

FCRA Registration or Renewal: Reasons for Refusal and Steps for Appeal

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**Government of India
Ministry of Home Affairs
(Foreigners-II Division-FCRA)**

1st Floor, Major Dhyan Chand National Stadium

India Gate Circle, New Delhi

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PUBLIC NOTICE

Subject: Denial/Refusal of Applications of Registration and Renewal - Reasons for denial/refusal reg.

Applications for grant of Registration and Renewal received from the applicants are processed under the provisions of the Foreign Contribution (Regulation) Act, 2010 (FCRA, 2010 "the Act") and/or the Foreign Contribution (Regulation) Rules, 2011 ("FCRR, 2011" or "the Rules").

Applications fulfilling the eligibility criteria, including the conditions of registration under section 12(4) of the Act, are granted a certificate of registration. Applications not fulfilling the eligibility criteria, including conditions of registration, are denied. An e-mail message from the FCRA portal is sent to the e-mail ID of the association whose application is denied, conveying the reason for denial, duly mentioning the relevant provision(s) of the Act. Applicant associations are also intimated through SMS.

The Ministry has received representations from some associations stating that reasons for denial of their application are not clear. The matter has been examined, and it is decided to disseminate the consolidated reasons for denial of renewal/registration applications for the benefit of applicant associations. Accordingly, an illustrative list of reasons for denial of renewal/registration applications is tabulated below:

Common Reasons for Denial (Form FC-3C / FC-3A)

S.N o	Reasons for Denial	Applicable Section of the Act
1	No activity carried out by the association OR it has become defunct OR activities could not be corroborated during field inquiry OR no reasonable activity for welfare of society undertaken in the last 2-3 years.	Section 12(4)(b)
2	Prosecution pending against office bearer(s)/member(s)/key functionary(ies) OR any of them is convicted under any law.	Section 12(4)(e) read with 12(4)(f)(iii)
3	Not responding to clarifications sought OR failure to provide requisite information/documents.	Section 16(2) read with Section 12(4)(f)(iii) (for renewal); Section 12(1) & (2) read with 12(4)(f)(iii) (for registration)
4	Concealment of facts/information OR incomplete application form.	Section 16(2) read with 16(1) (for renewal); Section 12(2) (for registration)
5	Office bearer(s)/Member(s)/Key functionary(ies) not found at the given address OR found to be fictitious/benami/only for namesake.	Section 12(4)(a)(ii)
6	Association does not exist at the given address.	Section 12(4)(a)(ii)

S.No	Reasons for Denial	Applicable Section of the Act
7	Registration already cancelled; hence, not eligible for FC for 3 years from cancellation.	Section 16 read with Section 14(3)
8	Diversion of foreign contributions for anti-development activities OR inciting malicious protests.	Section 12(4)(a)(vii), 12(4)(f)(iii)
9	Likelihood of personal gain by the association/office bearers OR likelihood of utilizing FC for undesirable activities.	Section 12(4)(a)(vi) read with Section 12(4)(f)(iii)
10	Involvement in anti-development activities, inciting protests with malicious intent, linkage with terrorist/anti-national organisations.	Section 12(4)(a)(vi), 12(4)(f)(ii) read with 12(4)(f)(iii)
11	Office bearer(s)/member(s)/key functionary(ies) linked with radical/terrorist entities.	Section 12(4)(a)(vii), 12(4)(f)(ii), 12(4)(f)(iii)
12	Adverse inputs from field agencies indicating that FC acceptance may affect social/religious harmony OR association involved in forced religious conversion OR links with radical organisations.	Section 12(4)(a)(vi) and 12(4)(f)(vi) read with 12(4)(f)(iii)

Exclusive to Renewal Applications (Form FC-3C)

S.No	Reasons for Denial	Applicable Section of the Act
1	No utilization of FC for projects as per association's aims and objectives in the last 5 years.	Section 12(4)(b)
2	Non-filing of Annual Returns for any of the last 6 financial years.	Section 12(4)(a)(ix)
3	Violation of Act/Rules, including: (a) Admin expenses exceeding 20%, (b) Discrepancies in Annual Returns, (c) Non-compliance with mandatory intimations, (d) Misuse of FC, (e) Failure to report office bearer/member changes, (f) Failure to upload financial documents, (g) Failure to report changes in name/address/nature/bank account, (h) Using non-FCRA bank account, (i) Mixing FC & non-FC funds, (j) Engaging in speculative activities, (k) Transferring FC to another association in violation of Section 7.	Section 12(4)(a)(ix)

Exclusive to Registration Applications (Form FC-3A)

S.No	Reasons for Denial	Applicable Section of the Act
1	Association has not spent at least ₹15 lakh on core activities for societal benefit in the last 3 financial years.	Section 12(2) read with Rule 9
2	Association is not in existence for at least 3 years.	Section 12(2) read with Rule 9

The above reasons are illustrative and not exhaustive. For further queries, associations may seek assistance from the **FCRA support center/Helpdesk** by visiting the website:

helpdesk.fcraonline.gov.in.

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Director (FCRA)

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