

Annex I

Form ECB

(Application and Reporting of loan agreement details under Foreign Exchange Management Act, 1999)

1. All dates should be in the format YYYY/MM/DD (e.g., 2012/01/21 for January 21, 2012).
2. No item should be left blank. In case, any item is not applicable, write 'N.A.' against it.
3. If space is not sufficient for giving full details against any item, separate sheet(s) may be attached to the Form and serially numbered as Annex. Each such Annex should be certified by both the borrower and AD.
4. The borrower should give a brief description of his business activity (whether in manufacturing/ trade/ provide services etc.) for the AD's use.
5. Before forwarding the Form to the Reserve Bank of India, AD must ensure that the form is complete in all respects and scrutinise all the related original documents at its end. Incomplete Forms are liable to be rejected/returned by RBI to AD.
6. Following codes are for use in filling Part C of the Form:

Box 1: Guarantee Status Code	
Sr.No. Code	Description
1	GG Govt. of India guarantee
2	CG Public Sector guarantee
3	PB Public Sector Bank guarantee
4	FI Financial Institution guarantee
5	MB Multilateral/ Bilateral Institution guarantee
6	PG Private Bank guarantee
7	PS Private Sector guarantee
8	MS Mortgage of assets/ security
9	OG Other guarantee
10	NN Not guaranteed

Box II: Borrowing Purpose Code	
Sr.No Code	Description
1	IC Import of capital goods
2	RL Local sourcing of capital goods (Rupee expenditure)
3	SL On-lending or sub-lending
4	RF Refinancing of earlier ECB
5	NP New Project
6	ME Modernisation/Expansion of existing units
7	OI Overseas investment in JV/ WOS
8	MF Micro Finance activity
9	OT Others(specify)
10	RR Refinancing of rupee loans
11	RB Redemption of FCCBs
12	IF Infrastructure development
13	RC Working capital/ general corporate purpose

7. To be submitted in duplicate by the borrower to designated Authorised Dealer (AD) for all categories and any amount of external commercial borrowing (ECB). After examining conformity with the extant ECB guidelines, the AD may provide requisite details in the Summary Sheet of the Form and forward one copy (within 7 days from the date of signing loan agreement between borrower and lender) for allotment of Loan Registration Number (LRN) to:

The Director
Reserve Bank of India,
External Commercial Borrowings Division,
Department of Statistics and Information Management (DSIM)
Central Office , C-9, 5th Floor , Bandra Kurla Complex
Bandra (E) , Mumbai – 400 051

Agreement Details (To be filled by borrowers of External Commercial Borrowings)												
<i>ECB application</i>	Original		Revised									
<i>Form</i>	FCY ECB		INR ECB									
In case of Revised												
Loan Registration Number allotted												
<i>ECB under</i>	Approval Route		Automatic Route									
Whether requires clearance from any statutory authority? If yes, furnish the name of authority, clearance no. and date.												
Comments/ recommendation of AD bank:												

Part A: Borrower details				
Name and address of the Borrower (in BLOCK letters) Registration Number given by the Registrar of Companies: PAN Number of Company: Business Activity: Contact Official's Name: Designation: Phone No. : Fax No. : E-mail ID : (No item should be left blank)	Borrower Category (Tick one)			
	Public Sector		Private Sector	
	Detailed Category (Tick one)			
	Corporate - Manufacturing			
	Corporate – Infrastructure			
	a) Transport			
	b) Energy			
	c) Water and Sanitation			
	d) Communication			
	e) Social and Commercial Infrastructure			
f) Exploration, Mining and Refinery				
g) Others				
Sub-Sector: _____				
Corporate –Service Sector -				
Others				
a) Units in SEZ;				
b) SIDBI;				
c) EXIM Bank;				
d) Micro-finance entities				
e) Others : _____				
Bank				
Financial Institution (other than NBFC)				
NBFC- IFC/AFC		Reg. No.		

	NBFC- MFI	Reg. No.									
	NBFC- Others	Reg. No.									
	Non-Government Organization (NGO)										
	Micro Finance Institution (MFI)										
	Others (Specify)										
Part B: Lender details											
Name and address of the lender/ lessor /foreign supplier (in BLOCK letters) Country: E-mail ID : (No item should be left blank)	Lender Category (Tick one)										
	Multilateral Financial Institution										
	Foreign Government (Bilateral Agency)										
	Export Credit Agency										
	Indian Commercial Bank branch abroad										
	Other Commercial Bank										
	Supplier of Equipment										
	Leasing Company										
	Foreign Collaborator / Foreign Equity Holder										
	International Capital Market										
	Regional Financial Institution										
	Government Owned Development Financial Institution										
	Private placement (RDBs)										
	Public Offer (RDBs)										
Others (Specify)											
Details of foreign equity holding of the lender in the borrower company: (a) Share in paid-up equity of the borrower (%)		(b) Amount of paid-up capital									
ECB-Liability: equity-ratio in case of borrowings above USD 5 million from foreign equity holder :											
Part C: Loan Details											
Loan Agreement Date (YYYY/MM/DD)					/				/		
Effective Date of the Loan					/				/		
Last Date of Disbursement					/				/		
Maturity Date (Last payment date)					/				/		
Grace Period (if in agreement)	Years					Months					
Currency Name 1. 2. 3.						Currency Code (SWIFT) 					
Amount (in Foreign Currency) 1. 2.											

3.														
Equivalent Amount (in US Dollars) (as on date of this form)														
Proposed Bifurcation of the amount (in loan currency)		Foreign Currency Expenditure					Rupee Expenditure							
Hedging details (Tick one)		Currency Swap			Interest Rate Swap			Others		Unhedged				
Hedging percentage (proposed)		Financial Hedge			Natural Hedge			Total Hedge						
In case options are provided in the loan agreement (tick in the appropriate box)														
Call Option		___ per cent of Debt			Can be executed after date						/		/	
Put Option		___ per cent of Debt			Can be executed after date						/		/	
Name and address of the Guarantor (in Block letters) Contact Official's Name: Designation : Phone No.: Fax No.: E-mail id: Guarantee Status Code:														
Nature and details of security, if any														
End-use (% share if more than one end-use): (i) Borrowing Purpose Code _____ Amount _____ Percentage _____ (ii) Borrowing Purpose Code _____ Amount _____ Percentage _____ (iii) Borrowing Purpose Code _____ Amount _____ Percentage _____														
Project Details (Name, Location and Cost):														
If import , specify the Country of import (if more than one country, attach details as Annex):														
Industry Code (as per NIC-2008)														
Type of ECB (Tick in appropriate box)														
1. Buyers' Credit		2. Commercial Loan / Syndicated Loan (attach sheet for percentage distribution among lenders)												
3. Suppliers' Credit		4. Export Credit from Bilateral Sources												
5. Line of Credit		6. Securitized Instruments (Bonds, CP, FRN, etc.)												
7. Financial Lease		8. FCCB, FCEB, Non-Convertible Preference Shares, Optionally Convertible Preference Shares, Partially Convertible Preference Shares												
9. Refinancing of old ECBs LRN of the old ECB: Approval No. Date of Approval: Amount refinanced: Reason:														
10. Others (Specify)														

Interest Payment Schedule												
First Payment Date					/			/			No.of payments/year	
Fixed Rate												
Floating Rate	Base with currency				Margin			Cap Rate			Floor Rate	
Drawdown Schedule												
Tranche No.	Date* (YYYY-MM-DD)	Currency	Amount	If more than one instalment								
				Total No. of drawals	No. of drawals in a calendar year							
<p>* 1. In case of import of goods or services, date of import is to be furnished against date of drawdown.</p> <p>2. In case of financial lease, date of acquisition (import) of the goods is to be mentioned as date of drawdown.</p> <p>3. In case securitised instruments, date of issue has to be shown as date of drawdown.</p> <p>4. In case of more than one equal drawdown transactions are shown in a row, the first date of transaction should be mentioned.</p>												
Principal Repayment Schedule												
Date (YYYY-MM-DD)	Currency	Amount	If more than one instalment									
			Total No. of payments	No. of payments in a calendar year								
Part D: Other Charges												
Nature of charge	Expected Date of Payment	Currency	Amount	In case of multiple equal payments								
				No. of payments in a year	Total no. of payments							
Upfront fee												
Management fee												
Commitment fees												
Guarantee fees												
ECA charges												
Others												
Total												
Penal Interest for late payments		Fixed	% or Base:		Margin:							
Commitment Charges		% per annum of:		% of Undrawn Amount:								

Part E: Details of ECB already availed (not applicable for the first-time borrower)					
Year	Loan Reg. No. (LRN)	Currency	Amount of Loan		
			Principal (as per agreement)	Disbursed so far	Net outstanding (Principal)

We hereby certify that the particulars given above are true and correct to the best of our knowledge and belief and no material information has been withheld and/or misrepresented. Furthermore, the ECB is in compliance with the extant ECB guidelines and the ECB to be raised will be utilised for permitted purposes.

Place: _____

Date: _____

(Signature of the Authorised Official of the Company with stamp)

Name: _____ Designation: _____

Name: _____ Designation: _____

Phone No. _____ Fax _____

E-mail _____

Summary Sheet (SS) for Form ECB

We have scrutinized the related documents and confirm the following:

1	End-use (% share if more than one end-use)	(i) (ii) (iii)	Permissible under Automatic Route	Approved by Foreign Exchange Department, RBI under Approval Route
2	Average Maturity	Years		Months
3	Cost Factors (%)	Fixed Rate Loan	Floating Rate Loan	
			Margin (spread) over base	Base
	a) Interest Rate			
	b) All-in-cost			
4	In case of loan from 'Foreign Equity Holder', it is confirmed that ECB liability: Equity ratio (7:1) criteria is satisfied. Further, in case of working capital/ general corporate purpose/ repayment of rupee loans end-use, it is confirmed that equity holding of lender is at least 25 per cent (direct)/ 51 per cent (indirect) of the paid-up equity or the lender is a group company with common overseas parent.			
5	Borrower has given written undertaking to AD to the effect that it has been submitting ECB-2 Returns regularly to RBI in respect of past ECB/FCCB loans)			Yes / Not Applicable
6	Security provided, if any			
7	Other important facts relevant for the allotment of LRN			

Place: _____

Date: _____

(Signature of Company Secretary/ Chartered Accountant with stamp)

Name: _____

Registration No.: _____

Name: _____

Registration No.: _____

We certify that the borrower is our customer and the particulars given in this Form are true and correct to the best of our knowledge and belief. We have scrutinized the application and the original letter of offer from the lender/supplier and documents relating to proposed borrowing and found the same to be in order. This application complies with the extant ECB guidelines and we recommend it for allotment of Loan Registration Number (LRN) by RBI.

Place: _____

Date: _____

(Signature of the Authorised Official with stamp)

(Signature of the Authorised Official with stamp)

Name: _____ Designation: _____

Name of the bank/ branch _____

AD Code (Part I and Part II): _____ Tel.No.: _

_____ Fax No. _____

e-mail: _____

For RBI (DSIM) Use only[illegible]