

FCRA Renewal

Overview

Any application for renewal of certificate of registration shall be made to Central Government in electronic form in Form FC-3C, six months before the expiry for their existing registration. The new FCRA 2010 has limited the validity of the registration certificate for a period of 5 years.

As per the provisions, the application for renewal has to be submitted within six months from the date of expiry of certificate for registration. For example, the organization whose certificate will expire on 31/10/2021 should apply between 1st May, 2021 but within 31st October, 2021.

Any person making an application for Renewal shall have an FCRA Account i.e. a bank account with State Bank of India, Main Branch, New Delhi.

The existing registration under FCRA, 2010, will cease from the date of completion of the period of five years from the date of grant of registration and will not be eligible for receiving of foreign contribution. In such a case, the association has to apply afresh for grant of registration. As on date of expiry of certificate, then such organization cannot receive fresh foreign contribution or cannot utilize foreign contribution in hand until the certificate is renewed.

Consequences, if Certificate of Registration Ceases to Exist

As per the amended rules in case the certificate of registration has ceased to exist then neither the organization can receive fresh foreign contribution nor can utilize foreign contribution in hand, until the certificate is renewed. Therefore, in all cases where:

- Application for registration could not be filed; or
- Application of renewal is not accompanied with requisite fees; or
- Application for renewal is in process.

As per rule 6A, the amount of foreign contribution lying unutilized in the FCRA Account and utilization account of a person whose certificate of registration is deemed to have ceased under sub-rule (6) and assets, if any, created out of the foreign contribution, shall vest with the prescribed authority under the Act until the certificate is renewed or fresh registration is granted by the Central Government.” Rule 6 covers the situation where application for renewal is not made before the expiry of certificate or application is made but not accompanied with requisite fees.

Inquiry at the time of Renewal of FCRA

As per the recent amendment in the FCRA Act, dated 29th September 2020, the central government is empowered to make inquiries and satisfy itself with respect to compliance of Section 12(4) prior to FCRA renewal. It may be noted that Section 12(4) is the provision under which verification at that time of granting registration is made. In other words, the Government may also make similar inquiries before granting renewal of FCRA registration. Hence, by the proposed amendment renewal process has become similar with that of process of Registration or Prior permission.

Procedure for Renewal of FCRA Registration

- Go to Ministry of home affairs website by typing in address of web browser, <http://fcraonline.nic.in>;
- Login account with login-id password;
- Fill Electronic Form FC-3C which is an Application of Renewal of FCRA Registration;
- Upload required documents for registration;
- Pay Fees of Rs.5,000 and print the application.

Delayed Application for Renewal

In case an NGO fails to apply for renewal within the due date, its registration shall become invalid. However, the department may condone the delay, if satisfactory reasons for not submitting the renewal application are provided. A delayed application for renewal can be filed up to 1 year from the date of the expiry of the FCRA Certificate.

Further, in case no application for renewal of registration is received or such application is not accompanied by the requisite fee, the validity of the certificate of registration of such person shall be deemed to have ceased from the date of completion of the period of five (5) years from the date of the grant of registration. A delayed renewal application shall be accompanied by a fee of Rs.10, 000 (Ten thousand only).

Documents required for the renewal of the FCRA Registration

Following documents are necessary for the renewal of FCRA registration

Name of Document	Desired Size
Self-certified Registration Certificate of Association	1 MB (PDF)
Self-certified Memorandum of Association/Trust Deed	5 MB (PDF)
FCRA Registration Certificate of Association issued by MHA	1 MB (PDF)

Name of Document	Desired Size
Associations has to upload affidavit of each key functionary	1 MB (PDF)
Chief Functionary signature [140(Width) * 60(Height) Pixel]	50 KB
Seal of the Association [140(Width) * 60(Height) Pixel]	100 KB

The person making application for application for renewal of registration shall also keep following below mentioned information readily available while filing the application for prior permission:

- Details of each key functionary including Aadhar of the Board members in case of Indian members and copy of passport or overseas citizen card (OCI) in case of foreign members.
- Details of the designated bank account in SBI, Sansad Marg, New Delhi

Note: Darpan ID is mandatory for filing of the FCRA Renewal Form FC-3C.