SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA (ISSUE AND MANAGEMENT OF BONDS) AMENDMENT REGULATIONS, 2001

2. EXTRAORDINARY 4 PART 4 PUBLISHED BY AUTHORrry 20, 1, 1923 NEWDELUI, WEDNESDAY, FEBRUARY 20, 2002/PHALGUNA 1, 1923 2001 201%Tå, 2002 q.3306/3TT. tr. 1989 (1989 39) 52 (1) 2 gra -svj-tT firfiqqi, 1990, t, (1) (Äll*t 2001 m) 1990, 't ft*' 3 zq-fäfiqtT (1) - fäf#qq (1 v) " (19 - (1) f&qfrztrö q-æ, 1996 artrq, 367 GL'2002 (1) THE GAEITE OF NDIA : EXTRAORDNARY (PARTIII—SEC. 4) 3. GTrg-m, : 24 3q$r æi. XIV 1996, 2 1 g), (f) 5. 6. 't 10. 3 - fifi qqr*. 11 : 7. " 11. 4 (2) (3) GAZEHE OF : EXTRAORDINARY [PART 41 4] 13. 5 2) 9. 17 (3) - (3) 't (3) fiTfq (traz) d, fiufi--€T Vf 3F:q ". 6 THE GAZETTE OF mDIA : (PART Ill—SEC. 41 10. 24 (to , 1996, (t) 11. "25. 4(2), 5(2), 5(7), 6(6) 8(1) 12. : Älug % 3årrT (Afr-d) 3qfriT (accrued) 8 THE GAZEITE OF INDIA : EXTRAORDINARY [11/1V/3NTVRÜV139/01 J SMALL INDUSTRIES DEVELOPMENT BANK OF INDIA (LSSUE OF BONDS) AMENDMENT REGULATIONS, 2001 NOTIFICATION New Delhi, the 20th February, 2002 [PARTIi1—SEc. 4 F. No. 3306/RMD Bondg.—ln exercisc ofthe powers conferred by Sub-section (1) and 2 of Section 52 of the Small Industries Developmcnt Bank of India Act, 1989 (39 Of 1989), the Board, makes the following amcndmcnts to thc Small Industries Development Bank of India (Issue and Management of Bonds) Regulations, 1990, namely 1. (1) These Regulations mey be called Small Industries Development Bank of India (Issue and Management of Bonds) Amendment Regulations, 2001. (2) They shall come into force on the date of their publication in the official gazette. 2. in Regulation 3 of the Small Industries Development Bank of India (Issue and Management of Bonds) Regulations, 1990, (hereinafter referred to as "the Principal Regulations") after sub-regulation (1), the following shall be inserted as sub-regulation (IA) namely "(IA) NOtwithstanding anything contained in sub-regulation (1) and subject to the provisions of Depositories Act, 1996, every person subscribing to or holding the Bond shall have the option to hold the same with a depository"; 9 Sub-regulation 4 (a) of regulation 3 shall be substituted with the following 3. sub-regulation 4 (a) "4 (a) A Bond shall be issued over the signature of the chaiman and managing director or in his absence by deputy managing director and in absence of both by an executive director and/or an officer not below the rank of chief general manager of the Small Industries Development Bank of India which may be printed, engraved, lithographed or impressed by such mechanical or electronic process as the Small Industries Bank may direct." In Regulation 4 of the Principal Regulations, after sub-regulation (1), the 4. following proviso and explanation shall be inserted namely "Provided that nothing in this Regulation shall apply to a depository jn respect of Bonds held by it as a registered owner on behalf of the beneficial owner. For the purpose of Regulation 3,4,8 and 24 of the Principal Explanation Regulations and

Form No. XIV set out in the Schedule thereto, the expression "beneficial owner", "depository' and "registered owner" shall have the same meaning respectively assigned to them in Clauses (a), (e) and (j) of sub-clause (1) of Section 2 of the Depositories Act, 1996." 5. For Regulation 8 of the Principal Regulations, the following Regulation shall be substituted namely "8. Payment of Interest Interest on a Bond shall be paid by the Small Industries Bank by means of interest warrant crossed account payee, credit to the bank account by electronic 10 THE GAEM'EOF : EXRAORDNARY (PARTIII—SEC. 4) clearing service or such other manner es may be specified in the offer document or such other manner as may be decided by the Small Industries Bank." For Regulation IO of the Principal Regulations, the following Regulation 6. shalt be substituted namely "10. Publicatlon of notice of loss,theft,etc. in newspaper :- (1) The loss, theft, destruction, (mutilation or defacement) of a Bond, either wholly or in part, in the form of e promissory note shall be published on behalf of the applicant in a leading newspaper of the area, Explanation - The Small Industries Bank shall decide from time to time as to which of the newspaper shall be deemed to be 'leading' newspaper for the area, under jurisdiction of the Office of Issue. (2) The publication referred to in sub-regulation (1) shall be in the following fom or nearly in such form as circumstances permit, namely - "The Small Industries Development Bank of India Bond No of the originally standing in the name of percent Bond. .for Rs. the proprietor, by whom it was never lest endorsed to. endorsed to any other person having been Lost/ Stolen/ Destroyed/(Mutilated/ Defaced), notice is hereby given that payment of the above Bond and the interest thereupon has been stopped at the Office of Issue, and that application is about to be made or has been made for the issue of a duplicate in favour of the proprietor. The public are cautioned against purchasing or otherwise dealing with the above-mentioned Bond"; 11 For Regulation 11 of the Principal Regulations, the following Regulation shall be substituted namely - Issue of duplicate Bond and taking bf indemnity :- "11. (1) If the Prescribed Officer is satisfied of the loss, then, destruction or defacement of the Bond in the form of a promissory note, he may order issue of a duplicate Bond in the form of a promissory note on applicants fumishing an indemnity bond with one or more sureties: Provided that if at any time before the issue of the duplicate Bond in the form of a promissory note, the original Bond is discovered or it appears to the Office of the Issue for other reasons that the order should be rescinded, the matter shall be referred to the Prescribed Omcer for further consideration, and in the meantime, all action on the order shall be suspended-An order passed under this sub-regulation shall, on expiry of the three months referred to therein, become final unless it is in the meantime rescinded or otherwise modified; and Provided that where a Bond in the form of a promissory note lost, stolen, destroyed, mutilated or defaced is of denomination not exceeding rupees fifty thousand, a duplicate Bond in the form of promissory note may be issued on applicant fumishing an indemnity Bond without any such surety; Provided further that where such application is made with respect to a Bond in the form of a promissory note mutilated or defeced, of whatever face value, a duplicate Bond in the form of promissory note may be issued without any such indemnity with or without surety, if the Bond in the form of promissory note is capable of being identified as the one originally issued; 12 THE GAZETTE OF NDIA : EXTRAORDINARY ART In—SEC. (2) the Small Industries Bank shall not incur any liability for issuing such Bond in good faith under this regulation. (3) A duplicate certificate issued under sub-regulation (1) shall be treated as equivalent to the original certificate for all the purposes of these regulations except that it shall not be encashabte at an office of issue other than the office of issue at which such certificate is registered without previous verification

8. For Regulation 13 of the Principal Regulations, the following Regulation shall be substituted namely "13. Publication of list of duplicate Bonds - (1) The Small Industries Bank shall publish half-yearty in the two leading newspapers or in one leading newspaper and in the Gazette of India In the months of January and July a list of duplicate Bonds issued by the Small Industries Bank. (2) The Jjst shall contain the foJlowjng particulars regardjng the duplicate Bonds by the Small Industries Benk :- (a) the name of the issue, (b) the number of the Bond, its value, (c) the name of the person to whom it was issued, (d) the date from which it bears interest, (e) the name of the applicant for a duplicate, (f) the number and date of order passed by the Prescribed Officer for payment of interest or issue of a duplicate. For Sub-Regulation (3) of Regulation 17 of the Principal Regulatlons, the 9. following Sub-Regulation (3) shall be substituted namely "(3) The Office of Issue shall not be bound to recognise such executors or administrators unless they shall h+'6 obtained probate or letters 13 administration, as the case may be, from a competent court or office in India, having effect at the place of situation of the Office of Issue,

provided that in any case where the Prescribed Officer in his absolute discretlon thinks fit, it shall be lawful for him to dispense with the production of probate or letters of administration or other legal representation upon such terms as to indemnity or otherwise, as he may think fit

10. In Regulation 24 of the Principal Regulations, for sub-regulation (b), the following sub-regulation shall be substituted namely "(b) When a Bond in the form of an entry in the account or held with a depository becomes due for payment of principal, a duly signed receipt in

Form XIV shall be fumished by the holder or beneficial owner, as the case may be, to the Office of Issue." Explanation : For the purpose of this Regulation, the expression "beneficial owner", "depository" and "registered owner shall have the same meaning respectively assigned to them in clauses (a), (e) and (j) of sub-clause (1) section 2 of the Depositories Act, 1996

11. For Regulation 25 of the Principal Regulations, the following Regulation shall be substituted namely - "25. Exercise of Powers on behalf of the Small Industries Bank :- The Powers exercisable by the Small Industries Bank under Regulations 4(2), 5(2), 5(7), 6 (6) and 8(1) may be exercised on behalf of the Small Industries Bank by the Chairman and Managing Director and in his absence a Deputy Managing Director and [or an Executive and lor a Chief General Manager of the Small Industries Bank

Form No.XIV shall be substituted by the following Form, namely 14 OF INDIA : ECTRAORDINARY [PART Ill—SEC. 41 "FORM XIV [See regulation 24(b)] Form of discharge for the Bonds held in the form of entry in the account with the Small Industries Bank or with Depository. To Manager Bonds Section Small Industries Development Bank of India Mumbai. Dear Sir, % Small Industries Development Bank of India Bond(s) (——Series) Received the principal amount with accrued interest on the date of maturity on Captioned Bond(s) of the nominal face value of Rs. (Rupees only) held in the form of an entry in the books of Small Industries Development Bank of India or with a Depository to the Credit of *It is certified that the nominal amount of (Bond holder). the Bond(s) and the accrued interest as on the date of maturity agree with my/our books. Yours faithfully, Signature(s) of the registered holder(s) beneficial owner(s)/his/their duly authorised representative.. 15 Name(s) of registered holder(s)// beneficial owner(s). Certified that the name of the beneficial owner(s) is recorded in the register of beneficial owner maintained by us and his signature tallies with the specimen signature available with us. Name of the authorised official of the depository Date Place • Applicable in the case of Bond held jn the fom 01 an entry jn the books of the Small IndusMes Bank of India. ** Applicable in the case of Bond held wlth a depository. P. B. NIIvåBALKAR, Chan-man and Managing Director [ADVTL11/1V/Exty./139/01] Printed by the Manager, Govt, of India PTC8S, Ring Road, Mayapuri, New Delhi-110064 and Publiahød by the Cotmller of Publicationn. Delhi-110034.