

FED.CO.Trade(EXD)/3543/05.11.001/2017-18

October 18, 2017

The General Manager  
State Bank of India  
Corporate Account Group Branch  
11<sup>th</sup> & 12<sup>th</sup> Floor, Jawahar Vyapar Bhawan  
1, Tolstoy Marg  
New Delhi-110001

Dear Sir

**Maitree Super Thermal Power Project in Bangladesh-M/s Bharat Heavy Electricals Ltd (BHEL)**

Please refer to your letter No. CAGND/IB/2017-18/139 dated August 11, 2017.

2. We advise that, as a special case, the captioned company has 'no objection' of RBI from FEMA angle for the proposed payment in foreign currencies to its sub-contractors from India in respect of the Maitree Super Thermal Power Project in Bangladesh only to the extent of the work handled by these sub-contractors on behalf of BHEL. This no objection is, however, subject to the following conditions:

- i. BHEL uses forex inflows (payment from overseas party for the said export) to pay to the domestic sub-contractors.
- ii. Only one of the party (i.e. either BHEL or domestic sub-contractor) claims export incentives, if any.
- iii. Only one of the parties (i.e. BHEL or domestic sub-contractor) claim the transactions towards export fulfillment, if any.
- iv. The transactions will not be treated as 'deemed export'.
- v. Payment of domestic taxes, etc by the BHEL/sub-contractors on such payments are ensured.

3. This communication is issued from the foreign exchange angle under the provisions of FEMA and should not be construed to convey the approval by tax authorities or any other statutory authority or Government under any other laws / regulations. Nothing in the approval should be construed as approval from the credit angle and of the financials or any other aspect of the company. If further approval or permission is required from any other regulatory authority or Government under the relevant laws / regulations, the applicant should take the approval of the concerned agency before effecting the concerned transaction. Further, it should not be construed as regularizing or validating any irregularities, contravention or other lapses, if any, under the provisions of any other laws / regulations.

Yours faithfully

  
Satish Joshi  
Manager

बैंक द्वारा ई-मेल, डाक, एसएमएस या फोन कॉल के जरिए किसी की भी व्यक्तिगत जानकारी जैसे बैंक के खाते का ब्यौरा, पासवर्ड आदि नहीं माँगी जाती है। यह धन रखने या देने का प्रस्ताव भी नहीं करता है। ऐसे प्रस्तावों का किसी भी तरीके में जवाब मत दीजिए

Caution: RBI never sends mails, SMSs or makes calls asking for personal information like banks account details, passwords, etc It never keeps or offers funds to anyone. Please do not respond in any manner to such offers.

विदेशी मुद्रा विभाग, केंद्रीय कार्यालय, 5वीं मंजिल, अमर भवन, शहीद भगत सिंह मार्ग, फोर्ट मुंबई - 400 001 भारत

के.वा. फोन: (022) 2260 1000 फैक्स: (022) 2266 5330 अमर भवन फोन: (022) 2260 3000 फैक्स: (022) 2269 4935 ई-मेल: [helpfed@rbi.org.in](mailto:helpfed@rbi.org.in)

Foreign Exchange Department, Central Office, 5<sup>th</sup> Floor, Amar Building, Shahid Bhagat Singh Road, Fort, Mumbai - 400 001

COB: Tel: (022) 2260 1000 Fax: (022) 2266 5330 Amar Building Tel: (022) 2260 3000 Fax: (022) 2269 4935 E-mail: [helpfed@rbi.org.in](mailto:helpfed@rbi.org.in)