

No.963913/JS(F)/2017

Government of India
Ministry of Home Affairs
Foreigners Division (FCRA Wing)

MDC National Stadium
New Delhi, the August 01, 2019

PUBLIC NOTICE

Subject: Exemption from the provisions of section 14(3) of the Foreign Contribution (Regulation) Act, 2010.

Section 18 of The Foreign Contribution (Regulation) Act, 2010 read with rule 17 of The Foreign Contribution (Regulation) Rules, 2011 provides for submission of Annual Returns by all associations who have been granted certificate of registration or prior permission.

2. The Central Govt. vide notification dated 14th December, 2015 made it mandatory for all associations having certificate of registration or prior permission to file their Annual Returns (ARs) only in electronic format on the web portal fcraonline.nic.in. Before issuance of this notice all the FCRA services were granted to various NGOs through physical mode. Several NGOs could not file their ARs in time despite opportunities given to them earlier.

3. For non-submission of ARs, FCRA registration of many associations was cancelled under section 14 of the FCRA, 2010. Consequent to such cancellation, the associations are no more eligible for registration or grant of prior permission for a period of three years from the date of cancellation of their certificate. Representations requesting restoration of such registrations have been received from associations. Many such associations have also applied afresh for registration which was refused on account of their debarment for three years.

4. In view of repeated representations made by many such associations, it has been decided to give a one-time exemption in public interest to such associations from the restrictive condition of section 14(3) to enable them to apply for registration within three months from the issuance of this notice. Government has further decided that for uploading missing ARs on the FCRA Portal, no penalty shall be imposed.

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5. This exemption is a one-time measure and available only to those associations whose certificates have been cancelled only because of non-filing of ARs. In case of other violations of the provisions of the FCRA, 2010 which are compoundable as per notification issued No. S.O. 2291(E) dated 05.06.2018 read with corrigendum No. S.O. 3716(E) dated 27.07.2018 the associations shall have to ensure that these violations except non-submission of ARs are compounded before making fresh application for grant of registration or prior permission.


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