



**RTI Matter/ Time Bound**

Government of India  
Ministry of External Affairs  
New Delhi

**30 October 2023**

**No. E-551/03/2023-RTI**

**Subject: Information sought under Right to Information Act, 2005**

Please refer to your RTI application bearing Registration No. MOCAF/R/T/23/00739/1 dated 26.09.2023 and MOEAF/R/T/23/00556 received by the undersigned CPIO on 13.10.2023.

2. Regarding your queries, a copy of Press Note No. 03 (2020 series), which is available with the undersigned CPIO, is attached.
3. It may be noted that under the provisions of RTI Act 2005, a CPIO/ Public authority is under obligation to provide an applicant only that information which exists in records and that is held by or under the control of that authority.
4. It may be noted that vide this office communication of even number dated 04.10.2023, the undersigned CPIO had already conveyed the same response to the same RTI queries which were transferred to the undersigned CPIO from multiple CPIOs.
5. If you are aggrieved with this reply, you may file an appeal to Shri Aniket G. Mandavgane, Director (East Asia) & Appellate Authority, Ministry of External Affairs, South Block, New Delhi -110001, within a month from the date of receipt of this letter.

Yours faithfully,

(Priyanka Sohoni)  
DS (China) & CPIO  
Room no. 270 A, South Block,  
New Delhi - 110001  
Telefax: 23011356  
Email: [dschina2@mea.gov.in](mailto:dschina2@mea.gov.in)

CC to:

1. Under Secretary (RTI), JNB, MEA, New Delhi.

**Government of India**  
**Ministry of Commerce & Industry**  
**Department for Promotion of Industry and Internal Trade**  
**FDI Policy Section**

**Press Note No. 3(2020 Series)**

**Subject: Review of Foreign Direct Investment (FDI) policy for curbing opportunistic takeovers/acquisitions of Indian companies due to the current COVID-19 pandemic**

The Government of India has reviewed the extant FDI policy for curbing opportunistic takeovers/acquisitions of Indian companies due to the current COVID-19 pandemic and amended para 3.1.1 of extant FDI policy as contained in Consolidated FDI Policy, 2017 as under:

**1. Present Position**

**Para 3.1.1:** A non-resident entity can invest in India, subject to the FDI Policy except in those sectors/activities which are prohibited. However, a citizen of Bangladesh or an entity incorporated in Bangladesh can invest only under the Government route. Further, a citizen of Pakistan or an entity incorporated in Pakistan can invest, only under the Government route, in sectors/activities other than defence, space, atomic energy and sectors/activities prohibited for foreign investment.

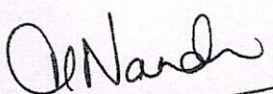
**2. Revised Position**

**Para 3.1.1:**

3.1.1(a) A non-resident entity can invest in India, subject to the FDI Policy except in those sectors/activities which are prohibited. However, an entity of a country, which shares land border with India or where the beneficial owner of an investment into India is situated in or is a citizen of any such country, can invest only under the Government route. Further, a citizen of Pakistan or an entity incorporated in Pakistan can invest, only under the Government route, in sectors/activities other than defence, space, atomic energy and sectors/activities prohibited for foreign investment.

3.1.1(b) In the event of the transfer of ownership of any existing or future FDI in an entity in India, directly or indirectly, resulting in the beneficial ownership falling within the restriction/purview of the para 3.1.1(a), such subsequent change in beneficial ownership will also require Government approval.

3. The above decision will take effect from the date of FEMA notification.

  
(Manmeet Kaur Nanda)

Joint Secretary to the Government of India

DPIIT File No.: No. 5(5)/2020-FDI Policy, dated 17/04/2020

Copy forwarded to:

1. **Press Information Officer, Press Information Bureau-** for giving wide publicity to the above Press Note.
  2. **Joint Secretary, Department of Economic Affairs, North Block, New Delhi**
  3. **Reserve Bank of India, Foreign Exchange Department, Mumbai**
  4. **NIC Section in the Department for Promotion of Industry and Internal Trade** - for uploading the Press Note on DPIIT's website.
  5. **Hindi Section, DPIIT-** for providing Hindi version.
- For suitably incorporating the policy changes in Foreign Exchange Management (Non-Debt Instruments) Rules, 2019, the relevant schedules thereof and FIRMS portal.

## RTI REQUEST DETAILS (आरटीआई अनुरोध विवरण)

Registration Number (पंजीकरण संख्या) :	MOEAF/R/T/23/00556	Date of Receipt (प्राप्ति की तारीख) :	13/10/2023
Transferred From (से स्थानांतरित):	Ministry of Corporate Affairs on 13/10/2023 With Reference Number : MOCAF/R/T/23/00739/1		
Remarks(टिप्पणी) :	said information may be available with your public authority hence same is transferred to deal directly.		
Type of Receipt (रसीद का प्रकार) :	Electronically Transferred from Other Public Authority	Language of Request (अनुरोध की भाषा) :	English

Status (स्थिति)(Rural/Urban) :	Urban	Education Status :	Above Graduate
Requester Letter Number(निवेदक पत्र संख्या) :	Details not provided	Letter Date :	Details not provided
Is Requester Below Poverty Line ? (क्या आवेदक गरीबी रेखा से नीचे का है?) :	No	Citizenship Status (नागरिकता)	Indian
Amount Paid (राशि का भुगतान) :	0 (Received by Cabinet Secretariat) (original recipient)	Mode of Payment (भुगतान का प्रकार)	Payment Gateway
Does it concern the life or Liberty of a Person? (क्या यह किसी व्यक्ति के जीवन अथवा स्वतंत्रता से संबंधित है?) :	No(Normal)	Request Pertains to (अनुरोध निम्नलिखित संबंधित है) :	DS (China), Ms. Priyanka Sohoni
Information Sought (जानकारी मांगी):	Sir kindly provide answers to my questions in attached pdf.		
Original RTI Text (मूल आरटीआई पाठ):	Sir kindly provide answers to my questions in attached pdf.		
<input type="button" value="Print"/> <input type="button" value="Save"/> <input type="button" value="Close"/>			

1. Is "Taiwan" also comes in the list of Land Border Sharing Countries with India?

(क्या "ताइवान" भी भारत के साथ भूमि सीमा साझा करने वाले देशों की सूची में आता है?)

2. Kindly share the official document which can confirm that "Taiwan" is included or excluded from the list of Land Border Sharing Countries with India.

(कृपया आधिकारिक दस्तावेज़ साझा करें जो पुष्टि कर सके कि "ताइवान" भारत के साथ भूमि सीमा साझा करने वाले देशों की सूची में शामिल या बाहर किया गया है।)

3. Does, prior government approval required for making the Foreign Direct Investment in India by a Taiwanese National, who is the ultimate beneficial owner of the company? Kindly share the relevant government official document for the same.

(क्या किसी ताइवानी नागरिक, जो कंपनी का अंतिम लाभकारी मालिक है, द्वारा भारत में प्रत्यक्ष विदेशी निवेश करने के लिए पूर्व सरकारी मंजूरी की आवश्यकता है? कृपया इसके लिए संबंधित सरकारी आधिकारिक दस्तावेज़ साझा करें।)

4. Does Taiwanese National has to obtain "Security Clearance" from Ministry of Home Affairs to become Director or Shareholder in any new or existing Indian Company? Kindly share the relevant government official document for the same.

(क्या ताइवानी नागरिक को किसी नई या मौजूदा भारतीय कंपनी में निदेशक या शेयरधारक बनने के लिए गृह मंत्रालय से "सुरक्षा मंजूरी" प्राप्त करनी होगी? कृपया इसके लिए संबंधित सरकारी आधिकारिक दस्तावेज़ साझा करें।)

**ACTION HISTORY OF RTI REQUEST No.MOCAF/R/T/23/00739/1****Applicant Name****Text of Application**

Sir kindly provide answers to my questions in attached pdf.

**Reply of Application**

<b>SN.</b>	<b>Action Taken</b>	<b>Date of Action</b>	<b>Action Taken By</b>	<b>Remarks</b>
1	RTI REQUEST RECEIVED	26/09/2023	C.M. Karl Marx	Forwarded to CPIO Sridhar Bavisetty by CPIO C.M. Karl Marx
2	REQUEST TRANSFERRED TO OTHER PUBLIC AUTHORITY	13/10/2023	Sridhar Bavisetty- (CPIO)	1) Ministry of External Affairs : said information may be available with your public authority hence same is transferred to deal directly.

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