

RBI 2009-10/ 11

DNBS (PD) CC No. 154 / 28.18.001/ 2009-10

July 01, 2009

To

The Chairman/CEOs of all Residuary Non-Banking Companies

Dear Sir,

Master Circular – Residuary Non-Banking Companies

As you are aware, in order to have all current instructions on the subject at one place, the Reserve Bank of India had issued a Master Circular on the captioned subject, which is now updated up to 30th June 2009. It may be noted that the Master Circular consolidates and updates all the instructions contained in the notifications listed in the Appendix, in so far they relate to **Residuary Non-Banking Companies**. The Master Circular has also been placed on the RBI web-site (<http://www.rbi.org.in>). A copy of the revised Master Circular is enclosed.

Yours Sincerely,

(P. Krishnamurthy)

Chief General Manager -in-Charge

Appendix

Residuary Non-Banking Companies (Reserve Bank) Directions, 1987

Sl.No.	Particulars	Date of issue
1	NOTIFICATION NO. DFC.55/DG (O) - 87	15TH MAY 1987

**RESERVE BANK OF INDIA
DEPARTMENT OF NON-BANKING SUPERVISION
CENTRAL OFFICE
CENTRE I, WORLD TRADE CENTRE,
CUFFE PARADE, COLABA
MUMBAI 400 005**

(Master notification as amended upto June 30, 2009)

NOTIFICATION NO. DFC.55/DG (O) - 87 DATED THE 15TH MAY 1987

The Reserve Bank of India having considered it necessary in the public interest to give the directions mentioned below, in exercise of the powers conferred by sections 45J and 45K of the Reserve Bank of India Act, 1934 (2 of 1934), and of all the powers enabling it in this behalf, gives the directions hereinafter specified.

PART I - PRELIMINARY

Short Title and commencement of the directions

1. These directions shall be known as "Residuary Non-Banking Companies (Reserve Bank) Directions, 1987". They shall come into force with effect from 15th May 1987, and any reference to these directions to the date of commencement thereof shall be deemed to be reference to that date.

PART II - EXTENT OF THE DIRECTIONS

2. These directions shall apply to every residuary non-banking company, that is to say, a non-banking institution, being a company, which receives any deposit under any scheme or arrangement, by whatever name called, in one lumpsum or in instalments by way of contributions or subscriptions or by sale of units or certificates or other instruments, or in any other manner and which, according to the definitions contained in the ¹[*Non-Banking Financial Companies Acceptance of Public Deposits (Reserve Bank) Directions, 1998*] or, as the case may be, the Miscellaneous Non-Banking Companies (Reserve Bank) Directions, 1977, is not -

- i) an equipment leasing company
- ii) a hire purchase finance company
- iii) a housing finance company
- iv) an insurance company
- v) an investment company
- vi) a loan company
- vii) a mutual benefit financial company
- viii) a miscellaneous non-banking company and

¹ Substituted, vide Notification No. 149 dated June 27, 2001.

²[ix) a mutual benefit company]

3. Definitions

In these directions, unless the context otherwise requires, -

- (a) "deposit" shall have the same meaning as assigned to it in section 45I(bb) of the Reserve Bank of India Act, 1934 (2 of 1934);
- (b) "depositor" means any person who has made the deposit with the company;
- (c) words or expressions used but not defined herein and defined in the Reserve Bank of India Act, 1934 (2 of 1934), shall have the same meaning as assigned to them in that Act. Any other words or expressions not defined herein or in the Reserve Bank of India Act, 1934 (2 of 1934), but defined in the Companies Act, 1956 (1 of 1956) shall have the same meaning as assigned to them in the Companies Act, 1956 (1 of 1956).

Acceptance of deposits by residuary non-banking companies

4. On and from April 12, 1993³, no residuary non-banking company shall receive any deposit repayable on demand or on notice or after a period of less than 12 months or more than 84 months ^[4] from the date of receipt of such deposit or renew any deposit received by it whether before or after that date, unless such deposit, on renewal, is repayable not earlier than 12 months and not later than 84 ^[4] months from the date of such renewal.

Explanation. - Where a deposit is received in instalments, the period of deposit shall be computed from the date of receipt of the first instalment.

⁵[4A. No residuary non-banking company shall take from any depositor/subscriber to any schemes run by the company, with or without his consent, any amounts towards processing or maintenance charges or any such charges, by whatever name called, for meeting its revenue expenditure.]

⁶ [Provided that a company may charge to a new depositor/subscriber a one time (non-refundable) sum not exceeding Rs. 80/- (Rupees eighty only) towards the cost of expenses for issuing brochure, application form and servicing the depositor's account where the aggregate yearly subscription of such deposit is not less than Rs. 500/-. Where the amount of deposit collected is less than Rs. 500/- there shall be a pro rata reduction in the said one time non-refundable amount of Rs. 80/-.⁷{No such amount shall be collected on the deposits received under daily deposit scheme.}]

⁸[Branches and appointment of agents to collect deposits

4B. On and from January 13, 2000, no residuary non-banking company shall open its branch / office or appoint agents to collect deposits except as provided hereunder:

² Inserted vide Notification No. 149 dated June 27, 2001

³ Substituted, vide Notification No. DFC (COC)-68/ED(S)-93 dated April 10, 1993

⁴ Substituted, vide Notification No. DFC (COC)-68/ED(S)-93 dated April 10, 1993

⁵ Inserted, vide Notification No. DFC (COC)-69/ED(S)-93 dated April 19, 1993

⁶ Substituted, vide Notification No. DFC (COC)-82/ED(JRP)-96 dated March 22, 1996

⁷ Inserted, vide Notification No. 113/ED(G)-97 dated November 11, 1997

⁸ Inserted vide, Notification No. DNBS 136/CGM (VSNM)-2000 dated January 13, 2000

- (i) a residuary non-banking company having the certificate of registration issued under section 45-IA of the Reserve Bank of India Act, 1934 (2 of 1934) may open its branch or appoint agents if its -

(a) NOF is up to Rs. 50 crore Within the State where its registered office is situated; and if

(b) NOF is more than Rs. 50 crore Anywhere in India

- (ii) (a) for the purpose of opening a branch / office, a residuary non-banking company shall notify to the Reserve Bank of its intention to open the proposed branch;

(b) on receipt of such advice, the Reserve Bank may, on being satisfied that in the public interest or in the interest of the concerned residuary non-banking company or for any other relevant reasons to be recorded, reject the proposal and communicate the same to the residuary non-banking company;

(c) if no advice of rejection of the proposal under (b) above is communicated by the Reserve Bank within 30 days from the receipt of such advice, the residuary non-banking company may proceed with its proposal.

Closure of branches

4C. No residuary non-banking company shall close its branch / office without publishing such intention in any one national level newspaper and in one vernacular newspaper in circulation in the relevant place, before ninety days of the proposed closure and without advising the Reserve Bank at least ninety days before the proposed closure].

⁹**[Mandatory compliance with Prudential Norms**

4D. A residuary non-banking company shall not accept or renew deposits without complying with all the requirements of Non-Banking Financial Companies Prudential Norms (Reserve Bank) Directions, 1998 as contained in Notification No. DFC. 119 /DG (SPT)-98 dated January 31, 1998.]

Minimum rate of return

¹⁰**[5.** On and from 11th November 1997, the amount payable by way of interest, premium, bonus or other advantage, by whatever name called, by a residuary non-banking company in respect of deposits received from that date, shall not be less than the amount calculated -

- (i) at the rate of 8 per cent per annum (to be compounded annually) on the amount deposited in lump sum or at monthly or longer intervals;

⁹ Inserted vide, Notification No. DNBS 143/CGM (VSNM)-2000 dated June 30, 2000

¹⁰ Substituted, vide Notification No. 113 dated November 11, 1997

- (ii) at the rate of 6 per cent per annum (to be compounded annually) on the amount deposited under daily deposit schemes.

Provided that where at the request of the depositor, a residuary non-banking company makes repayment of the deposit after the expiry of a period of one year but before expiry of the period for which the deposit had been accepted, the amount payable by the company by way of interest, premium, bonus or other advantage on such deposit shall be reduced by one percentage point from the rate which the company would have ordinarily paid by way of interest, bonus, premium or other advantage, had the deposit been accepted for the period for which such deposit had run.]

¹¹*[On and from July 1, 2000, the amount payable by way of interest, premium, bonus or other advantage, by whatever name called, by a residuary non-banking company in respect of deposits received from that date, shall not be less than the amount calculated -*

- (i) *at the rate of 6 per cent per annum (to be compounded annually) on the amount deposited in lump sum or at monthly or longer intervals; and*
- (ii) *at the rate of 4 per cent per annum (to be compounded annually) on the amount deposited under daily deposit schemes :*

Provided that where at the request of depositor, a residuary non-banking company makes repayment of the deposit after the expiry of a period of one year but before the expiry of the period for which the deposit had been accepted, the amount payable by the company by way of interest, premium, bonus or other advantage on such deposit shall be reduced by one percentage point from the rate which the company would have ordinarily paid by way of interest, bonus, premium or other advantage, had the deposit been accepted for the period for which such deposit had run.]

¹²*[On and from April 1, 2003, the amount payable by way of interest, premium, bonus or other advantage, by whatever name called, by a residuary non-banking company in respect of deposits received from that date, shall not be less than the amount calculated -*

- (i) *at the rate of five per cent per annum (to be compounded annually) on the amount deposited in lump sum or at monthly or longer intervals; and*
- (ii) *at the rate of three and one-half per cent per annum (to be compounded annually) on the amount deposited under daily deposit schemes :*

Provided that where at the request of a depositor, a residuary non-banking company makes repayment of the deposit after the expiry of a period of one year but before the expiry of the period for which the deposit had been accepted, the amount payable by the company by way of interest, premium, bonus or other advantage on such deposit shall be reduced by one percentage point from the rate which the company would have ordinarily paid by way of interest, bonus, premium or other advantage, had the deposit been accepted for the period for which such deposit had run.]

¹¹ Substituted , vide Notification No. 143 dated June 30, 2000

¹² Substituted , vide Notification No. 169 dated March 31, 2003

General Provisions regarding repayment of deposits

Intimation of maturity of deposits to depositors

¹³**[5A.** It shall be the obligation of the residuary non-banking company to intimate the details of maturity of the deposit to the depositor at least two months before the date of maturity of the deposit.”

¹⁴[Payment of interest for delayed repayment of public deposits

5AA. Where an RNBC fails to repay the deposit along with interest on maturity on the claim made by the depositor, it shall be liable to pay interest in the following manner:

- i. if the company has intimated about the maturity to the depositor at least two months before the date of maturity and has sufficient evidence for the same viz. acknowledgement from the depositor, but the depositor fails to submit his claim on maturity, then the company will be required to pay interest at the rate as applicable to the deposit from the date of claim till the date of repayment along with the amount due on maturity.
- ii. if the company has not intimated about the maturity to the depositor two months before the date of maturity, then, as and when the depositor makes a claim, the company will be required to pay interest at the rate as applicable to the deposit from the date of maturity till the date of repayment along with the amount due on maturity.]

Minimum lock- in period and Repayment in the event of death of the depositor

5B. On and from October 5, 2004,

(i) No residuary non-banking company shall make premature repayment of deposit within a period of twelve months (lock – in period) from the date of its acceptance:

Provided that in the event of death of a depositor, a residuary non-banking company may repay the deposit prematurely, even within the lock – in period, to the surviving depositor/s in the case of joint holding with survivor clause, or to the nominee or the legal heir/s of the deceased depositor, on the request of the surviving depositor/nominee/legal heir, and only against submission of proof of death, to the satisfaction of the company.

Repayment of deposits by a residuary non-banking company not being a problem residuary non-banking company

(ii) Subject to the provisions contained in sub-paragraph (i), a residuary non-banking company not being a problem residuary non-banking company may, with effect from October 5, 2004, permit premature repayment of a deposit at its sole discretion:

Provided that in the case of a deposit accepted prior to the aforesaid date, such

¹³ Inserted , vide Notification No. 180 dated October 5, 2004

¹⁴ Inserted, vide Notification No. 198 dated December 14, 2007

residuary non-banking company may, if so permitted by the terms and conditions of acceptance of such deposit, repay it prematurely at the request of the depositor, after the expiry of twelve months from the date of deposit.

Repayment of deposits by a problem residuary non-banking company

(iii) Subject to the provisions contained in sub-paragraph (i), in order to enable a depositor to meet expenses of an emergent nature, a problem residuary non-banking company may make premature prepayment of a deposit as follows:

repay a tiny deposit in entirety or repay any other deposit up to an amount not exceeding Rs. 10,000/-.

¹⁵ **[Clubbing of deposits by a problem residuary non-banking company]**

(iv) All deposit accounts standing to the credit of sole/first named depositor in the same capacity shall be clubbed and treated as one deposit account for the purpose of premature repayment by a problem residuary non-banking company;

Provided that this clause shall not apply to premature repayment in the event of death of depositor as provided in sub-paragraph (i).]

Rate of interest on premature repayment of deposits

(v) Where a residuary non-banking company, whether at its sole discretion or at the request of the depositor, as the case may be, repays a deposit after twelve months from the date of its acceptance, but before its maturity (including premature repayment in the case of death of the depositor), it shall pay interest at the following rates:

After the expiry of 12 months but before the date of maturity	The interest payable shall be 2 per cent lower than the interest rate applicable to a deposit for the period for which the deposit has run or if no rate has been specified for that period, then 3 per cent lower than the minimum rate at which deposits are accepted by the residuary non-banking company.
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Explanation: For the purpose of this paragraph,

(a) 'problem residuary non-banking company' means a residuary non-banking company which -

- (i) has refused or failed to meet within five working days any lawful demand for repayment of the matured deposits ; or
- (ii) intimates the CLB under section 58AA of the Companies Act, 1956, about its default to a small depositor in repayment of any deposit or part thereof or any interest thereupon; or
- (iii) approaches the Bank for withdrawal of the liquid asset securities to meet its deposit obligations; or
- (iv) approaches the Bank for any relief or relaxation or exemption from the provisions of Residuary Non-Banking Companies (Reserve Bank)

¹⁵ Substituted vide Notification No. DNBS 183 /CGM(PK)-2005 dated December 9, 2005

Directions, 1987 or from that of Prudential Norms for avoiding default in meeting deposit or other obligations; or

- (v) has been identified by the Bank to be a problem residuary non-banking company either suo moto or based on the complaints from the depositors about non-repayment of deposits or on complaints from the company's lenders about non-payment of dues.
- (b) 'tiny deposit' means the aggregate amount of deposits not exceeding Rs.10,000/- standing in the name of the sole or the first named depositor in the same capacity in all the branches of the residuary non-banking company.”]

¹⁶ **[Minimum rate of return on deposits from NRIs]**

¹⁷ **[5C.]** On and from September 19, 2003, no residuary non-banking company shall invite or accept or renew repatriable deposits from Non-Resident Indians in terms of Notification No.FEMA.5/2000-RB dated May 3, 2000 under Non-Resident (External) Account Scheme at a rate exceeding the rate specified by the Reserve Bank of India for such deposits with scheduled commercial banks.

Explanation - The period of above deposits shall be not less than one year and not more than three years.

¹⁸ **[6. Security for depositors.**

On and from May 1, 1997 -

(1) Every residuary non-banking company shall invest and continue to invest an amount including the amount invested in assets under section 45-IB of the Reserve Bank of India Act, 1934 (2 of 1934), which at the close of business on any day of the quarter ending June 30, 1997 and thereafter on any day of each quarter shall not be less than the aggregate amounts of the liabilities to the depositors, outstanding at the close of business on the last working day of the second preceding quarter (whether or not such amounts have become payable) in securities or in other types of investments which are unencumbered and valued at a price not exceeding the current market price, in the following manner, namely, -

(a) not less than 10 percent of the aggregate amount of liabilities to depositors in fixed deposits/ certificate of deposits of scheduled commercial banks or of public financial institutions or partly in any of these banks or financial institutions ;

(b) not less than 60 percent of the aggregate amount of liabilities to depositors in bonds or debentures or commercial paper of a Government company or public sector bank or public financial institution or of any corporation established or constituted by any State or Central enactments or any other company incorporated under the Companies Act, 1956 (1 of 1956) or in any approved securities or in the manner at (a) above subject, however, to the conditions that

¹⁹ [(i) not more than two percent of the aggregate amount of the liabilities to the depositors shall be invested in any scheme/s of a Mutual Fund which is governed by the Securities and Exchange Board of India (Mutual Funds)

¹⁶ Inserted, vide Notification No.176 dated September 19, 2003

¹⁷ Renumbered, vide Notification No.180 dated October 5, 2004

¹⁸ Substituted, vide Notification No.106 dated April 30, 1997

¹⁹ Substituted, vide Notification No. 143 dated June 30, 2000

Regulations, 1996 and the aggregate of such investment shall not exceed ten per cent of the aggregate amount of liabilities to the depositors:]

²⁰[Proviso deleted]

- (ii) not more than 10 percent of the aggregate amount of liabilities shall be invested in debentures, bonds or commercial papers of the companies incorporated under the Companies Act, 1956 (1 of 1956), not being a subsidiary company, holding company or company in the same group of such residuary non-banking company, or a Government company or a public financial institution:

Provided that such bonds or debentures have been rated not less than AA+ or its equivalent by any one of the approved credit rating agencies and the commercial papers are rated as required in terms of Notification IECD No. 1/87(CP)- 89/90 dated December 11, 1989, issued by the Reserve Bank;

(c) not more than 20 percent of the aggregate amount of liabilities to the depositors or ten times the net owned fund of the company, whichever is less, may be invested in any manner which in the opinion of the company is safe as per the approval of the Board of Directors of the company, subject to the condition that the net owned fund of such company is positive. However, where the net owned fund of such company is nil or negative, such company shall invest such amount in accordance with (a) or (b) above only.]

²¹[On and from July 1, 2004 -

(1) Every residuary non-banking company shall invest and continue to invest an amount including the amount invested in assets under Section 45-IB of the Reserve Bank of India Act, 1934 (2 of 1934), which at the close of business on any day of the quarter ending September 30, 2004 and thereafter, on any day of each quarter shall not be less than the aggregate amounts of the liabilities to the depositors, outstanding at the close of business on the last working day of the second preceding quarter (whether or not such amounts have become payable) in securities or in other types of investments which are unencumbered and valued at a price not exceeding the current market price, in the following manner, namely, -

(a) not less than 10 percent of the aggregate amount of liabilities to depositors in fixed deposits/ certificates of deposit of scheduled commercial banks; or in certificates of deposit of specified financial institutions, provided the certificates are rated not less than AA+ or its equivalent by an approved credit rating agency, or partly in any of these Fixed Deposits/Certificates of Deposit so rated;

(b) not less than 70 percent of the aggregate amount of liabilities to depositors in securities of any State Government or Central Government issued by them in the course of their market borrowing programme, or in bonds or debentures (rated not less than AA+ or equivalent by an approved credit rating agency and listed on a recognized stock exchange) of any other company incorporated under the Companies Act, 1956

²⁰ Omitted, vide Notification No.168 dated March 29, 2003

²¹ Substituted, vide Notification No.178 dated June 22, 2004.

(1 of 1956) or in the manner at clause (a) or in the debt oriented schemes of mutual funds subject, however, to the conditions that

- (i) not less than 15 per cent of the aggregate amount of the liabilities to the depositors shall be invested in any securities of any State Government or Central Government issued in the course of market borrowing programme;
- (ii) not more than two percent of the aggregate amount of the liabilities to the depositors shall be invested in any one debt oriented Mutual Fund which is governed by the Securities and Exchange Board of India (Mutual Funds) Regulations, 1996 and the aggregate of such investment shall not exceed ten per cent of the aggregate amount of liabilities to the depositors:

Provided that on and from July 1, 2004, a residuary non-banking company which does not comply with the above requirement, shall not make any investment in other securities till the shortfall in this category of investments is made good.

Provided that in the event of downgrading of credit rating below the prescribed grade of any bond or debenture, the bond or debenture shall become ineligible for compliance with the above requirement and shortfall, if any, in the compliance with the above paragraph arising from such downgrading of the rating shall be made good before making any further investments in the securities as provided for in clause (c) or (d).

Provided that debenture/bonds issued by holding company/subsidiary company/company in the same group shall not qualify for such investment.

- (c) for the period prior to March 31, 2005, not more than 20 percent of the aggregate amount of liabilities to the depositors or ten times the net owned fund of the company, whichever is less, may be invested in any manner which in the opinion of the company is safe as per the approval of the board of directors of the company;
- (d) on and from April 1, 2005 not more than ten percent of the aggregate amount of liabilities to the depositors or one time the net owned fund of the company, whichever is less, may be invested in any manner which in the opinion of the company is safe as per the approval of the board of directors of the company;
- (e) on and from April 1, 2006 the aggregate amount of liabilities to the depositors shall be invested in accordance with sub-paragraph (a) or sub-paragraph (b) only.]

²²[On and from April 1, 2006 -

(1) every residuary non-banking company shall invest and continue to invest an amount including the amount invested in assets under Section 45-IB of the Reserve Bank of India Act, 1934 (2 of 1934), which at the close of business on any day of the quarter ending December 31, 2005 and thereafter, on any day of each quarter shall not be less than the aggregate amounts of the liabilities to the depositors, outstanding

²² Substituted vide Notification No. 186 dated March 31, 2006

at the close of business on the last working day of the second preceding quarter (whether or not such amounts have become payable) in securities or in other types of investments which are unencumbered and valued at a price not exceeding the current market price, in the following manner, namely, -

- (a) not less than 10 percent of the aggregate amount of liabilities to depositors in fixed deposits/ certificates of deposit of scheduled commercial banks; or in certificates of deposit of specified financial institutions, provided the certificates are rated not less than AA+ or its equivalent by an approved credit rating agency, or partly in any of these Fixed Deposits/Certificates of Deposit so rated;
- (b) not less than 75 percent of the aggregate amount of liabilities to depositors in securities of any State Government or Central Government issued by them in the course of their market borrowing programme, or in bonds or debentures (rated not less than AA+ or equivalent by an approved credit rating agency and listed on a recognized stock exchange) of any other company incorporated under the Companies Act, 1956 (1 of 1956) or in the manner at clause (a) or in the debt oriented schemes of mutual funds subject, however, to the conditions that:-
 - (i) not less than 15 per cent of the aggregate amount of the liabilities to the depositors shall be invested in any securities of any State Government or Central Government issued in the course of market borrowing programme;
 - (ii) not more than two percent of the aggregate amount of the liabilities to the depositors shall be invested in any one debt oriented Mutual Fund which is governed by the Securities and Exchange Board of India (Mutual Funds) Regulations, 1996 and the aggregate of such investment shall not exceed ten per cent of the aggregate amount of liabilities to the depositors:

Provided that on and from April 1, 2006, a residuary non-banking company which does not comply with the above requirement, shall not make any investment in other securities till the shortfall in this category of investments is made good:

Provided that in the event of downgrading of credit rating below the prescribed grade of any bond or debenture, the bond or debenture shall become ineligible for compliance with the above requirement and shortfall, if any, in the compliance with the above paragraph arising from such downgrading of the rating shall be made good before making any further investments in the securities as provided for in clause (c) or (d). :

Provided that debenture/bonds issued by holding company/subsidiary company/company in the same group shall not qualify for such investment;

(c) on and from April 1, 2006, not more than 5 percent of the aggregate amount of liabilities to the depositors or one time the net owned fund of the company, whichever is less, may be invested in any manner which in the opinion of the company is safe as per the approval of the board of directors of the company;

(d) on and from July 1, 2006, the incremental liabilities to the depositors above the level of aggregate amount of the liabilities to the depositors as on December 31, 2005 shall be invested in accordance with sub-paragraph (a) or sub-paragraph (b) only;

(e) on and from April 1, 2007, the aggregate amount of liabilities to the depositors as at end of last working day of second preceding quarter shall be invested in accordance with sub-paragraph (a) or sub-paragraph (b) only.

Explanation:- For the purpose of clause(d), “incremental liabilities to the depositors” means liabilities to the depositors exceeding the aggregate amount of the liabilities to the depositors as on 31 December, 2005.]

²³[(2) Every residuary non-banking company shall

- (i) open a Constituent's Subsidiary General Ledger (CSGL) account with a scheduled commercial bank, or the Stock Holding Corporation of India Ltd. (SHCIL) or a dematerialised account with a depository through a depository participant registered with Securities and Exchange Board of India and keep the unencumbered approved securities required to be maintained by it in pursuance of Section 45-IB of the Reserve Bank of India Act, 1934 (2 of 1934) and the Notification No. DFC.120/ED(G)-98 dated January 31, 1998, in such CSGL account or dematerialised account;
- (ii) keep other securities referred to in clause (b) of sub-paragraph (1) above in such CSGL account or dematerialised account if they have been dematerialised; and
- (iii) designate one of the scheduled commercial banks in the place where the registered office of the non-banking financial company is situated as its designated banker and entrust, in physical form, to such bank or the SHCIL all unencumbered deposit receipts and securities referred to in clauses (a) and (b) of paragraph (1) above and such unencumbered approved securities which have not been dematerialised;

and intimate the name and location of such scheduled commercial bank where it has opened its CSGL account or has held the securities in physical form, or the location of the SHCIL where it has opened its CSGL account or has held the securities in physical form or the depository (and the depository participant) where it has held its dematerialised account, in writing, to the Regional Office of the Reserve Bank of India under whose jurisdiction the registered office of the company is situated, as specified in Schedule B hereto:

Provided that where a residuary non-banking company intends to entrust the securities specified in clause (iii) above with the designated banker or the SHCIL, at a place other than the place at which its registered office is located, it may do so with the prior approval, in writing, of the Regional Office of Reserve Bank of India under whose jurisdiction the registered office of the company is situated, as specified in Schedule B hereto;]

²⁴***[Provided further that the government securities held in the said CSGL account or dematerialised account, shall not be traded, either by entering into ready forward contracts, including reverse ready forward contracts, or otherwise, except, by following the procedure and to the extent, as hereinafter specified.]***

²⁵[(3) The securities mentioned in sub-paragraph (1) above shall continue to be kept as specified in sub-paragraph (2) above for the benefit of the depositors and shall not be withdrawn or encashed or otherwise dealt with by the residuary non-banking

²³ Substituted, vide Notification No.161 dated October 1, 2002

²⁴ Inserted, vide Notification No.171 dated July 31, 2003

²⁵ Inserted, vide Notification No.161 dated October 1, 2002

company except for repayment to the depositors with the prior approval of Reserve Bank of India:

Provided that,

- (i) a residuary non-banking company may withdraw a portion of such securities in proportion to the reduction of its public deposits duly certified to that effect by its auditor;
- (ii) where the residuary non-banking company intends to substitute such securities kept in physical form, it may do so by entrusting securities of equal value to the designated bank or SHCIL before such withdrawal; and
- (iii) ²⁶[] ²⁷[(3A) Where the residuary non-banking company intends to trade, either by entering into ready forward contracts, including reverse ready forward contracts, or otherwise, in the government securities that are held in excess of the requirement under Section 45-IB of the Act and Notification No. DFC. 120/ED (G)-98 dated January 31, 1998, the same may be undertaken by opening a separate CSDL or dematerialised account for keeping such excess government securities.]

²⁸[²⁹[(4)] Every residuary non-banking company shall furnish to the Reserve Bank within 15 days from the close of business after the end of each quarter a certificate from its statutory auditors to the effect that the amounts deposited and investments made by the company are not less than the aggregate amount of liabilities to the depositors outstanding at the close of business on the last working day of the second preceding quarter.]

³⁰[**Explanation :-**

- (i) 'net owned fund' means net owned fund as defined under section 45-IA of the Reserve Bank of India Act, 1934 (2 of 1934) including the paid up preference shares which are compulsorily convertible into equity ;
- (ii) "aggregate amounts of liabilities" shall mean total amount of deposits received together with interest, premium, bonus or other advantage by whatever name called, accrued on the amount of deposits according to the terms of contract;
- (iii) "quarter" means the period of three months, ending on the last day of March, June, September or December;
- (iv) "approved credit rating agencies" mean –
 - (a) The Credit Rating Information Services of India Ltd. (CRISIL).
 - (b) Investment Information and Credit Rating Agency of India Ltd. (ICRA)
 - (c) Credit Analysis & Research Ltd. (CARE)
 - (d) FITCH Ratings India Private Ltd. (Fitch India)"
- (v) 'Scheduled Commercial Bank' means a bank included in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934) excluding a regional rural bank or a co-operative bank;
- (vi) "Government company" means a company as defined under section 617 of the Companies Act, 1956 (1 of 1956);

²⁶ Deleted, vide Notification No.171 dated July 31, 2003

²⁷ Inserted, vide Notification No. 171 dated July 31, 2003

²⁸ Substituted , vide Notification No.106 dated April 30, 1997

²⁹ Renumbered, vide Notification No. 161 dated October 1, 2002

³⁰ Substituted , vide Notification No. 178 dated June 22, 2004

- (vii) "Specified Financial Institution' means institutions listed in the schedule "D" to this Notification;
- (viii) the words 'holding company', 'subsidiary company', 'company in the same group' shall have the same meaning as assigned to them in the Companies Act, 1956.]

Abolition of forfeiture

7. On and from 15th May 1987, no residuary non-banking company shall forfeit any amount deposited by a depositor, or any interest, premium bonus or other advantage accrued thereon.

Particulars to be specified in application form soliciting deposits

8. On and from 15th May 1987, no residuary non-banking company shall accept, renew or convert any deposit except on a written application from the depositor in the form to be supplied by the company which form shall contain all the particulars specified in the Non-Banking Financial Companies and Miscellaneous Non-Banking Companies (Advertisement Rules) 1977 made under Section 58A of the Companies Act, 1956 (1 of 1956). Such application form shall also contain full details about the return which depositor is entitled to get on the deposits made by him.

Furnishing of receipts to depositors

9. (1) Every residuary non-banking company shall furnish to every depositor or his agent, unless it has done so already, a receipt for every amount which has been or which may be received by the company by way of deposit before or after the commencement of these Directions.

(2) The said receipt shall be duly signed by an officer entitled to act for the company in this behalf and shall state the date of deposit, the name of the depositor, the amount in words and figures received by the company by way of deposit, the rate of interest, premium, bonus or other advantage payable thereon and the date on which the deposit is repayable.

Register of deposits

10. (1) Every residuary non-banking company shall keep one or more registers in which shall be entered separately in the case of each depositor the following particulars, namely:-

- (a) name and address of the depositor,
- (b) date and amount of each deposit,
- (c) duration and the due date of each deposit,
- (d) date and amount of accrued interest, bonus or premium or other advantage on each deposit,
- (e) date and amount of each repayment,
- (f) any other particulars relating to the deposit.

The register or registers aforesaid shall be kept at the registered office of the company and shall be preserved in good order for a period of not less than eight calendar years following the financial year in which the latest entry is made of the repayment or renewal of any deposit of which particulars are contained in the register.

(2) Every residuary non-banking company shall maintain separate books of account and registers with respect to deposit received/to be received or by sale of units or certificates or other instruments after the commencement of these directions:

Provided that if the company keeps the books of account referred to in sub-section (1) of Section 209 of the Companies Act, 1956 (1 of 1956) at any place other than its registered office in accordance with the proviso to that sub-section, it shall be sufficient compliance with this paragraph if the register aforesaid is kept at such other place, subject to the condition that the company delivers to the Reserve Bank a copy of the notice filed with the Registrar under the proviso to the said sub-section within seven days of such filing.

Information to be included in the Board's Report

11. (1) In every report of the Board of Directors laid before the company in general meeting under sub-section (1) of Section 217 of the Companies Act, 1956 (1 of 1956) after the date of commencement of these directions, there shall be included in the case of a residuary non-banking company the following particulars of information, namely -

- (a) compliance with the provisions of these directions;
- (b) the total number of depositors of the company whose deposits have not been claimed by the depositors or paid by the company after the date on which the deposit became due for repayment or renewal as the case may be, according to the contract with the depositor or the provisions of these directions, whichever may be applicable; and
- (c) the total amounts due to the depositors and remaining unclaimed or unpaid beyond the date referred to in clause (b) as aforesaid.

(2) The said particulars or information shall be furnished with reference to the position as on the last date of the financial year to which the report relates and if the amounts remaining unclaimed or unpaid as referred to in clause (b) of sub-paragraph (1) exceed in the aggregate the sum of rupees five lakhs, there shall also be included in the report a statement on the steps taken or proposed to be taken by the Board of Directors for the repayment of the amounts due to the depositors and remaining unclaimed or unpaid.

12. Every residuary non-banking company shall disclose as liabilities in its books of account and balance sheet, the total amount of deposits received together with interest, bonus, premium or other advantage, accrued or payable to the depositors.

Copies of balance sheet and accounts together with the directors' report to be furnished to the Reserve Bank.

13. Every residuary non-banking company shall deliver to the Reserve Bank unless it has done so already, an audited balance sheet as on the last date of each financial year and an audited profit and loss account in respect of that year as passed by the company in general meeting together with a copy of the report of the Board of Directors laid before the company in such meeting in terms of Section 217(1) of the Companies Act, 1956 (1 of 1956) within 15 days of such meeting.

Returns to be submitted to the Reserve Bank

14. (1) Without prejudice to the provisions of paragraph 13, every residuary non-banking company shall submit to the Reserve Bank a return furnishing the information specified in

Schedule A hereto with reference to its position as on the dates specified in the said schedule.

(2) (i) Every residuary non-banking company shall, not later than 2 months from the date of commencement of these directions or from the commencement of business whichever is later, deliver to the Reserve Bank a written statement containing

- (a) the names, designations and professional qualifications of its principal officers;
- (b) the names, qualifications and residential addresses of directors of the company;
- (c) the specimen signatures of the officers authorised to sign on behalf of the company, returns specified in sub-paragraph (1);

(ii) Any change in the list referred to in clause (i) of this sub-paragraph shall be intimated to the Reserve Bank within one month from the occurrence of such change.

Balance-sheet, return, etc. to be submitted to the Department of ³¹[Supervision]

15. Any balance sheets, returns or information required to be submitted or furnished to the Reserve Bank in pursuance of these directions shall be submitted or furnished to the Regional Office of the Department of ³⁰[Supervision] of the Reserve Bank within whose jurisdiction the Registered Office of the company is situated, as specified in the Schedule B hereto.

Advertisements and Statements in lieu of Advertisement.

16. (1) Every residuary non-banking company shall comply with the provisions of the Non-Banking Financial Companies and Miscellaneous Non-Banking Companies (Advertisement) Rules, 1977 and shall also specify in every advertisement to be issued thereunder, the following :

- (a) the actual rate of return by way of interest, premium, bonus or other advantage to the depositor;
- (b) the mode of payment to depositors;
- (c) maturity period of deposit;
- (d) the interest payable on a specified deposit;
- (e) if the depositors are eligible for any attractive gifts/incentives such as accident insurance or similar additional benefit, if any, the amount of such gift/incentive or additional advantage which is given/paid by the company;
- (f) the rate of interest which will be payable to the depositor in case the depositor withdraws the deposit prematurely, the terms and conditions subject to which a deposit will be revived/renewed;
- (g) any other special features relating to the terms and conditions subject to which the deposits are accepted/ revived/ renewed; and
- ³²[(h) that the deposits solicited by it are not insured.]

(2) Where a company intends to accept deposits without inviting or allowing or causing any other person to invite such deposits, it shall before accepting deposits, deliver to the Regional Office of the Department of ²⁹[Supervision] of the Reserve Bank within whose jurisdiction its registered office is situated, for registration, a statement in lieu of advertisement containing all the particulars required to be included in the advertisement

³¹ Substituted, vide Notification No. DFC (COC)/88ED(JRP)/96 dated July 24, 1996

³² Inserted, vide Notification No. DNBS 161/CGM (CSM)-2002 dated October 1, 2002

pursuant to the Non-Banking Financial Companies and Miscellaneous Non-Banking Companies (Advertisement) Rules, 1977 and particulars stated in sub-paragraph (1) hereinabove, duly signed in the manner provided in the aforesaid Rules.

(3) A statement delivered under sub-paragraph (2) shall be valid till the expiry of six months from the date of closure of the financial year in which it is so delivered or until the date on which the balance sheet is laid before the company in general meeting, or where the annual general meeting for any year has not been held, the latest day on which that meeting should have been held in accordance with the provisions of the Companies Act, 1956 (1 of 1956), whichever is earlier and a fresh statement shall be delivered in each succeeding financial year before accepting deposits in that financial year.

17. Every residuary non-banking company which has not been carrying on business before the commencement of these directions shall, before receiving any deposit furnish to the Reserve Bank all particulars relating to its business, as specified in the Schedule C hereto.

Transitory provision

18. Without prejudice to any directions issued or to be issued in that regard,

(1) Nothing contained in paragraphs 4 and 5 shall apply to the deposits received or to be received under or in respect of any certificates, units or other instruments issued or sold before the commencement of these directions.

(2) Where, before the commencement of these directions, a residuary non-banking company has, for providing full security to its depositors, entered into any arrangement with any public sector bank pursuant to any directions issued or conditions stipulated by the Reserve Bank or otherwise, nothing in paragraph 6 of these directions shall apply and the arrangement so entered into shall continue on the same terms and conditions with respect to deposits received or to be received under or in respect of certificates, units or other instruments, issued or sold before the commencement of these directions.

Exemptions

19. The Reserve Bank may, if it considers it necessary for avoiding any hardship or any other just and sufficient reason, grant extensions of time to comply with or exempt any company or class of companies, from all or any of the provisions of these directions either generally or for any specified period subject to such conditions as the Reserve Bank may impose.

³³***[Paragraph 12 of the Non-Banking Financial Companies Acceptance of Public Deposits (Reserve Bank) Directions, 1998.***

20. Nothing contained in paragraph 12 of the Non-Banking Financial Companies Acceptance of Public Deposit (Reserve Bank) Directions, 1998 shall apply to the Residuary Non-Banking Companies.]

Sd/-
(P.D. OJHA)
DEPUTY GOVERNOR

³³ Substituted, vide Notification No. 149 dated June 27, 2001

LIST OF AMENDING NOTIFICATIONS

- [1] Notification No.68 dated April 10, 1993
- [2] Notification No. 69 dated April 19, 1993
- [3] Notification No.75 dated April 19, 1994
- [4] Notification No. 82 dated March 22, 1996
- [5] Notification No.85 dated July 7, 1996
- [6] Notification No.88 dated July 24, 1996
- [7] Notification No.95 dated January 1, 1997
- [8] Notification No.102 dated March 31, 1997
- [9] Notification No.105 dated March 31, 1997
- [10] Notification No.106 dated April 30, 1997
- [11] Notification No. 113 dated November 11, 1997
- [12] Notification No. 136 dated January 13, 2000
- [13] Notification No. 143 dated June 30, 2000
- [14] Notification No. 149 dated June 27, 2001
- [15] Notification No. 156 dated January 1, 2002
- [16] Notification No. 161 dated October 1, 2002
- [17] Notification No. 168 dated March 29, 2003
- [18] Notification No. 169 dated March 31, 2003
- [19] Notification No. 171 dated July 31, 2003
- [20] Notification No. 176 dated September 19, 2003
- [21] Notification No. 178 dated June 22, 2004
- [22] Notification No. 180 dated October 5, 2004
- [23] Notification No. 183 dated December 9, 2005
- [24] Notification No. 186 dated March 31, 2006
- [25] Notification No. 198 dated December 14, 2007

SCHEDULE B

(Please see paragraph 15 of the Directions)

Area under the jurisdiction of each Regional Office of the Reserve Bank

<u>[Name and address of the office]</u>	<u>Area under jurisdiction</u>
1. Ahmedabad Regional Office, La Gajjar Chambers, Ashram Road, Ahmedabad - 380 009.	State of Gujarat and Union Territories of Daman and Diu and Dadra and Nagar Haveli.
2. Bangalore Regional Office, 10-3-8, Nrupathunga Road, Bangalore-560 002.	State of Karnataka.
3. Bhopal Regional Office, Hoshangabad Road, Post Box No. 32, Bhopal-462 011.	³⁴ [States of Madhya Pradesh and <i>Chhattisgarh</i>]
4. Bhubaneswar Regional Office, Pandit Jawaharlal Nehru Marg, Post Bag No. 16, Bhubaneswar-751 001.	State of Orissa.
5. ³³ [Kolkata] Regional Office, 15, Netaji Subhas Road, ³³ [Kolkata] -700 001.	States of Sikkim, and West Bengal and the Union Territory of Andaman & Nicobar Islands
6. Chandigarh Regional Office, 11, Central Vista, New Office Building Opp. Telephone Bhavan, Sector 17, Chandigarh-160 017.	States of Himachal Pradesh, Punjab and the Union Territory of Chandigarh.
7. Chennai Regional Office, Fort Glacis, Rajaji Salai, Chennai-600 001.	State of Tamil Nadu and Union Territory of Pondicherry.
8. Guwahati Regional Office, Station Road, Pan Bazar, Post Box No. 120, Guwahati-781 001.	States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland and Tripura.
9. Hyderabad Regional Office,	State of Andhra Pradesh.

³⁴ Substituted, vide Notification No. 149 dated June 27, 2001

6-1-56, Secretariat Road,
Saifabad, Hyderabad-500 004.

10. Jaipur Regional Office,
Ram Bagh Circle,
Tonk Road, P. B. No. 12,
Jaipur-302 004.

State of Rajasthan.

11. Jammu Regional Office,
Rail Head Complex,
Post Bag No.1,
Jammu-180 012.

State of Jammu and Kashmir.

12. ³³[*Kanpur Regional Office
Mahatma Gandhi Marg,
Kanpur - 208 001*]

³³[*States of Uttar Pradesh and
Uttaranchal*]

13. Mumbai Regional Office,
Garment House, 4th Floor,
Dr. Annie Besant Road,
Worli, Mumbai-400 018.

State of Goa and Maharashtra

14. New Delhi Regional Office,
6, Sansad Marg,
New Delhi-110 001.

State of Haryana,
National Capital Territory
of Delhi

15. Patna Regional Office,
South of Gandhi Maidan
Post Bag No. 162,
Patna-800 001.

³³[*States of Bihar and Jharkhand*]

16. Thiruvananthapuram
Regional Office, Bakery
Junction,
Thiruvananthapuram-695 033

State of Kerala and Union
Territory of Lakshadweep.

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SCHEDULE C

(Please see paragraph 17 of the directions)

Reserve Bank of India
Department of [Supervision]
³³ [Kolkata] /[Mumbai] /Bangalore/New Delhi

1. Name of the company
Address :
 - i) Registered Office
 - ii) Administrative Office
 - iii) Branch Office (s)

2. Date of incorporation

3. Board of Directors

- A) Name of the Directors
 - i)
 - ii)
 - iii)

With residential address

- B) Names and residential addresses of principal officers of the company with designation

4. An up-to-date copy of Memorandum & Articles of Association duly attested by a Director

5. Particulars of the types of schemes run/proposed to be carried on by the company (such as rate of return, period of deposit).
(Pamphlets, literature should be attached)

6. Copy of the draft advertisement proposed to be issued.

7. Capital structure :

(Amounts in lakhs of rupees)

- a) Authorised
- b) Issued
- c) Paid-up

[Date :
Place :

Signature of Manager/
Managing Director/
Authorised Official
Name :
Designation :

Schedule "D"

List of specified Financial Institutions

(Please see item (vii) in the Explanation to paragraph 2 of Notification No. DNBS.178 / CGM (DSN) - 2004 dated June 22, 2004)

1. IDBI
2. IFCI Ltd.
3. IIBI Ltd.
4. TFCI Ltd.
5. IDFC Ltd.
6. EXIM Bank
7. NHB
8. SIDBI
9. NABARD
10. PFC Ltd.
11. REC Ltd.
12. IRFC Ltd.
13. IREDA Ltd.
14. NEDFi Ltd.
15. HUDCO Ltd.
16. UTI
17. LIC
18. GIC
19. NIC
20. NIA
21. OIC
22. UII

³⁵**Form - NBS 1A**

Annual Return on Deposits as on 31, March 20.....
(To be submitted by all Residuary Non-Banking Companies)

File Number	
ID Number	
Nature of business	
District Code	
State Code	
(To be filled in by RBI)	

Name of the Company:

Instructions for filling in the Return - General

1. This Return should be submitted by a Residuary Non-Banking Company covered by para (14) of Notification No.DFC.55/DG (O)-87 dated 15th May 1987, to the Regional Office of Department of Non-Banking Supervision, Reserve Bank of India where its Registered Office is situated, once a year, after March 31 and latest by September 30, **with reference to its position as on March 31**, irrespective of the date of closing of the financial year of the Company concerned. A Certificate from the Auditors of the Company should be appended to the Return as per format furnished herewith. However, only in respect of **Part 3**, the information should be furnished as per the latest balance sheet but preceding the date of the return.

N.B. In terms of Notification No.DNBS.135/CGM(VSNM)-2000, dated 13-1-2000, RNBCs shall prepare their balance sheets and profit and loss accounts as on March 31, every year with effect from its accounting year ending with 31st March 2001. Therefore with effect from accounting year ending 31st March 2001, the information in Part 3 of the return shall be as on the date of current balance sheet thus coinciding with the date of return.

2. Submission of the Return should not be delayed for any reason such as the finalisation/ completion of the Audit of the annual Accounts. The compilation of the Return should be on the basis of the figures available in the books of account of the company and should be certified by its Statutory Auditors.
3. **The number of accounts** should be given in actual figures while **the amounts of deposits should be shown in lakhs of rupees**. The amount should be rounded off to the nearest lakh. Illustratively, an amount of Rs.4,56,100 should be shown as 5 and not as 4.6 or 5,00,000. Similarly, an amount of Rs.61,49,500 is to be shown as 61 and not as 61.5 or 61,00,000.

³⁵ Substituted , vide Notification No. 143 dated June 30, 2000

4. The Return should be signed by a Manager (as defined in Section 2 of the Companies Act, 1956) and if there is no such Manager, by Managing Director or any official of the Company who has been duly authorised by the Board of Directors and whose Specimen Signature has been furnished to the Reserve Bank of India for the purpose. In case the Specimen Signature has not been furnished in the prescribed card, the Return must be signed by the authorised official and his Specimen Signature furnished separately.
5. In case there is nothing to report in any part / item of the Return, the relevant part/ item may be marked '**Nil**' in the column meant for "*No. of accounts*" and **00s** may be indicated in the column meant for "*Amount*"
6. 'Subsidiaries' and 'Companies in the same group' mentioned in this Return have the same meanings assigned to them in Section 4 and Section 372 (11) respectively, of the Companies Act, 1956 as appearing prior to amendment to Companies Act dated 31st October 1998.
7. In case this return is being filed through electronic media (internet), to the specified Web Server; or a floppy diskette (Floppy size 3.5"), a hard copy of the same may be submitted to the concerned Regional Office duly signed .

Company Profile

1.	Name of the Company					
2.	Address of the Registered Office					
		PIN				
	Phone Nos.		Fax No.		e-mail	
3.	Name of the State in which the company is registered					
4.	Address of the Corporate/ Head Office					
		PIN				
	Phone Nos.		Fax No.		e-mail	
5.	Date of Incorporation					
6.	Date of Commencement of Business					
7.	Name and Residential Address of : i) Chairman					
	ii) Managing Director/ CEO					
8.	Is it a Government Company (Please tick) :			Yes		No
9.	Status of the company (Please tick) :					
		(i) Public Ltd.		(ii) Deemed Public		
		(iii) Private Ltd.		(iv) Joint Venture		
10.	Financial Year of the Company					
11.	Nature of business					
12.	Status of registration with RBI i) Number and Date of Certificate of Registration if issued by RBI					
	ii) If not registered, indicate whether the application submitted for registration is rejected/ pending					
13.	Number of Branches / Offices (Please enclose a list of names and addresses thereof in the format given below as per Note 1)					

14.	If a subsidiary company, please indicate the name and address of the holding company	
15.	If the company is having subsidiaries / associate companies, number thereof (Please enclose a list of names, addresses, Names of Directors and particulars of business activities thereof in the format given below as per Note 2)	
16.	If a Joint Venture, name and address of the Promoting institution(s)	
17.	Name of the Company's statutory auditors with Address and phone numbers	
18.	Name(s) of the company's Bankers with addresses and phone numbers	

Note (1) : Format for furnishing the details of branches :

Sr.No.	Name of the branch	Date of opening	Address	City	District	State	Amount of public deposit
	Total No. of Branches						Total Public Deposits of all the branches(Amount)
							Total Public Deposits as per Balance Sheet dated (Amount)

Note (2) : Format for furnishing the details subsidiaries:

Sr.No.	Name of the subsidiary	Address	Name of the Directors	Business Activity

PART - 1
Particulars of deposits outstanding as on 31st March, 200..

(Rupees in lakhs)

Item No.	Particulars	Item Code	Number of Certificates outstanding	Amount (Please see note 3)
1	Money received by issue of non-convertible and optionally convertible debentures/bonds (vide Note 1 below) : (i) Secured (ii) Unsecured	111 112		
2.	Deposits received from: (i) Shareholders (ii) Others	113 114		
3.	Total (111 to 114)	110		
4.	Deposits matured but not claimed as on the date of return	115		
5.	Deposits matured and not claimed and remaining outstanding for seven years including the year of maturity	116		

NOTES:

- (1) In the case of partly convertible debentures/bonds, the non-convertible portion should be included under this item and the convertible portion should be shown against item 4 of Part-2.
- (2) The amounts shown in Part-1 should not be shown in Part-2.
- (3) The amount shown against item 2 should include interest accrued or payable to the depositors.
- (4) The amount shown against item 5 should include the total amount of deposits received together with interest, bonus, premium or other advantage, accrued or payable to the depositors.
- (5) Of the total deposits at item 2 above, deposits which are collected in lumpsum and/or by way of subscriptions in instalments under any scheme, the following break-up may be given scheme- wise/period-wise.

Break-up of deposits shown under Item 2 of Part - 1

I. Period - wise details of deposits

Period/ Denominatio n of Certificate	Ite m Cod e	PART – A Deposits accepted/ Certificates sold before 15.5.1987		PART - B Deposits accepted/ Certificates sold on and from 15.5.1987 to 11.4.1993		PART -C Deposits accepted/ Certificates sold on or after 12.4.1993		Total (A+B+C)	
		No. of Certific ates outstan ding	Total amoun t of deposi ts	No. of Certific ates outstan ding	Total amoun t of deposi ts	No. of Certific ates outstan ding	Total amoun t of deposi ts	No. of Certifi cates outsta nding	Total amoun t of deposi ts
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
<u>(a) Upto 5 years</u>	141								
i) upto 5,000	142								
ii) 5,001 - 10,000	143								
iii) 10,001 - 15,000	144								
iv) 15,001 - 25,000	145								
v) 25,001 - 50,000	146								
vi) Above 50,000									
Total	140								
<u>(b) Above 5 years & upto 7 years</u>	151								
i) upto 5,000	152								
ii) 5,001 - 10,000	153								
iii) 10,001 - 15,000	154								
iv) 15,001 - 25,000	155								
v) 25,001 - 50,000	156								
vi) Above									

50,000									
Total	150								
<u>(c) Above 7 years</u>	161								
i) upto 5,000	162								
ii) 5,001 - 10,000	163								
iii) 10,001 - 15,000	164								
iv) 15,001 - 25,000	165								
v) 25,001 - 50,000	166								
vi) Above 50,000									
Total	160								
Grand Total (140 +150 +160)	170								

II. Rate of Interest - wise details of deposits

Period/ Denomination of Certificate	Item Code	Rate of Interest 4%	Rate of Interest 6%		Rate of Interest 8%	Rate of Interest 10%	Rate of Interest above 10%	Total
			Accepted prior to 30 June, 2000	Accepted after 30 June, 2000				
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
<u>(a) Upto 5 years</u>	141A							
i) upto 5,000	142A							
ii) 5,001 - 10,000	143A							
iii) 10,001 - 15,000	144A							
iv) 15,001 - 25,000	145A							
v) 25,001 - 50,000	146A							
vi) Above 50,000								
Total	140A							
<u>(b) Above 5 years &</u>								

<u>upto 7 years</u>	151A							
i) upto 5,000	152A 153A							
ii) 5,001 - 10,000	154A 155A							
iii) 10,001 - 15,000	156A							
iv) 15,001 - 25,000								
v) 25,001 - 50,000								
vi) Above 50,000								
Total	150A							
<u>(c) Above 7 years</u>	161A							
i) upto 5,000	162A 163A							
ii) 5,001 - 10,000	164A 165A							
iii) 10,001 - 15,000	166A							
iv) 15,001 - 25,000								
v) 25,001 - 50,000								
vi) Above 50,000								
Total	160A							
Grand Total (140 A+150A +160 A)	170A							

NOTES:

1. The amounts shown under columns 4, 6, 8 and 10 should represent the aggregate of the denominations of the certificates issued/deposits accepted and should **not** include the interest, bonus, premium and other advantages, accrued or payable to the depositors.
2. The period-wise classification of certificates issued/deposits accepted should be made according to the periods they have been originally issued/accepted/renewed and **not** according to the periods they have to run as from the 31st March, i.e. the date of this return.
3. Brief details of the types of savings schemes, face value, duration, number and amount of instalments payable and the amount payable by way of interest,

premium, bonus or other advantage by whatever names called, may be given as annexure/s.

Details of defaults in respect of deposits shown at item 2 in Part I

Particulars	Item Code	Number of Certificates outstanding	Face value	Total amount of deposits in respect of column (3) as on 31.3.20.....
A. Of the total deposits				
i) those which have matured/become payable but not claimed	181			
ii) those which have become payable/ surrendered/claimed but not paid :				
a) outstanding at the beginning of the year	182			
b) out of (a) above, repaid during the year	183			
c) matured/surrendered/claimed during the year but not paid i.e. additions during the year.	184			
d) outstanding at the end of the year	185			
e) out of (d) above, those involved in litigation.	186			
B. Of the total deposits				
i) Certificates sold/issued during the year	187			
ii) Certificates renewed/revived during the year.	188			

NOTE:

The reasons for non-payment of each deposit and the steps taken for repayment should be indicated in an annexure.

Part - 2

Particulars of exempted borrowings not counting as deposits in terms of section 45 I (bb) of the Reserve Bank of India Act, 1934

Item No.	Particulars	Item Code	Number of Accounts	Amount
1.	Borrowings from banks and other specified financial institutions	201		
2.	Money received from employees of the company by way of security deposits	202		
3.	Money received by way of security or advance from purchasing, selling or other agents in the course of company's business or advance received against orders for supply of goods or properties or for rendering of services	203		
4.	Money received by issue of convertible debentures/ bonds (See also item No.1 of Part-	204		

	1)			
5.	Money received by way of subscription to any shares or convertible debentures/bonds <u>pending allotment</u> or money received by way of <u>Calls in advance</u> on shares in accordance with the Articles of Association so long as such amount is not repayable to the shareholders under the Articles of Association of the company.	205		
6.	Total (201 to 205)	200		

Part - 3

Net Owned Fund

[Figures to be furnished as per the latest balance sheet preceding the date of the Return or as per balance sheet as on the date of return]

[Balance sheet as on]

Item No.	Particulars	Item Code	Amount
1.	Capital Fund		
	i) Paid-up Equity Capital	311	
	ii) Free Reserves*	312	
2.	Total (311 + 312) – A	310	
3.	(i) Accumulated balance of loss	321	
	(ii) Balance of deferred revenue expenditure	322	
	(iii) Other intangible assets (please specify)	323	
4.	Total (321 to 323) – B	320	
5.	Owned Fund i.e. C = (310 – 320) i.e. (A – B)	330	
6.	Book value of investments in shares of		
	(i) subsidiaries of the company	341	
	(ii) companies in the same group	342	
	(iii) all other non-banking financial companies (Details in Annexure No.)	343	
7.	Book value of debentures and bonds of		
	(i) subsidiaries of the company	344	
	(ii) companies in the same group (Details in Annexure No.)	345	
8.	Outstanding loans and advances (including inter-corporate deposits, hire purchase and lease finance**) made to, and deposits with		
	(i) subsidiaries of the company	346	
	(ii) companies in the same group (Details in Annexure No.)	347	
9.	Aggregate of 341 to 347 = D	340	
10.	Amount of 340 in excess of 10% of 330 = E	350	
11.	Net Owned Fund (330 - 350) i.e. F = (C - E)	300	

NOTES:

- * “Free Reserves” mentioned under item 1 of Part 3 shall include the balance in the share premium account, capital and debenture redemption reserves and any other reserve shown or published in the balance sheet and created through an allocation of profits (including credit balance of Profit & Loss Account) but not being :
- (i) a reserve created for repayment of any future liability or for depreciation of assets or for provision against non-performing assets/bad debts; or
 - (ii) a reserve created by revaluation of the assets of the company.
- ** ‘Hire purchase’ exposures would mean stock-on-hire less unmatured finance charges. ‘Lease finance’ would mean written down value of Assets on lease +/- Lease Adjustment Account.

Part - 4

Particulars relating to security for depositors as at the preceding 30th September and 31st March, 20...., the date of this return

Name of the Designated Bank and Branch-----

Item No.	Particulars	Item Code	Prior to commencement of the Directions i.e. before May 15, 1987		After the commencement of the Directions i.e. on and from May 15, 1987	
			30.9.20...	31.3.20...	30.9.20...	31.3.20...
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Total amount of deposits (please see note 1)	400				
2.	Investments in approved securities in terms of Section 45-IB of the RBI Act, 1934	410				
3.	Security for deposits(Free from any charge or lien)					
	(a) Fixed Deposits with and certificates of deposits issued by scheduled commercial bank/s and public Financial Institutions	411				

	(b) Investments(at Market Value) in securities of Central and /or State Governments, Government guaranteed bonds and other approved securities other than those reported at 2 above.	412				
	(c) Investment (at Market Value) in debentures /bonds/commercial paper, rated not less than AA+ or its equivalent, of:					
	i) Companies other than companies in the same group/subsidiaries	413				
	ii) Government company or public sector bank or public financial institution or any corporation established or constituted by Central or State enactments.	414				
	(d) Investment (at Market value) in Units of					
	(i) Unit Trust of India	415				
	(ii) Other Mutual Funds approved by SEBI (with Mutual Fund- wise break up)	416				

NOTES:

1. 'Total amount of deposits' would mean amount of deposits received together with interest, bonus, premium or other advantage, accrued or payable to the depositors. The aggregate of the amounts under columns 5 and 7 against item 1 of this Part should agree with item 2 of Part-1.
2. If the investments against items 3(a) and 3(b) above were less than the prescribed minimum in paragraphs 6(a) and (b) of Notification No. DFC.55/DG(O)-87 dated 15.5.1987, the company must explain in an accompanying letter the reasons therefor.
3. The name of the public sector bank with which the above securities are entrusted in terms of paragraph 6(3) of the above notification may be mentioned. If no such bank has been entrusted with the securities, the reasons therefor must be mentioned in an accompanying letter.
4. Please give full particulars of the fixed deposits/securities mentioned against items 2 and 3 above, indicating their book value and market value (in case of securities) in an Annexure (Annexure No.).

Part - 5
Statement showing investments at book value
(other than those mentioned at items 6 & 7 of Part-3)

Item No.	Particulars	Item Code	Amount
1.	Investments in shares of and debentures/bonds and commercial papers issued by companies and contribution to the capital of firms and proprietary concerns where directors of the company hold substantial interest. (Please see note 1) (Details in Annexure No.)	511	
2.	Shares, debentures/bonds and commercial papers of other companies	512	
3.	Other Investments:		
	(i) Fixed deposits with banks/certificates of deposits issued by banks (other than those included in Part-4)	513	
	(ii) Balances in any other deposit accounts with bank(s)	514	
	(iii) Others (Please furnish a list showing book value and market value)	515	
4.	Total (513 to 515)	520	
5.	Grand Total (511 + 512 +520)	500	

NOTES:

1. 'Substantial interest' means holding of a beneficial interest by an individual or his/her spouse or minor child, whether singly or taken together, in the shares of a company, the amount paid up on which exceeds ten per cent of the paid up capital of the company or total capital subscribed by all the partners of a partnership firm.
2. Details of shares, debentures and commercial papers held in investment account or by way of stock-in-trade should be included in this part.
3. Fixed deposits with companies should **not** be included here but should be shown in Parts 3 & 6.

Part - 6

Statement showing outstanding credit exposures viz., loans and advances, hire-purchase and equipment leasing, bills discounting, inter-corporate deposits (other than those mentioned at item 8 of Part - 3)

Item No.	Particulars	Item Code	Amount
1.	Companies, firms and proprietary concerns where directors of the company hold substantial interest (Please see note 1 of Part-5). (Details in Annexure No.)	601	
2.	Others:		
	(i) Companies not in the same Group	611	
	(ii) Directors	612	
	(iii) Shareholders	613	
	(iv) Chief Executive Officer and other employees	614	
	(v) Purchasing, Selling and other Agents	615	
	(vi) Depositors	616	
	(vii) Others	617	
3.	Total (611 to 617)	620	
4.	Grand Total (601 + 620)	600	

NOTE :

*Sundry debtors, tax paid in advance and other recoverable items not in the nature of loans and advances should **NOT** be shown in this statement.*

Part - 7

Business statistics / information for the year ended 31st March, 20.....

Item No.	Particulars	Item Code	Amount
1	<u>I. Disbursements (Fund based activities):</u>		
	Equipment leasing:		
	(a) Outstanding balances as on the date of the return	701	
	(b) Total disbursement during the year	702	
2	Hire purchase:		
	(a) Outstanding balances as on the date of the return	703	
	(b) Total disbursement during the year	704	
3	Loans		
	(a) Loans against shares to corporates:		
	(i) Outstanding balances as on the date of the return	705	
	(ii) Total disbursement during the year	706	
	(b) Loans against shares to individuals:		
	(i) Outstanding balances as on the date of the return	707	
	(ii) Total disbursement during the year	708	

	(c) Loans against shares to brokers:		
	(i) Outstanding balances as on the date of the return	709	
	(ii) Total disbursement during the year	710	
	(d) Loans to finance Initial Public Offerings (IPOs):		
	(i) Outstanding balances as on the date of the return	711	
	(ii) Total disbursement during the year	712	
	(e) Inter-corporate loans / deposits:		
	(i) Outstanding balances as on the date of the return	713	
	(ii) Total disbursement during the year	714	
	(f) Others	715	
4	Bills Purchased/Discounted:		
	(a) Outstanding balances as on the date of the return	716	
	(b) Total disbursement during the year	717	
5	Of 4 above, bills rediscounted:		
	(a) Outstanding balances as on the date of the return	718	
	(b) Total volume during the year	719	
6	<u>II. Trading in shares / securities (quoted other than SLR)</u> Purchases / sales of shares / debentures / commercial papers:		
	(a) Purchases	720	
	(b) Sales	721	
7.	<u>III. Fee based activities</u> Guarantees issued for Capital Market Operations:		
	(a) Outstanding balances as on the date of the return	722	
	(b) Total volume during the year	723	
8.	Guarantees issued for other purposes:		
	(a) Outstanding balances as on the date of the return	724	
	(b) Total volume during the year	725	
9,	Lease / Hire purchase syndicated during the year	726	
10.	Loan / ICDs syndicated during the year	727	
11	Bills syndicated during the year	728	
12	Underwriting :		
	(a) Total amount underwritten	729	
	(b) Amount devolved	730	
	(c) Outstanding commitments	731	

Part - 8
Status of overdues

Item No.	Particulars	Item Code	Amount
1	Lease overdues more than 12 months	801	
2	Lease overdues up to 12 months	802	
3	Hire purchase overdues more than 12 months	803	
4	Hire purchase overdues up to 12 months	804	
5	Other overdues more than 6 months	805	
6	Other overdues up to 6 months	806	
7	Total 801 to 806)	810	

Part - 9
Particulars of selected Income and Expenditure Parameters
(Please see instructions given below)

1	<u>Fund-based income :</u> Gross lease income, if any	901	Amount
2	<u>Less :</u> Depreciation on Assets on Lease + / - Lease Equalization	902	
3	Net lease income (901- 902)	903	
4	Hire purchase income, if any	904	
5	Bills discounting income	905	
6	Investment income		
	(a) From fixed deposits / Certificate of Deposits	906	
	(b) From Government / approved securities	907	
	(c) Dividend / interest on other investments	908	
	(d) Profit / Loss (+ / -) on sale of shares / debentures / commercial papers	909	
7	Interest income		
	(a) Inter-corporate deposits / loans	910	
	(b) Other loans and advances	911	
	(c) One- time charge from new depositor / subscriber towards cost of expenses for issuing brochure, application form and servicing of the depositor's account	912	
	(d) Bill discounting income (Net of rediscounting charges)	913	
8	Other fund based income (Please specify)	914	

9	Total fund based income (903 to 914)	920	
Fee based income			
10	Income from merchant banking activities	921	
11	Underwriting commission	922	
12	Income from syndication of bills, loans, ICDs, lease & hire purchase	923	
13	Miscellaneous income	924	
14	Total fee-based income (921 to 924)	930	
15	Total Income (920+930)	940	
Interest and other financing costs			
16	Interest paid on fixed deposits	941	
17	Interest paid on ICDs	942	
18	Brokerage / Agents' Commission	943	
19	Reimbursement of expenses to brokers / Agents	944	
20	Other financing costs	945	
21	Bills rediscounting charges	946	
22	Total financing costs (941 to 946)	950	
Operating expenses			
23	Employee costs	951	
24	Other administrative costs	952	
25	Total operating costs (951 + 952)	955	
26	Depreciation on own assets	956	
27	Intangible assets amortised	957	
28	Provision for diminution in value of investments	958	
29	Provision against Non-Performing Assets	959	
30	Other Provisions if any	960	
31	Total expenses (950 + 955 + 956 to 960)	970	
32	Profit before tax (940 – 970)	980	
33	Tax	990	
34	Profit after tax (980 – 990)	900	

Instructions :

- (1) Particulars in this part should be for a full financial year. If the company closes its books on any date other than on 31st March, the date of closing of the books and the period should be indicated.
- (2) "Gross lease income" includes lease rentals (net of rebate), lease management fees, lease service charges, up-front fees, profit on sale of leased assets and delayed / late payment charges relating to lease business (including interest/compensation charges on advance payment for purchase of assets in respect of lease agreements entered into / finalised).
- (3) 'Lease equalisation account' has the same meaning as in the Guidance Note on Accounting for Lease (revised) issued by ICAI.
- (4) 'Hire purchase income' includes finance charges(net of rebate), hire service charges, delayed / late payment charges, up-front fees and other income relating to hire purchase business (including interest earned on advance payment for acquisition of hire purchase assets for identified hirers).

C E R T I F I C A T E

1. Certified that the directions contained in the Residuary Non-Banking Companies(Reserve Bank) Directions, 1987 (as amended from time to time) are being complied with.
2. Further certified that the particulars / information furnished in this Return have been verified and found to be correct and complete in all respects.

Signature of Manager / Managing
Director /Authorised Official

Date :
Place:

A u d i t o r ' s R e p o r t

We have examined the books of account and other records maintained by -----
-----Company Ltd. in respect of the data furnished in this return and report that to the best of our knowledge and according to the information and explanations given to us and shown by the records examined by us, the data furnished in this return are correct.

Place:
Date:

Signature
Name of the Chartered Accountants

Enclosures to the return:

1. The following documents should be submitted along with the return in case they have not already been sent. Please tick in the box against the item for the documents enclosed and state the date of submission in other cases.
 - (i) A copy of the audited balance sheet and profit and loss account dated nearest to the date of return.
 - (ii) Specimen signature card.
 - (iii) A copy of application form referred to in paragraph 8 of the Notification No. DFC.55/DG(O)-87 dated 15th May, 1987.
2. A list of Principal officers and the names and addresses of the directors in the form enclosed is to be sent with this return.

Part - 10

List of principal officers and directors of _____ Ltd.

I. Principal Officers

Sr. No.	Name	Designation	Address & Tel. No.	If director in any company / ies, name(s) of the company / ies

II. Directors

Sr. No.	Name	Address	% of equity shares of the company held by the director, his spouse and minor children	Names of other companies where he/she is a director

Place:

Date:

.....
Signature of Manager / Managing
Director / Authorised Official
Name :
Designation :