



भारतीय रिज़र्व बैंक
RESERVE BANK OF INDIA

www.rbi.org.in

RBI/2014-15/62

DBOD.No.Dir.BC.14/13.03.00/2014-15

July 1, 2014

Ashadha 10, 1936 (Saka)

**All Scheduled Commercial Banks
(excluding RRBs)**

Dear Sir / Madam

**Master Circular of Instructions Relating to
Deposits held in FCNR(B) Accounts**

Please refer to the [Master Circular DBOD No.Dir.BC.11/13.03.00/2013-14 dated July 1, 2013](#) consolidating the instructions/guidelines issued to banks till June 30, 2013 relating to deposits held in FCNR(B) Accounts. The Master Circular has been suitably updated by incorporating the instructions issued up to June 30, 2014 and has been placed on the RBI website (<http://www.rbi.org.in>). A copy of the Master Circular is enclosed.

Yours faithfully

(Lily Vadera)
Chief General Manager
Encl: as above

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MASTER CIRCULAR ON INTEREST RATES ON FCNR(B) DEPOSITS

A. Purpose

This circular consolidates the directives on interest rates on FCNR(B) deposits issued by Reserve Bank of India from time to time.

B. Classification

A statutory guideline issued by the Reserve Bank in exercise of the powers conferred by the Banking Regulation Act, 1949.

C. Previous instructions

This Master Circular consolidates and updates the instructions on the above subject contained in the circulars listed in **APPENDIX**.

D. Application

To all Scheduled Commercial Banks, excluding Regional Rural Banks.

Structure

1. Introduction

2. Guidelines

- 2.1 Definition of the term 'Deposit'
- 2.2 Other important features of the Scheme
- 2.3 Manner of payment of interest
- 2.4 Discretion to pay additional interest on deposits of bank's staff
- 2.5 Premature withdrawal of deposits
- 2.6 Payment of interest on overdue FCNR(B) deposits
- 2.7 Crystallisation of Inoperative Foreign Currency Deposits
- 2.8 Advances against FCNR(B) deposits – Manner of charging interest
- 2.9 Restrictions on advances against FCNR(B) deposits – Quantum of loans
- 2.10 Interest payable on the deposit of a deceased depositor
- 2.11 Addition or deletion of name/s of joint account holders
- 2.12 Payment of interest on FCNR(B) deposits of NRIs on return to India
- 2.13 Conversion of FCNR(B) Accounts of the returning Indians into RFC Account – Waiver of penalty
- 2.14 Conversion of FCNR(B) Accounts of the returning Indians into RFC Accounts/Resident Rupee Accounts– Payment of interest
- 2.15 Payment of interest on term deposit maturing on Saturday/ Sunday/holiday/non-business working day
- 2.16 Prohibitions

Annex Interest rates on deposits under FCNR (B) Scheme

Appendix List of circulars consolidated

1 INTRODUCTION

- 1.1 The minimum maturity period of the deposit under the FCNR(B) Scheme, which was initially six months, was raised to one year, effective October, 1999. From July 26, 2005, banks were allowed to accept FCNR(B) deposits up to a maximum maturity period of five years, against the earlier maximum limit of three years.
- 1.2 To begin with, the FCNR(B) Scheme was applicable to deposits accepted in four currencies, viz., Pound Sterling, US Dollar, Deutsche Mark and Japanese Yen. On November 4, 2000 the FCNR(B) Scheme was extended to cover deposits in Euro while deposits in Deutsche Mark were accepted only up to December 31, 2001. Maturity proceeds after this date on deposits in Deutsche Mark were payable only in Euro. With effect from January 1, 2002, the acceptable currencies for FCNR(B) deposits were Pound Sterling, US Dollar, Japanese Yen and Euro. On July 26, 2005 the Scheme was extended to cover FCNR(B) deposits denominated in Canadian dollar and Australian dollar, in addition to the existing four currencies viz., US dollar, Pound Sterling, Euro and Japanese Yen. Based on the recommendations of the Committee to Review the Facilities for Individuals under FEMA, 1999, Foreign Exchange Department (FED) has permitted banks to accept FCNR(B) deposits in any permitted currency with effect from October 19, 2011. 'Permitted currency' for this purpose would mean a foreign currency which is freely convertible as defined in terms of Regulation 2(v) of [FEMA 14/2000-RB dated May 3, 2000](#), as amended from time to time.
- 1.3 Originally, the interest rates on FCNR(B) deposits were the same as those prescribed for FCNR(A) deposits. Effective April 16, 1997, banks were free to determine the interest rates (fixed or floating with an interest reset period of 6 months) subject to a prescribed ceiling. The present ceiling rate in respect of FCNR(B) deposits for the respective currency / corresponding maturity is LIBOR/SWAP rate plus 200/300 basis points, as the case may be, effective from the close of business in India as on May 4, 2012.

- 1.4 Earlier, up to January, 2006, LIBOR / SWAP rates as on the last working day of the previous month formed the base for fixing ceiling rates for interest on NRE/FCNR(B) deposits that would be offered effective from the following month. In order to ensure uniformity and transparency in interest rates on NRE/FCNR(B) deposit, it was decided that FEDAI would quote / display the LIBOR / SWAP rates which will be used by banks in arriving at the interest rates on NRI deposits. The first such rates were indicated by FEDAI for the last working day of February, 2006.
- 1.5 A commercial bank which is an Authorised Dealer in foreign exchange should not pay interest on deposits of money accepted by it or renewed by it under the Foreign Currency (Non-Resident) Accounts (Banks) Scheme, which came into force from May 15, 1993, except in accordance with the rates as specified in **Annex** hereto and on the terms and conditions specified in the guidelines given below.

2 GUIDELINES

2.1 Definition of the term “Deposit”

The deposits under the Scheme mean “term deposits” received by the bank for a fixed period and withdrawable only after the expiry of the said fixed period and includes Reinvestment Deposits and Cash Certificates or other deposits of similar nature.

2.2 Other important features of the Scheme

- (i) The Scheme covers deposits in any permitted currency with effect from October 19, 2011 from non-resident individuals of Indian nationality or origin (NRIs).

Note: a) The facility of opening and maintaining FCNR(B) Accounts by Overseas Corporate Bodies (OCBs) such as overseas companies, firms, societies and other corporate bodies which are owned directly or indirectly to the extent of at least 60 per cent by NRIs and overseas trusts in which at least 60 per cent of the beneficial interest is irrevocably held by such persons has been withdrawn with effect from September 16, 2003.

- b) An existing FCNR(B) Account held in the name of an OCB may be continued till original maturity and on maturity the proceeds should be repatriated forthwith.
- (ii) Repatriation of funds in foreign currencies is permitted.
- (iii) The deposits should be accepted under the Scheme for the following maturity periods:
- (a) One year and above but less than two years
 - (b) Two years and above but less than three years
 - (c) Three years and above but less than four years
 - (d) Four years and above but less than five years
 - (e) Five years only

Note: Recurring Deposits should **not** be accepted under the FCNR(B) Scheme.

- (iv) Transfer of funds from existing NRE accounts to FCNR(B) accounts and vice versa, of the same account holder, is permissible without the prior approval of Reserve Bank of India.
- (v) A bank should obtain prior approval of its Board of Directors for the interest rates that it will offer on deposits of various maturities, within the ceiling prescribed by Reserve Bank of India. The Board of Directors of a bank may authorise the Asset Liability Management Committee to fix interest rates on deposits subject to reporting to the Board immediately thereafter.

2.3 Manner of payment of interest

- i) The interest on the deposits accepted under the scheme should be paid on the basis of 360 days to a year.
- ii) The interest on FCNR(B) deposits should be calculated and paid at intervals of 180 days each and thereafter for the remaining actual number of days. However, the depositor will have the option to receive the interest on maturity with compounding effect.

2.4 Discretion to pay additional interest not exceeding one percent on deposits of bank's staff

As per earlier instructions, in the case of FCNR(B) deposits of staff members, existing or retired, interest rate including any additional interest paid to them by virtue of their being staff members, should not exceed the ceiling stipulated by Reserve Bank of India from time to time.

On a review, it has been decided that with effect from July 18, 2012, banks should not allow the benefit of additional interest rate on any type of deposits of non-residents. Accordingly, the discretion given to banks to allow the benefit of additional interest rate of one percent per annum as available to bank's own staff on deposits under FCNR (B) accounts stands withdrawn.

2.5 Premature withdrawal of deposits

- (i) Banks on request from the depositor should permit premature withdrawal of deposits under the FCNR(B) Scheme. Banks are free to levy penalty for such premature withdrawal at their discretion. Banks may also, at their discretion, levy penalty to recover the swap cost in the case of premature withdrawal of FCNR(B) deposits. Where premature withdrawal of FCNR(B) deposits takes place before completion of the minimum stipulated period of one year, in which case no interest is payable, banks may at their discretion levy penalty to cover the swap cost. However, the components of penalty should be clearly brought to the notice of the depositors at the time of acceptance of the deposits. If the depositors are not informed of the penalty provisions at the time of acceptance of deposits, the exchange loss arising out of premature withdrawal will have to be borne by the banks.
- (ii) Conversion of FCNR(B) deposits into NRE deposits or vice-versa before maturity should be subject to the penal provision relating to premature withdrawal.

2.6 Payment of interest on overdue FCNR(B) deposits

Banks may, at their discretion, renew an overdue deposit or a portion thereof provided the overdue period from the date of maturity till the date of renewal (both days inclusive) does not exceed 14 days. The rate of interest payable on the amount of the deposit so renewed should be the appropriate rate of interest for the period of renewal as prevailing on the date of maturity or on the date when the depositor seeks renewal, whichever is lower. In the case of overdue deposits where the overdue period exceeds 14 days and if the depositor places the entire amount of overdue deposit or a portion thereof as a fresh FCNR(B) deposit, banks may fix their own interest rates for the overdue period on the amount so placed as a fresh term deposit. Banks will have the freedom to recover the interest so paid for the overdue period if the deposit is withdrawn before completion of the minimum stipulated period under the Scheme, after renewal.

2.7 Crystallisation of Inoperative Foreign Currency Deposits

In terms of [A.P. \(DIR Series\) circular No. 136 dated May 28, 2014](#), issued by our Foreign Exchange Department, Authorised Dealer Banks shall crystallise, that is, convert the credit balances in any inoperative foreign currency denominated deposit into Indian Rupee, in the manner indicated below:

(i) In case a foreign currency denominated deposit with a fixed maturity date remains inoperative for a period of three years from the date of maturity of the deposit, at the end of the third year, the authorised bank shall convert the balances lying in the foreign currency denominated deposit into Indian Rupee at the exchange rate prevailing as on that date. Thereafter, the depositor shall be entitled to claim either the said Indian Rupee proceeds and interest thereon, if any, or the foreign currency equivalent (calculated at the rate prevalent as on the date of payment) of the Indian Rupee proceeds of the original deposit and interest, if any, on such Indian Rupee proceeds.

(ii) In case of foreign currency denominated deposit with no fixed maturity period, if the deposit remains inoperative for a period of three years

(debit of bank charges not to be reckoned as operation), the authorised bank shall, after giving a three month notice to the depositor at his last known address as available with it, convert the deposit from the foreign currency in which it is denominated to Indian Rupee at the end of the notice period at the prevailing exchange rate. Thereafter, the depositor shall be entitled to claim either the said Indian Rupee proceeds and interest thereon, if any, or the foreign currency equivalent (calculated at the rate prevalent as on the date of payment) of the Indian Rupee proceeds of the original deposit and interest, if any, on such Indian Rupee proceeds.

2.8 Advances against FCNR(B) deposits - Manner of charging interest

- (i) When a loan or an advance is granted against an FCNR(B) term deposit which stands in the name of a borrower either singly or jointly, a bank would be free to charge a rate of interest without reference to its own Base Rate
- (ii) When a loan or advance is granted out of resources mobilised under the Scheme, interest rate chargeable should be at the rate as prescribed in terms of Reserve Bank of India's directive relating to Interest Rates on Advances.

2.9 Restrictions on advances against FCNR(B) deposits - Quantum of loans

With effect from April 28, 2009, banks were permitted to grant advance upto Rs. 100 lakh on loans against security of funds held in NR(E)RA and FCNR(B) deposits either to the depositors or third parties.

With effect from October 12, 2012, banks may grant loans against NR(E)RA and FCNR(B) deposits either to the depositors or the third parties as under:-

	Existing provision	Revised provision
Rupee loans* in India		
Loans against NRE/FCNR(B) Fixed Deposits	Rs. 100 lakhs ceiling applicable	Rupee loans to be allowed to depositor/third party without any ceiling subject to usual margin requirements**
Foreign Currency loan* in India/ outside India		
Loans against NRE/FCNR(B) Fixed Deposits	Rs. 100 lakhs	Foreign Currency loans to be allowed to

	ceiling applicable	depositor/third party without any ceiling subject to usual margin requirements **
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* The term 'loan' shall include all types of fund based/non-fund based facilities.

** In case of FCNR (B) deposits the margin requirement shall be notionally calculated on the rupee equivalent of the deposits in accordance with para 9(2) of Schedule-2 of Foreign Exchange Management (Deposit) Regulations, 2000.

Further, the facility of premature withdrawal of NRE/FCNR deposits shall not be available where loans against such deposits are to be availed of. This requirement may specifically be brought to the notice of the deposit holder at the time of sanction of the loan. The existing loans which are not in conformity with the above instructions shall continue for their existing term and shall not be rolled over/renewed. Other conditions as regards grant of loan against NRE/FCNR deposits shall remain unchanged.

2.10 Interest payable on the deposit of a deceased depositor

In the case of a term deposit standing in the name/s of -

- i) a deceased individual depositor, or
 - ii) two or more joint depositors, where one of the depositors has died,
- interest should be paid in the manner indicated below :
- (a) at the contracted rate on the maturity of the deposit;
 - (b) in the event of the payment of the deposit being claimed before the maturity date, the bank should pay interest at an applicable rate prevailing on the date of placement of the deposit, without charging penalty;
 - (c) in the event of death of the depositor before the date of maturity of the deposit and the amount of the deposit being claimed after the date of maturity, the bank should pay interest at the contracted rate till the date of maturity. From the date of maturity to the date of payment, the bank should pay simple interest at the applicable rate operative on

the date of maturity, for the period for which the deposit remained with the bank beyond the date of maturity. However, in the case of death of the depositor after the date of maturity of the deposit, the bank should pay interest at a rate operative on the date of maturity in respect of savings deposits held under RFC Account Scheme, from the date of maturity till the date of payment;

(d) if, on request from the claimant/s, the bank agrees to split the amount of term deposit and issues two or more receipts individually in the name/s of the claimant/s, it should not be construed as premature withdrawal of the term deposit for the purpose of levy of penalty provided the period and aggregate amount of the deposit do not undergo any change.

Note: In the case of claimant/s being residents, the maturity proceeds may be converted into Indian rupees on the date of maturity and interest be paid for the subsequent period at the rate applicable to a deposit of similar maturity under the domestic deposit scheme.

2.11 Addition or deletion of name/s of joint account holders

A bank may, at the request of all the joint holders, allow the addition or deletion of name/s of joint account holder/s if the circumstances so warrant or allow an individual depositor to add the name of another person as a joint holder. However, in no case should the amount or duration of the original deposit undergo a change in any manner whatsoever. The bank should ascertain the reasons from the applicants for doing so and also satisfy themselves about the bona fide nature of the request. Further, opening of FCNR(B) accounts jointly with a resident as well as opening of accounts in the names of Pakistani/Bangladeshi nationals, though of Indian origin, will be subject to the instructions issued by Foreign Exchange Department, Reserve Bank of India from time to time.

2.12 Payment of interest on FCNR(B) deposits of NRIs on return to India

Banks may allow FCNR(B) deposits of persons of Indian nationality/origin who return to India for permanent settlement to continue till maturity at the contracted rate of interest, if desired. Except the provision relating to rate of interest and reserve requirements as applicable to FCNR(B) deposits, for all other purposes, such deposits should be treated as resident deposits from the date of return of the account holder to India. Premature withdrawal of such FCNR(B) deposits should be subject to penal provisions of the Scheme. Banks should convert the FCNR(B) deposits on maturity into Resident Rupee Deposit Account or RFC Account (if eligible) at the option of the account holder. The rate of interest on the new deposit (Rupee account or RFC Account) should be the relevant rate applicable for such deposit account.

2.13 Conversion of FCNR(B) Accounts of Returning Indians into RFC Account - Waiver of penalty

The penal provisions would not be applicable in the case of premature conversion of balances held in FCNR(B) deposits into RFC Accounts by Non-Resident Indians on their return to India.

2.14 Conversion of FCNR(B) Accounts of Returning Indians into RFC Accounts/Resident Rupee Accounts- Payment of interest

A bank should pay interest at its discretion at the time of conversion of FCNR(B) Account into RFC/Resident Rupee Account even if the same has not run for a minimum maturity period, subject to the condition that the rate of interest should not exceed the rate payable on savings bank deposits held under RFC Account Scheme.

2.15 Payment of interest on term deposit maturing on Saturday/Sunday/ holiday/non-business working day

In case of reinvestment deposits, banks should pay interest for the intervening Saturday/Sunday/holiday/non-business working day on the maturity value. However, in the case of ordinary term deposits, the interest for the intervening Saturday/Sunday/holiday/non-business working day should be paid on the original principal amount.

2.16 Prohibitions

No bank should:

- (i) accept or renew a deposit over five years.
- (ii) discriminate in the matter of rate of interest paid on the deposits, between one deposit and another accepted on the same date and for the same maturity, whether such deposits are accepted at the same office or at different offices of the bank, except on the size group basis. The permission to offer varying rates of interest based on size of the deposits will be subject to the following conditions:
 - a) Banks should, at their discretion, decide the currency-wise minimum quantum on which differential rates of interest may be offered. For term deposits below the prescribed quantum with the same maturity, the same rate should apply.
 - b) The differential rates of interest so offered should be subject to the overall ceiling prescribed.
 - c) Interest rates paid by the bank should be as per the schedule and not subject to negotiation between the depositor and the bank.
- (iii) pay brokerage, commission or incentives on deposits mobilized under FCNR(B) Scheme in any form to any individual, firm, company, association, institution or any other person.
- (iv) employ/ engage any individual, firm, company, association, institution or any other person for collection of deposit or for selling any other deposit linked products on payment of remuneration or fees or commission in any form or manner.
- (v) accept interest-free deposit or pay compensation indirectly.

**Interest rates applicable to deposits accepted under
Foreign Currency Non-Resident Accounts (Banks) Scheme
[paragraph 1.5]**

- a. In respect of FCNR (B) deposits contracted effective from March 1, 2014 in India interest rate ceiling shall be as under:

Maturity Period	Prior to August 14, 2013	With effect from August 14, 2013 upto February 28, 2014	With effect from March 1, 2014
1 year to less than 3 years	LIBOR / Swap plus 200 basis points.	LIBOR / Swap plus 200 basis points.	LIBOR / Swap plus 200 basis points.
3 - 5 years	LIBOR/ SWAP plus 300 basis points.	LIBOR/Swap plus 400 basis points.	LIBOR/ SWAP plus 300 basis points.

On floating rate deposits, interest shall be paid within the ceiling of SWAP rates for the respective currency/maturity plus 200 basis points/300 basis points as the case may be.

- b. In respect of FCNR(B) deposits of all maturities contracted effective from the close of business in India on November 23, 2011 to May 4, 2012, interest shall be paid within the ceiling rate of LIBOR/SWAP rates plus 125 basis points for the respective currency / corresponding maturities. On floating rate deposits, interest shall be paid within the ceiling of SWAP rates for the respective currency/maturity plus 125 basis points.
- c. In respect of FCNR(B) deposits of all maturities contracted effective from the close of business in India on November 15, 2008 to November 22, 2011, interest shall be paid within the ceiling rate of LIBOR/SWAP rates plus 100 basis points for the respective currency / corresponding maturities. On floating rate deposits, interest shall be paid within the ceiling of SWAP rates for the respective currency/maturity plus 100 basis points.
- d. For floating rate deposits, the interest reset period shall be six months.
- e. The LIBOR/SWAP rates as on the last working day of the preceding month would form the base for fixing ceiling rates for the interest rates that would be offered effective the following month.

- f. FEDAI quotes / displays the LIBOR / SWAP rates which should be used by banks in arriving at the rates of interest to be offered on FCNR(B) deposits.
- g. For the purposes of operational convenience, the interest rates should be rounded off to the nearest two decimal points.

APPENDIX

List of circulars consolidated in the Master Circular on Interest Rates on FCNR(B) Deposits

SI	Circular No.	Date	Subject
1.	DBOD.No.Dir.BC.48 & 49/13.03.00/2000-01	04.11.2000*	Interest Rates on Deposits held in FCNR (Banks) Accounts
2.	DBOD.No.Dir.BC.63 & 64/13.03.00/2000-01	03.01.2001	Foreign Currency (Non-Resident) Accounts (Banks) Scheme
3.	DBOD.No.Dir.BC.105 & 107/13.03.00/2000-01	19.04.2001	Foreign Currency (Non-Resident) Accounts (Banks) Scheme
4.	DBOD.No.Dir.BC.09/13.03.00/2001-02	11.08.2001	Deposits held in FCNR(B) Accounts
5.	DBOD.No.Dir.BC.97 & 98/13.03.00/2001-02	29.04.2002	Interest Rate on FCNR(B) Deposits
6.	DBOD.No.Dir.BC.30 & 31/13.03.00/2002-03	08.10.2002	Interest Rate on FCNR(B) Deposits
7.	AP (DIR Series) Circular No. 14	16.09.2003	Derecognition of Overseas Corporate Bodies as an Investor Class
8.	DBOD.No.Dir.BC.51/13.03.00/2004-05	01.11. 2004	Mid- term Review of Annual Policy Statement for the year 2004-05 – Foreign Currency Non-Resident (Banks) Accounts
9.	DBOD.No.Dir.BC.22/13.03.00/2005-06	26.07.2005	FCNR (B) Deposit Scheme
10.	DBOD.No.Dir.BC.62/13.03.00/2005-06	08.02.2006	Interest Rates on Non-Resident Deposits
11.	DBOD.No.Dir.BC.75/13.03.00/2005-06	29.03.2006	Interest Rate on FCNR(B) Deposits
12.	A.P.(DIR Series) Circular No.29	31.01.2007	Foreign Exchange Management (Deposit) Regulations, 2000 – Loans to Non Residents / third party against security of Non Resident (External)

SI	Circular No.	Date	Subject
			Rupee Accounts (NR (E) RA) / Foreign Currency Non Resident (Bank) (FCNR(B)) deposits
13.	DBOD.No.Dir.BC.88 & 89/13.03.00/2006-07	24.04.2007	Interest Rates on Non-Resident (External) Rupee (NRE) Deposits and FCNR(B) deposits
14.	DBOD.No.Dir.BC.82/13.03.00/2008-09	15.11.2008	Interest Rates on Non-Resident (External) Rupee (NRE) Deposits and FCNR(B) deposits
15.	A.P. (DIR Series) Circular No.66	28.04.2009	Foreign Exchange Management (Deposit) Regulations, 2000-Loans to Non Residents / third party against security of Non Resident (External) Rupee Accounts [NR (E) RA / Foreign Currency Non Resident (Bank) Accounts [FCNR(B)] -Deposits
16.	A.P. (DIR Series) Circular No. 36	19.10.2011	Opening Foreign Currency (Non-Resident) Account (banks) Scheme [FCNR(B)] account in any freely convertible currency-liberalisation
17.	DBOD.No.Dir.BC.58 & 59/13.03.00/2011-12	23.11.2011	Interest rates on Non-Resident (External) Rupee (NRE) Deposits and FCNR(B) Deposits
18.	DBOD.No.Dir.BC.101 & 102/13.03.00/2011-12	04.05.2012	Interest Rates on FCNR(B) Deposits
19.	DBOD.Dir.BC.30/13.03.00/2012-13	18.07.2012	Interest Rates on Deposits held in FCNR(B) Accounts
20.	A.P. (DIR Series) Circular No. 44	12.10.2012	Loans to Non Residents/ third parties against security of

Sl	Circular No.	Date	Subject
			NR(E)RA/FCNR(B) deposits
21.	DBOD.Dir.BC.38/13.03.00/2013-14	14.08.2013	Interest Rates on FCNR (B) Deposits
22.	DBOD.No.Dir.BC.73/13.03.00/2013-14	29.11.2013	Interest Rates on FCNR (B) Deposits
23.	DBOD.No.Dir.BC.92/13.03.00/2013-14	31.01.2014	Interest Rates on FCNR (B) Deposits
24.	A.P.(DIR Series) Circular No.136	28.05.2014	Crystallisation of Inoperative Foreign Currency Deposits

* The circular dated November 4, 2000 is a comprehensive directive on the subject incorporating all the amendments made upto that date.