



भारतीय रिज़र्व बैंक
RESERVE BANK OF INDIA
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RBI/2014-2015/169

DNBS (PD) CC. No. 42/SCRC/26.03.001/2014-2015

August 07, 2014

The Chairman/Managing Director/Chief Executive Officer

All registered Securitisation Companies (SCs)/Reconstruction Companies (RCs)

Dear Sir,

Certain amendments in Regulatory framework for SCs/RCs – Clarifications

Please refer to our [circular DNBS \(PD\) CC No.41/ SCRC / 26.03.001/ 2014-2015 dated August 5, 2014](#).

2. We have received a number of queries in the matter from the industry and in response it is clarified as under:

i) All the provisions in the said Circular will be applicable from the date of the notification i.e. August 5, 2014.

ii) Paragraph 2 h (ii) may be read as follows:

“ii. SCs / RCs should put up in their website, at quarterly intervals, the list of suit filed accounts of wilful defaulters (the current definition of wilful defaulters and the procedure to be followed are in [DBOD Master Circ. No. CID.BC.3/20.16.003/2014-15 dated July 1, 2014](#)). Further, in terms of [DNBS \(PD-SC/RC\).CC.No.23/26.03.001/2010-11 November 25, 2010](#), each SC / RC is required to become a member of at least one credit information company (CIC) and provide to the CIC periodically accurate data/history of the borrowers. In this case, also, they should furnish the data of wilful defaulters (both suit filed and non-suit filed accounts) to the CIC in which they are members.”

3. There shall be no change in the other provisions of the said circular.

4. Amended Notification DNBS (PD-SC/RC) No. 12 /PCGM (KKV)-2014 dated August 07, 2014 is enclosed.

Yours faithfully,

(K.K. Vohra)
Principal Chief General Manager

**Reserve Bank of India
Department of Non-Banking Supervision
Central Office
World Trade Centre
Mumbai 400 005**

Notification DNBS (PD-SC/RC) No.12 / PCGM (KKV) - 2014 dated August 07, 2014

The Reserve Bank of India, having considered it necessary in the public interest, and being satisfied that, for the purpose of enabling the Reserve Bank to regulate the financial system to the advantage of the country and to prevent the affairs of any Securitisation Company or Reconstruction Company from being conducted in a manner detrimental to the interest of investors or in any manner prejudicial to the interest of such Securitisation Company or Reconstruction Company, in exercise of the powers conferred under Section 3, 9, 12 and 13 of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002, hereby directs that 'The Securitisation Companies and Reconstruction Companies (Reserve Bank) Guidelines and Directions, 2003' contained in [Notification No. DNBS 2/CGM\(CSM\) - 2003 dated April 23, 2003](#) (hereinafter called directions) shall stand amended with immediate effect, as follows:-

2 Amendment of paragraph 20

For the existing paragraph 20, the following paragraph shall be substituted :

"20. Wilful Defaulters:- (1) Every SC / RC shall become a member of at least one credit information company (CIC) which has obtained certificate of registration from RBI in terms of Section 5 of the Credit Information Companies (Regulation) Act, 2005.

(2) SC / RC shall provide periodically to the CIC of which it is a member, accurate data/history of the borrowers.

(3) SCs / RCs should submit the list of wilful defaulters as at end of March, June, September and December every year to the CIC of which it is a member.

(4) Every SC/RC shall place on its website the list of suit filed accounts of wilful defaulters.

Explanation: For the purposes of this paragraph, the expression, 'wilful defaulter' shall have the same meaning as is assigned to that expression in the circulars issued to banks by DBOD from time to time."

(K K Vohra)
Principal Chief General Manager