
Add	ress :	Tel:				
e-ma	ail:	Fax:				
			(USD million)			
On behalf of			of Undertaking / Letter of omfort			
	Residents	Issued				
		Buyer's Credit	Supplier's Credit			
	Trade Credits (less than 3 years)					
	(a) Up to one year					
	(b) Above one year and less than three years **					
	** (Limited to Import of Capital Goods)					

Place:		Signature of the Authorised Signatory
Date:	[ Stamp]	

### **Appendix**

# List of Notification/Circulars which have been consolidated in the Master Circular on External Commercial Borrowings and Trade Credits

SI. No.	Notification / Circular	Date
1.	FEMA 3/2000-RB	May 3, 2000
2.	FEMA 126/2004-RB	December 13, 2004
3.	FEMA 127/2005-RB	January 5, 2005
4.	FEMA 129/2005-RB	January 20, 2005
5.	FEMA 142/2005-RB	December 6, 2005

1-		
1.	AP(DIR Series) Circular No.41	April 29, 2002
2.	AP(DIR Series) Circular No.29	October 18, 2003
3.	AP(DIR Series) Circular No.60	January 31, 2004
4.	AP(DIR Series) Circular No.75	February 23, 2004
5.	AP(DIR Series) Circular No.82	April 1, 2004
6.	AP(DIR Series) Circular No.87	April 17, 2004
7.	AP(DIR Series) Circular No.15	October 1, 2004
8.	AP(DIR Series) Circular No.24	November 1, 2004
9.	AP(DIR Series) Circular No.40	April 25, 2005
10.	AP(DIR Series) Circular No.5	August 1, 2005
11.	AP(DIR Series) Circular No.15	November 4, 2005
12.	AP(DIR Series) Circular No.23	January 23, 2006
13.	AP(DIR Series) Circular No.34	May 12, 2006
14.	AP(DIR Series) Circular No.17	December 4, 2006
15.	AP(DIR Series) Circular No.44	April 30, 2007
16.	AP(DIR Series) Circular No.60	May 21, 2007