



RESERVE BANK OF INDIA
Foreign Exchange Department
Central Office
Mumbai - 400 001

RBI/2011-12/620

A. P. (DIR Series) Circular No. 136

June 26, 2012

To

All Category-I Authorised Dealer Banks

Madam / Sir,

External Commercial Borrowings (ECB) – Rationalisation of Form-83

Attention of Authorized Dealer Category-I (AD Category-I) banks is invited to the Foreign Exchange Management (Borrowing or lending in foreign exchange) Regulations, 2000, notified vide [Notification No. FEMA 3/2000-RB dated May 3, 2000](#), as amended from time to time and [A.P. \(DIR Series\) Circular No.60 dated January 31, 2004](#) relating to ECB.

2. On a review, it has been decided to rationalize the Form-83 submitted to the Reserve Bank for obtaining Loan Registration Number (LRN) to reflect the liberalization and rationalization measures that have been carried out over a period of time. Accordingly, borrowers desirous of obtaining Loan Registration Number (LRN) with effect from July 01, 2012 may submit Form-83 in the revised format (Annex I). An illustration of calculation of average maturity period is provided at Annex II for guidance.

3. All other conditions of ECB, such as eligible borrower, recognized lender, end use, all-in-cost, average maturity, prepayment, refinancing of existing ECB and **reporting arrangements** shall remain unchanged and shall be complied with.

4. AD Category - I banks may bring the contents of this circular to the notice of their constituents and customers.

5. The directions contained in this circular has been issued under sections 10(4) and 11(1) of the Foreign Exchange Management Act, 1999 (42 of 1999) and are without prejudice to permissions / approvals, if any, required under any other law.

Yours faithfully,

(Rashmi Fauzdar)
Chief General Manager

Form-83**Annex I**

(Reporting of loan agreement details under Foreign Exchange Management Act, 1999)

To be submitted in duplicate by the borrower to designated Authorised Dealer (AD) for all categories and any amount of external commercial borrowing (ECB). After examining conformity with the extant ECB guidelines, the AD may provide requisite details in Part F of the Form and forward one copy (*within 7 days from the date of signing loan agreement between borrower and lender*) for allotment of Loan Registration Number (LRN) to:

The Director
Balance of Payments Statistics Division
Department of Statistics and Information Management (DSIM)
Reserve Bank of India
C-8-9 Bandra-Kurla Complex
Mumbai – 400 051

Agreement Details (To be filled by borrowers of External Commercial Borrowings)									
ECB under (Tick one) >>	Approval Route		Automatic Route						
In case of Approval Route									
No. and Date of RBI-FED approval: (attach copy of approval letter)									
Loan Key Number (allotted by RBI)									
Earlier Loan Registration No. (Applicable only for Revised Form-83)									

Part A: Borrower details		
Name and address of the Borrower (in BLOCK letters) Registration Number given by the Registrar of Companies: PAN Number of Company: Business Activity: Contact Official's Name: Designation: Phone No. : Fax No. : E-mail ID : (No item should be left blank)	Borrower Category (Tick one)	
	Public Sector	Private Sector
	Detailed Category (Tick one)	
	Corporate - Manufacturing	
	Corporate - Infrastructure	
	Corporate –Service Sector - (Hotels, Hospitals and Software)	
	Corporate – Service Sector – (Other than Hotels, Hospitals and Software)	
	Bank	
	Financial Institution (other than NBFC)	
	NBFC- IFC	Reg. No.
	NBFC- MFI	Reg. No.
	NBFC- Others	Reg. No.
	Non-Government Organization (NGO)	
	Micro Finance Institution (MFI)	
Others (Specify)		
Part B: Lender details		
Name and address of the lender/ lessor /foreign supplier (in BLOCK letters) Country: E-mail ID : (No item should be left blank)	Lender Category (Tick one)	
	Multilateral Financial Institution	
	Foreign Government (Bilateral Agency)	
	Export Credit Agency	
	Indian Commercial Bank branch abroad	
	Other Commercial Bank	
	Supplier of Equipment	
	Leasing Company	
	Foreign Collaborator / Foreign Equity Holder	
	International Capital Market	
	Regional Financial Institution	
	Government Owned Development Financial Institution	
Others (Specify)		

Details of foreign equity holding of the lender in the borrower company: (a) Share in paid-up equity of the borrower (%)					(b) Amount of paid-up capital									
ECB-Liability: equity ratio in case of borrowings above USD 5 million from foreign equity holder :														
Part C: Loan Details														
Loan Agreement Date (YYYY/MM/DD)									/			/		
Effective Date of the Loan									/			/		
Last Date of Disbursement									/			/		
Maturity Date (Last payment date)									/			/		
Grace Period (if in agreement)					Years					Months				
Currency Name 1. 2. 3.										Currency Code (SWIFT)				
Amount (in Foreign Currency) 1. 2. 3.														
Equivalent Amount (in US Dollars) (as on date of this form)														
Proposed Bifurcation of the amount					Foreign Currency Expenditure					Rupee Expenditure				
(in loan currency)														
Hedging details (Tick one)			Currency Swap			Interest Rate Swap			Others			Unhedged		
In case options are provided in the loan agreement (tick in the appropriate box)														
Call Option			___ per cent of Debt			Can be executed after date						/		/
Put Option			___ per cent of Debt			Can be executed after date						/		/
Name and address of the Guarantor (in Block letters)														
Contact Official's Name:														
Designation :														
Phone No.:					Fax No.:					E-mail id:				
Guarantee Status Code (as per Box 1):														
Borrowing Purpose Code (as per Box 2): (In case of multiple purpose, give break up of amount to be utilised under each purpose as Annex)														
Project Details:														
If import , specify the Country of import (if more than one country, attach details as Annex):														
Economic Sector/ Industry Code (See Box-3)														
Type of ECB (Tick in appropriate box)														
1.Buyers' Credit			2.Commercial Loan / Syndicated Loan (attach sheet for percentage distribution among lenders)											
3.Suppliers' Credit			4.Export Credit from Bilateral Sources											
5.Line of Credit			6.Securitised Instruments (Bonds, CP, FRN, etc.)											
7.Financial Lease			8.FCCB, FCEB, Non-Convertible Preference Shares, Optionally Convertible Preference Shares, Partially Convertible Preference Shares											

9. Refinancing of old ECBs													
LRN of the old ECB:				Approval No.				Date of Approval:					
Amount refinanced:				Reason:									
10. Others (Specify)													
Interest Payment Schedule													
First Payment Date						/			/			No. of payments per year	
Fixed Rate													
Floating Rate		Base with currency				Margin				Cap Rate			Floor Rate
Drawdown Schedule													
Tranche No.	Date* (YYYY-MM-DD)	Currency	Amount	If more than one equal installment#									
				Total No. of drawals	No. of drawals in a calendar year								
<p>* 1. In case of import of goods or services, date of import is to be furnished against date of drawdown. 2. In case of financial lease, date of acquisition (import) of the goods is to be mentioned as date of drawdown. 3. In case securitised instruments, date of issue has to be shown as date of drawdown. 4. In case of more than one equal drawdown transactions are shown in a row, the first date of transaction should be mentioned.</p> <p># If drawdown is in unequal installments, details should be given in Annex.</p>													
Principal Repayment Schedule													
Date (YYYY-MM-DD)	Currency	Amount	If more than one equal installments #										
			Total No. of payments	No. of payments in a calendar year									
# If repayment is in unequal instalments, details should be given in Annex.													
Part D: Other Charges													
Specify Nature of charge	Expected Date of Payment	Currency	Amount	In case of multiple equal payments									
				No. of payments in a year	Total number of payments								
Penal Interest for late payments		Fixed	% or Base:	Margin:									
Commitment Charges			% per annum of:	% of Undrawn Amount:									
Part E: Details of ECB already availed (not applicable for the first-time borrower)													
Year	Loan Reg.No. (LRN)	Currency	Amount of Loan										
			Principal (as per agreement)	Disbursed so far	Net outstanding (Principal)								

We hereby certify that the particulars given above are true and correct to the best of our knowledge and belief and no material information has been withheld and/or misrepresented. Furthermore, the ECB is in compliance with the extant ECB guidelines.

Place: _____

Date: _____

Stamp

(Signature of the Authorised Official of the Company)

Name: _____ Designation: _____

Place: _____

(Signature of Company Secretary/ Chartered Accountant)

Date: _____ Stamp

Name: _____

Registration No.: _____

Part F: [To be filled-in by the Authorised Dealer]

We have scrutinized the related documents and confirm the following:

1	End-use (give % share if more than one end-use)	(i) (ii) (iii)	Tick one	
			Permissible under Automatic Route	Approved by Foreign Exchange Department, RBI under Approval Route
2	Average Maturity	Years		Months
3	Cost Factors (%)	Fixed Rate Loan	Floating Rate Loan	
			Margin (spread) over base	Base
	a) Interest Rate			
	b) All-in-cost			
4	In case of loan from 'Foreign Equity Holder', it is confirmed that: a) Direct equity holding of lender is at least 25per cent of the paid-up equity (as per FCGPR taken on record by RBI / FCTRS return taken on record) b) Including the proposed borrowing, the "ECB Liability – Equity Ratio" (4:1) criteria is satisfied for borrowings of more than US \$ 5 million			
5	Borrower has given written undertaking to AD to the effect that it has been submitting ECB-2 Returns regularly to RBI in respect of past ECB/FCCB loans)			Yes / Not Applicable
6	Other important facts relevant for the allotment of LRN			

We certify that the borrower is our customer and the particulars given in this Form are true and correct to the best of our knowledge and belief. This application complies with the extant ECB guidelines and we recommend it for allotment of Loan Registration Number (LRN) by RBI.

Place: _____

Stamp

(Signature of the Authorised Official)

Date: _____

Name: _____ Designation: _____

Name of the bank/ branch _____

AD Code (Part I and Part II): _____

Tel.No.: _____ Fax No. _____

e-mail ID: _____

For RBI (DSIM) Use only

CS-DRMS Team	Received on	Action Taken on	Loan Classification
LRN (if allotted)			

Instructions for Submitting Form 83

1. All dates should be in the format YYYY/MM/DD (*e.g.*, 2012/01/21 for January 21, 2012).
2. No item should be left blank. In case, any item is not applicable, write 'N.A.' against it.
3. If space is not sufficient for giving full details against any item, separate sheet(s) may be attached to the Form and serially numbered as Annex. Each such Annex should be certified by both the borrower and AD.
4. The borrower should give a brief description of his business activity (whether in manufacturing/ trade/ provide services etc.) for the AD's use.
5. Before forwarding the Form to the Reserve Bank of India, AD must ensure that the form is complete in all respects and scrutinise all the related original documents at its end. Incomplete Forms are liable to be rejected/returned by RBI to AD.
6. Firms/ companies obtaining sub-loans through DFIs/ FIs/ banks/ NBFCs etc. should not complete this form but approach the concerned financial institutions directly for reporting.
7. Following codes are for use in filling Part C of the Form:

Box I: Guarantee Status Code		
Sr.No.	Code	Description
1	GG	Govt. of India guarantee
2	CG	Public Sector guarantee
3	PB	Public Sector Bank guarantee
4	FI	Financial Institution guarantee
5	MB	Multilateral/ Bilateral Institution guarantee
6	PG	Private Bank guarantee
7	PS	Private Sector guarantee
8	MS	Mortgage of assets/ security
9	OG	Other guarantee
10	NN	Not guaranteed

Box II: Borrowing Purpose Code		
Sr.No.	Code	Description
1	IC	Import of capital goods
2	RL	Local sourcing of capital goods (Rupee expenditure)
3	SL	On-lending or sub-lending
4	RF	Refinancing of earlier ECB
5	NP	New Project
6	ME	Modernisation/Expansion of existing units
7	PW	Power
8	TL	Telecommunication
9	RW	Railways
10	RD	Roads
11	PT	Ports
12	IS	Industrial Parks
13	UI	Urban infrastructure
14	OI	Overseas investment in JV/ WOS
15	DI	PSU Disinvestment
16	TS	Textile/Steel Restructuring Package
17	MF	Micro Finance activity
18	OT	Others (specify)
19	ER	Mining, Exploration and Refining
20	CS	Cold storage or cold room facility
21	CI	Interest during construction
22	RR	Refinancing of rupee loans
23	RB	Redemption of FCCBs

Box 3: Industry Code		
Industry group name	Industry description	Code
Plantations (100)	Tea	111
	Coffee	112
	Rubber	113
	Others	119
Mining (200)	Coal	211
	Metal	212
	Others	219
Petroleum & petroleum products manufacturing		300
Agricultural products (400)	Food	411
	Beverages	412
	Sugar	413
	Cigarettes & Tobacco	414
	Breweries & distilleries	415
	Others	419
Textile products (420)	Cotton textile	421
	Jute & coir goods	422
	Silk & rayon	423
	Other textile	429
Transport equipment (430)	Automobiles	431
	Auto accessories & parts	432
	Ship building equipments & stores	433
	Railway equipment & stores	434
	Others	439
Machinery & tools (440)	Textile machinery	441
	Agricultural machinery	442
	Machine tools	443
	Others	449
Metal & metal products (450)	Ferrous (iron & steel)	451
	Non-ferrous	452
	Special alloys	453
	Others	459
Electrical electronic goods & machinery (460)	Electrical goods	461
	Cables	462
	Computer hardware & computer based systems	463
	Electronic valves, tubes & others	464
	Others	469
Chemicals & Allied products (470)	Fertilizers	471
	Dyes & dyes stuff	472
	Medicines & pharmaceuticals	473
	Paints & varnishing	474
	Soaps, detergents, shampoos, shaving product	475
	Others	479
Others of manufacturing (480)	Cement	481
	Other Building Materials	482
	Leather and leather products	483
	Wood products	484
	Rubber goods	485
	Paper & paper products	486
	Typewriters & other office equipment	487
	Printing & publishing	488
	Miscellaneous	489
Trading		500
Construction & turn-key projects		600
Transport		700
Utilities (800)	Power generation, transmission & distribution	811
	Others	812
Banking sector		888
Services (900)	Telecommunication services	911

	Software development services	912
	Technical engineering & consultancy services	913
	Tours & travels services	914
	Cold storage, canning & warehousing services	915
	Media advertising & entertainment services	916
	Financial services	917
	Transport services	919
	Others	950
Others (not elsewhere classified)		999

Annex II**Calculation of Average Maturity- An Illustration**

ABC LTD.

Loan Amount = USD 2 million

Date of drawal/ repayment (MM/DD/YYYY)	Drawal	Repayment	Balance	No. of Days** balance with the borrower	Product= (Col.4 * Col. 5)/ (Loan amount * 360)
Col. 1	Col. 2	Col. 3	Col. 4	Col. 5	Col. 6
05/11/2007	0.75		0.75	24	0.0250
06/05/2007	0.50		1.25	85	0.1476
08/31/2007	0.75		2.00	477	1.3250
12/27/2008		0.20	1.80	180	0.4500
06/27/2009		0.25	1.55	180	0.3875
12/27/2009		0.25	1.30	180	0.3250
06/27/2010		0.30	1.00	180	0.2500
12/27/2010		0.25	0.75	180	0.1875
06/27/2011		0.25	0.50	180	0.1250
12/27/2011		0.25	0.25	180	0.0625
06/27/2012		0.25	0.00		

Average Maturity= 3.2851

** Calculated by = DAYS360 (firstdate, seconddate, 360)