BANKING REGULATION (COMPANIES) RULES 1949

THE BANKING REGULATION (COMPANIES) RULES, 19491 In exercise of the powers conferred by section 52 of the Banking Regulation Act, 1949 (10 of 1949), and after consultation with the Reserve Bank, the Central Government is pleased to make the following rules:— 1. Short title, extent and commencement.—(l) These rules may be called the 2[Banking Regulation (Companies) Rules], 1949. (2) They extend to the whole of India

2. Interpretation.—(l) these rules— (a) "the Act" means the Banking Regulation Act, 1949 (10 of 1949); (b) (c) (d) 'ineligible Director" means a Director who is not eligible under clause (a) or clause (b) of sub-section (2) of section IOA of the Act;] principal office of the Reserve Bank" means the office of the Reserve Bank to which the returns prescribed under the Act or these rules are required to be submitted; 'principal office of the banking company" means the office of the banking company which will be responsible for the submission of returns prescribed under the Act or these rules; quarter" means a period of three months ending on the last day of March, June, September or December of any year; 'place of business" of a banking company includes any sub-office, 1. 2. 3. 4. pay-office, sub-pay-office and any place of business at which deposits are received, 4[cheques cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted.] (f) "commencement of these rules" means— (i) in the case of any banking company whose registered office or principal place of business referred to in sub-rule (2) of rule 3 is or was in:— (A) the territories merged in the former Part A States, or (B) the States of Hyderabad, Mysore, Travancore, Cochin, Bhopal, Manipur and Tripura, as these States existed before the 1st day of November, 1956, or (C) those parts of the State of Rajasthan which formerly comprised the Indian States of Jaipur, Bikaner, Jaisalmer and Jodhpur, the 22nd day of November, 1952; Vide Notification No. 55, F-1 /49, dated 26th March, 1949. Subs. by G.S.R. 236, dated 1st February, 1969 (w.e.f. 8-2-1969). Ins. by G.S.R. 236, dated 1st February, 1969 (w.e.f. 8-2-1969). Subs. by G.S.R. 921, dated 3rd July, 1965 (w.e.f. 3-7-1965). 134 Rule 3) (ii) (iii) [(iv) (v) The Banking Regulation (Companies) Rules, 1949 135 in the case of any banking company whose registered office or principal place of business referred to in sub-rule (2) of rule 3 is or was in the State of Jammu and Kashmir, the 1st day of November, 1956; in the case of the State Bank of India, the date on which the Banking Companies (Amendment) Rules, 1961, are published in the Gazette of India; in the case of a subsidiary bank, the date on which the Banking Regulation (Companies) Amendment Rules, 1985, are published in the Gazette of India;] in the case of a corresponding new bank, the date on which the Banking Regulation (Companies) Amendment Rules, 1985, are published in the Gazette of India; in the case of a Regional Rural Bank, the date on which the Banking Regulation (Companies) Amendment Rules, 1985, are published in the Gazette of India;] in any other case, the 26th day of March, 1949: Provided that nothing contained in 4[sub-clauses (iii) to Cvi) both inclusive] shall affect the previpus operation of any of these rules by virtue of the provisions of the Act; and (g) "Chief Executive Officer" means in the case of a banking company incorporated outside India, the Officer, by whatever name called, managing or in charge of all branches of that company in India, or if there is no such Officer, the Officer, by whatever name called managing or in charge of the principal office of the company in India. 4[2A. Application of rules to State Bank of India, subsidiary banks, corresponding New Banks and Regional Rural Banks.—These rules and the forms appended thereto excluding rules 6 to 11 and Forms 11 to V and XI, shall also apply, so far as may be, to the State Bank of India, a Subsidiary Bank, a corresponding new bank and a Regional Rural Bank, as they apply to and in relation to a banking company: Provided that in the rules and forms as so applied, the expression "registered office" shall mean the central office or the head office, as the case may be.] 3. *Submission of returns.—(l) A return prescribed under the Act or these rules shall be submitted in the form prescribed for the purpose or as near thereto as circumstances admit. (2) Such return shall be submitted in the manner hereinafter provided: (i) By a banking company incorporated in India, from its registered office to the office of the Reserve Bank situated in the State in which the banking company has its registered office

1. Subs.by S.O. 268 (E), dated 29th March, 1985 (w.e.f. 29-3-1985)

2. Ins.by S.O. 268 (E), dated 29th March, 1985 (w.e.f. 29-3-1985)

3. Sub-clause (vi) renumbered as sub-clause (vii) by S.O. 268 (E), dated 29th March, 1985 (w.e.f. 29-3-1985)

4. Subs.by S.O. 268 (E), dated 29th March, 1985 (w.e.f. 29-3-1985). 136 (ii) (iii) (iv) The Banking Regulation (Companies) Rules, 1949 [Rule 3 By a banking company incorporated outside India and having a principal place out business as declared in terms of section 277(1)(e) of the Indian Companies Act, 1913, or as the case may be, section 592(1)(e) of the Companies Act, 1956, from that principal place of business to the office of the Reserve Bank situated in the State in which the banking company has its principal place of business. In any other case, from such office of the banking company to such office of the Reserve Bank as may be specified by the Reserve Bank on an application to be made in this behalf to the Reserve Bank of India, 1 [Departinent of Banking Operations and Development] at Bombay. Notwithstanding anything contained in clauses (i), (ii) and (iii) thæ Reserve—Bank may, at any time, direct that the returns prescribed under the Act or these rules shall be submitted from any specified office of a banking company to any specified office of the Reserve Bank. (3) Whenever a return prescribed under the Act or these rules relates to a particular day or date, and where such day or date is not a holiday for all the offices of a banking company the return shall be prepared on the basis of the figures of that day or date in respect of offices working on that day or date, and the preceding working day's figures in respect of offices where that day or date is a holiday. (4) A banking company shall within one month from the commencement of these rules or from the commencement of business, whichever is later, intimate to the principal office of the Reserve Bank, the address of its principal office and shall intimate to that office any change in such address within one month of such change

4. List of Officers.—(l) (i) A banking company shall, not later than one month from the commencement of these rules or from the commencement of business, whichever is later send to the principal officer of the Reserve Bank a written statement containing a list of— (a) the names, the official designations and specimen signatures of the officers authorised to sign on behalf of the banking company returns required under the Act or these rules, and (b) the names and addresses of the Directors of the banking company. (ii) Any change in the list referred to in clause (i) of this sub-rule shall be intimated to the principal office of the Reserve Bank within one month from the occurrence of such change. (2) A banking company incorporated outside India, which at the commencement of these rules has a place of business in India, and every such company which after the commencement of these rules establishes such a place of business in India, shall, within one month from the commencement of these rules or from the establishment of such place of business, as the case may be, furnish to the principal office of the Reserve Bank the full address of the principal place of business declared in terms of section 227(1)(e) of the Indian Companies Act, 1913, or as the case may be section 592(1)(e) of the Companies Act, 1956, and 1. Subs. by S.O. 5244, dated 15th November, 1975. Rule 6] The Banking Regulation (Companies) Rules, 1949 137 the name and address of one or more persons resident in India authorised to accept on behalf of the company any notice or order required to be served on the company under the Act or these rules and shall intimate to the principal office of the Reserve Bank any change in such name or address within one month of the occurrence of the change: Provided that information furnished by a banking company under rule 4 of the Banking Companies (Control) Rules, 1948, shall be deemed to have been furnished under this rule. 2[5A. Determination of the Directors who are to cease to hold office.— (1) The ascertainment or the Director or Directors who shall cease to be such, on the occasion of a reconstitution of the Board of Directors under sub-section (3) of section IOA of the Act, and of the person or persons who are to be removed from the membership of the Board of Directors in pursuance of sub-section (5) of the said section IOA, shall be done as hereinafter laid down. (2) The Board of Directors or, as the case may be, the Reserve Bank, shall ascertain the number of Directors out of the ineligible Directors, who have to cease to hold the office, or, as the case may be, have to be removed from such Board. (3) The names of the Directors who are to cease to hold office, or, as the case may be, have to be removed from the Board of Directors, shall be determined by drawing lots from among the names of the ineligible Directors, the names of such number of Directors, as is determined under sub-rule (2) above. (4) For the purposes of sub-rule (3), the following provisions shall be observed, namely: (i) the names of the ineligible Directors shall be ground according to the periods for which the Directors have held office; if there are two such groups only, the names of the Directors in the group representing a shorter period of office shall be excluded; if there are more than two such groups, the names of those in the est period of office shall be excluded:

Provided that such exclusion under clause (ii) or clause (iii) shall not be made if thereby the number of Directors whose names are to be included in the draw in not more than the number determined under sub-rule (2). (5) The drawin of lots in pursuance of sub-section (3) of section IOA of the Act shall be done by the Board of Directors at a meeting of such Board. (6) The drawing of lots of the Reserve Bank under sub-section (5) of section IOA of the Act shall be done by an Officer of the Reserve Bank duly authorised in this behalf, and after giving a reasonable opportunity to the banking company to nominate a Director or Officer of the Banking Company to be present at the time of the drawing of lots.] (1) The deposit specified in sub-section (2) of section 11 of the 6. Deposits. Act shall be maintained at the principal office of the Reserve Bank

1. Rule 5 omitted by S.O. 268(E), dated 29th March, 1985 (w.e.f. 29-3-1985)

2. Ins.by G.S.R. 236, dated 1st February, 1969 (w.e.f. 8-2-1969). 138 The Banking Regulation (Companies) Rules, 1949 [Rule 6 (2) The value of each security deposited under sub-rule (1) shall be estimated at its market rate, ex-dividend. (3) Securities shall be duly transferred to the Reserve Bank by the banking company. (4) Upon receipt of a deposit under sub-rule (1) the principal office of the Reserve Bank shall, as soon as possible, send to the principal office of the banking company a certificate in

Form 11

7. Withdrawals of Deposits.—The principal office of the Reserve Bank shall not be bound to return securities actually deposited, but may substitute therefor new scrip of securities of the same description and amount

8. Changes in the form or amount of deposit is changed by reason of a subsequent deposit or withdrawal, the principal office of the Reserve Bank shall, •as soon as possible, send to the principal office of the banking company a fresh certificate in

Form 11

9. Maturing of Security Deposits.—When a security in deposit matures or when any yield on such a security ceases to accrue, the principal office of the Reserve Bank shall not be bound to inform the banking company; but upon the receipt of a requisition in writing from the banking company the principal office of the Reserve Bank, shall, as soon as possible, collect the discharge value and hold the amount in deposit for purposes of sub-section (2) of section 11 of the Act

10. Interest on Deposits.—(l) No interest shall be payable on cash deposits. (2) The principal office of the Reserve Bank shall credit, as soon as possible, the current account of the banking company maintained with it with the interest realised on securities, subject to the usual charges

11. Licensing of Banking Companies.—A company desiring to have a licence under section 22 of the Act shall apply to the principal office of the Reserve Bank in a form specified below, namely:— (a) in the case of a company incorporated in India and desiring to (b) in the case of company incorporated in India and in existence at the commencement of the Act, in 2[

Form I V], and (c) in the case of company incorporated outside India and desiring to commence/ carry on banking business in India, in 21 Form V]

12. Opening of New Places of Business.—An application by a banking company for permission to open a new place of business or change the location of an existing place of business under section 23 of the Act shall be submitted to be principal office of the Reserve Bank in 2[

13. List of Offices.—A banking company shall, within a period of one month from the close of every quarter, send to the principal office of the Reserve Bank a 3[list relating to its offices in India in 2[

Form V Ill

1. Rule IOA omitted by S.O. 5244, dated 15th November, 1975

2. Subs.by S.O. 5244, dated 15th November, 1975

3. Subs.by G.S.R. 921, dated 3rd July, 1965 (w.e.f. 3-7-1965). Rule 15B] The Banking Regulation (Companies) Rules, 1949 139 1[13A. Return under sections 18 and 24.—The return under sections 18 and 24 of the Act shall be furnished to the Reserve Bank in

Form V Ill.] 14. Publication of approved currencies and securities. • • The Reserve Bank shall, not later than one month from the commencement of these rules, by a notification in the Gazette of India, publish for the purpose of section 25 of the Act a list of currencies in which export bills drawn in, and import bills drawn on and payable in India may be expressed. (2) The Reserve Bank may, by notification in the Gazette of India, publish for the purpose of section 25 of the Act, a list of securities approved by it. (3) Any alteration in the list referred to in sub-rules (1) and (2) shall also be published in the Gazette of India. (4) An alteration, adding a currency or security to the list, shall take effect from the date of publication of the alteration while an alteration, omitting a currency or security from the list, shall take effect at the expiry of three months from the date of publication of the alteration. 1[14A. Return under sections 25 and 27.—The return to be made by a banking company under sections 25 and 27 of the Act shall be in Form X. 14B. Return under section 26.—The return to be made by a banking company under section 26 of the Act shall be in Form 15. Manner of publication of accounts and balance-sheet.—The balance- sheet and profit and loss account prepared in terms of section 29 of the Act together with the Auditor's report shall be published within a period of six months from the end of the period to which they relate in a newspaper which is in circulation at the place where the banking company has its principal office. Explanation.—For the purposes of this rule, the expression 'newspaper' means any newspaper or journal published at least once a week, but does not include a journal other than a banking commercial, financial or economic journal. 15A. The list of debtors under section 45D of the Act shall be in 21 Form XI] or as near thereto as the circumstances permit. 3115B. Manner of holding inquiries.—(l) For the purpose of holding an inquiry under sub-section (2) of section 47 A of the Act, the Reserve Bank shall appoint in writing one of its Officers for holding the inquiry and shall also authorise him to exercise the powers conferred on the Reserve Bank under sub- section (3) of the said section 47 A. (2) The said Officer shall send to the banking company, at its registered office or principal office, a statement giving sufficient particulars of the contravention of the nature referred to in sub-section (3) or, as the case may be, sub-section (4) of section 46 of the Act. (3) A banking company, to which a communication is addressed under sub- rule (2), shall before the expiry of thirty days from the receipt of such communication send in writing to said Officer its answer to the said statement, together with particulars of the documentary or other evidence on which it proposes to rely

1. Ins.by S.O. 268 (E), dated 29th March, 1985 (w.e.f. 29-3-1985)

2. Subs.by S.O. 5244, dated 15th November, 1975

3. Ins.by C.S.R. 236, dated 1st February, 1969 (w.e.f. 8-2-1969). 140 The Banking Regulation (Companies) Rules, 1949 [Rule 15B (4) The said Officer shall appoint a date for holding the inquiry and intimate the same to the banking company at its registered office or the principal office. The date so appointed shall not be earlier than thirty days from the date of issue of the notice to the banking company. (5) At the inquiry, the Banking Company shall be entitled to be represented by any of its Directors or Officers but shall not be entitled to be represented by a legal practitioner. (6) At the inquiry, an Officer of the Reserve Bank, not being the Officer conducting the inquiry, shall present the case for the Reserve Bank, including the evidence on the matter. Thereafter the representative of the banking company shall present the case of the banking company including the evidence in relation thereto. (7) The representative of the banking company and the Officer of the Reserve Bank presenting the case for the Reserve Bank may cross-examine a witness other than a witness produced by the said representative or, as the case may be, the said Officer. (8) After the conclusion of the inquiry, the Officer conducting the inquiry, the Officer shall record his findings and submit the entire record to the Reserve Bank.] 16. Power to exempt in certain cases.—The Central Government may, on the recommendation of the Reserve Bank, declare by notification in the Official Gazette that any or all of the provisions of these rules shall not apply to any banking company or to any class of banking companies either generally or for such period as may be specified. FORM (See rules 6 (Section Reserve Bank No.... .... 11 and 8) 11) of India Certified that the Reserve Bank. of India, held on behalf of . Date..... .....the under noted deposits in terms of section 11(2) of the Banking Regulation Act, 1949 as at the close of business on..... Cash 2 Approved Securities Loan 3 Face Value 4 1 Total (In figures and words separately for cash and approved securities) 1.

Form 1 omitted by S.O. 268(E), dated 29th March, 1985 (w.e.f. 29-3-1985). Remarks 5 Manager. Form Ill] i The Banking Regulation (Companies) Rules, 1949 141 Note.—The issue of this certificate renders any previous certificate issued by the Reserve Bank null and void. (See rule 11) (Section 22) FORM OF APPLICATION FOR A LICENCE TO COMMENCE BANKING BUSINESS BY A COMPANY INCORPORATED IN INDIA AND DESIRING TO COMMENCE BANKING BUSINESS Address..... Date..... Department of Banking Operations and Development, Reserve Bank of India, Dear Sir, Application for a licence to commence banking business. We hereby apply for a licence to commence banking business in terms of section 22 of the Banking Companies Act, 1949. We give below the necessary information in the form prescribed for the purpose. Yours faithfully, Signature.....

1. Name of the company

2. Place of location of the registered office of the company

3. State whether the company is public or private

4. Date of incorporation

5. Previous application: (Give particulars of any application previously made to the Reserve Bank in this connection)

6. Management: (a) Give names, business and address of Directors, the amount of shares held by each and the names of the bankers ofQach of them.(b) Give the name of the proposed Chief Executive Officer, his qualifications, experience, age and the proposed remuneration

7. State detailed reasons for the floatation of the Company and give statistical and other data as under, which may have been collected in respect of the area which the company intends to serve:

1.(i) The population of the area of operation of the proposed place of business. (ii) The volume and value of agricultural, mineral and industrial production and imports and exports of the area of operation of the proposed place of business as under: Forms Ill and IV omitted and

Form V renumbered as Form Ill by S.O. 5244, dated 15th November, 1975.

8. Forward an up-to-date copy of the Memorandum and Articles of Association and a copy of the prospectus (with certified translations in English, if not in that language)

9. State whether the company fulfils the conditions laid down in sub-section (3) of Section 11, and whether it is agreeable to permit the Reserve Bank to satisfy itself by an inspection of the books of the company or otherwise that the prescribed conditions are being fulfilled by the company

10. Any additional facts which the company may wish to adduce in support of its application.N.B.—(I) If an application is for commencing banking business at Bombay, Calcutta, Madras, Delhi, Kanpur, Trivandrum, l[Hyderabad], Bangalore or any other place where any office of the Department of Banking Operations and Development, Reserve Bank of India, is located, the details asked for under item (7)(i), (ii) and (iii) need not be supplied. (2) If a company is unable or unwilling to supply full details in respect of any of the items, reasons for the omission may be given. (3) If an application has been submitted to the Reserve Bank in the past, information under items 2, 3, 4, 6, 7 and 8 need not be supplied unless there is any change since the last application. Subs. by G.S.R. 921, dated 3rd January, 1965. 142 Commodity 1 1. The Banking Regulation (Companies) Rules, 1949 [

Form Ill Production Volume Value 1m orts Ex orts Volume Value Volume Value 7 (iii) If there are any schemes for agricultural, mineral or industrial development give details of the same ane their probable effects on the volume and value of the present production, imports and exports. (iv) If the existing banking facilities are considered inadequate, give reasons. (v) Prospects: Give as under an estimate of the minimum business which the company expects to attract at the proposed place of business within 12 months. L Deposit. Amount in thousands of rupees 11. Advances. Amount in thousands of rupees Rates proposed to be charged on various types of deposits Minimum Maximum Rates proposed to be charged on various types of deposits Minimum Maxinaum Form IVI The Banking Regulation (Companies) Rules, 1949 I[FORM IVI (See rule 11) (Section 22) 143 FORM OF APPLICATION FOR A LICENCE TO CARRY ON BANKING BUSINESS BY A COMPANY INCORPORATED IN INDIA AND IN EXISTENCE ON THE COMMENCEMENT OF THE ACT Address..... Department of Banking Operations and Development, Reserve Bank of India, Dear Sir, Application for a licence to carry on banking business. We hereby apply for a licence to carry on banking business in terms of section 22 of the Banking Regulation Act, 1949. We give below the necessary information in the form prescribed for the purpose. 1. 2. office. 3. 4. 5

6. Yours faithfully, Signature...... Name of the banking company. Place of location of the registered office of the banking company and of its head State whether the banking company is public or private. Date of incorporation. Date of commencement of business. Previous applications: (Give particulars of any application previously made to the Reserve Bank in this connection.) 7. Management: (a) Give names, business and address of Directors. (b) Give the name of the Chief Executive Officer, his qualifications, experience, age and the remuneration paid

8. Existing offices* Give the number of offices* in India and a brief description of the system of supervision and control over the branches

9. Give details regarding the authorised, subscribed and paid-up capital and reserves of the banking company as on the date on the application

10. Forward an up-to-date copy of the Memorandum and Articles of Association and copies of the balance-sheets together with profit and loss account statements for the last five years (with certified translations in English, if not in that language)

11. State whether the banking company fulfils the conditions laid down in sub- section (3) of section 22, and whether it is agreeable to permit the Reserve Bank to satisfy itself by an inspection of the books of the company or otherwise that the prescribed conditions are being fulfilled by the company

1. Form VI renumbered as Form IV by S.O. 5244, dated 15th November, 1975. 144 The Banking Regulation (Companies) Rules, 1949 [Form IV 12 Anv additional facts which the banking company may wish to adduce in support of its application. [ncludes the registered office and all places of business at which deposits are received h [cheques cashed. moneys lent, or any other form of business referred to in sub- section (1) of section 6 of the Act is transacted]. If a banking company is unable or unwilling to supply full details in respect of any of the items, reasons for the omission may be given. (2) If an application has been submitted to the Reserve Bank in the past, information under items 2, 3, 4, 5, 7, 8, 9 and 10 need not be supplied unless there is any change since the last application. TORM V] (See rule 11) (Section 22) FORM OF APPLICATION FOR A LICENCE TO ON BANKING BUSINESS IN INDIA BY A BANKING COMPANY INCORPORATED OUTSIDE INDIA Address..... Date... Department of Banking Operations and Development, Reserve Bank of India. Dear Sir, Application to * *commence/carrv on banking business in India. We hereby apply for a licence to * *commence/ carry on banking business in terms of section 22 of the Banking Regulation Act, 1949. We give below the necessary information in the I. 2. office. 3. 4. 5. 6. form prescribed for the purpose. Yours faithfully, Signature..... .. . Name of the banking company. Place of location of the registered office of the banking company and of its head State whether the banking company is public or private. Date of incorporation. Country or State in which the banking company is incorporated. Previous application: (Give particulars of any application previously made to the Reserve Bank in this connection.) 7. Management: (a) Give names, business and address of Directors in India. (b) Give the name of the Chief Executive Officer or the proposed Chief Executive Officer in India, his qualifications, experience, age, and the remuneration paid or proposed to be paid. l. Subs. by G.S.R (w.e.f. 3-7-1965)

2. Form VII renumbered as Form V by S.O. 5244, dated 15th November, 1975. Form V] The Banking Regulation (Companies) Rules, 1949 145 8. (a) For a banking company already carrying on banking business in India: Existing Officers* Give the number of offices* in India and a bried description of the system of supervision and control over the offices.* (b) For a company desiring to commence banking business in India: State detailed reasons for an office* in India and give statistical and other data, as under which may have been collected in respect of the area which the company intends to serve: (i) The population of the area of operation of the proposed place of business. (ii) The volume and value of agricultural, mineral and industrial production and imports and exports of the area of operation of the proposed place of business as under: * Includes all places of business at which deposits are received, cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted]. Commodity Production Imports Exports Volume Value 1 2 3 Volume 4 Value 5 Volume 6 Value 7 (iii) If there are any schemes for agricultural, mineral or industrial development give details of the same and their probable effects on the volume and value of the present production, imports and exports. (iv) If the existing banking facilities are considered inadequate, give reasons. (v) Prospects: Give as under an estimate of the minimum business which the company expects to attract at the proposed place of business within 12 months. I. Deposit. Amount in thousands of rupees 11. Advances. Amount in thousands of rupees Rates proposed to be charged on various types of deposits Minimum Maximum Rates proposed to be charged on various types of deposits Minimum Maximum Ill. Export and Import Bills.....Amount in thousands of rupees

9. State what arrangements have been made to ensure compliance with the provisions of section 11(2) of the Act.IO. Forward an up-to-date copy of the Memorandum and Articles of Association and copies of the balance-sheets together with profit and loss account statements for the last five years (with certified translations in English, if not in that language)

11. State whether the banking company fulfils the conditions laid down in sub- section (3) of section 22, and whether it is agreeable to permit the Reserve Bank to satisfy itself by an inspection of the books of the company or otherwise that the prescribed conditions are being fulfilled by the company

1. Subs.by G.S.R. 921, dated 3rd July, 1965 (w.e.f. 3-7-1965). 146 The Banking Regulation (Companies) Rules, 1949 [

Form V 12. Any additional facts which the banking company may wish to adduce in support of its application. ** The portion not applicable to be struck off. N.B.—(I) If an application is for commencing banking business at Bombay, Calcutta, Delhi, Madras, Kanpur, Trivandrum I [Hyderabad], Bangalore or any other place where an office of the Department of Banking ()perations and Development, Reserve Bank of India, is located, the details asked for under item (8)(b)(i), (ii) and (iii) need not be supplied. (2) If a company is unable or unwilling to supply full details in respect of any of the items, reasons for the omission may be given. (3) If an application has been submitted to the Reserve Bank in the past, information under items 2, 3, 4, 5, 7, 8 and 10 need not be supplied unless there is any change since the last application. 2[FORM VI (See rule 12) (Section 23) FORM OF APPLICATION FOR PERMISSION TO OPEN A NEW PLACE OF BUSINESS OR CHANGE THE LOCATION (OTHERWISE THAN WITHIN THE SAME CITY, TOWN OR VILLAGE) OF AN EXISTING PLACE OF BUSINESS UNDER SECTION 23 OF THE ACT Address..... Department of Banking Operations and Development, Reserve Bank of India, Dear Sir, We hereby apply for permission to* open a new place of business/ change the ... .of an existing place of business from location at .... in terms of section 23 of the Banking Regulation Act, 1949. We give below the necessary information in the form prescribed for the purpose. Yours faithfully, Signature.....

1. Name of the banking company: 2. Proposed Office: Give the following information: (a) Name of city/ town/ village: (in case the place is known by more than one name, the relative information 1. 2. 3. should also be furnished). (b) Name of locality/ location: Name of— (i) Block: (ii) Taluk/Tehsi1: Subs. by G.S.R. 921, dated 3rd July, 1965 (w.e.f. 3-7-1965). Subs. by S.O. 5244, dated 15th November, 1975. Subs. by S.O. 268(E), dated 29th March, 1985 (w.e.f. 29-3-1985).

Form VI] The Banking Regulation (Companies) Rules, 1949 147 (iii) District: (iv) State:] (d) Status of the proposed office: (e) The distance between the proposed office and the nearest existing commercial bank office together with the name of the bank and that of the centre/ locality. @(f) Names of the commercial banks and the number of their offices functioning within a radius of 5 kms. together with the names of centres where these are functioning

3. Previous applications: Give particulars of applications, if any, previously made to the Reserve Bank in respect of the proposed place of the business

4. Reasons for the proposed office: State detailed reasons for the proposed office and give statistical and other data, as under, which may have been collected for the proposed office: (i) Population of the place.@(ii) Particulars of the command area (i.e., the area of operation of the proposed office) (a) Approximate radius of the command area. (b) Population. (c) Number of villages in the command area. (iii) The volume and value of agricultural, mineral and industrial production and imports and exports of the area of operation of the proposed office as under: Commodity 1 Production Volume Value Imports Exports Volume 4 Value Volume 2 3 5 6 Value 7 (iv) If there are any schemes for agricultural, mineral or industrial development give details of the same and their probable effect on the volume and value of the present production, imports and exports. (v) If the existing banking facilities are considered inadequate, give reasons. (vi) Prospects: Give as under an estimate of the minimum business which the company expects to attract at the proposed within 12 months. (a) Deposits: Amount in thousands of rupees. (b) Advances: Amount in thousands of rupees

5. Change of location of an existing office: Give the exact location of the office which is proposed to be closed and of the place to which it is proposed to be shifted giving particulars of the new location as in items (2), (3) and (4).• • 148 The Banking Regulation (Companies) Rules, 1949 6. Expenditure: [

Form V' iii State the amount already spent or proposed to be spent on staff, premises, furniture, stationery advertising, etc., in connection with the proposed office. Also state the minimum income which the Banking Company expects to earn at the proposed office within 12 months

7. Other particulars: Any additional facts which the banking company may wish to adduce in support of its application.* The portion not applicable to be struck off. @ The information need be furnished only in the case of applications for centres with a population of less than one lakh. N.B.—I. The words 'office' and 'offices', wherever they occur in this form, include a place or places of business at which deposits are received, cheques cashed, moneys lent or any other form of business referred to in sub-section (1) of section 6 of the Act is transacted

2. Item (5) to be replied to if the application is for changing the location of an existing place of business

3. If a banking company is unable or unwilling to supply full details in respect of any of the items, reasons for the omission may be given

4. The information asked for in items (2), (3), (4), (5) and (6) is to be given separately for each office where the application relates to the opening of or changing the location of more than one office

5. In the case of change of the location of "administrative office" where no banking business is transacted or proposed to be transacted (such as "Registered Office, Central Office or Head Office") only an application in the form of a letter need be submitted, indicating the reasons for the change.] I[

FORM VII (See rule 13) (Section 23) (To be stibmitted within one month after the end of the quarter to which it relates) Name of the banking company: Name and designation of the Officer submitting the return: (a) @Statement of offices in India as on the last day of the quarter ended Name of place where the banking company has an office (may be grouped State-wise and arranged district-wise and in alphabetical order). (b) Statement of offices* opened in India during the quarter ended: Name of the 1 Name of Block Taluk/Tehsil District Sta te Date of opening the office 6 1. Subs. by S.O. 268 (E), dated 29th March, 1985 (w.e.f. 29-3-1985). Form The Banking Regulation (Companies) Rules, 1949 (c) Statement of offices* in India closed during the quarter ended: 149 Name of the 1 Name of Block Taluk/Tehsil District State Date of opening the office 6 Signa ture @ Information under this head may be furnished only in the return as on the last day of the quarter ended December. * Includes the registered office and all places of business at which deposits are received, cheques cashed, moneys lent of any other form of business referred to in sub-section (1) of section 6 of the Act is transacted.] I[FORM (See rule 13A) (Sections 18 and 24) Name of the banking company: Name and designation of the Officer submitting the return: STATEMENT OF DEMAND AND TIME LIABILITIES AND CASH, GOLD AND UNENCUMBERED APPROVED SECURITIES for the month of: (To be furnished to be Reserve Bank not later than 20 days after the end of the month to which it relates) (Rounded off to the nearest thousand rupees) As at the close of business First al terna te Friday PART A I. Liabilities in India to the banking system (excluding any loan taken by a Regional Rural Bank from its sponsor bank). (a) Demand liabilities: (i) Balances in current accounts of the State Bank of India, subsidiary banks and corresponding new banks: (ii) Other demand liabilities: Second Third alternate alternate Friday Friday 1. Subs. by S.O. 5244, dated 15th November, 1975 and again subs. by S.O. 268(E), dated 29th March, 1985 (w.e.f. 29-3-1985). 150 The Banking Regulation (Companies) Rules, 1949 [Form VIII (b) Time liabilities: Total of 1 11. Liabilities in India to others (excluding borrowings from the Reserve Bank, Industrial Development Bank of India, Export-Import Bank of India and National Bank for Agriculture and Rural Development). (a) Demand liabilities: (b) Time liabilities: Total of 11 Ill. Cash in hand: I V. Balance in current account with the Recerve Bank: V. Assets in India with the Banking system: (a) Balances in current accounts with— (i) The State Bank of India, subsidiary banks and corresponding new banks: (ii) Other banks and notified financial institutions: (b) Balances in other accounts with banks and notified financial institutions: (c) Money at call and short notice: (d) Advances to banks i.e., due from banks: (e) Other assets: Total of V VI. Net balance in current accounts-V V 11. Net liabilities for the purpose of sections 18 and 24 of the Banking Regulation Act, 1949: — Net liabilities to be banking system + Other demand and time liabilities: As at the close of business on Second Third alternate alternate alternate Friday Friday Friday + if (I—V) is a plus figure OR 11 only if (I—V) is a minus figure. PART B (For non-scheduled banks only) VIII. Minimum amount of cash reserve required to be maintained under section 18 of the Banking Regulation Act, 1949 (3 per cent of VII as on the last Friday of the second preceding fortnight): IX. Cash reserve actually maintained = Total of Ill, IV and VI: X. Excess of IX over V Ill: Form The Banking Regulation (Companies) Rules, PART C 1949 151 XI. Minimum amount of assets required to be maintained under section 24 of the Banking Regulation Act, 1949 (25 per cent or such other specified percentage of VII as on the last Friday of the second preceding fortnight.) XII. (a) Balance required to be maintained by a scheduled bank under section 42 of the Reserve Bank of India Act, 1934. (b) Balance actually maintained by a scheduled bank with the Reserve Bank (c) Excess of (b) over (a) XIII. Assets actually maintained: (a) Amount in cash deposited with the Reserve Bank by a banking company incorporated outside India under section 11 (2) of the Banking Regulation Act, 1949. (b) Cash in hand or in the case of a non-scheduled bank, excess of IX over VIII, if any, shown against X above. (c) Excess balance within Reserve Bank, if any, shown against XII(c) above. (d) Net balance in current accounts maintained by a scheduled bank = VI above. (e) Balance maintained by a Regional Rural Bank in call or fixed deposit with its sponsor bank. (f) Gold valued at a price not exceeding the current market price. (g) Unencumbered approved securities valued on the basis of the method of valuation determined by the Reserve Bank. (h) Approved securities deposited with Reserve Bank by a Banking company incorporated outside India under section 11(2) of the bfnking Regulation Act, 1949, valued on the basis of the method of valuation determined by the Reserve Bank. Total of (a) to (h) XIV, XII-XI (Excess +, deficit— Date..... As at the close of business on First Second Third alternate alternate alternate Friday Friday Friday Signature..... 152 The Banking Regulation (Companies) Rules, 1949 [Form Vill Note.—For the purposes of this return, the expression "Banking system" shall

mean the State Bank of India, Subsidiary Banks, corresponding new banks, Regional Rural Banks, other banking companies, Co-operative Banks and financial institutions notified by the Central Government under clause (d) of the Explanation to section 18 of the Banking Regulation Act, 1949. @ Give dates (where Friday is a public holiday under the Negotiable Instruments Act, 1881 (26 of 1881), give the date as on the preceding working day.] I[FORM IX (Section 26) Name of Banking Company..... Name and designation of the Officer submitted the return..... RETURN OF UNCLAIMED DEPOSIT ACCOUNTS IN INDIA WHICH HAVE NOT BEEN OPERATED UPON RJR 10 YEARS OR MORE AS ON THE DATE OF THE RETURN As on the 31st December (To be submitted to the Reserve Bank within thirty days after the close of each calendar year) Particulars Current Accounts Savings Bank Accounts No. of Balance outstandin Rs. P. No. of A/ cs. Balance outstandin Rs. P. Fixed Deposits(including cash certificates, recurring deposits, etc. No. of Balance A/ cs. ou tstandin Rs. P. No. of A/ cs. 1 Total Balance ou tstanding Rs. P. 9 iiiii'i Balance broughts forward from the previous returns on 31-12- as 20.... ... Accounts, if any, inadvertently, omitted in the previous return.... Additions during 20.....* Total 1. Subs. by S.O. 268(E), dated 29th March, 1985 (w.e.f. 29-3-1985). Form X] The Banking Regulation (Companies) Rules, 153 ** Accounts which have become opera tive or where closed during 20..... ... Total balance as at 31-12-20..... Add: Interest credited to the accounts during the year. Less: Incidental charges levied to the accounts during the year. Total Signature..... * This item is intended to denote actual balances in accounts which have, since the date of the immediately previous return, become incorporative for ten years. If any of the accounts, which should have been included under this item in the previous returns, have been inadvertently omitted from those returns, they should be shown under the separate sub-head "Accounts, if any, inadvertently omitted from the previous returns" immediately below "Balance brought forward from the previous return as on 31-12- Particulars of such accounts should be given under all columns of the 20.....". sta tement. ** This item is intended to denote the outstanding balances in such of the accounts (shown in the previous returns) as have become operative on account of further deposits or withdrawal or were closed during the year, after taking into consideration the additions thereto on account of interest credited and deductions therefrom on account of incidental charges applied. The difference (if any) between the outstanding balance thus reported and that shown in the previous return should be suitably explained.] I[FORM X PART 1 (Section 27) LIABILITIES AND ASSETS IN INDIA OF COMMERCIAL BANKS as on the last Friday of the month of (Round off to the nearest thousand) B. Assets in India. A. Liabilities in India 1. Paid-up capital (including forfeited Shares) 2. Reserve Fund and other Reserves 2.1 Reserve Fund 2.2 Other Reserves 2.3 Shares Premium Account* I.

2

3. Cash in hand Balances with Reserve Bank of India Balances with other banks in India in current account 3.1 The State Bank of India 3.2 Subsidiaries of the State Bank of India 1. Subs. by S.O. 268(E), dated 29th March, 1985 (w.e.f. 29-3-1985). 154 l. The Banking Regulation (Companies) Rules, 1949 [

5. Deposits 3.1 Current Deposits 3.1.1 From Banks (including co-operative Banks) 3.1.2 From Others 3.2 Savings Deposits 3.3 Fixed Deposits cash certificates, deposits, etc.) 3.3.1 From Banks 4. 5. 6. 3.3 Other Commercial Banks 3.4 Co-operative Banks Money at call and Short Notice 4.1 With Commercial Banks 4.2 With Co-operative Banks 4.3 With financial other institutions Investment (including recurring (including Co-operative Banks) 3.3.2 From others I [Borrowings 4.1 Borrowings from banks in India 4.1.1 Reserve Bank of India 4.1.2 State Bank of India 4.1.3 Subsidiaries of the State Bank df India 4.1.4 Other commercial banks 4.1.5 Co-operative banks 4.2 Borrowings from banks outside India 4.3 Borrowings from financial institutions in India 4.3. I Industrial Development Bank of India 4.3.2 National Bank for Agriculture and Rural Development 4.3.3 Export-Import Bank of 5.1 5.2 5.3 5.4 5.5 5.6 5.7 Treasury bills Other Central Government securities (including Treasury Savings Deposit Certificates and Postal Savings Certifica tes and Deposits) State Government Securities Other approved securities Shares and debentures of Companies and Corporations not included in 5.4 above. Fixed deposits with banks (including Co-operative Banks) Other Investments in India India 4.3.4 Other institu tions financial 4.4 Borrowings from financial institutions outside India.] Other Liabilities 5.1 Bills payable in India 5.1.1 Drawn by Indian offices 5.1.2 Drawn by foreign offices 5.2 Bills payable outside India Bills purchased and discounted 6.1 Inland Bills purchased and discounted 6.2 Foreign Bills purchased and discounted 6.2.1 Export Bills drawn in India Subs. by S.O. 268(E), dated 29th March, 1985 (w.e.f. 29-3-1985).

8. The Banking Regulation (Companies) Rules, 1949 155 5.3 Calls received in advance* 5.4 Miscellaneous liabilities Branch Adjustments@ 6.1 Among offices in India 6.2 With offices outside India* * Total demand and time liabilities, 6.2.2 6.2.3 6.2.3.1 Import Bills drawn on and payable in India Other foreign bills purchased discounted Payable in India and i.e., total of items A3, A4 Balance of profit and A5 7. 8. 9. 10. 11. 12. 6.2.3.2 Payable outside India Loans and Advances 7.1 Loans and Advances, Cash credits and overdrafts (excluding due from banks vide item 7.2 below) 7.2 Due from banks 7.2.1 Co-operative banks in India 7.2.2 Commercial banks in India 7.2.3 Banks outside Indiat Premises, furniture, fixtures, and other fixed assets Branch adjustments@ 9.1. Among offices in India 9.2 With offices outside India* * Capitalised expenses including preliminary expenses, organisational expenses, shares selling commission, brokerage, loss incurred and any other expenditure not represented by tangible assets*** Non-banking assets acquired in satisfaction of claims Other tangible assets Total Liabilities Total Asets 156 The Banking Regulation (Companies) Rules, 1949 Total Advances (Total of items 6 and 7 of Assets in Part 1 above) Secured Unsecured Total 1 (Clean) 2 3 PART 11 Percentage of clean (unsecured) advances to total advances (Percentage of columns 2 4 PART 111 (Section 25) Total Deposit (item 3 of Liabilities in Part 1) 5 [

Form X Percentage of Total Advances to Total Deposits (Percentage of columns 3 to 5) 6 (Round off to the nearest thousand) I. Demand and time liabilities in India (item 7 of Liabilities in Part I) (excluding items which banks are at present allowed to exclude, e.g., items not in the nature of outside liabilities)

2. Minimum amount of assets required to be held in India under section 25 of the Act (75 per cent of item 1 above) 3. Assets in India. 3.1 Total of items B.I to B.8, B. 11 and B. 12 on assets side in Part I. 3.2 Securities approved by the Reserve Bank of India under section 25(3)(a) of the Act and not included in 3.1 above. * Not applicable to foreign banks operating in India. Signature Designa tion @ The net balance or branch adjustments should be shown as liabilities or assets, as the case may be. ** Please give in a foot-note the outstanding borrowings of India offices. f Comprising rupees loans/ overdrafts granted to banks/ correspondents outside India. *** If the balance in the profit and loss account represents loss, it should be included in this item. Notes.—(l) Data under Parts I and 11 may be furnished as at the close of business on the last Friday of every month and under Part Ill as at the close of business on the last Friday of March, June, September and December. (2) Data on foreign liabilities and assets of Indian offices of banks may please bc supplied for the following items:— (i) Balances held abroad. (ii) Investments held abroad. (iii) Other foreign bills purchased and discounted payable outside India. (iv) Any other assets held outside India.

Form Xl] The Banking Regulation (Companies) Rules, 1949 157 (3) Co-operative banks comprise State and Central Co-operative banks, Co-operative Land Mortgage Banks and Primary Co-operative Banks. (4) If the concerned Friday is a public holiday under the Negotiable Instruments Act, 1881 (26 of 1881), at the close of business on the preceding working day.] I[FORM Xl] (See rule 15A) [Section 45D(2)] In the High Court of Judicature at..... Jurisdiction No... .....of 20..... In the matter of the Companies Act, 1956/ Indian C01npanies Act, 1913. And in the matter of the Banking Regulation Act, 1949. And in the matter of . . ..a Banking Company List of Debtors of .....ordered to be wound up on..... 1. Sl. No. 1 Name and address of debator 2 If the original debtor is dead, give names and addresses of his legal representatives (if the original debtor dies after this list is filed in Court but before it is settled, substitute the names and addresses of his legal representatives) 3 If the original debtor is an insolvent, give the name and address of the assignee or receiver of his estate (if the original debtor is adjudged insolvent after this list is filed in Court but before it is settled the name of such assignee or receiver shall be added) 4 Amount of debt due 5 Rate of interest if any, and the date upto which such interest has been calculated 6 Description of papers, writings and documents, if any, relating to the debt 7 Whether in respect of the debt the banking company holds personal security only or no security 8 Where in respect of the debt the banking company holds security other than personal security; if so, give the nature and particulars of the security including the estimated value of the security, names and addresses of persons having interest in such securi or a ri ht of redem tion therein. Particulars of guarantee where debt is guaranteed including names and addresses of guarantors and extent Description of papers, writings and documents in support of the guarantee where debt is aranteed 11 9 Relief or reliefs claimed 12 of uarantee Dated this..... . Remarks 13 .. .. day of. . ...20..... at *This List should be verified by means of an affidavit. Official Liquidator] Form XIV renumbered as Form by G.S.R. 921, dated 3rd July, 1965 (w.e.f. 3-7-1965) and further re-numbered as Form XI by S.O. 5244, dated 15th November, 1975.