

Form ODI PART II														
ANNUAL PERFORMANCE REPORT (APR)														
Note: all amounts should be in actuals and NOT in thousands. All the figures should be in a single foreign currency except for Non-Equity Exports Realized i.e. item V (iii).														
I.	APR for the period	From date							To Date					
II.	Unique Identification Number (UIN)													
III.	Capital structure as on the last day of the accounting year of JV/ WOS													
		Amount				% share								
i)	Indian													
ii)	Foreign													
IV.	Operational details of the JV/ WOS for the last two years													
		Previous Year				Current Year								
i)	Net Profit / (Loss)													
ii)	Dividend													
iii)	Net worth													
V.	Repatriation from the JV / WOS													
		Current Year				Since commencement of business								
(i)	Dividend													
(ii)	Repayment of Loan													
(iii)	Non-Equity Exports Realised (in INR)													
(iv)	Royalties													
(v)	Technical Know-how Fees													
(vi)	Consultancy Fees													
(vii)	Others (Please specify)													
(viii)	Profit													
(ix)	Retained Earnings													
(x)	FDI by JV/ WOS/ SDS into India													
(xi)	Refund of excess share application money @ Transaction No. -													

@ furnish 15 / 17 digit transaction number allotted by Reserve Bank allotted at the time of reporting on the online OID application

VI.	Furnish the details of investment in either Wholly owned of a Joint Venture Step down subsidiary (SDS) of JV/ WOS in the prescribed format (attach separate sheet if the number of SDS is more than one)			
(i)	Name, Level and Country name of SDS			
(ii)	Name, Level and Country name of the parent of SDS			
(iii)	Investment Amount in FCY and Date of investment (if any)		Currency: Amount:	Date:
(iv)	Investment type		WO SDS	JV SDS
(v)	Type of Step Down Subsidiary	SPV/ Holding company	Operating	Operating Cum SPV
(vi)	Activity code as per 1987			
(vii)	% stake held in SDS			
(viii)	Is the activity of SDS into financial services (tick)			Yes No

Certificate from Indian Party/ Resident Individual (Strike out whichever is not applicable)			
We/ I the Indian Party/ Resident Individual (wherever applicable) further confirm that:			
<p>i. Investment in step down subsidiary (SDS) has been reported to RBI from time to time in terms of Regulation 13 of Notification No. FEMA.120/RB-2004 dated July 7, 2004 as amended;</p> <p>ii. If the activity of the SDS is related to financial services - it is certified that Regulation 7(2) of Notification No FEMA 120/RB-2004 dated July 7, 2004 as amended has been complied with;</p> <p>iii. Changes in the capital structure of the JV/ WOS since last APR has been reported under Section C of Form ODI Part I.</p> <p>iv. We have received share certificate/s (or any other proof of investment) and submitted the same to the designated AD bank for verification within 6 months of making the remittance/s for all (equity/CCPS) investment made as per Regulation 15 (i) of FEMA Notification <i>ibid</i>.</p> <p>v. The previous APRs for all JV/ WOS have been filed to the respective designated AD bank.</p> <p>vi. Repatriated to India, all dues receivable from the overseas JV / WOS, like dividend, royalty, technical know-how fees etc., within 60 days of its falling due or as prescribed by Reserve Bank from time to time.</p>			
Signature of the authorized official of the IP approved by the Board / RI		Stamp/Seal	
Name & Designation of the Authorized Official of the IP			
Place:	Date:		

Certificate of the statutory auditor (only in case of Indian Party) / self-certification in case Resident individuals (strike out whichever is not applicable)			
We hereby certify that:			
i. APR for the year ended _____ is prepared on the basis of audited/ unaudited balance sheet of the JV/WOS for the year ended _____. ii. APR for the year ended _____ is prepared on the basis of unaudited balance sheet of the JV/WOS since audit is not mandatory in host country and in compliance with Regulation 15 (iii) read with 15 (v) of FEMA Notification ibid and Para 6 of A.P. (DIR Series) Circular No. 29 dated September 12, 2012 . iii. The IP repatriated to India, all dues receivable from the foreign entity, like dividend, royalty, technical know-how fees etc., within 60 days of its falling due or as prescribed by the Reserve Bank from time to time. Repatriation from the JV/WOS has been verified from the Foreign Inward Remittance Certificate issued by the AD bank/s.			
Signature of the Statutory Auditors of the Indian Party		Stamp/Seal	
(Name of the firm and Registration number)			
Place:	Date:		
Certificate by the Authorized Dealer bank			
i. In terms of Para 3 of AP (Dir. Series) Circular No. 14 dated September 5, 2008 the branch has received the share certificate/s or any other document as evidence of investment and are satisfied about the bonafide of the documents so received. ii. The duly filled in Form ODI Part II (Annual Performance Report) was submitted by the IP/ RI on _____ day of _____ (month) _____ (year). iii. All the previous year APRs submitted by the IP / RI have been reported in the online OID application.			
Signature of the Authorized Official of the AD bank		Stamp/Seal	
Name and designation of the AD bank official			
Place:	Date:		

Instruction for submission of Form ODI Part II:

- a) APR is to be certified by statutory auditors of the IP and submitted, through the designated AD bank every year by ⁴⁰December 31 as long as the JV / WOS is in existence.
- b) The IP / RI shall ensure that all the previous year APR has been submitted to the designated AD bank.
- c) Para I: Please mention the date in format DD/MM/YYYY.
- d) Please indicate the name of the foreign currency (FCY) as per SWIFT code
- e) Para II: Please indicate 13 digit UIN issued by RBI.
- f) Para III: Capital structure should be in cumulative and the % stake should be a total of all the IP / RIs in the JV/ WOS
- g) Para IV (i) – the figure reported for loss should be mentioned in brackets.

⁴⁰ Inserted on May 5, 2016. Prior to insertion, it by mistake read as "June 30th."

- h) *Para V: Figures under “since commencement of business” should be equal to or more than the figure mentioned under current year.*
- i) *Para V (ii): Redemption of preference shares (not in the nature of compulsorily convertible preference shares (CCPS)) should also be reported.*
- j) *Para V (ix): Represents part of the profits of the JV/WOS which is retained and reinvested in the JV/WOS.*
- k) *Para VI (x) – Represents interest on loan or license fee etc.*
- l) *Para VI Step down subsidiary can be:*
 - a. *Operating company*
 - b. *Holding Company/ Special Purpose Vehicle*
 - c. *Holding cum Operating company*
- m) *Para VI (iv): Type of investment can be wholly owned step down subsidiary (WO SDS) or Step Down Joint Venture (JV SDS).*
- n) *Level of step down Subsidiary (SDS) should be calculated treating the JV/ WOS as the parent. So an SDS under the direct JV/ WOS should be treated as first level SDS. Accordingly an SDS under the first level SDS would be treated as second level SDS.*
- o) *Retained earnings is to be calculated as per the procedure laid down by the International Monetary Fund in the latest version of their publication “Balance of Payments and International Investment Position Manual”. It is to be noted that the negative retained earnings is to be treated as ‘0’ (zero).*
- p) *The certificate by statutory auditor shall be required only in case of IP and not in case of RIs.*
- q) *Each page of the Part II of Form ODI (APR) should be duly signed and stamped with date, by the RI / authorized person of the IP.*