



भारतीय रिज़र्व बैंक
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July 1, 2009

The Chief Executive Officers of
All Primary (Urban) Co-operative Banks

Dear Sir/Madam,

Master Circular on Exposure Norms and Statutory/Other Restrictions - UCBs

Please refer to our Master Circular [UBD.BPD\(PCB\).MC.No.1 / 13.05.000 / 2008-09 dated July 1, 2008](#) on exposure norms and statutory/other restrictions on loans & advances (available at RBI website www.rbi.org.in).The enclosed Master Circular consolidates and updates all the instructions issued by the department on the subject till 30 June 2009.

Yours faithfully,

(A.K Khound)
Chief General Manager-in-Charge

Encl: As above

Master Circular
**Exposure Norms and Statutory/
Other Restrictions**

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Master Circular
**Exposure Norms and Statutory/
Other Restrictions**

1. GENERAL

- 1.1 As a prudential measure aimed at better risk management and avoidance of concentration of credit risk, the primary (urban) co-operative banks have been advised to fix limits on their exposure –
- to individual borrowers and group borrowers,
 - to specific sectors, and
 - towards unsecured advances and unsecured guarantees
- 1.2 In addition, these banks are also required to observe certain statutory and regulatory restrictions in respect of :
- (i) advances against shares, debentures and bonds
 - (ii) investments in shares, debentures and bonds
- 1.3 Currently operative instructions on all these aspects are detailed in the following paragraphs.

2. EXPOSURE NORMS

2.1 Exposure Ceiling to Individual/Group Borrowers

- 2.1.1 Primary (urban) co-operative banks are required to fix, with the approval of their Board of Directors, exposure ceiling in relation to **bank's capital funds**. The exposure for the purpose shall comprise both credit exposure (loans and advances and investment exposure (Non SLR) as detailed at para 2.2.2(B) so that –
- (i) the exposure to an **individual** borrower does not exceed 15 per cent of capital funds, and
 - (ii) the exposure to a **group** of borrowers does not exceed 40 per cent of capital funds.
- 2.1.2 The exercise of computing the exposure ceilings may be conducted every year after the finalisation and audit of balance sheet of the bank and the exposure ceilings may be advised to the loan sanctioning authorities and the investment department in the bank.

In view of the linking of shareholding to lending, accretion to or reduction in the share capital after the balance sheet date, may be taken into account for determining exposure ceiling at half-

yearly intervals, with the approval of their Board of Directors. Accordingly banks may, if they so desire, fix a fresh exposure limit taking into account the amount of share capital available as on 30th September. However, accretion to capital funds other than to share capital, such as half-yearly profit etc., will not be eligible for reckoning the exposure ceiling. Banks should also ensure that they do not take exposures in excess of ceiling prescribed in anticipation of infusion of capital on a future date.

2.2 Definitions

2.2.1 **Capital Funds**

The "Capital Funds" for the purpose of exposure norm would comprise both Tier I and Tier II Capital as defined in our Master Circular on Capital Adequacy.

2.2.2 **The Exposure shall include both credit exposure (Loans and Advances) and investment exposure (non-SLR) as indicated below:**

2.2.2.1 **Credit Exposure:**

- (i) Credit exposure **shall include** –
 - (a) **funded** and **non-funded** credit limits and **underwriting** and similar commitments,
 - (b) facilities extended by way of equipment leasing and hire purchase financing, and
 - (c) ad hoc limits sanctioned to the borrowers to meet the contingencies.
- (ii) Credit exposure shall not include loans and advances granted against the security of bank's own term deposits
- (iii) The sanctioned limit or outstanding whichever is higher shall be reckoned for arriving at credit exposure limit. Further, in case of fully drawn term loans, where there is no scope of re-drawal of any portion of the sanctioned limit, banks may reckon the outstanding for arriving at credit exposure limit.
- (iv) In respect of non-funded credit limit, 100 % of such limit or outstanding, whichever is higher, need be taken into account for the purpose.
- (v) Consortium/Multiple Banking/Syndication

The level of individual bank's share shall be governed by single borrower / group exposure.

2.2.2.2 Investment Exposure (Non SLR):

Banks are allowed to invest in 'A' or equivalent and higher rated Commercial Papers (CPs), debentures, and bonds that are redeemable in nature. Investments in perpetual debt instruments are, however, not permitted. Banks are also allowed to invest in Units of Debt Mutual Funds and Money Market Mutual Funds.

- a) Investments in non-SLR securities should be limited to 10% of a bank's total deposits as on March 31 of the previous year.
- b) Investments in unlisted securities should not exceed 10% of the total non-SLR investments at any time. Where banks have already exceeded the said limit, no incremental investment in such securities will be permitted.
- c) All investments as above will be subject to the prescribed prudential individual/ group exposure limits.
- d) All fresh investments under Non-SLR category should be classified under Held for Trading (HFT) / Available for Sale (AFS) categories only and marked to market

2.2.3 Group

The decision in regard to definition of a **group** is left to the perception of the banks, which are generally aware of the basic constitution of their clientele. The group to which a particular borrowing unit belongs may, therefore, be decided by the banks on the basis of relevant information available with them, **the guiding principle in this regard being commonality of management and effective control.**

- 2.2.4 The total of the **time and demand liabilities** shall have the same meaning as defined in Section 18 read with Section 56 of the Banking Regulation Act 1949, subject to the modification that 75% of the paid-up capital and reserves of a bank may be added to its time and demand liabilities.
- 2.2.5 All bills of exchange not accompanied by the official receipts of the Indian Railways or Indian Airlines Corporation or Road and Water Transport Operators, as approved by the Board of Directors of the primary co-operative bank, shall be deemed to be **clean bills.**
- 2.2.6 The different firms with one or more common partners engaged in the same line of business, viz. manufacturing, processing, trading activity, etc. shall be deemed to be **connected group** and units coming under common ownership shall be deemed to be a single party.

2.2.7 **Unsecured advances** shall include clean overdrafts, loans against personal security, clean bills or Multani hundies purchased or discounted, cheques purchased and drawals allowed against cheques sent for collection but shall exclude:

- (i) advances backed by guarantee of the central or state governments, public sector financial institutions, banks and Deposit Insurance & Credit Guarantee Corporation;
- (ii) advances against supply bills drawn on the central or state governments or state owned undertakings which are accompanied by duly authorised inspection notes or receipted challans;
- (iii) advances against trust receipts;
- (iv) advances against inland D/A bills drawn under letters of credit;
- (v) advances against inland D/A bills (even where such bills are not drawn under letters of credit) having a usance of not exceeding 90 days;
- (vi) advances granted to salaried employees against personal security, provided that the Co-operative Societies Act of the State concerned contains an obligatory provision for deduction of periodical loan instalments by the employer out of the employee's salary/wages to meet the bank's claims and provided further that the bank has taken advantages of this provision in respect of each of such advances;
- (vii) advances against supply bills drawn on private parties of repute and receipted challans of public limited companies and concerns of repute and not outstanding for more than 90 days;
- (viii) advances against book debts which are not outstanding for more than 90 days;
- (ix) cheques issued by governments, public corporation and local self governing institutions;
- (x) advances in the form of packing credit for exports;
- (xi) demand drafts purchased;
- (xii) the secured portion of a partly secured advances, and
- (xiii) advances against legal assignment of contract moneys due, or to become due.

2.2.8 **Concerns** in which a director of a primary co-operative bank or his relative is interested shall mean –

- (i) proprietary concerns/ partnership firms (including Hindu Undivided Family concerns and association of persons) in

which a director of the bank or his relative is interested as proprietor/ partner/ co-parcener;

- (ii) private/ public limited companies, where a director of the bank is a guarantor for repayment of loans and advances granted to the company.

2.2.9 The **'relative'** of a director of the bank shall mean any relative of a director of the bank as indicated hereunder:

A person shall be, deemed to be relative of another, if and only if, :

- (a) they are members of a Hindu Undivided Family; or
- (b) they are husband and wife; or
- (c) the one is related to the other in the manner indicated below :
 - (i) Father
 - (ii) Mother(including step-mother)
 - (iii) Son (including step-son)
 - (iv) Son's wife
 - (v) Daughter (including step-daughter)
 - (vi) Daughter's husband
 - (vii) Brother (including step-brother)
 - (viii) Brother's wife
 - (ix) Sister (including step-sister)
 - (x) Sister's husband

2.2.10 The words **'any other financial accommodation'** shall include funded and non-funded credit limits and under-writings and similar commitments, as under:

- (i) The funded limits shall include loans and advances by way of bills purchase/discounting, pre-shipment and post-shipment credit facilities and deferred payment guarantee limits extended for any purpose including purchase of capital equipment and acceptance limits in connection therewith sanctioned to borrowers and guarantees by issue of which a bank undertakes financial obligation to enable its constituents to acquire capital assets.
- (ii) The non-funded limits shall include letters of credit, guarantees and under-writings and similar commitments.

2.2.11 In view of the fact that salary earner banks grant advances to salaried employees of a particular institution/group of institutions to which their membership is restricted and deductions are made from the salaries through their employers, the salary earner banks may allow such advances in excess of the limits prescribed above subject to the following conditions:

- (i) The Co-operative Societies Act of the State concerned contains an obligatory provision for deduction of periodical loan instalments by the employer out of employee's salaries/ wages to meet bank's claims.

- (ii) The bank has taken advantage of this provision in respect of each of such advance.
- (iii) A general limit for such advances is fixed by the bank in terms of certain multiples of the pay packet taking into account the monthly income of the employees.

2.2.12 The advances granted by primary (urban) co-operative banks, other than salary earners societies, to all salaried borrowers wherein repayment is sought to be ensured through deduction from borrower's salaries as per the provisions of the State Co-operative Societies Act, should be reckoned as secured only for the purpose of computation of total unsecured advances to the members as a whole. While granting advances to the individual salaried borrowers, the banks should ensure that these advances do not exceed the maximum limit on unsecured advances as indicated in paragraph 3.1 (a).

2.3 Real Estate Sector Exposure limit

Primary (urban) co-operative banks are advised to frame, with the approval of their Board of Directors, comprehensive prudential norms relating to the ceiling on the total amount of real estate loans, keeping in view the Reserve Bank guidelines to ensure that bank credit is used for construction activity and not for activity connected with speculation in real estate subject to the following:

- 2.3.1 The total exposure to real estate including individual housing loan and commercial real estate may be limited to 15 per cent of the total deposit resources of a bank
- 2.3.2 However, the above limit may be exceeded to the extent of funds obtained for the purpose from higher financing agencies and refinance from the National Housing Bank.

2.4 Inter-bank exposure limit

2.4.1 Prudential inter-bank (gross) exposure limit

The total amount of deposits placed by an UCB with other banks (inter-bank) for all purposes including call money / notice money, and deposits, if any, placed for availing clearing facility, CSGL facility, currency chest facility, remittance facility and non-fund based facilities like Bank Guarantee (BG), Letter of Credit (LC), etc shall not exceed 20% of its total deposit liabilities as on March 31 of the previous year. The balances held in deposit accounts with commercial banks and in permitted scheduled UCBs and investments in Certificate of Deposits issued by commercial banks, being inter bank exposures, will be included in this 20% limit.

2.4.2 Prudential inter-bank counter party limit

Within the prudential inter-bank (gross) exposure limit, deposits with any single bank should not exceed 5% of the depositing bank's total deposit liabilities as on March 31, of the previous year.

Exemptions from the prudential limit

As per the extant policy, non-scheduled UCBs in Tier I have been exempted from maintaining SLR in Government and other approved securities up to 15% of their NDTL provided the amount is held in interest bearing deposits with the Public Sector Banks and IDBI bank Ltd. These deposits are exempted from the prudential limit on inter-bank exposure limits [Paragraph 2.4.1 & 2.4.2].

The balances maintained by UCBs with the Central Cooperative Bank of the district concerned or with the State Cooperative Bank of the State concerned under the provisions of Section 24 of the Banking Regulation Act, 1949 (AACS) are also exempted from the prudential limit on inter-bank exposure limits [Paragraph 2.4.1 and 2.4.2].

2.4.3 Deposits placed by non-scheduled PCBs with scheduled PCBs

2.4.3.1 Non-scheduled PCBs are permitted to place deposits with strong scheduled PCBs complying with the following norms:

- i) The bank complies with the prescribed level of CRAR.
- ii) Net NPAs of the bank are less than 7%.
- iii) The bank has not defaulted in the maintenance of CRR/SLR for the last two years
- iv) The bank has declared net profits for the last three consecutive years
- v) The bank complies with prudential norms on income recognition, asset classification and provisioning, exposure ceilings and loans and advances to directors.
- vi) The amount of deposits placed by a non-scheduled UCB with any scheduled UCB should not exceed 5% of the depositing bank's total deposit liabilities as on March 31 of the previous year.

2.4.3.2 Acceptance of deposits from non-scheduled UCBs by the scheduled UCBs will also be subject to the following conditions:

- i) The total inter-UCB deposits accepted by a scheduled UCB should not exceed 10% of its deposit liabilities as on 31st March of the previous financial year.
- ii) The rate of interest offered on such deposits should be market related.
- iii) Scheduled UCBs should not, however, place deposits with other scheduled/non-scheduled UCBs.

3. CEILING ON UNSECURED ADVANCES (WITH SURETY & WITHOUT SURETY)

3.1 *Ceiling for a single party/connected group*

- (a) The maximum limit on unsecured advances (**with sureties**) to a single party/connected group of borrowers will be as under:

Category of Advances	Non scheduled primary(urban) co-operative bank whose DTL is		Scheduled primary(urban) co-operative banks
	Less than Rs. 10 crores	Rs. 10 crores or more	
Classified as Grade I			
All types of unsecured advances including clean bills/multani hundis purchased/discounted and drawals allowed against cheques sent for collection	Rs. 50,000/-	Rs. 1,00,000/-	Rs 2,00,000/-
Classified as Grade II, III or IV	Rs. 25,000/-	Rs. 50,000/-	Rs. 50,000/-

- (b) UCBs may grant unsecured advances without surety within the under noted limits only in respect of purchase/discount/withdrawal against third party cheques for a temporary period of 30 days in emergent cases:

Category of banks	Grade	Limit	Grade	Limit
Scheduled	Banks in Gr-III & IV	Rs25,000/-	Banks other than Gr-III & IV	Rs 50,000/-
Non- Scheduled	- do-	Rs 10,000/-	-do-	Rs 20,000/-

3.2 Aggregate ceiling on unsecured advances

The total unsecured advances (with surety and without surety) granted by a bank to its members should not exceed 15 % of its demand and time liabilities (DTL) as against the earlier limit of 33.33 %. However, banks are permitted to conform to the lower limit in a gradual manner, i.e. 20 % of DTL by March 31, 2006 and further to 15 % of DTL by March 31, 2007

No bank shall finance a borrower, who is already enjoying credit facilities with another bank, without obtaining a 'NOC' from such financing bank and where the aggregate of the credit facilities enjoyed by the borrower exceeds the ceiling stipulated in the directive for a single party, the prior approval of Reserve bank shall be obtained.

4. STATUTORY RESTRICTIONS

4.1 Advances against Bank's Own Shares

In terms of Section 20(1) (a) of the Banking Regulation Act 1949 (As applicable to co-operative societies), a primary (urban) co-operative bank cannot grant loans and advances on the security of its own shares.

4.2 Restrictions on Power to Remit Debts

4.2.1 Section 20-A (1) of the Banking Regulation Act, 1949 (As applicable to Co-operative Societies) stipulates that a primary (urban) co-operative bank shall not, except with the prior approval of the Reserve Bank, remit in whole or in part any debt due to it by –

- (i) any of its past or present directors, or
- (ii) any firm or company in which any of its directors is interested as director, partner, managing agent or guarantor, or
- (iii) any individual, if any of its directors is his partner or guarantor.

4.2.2 In terms of Section 20-A (2) of the said Act, any remission made in contravention of the provisions of sub-section (1) above shall be void and of no effect.

5. REGULATORY RESTRICTIONS

5.1 Granting Loans and Advances to Directors and their Relatives

5.1.1 With effect from 1 October 2003, primary (urban) co-operative bank have been prohibited to make, provide or renew either secured or unsecured loans and advances or any other financial accommodation to its directors or their relatives, and the firms / companies/ concerns in which they are interested. The existing advances may be allowed to continue up to the date when they are due. The advances should not be renewed or extended further.

5.1.2 The following categories of director related loans are exempted from the purview of the above instructions.

- (i) Regular employee-related loans to staff directors on the board of UCBs;
- (ii) Normal loans as applicable to members to the directors on the boards of salary earners' co-operative banks and
- (iii) Normal employee-related loans to managing directors of multi-state co-operative banks.
- (iv) Loans to directors and their relatives against Fixed Deposits and Life Insurance policies standing in their own name.

5.1.3 Banks are required to submit information pertaining to loans and advances granted to their directors and relatives for each quarter end (i.e. 31 March, 30 June, 30 September and 31 December) in the proforma given in *Annex 1 & 2*, to the concerned Regional Office of this Department within fifteen days from the close of the respective quarter.

5.1.4 In case of supersession of the Board of Directors of a bank, the concerned bank should submit the statement in respect of loans and advances availed by special officers/Administrators including their relatives.

5.2 **Maximum Ceiling on Advances to Nominal Members**

Banks may sanction loans to nominal members for short/temporary period and for purchase of consumer durables, subject to the following ceiling:

	Banks	Loan Amount Ceiling
(i)	with deposits upto Rs. 50 crore	Rs. 50,000/- per borrower
(ii)	with deposits above Rs. 50 crore	Rs. 1,00,000/- per borrower

5.3 **Advances against Fixed Deposit Receipts (FDRs) Issued by Other Banks**

The banks should desist from sanctioning advances against FDRs / term deposits of other banks.

5.4 **Bridge Loans/Interim Finance**

The primary (urban) co-operative banks, have been prohibited from entertaining any proposal for bridge loan / interim finance including that against capital / debentures issues and/or in the form of loans of a bridging nature, pending raising of long term funds from the market by way of capital, deposits etc. from all the categories of non-banking financial companies i.e. equipment leasing, hire-purchase, loan, investment and also residuary non-banking companies.

5.5 Bank Finance against Shares, Debentures and Bonds

5.5.1 Bank Finance to Stock Brokers

- 5.5.1.1 Banks are prohibited from extending any fund based or non fund based credit facilities, whether secured or unsecured , to stockbrokers against shares and debentures/bonds, or other securities, such as fixed deposits, LIC policies etc.
- 5.5.1.2 Banks are not permitted to extend any facility to commodity brokers. This would include issue of guarantees on their behalf.
- 5.5.1.3 Advances against units of mutual funds can be extended only to individuals as in the case of advances against the security of shares, debentures and bonds (para 5.5.2).
- 5.5.1.4 Any credit facility presently in force, but not in consonance with the above instructions should be withdrawn /closed without any delay. A compliance report in this regard may be submitted to the Regional Office concerned of Reserve Bank.
- 5.5.2 Loans against the primary / collateral security of shares/ debentures should be limited to Rs. 5 lakh if the security is in physical form and upto Rs. 10 lakh if the security is in demat form.
- 5.5.3 A margin of 50 percent should be maintained on all such advances.
- 5.5.4 Aggregate of all loans against the security of shares and debentures should be within the overall ceiling of 20 percent of the owned funds of the bank.
- 5.5.5 Banks are required to report to the respective Regional Offices of the Reserve Bank of India their outstanding, to individual borrowers and other entities against shares on quarterly basis in the format given in *Annex 3*.
- 5.5.6 It is essential that before accepting shares as security, banks should put in place appropriate risk management systems. All the approved loan proposals should be placed before the Audit Committee of the Bank at least once in two months. The Management and Audit Committee should ensure that all loans against shares are made only to those individuals who are not in any way connected with any stock broking entity. Details of the loan sanctioned should be reported to the Board in its subsequent meeting.

5.6 Bank Finance against Preference Shares and Long Term Deposits

Primary (urban) Cooperative Banks should not invest in Perpetual Non cumulative Preference Shares (Tier I), other Preference shares (Tier II) such as Perpetual Cumulative Preference Shares, Redeemable Non Cumulative Preference Shares, Redeemable Cumulative Preference Shares and also in Long Term Deposits (Tier II) issued by other banks; nor should they grant advances against the security of the above instruments issued by them or other banks.

5.7 Bank Finance to Non-Banking Financial Companies (NBFCs)

5.7.1 *Admission of NBFCs as Members*

- (i) For availing loans or advances from a primary (urban) co-operative bank, its membership is a must. However, primary (urban) co-operative banks are normally **not expected to enrol** non-banking financial institutions like investment and financial companies as well as other persons engaged in the business competing with or conflicting with the business of the bank, as their members since it would be in contravention of the state co-operative societies act concerned and will also not be in conformity with the provision of model by-law No. 9. Therefore, **banks should not finance NBFCs, other than those engaged in hire- purchase/leasing.**
- (ii) Similarly, admission of non-banking financial companies which are **not engaged exclusively** in leasing/hire purchase business as members may be contrary to the provisions contained in the state co-operative societies act concerned and model by-law No. 9. It will, therefore, be necessary for the primary (urban) co-operative banks to obtain prior approval of the concerned registrar of co-operative societies before admitting such leasing/hire purchase companies as members.

5.7.2 *Activities eligible for finance to NBFCs engaged in hire purchase/ leasing activities*

Within the prescribed credit exposure norms and above stated

	Type of NBFC	Maximum Limit on Bank Finance
(i)	Equipment leasing and hire purchase companies* having not less than 75 percent of their assets in equipment leasing and hire purchase, and 75 percent of their gross income from these two types of activities as per the last audited balance sheet of the companies.	3 times of the Net Owned Funds (NOF) of the NBFC
(ii)	Other equipment and hire purchase companies	2 times of the Net Owned Funds (NOF) of the NBFC

restrictions, primary (urban) co-operative banks, with working capital funds aggregating to Rs. 25 crores and above, may finance the equipment leasing/hire purchase companies, subject to the following limits:

* The equipment leasing and hire purchase companies are now known as 'Asset Finance Companies'

Note:

- (i) The maximum limit on bank finance should be within the **overall ceiling of borrowing by NBFCs, upto ten times of their NOF.**
- (ii) Bank finance to leasing concerns should be restricted only to "full payout" leases i.e. those leases where the cost of the asset is fully recovered during the primary lease period itself and further it should cover purchases of only new equipment.
- (iii) As a prudent policy, lease rentals due during the period of next five years should alone be taken into account for the purpose of lending.

1.1.1 *Activities not eligible for finance to NBFCs engaged in hire purchase/leasing activities*

- (i) The following activities undertaken by non-banking financial companies engaged in hire purchase/leasing activities are **not eligible** for bank credit. As such, these items should be excluded from the build-up of current assets while arriving at permissible bank finance for all categories of NBFCs:
 - (a) Bills discounted/rediscouted by NBFCs, except where specifically permitted;

- (b) Investments made in shares, debentures etc. of a current nature, i.e., stock-in-trade;
 - (c) Investment in and advances to subsidiaries, group companies or other entities; and
 - (d) Investments in and inter-corporate loans/deposits to other companies.
- (ii) In respect of items indicated at (a) and (b) above, banks should not make any adjustment in the projected net working capital (NWC). It may be added that the projected NWC represents long-term surplus available to support current operations and, therefore, does not need to be adjusted as a result of changing/pruning the level of current assets while reducing the level of maximum permissible bank finance.

5.7.4 ***Financing of NBFCs by Scheduled Primary (Urban) Co-operative Banks***

- (i) The **Scheduled** primary (urban) co-operative banks may rediscount bills discounted by NBFCs arising from sale of commercial vehicles, including light commercial vehicles, two wheeler and three wheeler vehicles, subject to normal lending safeguards and the following conditions:
 - (a) the bills should have been drawn by the manufacturers on dealers only,
 - (b) the bills should represent genuine sale transactions as may be ascertained from the chassis/engine numbers, and
 - (c) before rediscounting the bills, the scheduled primary (urban) co-operative banks should satisfy themselves about the bona- fides and track record of NBFCs which have discounted the bills.
- (ii) The **Scheduled** primary (urban) co-operative banks may provide finance to NBFCs eligible for bank finance for the purpose of on-lending to Small Road and Water Transport Operators (SRWTOs) for purchase of trucks and classify such advances under priority sector, provided the ultimate borrowers (SRWTOs) satisfy the eligibility requirements for being classified under the priority sector.
- (iii) **Scheduled** primary (urban) co-operative banks may finance NBFCs for on-lending to individual farmers and for hire purchase schemes for distribution of agricultural machinery and implements and the same may be reckoned for the purpose of priority sector lending as indirect finance to agriculture.
- (iv) The **Scheduled** primary (urban) co-operative banks may extend finance to NBFCs or other financial intermediaries for on-lending to small and micro enterprises (manufacturing as well as service) and classify such

finance under priority sector after satisfying that relevant norms at the ultimate borrowal level are complied with.

5.8 Financing equipment leasing and hire purchase financing

5.8.1 Consequent to the Government of India notification dated 12 December 1995 specifying 'hire purchase' and 'equipment leasing' as forms of business in which it is lawful for a primary cooperative bank to engage, **Scheduled** urban cooperative banks are allowed to undertake these activities. Scheduled urban cooperative banks are advised to ensure that:

- (i) These activities are undertaken only at select branches of Banks
- (ii) These activities are to be treated at par with loans and advances and subject to extant exposure norms on individual / group borrowers.
- (iii) Banks should maintain a balanced portfolio of equipment leasing, hire purchase vis-à-vis aggregate credit. Credit exposure to each of these activities should not exceed 5% of total advances
- (iv) Banks undertaking these activities should follow prudent accounting standards. Entire lease rental should not be taken to banks' income account. Only the interest component should be taken to income account. The component representing replacement cost of the asset should be carried to the Balance Sheet in the form of a provision for depreciation
- (v) As a prudent measure, full depreciation should be provided during the primary lease period of the asset.
- (vi) Leasing and hire purchase financing extended by scheduled primary cooperative banks, departmentally, may be classified as priority sector advances provided the beneficiary satisfies the criteria laid down by RBI for treating such advances as advances to priority sector.

Non Scheduled banks, which also desire to undertake these activities should obtain RBI permission.

5.9 Financing for Agricultural Activities

5.9.1 The primary (urban) co-operative banks are permitted to finance agricultural activities under priority sector subject to the following conditions:

- (i) Banks would provide direct finance only to members (no nominal members) and not through any agency like primary agricultural credit societies and primary land development banks etc.,

- (ii) Credit should be extended only after obtaining 'no dues certificate' from the existing credit agencies in the area, and
- (iii) Banks should follow the scales of finance and obtain security as per guideline issued by RBI/NABARD.

5.10 Restriction on Advances to Defaulters of Statutory Dues

- 5.10.1 Under the law, employees' contributions to provident fund deducted from wages of the employees/members, for a period of more than six months and not paid to the Commissioner are a first charge on the assets of the borrowers, in the case of the insolvency/winding up of the borrowing employer. In the circumstances, primary (urban) co-operative banks should safeguard their interest vis-à-vis such statutory dues.
- 5.10.2 Therefore, banks should satisfy themselves that there are no arrears of Provident Fund and other statutory dues of the borrowers by obtaining a declaration from them that all such dues have been duly paid. Proof in this regard may be called for only in cases where banks have reason to doubt the borrowers' declaration. Even where a proof is required, it is not necessary to insist on a certificate from the Regional Provident Fund Commissioner; production of a receipt evidencing the payment of the dues or a certificate from the auditors of the borrower or any other similar proof may be considered sufficient. In the case of sick units where there are arrears for reasons beyond the control of the borrowers, banks may continue to consider such cases on merits.

Master Circular
**Exposure Norms and Statutory/
Other Restrictions**

Proforma – I
**Information in respect of Loans and Advances
Sanctioned to the Bank's Directors (including Relatives)**

[Vide para 5.1.3]

Name of the Bank :

Position as on :

Sr. No.	Name of the Borrowers	Limits Sanctioned (Rs. in lakhs)						
		Date of Sanction/ Renewal	Type of Facility		Secured	Unsecured	Nature and Value of Security	Due Date/ Date of Maturity
			Funded	Non-funded				
1	2	3	4	5	6	7	8	9
Amount Outstanding (Rs. in Lakhs)								
Secured		Unsecured		Total (100% of Funded and 100 % of Non-funded Limits)	Whether in Excess of Exposure Norms/Limits stipulated by RBI		Action initiated in case of Overdue/ NPA Accounts	
10		11		12	13		14	

Note: Different type of facilities sanctioned to a borrower should be indicated separately against column 4 and 5.

Master Circular
**Exposure Norms and Statutory/
Other Restrictions**

Proforma – II

[Vide para 5.1.3]

Name of the Bank :

Position as on :

(Rs. in lakhs)

Particulars	Amount
1. Total time and demand liabilities (as defined in Section 18 read with Section 56 of the Banking Regulation Act, 1949)	
2. Total paid-up share capital and reserves	
3. Total "Capital Funds"(Tier I and Tier II)	
4. 75% of item (2)	
5. Total of item 1 and 4	
6. (i) 15% of item 3	
(ii) 40% of item 3	
7. (i) Unsecured advances including clean bills purchased/discounted and cheques purchased	
(ii) Percentage of item 7(i) to item 5	
(iii) Total loans/advances including bills purchased outstanding against directors (including relatives) and the concerns in which they are interested	
(a) Secured	
(b) Unsecured	
I 100% of total Non-Funded facilities to all directors (including relatives)	
8. Percentage of total of items 7(iii)(a) and (b) and (c) to item 5	

Note: Figures should be rounded-off upto two decimal points.

Master Circular
**Credit Exposure Norms and Statutory/
Other Restrictions on Loans & Advances**

**Statement showing details of advances against security of
 Shares/Debentures etc. granted to individuals/share brokers
 and other entities for the quarter ended _____**

[Vide para 5.5.5]

Name of the Bank _____

Sr. No.	Name of the Borrower	Nature of Limit and Amount Sanctioned	Outstanding Balance as at the end of Reporting Quarter (Rs. in lakh)	Market Value of Shares, Debentures, etc. held as Security (Rs. in lakh)	Due Date of Repayment of Advance	Action Taken to comply with RBI instructions contained in circular dated 19 April 2001
<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>	<i>5</i>	<i>6</i>	<i>7</i>

Chief Executive Officer

**Master Circular Exposure Norms and Statutory/
Other Restrictions on Loans & Advances**

A. (i) List of Circulars consolidated in the Master Circular

No.	Circular No.	Date	Subject
1	UBD.PCB.BPD.Cir. No. 47 / 16.20.000 / 2008-09	30-01-2009	Investment in Non-SLR securities by Primary(urban) Cooperative Banks
2	UBD.PCB.BPD.Cir. No. 46 / 16.20.000/ 2 \008-09	30-01-2009	Placement of deposits with other banks by Primary(urban) Cooperative Banks
3	UBD (PCB) BPD Cir No: 14 /16.20.000 / 2007-08	18.09.2007	Investments in Non-SLR securities by primary (urban) cooperative banks
4	UBD.PCB.Cir.No.7/ 13.05.000/07-08	13.07.2007	Bank Finance against Shares and Debentures
5	UBD.PCB.Cir.No.31/13.05.000/06-07	12.03.2007	Loans and advances to directors, relatives and firms/concerns in which they are interested
6	UBD.PCB.Cir.No.29/13.05.000/05-06	30.01.2006	Maximum Limit on advances – Limit on credit exposure to individual/group of borrowers
7	UBD.PCB.Cir.No.22/13.05.000/05-06	05.12.2005	Maximum Limit on advances – Limit on Unsecured advances to single party/connected group
8	UBD.PCB.Cir.No. 14/13.05.000/05-06	06.10.2005	Loans and advances to directors, relatives and firms/concerns in which they are interested.
9	UBD.DS.cir.No.44/13.05.00/04-05	15.04.2005	Maximum Limit on advances – Limit on credit exposure to individual/group of borrowers
10	UBD. BPD (PCB) Cir No. 45 / 16. 20. 00 / 2003-04	15.4.2004	Investments in non-SLR debt securities by PCBs
11	BPD.BPD (PCB) Cir No. 34/ 13. 05. 00/ 2003-04	11.2.2004	Maximum Limit on advances – Limit on credit exposure to individual/group of borrowers – computation of capital funds
12	BPD. DS (PCB) Cir No. 29/ 13 .05 .00/ 2003-04	5.1.2004	Finance against shares & debentures by PCBs
13	UBD.BPD.PCB.Cir.No.46/16.20.00/2002-03	17.05.2003	Placement of deposits by non-scheduled PCBs with Scheduled PCBs
14	UBD.BPD.Cir.No.50/13.05.00/2002-03	29-4-2003	Loans & Advances to directors, relatives and firms / concerns in which they are interested
15	UBD.DS.PCB.Cir.No.37/13.05.00/2001-02	01.04.2002	Limit on Credit Exposure to individual / group of borrowers
16	UBD.No.DS.PCB.C1R.41/13.05.00/ 2000-01	19-4-2001	Bank Finance against Shares and Debentures
17	UBD.No.DS.PCB.CIR.35/13.05.00/ 1999-2000	13-3-2001	Maximum Limit on Advances – Unsecured Advances by Salary Earners' Banks – Revision of Limit
18	UBD.No.PCB.Cir.25/13.05.00/2000-2001	18-1-2001	Maximum Limit on Advances – Limits on Credit Exposure to Individual/Group of Borrowers – Computation of Capital Funds
19	UBD.No.DS.PCB.24/13.05.00/2000-2001	16-1-2001	Credit Extended to Diamond Exporters – Embargo on Import of Conflict Diamonds

20	UBD.No.DS.4/13.05.00/2000	25-8-2000	Maximum Limit on Advances – Limits on Credit Exposure to Individuals/Group of Borrowers – Computation of Capital Funds
21	UBD.No.DS.PCB.1/13.05.00/2000-2001	28-7-2000	Credit Extended to Diamond Exporters – Embargo on Import of Conflict Diamonds
22	UBD.No.DS.CIR.31 / 13.05.00 / 1999-2000	1/4/2000	Maximum Limit on Advances – Limits on Credit Exposure
23	UBD.No.DS.PCB.CIR.41/13.05.00/97-98	12/2/1998	Advances granted to Directors and their relatives
24	UBD.No.DS /PCB / CIR.38 / 13.05.00 / 96-97	4/2/1997	Limits on Credit Exposure to Individual/ Group of borrowers – Advances against security of term deposits
25	UBD.No.Plan.PCB.33/09.09.01/96-97	13-12-96	Financing Agricultural Activities by PCBs
26	UBD.No.DS.PCB.CIR.27/13.05.00/96-97	11/11/1996	Maximum Limit on Advances – Limits on Unsecured Advances to single party/connected Group
27	UBD.No.DS.PCB.DIR.16/13.05.00/96-97	11/11/1996	Maximum Limit on Advances
28	UBD.No.DS.PCB.CIR.25/13.05.00/96-97	30-10-96	Advances granted to directors and their relatives by Primary (Urban) Co-operative Banks
29	UBD.No.Plan.PCB.20/09.63.00/96-97	16-10-96	Policy and practice regarding Nominal Membership
30	UBD.No.DS.PCB.Cir.65/13.01.00/95-96	31-5-1996	Advances against Fixed Deposit Receipts (FDRs) issued by other banks
31	UBD.No.DS.PCB.Cir.63/13.05.00/95-96	24-5-1996	Lending to non-banking financial companies
32	UBD.No.DS.PCB.CIR.53/13.05.00/95-96	22-3-1996	Maximum Limit on Advances – Limits on Credit Exposure to Individuals/Group of Borrowers
33	UBD.No.DS.PCB.CIR.39/13.05.00/95-96	16-1-1996	Maximum Limit on Advances – Limits on credit exposure to individuals/group of borrowers
34	UBD.No.DS.PCB.DIR.18/13.05.00/95-96	16-1-1996	Maximum Limit on Advances
35	UBD.No.DS.PCB.CIR.60/13.05.00/94-95	30-5-1995	Lending to Non-Banking Financial Companies
36	UBD.No.DS.(PCB)CIR.58/13.05.00/94-95	17-5-1995	Bridge Loans/Interim Finance
37	UBD.No.DS(PCB)Dir.16/13.05.00/94-95	29-4-1995	Maximum limit on advances
38	UBD.No.DS(PCB)Cir.54/13.05.00/ 94-95	29-4-1995	Maximum limit on advances
39	UBD.No.DS.CIR.25/13.05.00/94-95	21-10-94	Leading to non-Banking financial companies
40	UBD.I&L.Cir.RCS.1/12.05.00/94-95	15-7-1994	Granting of loans and advances to persons engaged in business competing with or conflicting with the business of primary co-operative banks
41	UBD.No.DS.CIR.PCB.4/13.05.00/94-95	12/7/1994	Maximum limit on advances – Advances to Directors and their relatives and to concerns in which Directors or their relatives are interested
42	UBD.No.(PCB)DIR.5/13-05.00/93-94	26-5-1994	Maximum Limit on Advances

43	UBD.No.DS(PCB)Cir.76/13.05.00/93-94	26-5-1994	Maximum limit on advances – Advances to Directors and their relatives and to concerns in which Directors or their relatives are interested
44	UBD.No.40/09.63.00/93-94	16-12-93	Policy and practice regarding Nominal Membership
45	UBD.No.(PCB)29/DC.(R.1)-92/93	26-12-92	Bridge Loans/Interim Finance
46	UBD.No.Plan.8/UB.8/91/92	5/2/1992	Policy and Practice regarding Nominal Membership
47	UBD(PCB)55/DC.R.1-90/91	25-2-1991	Maximum Limit on Advances – Advances Against Cheques Sent for Collection
48	UBD.PCB.2/DC.(R-1)-90/91	20-7-1990	Financing of Leasing/Hire Purchase Companies
49	UBD.No.DC.99/R.1-87/88	8/2/1988	Maximum Limit on Advances – advances to Salaried Borrowers
50	UBD.No.P&O.100/UB.8-86/87	25-6-1987	Policy and Practice regarding Nominal Membership
51	ACD.Plan.(IFS)1295/PR.36-78/9	17-10-78	Sanction of Credit Facilities to Borrowers who are defaulting in payment of Statutory Dues such as Provident Fund, etc. by PCBs

5.11 List of Other Circulars from which instructions relating to Credit Exposure Norms and Statutory/Other Restrictions on Loans & Advances have also been consolidated in the Master Circular

No.	Circular No.	Date	Subject	Para No. of the Circular	Para No. of the Master Circular
1.	UBD.No.DS.PCB.7/13.04.00/2000-2001	10-10-2000	Monetary and Credit Policy Measures – Mid-Term Review for the Year 2000-2001	3	4.11.4 (i)
2.	UBD.No.DS.SUB.2/13.05.00/2000-2001	25-08-2000	Rediscounting of Bills by Banks	3	4.6.4 (i)
3.	UBD.No.Plan.SPCB .01/09.09.01/2000-2001	01-07-2000	Priority Sector Lending – Lending to NBFCs for On-lending to Agriculture	2	4.6.4 (iii)
4.	UBD.No.DS.SUB.3/13.05.00/1999-2000	21-09-1999	Rediscounting of Bills by Banks	2, 3	4.6.4 (i)
5.	UBD.Plan.No.SPCB .1/09.09.01/99-2000	27-08-1999	Priority Sector lending – Flow of credit to food and agro-based processing, forestry and tiny sector enterprises	1	4.6.4 (iv)
6.	UBD.No.DS.PCB.Cir.10/13.05.00/98-99	27-11-1998	Bank Finance against Shares and Debentures	Annex Para 2(i)	4.5.1
7.	UBD.Plan.Gr.SUB/5/09.09.01/98-99	18-11-1998	Bank Credit to Non Banking Financial Companies (NBFCs) against financing of trucks Classification under Priority Sector	1	4.6.4 (i)
8.	UBD.No.DS.PCB.Cir.55/13.05.00/97-98	29-04-1998	Advances against Shares and Debentures	2	4.5.3
9.	UBD.No.DS.PCB.Cir.46/13.05.00/96-97	23-04-1997	Lending under consortium arrangement	1	2.2.2 (v)
10.	UBD.No.DS.PCB.Cir.40/13.05.00/96-97	13-02-1997	Lending for working capital purposes Sanction of ad-hoc limits	1	2.2.2 (i) I
11.	UBD.No.Plan.PCB.60/09.78.00/95-96	08-04-1996	Equipment leasing and hire purchase financing activities	1, 2 & 5	

No.	Circular No.	Date	Subject	Para No. of the Circular	Para No. of the Master Circular
12.	UBD.NO.DS.PCB.CI R.35/13.05.00/95-96	05-01-1996	Grant of financial Assistance against Share/ Debenture of joint stock companies	2	4.5.3
13.	UBD.Plan./CIR(RCS).9/09.22.01/95-96	01-09-1995	Finance for Housing Schemes – Primary (urban) Co-operative Banks	3	2.3.3
14.	UBD DC.7 /13.05.00/95-96	09-08-1995	Grant of financial Assistance against Shares/ Debentures of joint stock companies	2	4.5.3
15.	UBD.No.(PCB)50/13 .05.00-93/94	14-01-1994	Restrictions on credit to certain sectors – Real Estate Loans	3	2.3.1
16.	UBD.No.(PCB)54/D C(R.1)-92/93	07-04-1993	Restriction on Credit to Certain Sectors	1	4.5.3
17.	UBD(PCB)38/DC.(R .1)-91/92	13-11-1991	Restriction on Credit to Certain Sectors	1(iv)	2.3.1
