

Comparison of the Foreign Contribution (Regulation) Bill, 2006 with the Foreign Contribution (Regulation) Bill, 2010 as passed by Rajya Sabha

Bill as introduced in Rajya Sabha in 2006 Bill as amended and passed by Rajya Sabha in 2010

Issue: Process of Registration (Clause 12)	
A person had to make an application for giving a grant of certificate or application for permission. The central government had the power to reject an application if the application does not meet the specified conditions in the clause.	<ul style="list-style-type: none"> ▪ A sub-clause has been added that if the central government deems it fit to register a person making an application, it may do so within 90 days of receiving the application. If permission is not given within 90 days, the central government has to give reasons in writing. ▪ A person shall not be eligible for permission if the certificate has been suspended and such suspension continues till the date of making the application.
Issue: Religious conversion	
One factor disqualifying a person from receiving foreign contribution is that the person should not have indulged in activities aimed at religious conversion through inducement or force.	The sub-clause has been changed to state that the person should not have been prosecuted or convicted for activities aimed at religious conversion.
Issue: Renewal of certificate of grant (Clause 16)	
Every person who received a certificate shall have to have the certificate renewed within six months before the certificate expires. The certificate shall be renewed for a period of five years.	The central government shall renew the certificate within a period of 90 days from the date it receives the application. If renewal is not done within 90 days, the reasons for the same shall be communicated to the applicant. Renewal can be refused on grounds of violating the provisions of the Bill or rules made under it.
Issue: Transfer of foreign contribution (Clause 7)	
There was a prohibition on the transfer of foreign contribution to another person, unless the other person was also registered under the Bill.	A person can transfer foreign contribution to another person who has not been registered under the Bill. The transfer has to be made with the prior approval of the central government.
Issue: Use of foreign contribution for speculative business (Clause 8)	
The Bill prohibited the use of foreign contribution or income from foreign contribution shall not be used for speculative business.	A sub-clause has been added allowing the central government to specify businesses or activities that may be classified as speculative.
Issue: Notifying an organization of a political nature (Clause 5)	
The Bill bars organizations of a political nature from accepting foreign contributions. Before declaring an organization of a political nature, the central government has to give a notice to the organization concerned, and after considering their representation may make an order declaring the organization of a political nature.	A sub-clause has been added providing a time-limit within which the central government has to make the order. The order has to be made within 120 days of giving a notice to the concerned organization. If the order is not made within 120 days, the central government has to give reasons in writing and can then make the order within a further period of 60 days.
Issue: Penalty for making false statement or giving false accounts (Clause 33)	
There was a penalty imposed for making false statements and giving false statements. The penalty was fine and imprisonment up to three years or both.	The maximum amount of imprisonment has been reduced to six months.
Issue: Certain items permitted for legislators, politicians, journalists etc. (Clause 4)	
One item added: scholarships, stipends or similar payments.	
Issue: Grounds of cancellation of certificate (Clause 14)	
One item added: No activity of the holder of the certificate in any reasonable activity in its chosen field of for two consecutive years.	

Sources: Foreign Contribution (Regulation) Bill, 2006; Foreign Contribution (Regulation) Bill, 2010 as passed by Rajya Sabha; PRS.