

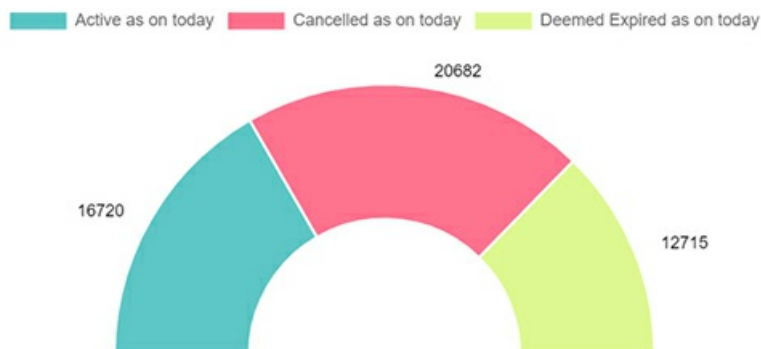
## Social Sector Hotline

August 19, 2022

### BIG BREATHING FOR FCRA REGISTERED NGOS – MHA ALLOWS FOR REVISION APPLICATIONS

The Ministry of Home Affairs (“MHA”), FCRA Wing has recently issued an order<sup>1</sup> allowing Non-Governmental Organisations (“NGOs”) to file an online revision application before the Union Secretary, MHA. The order is set to be implemented from September 1, 2022. The MHA in exercise of its powers under Rule 20 of the Foreign Contribution Regulation Rules, 2011 (“FCRR”) has permitted any person or NGO aggrieved by an order of the Central Government to file a revision application under section 32 of the registered under the Foreign Contribution Regulation Act, 2010 (“FCRA”).

Over the past three years, the MHA has cancelled FCRA registrations of nearly 1,811 entities. The Government has cancelled these licenses citing “violations” of FCRA rules. In the past, in cases where the FCRA registration was cancelled or not renewed the affected NGOs approached the Court. However, it has been observed that both non-renewal and cancellation orders have been passed without providing any speaking reasons to the NGOs. Over 6,000 NGOs whose licences had been revoked had filed a petition in the Supreme Court for relief. However, the Supreme Court denied their appeals.



**Figure 1:** Chart depicting number of organisations whose licenses are active/cancelled/deemed expired as on 14.08.2022.

Source: MHA, FCRA Wing

The present total number of FCRA registered associations in India is 16,720. In order to receive foreign grants, NGOs in India must register with the MHA, which assigns a unique FCRA registration number; which has to be renewed every five years. Any organization who wishes to file an application for revision of an order may upload a scanned copy of its application on the FCRA web portal<sup>2</sup> under main heading “Services under FCRA”, sub heading “Revision Application against Section 32, FCRA 2010. NGOs will be required to submit documents clarifying their stand regarding any adverse input flagged by the competent authority.

It is pertinent to note that the application must be made within a year from the date on which the cancellation order has been communicated or the date on which it otherwise came to know of it; whichever is earlier. The organisation shall be required to pay a fee of three thousand rupees (INR 3,000) and provide a “justification for the revision order” along with other relevant documents.

– Rahul Rishi & Dr. Milind Antani

(The authors would like to acknowledge and thank Ms. Shhreiya Agarawal (volintem) for her assistance to this hotline.)

You can direct your queries or comments to the authors

<sup>1</sup> [https://fcraonline.nic.in/home/PDF\\_Doc/fc\\_12082022.pdf](https://fcraonline.nic.in/home/PDF_Doc/fc_12082022.pdf)

<sup>2</sup> <https://fcraonline.nic.in/>

## Research Papers

**From Capital to Impact: Role of Blended Finance**

June 15, 2024

**Opportunities in GIFT City**

June 14, 2024

**Start-up Governance Essentials**

May 30, 2024

## Research Articles

**Private Client Insights - Sustainable Success: How Family Constitutions can Shape Corporate Governance, Business Succession and Familial Legacy**

January 25, 2024

**Private Equity and M&A in India: What to Expect in 2024?**

January 23, 2024

**Emerging Legal Issues with use of Generative AI**

October 27, 2023

## Audio

**Why is the ad industry unhappy with MIB's self-declaration mandate?**

June 18, 2024

**Incorporation of arbitral clause by reference: Position in India and other Asian Jurisdictions**

June 12, 2024

**Third-Party Funding: India & the World**

April 27, 2024

## NDA Connect

Connect with us at events, conferences and seminars.

## NDA Hotline

Click here to view Hotline archives.

## Video

**Future of India-Mauritius tax treaty – Impact of new Protocol on M&A deals and Private Equity structures**

April 23, 2024

The contents of this hotline should not be construed as legal opinion. View detailed disclaimer.

This Hotline provides general information existing at the time of preparation. The Hotline is intended as a news update and Nishith Desai Associates neither assumes nor accepts any responsibility for any loss arising to any person acting or refraining from acting as a result of any material contained in this Hotline. It is recommended that professional advice be taken based on the specific facts and circumstances. This Hotline does not substitute the need to refer to the original pronouncements.

This is not a Spam mail. You have received this mail because you have either requested for it or someone must have suggested your name. Since India has no anti-spamming law, we refer to the US directive, which states that a mail cannot be considered Spam if it contains the sender's contact information, which this mail does. In case this mail doesn't concern you, please unsubscribe from mailing list.

**Q&A 2024 Protocol to the Mauritius  
India Tax Treaty**

April 22, 2024

**Boost to India's Space Potential:  
India Liberalizes Foreign Direct  
Investment**

April 03, 2024