

From

To

Kotak Mahindra Bank

KARAKERON branch,
.....**DECLARATION-CUM-UNDERTAKING****(Under Section 10(5), Chapter III of The Foreign Exchange Management Act, 1999)**

We hereby declare that the transaction, the details of which are specifically mentioned in the Schedule hereunder does not involve and is not designed for the purpose of any contravention or evasion of the provisions the aforesaid Act or of any rule, regulation, notification, direction or order made there under:

We also declare that all rules/regulations/requirements under local laws at the place/country with which the foreign exchange transaction(s) is/are related have been duly complied with by us.

We also hereby agree and undertake to give such information/documents as will reasonably satisfy you about this transaction in terms of the above declaration.

We also understand that if we refuse to comply with any such requirement or make only unsatisfactory compliance therewith, the bank shall refuse in writing to undertake the transaction and shall if it has reason to believe that any contravention/evasion is contemplated by us report the matter to the Reserve Bank of India.

We further declare that the undersigned has/have the authority to give this declaration and undertaking on behalf of the company.

Signatory of the Applicant
For Foreign Exchange

Place :

Date : 20 / 01 / 2022

**Schedule:**

All foreign exchange transactions as may be entrusted by us to the bank from time to time



Annex III

[Annex to A. P. (DIR Series) Circular No. 44 dated May 30, 2008]

Know Your Customer (KYC) Form in respect of the non-resident investor

Registered Name of the Remitter / Investor (Name, if the investor is an Individual)	MILAN ŠKORPIL
Registration Number (Unique Identification Number* in case remitter is an Individual)	PASSPORT NO.: 45421411
Registered Address (Permanent Address if remitter Individual)	PRAHA KBELY, MARTINICKÁ Č.P. 646/6 19700 PRAHA
Name of the Remitter's Bank	AKCENTA CZ
Remitter's Bank Account No.	TRANSACTION NO.: 2100592899
Period of banking relationship with the remitter	

*Passport No., Social Security No., or any Unique No. certifying the bonafides of the remitter as prevalent in the remitter's country

We confirm that all the information furnished above is true and accurate as provided by the overseas remitting bank of the non-resident investor.

(Signature of the Authorised Official
of the AD bank receiving the remittance)

Date: 20/01/2022

Place:

Stamp :

To

Date: 20/01/2022

The Manager
Kotak Mahindra Bank Ltd
KARKARDONA

Dear Sir,
Sub: Foreign Inward Remittance received towards FDI in our Company.

With regard to the above, we would like to inform you that we have received a sum of \$ 9982 (Amount in words NINE THOUSAND NINE HUNDRED EIGHTY TWO) towards Foreign Direct Investment (FDI) as per the details given below:

Sl. No.	Particulars	Information
1	Name & Address of the Remitter	MILAN ŠKORPIL
2	Nationality*	CZECH REPUBLIC
3	Constitution / Nature of the Investing Entity. Specify if erstwhile OCB. #	
4	Entry Route for Investment If Govt route attach copy of approval granted by concerned Ministries / Departments via a single window Foreign Investment Facilitation Portal (FIFB) administered by the Department of Industrial Policy & Promotion (DIPP), Ministry of Commerce and Industry, Government of India.	Automatic Route / Government Route AUTOMATIC
5	Description of the main business activity / Sector in to which FDI is being accepted. (Pls provide detail as per NIC 2008 and description of the activity)	POWER PLANT SECTOR
6	If investment & Investor eligible for FDI under automatic route.	Yes / No YES
7	Sectoral Cap applicable. (If no cap, confirm 100% FDI allowed) Where the investment is beyond sectoral cap permitted under automatic route, attach a copy of approval granted by concerned Ministries.	
8	Confirm if Sectoral / Pricing guidelines are adhered	Yes / No YES
9	Type of Security to be issued	

Above Investment is compliant to be classified under automatic route in accordance with Foreign Exchange Management (Non-Debt Instruments) Amendment Rules, 2020 dated 22nd April 2020 issued by Ministry of Finance, Department of Economic Affairs

We confirm that the beneficial owners (as defined under RBI Master Direction – Know Your Customer (KYC) Direction, 2016 as amended) of the FDI investor are not residents or citizens of countries sharing land border with India. We also confirm that residents or citizens of countries sharing land border with India do not cumulatively hold beneficial interest in FDI investor crossing the threshold prescribed under the definition of Beneficial owner as stated above. We hereby attach the appropriate undertaking from respective investors to this effect.

* Individuals, a citizen of Bangladesh (or) Pakistan (or) entities incorporated in these countries can invest only with prior approval of concerned Ministries / Departments, subject to sectoral restrictions & caps.

* Citizens of Nepal/Bhutan (or) NRIs resident in Nepal (or) Bhutan can invest on repatriation basis only if the investment is made through inward remittance in free foreign exchange

OCBs who are not under adverse notice of RBI may invest as incorporated non-resident entities provided prior approval from Government / a one-time certification from RBI as applicable based on the entry route.

Erstwhile OCBs which are not eligible to invest in India and entities prohibited to buy / sell or deal in securities by SEBI will not be eligible to subscribe to ADRs / GDRs issued by Indian companies

In this regard we hereby confirm and undertake as below:

- We shall comply with the procedure for issue of shares / convertible debentures as laid down under the FDI scheme as indicated in Notification No. FEMA. 395/2019-RB, as amended from time to time. The company is eligible to issue shares / convertible debentures/others under these Regulations.
- The investment received is within the sectoral cap/statutory ceiling permissible under the Automatic Route of RBI and we fulfill all the conditions laid down for investments under the Automatic Route (or)
- Shares shall be issued in terms of approval granted by concerned Ministries / Departments approval No. _____ dated _____. All the terms and conditions of the Government approval, have been complied with. The foreign investment received shall be utilized in compliance with the provision of a Prevention of Money Laundering Act 2002 (PMLA) and Unlawful Activities(Prevention) Act, 1967 (UAPA).
- We confirm that Entity Master is updated as on _____ and the registration number generated by FIRMS is _____.
- We confirm that the activity of the company is FDI compliant and the investment received complies with the provisions of all applicable Rules and Regulations and it does not fall under any activities prohibited for foreign investment i.e. in a company or a partnership firm or a proprietary concern or any entity, whether incorporated or not (such as, Trusts) which is engaged or proposes to engage in the following activities :
 - Business of chit fund, or
 - Nidhi company, or
 - Agricultural or plantation activities, or
 - Real estate business, or construction of farm houses, or
 - Trading in Transferable Development Rights (TDRs). "real estate business" means dealing in land and immovable property with a view to earning profit or earning income there from and does not include development of townships, construction of residential / commercial premises, roads or bridges, educational institutions, recreational facilities, city and regional level infrastructure, townships. Partnership firms / proprietorship concerns having investments as per FEMA regulations are not allowed to engage in print media sector.

- Lottery Business including Government / private lottery, online lotteries, etc.
 - Gambling and Betting including casinos etc.
 - Manufacturing of Cigars, cheroots, cigarillos and cigarettes, of tobacco or of tobacco substitutes
 - Activities / sectors not open to private sector investment e.g. Atomic Energy and Railway Transport (other than Mass Rapid Transport Systems).
 - Note : Foreign technology collaboration in any form including licensing for franchise, trademark, brand name, management contract is also prohibited for Lottery Business and Gambling and Betting activities.
- Further, we are aware that we have to initiate the process of reporting of FDI and allotment/transfer of share transactions to RBI **online on FIRMS portal of RBI in Single Master Form** and we shall comply with the FDI reporting timelines such as reporting allotment of shares within 60 days from the date of remittance and reporting allotment within 30 days from allotment date to RBI through AD. In case of transfer of shares by resident to non-resident or vice-a-versa, I/we will submit FC-TRS with all relevant documents within 60 days from inward remittance/outward remittance date to the AD bank.
- Non-resident investor is a resident in a country that is a member of Financial Action task Force (FATF) or a member of a group which is a member of FATF;
- We are aware that remitter KYC is a prerequisite for receipt of FDI into our account and we shall ensure KYC confirmation by the remitter's bank in the standard format of RBI through SWIFT along with remittance.

I/We hereby declare that the transaction details of which are specifically mentioned above does not involve, and is not designed for the purpose of any contravention or evasion of the provisions of the aforesaid Act or of any rule, regulation, notification, direction or order made thereunder.

I/We also declare that all rules/regulations/requirements under local laws at the place/country with which the foreign exchange transaction(s) is/are related have been duly complied with by us.

I/We also hereby agree and undertake to give such information/documents as will reasonably satisfy you about this transaction in terms of the above declaration.

I/ We also understand that if I/We refuse to comply with any such requirement or make only unsatisfactory compliance therewith, the Bank shall refuse in writing to undertake the transaction and shall if it has reason to believe that any contravention/evasion is contemplated by me/us report the matter to Reserve Bank of India.

*I/We further declare that the undersigned has/have the authority to give this declaration and undertaking on behalf of the firm/company

In view of the above, please convert the amount received and credit to CA/c / CC A/c 6213123475 with your bank.

Thanking you,

Yours faithfully,

For _____



(Name of the Signatory)

(Designation)

To

Date: 20/01/2022

The Manager
Kotak Mahindra Bank Ltd
KARKARDOOMA

Dear Sir,

Sub: Foreign Inward Remittance received towards FDI in our Company.

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(Name of the Signatory)

(Designation)