

Indicative format of the request letter for external commercial borrowings

(On letter head of company)

To,
The Manager
YES Bank Ltd.,
Branch address

Date: _____

Dear Sir/Madam,

Sub: Application for ECB of (CCY)_____ (Amount)_____.

With reference to the captioned subject, we submit herewith Form 83 towards ECB under the Automatic / Approval route (strike out whichever is not applicable). Terms and conditions of the ECB are as follows:

Sr.no.	Particulars	
1.	Name & address of the borrower	:
2.	Line of activity of the borrower and NIC code	:
3.	Name & address of the lender	:
4.	Amount & Currency	:
5.	End Use	:
6.	Average Maturity	:
7.	Interest + other component of AIC (All in cost)	:
8.	Reason for Approval route (If applicable)	:
9.	Proposed Security	:
10.	Reason for delay in submission of Form 83, if applicable (Form 83 has to be submitted to the AD Bank within 7 days of signing the loan agreement)	:

Declaration cum Undertaking:

We hereby confirm that there is no investigation/litigation/ adjudication/appeals against the company pending before the Enforcement Directorate or any law enforcing agencies for violation of any provisions under FEMA Regulation.

I/we also declare that the transaction does not have linkage with any Specially Designated Nationals and Blocked Persons (SDN)/countries listed under OFAC in any manner. If the transaction involves linkage with any Specially Designated Nationals and Blocked Persons (SDN)/countries listed under OFAC in any manner, I/we undertake not to hold YES Bank Limited responsible for any of its action or inaction in respect of the OFAC-linked transactions.

Declaration under Sec. 10(5) of FEMA, 1999.

I/We hereby declare that the transaction the details of which are specifically mentioned in this request letter 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 rules, regulation, notification, direction or order made there under. 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 company.

Yours faithfully,
Authorized Signatory
Company Stamp / Seal

Date: _____
Place: _____

Documents to be submitted:

- i. Request letter with FEMA declaration
- ii. Form 83 in duplicate - Duly signed by Authorised Signatory & Chartered Accountant/Chartered Secretary
- iii. Copy of the Offer Letter
- iv. Copy of Offer Document , in case of FCCB / Bonds
- v. Copy of the loan agreement signed by both parties
- vi. Copy of the duly signed Board Resolution for availing the ECB
- vii. RBI letter allotting the registration no/UIN in case the lender is a foreign equity holder
- viii. Financials of the company
- ix. Any other documents, if applicable