

JAIN SHRIMAL & CO.

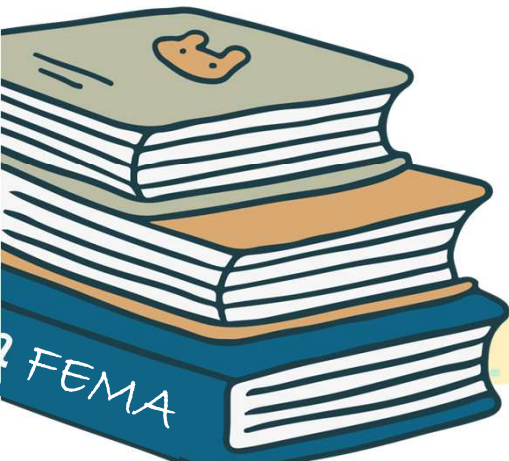
FEMA Ke Fundae

#FamiliarwithFEMA

Investment in real
estate by Indian
Resident

Date: 31/07/2024

Issue no: 112

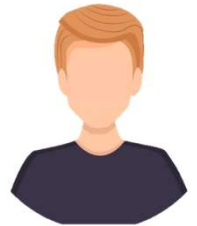




Mr Mehta
Resident Individual

Hello Mr FEMA Gyani. Hope you're doing well. I am a resident individual willing to invest my money outside India. For that I wish to invest in a foreign entity engaged in real estate business. As I am not aware of any regulatory provisions. Can I do so?

Hello Mr. Mehta! As per the provisions, a resident individual is prohibited to make overseas investment in a foreign entity which is engaged in-



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1

Real estate activity

2

Gambling in any form

3

Dealing with financial products linked to the Indian rupee without specific approval of RBI.





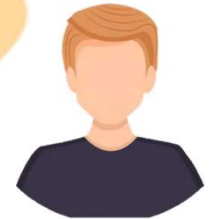
Mr Mehta
Resident Individual

Oh! But are there any exceptions in the case of real estate activity?

Yes, there are **some cases which are excluded** from the definition of real estate activity.

The following cases are-

- Development of townships
- Construction of residential or commercial premises, roads or bridges for selling or leasing.



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Mr Mehta
Resident Individual

The foreign entity in which I am willing to invest is engaged in development of townships. So, it means I am allowed to invest in it.





Mr Mehta
Resident Individual

Yes, Mr. Mehta. You can invest in that foreign entity.



The FEMA Gyani

Are there any regulatory compliances that I need to be aware of while doing ODI?

Yes, Mr. Mehta. You must timely file the following forms:

1

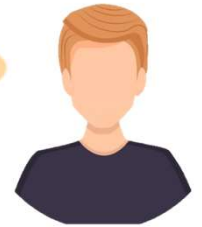
Form FC-

This form is required to be filed by person resident in India who has made ODI

2

Form APR-

This is an annual performance report which needs to be filed annually by person resident in India who has made ODI



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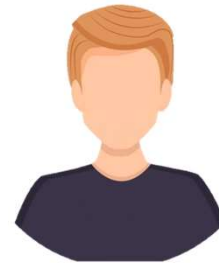
Thank you so much FEMA Gyani for helping me.



Mr Mehta
Resident Individual



Thank You



The FEMA Gyani

Comments

Feedbacks

Suggestions



<https://in.linkedin.com/company/jscoa>

WEBSITE

<https://jainshrimal.com/>



International Tax Gyan
WhatsApp group



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