

No.II/21022/23(04)/2024/FCRA-II

**Government of India
Ministry of Home Affairs
(Foreigners-II Division-FCRA)**

1st Floor, Major Dhyan Chand National Stadium
India Gate Circle, New Delhi

Dated: 3rd November, 2024

PUBLIC NOTICE

Subject: Denial/Refusal of Applications of Registration and Renewal - Reasons for denial/refusal reg.

Applications for grant of Registration and Renewal received from the applicants are processed under the provisions of the Foreign Contribution (Regulation) Act, 2010 (FCRA, 2010 on "the Act") and/or the Foreign Contribution (Regulation) Rules, 2011 ("FCRR, 2011" or "the Rules"). Applications fulfilling the eligibility criteria including the conditions of registration under section 12(4) of the Act are granted certificate of registration. Applications not fulfilling the eligibility criteria including conditions of registration are denied. An E-mail message from FCRA portal is sent to E-mail ID of the association whose application is denied, conveying the reason of denial of application duly mentioning the relevant provision(s) of the Act. Applicant associations are also intimated through SMS.

2. The Ministry has received representation from some of the associations stating that reasons for denial of their application are not clear. The matter has been examined and it is decided to disseminate the consolidated reasons of denial of renewal/registration applications for benefit of applicant associations. Accordingly, an illustrative list of reasons of denial of renewal/registration applications is tabulated below: -

S.No.	Reasons for Denial	Applicable section of the Act which is attracted
Common to renewal / registration applications (Form FC-3C / FC-3A)		
1.	No activity has been carried out by association OR it has become defunct OR the claimed activities could not be corroborated during field inquiry OR field inquiry has revealed that no reasonable activity for welfare of society has been undertaken by the association during last 2-3 years.	Section 12(4)(b)
2.	Prosecution for any offence is pending against any office bearer(s) / member(s) / key functionary(ies) OR any of the office bearer(s) / member(s) / key functionary(ies) is/are convicted under any law for the time being in force.	Section 12(4)(e) read with 12(4)(f)(iii)
3.	Not responding to clarifications sought OR the association has not provided the requisite information/document(s) despite opportunity given.	Section 16(2) read with section 12(4)(f)(iii) in case of renewal; and 12(1) & (2) read with 12(4)(f) (iii) in case of registration
4.	Concealment of facts/information by the Association in its application form OR the application Form is incomplete.	Section 16(2) read with 16(1) (for renewal) Section 12(2) for registration

5.	Any of the Office bearer(s) / Member(s) / key functionary(ies) is/are not found at the given address provided by the association in its form FC-3C/FC-3A OR field inquiry has revealed that Office bearer(s) / Member(s) / key functionary(ies) is/are fictitious / benami / only for namesake.	Section 12(4)(a)(i)
6.	The association does not exist at the given address provided by the association in its form FC-3C/FC-3A.	Section 12(4)(a)(i)
7.	The certificate of registration of the association has already been cancelled. Therefore, as per section 14(3) of FCRA, 2010, the association is not eligible for accepting FC for three years from the date of cancellation.	Section 16 read with section 14(3)
8.	Association has diverted foreign contribution for carrying out anti-development activities OR inciting malicious protests.	Section 12(4)(a)(vi), 12(4)(f)(ii), 12(4)(f)(iii)
9.	Field inquiry has revealed likelihood of personal gain by the association OR by the office bearers OR likelihood of utilization of FC for undesirable activities.	Section 12(4)(a)(vi) read with Section 12(4)(f)(iii)
10.	Field inquiry has revealed adverse inputs against the association [e.g., involvement in anti-developmental activities, inciting protests with malicious intentions, linkage with terrorist organisation / anti-national organisations etc.]	Sections 12(4)(a)(vi), 12(4)(f)(ii) read with 12(4)(f)(iii)
11.	Association OR its office bearer(s) / member(s) / key functionary(ies) having linkage(s) with radical/terrorist entities.	Section 12(4)(a)(vi) and 12(4)(f)(ii) and 12(4)(f)(iii)
12.	Field agency has reported adverse inputs against the association and acceptance of FC is likely to affect social/religious harmony OR association is involved in induced/forceful religious conversion/ proselytization OR association or its office bearers have linkage with radical organisations.	Sections 12(4)(a)(vi) and 12(4)(f)(vi) read with 12(4)(f)(iii)
Exclusive to Renewal applications (Form FC-3C)		
1.	During the last 05 years the association has not utilized any FC for projects as per aims and objectives of the association.	Section 12(4)(b)
2.	The association has not uploaded the Annual Returns of any of previous 6 Financial Years [Non-filing of Annual Returns is a violation of Section 18 of FCRA 2010 read with rule 17 of FCRR, 2011].	Section 12(4)(a)(vii)
3.	Association has violated any one or more of the provision(s) of the Act or Rules. [Some example of violations are :- (a) Admin expenses more than 20% (b) discrepancy in Annual Returns (c) non-compliance of mandatory intimations (d) not utilizing contribution for the purpose for which the contribution has been received (e) not intimated change of office Bearer/Member/Key Functionaries as mandated in Rule 17A (f) not uploaded Bank statements, Income and Expenditure Account, Receipts and Payment account and Balance sheet along with Annual Return in Form FC-4 (g) not intimated any change in details such name/address, nature, bank account, opening of new account as mandated in Rule 17A (h) transferred FC to an bank	Section 12(4)(a)(vii)

	account which is a non-FCRA account (i) transferred non-FC fund in FCRA account (mixing of FC & non FC) (j) the association has utilized FC for speculative activities (k) the association has transferred FC to another association in contravention of Section 7 of FCRA, 2010 etc.]	
Exclusive to Registration applications (Form FC-3A)		
1.	Association has not fulfilled the criteria of spending a minimum amount of Rs.15 Lakhs of its core activities for benefits of society during the last 03 Financial Years.	Section 12(2) read with Rule 9
2.	Association is not in existence for 03 years.	Section 12(2) read with Rule 9

3. The above reasons of denial are only illustrative and not exhaustive. For any further query in specific cases the persons/associations may take assistance of FCRA support center/Helpdesk by visiting website - "<https://helpdesk.fcraonline.gov.in>."

(K. Sanjayan)
Director (FCRA)