

**RESERVE BANK OF INDIA  
FOREIGN EXCHANGE DEPARTMENT  
CENTRAL OFFICE  
MUMBAI-400 001**

**Notification No.FEMA. 281/2013-RB**

**Dated : July 19, 2013**

**Foreign Exchange Management (Borrowing or Lending in  
Foreign Exchange) (Third Amendment) Regulations, 2013**

In exercise of the powers conferred by clause (d) of sub-section (3) of Section 6, and sub section (2) of Section 47 of the Foreign Exchange Management Act, 1999 (42 of 1999), the Reserve Bank of India hereby makes the following amendments in the Foreign Exchange Management (Borrowing or Lending in Foreign Exchange) Regulations, 2000([Notification No.FEMA.3/2000-RB dated May 3, 2000](#)), namely:-

**1. Short Title & Commencement**

(i) These Regulations may be called the Foreign Exchange Management (Borrowing or Lending in Foreign Exchange) (Third Amendment) Regulations, 2013.

(ii) They shall come into force from the date of their publication in the Official Gazette.

**2. Amendment of Schedule**

In the Foreign Exchange Management (Borrowing or Lending in Foreign Exchange) Regulations, 2000 (Notification No. FEMA 3/2000-RB dated May 3, 2000) (hereinafter referred to as 'the principal regulations'),

(A) In Schedule I, in paragraph 1, in sub-paragraph (iv), in clause (A), in sub-clause (a), for the 'Explanation' the following shall be substituted:

"Explanation: The following sectors will qualify as infrastructure sectors, namely,

(a) Energy which will include (i) electricity generation, (ii) electricity transmission, (iii) electricity distribution, (iv) oil pipelines, (v) oil/gas/liquefied natural gas (LNG) storage facility (includes strategic storage of crude oil) and (vi) gas pipelines (includes city gas distribution network);

(b) Communication which will include (i) mobile telephony services / companies providing cellular services, (ii) fixed network telecommunication (includes optic fibre / cable networks which provide broadband / internet) and (iii) telecommunication towers;

(c) Transport which will include (i) railways (railway track, tunnel, viaduct, bridges and includes supporting terminal infrastructure such as loading / unloading terminals, stations and buildings), (ii) roads and bridges, (iii) ports, (iv) inland waterways, (v) airport and (vi) urban public transport (except rolling stock in case of urban road transport);

(d) Water and sanitation which will include (i) water supply pipelines, (ii) solid waste management, (iii) water treatment plants, (iv) sewage projects (sewage collection, treatment and disposal system), (v) irrigation (dams, channels, embankments, etc.) and (vi) storm water drainage system;

(e) (i) mining, (ii) exploration and (iii) refining;

(f) Social and commercial infrastructure which will include (i) hospitals (capital stock and includes medical colleges and para medical training institutes), (ii) Hotel Sector which will include hotels with fixed capital investment of Rs.200 crore and above, convention centres with fixed capital investment of Rs.300 core and above and three star or higher category classified hotels located outside cities with population of more than 1 million (fixed capital investment is excluding of land value), (iii) common infrastructure for industrial parks, SEZs, tourism facilities, (iv) fertilizer (capital investment), (v) post harvest storage infrastructure for agriculture and horticulture produce including cold storage,

(vi) soil testing laboratories and (vii) cold chain (includes cold room facility for farm level pre-cooling, for preservation or storage or agriculture and allied produce, marine products and meat.

(g) Any other sectors as prescribed by the Reserve Bank in consultation with Government of India."

(B) In Schedule II, in paragraph (3), in sub-paragraph (iii), in clause (A), in sub-clause (a), for the 'Explanation' the following shall be substituted:

"Explanation: The following sectors will qualify as infrastructure sectors, namely,

(a) Energy which will include (i) electricity generation, (ii) electricity transmission, (iii) electricity distribution, (iv) oil pipelines, (v) oil/gas/liquefied natural gas (LNG) storage facility (includes strategic storage of crude oil) and (vi) gas pipelines (includes city gas distribution network);

(b) Communication which will include (i) mobile telephony services / companies providing cellular services, (ii) fixed network telecommunication (includes optic fibre / cable networks which provide broadband / internet) and (iii) telecommunication towers;

(c) Transport which will include (i) railways (railway track, tunnel, viaduct, bridges and includes supporting terminal infrastructure such as loading / unloading terminals, stations and buildings), (ii) roads and bridges, (iii) ports, (iv) inland waterways, (v) airport and (vi) urban public transport (except rolling stock in case of urban road transport);

(d) Water and sanitation which will include (i) water supply pipelines, (ii) solid waste management, (iii) water treatment plants, (iv) sewage projects (sewage collection, treatment and disposal system), (v) irrigation (dams, channels, embankments, etc.) and (vi) storm water drainage system;

(e) (i) mining, (ii) exploration and (iii) refining;

(f) Social and commercial infrastructure which will include (i) hospitals (capital stock and includes medical colleges and para medical training institutes), (ii) Hotel Sector which will include hotels with fixed capital investment of Rs.200 crore and above, convention centres with fixed capital investment of Rs.300 crore and above and three star or higher category classified hotels located outside cities with population of more than 1 million (fixed capital investment is excluding of land value), (iii) common infrastructure for industrial parks, SEZs, tourism facilities, (iv) fertilizer (capital investment), (v) post harvest storage infrastructure for agriculture and horticulture produce including cold storage, (vi) soil testing laboratories and (vii) cold chain (includes cold room facility for farm level pre-cooling, for preservation or storage or agriculture and allied produce, marine products and meat.

(g) Any other sectors as prescribed by the Reserve Bank in consultation with Government of India. "

**(Rudra Narayan Kar)**  
**Chief General Manager–in-Charge**

**Foot Note:**

The Principal Regulations were published in the Official Gazette vide No. G.S.R. No.386 (E) dated May 5, 2000 in Part II, Section 3, sub-section (i) and subsequently amended vide:

- i. No. G.S.R.674 (E) dated August 25,2000
- ii. No. G.S.R.476 (E) dated July 8,2002
- iii. No. G.S.R.854 (E) dated December 31,2002
- iv. No. G.S.R.531 (E) dated July 9,2003
- v. No. G.S.R.533 (E) dated July 9,2003
- vi. No. G.S.R.208 (E) dated March 23,2004
- vii. No. G.S.R.825 (E) dated December 22,2004
- viii. No. G.S.R.60 (E) dated February 9,2005
- ix. No. G.S.R.739 (E) dated December 22,2005
- x. No. G.S.R.663 (E) dated October 16,2007
- xi. No. G.S.R.61 (E) dated January 30,2009
- xii. No. G.S.R.547(E) dated July 27, 2009
- xiii. No. G.S.R. 836(E) dated November 23, 2009
- xiv. No. G.S.R.No.610 (E) dated August 03, 2012
- xv. No. G.S.R.No.832(E) dated November 17, 2012
- xvi. No. G.S.R.No.886 (E) dated December 11, 2012
- xvii. No. G.S.R. No.916 (E) dated December 21, 2012
- xviii. No. G.S.R. No.125 (E) dated February 26, 2013
- xix. No. G.S.R. No.384 (E) dated June 20, 2013.

**Published in the Official Gazette of Government  
of India – Extraordinary – Part-II, Section 3,  
Sub-Section (i) dated 12.09.2013- G.S.R.No.627 (E)**