

FEMA ke FUNDAE

**Acquisition and Transfer of
Immovable Property outside
India**

#FamiliarwithFEMA

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Jain Shrimal & Co.



Stuti

(An Indian Resident)

Hello Mr. FEMA Gyani, I have some idle funds and I am planning to invest them in a **property** outside India. I am curious to know whether I can do so?

Yes Stuti. A person resident in India can acquire immovable property from either a **person resident in India** or a **person resident outside India**. Let's discuss it in detail.



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An immovable property can be acquired **from a person resident in India** by way of :

Gift

Inheritance

The FEMA Gyani

Purchase



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An immovable property can be acquired **from a person resident outside India** by way of

Gift

Inheritance

Purchase out of foreign exchange held in **Resident Foreign Currency (RFC)** account

Purchase out of the remittances sent under the **Liberalised Remittance Scheme**

Purchases

Jointly with a relative who is a resident outside India, provided there is **no outflow of funds from India**

Out of the income or sale proceeds of the assets (other than ODI) acquired overseas



Stuti

Alright, that means I can buy a property. One more question, If in future, I want to gift this property to my father who is an Indian Resident, then am I allowed to do so?

Yeah. You **can transfer** such property **by way of gift** to a **person resident in India** who is eligible to acquire such property under these rules or by way of sale.



The FEMA Gyani



Stuti

Got it! One last question, Can I mortgage this property if required?

You can **create a charge** on such property in accordance with the act or the rules or regulations or directions from time to time.



The FEMA Gyani



Stuti

Okay. Thanks for your help Mr. FEMA Gyani.

Thank You!

Let's meet every
Wednesday.

To make you more familiar with FEMA,
we are happy to listen to your

Comments

Feedbacks

Suggestions



The FEMA Gyani

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