

## Timeline of Cancellation of FCRA Registration

S No	Date	Event
1.	Nov 17, 2018	<p><b>Notice on Email from dirfcra-mha@gov.in via gov.in</b></p> <p>Subject :Submission of Annual (sic) Return regarding (sic)</p> <p>Dear Chief Functionary You must be aware that Rule 17 of The Foreign Contribution (Regulation) Ru les, 2011 prescribed that Annual Return should be submitted electronically online in Form FC-4 with scanned copies of income and expenditure statement, receipt and payment account and balance sheet for every financial year within nine months of the closure of the financial year. However, a large number of Associations still submitting Annual Return in Hard COPY only or also in HARD COPY after submitting it electronically online. You are, therefore, requested to submit Annual Return electronically online ONLY. Submission of Annual Return in HARD COPY will NOT be accepted/accounted for by this Ministry. Therefore, it must be ensured to submit Annual Return electronically online ONLY with all the supportive documents within the stipulated time period as prescribed in Rule 17 of the FCRR, 2011 to avoid penalty or appropriate action as per the provisions of the FCRA, 2010 Yours sincerely, Anil Kumar Dhasmana Under Secretary(MU)</p>
2.	May 22, 2019	<p><b>Notice on Email from dirfcra-mha@gov.in via gov.in</b></p> <p><b>Subject</b> :Notice for non-submission of mandatory Annaul (sic) Return (AR) for the year 2017-18 - regarding</p> <p>It is observed that your Association has not submitted mandatory Annual return/accounts for the year 2017-18, till 31.03.2019 (the last date for submitting AR/accounts for 2017-18) as required under Rule 17 of the Foreign Contribution (Regulation) Rules, 2011. 2. This is also a violation of the provisions of section 18 of the FCRA, 2010. 3. Hence, you are hereby directed to submit the AR/accounts of your Association for the year 2017-18 within 15 days from issue of this e-mail notice, failing which appropriate action will be initiated against you as per the provisions of the FCRA, 2010. NOTE:- Please ignore this communication, if you have already submitted AR for the year 2017-18.</p>
	July 01, 2019	<p><b>Letter to Secretary, MHA, New Delhi from Sambhavna Trust</b></p> <p><b>The Secretary to Government of India,</b> Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing, First Floor, NDCC Building - II, Jai Singh Road, New Delhi - 110 001.</p>

**Sub : Regarding possible penal action for failure to upload AR 2017 – 18. .**

Dear Sir/ Madam,

I am writing to you from the Sambhavna Trust (FCRA Regn No. 231660129) that provides free medical care to the survivors of the December 1984, Union Carbide disaster in Bhopal. Through this letter I wish to apprise you of the many attempts that we have made since March 2019 to upload AR 2017 – 18 on to the <https://fcraonline.nic.in/> website. We have corresponded with officials at [support-fcra@gov.in](mailto:support-fcra@gov.in) and have shared screenshots of the failure messages we have received during attempts to upload AR 2017 – 18. We are including a few of the recent ones of the same for your consideration.

Please let us know whether we can send the required document AR 2017 – 18 by postal mail to your address to avoid possible penal action for failure to upload AR 2017-18.

Thanking you and with warm regards,

Enclosure : As described above.

3. July 12,  
2019

**Application on behalf of Sambhavna Trust (FCRA Regn No. 231660129) for Reconsideration on Penalty for Delay in Online Filing of AR 2017 – 18.**

Submitted to Shri Anil Malik, Joint Secretary (Foreigners), Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing, First Floor, NDCC Building - II, Jai Singh Road, New Delhi - 110 001.

I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the December 1984, Union Carbide disaster in Bhopal. On January 01, 2019 we were informed via e-mail from <[dirfcra-mha@gov.in](mailto:dirfcra-mha@gov.in)> that the last date of submission of AR 2017 – 18 had been extended to March 31, 2019. Accordingly we have made attempts to file AR 2017 – 18 on to the fcra online site from March 30, 2019 till July 10, 2019. On May 22, 2019 we were asked, via e-mail from <[dirfcra-mha@gov.in](mailto:dirfcra-mha@gov.in)>, to submit AR 2017 – 18 within next 15 days failing which we will be penalized as per FCRA 2010. We have electronic records and screenshots from March 30, 2019 to July 10, 2019 to show that our office and the office of our Chartered Accountants have relentlessly attempted to file AR 2017 – 18 on to the fcra online services site only to receive messages indicating failure to upload. For your consideration we are attaching screenshots of said messages (Attachment - 1). I am also attaching copies of our correspondence with [support-fcra@gov.in](mailto:support-fcra@gov.in) (Attachment – 2)

May we also present two additional issues with the fcra online website. One is that currently the Chief Functionary of our organization is shown to be Dr P M Bhargava who was our Chairperson till August 1, 2017

		<p>(Attachment - 3). As can be verified from records available with you, I, the Managing Trustee, have always been the Chief Functionary and it is I who have signed all the paperwork related to AR 2017 – 18. The second issue is that despite submitting information regarding change of address of the Sambhavna Trust on April 30, 2018, the registered address remains unchanged on the fcra online services website.</p> <p>We hope you will reconsider the matter of penalty for failure to submit AR 2017 – 18 in time in the context of the circumstances stated above.</p>
4.	Jul 17, 2019	<p><b>Notice on Email from dirfcra-mha@gov.in via gov.in</b></p> <p>Subject : Non-submission of mandatory ARs for the year 2017-18 -reg.</p> <p>NOTICE (Final) Even after lapse of 15 days of issue of e-mail Notice dated 22.05.2019, it is observed that your Association has neither submitted mandatory Annual Return/accounts for the year 2017-18, as required under Rule 17 of the Foreign Contribution (Regulation) Rules, 2011 nor your association has given any reply/response to the above mentioned Notice.</p> <p>2. It is prima facie clear that the association is in violation of the provisions of Section 18 of the Foreign Contribution (Regulation) Act, 2010.</p> <p>3. Therefore, you are hereby given another opportunity to submit the pending AR/accounts of your Association for the year 2017-18 electronically on FCRA portal along with penalty, within 15 days from issue of this final e-mail notice, failing which appropriate action would be taken against you for the said violation under Section 14 of the FCRA, 2010 without any further intimation. 4. Further, it is to inform that there is no provision to exempt/minimize/waive the financial penalty for late submission of ARs under the FCRA, 2010. Note: Please ignore this e-NOTICE if you have already submitted AR for the year 2017-18.</p>
5.	July 17, 2019	<p><b>Application on behalf of Sambhavna Trust (FCRA Regn No. 231660129) for Reconsideration on Penalty for Delay in Online Filing of AR 2017 – 18. Submitted to</b></p> <p>Sh. S R Birua, Director(Foreigners), Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing,, First Floor, NDCC Building - II, Jai Singh Road, New Delhi - 110 001.</p> <p>Dear Sir,</p> <p>I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the December 1984, Union Carbide disaster in Bhopal. On January 01, 2019 we were informed via e-mail from &lt;dirfcra-mha@gov.in&gt; that the last date of submission of AR 2017 – 18 had been extended to March 31, 2019. Accordingly we have made attempts to file AR 2017 – 18 on to the fcra online site from March 30, 2019 till July 10, 2019. On May 22, 2019 we were asked, via e-mail from &lt;dirfcra-mha@gov.in&gt;, to submit AR 2017 – 18 within next 15 days failing which we will be penalized as per FCRA 2010. We have electronic records and screenshots from March 30, 2019 to July 10, 2019 to show that our office and the office of our</p>

		<p>Chartered Accountants have relentlessly attempted to file AR 2017 – 18 on to the fcra online services site only to receive messages indicating failure to upload. For your consideration we are attaching screenshots of said messages (Attachment - 1). I am also attaching copies of our correspondence with <a href="mailto:support-fcra@gov.in">support-fcra@gov.in</a> (Attachment – 2)</p> <p>May we also present two additional issues with the fcra online website. One is that currently the Chief Functionary of our organization is shown to be Dr P M Bhargava who was our Chairperson till August 1, 2017 (Attachment - 3). As can be verified from records available with you, I, the Managing Trustee, have always been the Chief Functionary and it is I who have signed all the paperwork related to AR 2017 – 18. The second issue is that despite submitting information regarding change of address of the Sambhavna Trust on April 30, 2018, the registered address remains unchanged on the fcra online services website.</p> <p>We hope you will reconsider the matter of penalty for failure to submit AR 2017 – 18 in time in the context of the circumstances stated above.</p>
6.	July 22, 2019	<p><b>Application on behalf of Sambhavna Trust (FCRA Regn No. 231660129) for Reconsideration on Penalty for Delay in Online Filing of AR 2017 – 18.</b></p> <p><b>Sh. Santosh Sharma</b>  Director-FCRA  Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing,  First Floor, NDCC Building - II,  Jai Singh Road, New Delhi - 110 001.  <b>Sub : Application on behalf of Sambhavna Trust (FCRA Regn No. 231660129) for Reconsideration on Penalty for Delay in Online Filing of AR 2017 – 18.</b></p> <p>Dear Sir,</p> <p>I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the December 1984, Union Carbide disaster in Bhopal. On January 01, 2019 we were informed via e-mail from &lt;<a href="mailto:dirfcra-mha@gov.in">dirfcra-mha@gov.in</a>&gt; that the last date of submission of AR 2017 – 18 had been extended to March 31, 2019. Accordingly we have made attempts to file AR 2017 – 18 on to the fcra online site from March 30, 2019 till July 10, 2019. On May 22, 2019 we were asked, via e-mail from &lt;<a href="mailto:dirfcra-mha@gov.in">dirfcra-mha@gov.in</a>&gt;, to submit AR 2017 – 18 within next 15 days failing which we will be penalized as per FCRA 2010. We have electronic records and screenshots from March 30, 2019 to July 10, 2019 to show that our office and the office of our Chartered Accountants have relentlessly attempted to file AR 2017 – 18 on to the fcra online services site only to receive messages indicating failure to upload. For your consideration we are attaching screenshots of said messages (Attachment - 1). I am also attaching copies of our correspondence with <a href="mailto:support-fcra@gov.in">support-fcra@gov.in</a> (Attachment – 2)</p> <p>May we also present two additional issues with the fcra online website. One is that currently the Chief Functionary of our organization is shown to be Dr P M Bhargava who was our Chairperson till August 1, 2017 (Attachment - 3). As can be verified from records available with you, I, the Managing Trustee, have always been the Chief Functionary and it is I who</p>

		<p>have signed all the paperwork related to AR 2017 – 18. The second issue is that despite submitting information regarding change of address of the Sambhavna Trust on April 30, 2018, the registered address remains unchanged on the fcra online services website.</p> <p>We hope you will reconsider the matter of penalty for failure to submit AR 2017 – 18 in time in the context of the circumstances stated above.</p>
7.	August 1, 2019	<p><b>Notice issued by Santosh Sharma, Director, FCRA</b> exempting those who got their registration cancelled from paying fines.</p> <p>4. In view of repeated representations made by many such associations has been decided to give a one-time exemption in public interest associations from the restrictive condition of section 14(3) to enable apply for registration within three months from the issuance of the Government has further decided that for uploading missing ARs on Portal, no penalty shall be imposed.</p>
8.	August 7, 2019	<p><b>Application from Sambhavna Trust for waiver of penalty under Notice of August 1, 2019</b></p> <p><b>Sh. Santosh Sharma</b> Director-FCRA Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing, First Floor, NDCC Building - II, Jai Singh Road, New Delhi - 110 001.</p> <p>Sub. Applicability of Notification No. 963913/JS(F)/2017 to Sambhavna Trust</p> <p>Dear Sir,</p> <p>I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the Union Carbide gas disaster in Bhopal. For our failure to upload AR 2017-18 in time, we have been asked to pay heavy penalty. However, as the screenshots presented by me earlier (including in my mail to you on July 22, 2019) show our failure to upload AR 2017-18 was due to technical problems with the fcra online portal.</p> <p>Further on August 1, 2019 a notification (No. 963913/JS(F)/2017 ) was issued by you. This notification waives off penalty for those NGOs whose FCRA registration / prior permission were cancelled due to failure of submission of ARs in time. In particular we have taken the last sentence of paragraph 4 in this notification "</p> <p>to understand that the Sambhavna Trust also comes under the purview of Notification No. 963913/JS(F)/2017 and we are no longer required to pay the penalty. In our understanding, given that penalty is being waived off for</p>

		<p>NGOs with cancelled registration as per the Notification, it will be discriminatory to make our organization pay heavy penalty. Currently we are unable to upload AR 2017-18 because we can not enter any data without paying the heavy penalty. i will appreciate your clarifying the matter at the earliest.</p>
9.	August 08, 2019	<p><b>Application from Sambhavna Trust for corrections on fcra online portal</b></p> <p><b>Shri Santosh Sharma</b>  Director-FCRA  Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing,  First Floor, NDCC Building - II,  Jai Singh Road, New Delhi - 110 001.</p> <p>Sub. Mistakes committed by fcra online support services.</p> <p>Dear Sir,</p> <p>I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the Union Carbide gas disaster in Bhopal. For our failure to upload AR 2017-18 in time, we have been asked to pay heavy penalty. However, as the screenshots presented by us earlier (including in our mail to you on July 22, 2019) show our failure to upload AR 2017-18 was due to technical problems with the fcra online portal.</p> <p>Further i wish to bring to your attention that in addition to the technical problems with the fcra online portal because of which we were unable to upload information, there were also human errors/ typing errors that were coming in the way of uploading AR 2017-18. One example of this is while the name of the Chief Functionary is erroneously mentioned as Pushpa Mitra Bhargava, the phone number mentioned [9826162143] is that of mine. we have corresponded with fcra online support regarding this error but the problem continues to be there and we are told that they can not make the corrections.</p> <p>I once again request you to ensure that the fcra online portal is working fine, that the entries made by the staff are correct.</p>
10.	August 22, 2019	<p><b>Application from Sambhavna Trust for reconsideration on penalty for delay in online filing.</b></p> <p><b>Shri Santosh Sharma</b>  <b>Sub : Application on behalf of Sambhavna Trust (FCRA Regn No. 231660129) for Reconsideration on Penalty for Delay in Online Filing of AR 2017 – 18.</b></p> <p>Dear Sir,</p> <p>I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the December 1984, Union Carbide disaster in Bhopal. On January 01, 2019 we were informed via e-mail from &lt;<a href="mailto:dirfcra-mha@gov.in">dirfcra-mha@gov.in</a>&gt; that the last date of submission of AR 2017 – 18 had been</p>

		<p>extended to March 31, 2019. Accordingly we have made attempts to file AR 2017 – 18 on to the fcra online site from March 30, 2019 till July 10, 2019. On May 22, 2019 we were asked, via e-mail from &lt;<a href="mailto:dirfcra-mha@gov.in">dirfcra-mha@gov.in</a>&gt;, to submit AR 2017 – 18 within next 15 days failing which we will be penalized as per FCRA 2010. We have electronic records and screenshots from March 30, 2019 to July 10, 2019 to show that our office and the office of our Chartered Accountants have relentlessly attempted to file AR 2017 – 18 on to the fcra online services site only to receive messages indicating failure to upload. For your consideration we are attaching screenshots of said messages (Attachment - 1). I am also attaching copies of our correspondence with <a href="mailto:support-fcra@gov.in">support-fcra@gov.in</a> (Attachment – 2)</p> <p>May we also present two additional issues with the fcra online website. One is that currently the Chief Functionary of our organization is shown to be Dr P M Bhargava who was our Chairperson till August 1, 2017 (Attachment - 3). As can be verified from records available with you, I, the Managing Trustee, have always been the Chief Functionary and it is I who have signed all the paperwork related to AR 2017 – 18. The second issue is that despite submitting information regarding change of address of the Sambhavna Trust on April 30, 2018, the registered address remains unchanged on the fcra online services website.</p> <p>Further on August 1, 2019 a notification (No. 963913/JS(F)/2017 ) was issued by you. This notification waives off penalty for those NGOs whose FCRA registration / prior permission were cancelled due to failure of submission of ARs in time. In particular we have taken the last sentence of paragraph 4 in this notification to understand that the Sambhavna Trust also comes under the purview of Notification No. 963913/JS(F)/2017 and we are no longer required to pay the penalty. In our understanding, given that penalty is being waived off for NGOs with cancelled registration as per the Notification, it will be discriminatory to make our organization pay heavy penalty. We hope you will reconsider the matter of penalty for failure to submit AR 2017 – 18 in time in the context of the circumstances stated above.</p>
11.	September 07, 2019	<p><b>Application from Sambhavna Trust for corrections on fcra online portal</b></p> <p><b>Shri Santosh Sharma</b>  Director-FCRA  Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing,  First Floor, NDCC Building - II,  Jai Singh Road, New Delhi - 110 001.</p> <p><b>Sub : Re. Problems in Filing of AR 2017 – 18 by Sambhavna Trust (FCRA Regn No. 231660129).</b></p> <p>Dear Sir,</p> <p>I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the December 1984, Union Carbide disaster in Bhopal. You may please recall our earlier communication with you requesting waiving off penalties for non-submission of AR 2017-18 in time.</p>

		<p>Recently, we have been informed that we are being given a chance to submit AR 2017-18 by the FCRA Division. However, the problem because of which we were unable to upload AR 2017-18, persists. On the fcra online site, the Chief Functionary of our organization is shown to be Late Dr P M Bhargava who was our Chairperson till August 1, 2017 (Attachment - 01). <u>Dr P M Bhargava passed away on August 1 2017.</u></p> <p>As can be verified from records available with you, I, the Managing Trustee, has always been the Chief Functionary and it is I who have signed all the paperwork related to AR 2017 – 18. Further, on the same portal, while Dr P M Bhargava is mentioned as the Chief Functionary, the phone number for the Chief Functionary is shown to be 9826162143 which happens to be MY phone number. The mistake is obvious !</p> <p>Through this letter I request you to ensure that the name of the Chief Functionary is corrected on the fcra online portal so that we can upload AR 2017-18 without delay.</p>
12.	September 16, 2019	<p><b>Application from Sambhavna Trust for corrections on fcra online portal</b></p> <p><b>Shri Anil Malik</b>  Joint Secretary (Foreigners)  Ministry of Home Affairs, Foreigners' Division, (FCRA) Wing,  First Floor, NDCC Building - II,  Jai Singh Road, New Delhi - 110 001.</p> <p><b>Sub : Re. Problems in Filing of AR 2017 – 18 by Sambhavna Trust (FCRA Regn No. 231660129).</b></p> <p>Dear Sir,</p> <p>I am writing to you from the Sambhavna Trust that provides free medical care to the survivors of the December 1984, Union Carbide disaster in Bhopal. You may please recall our earlier communication with you on July 12, 2019 requesting waiving off penalties for non-submission of AR 2017-18 in time.</p> <p>Recently, we have been informed that we are being given a chance to submit AR 2017-18 by the FCRA Division. However, the problem because of which we were unable to upload AR 2017-18, persists. On the fcra online site, the Chief Functionary of our organization is shown to be Late Dr P M Bhargava who was our Chairperson till August 1, 2017 (Attachment - 01). <u>Dr P M Bhargava passed away on August 1 2017.</u></p> <p>As can be verified from records available with you, I, the Managing Trustee, has always been the Chief Functionary and it is I who have signed all the paperwork related to AR 2017 – 18. Further, on the same portal, while Dr P M Bhargava is mentioned as the Chief Functionary, the phone number for the Chief Functionary is shown to be 9826162143 which happens to be MY phone number. The mistake is obvious !</p>



		Through this letter I request you to ensure that the name of the Chief Functionary is corrected on the fcra online portal so that we can upload AR 2017-18 without delay.
<b>13.</b>	Oct 18, 2019	Order issued by S R Birua to cancel FCRA registration
<b>14.</b>	Oct 31, 2019	Letter from Bank stating account has been frozen.