



# Part-2 COMPENDIUM OF FAQs





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# From the Editor's Desk

Paperwork, documentation and compliances form a large part of our lives and information on those is often not readily available or presented in simple terms.

And then there are queries on investments, insurance and other topics too, that we often need answered but have to wade through reams of data on Google to get clarity, if at all.

In this edition of Punji Times, we have compiled information on some popular topics. We hope this is useful!

Best, Team Meri Punji



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**Punji** (*noun/Hindi*) - **Capital** meaning, wealth in the form of money or other assets owned by a person or organization or available for a purpose such as starting a company or investing.

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# March-April, 2025

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# CERTIFICATE



#### What is an Income Certificate?

An Income Certificate is a document issued by an authority under the State Government certifying the annual income of a person or his family from all sources. The actual authority that issues such a certificate varies from state to state. It is usually the Village Tahsildars that issue the certificate but many states and union territories also have District Magistrate / Collector, Revenue Circle Officers, Sub Divisional Magistrates or other District Authorities appointed for this purpose. In certain parts of the country, this certificate is also termed as 'EWS certificate' which stands for 'Economically Weaker Section Certificate'.



#### What is an Income Certificate?

The income certificate acts as a proof of eligibility to various schemes and benefits granted by the State Government in various fields. These fields include but are not limited to:

- Educational institutions that usually have a quota reserved for people from economically poorer backgrounds. This certificate helps them secure admission either free of cost or at a concession.
- Scholarships offered by some institutions/governments targeting the upliftment of the poor.
- Availing of medical benefits like free or concessional treatment, subsidized medicines, financial assistance to mothers who give birth to girl child, etc.
- Obtaining loans from the respective government employers at a concessional rate of interest.
- Providing relief to victims of various natural calamities and disasters.
- Widows who can claim government pension wherever applicable. Claiming entitlement to hostels, flats or other such government accommodation.

#### What is the procedure to obtain an Income Certificate?

Most states have a dedicated website for such administration related activities through which the certificate can be applied for. The procedure would be:

- password secured with the mobile number.
- similar terms.
- be filled or uploaded. Such details include :
  - etc.

  - Religion, caste and sub-caste.
  - Whether SC / ST / OBC and details therein.
  - Gazetted Government Officers).
  - Officers).

After gathering all the documents, depending on the infrastructure offered by the respective state, the application has to be either submitted at the local district authority's office or uploaded online. The application would cost a nominal fee depending on the state it is applied in. The certificate is then issued within a period of 10 - 15 days.



#### Key Information in the Income Certificate Form?

As shown in the above sample, the key fields included in the income certificate form are as follows:

- Name of applicant
- Name of Parent/Guardian of primary applicant
- Annual income for applicable financial year Date of issue of Income Certificate

1. Go to the respective State / District online portal to apply for the certificate 2. Register by creating an account on the website with a unique username and

3. Login to your account and look for 'Apply for income certificate' or such

4. This will open up an online application where your personal details need to

Name, age / DOB, address (including district / taluka / village), sex,

• Ration card / Driving License / Voter's ID or such other ID proof Aadhar card – Nowadays, the Aadhar number is compulsory since it is used to uniquely identify a person and prevent fraudulent claims

Parent income certificate, Income tax return, Form 16 by employer, Salary certificate, etc as proof of income (May require attestation by

Rent, Maintenance, Electricity, telephone or any other utility bills as proof of address. (May require attestation by Gazetted Government

• Affidavit declaring that all particulars stated in the application are true.

• Address of applicant with town, district, state, etc. Signature and Seal of issuing State Government authority.



#### Who Issues Income Certificate and who can Apply?

Income Certificate is issued by individual State Governments/Union Territories and each has its unique set of documentation requirements. Any individual who is resident of India and belongs to an economically weaker section of society and not required to pay income tax can apply for an income certificate with the applicable State Government/Union Territory.



#### List of Documents required for obtaining Income Certificate?

The complete list of documents required for obtaining the certificate may vary slightly from one state to another. That said, few key documents are the same irrespective of the state in which the income certificate application is made. The following is a short list of key documents required for obtaining the certificate:

- ID proof such as Aadhaar Card
- Address proof such as Voter ID card
- Passport size colour photograph
- Old Income Certificate (if applicable/available)
- Ration card (BPL) or National Food Security Card
- Signed self-declaration from applicant/head of family

Additional documents such as expenditure proof may also need to be submitted depending on the individual requirement as provided by the state government/union territory.



#### Validity of Income Certificate ?

The validity of income certificate is based on the financial year mentioned in document. Thus the certificate needs to be updated every financial year in order to ensure validity. Also the old certificate may need to be provided as a key documentary proof required for issue of an updated income certificate.



#### What is a Domicile Certificate?

A domicile certificate proves that a person is a resident of a particular State/Union Territory.



#### Who can apply for a Domicile Certificate?

An individual who is living, or whose parents are living in a particular state for more than 3 years can apply for a domicile certificate. This duration of residence may vary from state to state.



#### Who is authorized to issue a Domicile Certificate?

A domicile certificate may issued by the respective State/UT authorities. The officer authorized by State/UT to issue a domicile certificate are Revenue Department Officer, Tehsildar Officer, District Magistrate, SDM or Circle Officer.



#### Can an online application be submitted for a Domicile Certificate?

Yes an online application can be filed for a domicile certificate. One needs to refer to the respective state's portal.



#### What are the documents required for application of a Domicile **Certificate?**

Following documents are required for application of a domicile certificate:

- Application form along with a self-declaration.
- Identity Proof: such as Aadhar Card, PAN Card.
- Residence Proof: such as Aadhar Card, Voter ID Card.

Additionally passport size photograph is required.



#### What is the validity period of a Domicile Certificate?

The domicile certificate once received is valid for lifetime unless the holder moves to a different state.



#### What are the benefits of a Domicile Certificate?

- A domicile certificate can provide various benefits to the holder such as:
- Education:
- government-sponsored scholarship;
- employment opportunities under state quotas; availing loans





Solvency certificate is an important financial document that proves the financial stability of an individual or entity.



#### When is a solvency certificate required?

A solvency certificate may be required by the government, commercial offices to ensure the financial position of individuals/entities. A solvency certificate may be required for the following:

- Applying for tenders
- Obtaining contracts,
- Visa interviews,
- Legal/court matters etc.

#### Where is application for solvency certificate made?

Application for solvency certificate may be submitted to either the revenue department or the bank in which a savings or current account is maintained by the individual or entity.



Following are the documents required for the solvency certificate • Application form issued by banks

- Proof of Identity/Address
- Bank Statement
- Income tax returns
- Financial statements (companies/partnership firms)
- Property documents
- Certificate of Net Worth (Issued by a Chartered Accountant)
- Any other document that may be required by the bank.

#### What is the validity period of a solvency certificate?

In most cases, a solvency certificate is valid for a period of one year.



#### What is a Caste Certificate?

A caste certificate is an official document issued by the government to verify a person's belonging to a specific caste or tribe, especially for:

- Scheduled Castes (SC), Scheduled Tribes (ST), Other Backward Classes (OBC), or other reserved categories.
- Constitutional benefits: Reservations in education, jobs, and welfare schemes under Articles 341 & 342 of the Indian Constitution.

## **Key Benefits**

- Education: Scholarships, fee waivers, and seat guotas in schools/colleges.
- Employment: Reserved seats in government jobs/promotions.
- Welfare Schemes: Subsidies for housing, loans, and self-employment (e.g., NSAP, PMAY).
- Legal Rights: Protection under laws like SC/ST (Prevention of Atrocities) Act.

#### Who Can Apply?

- Applicants belonging to SC, ST, OBC, VJ, NT, SBC, or EWS categories.
- Note:
  - o Married women can use father's/husband's certificate (state rules vary).
  - o Migrants may need additional proof (e.g., domicile certificate)

#### **Documents Required**

| Document       | Details   |
|----------------|---|
| Identity Proof | Aadhaar, voter ID, passport   |
| Address Proof  | Ration card, utility bill   |
| Caste Proof    | Father's/ancestor's caste certificate, school records                           |
| Affidavit      | Self-declaration (format varies by state)                                       |
| Additional     | Migration certificate (if applicable), marriage certificate (for married women) |

# CERTIFICATE

## How to Apply?

#### **Online Process:**

- 2. Fill Form: Upload documents + pay fees (if applicable).
- 3. Verification: Revenue officer/Tahsildar verifies details.
- 4. Download: Certificate issued in 7-30 days.

#### Offline Process:

- 1. Visit: Tehsildar/SDM office or CSC (Common Service Centre).
- 2. Submit: Form + documents.
- 3. Collect: Certificate after verification.

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## Who Issues the Certificate?

#### **Competent Authorities:**

- District Magistrate/ Additional Magistrate/ Collector/ Deputy Collector/ Deputy Commissioner/ Additional Deputy Commissioner/ Sub-Divisional Magistrate/ 1st Class Stipendiary Magistrate/ Taluka Magistrate/ Executive Magistrate/ Extra Assistant Commissioner.
- Chief Presidency Magistrate/ Additional Chief Presidency Magistrate/ Presidency Magistrate.
- Revenue Officer not below the rank of Tehsildar.
- Sub-Divisional Officer of the area where the applicant resides.

#### Fees & Validity

- Fees: ₹10-₹500 (varies by state; some states exempt fees).
- Validity:
- o Lifetime (most states).



1. State Portal: Visit your state's e-District website (e.g., UP, Maharashtra).

o 3-5 years (renewal required in some states like Maharashtra for OBC).

#### **Caste Validity Certificate**

- Purpose: Confirms authenticity of caste claims (mandatory in Maharashtra for SC/ST).
- Process:
  - 1. Submit original caste certificate + school/ancestral records.
  - 2. Scrutiny Committee verifies and issues validity certificate.



## Legal Framework

- Constitutional Basis: Articles 341 (SC) & 342 (ST) define caste/tribe lists.
- Key Laws:
  - o SC/ST Orders (Amendment) Act, 1976.
  - o State-specific rules (e.g., Maharashtra's Maharashtra Scheduled Castes, Scheduled Tribes, De-Notified Tribes Act).

# **Common Issues & Solutions**

| Issue           | Solution  |
|-----------------|---|
| Delays          | Follow up with Tahsildar office; file RTI.                  |
| Rejection       | Reapply with additional proof (e.g., genealogical records). |
| Migration Cases | Submit domicile certificate from previou                    |

## **State-Specific Variations**

- Maharashtra: Requires caste validity certificate for SC/ST.
- Karnataka: Online portal "Janasevaka" for applications.

2 Can I apply if my ancestors never had a caste certificate? Yes, with school records/birth certificates showing caste.

**13** Is a caste certificate valid nationwide?

Yes, but some states require migration certificates for local benefits.

What if I lose my certificate?

Apply for a **duplicate copy** at the issuing office.

Tamil Nadu: Accepts community certificates from village officers.

# MUTAT



#### What is a mutation entry?

Mutation entries are entries in revenue records which indicate the transfer of title of a property. These entries are reflected in the khasra khataunis with the local patwari. They are essentially records maintained by the revenue department.



#### What is the relevance of mutation entries?

Mutation entries are useful in establishing clear title to a property

| 3 |
|---|
|   |
|   |

#### Can I claim title over a property only by virtue of the fact that it has been mutated in my name?

Mutation entries can only be used as proof of possession over a property.



#### How do I apply for mutation?

An application to the tahsildar on a plain paper, along with a non-judicial stamp of relevant value, has to be made.



#### What details need to be mentioned in my application?

- 1) Area in which the right has been acquired
- 2) Description of the right acquired
- been acquired
- 4) Manner in which the right has been acquired
- 6) Date on which the right was acquired
- Will etc



#### What is the procedure after my application for mutation is made?

A proclamation is issued inviting objections to the proposed mutation and specifying the date, not less than 15 days from the date of the proclamation, up to which any objection to the mutation will be entertained. The Patwari submits his report in the prescribed format. The statements of the parties are recorded. The contents of the documents are matched with the recorded statements. In case no objections against the proposed mutation are received, it is sanctioned.



# rejected?

Any party aggrieved by an order of mutation can file an appeal before the Additional Collector (or the Deputy Commissioner) concerned within 30 days of the order.



deed?

- 1) Copy of sale deed
- 2) Application for mutation with court fee stamp affixed on it
- 3) Indemnity bond on stamp paper of requisite value
- 4) Affidavit on stamp paper of requisite value
- 5) Receipt of up-to-date property tax payment

3) Name, parent's name, and address of the person from whom the right has

5) Name, parent's name, and address of the person who has acquired the right

7) Copy of document on the basis of which the mutation is sought - sale deed,

#### Do I have a right to appeal if my application for mutation is

#### Are additional documents required on a mutation based on a sale

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#### Why is an indemnity bond required for mutation?

An indemnity bond giving an undertaking that the executant indemnifies the municipal corporation in the event of a dispute arising from the mutation made upon his application is sought.



#### What is Land mutation?

It must be noted that in case of a land buyer, property mutation is compulsory, because without getting this done, the transfer of ownership will not be complete. It must be stated here that while land mutation is not legally binding on the land buyer, they must get it done within 3-6 moths of the land purchase so that the government records are updated and there are no confusions with regard to the change of land ownership.



#### What is Apartment mutation?

For buyers of flats and apartments, the transfer of ownership takes place as soon as the property's registration is done; mutation is more of a legal formality, which can be completed any time after the transaction. However, one would have to show the mutation documents, if one were to sell the property in future. These documents may also be required, while applying for utilities such as power and water services.



Difference between mutation and property registration?

While a property is registered by way of executing the sale deed, after the buyer and the seller reach a consensus, property mutation takes places after the actual transaction. The property mutation process is basically a buyer's responsibility, wherein the buyer gets his newly-owned asset updated in his name in the local revenue office.



What if property mutation is not completed?

Since the penalty is not very high (states typically charge Rs 25 to Rs 100 as the penalty for delays) and one is free to get the property mutation done as and when they find it convenient to do so, buyers often continue to postpone the process. However, it is advised that the property mutation process be completed as soon as all the other tasks pertaining to the purchase are complete. You would need the proof of the mutation, when you plan to sell the property in future. Even otherwise, it is legally much safer if a property mutation is done immediately after the purchase, from the point of view of transfer of ownership.





#### What is a Power of Attorney (POA)?

A POA is a legal document that authorizes one person (the "agent" or "attorney") to act on behalf of another (the "principal") in financial, property, or legal matters. It is governed by the Indian Contract Act, 1872, and the Power of Attorney Act, 1882.



#### Why is a POA needed?

- To manage property/finances if the principal is abroad, ill, or incapacitated.
- For specific tasks like selling property, operating bank accounts, or representing in court.
- NRIs often use POA to handle Indian assets.

#### Why is a POA needed?

| Туре         | Purpose  | Validity                         |
|--------------|--|----------------------------------|
| General POA  | Broad authority (e.g.,<br>managing all financial/<br>property affairs).        | Revoked on principal's death.    |
| Specific POA | Limited to a single task<br>(e.g., selling a car).                             | Expires after task completion.   |
| Durable POA  | Remains valid even if the principal becomes mentally incapacitated.            | Must explicitly state "durable." |
| Medical POA  | For healthcare decisions<br>(rare in India; usually part<br>of a living will). | Only during incapacity.          |

## What is a Power of Attorney (POA)? • Format: Must include: o Names/addresses of principal & agent. o Specific powers granted (e.g., "sell property at X location"). o Duration (if not indefinite). o Notarization clause. Sample Clause: "I, [Principal Name], appoint [Agent Name] to manage my bank account at [Bank] and execute property deeds on my behalf." Is stamp paper required? What is the stamp duty? • Yes, POA must be on **non-judicial stamp paper** (value varies by state): o ₹100-₹500: For general POA (e.g., ₹500 in Maharashtra). o ₹100-₹200: For specific POA (e.g., vehicle transfer). • Exception: POA for litigation requires court fee stamps. ธ Does a POA need to be notarized or registered? Notarization: Mandatory for all POAs. Registration: Required only if it involves: o Immovable property (under Section 17 of the Registration Act, 1908). o Duration exceeds 1 year (in some states like Delhi). Can a POA holder sell property? • Yes, but only if explicitly stated in the POA. • **Registration:** The sale deed must be registered in the **sub-registrar office** (POA alone isn't enough). • Exception: Some states (e.g., Uttar Pradesh) ban property sales via POA to prevent fraud. How to revoke a POA? • Written Revocation: Send a signed notice to the agent and relevant parties (e.g., banks). • **Registration:** If the POA was registered, the revocation must also be registered.

• Automatic Termination: On the principal's death, insanity, or bankruptcy.



#### **Risks & Prevention of POA Fraud**

- Risks: Agent may misuse authority (e.g., sell property illegally).
- Prevention:
  - o Grant **specific POA** (not general).
  - o Add a revocation clause ("This POA is valid for 1 year").
  - o Regularly monitor the agent's actions.



## **POA for NRIs**

- Execution: NRIs can sign POA at:
  - o Indian Embassy/Consulate (after verification).
  - o Local Notary (with apostille for Hague Convention countries).
- Validity: Must be stamped/registered in India within 3 months of execution abroad.



## **State-Specific Rules**

| State       | Key Rule                                  |  |
|-------------|---|--|
| Maharashtra | POA for property sale must be registered. |  |
| Karnataka   | ₹500 stamp duty for general POA.          |  |
| Delhi       | Revocation deed must be notarized.        |  |



### **Difference Between POA & Will**

| РОА  | Will                                       |
|--|--|
| Effective during the principal's lifetime. | Takes effect after death.                  |
| Can be revoked anytime.                    | Can be changed until death.                |
| No probate required.                       | Probate may be needed<br>(in some states). |



### Validity of POA After Death

cannot act thereafter.



## Can a POA be challenged in court?

#### • Yes, on grounds like:

- o Fraud/coercion in execution.
- o Agent acting beyond authorized powers.
- o Principal was mentally unfit when signing.



#### **Format for POA Revocation**

#### Sample Text:

"I, [Name], revoke the Power of Attorney dated [DD/MM/YYYY] granted to [Agent Name]. This revocation is effective immediately."

#### • No, POA automatically terminates on the principal's death. The agent

• **Delivery:** Notify the agent and relevant institutions (banks, property registrar).

# FUNDS

#### What are the indicators of risk in a Mutual Fund Scheme.

You must properly evaluate before picking up the right Mutual Fund scheme to invest your hard-earned money. While investors often go by scheme category and top performing schemes in the category, they ignore risk indicators for these schemes. When you are comparing schemes to choose from, don't miss out comparing their riskiness.

#### How do Mutual Funds help manage risk?

Risks appear in many forms. For example, if you own a share of a company, there is a Price Risk or a Market Risk or a Company Specific Risk. The share of just that company may dip or even crash due to any of the above reasons or even a combination of these reasons.

However, in a Mutual Fund, a typical portfolio holds many securities, thus offering "diversification". In fact, diversification is one of the biggest benefits of investing in a Mutual Fund. It ensures that the dip in price of one or even a few securities does not affect portfolio performance alarmingly.

# What happens when a Mutual Fund company shuts down / gets sold off?

In India, there are two Marriage Acts: The Hindu Marriage Act, 1955, and The Special Marriage Act, 1954. The Hindu Marriage Act applies to marriages where both the husband and wife are Hindus, Sikhs, Buddhists, Jains, or if they've converted to these religions. The Special Marriage Act applies to marriages of individuals of any religion, including inter-religious marriages, and for Indians living abroad, too.

When a Mutual Fund Company shuts down or gets sold off, it is a serious matter to note for any existing investor. However, as Mutual Funds are regulated by SEBI, events of such kind have a prescribed process.

In the case of a Mutual Fund company shutting down, either the trustees of the fund have to approach SEBI for approval to close or SEBI by itself can direct a fund to shut. In such cases, all investors are returned their funds based on the last available net asset value, before winding up. If a Mutual Fund is acquired by another fund house, then there are usually two options. One, the schemes continue in their original format, albeit with a new fund house overseeing it. Or, the acquired schemes are merged with schemes in the new fund house. SEBI approval is required for all Asset Management Company (AMC) Mergers and Acquisitions, as well as scheme level mergers too.

#### How to choose a fund basis your risk appetite

4

Couples who have already performed their marriage rituals and are applying to register their marriage later also come under the Special Marriage Act. Marriages under both the Marriage Acts must be registered in the concerned Gram Panchayat/Municipality/Corporation where the wedding took place.

Mutual Funds are market-linked products that carry various kinds of risks and their returns are not guaranteed. Choosing the right mutual fund involves not only looking at its investment objective, return potential but also an evaluation of its riskiness. Since every investor has a unique personality including risk preference, the choice of mutual funds will be unique to each investor. Apart from risk preference, every investor will have a certain goal in mind that would be unique in its value and time horizon. Hence choosing the right mutual fund requires one to evaluate various funds along with the risk-return-time horizon metric.

Select a fund whose risk profile matches your risk appetite. If you prefer less risk, choose a debt fund. If you don't mind taking risk, look for a suitable equity fund. If you prefer moderate risk, look for a hybrid fund. Thus, the starting point for fund selection should be how much risk you are willing to take.

### How to choose a fund basis your risk appetite

The answer is a huge, resounding YES! It is important to note that experience in managing money/making investments plays a vital role in generating good performance. The more the experience, the better is the probability of making profitable investment decisions.

An experienced fund manager would have seen many economic cycles, business developments, political and policy changes. Such issues have a bearing on investment performance. Since all these issues are normally beyond the grasp of an average investor, a fund manager brings not just their own expertise and competence, but also the collective wisdom from the information and data that he has access to.

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# **FUNDS**

#### Does long term mean less risk?

Investments in <u>Mutual Funds</u> require the appropriate time horizon. Having the right time horizon, not only provides a better chance of getting expected, investment returns, but also lowers the risk in the investment.

Now what is this "risk" we are talking about? In simple terms, it is volatility of investment performance, as well as chances of eroding investment capital. By staying invested over the long term, some years of low/negative returns and some years of impressive returns will make the average returns quite reasonable. Therefore, the investor can 'average out every year's widely fluctuating returns' to get a more stable long term return.

#### Money doesn't get locked up. It gets invested!

In Mutual Funds, money doesn't get locked up. It gets invested!

It is important to note two facts:

- a. In a Mutual Fund scheme, the money is Invested and not Locked, and the money always stays yours. It is simply being managed by a professional fund manager.
- b. Your money is always easily accessible. The structure of a Mutual Fund ensures that there is flexibility in accessing it. You may redeem your investment either partially or entirely. You can even pre-specify the redemption dates, by giving standing instructions to the Mutual Fund company to transfer a fixed amount into your bank account on a specified date every month or every quarter, as you choose. You can also choose to transfer your investment from one Mutual Fund scheme to another managed by the same Mutual Fund company. And you always get a comprehensive /easy to understand account statement that neatly documents it.

#### • What is Net Asset value (NAV)?

The performance of a particular scheme of a Mutual Fund is denoted by Net Asset Value (NAV). In simple words, NAV is the market value of the securities held by the scheme. Mutual Funds invest the money collected from investors in securities markets. Since market value of securities changes every day, NAV of a scheme also varies on day to day basis. The NAV per unit is the market value of securities of a scheme divided by the total number of units of the scheme on any particular date.

#### What is Net Asset value (NAV)?

Investing in Mutual Funds is like ordering the right dish on the menu at a restaurant. If you prefer to stay away from the stock market, you can still choose to invest in debt funds for your <u>financial goals</u>. Mutual Funds are broadly categorized into equity, debt and hybrid, Solution Oriented Schemes and Other Schemes based on where they invest.

If you don't want to invest in stocks via equity mutual funds, you can still experience the benefits of investing in mutual funds through debt funds that invest in bonds issued by banks, corporates, govt. bodies including RBI and money market instruments like commercial papers, bank CDs, T-bills etc. A debt fund helps you grow your money better because of tax efficient returns than your traditional choices of bank FDs, PPFs and post office saving schemes.

### Long Term and Short Term Investment Plans for Your choice

- "Mutual Funds could be a good saving tool for short term." "You must be patient with your Mutual Fund investments. It takes time to deliver results."
- People regularly come across both the above statements, which are clearly contradictory.

So what period are Mutual Funds suitable for? Short term or long term?

Well, that depends on what one's investment goals are, and most goals are driven by time. There are schemes suitable for short periods, there are several schemes suitable for longer horizon, and then, there are schemes for any period in-between.

The best time to start planning and investing for your retirement is to start today whatever may be your current age and financial position in life. The sooner you start investing for a goal, the more time your money gets to compound itself. Suppose, you are 30-year-old today and start a monthly SIP of INR 2000 for next 30 years. Your money gets a long time to compound and grow. Assuming an annual interest rate of 12%, you can have a retirement corpus of 70 lakhs against an outlay 7.2 lakhs over 30 years.

Everyone should start planning for their financial goals and invest towards these goals as soon as they have settled in their first job. At the end, the steady longterm investor wins the race.

#### What's the right age to start financial planning for retirement?

# life Insurance

#### What is life insurance?

A life insurance policy is a contract between the policyholder and the insurer, wherein the latter promises to pay a designated lump-sum of money to the family of the policyholder upon his/her demise during the policy period. The policyholder pays a regular amount of money, called 'premium' to avail this benefit.



#### Why is life insurance important?

A life insurance policy provides financial support to the family members of the policyholder in case of his/her demise. If you are a sole breadwinner for your family, you must buy a life insurance policy to ensure your loved ones do not face financial problem to sustain their lives, when you are not around. The money received from life insurance policy can help them live the same standard of living as they live when you are around.



#### What are the types of life insurance?

There are two basic types of life insurance policies:

- 1. Term plan: A pure protection life insurance plan, wherein if the policyholder passes away during the policy period, a sum assured is paid to his/her family.
- 2. Endowment plan: A plan that combines the benefits of life insurance and savings; here, sum assured is paid to the family of the policyholder in case of his/her demise during the policy period. Else, the policyholder gets a maturity amount at the end of policy period. Money Back plans are a type of endowment plans in which you receive policy benefits in the form of regular pay outs even as you continue paying premiums.
- 3. ULIP: is a life insurance policy which provides a combination of risk cover and investment. A part of the premium paid provides life insurance cover and the other part is invested in market. The dynamics of the market have a direct bearing on the performance of the ULIPs.
- 4. Whole-life plans are policies that, as the name suggests, cover you for your whole life, not just for a fixed tenure.
- 5. Retirement plans are policies in which you contribute a certain amount on a regular basis. When your income stops on retirement, you start getting a steady income at regular intervals from your retirement plan. These plans also provide life insurance cover. Thus, along with wealth accumulation you also get life insurance cover.



#### The benefits of life insurance include:

- 2. Regular Money back payouts in case you have opted for a money back/endowment plan
- 3. Reduction in tax liability up to Rs 1.5 lacs under section 80C
- 4. Avail loan against life insurance policy which has savings component (Endowment/ money back plan)

## What are benefits of life insurance?

If you are earning member of the family you should buy a life insurance to ensure that your family continues to receive income even when you are not there. A life insurance policy is like a financial safety net that protects your family financially in your absence. It provides a sum assured to your family in case of your demise during the policy term. The sum assured can be used by your family to tackle daily and crucial expenses.



#### How Does Life Insurance Work?

A life insurance policy is a contractual arrangement between you, the policyholder, and the life insurance company. The policyholder determines the amount of life insurance coverage required and pays the life insurance company a premium to keep the policy in force.

The way the premium will be paid will also be spelled out in the policy. The premium could be paid to the life insurance company as a lump sum, an annual or semi-annual payment, or monthly amount, for example. The premium must be paid according to the terms of the policy to keep the life insurance policy active.

Should the policyholder die while a life insurance policy is in force, then the life insurance company will pay out the death benefits specified in the policy. Additionally (applicable to permanent life insurance policies only), the insurance company will accumulate a cash value.

Death proceeds are paid as a lump sum to the named beneficiary (the person who will receive the life insurance benefits), as stipulated in the policy.

#### What are benefits of life insurance?

1. Financial stability for your loved ones even after you are not there

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#### Is Life Insurance Taxable?

Life insurance proceeds are usually not taxable if they are paid to a specifically named beneficiary, such as your spouse or children. The life insurance proceeds may become taxable, however, if you name your estate as the beneficiary. At that point, the proceeds become a part of your estate, and can be subject to estate taxes.



#### When Should I Get Life Insurance?

Buy life insurance as soon as you determine that it makes sense for you or for your family. Waiting to buy life insurance is costly, as it becomes more expensive as you age. It is also easier to gualify for life insurance when you are young and have no health complications.

Many people buy life insurance as their circumstances change. When you get married, for example, you may consider purchasing life insurance in order to provide death benefits to your spouse in the event of your untimely passing. It is a good idea to evaluate your life insurance anytime you have experienced a change in your overall financial obligations.

For example, you may want to buy life insurance or increase your coverage under these circumstances:

- When you get married
- When you start a family
- When you buy a house
- When you start up a business
- If you accumulate personal debt

Life insurance can help to prevent the loss of your income and your debt accumulation from being passed on to your family as a financial burden after your passing

Your life insurance policy coverage should reflect these and other foreseeable financial obligations.



#### How much does life insurance cost?

The cost of life insurance depends on the type of policy you take, the sum insured, your age, health condition and the benefits you expect to receive when your policy matures.



#### Do I have different options to pay my premium?

Yes, there are multiple options available for you to pay your premiums. You can pay your premiums monthly, quarterly, half-yearly or yearly. You can also pay it in one lump sum. However, a monthly premium is the most convenient because the amount is relatively small and it is easier to monitor and be prepared for a more frequent premium payment.



#### What if I don't pay my premium on time?

You usually get a grace period, up to 30 days (15 days for monthly mode), to pay your premium once it falls overdue. If you still don't pay your premium after the grace period your policy stands defunct and you cannot claim any benefits from your policy. However, you can revive your policy once you pay all your overdue premiums subject to certain terms and conditions as per policy and you will again start receiving the benefits of the policy.



#### One won't be able to claim tax benefits if I stop paying premiums on my life insurance or pension policies, right?

Correct. If one stop premium payments of your policy, it amounts to discontinuation of the policy and you cannot claim any tax benefits. However, if you discontinue paying your premiums after 2 years from the commencement of your policy, the tax will not be deducted on the premium paid in the year when your policy ends. The amount of tax deducted on the premium paid in the preceding year is taxable in the year when the policy terminates.



### What happens when my life insurance policy matures?

When your policy matures you will receive an accumulated amount (in lumpsum or Regular Payments, basis the option chosen). This amount will include the total of all your premiums paid, plus bonuses (if any). The amount you receive shall be substantial because the premiums that you pay accumulate and grow every year until the maturity of your policy.



#### Will I have to pay tax on my maturity benefit?

No, you will have to pay no tax on the maturity proceeds of a life insurance policy. In fact, under a pension plan you can even withdraw up to one-third of the total maturity amount in cash and that too will be tax-free. All this is provided that you have paid all your premiums and you have not let your policy lapse.

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#### What is health insurance?

Health insurance is a type of coverage that pays for medical and surgical expenses incurred by the insured. It may also provide coverage for other healthrelated expenses such as outpatient treatment, ambulance charges, or maternity care, depending on the policy.



#### What are the different types of health insurance policies in India?

- Individual Health Insurance: Covers only the individual policyholder.
- Family Floater Policy: Covers the entire family under one sum insured.
- Critical Illness Insurance: Provides a lump sum pay-out in case of diagnosis of serious diseases like cancer, heart attack, etc.
- Top-up Plans: Additional coverage over and above an existing policy, at a lower premium.
- Group Health Insurance: Offered by employers to employees, typically with lower premiums.



#### When does my coverage start once I have taken the policy?

Your coverage usually starts once your policy is approved and your first payment is made. Some types of insurance may have a waiting period before it begins. Always check your policy documents for the exact start date.



#### What is the eligibility for health insurance?

Eligibility criteria may vary by insurer and policy, but generally covers from birth to death. However, individual policies can be taken from

- Individuals from 05 to 65 years of age are eligible.
- Children below 5 years are covered as family policy

#### Can I buy health insurance if I already have a medical condition?

Yes, but health insurers may impose a waiting period or exclude the pre-existing condition from coverage for a certain period. Some insurers also offer policies that cover pre-existing conditions after a waiting period.



#### What does 'sum insured' mean?

The sum insured is the maximum amount that an insurance company will pay for the treatment of the policyholder in a year. It determines the financial protection against medical expenses.



#### Does insurance premium amount depend upon the city or place from where you are buying the same. Does it affect where I can get treatment?

Yes, the insurance premium can sometimes depend on the city or location where you live, as health care costs may vary by region. For example, premiums might be higher in cities with more expensive medical facilities or a higher cost of living.

The location does not affect where you can get treatment.

### How does paying the premium in instalments impact coverage?

While paying the premium in instalments does not generally affect the coverage provided, there are some important things to consider:

- potentially reducing the overall benefit or premium discount.
- Extra Charges: Some insurers may charge slightly higher premiums for premium.

• Above 25 years of age generally Insurance companies insist on separate policies.

• Policy Continuity: If you miss an instalment payment, there is a risk of policy lapse, which could result in a loss of coverage until the premium is paid. • No Claim Bonus (NCB): Some insurers may not offer the same No Claim Bonus (NCB) benefits if you opt for instalment payments and fail to pay on time,

instalment payments due to administrative costs or interest. This could result in paying more over the course of the policy term compared to an upfront annual



#### What happens if a claim is filed before all premium instalments are paid?

If a claim is filed before all premium instalments are paid, the insurance company will assess whether the policy is in force. If the policy is in force, insurer will process the claim, but will deduct the all-due installments of premiums from the claim amount. It is crucial to ensure that all instalments are paid on time to avoid such situations.

### What is Grace Period?

Life Long Exclusions

Grace period means the specified period of time immediately following the premium due date during which a payment can be made to renew or continue a policy in force without loss of continuity benefits such as waiting periods and coverage of preexisting diseases. Coverage is not available for the period for which no premium is received.



#### What is the waiting period in health insurance?

The waiting period refers to the time a policyholder must wait before being able to claim insurance benefits. Some common waiting periods include:

30 Days - No claim except accidental **2 Years –** Specific diseases Pre-existing disease waiting period: Typically, 2-4 years for coverage of preexisting conditions.

Maternity benefits waiting period: Usually 2-4 years before maternity claims are covered.



What is the waiting period in health insurance?

- Hospitalisation: Covers medical expenses for inpatient treatment like surgeries, room rent, and doctor's fees.
- Pre- and Post-Hospitalisation: Expenses incurred before and after Hospitalisation, such as tests, consultations, and medications.
- Maternity: Covers pregnancy-related expenses, childbirth, and sometimes newborn care.
- Daycare Procedures: Includes treatment that doesn't require overnight Hospitalisation, such as certain surgeries.
- Ambulance Services: Covers emergency ambulance transport to the hospital.
- Critical Illnesses: Provides coverage for severe illnesses like cancer, heart disease, and kidney failure.

- Pre-existing Diseases: Some policies cover pre-existing conditions after a waiting period.
- Preventive Care: Some plans cover regular check-ups, screenings, and vaccinations.

Make sure to review your specific policy to know the full range of coverage, limits, and exclusions.



#### Can I have two health insurance providers?

Yes, you can have two health insurance providers, known as dual coverage. One acts as primary, paying first, and the other as secondary, covering leftover eligible costs. Make sure both insurers coordinate benefits to avoid issues.



#### How can beneficiaries be added or removed from the policy?

Beneficiaries can be added or removed from a health insurance policy through the following steps:

- service or online portal.
- 2. Provide Necessary Documents: Submit documents like identity proof, relationship proof, or a marriage/birth certificate for adding beneficiaries. For removal, a written request or specific forms may be required.
- 3. Policy Endorsement: The insurer will process your request and issue an endorsement reflecting the updated beneficiaries.
- 4. Timing Matters: Changes can usually be made at the time of policy renewal, but some insurers allow mid-term updates under specific circumstances.



#### What happens when one beneficiary passes away?

If a beneficiary passes away, you should inform your insurance provider as soon as possible. You'll need to provide a death certificate and any necessary documents. The insurer will update the policy by removing the deceased beneficiary and may allow you to add a new one. If the deceased was the policyholder, the nominee can claim any pending benefits. Always update your beneficiaries to keep everything accurate for future claims.

#### Can someone be added in the place of the person who has died?

No, you cannot add someone in place of the person who has died in a health insurance policy. Once a policyholder passes away, their coverage ends.

1. Contact the Insurer: Reach out to your insurance provider via their customer



#### Are autism/other genetic illnesses covered?

Coverage for autism and genetic illnesses depends on your health plan. Many policies cover therapies like speech or behavioural therapy for autism, while genetic illnesses may have limited coverage.



#### What are pre-existing diseases?

These refer to medical conditions, illnesses, or injuries that the insured individual has been diagnosed with, treated for, or shown symptoms of before purchasing the health insurance policy. These conditions are critical in determining policy eligibility and coverage terms. Coverage for pre-existing diseases is subject to a longer waiting period, typically ranging from 2 to 4 years, depending on the insurer and policy terms.



#### What is the difference between "hospital room rent" and "Hospitalisation expenses"?

Hospital room rent refers to the cost of the hospital room where the patient is admitted, which may vary based on the class of room (shared or private).

Hospitalisation expenses cover the overall cost of medical treatments, including surgery, tests, medications, doctor's fees, and other related expenses.



#### What is not included in the policy?

Health insurance policies usually exclude: -

- Any hospital admission primarily for investigation diagnostic purpose
- Infertility Treatment
- Treatment outside India
- Circumcision, sex change surgery, cosmetic surgery & plastic surgery
- Refractive error correction, hearing impairment correction, corrective & cosmetic dental surgeries
- Substance abuse, self-inflicted injuries
- Hazardous sports, war, terrorism, civil war or breach of law



#### Are OPD charges covered in the policy?

Whether OPD (Outpatient Department) charges are covered depends on your health insurance plan. Some policies include coverage for OPD visits, such as doctor consultations, tests, and minor treatments, while others may exclude it.

It's important to review your policy to understand what's covered under OPD and any associated limits or conditions.



#### Does the policy routine check-ups tests?

Once in the policy year routine test can be done.

screenings to detect early signs of disease. Add-ons: You can opt for additional riders or plans that include coverage for routine tests.



#### How do I file a claim under health insurance?

To file a claim, follow these general steps: 1. Inform the insurer about the Hospitalisation or treatment. 2. Submit the required documents, such as medical bills, diagnosis reports, and

- claim forms.
- 3. If applicable, opt for the cashless facility at a network hospital.
- 4. Wait for the insurer to process and approve the claim.



A cashless claim allows policyholders to receive treatment in network hospitals without paying upfront. The insurance company directly settles the bill with the hospital, subject to the terms and conditions of the policy.



#### Will I get the claim if I am admitted to a non-networking hospital?

Yes, you will get the claim if you are admitted to a non – networking hospital, but the hospital should not be blacklisted. You can get a claim if you are admitted to a non-network hospital, but it will be processed as a reimbursement claim instead of a cashless claim. This means you will need to pay the hospital bills upfront and then submit the necessary documents (such as bills, receipts, and discharge summaries) to your insurance provider for reimbursement.



#### What is a Moratorium Period

No health insurance policy or claim shall be contestable on grounds of nondisclosure or misrepresentation after 60 months of continuous coverage, i.e. the Moratorium Period—except in cases of fraud.

- Preventive Health Check-ups: Some policies cover annual health check-ups or



#### How the policy premium determined. Is it the same every year?

The premium for a health insurance policy is determined based on factors like your age, medical history, coverage amount, and the type of plan you choose. It may not be the same every year; premiums can increase due to factors like inflation, changes in your health, or updates to the insurer's pricing. Always check with your insurer for potential changes in premium rates.



#### Does the policy include current diseases or only pre-existing diseases?

Yes, the policy includes current diseases or only pre-existing diseases. Health insurance policies usually cover both current and pre-existing diseases, but there are differences:

- **1.** Current Diseases: Any illness that arises after the policy starts is generally covered right away, as long as it's within the terms of the policy.
- 2. Pre-existing Diseases: These are illnesses or conditions you had before buying the policy. Most policies cover them after a waiting period, which can range from 1 to 4 years, depending on the insurer and the plan.



#### In case of an emergency who do we need to contact?

In case of an emergency, you should contact your health insurance provider's emergency helpline or customer service number, which is typically listed on your insurance card. For assistance call 24 hours help-line no. or Toll-Free no. The company might have a specific number for Senior Citizens.



#### Is the policy valid PAN India.

Yes, health insurance policies are valid across India, meaning you can use them at hospitals and clinics anywhere in the country. However, it's important to check with your insurer for any network restrictions or specific terms that may apply in certain regions.



#### Is the policy valid PAN India.

If you go to a blacklisted hospital in an emergency: -

No Cashless Facility: You won't be able to use the cashless claim option, as the hospital is not eligible for such arrangements with your insurer. **Reimbursement Possibility:** Some insurers may consider reimbursing the expenses if it's a genuine, unavoidable emergency. You will need to provide detailed documentation, such as medical reports, bills, and proof of emergency, to support your claim. However, this is not guaranteed and depends on the insurer's policy. **Out-of-Pocket Payment:** If reimbursement is not allowed, you'll have to pay the medical bills entirely on your own.

## What is a No Claim Bonus (NCB)?

A No Claim Bonus is a reward provided by insurers for not making any claims during the policy year. It can lead to a premium discount or an increase in the sum insured for the next year.

#### What is the coverage in day care treatment?

Day care procedures are surgeries that do not require Hospitalisation beyond 24hours. A common assumption is that standard health policies only cover treatments requiring extended hospital stays. However, most health insurance plans also include coverage for day care treatments that need less than 24 hours of hospitalisation but can still drain your finances. So, it is important to know if your mediclaim policy covers all or limited day care procedures.



#### Are ambulance services covered under insurance?

Ambulance services are typically covered under health insurance policies, but the extent of coverage and conditions can vary.

#### Types of Ambulance Coverage

- 1. Emergency Ambulance Services: severe illness or injury.
  - ambulances, depending on the medical necessity.

#### 2. Non-Emergency Ambulance Services:

• Coverage is provided for emergency transportation to the hospital due to

• Includes expenses for basic life support (BLS) or advanced life support (ALS)

 Some policies also cover non-emergency medical transportation, such as for patients requiring transfer between hospitals or for post-treatment visits. Coverage for this is less common and may have specific restrictions.

#### **Key Features of Ambulance Coverage**

#### 1. Monetary Limits:

Most policies impose a cap on ambulance charges, e.g., ₹2,000 to ₹5,000 per Hospitalisation.

Some high-end or comprehensive policies may offer unlimited coverage.

#### 2. Coverage Type:

Policies usually cover ground ambulance services, but certain plans also include air ambulance services for critical emergencies.

#### 3. Pre-authorization:

Some insurers require pre-approval for non-emergency ambulance use, especially for inter-hospital transfers or air ambulance services.

#### 4. Inclusions and Exclusions:

The ambulance must be medically necessary and prescribed by a doctor for expenses to be claimable.

Expenses for ambulances used for non-medical purposes (like transportation without a medical emergency) are typically excluded.

#### Points to Check in Your Policy

#### 1. Coverage Limits:

Review the monetary cap and ensure it aligns with typical ambulance charges in your locality.

#### 2. Cashless or Reimbursement:

Check if the policy allows for a cashless facility for ambulance services or if you need to pay upfront and file for reimbursement.

#### 3. Hospital Network:

Confirm that the hospital is part of the insurer's network, as it often simplifies claim processes for ambulance expenses.

4. Add-ons:

Some policies offer enhanced coverage for ambulance services through optional riders.

#### Importance of Ambulance Coverage

- Financial Relief: Covers high costs of emergency transport, especially in metropolitan cities or remote areas.
- Life-Saving Access: Ensures timely access to medical facilities in critical situations



#### Are Organ donor benefits covered?

Organ donor benefits are covered under many health insurance policies in India, but the extent and terms of coverage may vary by insurer. These benefits are designed to cover the medical expenses associated with organ donation for a transplant procedure.



#### Does insurance cover new born babies? What is the process?

Maternity Coverage: If maternity benefits are included, they often come with a waiting period of 9 months to 4 years.

For the new Born Baby: Newborn health insurance ensures that your baby is covered in the pre- and postnatal period, before and after the delivery. This covers expenses incurred towards treating a newborn baby when the insured mother is hospitalised for delivery. The costs incurred by the baby during and after birth up to 90 days from the delivery date are also covered under the newborn health coverage.

# incurred for the newborn during and post-birth up to 90 days.



#### What is AYUSH?

AYUSH stands for Ayurveda, Yoga & Naturopathy, Unani, Siddha, and Homeopathy, which are traditional and alternative medicine systems practiced in India. These systems focus on holistic well-being, natural healing, and preventive healthcare.

#### **Coverage for AYUSH Treatments** 1. Included in Base Policies:

Many health insurance plans include AYUSH treatments as part of the standard coverage, provided they are availed at government-recognized or accredited AYUSH hospitals or centers.

#### 2. Optional Riders:

Some insurers offer AYUSH coverage as an add-on or optional benefit for an additional premium.

#### 3. Monetary Limits:

Coverage for AYUSH treatments is often subject to sub-limits or caps, such as 10–25% of the sum insured or a fixed amount per year.

#### 4. Network Hospitals:

AYUSH treatments are typically covered only when taken at hospitals listed in the insurer's network or those certified by relevant authorities.



The amount you must pay for healthcare services before your insurance starts to contribute. Typically, higher deductibles lead to lower premiums, and the opposite is true. A deductible does not reduce the Sum Insured. (Insurers to define whether the deductible is applicable per year, per life or per event and the manner of applicability of the specific deductible.

Benefits of Health Insurance Cover for Newborns: -This covers expenses



#### What is a co-payment clause?

A co-payment clause means the policyholder has to bear a certain percentage of the medical expenses while the insurer covers the rest. For example, a 10% copayment means the policyholder will bear 10% of the expenses, and the insurer will pay 90%. This is applicable for every claim made.

#### What is the advantage of Co Payment

• Result in lower premiums, as the policyholder assumes more of the financial responsibility for medical expenses.



#### What is Cumulative Bonus?

Cumulative Bonus means any increase or addition in the Sum Insured granted by the insurer without an associated increase in premium.



#### What are Top-Up Plans in Health Insurance?

A **Top-Up Plan** is an additional health insurance policy that provides coverage once medical expenses exceed a predefined deductible limit. It acts as a costeffective way to increase your health insurance coverage without significantly increasing premiums.



#### What is Recharge?

If you use up your entire sum insured during a claim, the insurance company will "recharge" or refill the sum insured amount so you can use it for future claims within the same policy year.



#### When is Recharge Done?

Recharge is done automatically once your initial sum insured is exhausted due to one or more claims. It applies to new, unrelated claims and usually doesn't cover the same illness or condition for which the original claim was made.

#### **Benefits:**

Always check your policy terms, as recharge benefits may have conditions or limits.



#### When is Recharge Done?

Health insurance portability allows you to switch your health insurance provider to another insurer while retaining the benefits of your existing policy. This includes:

- served under your old policy.

Portability Benefits: If you switch insurers using the health insurance portability option, the waiting period already served for PEDs with the existing insurer is credited to the new policy.



A policyholder desirous of porting his/her policy to another insurance company shall apply to such insurance company to port the entire policy along with all the members of the family, if any, at least 45 days before, but not earlier than 60 days from the premium renewal date of his/ her existing policy.



#### Are health insurance premiums eligible for tax deductions?

Under Section 80D of the Income Tax Act, 1961, premiums paid towards the upkeep of health insurance policies are eligible for tax deductions. For a policy for yourself, your spouse, your children and parents below the age of 60, you can claim a deduction of up to INR 25,000 per year from your taxable income.

If you've also purchased a policy for a parent who is over the age of 60, you can claim an additional deduction of INR 50,000.

a. Ensures continuous coverage even if you've exhausted your sum insured. b. Helps manage unexpected medical expenses during the same policy period.

• Waiting period: The new insurer must honour the waiting period already

• **Pre-existing conditions:** Coverage for pre-existing diseases that have been covered by your previous insurer may continue with the new policy.

#### Who is an NRI?

An NRI (Non-Resident Indian) is defined differently under FEMA (Foreign Exchange Management Act, 1999) and the Income Tax Act, 1961:

#### A. FEMA Definition

An NRI is a "person resident outside India" who is either:

- An Indian citizen residing abroad for:
  - o <182 days in India during the preceding financial year, OR
  - o For employment/business/vocation abroad indefinitely.
- A Person of Indian Origin (PIO) (if they or their parents/grandparents were born in undivided India).
- B. Income Tax Act Definition

You are a **resident** if you meet **either** condition:

1. Stay in India for  $\geq$  **182 days** in the financial year (FY), **OR** 

2. Stay for  $\geq$  365 days in the last 4 FYs +  $\geq$  60 days in the current FY **Exceptions (Shorter Stay Allowed):** 

- Employment abroad/Merchant Navy: 60 days  $\rightarrow$  182 days.
- Indian citizens/PIOs visiting India: 60 days  $\rightarrow$  182 days.

#### Key Update (Finance Act 2020):

- For Indian citizens/PIOs with Indian income > ₹15 lakhs (excluding foreign income):
- o 60 days  $\rightarrow$  **120 days** to qualify as resident.
- o Deemed RNOR if stay is 120-182 days and not a tax resident elsewhere.

#### Who is RNOR (Resident but Not Ordinarily Resident)?

You qualify as **RNOR** if you meet **any** of these conditions:

- 1. NRI for 9 out of 10 preceding FYs, OR
- 2. Stay in India ≤729 days in the last 7 FYs, OR
- 3. Indian citizen + not a tax resident elsewhere + Indian income > ₹15 lakhs, OR
- 4. Indian citizen/PIO + Indian income > ₹15 lakhs + stay in India for 120-182 days.

Tax Implication: RNORs pay tax only on Indian income (foreign income is exempt).

#### Key Differences: NRI Under FEMA vs. Income Tax Act

| Parameter           | FEMA                                      | Income Tax Act                  |
|---------------------|---|---------------------------------|
| Residency Threshold | Stay >182 days in preceding FY            | Stay ≥182 days in<br>current FY |
| Period Considered   | Preceding FY                              | Current FY + past 4 FYs         |
| Purpose of Stay     | Considers reason<br>(e.g., employment)    | Only counts days of stay        |
| Partial-Year Status | Possible<br>(e.g., resident for 6 months) | Always full-year status         |

#### Is NRI Income Taxable in India?

- Resident NRI: Taxable on global income.
- RNOR/NRI: Taxable only on Indian income (e.g., rent, capital gains, dividends).

#### **Exemptions:**

4

- o Interest on NRE/FCNR accounts (tax-free).
- o Long-term capital gains (LTCG) on equities (if STT paid).

## **Double Taxation Avoidance (DTAA)**

- NRIs can claim tax relief in their country of residence if: 1. India has a **DTAA** with that country (e.g., USA, UAE, UK). 2. Taxes are already paid in India (via Tax Credit).
- country.

• Documents Needed: TRC (Tax Residency Certificate) from the host



## Recent Updates (2024)

1. Liberalized Remittance Scheme (LRS):

NRIs can remit up to \$250,000/year under LRS for investments. TCS (Tax Collected at Source) of 20% applies on LRS remittances > ₹7 lakhs (with PAN).

2. NRI Taxation on Gifts:

Gifts from relatives in India are tax-free. Gifts from **non-relatives** > ₹50,000 are taxable.

3. Property Sale by NRI:

TDS of 20-30% on property sales (unless reinvested under Section 54/54F).

Can an OCI cardholder be an NRI?

Yes, if they meet FEMA/IT Act criteria.



 $\square$ 

Is NRI status same for banking and taxation? No, banks follow RBI/FEMA rules, while taxes follow Income Tax Act.

9 How to convert NRO to NRE account after becoming NRI? Submit **NRI declaration + passport/visa copy** to the bank.

**Investments** Outside India by Resident Individuals



#### Which resident individuals are allowed to make investments outside India?

Resident Individuals: a person residing in India for more than one hundred and eighty-two days during the course of the preceding financial year but does not include a person who has gone out of India or who stays outside India, in either case -

- for or on taking up employment outside India, or
- for carrying on outside India a business or vocation outside India, or
- for any other purpose, in such circumstances as would indicate his intention to stay outside India for an uncertain period.



#### How can a resident individual make investments outside India?

Residents in India can purchase/acquisition of securities in the following manner:

- out of the funds held in RFC account;
- as bonus shares on existing holding of foreign currency shares; and
- When not permanently resident in India, out of their foreign currency resources outside India.

#### What is the monetary limit for individuals making investments outside India?

Resident Individuals(RI) can invest up to their limit under Liberalized Remittance Scheme (LRS). Present limit is \$250000 per year per RI.



#### What are the activities permitted for investment by individuals while making investments outside India?

An Indian Party can make overseas direct investment in any bonafide activity. However, real estate and banking business are the prohibited sectors for overseas direct investment. Real estate business means buying and selling of real estate or trading in Transferable Development Rights (TDRs) but does not include development of townships, construction of residential/commercial premises, roads or bridges.



#### What are the methods of approval for getting approval from RBI overseas direct investment done by individuals?

There are two methods:

- the regulatory authority concerned, both in India and abroad.
- through the Authorized Dealer Category I banks.

#### Who is an 'Authorised Dealer'?

There are three categories of authorized dealers:

- directions issued from time to time.
- the Reserve Bank
- exchange transactions incidental to their business / activities.



Investment in Pakistan is allowed under the approval route. Investments in Nepal can be only in Indian Rupees. Investments in Bhutan are allowed in Indian Rupees and in freely convertible currencies.

• Automatic Route: Under Automatic Route, an Indian Party does not require any prior approval from the Reserve Bank for making overseas direct investments in a JV/WOS abroad. The Indian Party should approach an Authorized Dealer

Category – I bank with an application in Form ODI and the prescribed enclosures / documents for effecting the remittances towards such investments. However, in case of investment in the financial services sector, prior approval is required from

• Approval Route: Proposals not covered by the conditions under the automatic route require prior approval of the Reserve Bank for which a specific application in Form ODI with the documents prescribed therein is required to be made

• Category I Authorised Dealer: Category I Authorised Dealers are select banks who can carry out all permissible current and capital account transactions as per

• **Category II Authorised Dealer:** Category II are select entities to carry out specified non-trade related current account transactions, all the activities permitted to Full Fledged Money Changers and any other activity as decided by

• Category III Authorised Dealer: Category III ADs are select financial and other institutions (as Authorised Dealers Category-III) to carry out specific foreign



#### What is the process for making an application for approval of overseas direct investment?

The Indian Party/Resident Individual intending to make overseas direct investment under the automatic route/approval route is required to fill up Form ODI duly supported by the documents listed therein and submit the form in physical to AD Bank.



#### What are the source for funding overseas direct investment?

- By capitalization of the exports.
- By proceeds of external commercial borrowings/foreign currency convertible bonds.
- In exchange of GDRs/ADRs which are issued according to scheme for the issue of foreign currency convertible bonds and ordinary shares and the guidelines issued by the government of India in the matter.
- By drawl of foreign exchange from AD bank in India.
- By swapping the shares.
- By foreign currency raised through ADR/GDR issues.



#### What is an Annual Performance Report (APR)?

The Indian party making investment abroad shall file an Annual Performance Report in Form ODI PART III to the Reserve Bank by 30th of June every year in respect of each Joint Venture (JV) / Wholly Owned Subsidiary (WOS) outside India set up. The APR shall be certified by the statutory auditor of the Indian Company.



# nvestment in India

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#### Which resident individuals are allowed to make investments outside India?

The routes under which foreign investment can be made is as under: a. Automatic Route: Foreign Investment is allowed under the automatic route without prior approval of the Government or the Reserve Bank of India, in all activities/ sectors as specified in the Regulation 16 of FEMA 20 (R). b. Government Route: Foreign investment in activities not covered under the automatic route requires prior approval of the Government. Procedure for applying for Government approval is given at

- http://fifp.gov.in/Forms/SOP.pdf



#### What are the Capital instruments permitted for receiving foreign investment in an Indian company?

'Capital Instruments' means equity shares, debentures, preference shares and share warrants issued by the Indian company.

**Equity shares:** Equity shares are those issued in accordance with the provisions of the Companies Act, 2013 and will include partly paid equity shares issued on or after July 8, 2014.

Share warrants: Share warrants issued on or after July 8, 2014 will be considered as capital instruments.

Debentures: 'Debentures' means fully, compulsorily and mandatorily convertible debentures.

Preference shares: 'Preference' shares means fully, compulsorily and mandatorily convertible preference shares.

Non-convertible/ optionally convertible/ partially convertible preference shares issued as on and up to April 30, 2007 and optionally convertible/ partially convertible debentures issued up to June 7, 2007 till their original maturity are reckoned to be FDI compliant capital instruments. Non-convertible/ optionally convertible/ partially convertible preference shares issued after April 30, 2007 and optionally convertible/ partially convertible debentures issued after June 7, 2007 shall be treated as debt and shall require conforming to External Commercial Borrowings guidelines regulated under Foreign Exchange Management (Borrowing and Lending in Foreign Exchange Regulations), 2000, as amended from time to time.



#### What is meant by Foreign Investment, Foreign Direct Investment and Foreign Portfolio Investment?

Foreign Investment means any investment made by a person resident outside India on a repatriable basis in capital instruments of an Indian company or to the capital of an LLP.

Foreign Direct Investment (FDI) is the investment through capital instruments by a person resident outside India (a) in an unlisted Indian company; or (b) in 10 percent or more of the post issue paid-up equity capital on a fully diluted basis of a listed Indian company.

Foreign Portfolio Investment is any investment made by a person resident outside India in capital instruments where such investment is (a) less than 10 percent of the post issue paid-up equity capital on a fully diluted basis of a listed Indian company or (b) less than 10 percent of the paid up value of each series of capital instruments of a listed Indian company.



Whether any approval is required for an entity which has received foreign investment under automatic route and subsequently the sector was brought under approval route

As long as the foreign shareholding in the entity remains the same and there is no corporate action pursuant to the sector being brought under approval route, approval is not required.

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Whom to approach for Government approval or in case of doubt regarding the concerned Administrative Ministry/ Department or regarding the classification of an activity or the sectoral route?

Please refer to the 'Standard Operating Procedure (SOP) for Processing FDI Proposals' issued by Department of Industrial Policy & Promotion, Government of India  $\rightarrow$  http://fifp.gov.in/Forms/SOP.pdf



Whether the definition of Indian company in FEMA 20(R) covers companies incorporated under both the Companies Act, 1956 and Companies Act, 2013

Indian company includes all those entities covered under section 1(4) of the Companies Act, 2013.



Whether cash is a permissible mode of payment for making foreign direct investment in Indian company.?

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#### What is meant by investment on repatriation basis and investment on non-repatriation basis?

Investment on repatriation basis means an investment, the sale/ maturity proceeds of which are, net of taxes, eligible to be repatriated out of India. The expression investment



#### What is meant by FDI linked performance conditions?

FDI linked performance conditions are the sector specific conditions stipulated in regulation 16 of FEMA 20(R) for companies receiving foreign investment



#### Can a foreigner set up a partnership/ proprietorship concern in India?

Only NRIs/ OCIs are allowed to invest in partnership/ proprietorship concerns in India on non-repatriation basis.



#### Is a person resident outside India permitted to acquire capital instruments on stock exchange?

The following persons can acquire capital instruments on the stock exchanges:

- a. FPIs registered with SEBI
- b. NRIs

c. Other than (a) and (b) above, a person resident outside India, can acquire capital instruments on stock exchange, subject to the condition that the investor has already acquired and continues to hold the control of such company in accordance with SEBI (Substantial Acquisition of Shares and Takeover) Regulations and subject to conditions specified in -Annex I of the Master Direction Foreign Investment in India.



#### Within how many days from the date of receipt of the consideration should the capital instrument be issued?

The capital instrument has to be issued by the Indian company within sixty days from the date of receipt of the consideration.

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#### What if the Capital Instruments are not issued within the stipulated time period?

If the capital instruments are not issued by the Indian company within sixty days from the date of receipt of the consideration, the amount so received has to be refunded to the person concerned by outward remittance, through banking channels or by credit to his NRE/ FCNR (B) accounts, as the case may be, within fifteen days from the date of completion of sixty days.



#### What is the concept of downstream investment and Indirect **Foreign Investment?**

Downstream investment is investment made by an Indian entity which has total foreign investment in it or an Investment Vehicle in the capital instruments or the capital, as the case may be, of another Indian entity.

If the investor company has total foreign investment in it and is not owned and not controlled by resident Indian citizens or is owned or controlled by persons resident outside India then such investment shall be "Indirect Foreign Investment" for the investee company.



#### What are the regulations regarding investments on the stock exchanges in India?

Foreign Portfolio Investors (FPIs) registered in accordance with the provisions of SEBI (FPI) Regulations and NRIs/ OCIs can make investment on the stock exchanges in India, subject to the individual and aggregate limits prescribed in schedules 2 and 3, respectively of FEMA 20(R).



#### What are the various reporting formalities for foreign investments?

The reporting requirements are laid down in the Master Direction on Reporting under Foreign Exchange Management Act, 1999.



#### What is a Will?

A Will is a document, considered as a legal declaration of the intention of a Testator about the distribution / disposal of their possessions / assets / properties etc. after their death. The Will would specifically have details of all considerations that the Testator has in mind, to carry out his wish in this regard, after his death.



#### Who can write a Will?

- specific persons, can write a Will;
- He/She should be a Major i.e. 18 years of age or more;
- Should have a sound disposing mind &
- authority.

#### Why should anyone write a Will?

- thereof.
- passed on to your next generation /beneficiaries hassle free.
- above 18 years of age.
- assets upon the demise of the Testator.

• A person who has assets and desires those assets to be inherited by certain

Should not otherwise be debarred from making a Will by any competent

• A Will is the best way for you to ensure the distribution of your assets to the beneficiaries, whom you desire the assets to be given, including the extent

• It is not about the value of assets you have, it is to ensure that your assets are

• A Will can also be used to appoint a guardian to look after children until they attain maturity or age of 18 years. In case the child / children is/are mentally unstable, the guardian needs to be appointed even if the child / children is / are

• A Will also allows you to choose a person to manage the distribution of your assets. This person is called the Executor.A Will eliminates /reduces the intervention of judicial process /third party intervention for the distribution of the



### What if one dies without making a Will?

If one dies without making a Will, then he is called as have died 'Intestate'. In this case his estate will be distributed amongst the family members as per the personal/state law of the deceased intestate. In this process, all the legal heirs may get a share in the assets of the deceased, without any regard to the real intentions of the deceased about including or excluding any of the family members or friends. A Will obstructs the natural flow of succession so that assets are inherited as per the wishes of the person (Testator).



#### What are the characteristics of a Will and its requirements?

The Will document should have:

- All necessary identifiers of the Testator should be mentioned in the Will. This includes but not limited to Name, Age, Religion, Address etc.
- A declaration made by Testator to the effect that the present Will is his/her last Will and all other earlier Wills and Codicils are hereby revoked.
- Clear information about who are the beneficiaries and what is their relationship with the Testator as well as what assets will be given in what proportion to which beneficiary.
- Specific special clauses which will make a specific beneficiary eligible or non-eligible to inherit the share of the assets of the person (Testator) and conditions, qualifications for the same.
- Mention about the Will to take effect after the death of the Testator and if necessary, also mention about who will be responsible for the execution of the Will (Executor's name).
- A Will must be attested by minimum two persons as witnesses who shall put their signatures in presence of the Testator and the Testator should sign the Will in the presence of the witnesses. Beneficiaries cannot be the witness.

In addition to the above.

- Will can be modified or altered at any time and any number of times by the Testator during his life time.
- Will is revocable during the lifetime of the Testator. As long as a Testator is living, he may, at any moment, cancel his Will and make a totally different disposition of his properties.



#### Who are the parties to a Will?

- Testator is the person who declares his wish in the Will regarding the disposal of his properties after his / her demise.
- Executor/s is/are appointed by the Testator, to ensure that the assets are distributed as desired by him/her in the Will. (Optional)

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- Beneficiary/ies is/are the person/s to whom the benefits are passed through the Will.
- Witnesses 02 (Two)



#### What all assets can be covered under the Will?

All movable as well as immovable assets including Real Estate, Fixed Deposits, Money in Bank Account(s) Securities, Bonds, proceeds of Insurance Policies, Retirement benefits, Art, precious metals (Gold, Silver etc.), Brands, Goodwill, digital assets (photographs, sketches, blogs, websites, email accounts such as gmail, yahoo etc. and with social websites such as Facebook, Twitter etc.) and Intellectual Property Rights etc. including what they are and the method and manner of their storage, can be covered under the Will. In short, any assets that the Testator has in his ownership, at the time of his death can be included and distributed as per the desire of the person.



Who all can be included as the beneficiaries to the Will?

All the Testator's loved ones who may include the Testator's spouse, children, stepchildren, parents, grandparents, grandchildren, friends, relatives and/or any institution like School/s, Temple/s, Community Trust/s, Charitable Trust/s, etc. to whom the Testator wishes to pass on any benefit can be included as the beneficiary/ies in the Will document.

#### What happens if one does not sign the Will?

Unless a Will is signed, it is not a legally valid document. A Will Document which is not signed is as good as no Will at all.



#### Is a person resident outside India permitted to acquire capital instruments on stock exchange?

A Nominee is a Trustee (or custodian) as per law. Nominee may or may not be the Beneficiary to receive the assets of the deceased. To avoid disputes, it is advisable to write a Will in order to make a comprehensive note of all the assets as well as providing a clear indication about allocation of assets to the beneficiaries. It reduces the hassle of paper work for beneficiaries / legal heirs and avoids the instance of any future dispute over the assets.

It is also advisable to make nomination of securities in accordance with the Will. Both, Nomination and executing a Will are very important. Transfer of assets to the Nominee gives discharge to the creditor / custodian. For e.g.: in the case of a Bank where it is the creditor / custodian of fixed deposits made by the Testator, upon release of the FD to the Nominee the Bank shall stand discharged.



There should be minimum 02 (Two) witnesses to the Will.



#### Can one exclude his immediate family member/s from the list of beneficiary/ies?

One can exclude his immediate family members from being the beneficiary/ies in the self- acquired assets. However, in case of inherited asset/s, the rights of the family members who are legal heirs shall prevail and the Testator has to abide by the law dictating such rights.



#### Who can be a witness to the Will?

Witness to the Will can be anyone who is/are above 18 years of age and of sound mind and capable to enter into a Contract. It is recommended that the beneficiary/ies should not be the witness to the Will.



#### Is Will required to be printed on a stamp paper?

No; the Will can be written on plain paper of any convenient size. It is also not necessary that Will has to be written on legal size paper. In addition, the Will can be hand written and is not necessary to be in typed form. However, for clear legibility and avoid any ambiguity arising due to hand writing, typing in a font size which is naturally readable, is recommended.



#### Who can be appointed as an Executor to a Will?

Anyone who is /are above 18 years of age and of sound mind and capable to enter into a Contract, can be appointed as an Executor/s to the Will. One can appoint multiple Executors, one as a primary executor and others as alternate executors.

The Testator has the option to appoint any of his relatives or friends as Executor and mention it in the Will Document.



If the Testator chooses to appoint a professional agency as an Executor, these services are separately availed and paid for as per the terms of the agency who is appointed as an Executor.

#### Is it mandatory to register the Will? What is the stamp duty payable on Registration of the Will?

Registration of a Will is not mandatory. However, it is advisable to register the Will at the Sub Registrar office to add to its authenticity.

There is no stamp duty payable on Registration of the Will. However, applicable registration charges have to be paid, in addition to any legal services fees for registration of the Will document.

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# What is eDistrict Delhi Service Portal?

Delhi Government has come up with this new portal to offer the citizens of Delhi a wide range of services. It not only eases availing government services.



#### What are the services available on eDistrict Delhi Service Portal?

It helps in getting certificates like Income certificate, Surviving Member Certificate, Provisional certificate of cinematograph, Caste certificate, etc. One can avail benefit of Government schemes such as Disability pension scheme, Old Age Pension scheme on on eDistrict Delhi Service Portal. Benefits such as funeral benefits, marriage assistance benefits, financial assistance to Ex-servicemen, and more are available on the portal. Educational scholarships at the state level are also available for students. It provides for online access and online delivery of services to the citizens seeking it in a time-bound and efficient manner.



#### What are the documents that are required for eDistrict Delhi **Service Portal?**

The original affidavit, if required and an identity proof, so either your UIDAI Aadhar Card or the Voter ID Card. Other documents will depend on the kinds of services the user is seeking.

#### Can a minor file application for availing eDistrict Delhi Service Portal?

Minors, i.e., people aged below 18, may file their application through a parent/legal guardian by adding the former's profile to the latter's registered account.

#### When is a certificate provided to the user?

Citizens will be provided with a certificate if their application is approved, which can be downloaded from the e-District portal. The download can be processed using the application number provided at the time of applying.

#### What if the application is rejected?

The reasons for an objection can be checked by visiting the portal by logging into the users account. If it is due to non-submission of certain documents, the applicant may visit the Counters at the Sub-Division office or make a call to the concerned number to know any requirement of additional documents. If an application is rejected for any other reason, the user will be required to file another application for the particular service with the procedures provided above.



# e-District Delhi Services





Every individual is unique and so are his or her investment needs. Investment planning must always be aligned with one's goals. Hence, our approach is to help you chalk out an investment strategy that is best fit for 'you'.

We see ourselves as educators rather than advisors. Our endeavor is to build awareness about the various kinds of investment products in the market. After all, an informed decision is always a better decision.

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