Policy Brief

India’s FCRA Amendment Rules 2026

What Civil Society & Donors Need to Know

August 2026

Effective: June 22, 2026

Ministry of Home Affairs Notification S.O. 3272(E)

About the FCRA Amendment Rules 2026

The **Foreign Contribution (Regulation) Amendment Rules, 2026** are amendments to India’s FCRA Rules, 2011, issued by the Ministry of Home Affairs (MHA). They came into force in June 2026 and tighten regulation of civil society organizations receiving foreign funding.

How does this Relate to the FCRA Amendment Bill 2026?

The FCRA Amendment Bill (see our briefer) was introduced in March, but deferred to the 2026 Monsoon Session; it has now been referred to a Joint Parliamentary Committee (JPC). The Rules have been in force since June 22, 2026, and were adopted by the Ministry of Home Affairs (MHA) under existing delegated rule-making authority (they did not require parliamentary approval).

Efforts to amend the FCRA and its Rules reflect a sustained expansion of government control over civil society receiving cross-border funding, with immediate implications for compliance.

Action Items

Deadline:
File FC-6F by June 21, 2027

Governance:
Confirm who qualifies as a key functionary, including foreign donors.

Donors:
Notify DAFs, intermediaries, and 501(c)(3)s of ultimate donor disclosure requirements.

Communications:
Review publications and social media against the “no news” rule.

Key Provisions at a Glance

Activity- & Geography-Specific Registration

Registration is no longer open-ended. Organizations must now select from 105 prescribed activities (across 5 categories, excluding proselytization) and declare the States/Union territories in which they operate. All existing registrants must submit Form FC-6F by June 21, 2027 or risk losing registration.

Expanded “Key Functionary” Definition

Now includes directors, trustees, partners, governing body members, and any person with “control over, or responsibility for the management or affairs” of the organization. This broad language could extend to foreign donors who exercise grant oversight or other governance functions.

Expanded Surveillance & Disclosure

Annual returns must now include: social media accounts and posts of the organization and all key functionaries individually; publications and blogs; ultimate donor identity; and detailed activity reports with geographic breakdown.

Limiting Foreign National Key Functionaries

Organizations with foreign nationals (other than Overseas Citizens of India or Persons of Indian Origin) in key functionary roles will ordinarily not be eligible for registration or prior permission unless specifically permitted by the Central Government.

Key Provisions (continued)

75% Utilization Before Next Tranche

Organizations receiving foreign contributions under the Prior Permission route must apply before receiving second or subsequent installments, and demonstrate 75% utilization of the prior installment, plus a government field inquiry into project activities.

Restrictions on Publications

Organizations may publish impact reports, research, and fundraising materials but must avoid "political commentary, news reporting, current affairs reporting, or material that could qualify as news." Annual returns must disclose all publications and communications by both the organization and every key functionary.

FATF & the NPO Sector

India has invoked FATF Recommendation 8 to justify FCRA restrictions — but the 2024 Mutual Evaluation Report (MER) found India's approach is *too broad*, not too permissive:

- India rated **only partially compliant with R.8**, because blanket restrictions apply to all foreign-funded NPOs, not just those demonstrably at terrorism-financing risk.
- The MER called for **more outreach and consultation with the NPO sector**. The June 22 Rules were adopted without any such consultation.
- India is under regular FATF follow-up (with a progress report due in 2027). **The Rules move further from, not toward, compliance**.

FATF's 2023 revision of R.8 explicitly bars disproportionate or blanket measures on NPOs — precisely what the June 22 Rules impose on all 14,000+ FCRA registrants.

International Law Analysis

Freedom of association, ICCPR Art. 22

By limiting foreign-funded activity to government-approved purposes and locations, the Rules restrict NGOs' autonomy to determine and develop their own work.

Access to resources, ICCPR Art. 22

Expanded disclosure requirements, funding, reporting, and governance restrictions make it more difficult for organizations to access and utilize foreign funding.

Legality, necessity, and proportionality, ICCPR Arts. 19, 21, and 22

The Rules apply sweeping restrictions across the sector without a demonstrated risk basis, contrary to the principle that limits on civic freedoms should be targeted and proportionate. The use of executive rule making to impose significant new restrictions also raises legality and democratic concerns.

The 105-activity Schedule

Organizations must choose their activities from a fixed schedule and obtain prior MHA approval before adding or changing purposes or operating geographies. Foreign contributions cannot be used for activities not on the schedule.

16
Religious activities

18
Cultural activities

19
Economic activities

22
Education activities

30
Social activities

International Groups Call for Withdrawal

A July 2026 joint statement from Amnesty International, ICJ, and global civil society groups called for immediate withdrawal of the Rules, stating that they "fail to meet international human rights law and standards."

Implications for Civil Society Organizations

File FC-6F by June 21, 2027 or risk losing registration

Every existing registrant must map their work to the 105-activity schedule and declare operating states. Any future expansion will require prior MHA approval.

Activity and speech constraints

Programs outside declared purposes or states are not compliant. Advocacy and policy communications may be implicated by the "no news" rule.

Smaller organizations most at risk

The INR 10 lakh "reasonable activity" threshold penalizes organizations with modest FCRA receipts, even where they remain highly active through domestic funding.

Personal exposure for individuals

Both the organization itself and all of its key functionaries must disclose any social media, blogs, and publications in annual returns, compounding the chilling effect on advocacy and governance.

Cash flow disruption

For organizations operating under Prior Permission, the 75% utilization requirement and mandatory field inquiry before release of subsequent installments may delay project timelines and create funding gaps.

Implications for Donors & Foundations

"Key functionary" risk

Standard grant conditions, reporting requirements, or approval rights over program implementation may constitute "control or responsibility" over a grantee, potentially qualifying foreign donors as key functionaries subject to disclosure and liability.

Identity disclosed to government

Where funds flow through 501(c)(3)s, donor-advised funds, or other intermediaries, the ultimate donor's name, address, and email must now appear in the grantee's annual return filed with MHA.

Foreign national involvement

Non-OCI foreign staff or board members of international funders involved in Indian grantee governance can now trigger registration ineligibility for the grantee.

Review grant agreements

Grants covering activities outside the 105-activity schedule or non-declared geographies cannot be legally executed. Multi-year installments for Prior Permission registrants may face delays under the tranche utilization rules.