

FAQ ID	Question Text	Answer Text
<b>GENERAL QUERIES</b>		
1	What is meant by Foreign Direct Investment (FDI)?	<p>Foreign Direct Investment ('FDI') means investment through equity instruments by a person resident outside India in an unlisted Indian company; or in 10% or more of the post issue paid-up equity capital on a fully diluted basis of a listed Indian company.</p> <p>In case an existing investment by a person resident outside India in equity instruments of a listed Indian company falls to a level below 10% of the post issue paid-up equity capital on a fully diluted basis, the investment shall continue to be treated as FDI. 'Fully diluted basis' means the total number of shares that would be outstanding if all possible sources of conversion are exercised.</p>
2	How can I submit proposals for foreign Direct Investment for seeking Government approval?	<p>Proposals for foreign investment in sectors/activities requiring Government approval as per the Consolidated FDI Policy dated 15.10.2020, as amended from time to time (FDI Policy) and Foreign Exchange Management (Non-Debt Instrument) Rules, 2019 dated 17.10.2019, as amended from time to time (FEM Non-Debt Instrument Rules 2019) would be filed online through the National Single Window System (NSWS) Portal at <a href="https://www.nsws.gov.in/">https://www.nsws.gov.in/</a>.</p> <p>The applicant would be required to submit the proposal for foreign investment in terms of the guidelines and requirements under the FDI Policy, Standard Operating Procedure (SOP) for processing FDI proposals, as amended from time to time available at <a href="https://fifp.gov.in/Forms/SOP.pdf">https://fifp.gov.in/Forms/SOP.pdf</a></p> <p><b>Clarifications/queries regarding FDI Policy matters can be</b></p>

		<p>submitted in prescribed proforma as available at the link: [<a href="https://fifp.gov.in/Forms/FDIPolicyForm.pdf">https://fifp.gov.in/Forms/FDIPolicyForm.pdf</a>] and submitted over email to <a href="mailto:fdi-clarification@gov.in">fdi-clarification@gov.in</a></p> <p><b>Clarifications/queries regarding filing of online application over FIF Portal may be sent over e-mail: <a href="mailto:fifp[dash]diphhelpdesk[at]gov[dot]in">fifp[dash]diphhelpdesk[at]gov[dot]in</a></b></p>
3	What is the role of DPIIT in processing of FDI proposals?	Once a proposal is filed online, DPIIT identifies the concerned Administrative Ministry/Department based on the activity of investee company and e-transfers the proposal to the concerned Administrative Ministry/Department (Competent Authority) for processing and disposal of the case. DPIIT monitors overall progress and timely disposal of FDI proposals across all administrative Ministries/Departments.
4	How can I access FDI Policy Circular?	FDI Policy Circular, 2020 may be accessed over <a href="https://dpiit.gov.in/foreign-direct-investment/foreign-direct-investment-policy">https://dpiit.gov.in/foreign-direct-investment/foreign-direct-investment-policy</a>
5	What is the procedure for processing of FDI applications?	Standard Operating Procedure (SOP) for Processing FDI Proposals may be accessed over the link <a href="https://fifp.gov.in/Forms/SOP.pdf">https://fifp.gov.in/Forms/SOP.pdf</a>
6	Are there any restrictions/provisions related to FDI from land border countries?	Para 3.1.1 of the FDI Policy as amended vide Press Note 3 of 2020 dated 17.04.2020 (available at <a href="https://dpiit.gov.in/sites/default/files/pn3_2020.pdf">https://dpiit.gov.in/sites/default/files/pn3_2020.pdf</a> ) enforced through the Foreign Exchange Management (Non-debt Instruments) Amendment Rules, 2020 dated 22.04.2020 issued by DEA notifying amendments under Rule 6(a) of the Foreign Exchange Management (Non-Debt Instruments) Rules, 2019 (available at <a href="https://egazette.nic.in/WriteReadData/2020/219107.pdf">https://egazette.nic.in/WriteReadData/2020/219107.pdf</a> ) states the following:-

		<p><i>3.1.1(a) A non-resident entity can invest in India, subject to the FDI Policy except in those sectors/activities which are prohibited. However, an entity of a country, which shares land border with India or where the beneficial owner of an investment into India is situated in or is a citizen of any such country, can invest only under the Government route. Further, a citizen of Pakistan or an entity incorporated in Pakistan can invest, only under the Government route, in sectors/activities other than defence, space, atomic energy and sectors/activities prohibited for foreign investment.</i></p> <p><i>3.1.1(b) In the event of the transfer of ownership of any existing or future FDI in an entity in India, directly or indirectly, resulting in the beneficial ownership falling within the restriction/purview of the para 3.1.1(a), such subsequent change in beneficial ownership will also require Government approval.”</i></p> <p>Accordingly, in terms of Press Note 3 of 2020, an entity of a country, which shares land border with India or where the beneficial owner of an investment into India is situated in or is a citizen of any such country, can invest only under the Government route. Additionally, any transfer of ownership of any existing or future FDI in an entity in India resulting in the beneficial ownership falling within the aforesaid jurisdiction(s) will also require Government approval.</p>
7	What is PN3 Proposal?	<p>PN3 Proposals are those proposals which require prior Government approval under the provisions of Para 3.1.1 of the FDI Policy as amended vide Press Note 3 of 2020 dated 17.04.2020 (available at <a href="https://dpiit.gov.in/sites/default/files/pn3_2020.pdf">https://dpiit.gov.in/sites/default/files/pn3_2020.pdf</a>) enforced through the corresponding amendment under Rule 6(a) of the Foreign Exchange Management (Non-Debt Instruments) Rules, 2019 (available at <a href="https://egazette.nic.in/WriteReadData/2020/219107.pdf">https://egazette.nic.in/WriteReadData/2020/219107.pdf</a>).</p>

8	From where one can get NIC codes for products/services, to be filled in application form?	Please refer to Investor Guidance available at <a href="https://dpiit.gov.in/for-investors/investor-guidance">https://dpiit.gov.in/for-investors/investor-guidance</a> . Investors are required to provide the description of activities as per the National Industrial Classification (NIC) published by the Ministry of Statistics and Programme Implementation, Government of India NIC 2008 which can be accessed at <a href="https://dpiit.gov.in/sites/default/files/NIC-2008.pdf">https://dpiit.gov.in/sites/default/files/NIC-2008.pdf</a> .
9	How long does it take to process an FDI proposal?	The time taken in processing of FDI application is specified at Part IV of the Standard Operating Procedure (SOP) for Processing FDI Proposals.
10	How can I track status of my application over FIF portal?	After login, the user can access the Dashboard to track status of the application submitted over NSWS Portal. Apart from this, system will send SMS/Email alerts at salient steps of the processing such as Query raised by Administrative Ministry etc.
11	Whom should I contact to know the progress of my FDI application?	Once a proposal is filed on the NSWS Portal, it is assigned to an administrative Ministry/Department (Competent Authority) for processing and disposal of the case. List of Nodal Officers of such Ministries/Departments can be accessed over the link <a href="https://fifp.gov.in/Forms/ListofNodalOfficer.pdf">https://fifp.gov.in/Forms/ListofNodalOfficer.pdf</a>
12	Where can I get information regarding FDI Equity inflow in India?	DPIIT compiles and maintains the data of Foreign Direct Investment regarding FDI Equity inflow in the country as reported by the Reserve Bank of India. It is published on a quarterly basis on the department's website ( <a href="https://dpiit.gov.in/">https://dpiit.gov.in/</a> ). It is published in 'FDI Statistics' and 'FDI Newsletter (formerly SIA Newsletter)' and uploaded on the website under the heading 'Publications' at the links: <a href="https://dpiit.gov.in/publications/fdi-statistics">https://dpiit.gov.in/publications/fdi-statistics</a> and <a href="https://dpiit.gov.in/publications/si-news-letters">https://dpiit.gov.in/publications/si-news-letters</a> respectively.
13	Is there any fee for filing an online application?	There is no fee for filing an online application.

	<b>FIF PORTAL SPECIFIC QUERIES</b>	
14	How do I file FDI proposal online?	<p>In order to submit an application over NSWS portal, user has to register on the portal, for which details such as Name, Mobile, Email etc. are to be provided. User will be sent an OTP on Email as well as the Mobile No for verification. Once the user verifies it, the NSWS account will be created. User can then apply for the FDI Approval from the NSWS Portal.</p> <p>For detailed explanation of the procedure, one can refer the User Guide “How to apply for Foreign Investment Approval” in the “<a href="#">Guide</a>” section of the NSWS Website,</p>
15	Can I change my contact details e.g. Mobile No. and e-mail id?	<p>The applicant may request for such change over email id <b>fif[dash]dipphelpdesk[at]gov[dot]in</b></p>
16	Do I need to register separately for each application?	<p>User can submit the approval multiple times by creating different projects through the Dashboard on NSWS. User can apply once for the approval under each project that is created.</p> <p>For detailed explanation of the procedure for using Multi project functionality, one can refer the User Guide “Understanding NSWS dashboard and document repository” in the “<a href="#">Guide</a>” section of the NSWS Website.</p>
17	Do I need to register for Downstream Intimation?	<p>Yes, registration on Foreign Investment Facilitation Portal (FIFP) for downstream intimation is required.</p>

18	Do I need to complete the entire NSWS application in single session?	Once the user registers on NSWS, they can save the progress of a particular application using the "Save as Draft" function and continue to work on the same in the future and add/modify/delete details as per requirements.
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19	What if any previous approval has been obtained and an amendment application needs to be filed?	If any FDI approval has already been given to the applicant/company, the proposal should be submitted under the category of Amendment Cases. In case the applicant files a fresh application instead of an amendment, the proposal would be treated as closed and the applicant would be asked to file an amendment application. The same can be done by selecting "Amendment" under Registration Details in the Application form. For detailed explanation of the procedure, one can refer the User Guide "How to apply for Foreign Investment Approval" in the " <a href="#">Guide</a> " section of the NSWS Website.
20	Which documents need to be uploaded at the time of submission of application?	The details of the documents required to be uploaded at the time of submission of application may be seen at "Annexure 1" of the Standard Operating Procedure (SOP) for Processing FDI Proposals may be accessed over the link <a href="https://fifp.gov.in/Forms/SOP.pdf">https://fifp.gov.in/Forms/SOP.pdf</a>
21	Which cases require security clearance from MHA?	Para 3 of Part III of the Standard Operating Procedure (SOP) for Processing FDI Proposals may be referred to in this regard. The same could be accessed over the link <a href="https://fifp.gov.in/Forms/SOP.pdf">https://fifp.gov.in/Forms/SOP.pdf</a>
22	What is the next step after submitting the application online?	After electronic submission of the application, the user will receive email/sms alert to submit a physical copy of the application to the concerned competent authority.
23	Is there any restriction on the size and format of the document to be uploaded?	It is dependent on the field, restriction on the size or format, if any, will be displayed on the field itself.
24	What if the hard copy of application is not submitted to the Competent Authority?	Para 3.1 of Part I of the Standard Operating Procedure (SOP) for Processing FDI Proposals may be referred to in this regard. The same could be accessed over the link <a href="https://fifp.gov.in/Forms/SOP.pdf">https://fifp.gov.in/Forms/SOP.pdf</a>

25	Where can I get the document for submitting the quarterly compliance report of the conditionalities contained in the approval letter to be certified by the company's auditor for proposals pertaining to pharmaceutical sector?	The Documents is available under the comprehensive corner under the heading "Forms" and can be accessed over the link <a href="https://fifp.gov.in/Forms/pharma_format.pdf">https://fifp.gov.in/Forms/pharma_format.pdf</a> . The same can be printed out and the duly filed with Department of Pharmaceutical, DIPP.
26	How can I withdraw my proposal and at what stage?	The proposal can be withdrawn at any stage after electronic submission till final disposal of the case. To withdraw the application, go to "Withdraw" option against the application tab given in the Dashboard of NSWS. There you have to upload a PDF document stating the reason for withdrawal duly attested by company and provide remarks. For detailed explanation of the procedure, one can refer the User Guide "How to apply for Foreign Investment Approval" in the " <a href="#">Guide</a> " section of the NSWS Website.
27	From where I can get a Security Clearance form?	MHA security clearance form would be required to be submitted in respect of cases as mentioned in para 26. The format of Security Clearance form is available on the portal (Comprehensive Corner-Forms) at the link <a href="https://fifp.gov.in/Forms/SecurityForm.pdf">https://fifp.gov.in/Forms/SecurityForm.pdf</a> . Kindly upload the duly filled in copy of the same or else your application will not be treated as complete.
28	Where can I get FDI data/Statistics	DPIIT compiles and maintains the data of Foreign Direct Investment regarding FDI Equity inflow in the country as reported by the Reserve Bank of India. It is published on a quarterly basis on the department's website ( <a href="https://dpiit.gov.in/">https://dpiit.gov.in/</a> ). It is published in 'FDI Statistics' and 'FDI Newsletter (formerly SIA Newsletter)' and uploaded on the website under the heading 'Publications' at the links: <a href="https://dpiit.gov.in/publications/fdi-statistics">https://dpiit.gov.in/publications/fdi-statistics</a> and <a href="https://dpiit.gov.in/publications/si-news-letters">https://dpiit.gov.in/publications/si-news-letters</a> , respectively.



29	How can I get clarifications on issues related to Foreign Direct Investment (FDI) Policy?	Foreign Direct Investment (FDI) Policy related queries may be submitted in prescribed proforma as given in the following link: <a href="https://fifp.gov.in/Forms/FDIPolicyForm.pdf">https://fifp.gov.in/Forms/FDIPolicyForm.pdf</a> and emailed to <a href="mailto:fdi-clarification@gov.in">fdi-clarification@gov.in</a> .
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