

[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY PART II,
SECTOR 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS

New Delhi, dated the 26th May 2011

Notification

G.S.R. (E). - In exercise of the powers conferred by sub-section (1) of section 642 read with section 610B of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules further to amend the Companies (Central Government's) General Rules and Forms, 1956, namely :-

1. (1) These rules may be called the Companies (Central Government's) General Rules and Forms (Amendment) Rules 2011.

(2) They shall come into force with effect from 29th May, 2011.
2. In the Companies (Central Government's) General Rules and Forms, 1956, in Annexure 'A' for Form 8 and Form 17 the following Forms shall be substituted , namely :-

FORM 8

[Pursuant to sections 125, 127, 130, 132 and 135 and Pursuant to section 600 read with 125, 127, 130, 132 and 135 of the Companies Act, 1956]

Particulars for creation or modification of charge (other than those related to debentures) including particulars of modification of charge by asset reconstruction companies in terms of Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFASI)

Note - All fields marked in * are to be mandatorily filled.

1.(a) * Corporate identity number (CIN) or foreign company registration number of the company

Pre-fill

(b) Global location number (GLN) of company

2.(a) Name of the company

(b) Address of the registered office or of the principal place of business in India of the company

(c) e-mail ID of the company

3. This form is for

Creation of charge Modification of charge

4. Charge identification (ID) number of the charge to be modified

Note : In case of modification of charge, the details to be provided in fields below should be in accordance with the status of the charge after the modification. Refer instruction kit for details.

5. (a) Whether charge is modified in favour of asset reconstruction company (ARC) or assignee Yes No

(b) Whether charge holder is authorised to assign the charge as per the charge agreement Yes No

6. (a) * Type of charge

A charge on:

Uncalled share capital

Calls made but not paid

Immovable property

Ship

Any interest in immovable property

Goodwill

Book debts

Patent, license under a patent

Movable property (not being pledge)

Trademark

Floating charge

Copyright or license under a copyright

Others

(b) If others, specify

7.(a) *Whether consortium finance is involved Yes No

(b) *Whether joint charge involved Yes No

(c) * Number of charge holder(s)

Note : If more than one charge holder involved, name of charge holders, details of extent of charge particulars of property charged, amount secured to be provided in attachment.

8. Particulars of the charge holder (In case charge is modified in favour of ARC or assignee, enter particulars of ARC or assignee)

Category

If others, specify

CIN, in case charge holder or ARC or assignee is a company

* Name

* Address Line I

Line II

* City

* State

* ISO country code

Country

* Pin code

* e-mail ID

9. * Nature, description and brief particulars of the instrument(s) creating or modifying the charge

10. * Date of the instrument creating or modifying the charge (DD/MM/YYYY)

11.(a) * Whether charge created or modified outside India Yes No

(b) In case of charge created or modified outside India on the property situated outside India, the date of receipt of the instrument(s) in india (DD/MM/YYYY)

12.(a) * Amount secured by the charge

(In case the amount is in foreign currency, rupee equivalent to be stated) (in Rs.)

(In case of modification of charge, enter the amount secured by the charge after such modification)

(b) Amount secured by the charge in words

(c) In case amount secured by the charge is in foreign currency, mention details

13. Brief particulars of the principal terms and conditions and extent and operation of the charge

(a) * Rate of interest

(b) * Terms of repayment

(c) * Margin

(d) * Extent and operation of the charge

(e) Others

14. In case of acquisition of property, subjected to charge, furnish the details relating to the existing charge on the property so acquired

(a) Date of instrument creating or evidencing the charge (DD/MM/YYYY)

(b) Description of the instrument creating or evidencing the charge

(c) Date of acquisition of the property (DD/MM/YYYY)

(d) Amount of the charge (in Rs.)

(e) Particulars of the property charged

--

15. * Short particulars of the property or asset(s) charged (including complete address and location of the property)

(i)

--

(ii)

--

(iii)

--

(iv)

--

(v)

--

(vi)

--

(vii)

--

(viii)

--

(ix)

--

(x)

--

16. (a) * Whether any of the property or interest therein under reference is not registered in the name of the company
 Yes No

(b) If yes, in whose name it is registered

17. Date of last modification prior to the present modification (DD/MM/YYYY)

18. Particulars of the present modification
(Please ensure that correct particulars are entered as the same shall be displayed in the certificate of modification of charge)

List of attachments

Attachments

- 1. * Instrument(s) of creation or modification of charge
- 2. Instrument(s) evidencing creation or modification of charge in case of acquisition of property which is already subject to charge
- 3. Particulars of all joint charge holder
- 4. Optional attachment(s) - if any

Verification

I confirm that all the information and particulars mentioned above are true and correct as per the company's record and as per the attached charge instrument(s) or document(s). A copy of the attached charge instrument(s) or document(s) is/ are available at the registered office or principal place of business in India of the company.

I have been authorised by the Board of directors' resolution number dated (DD/MM/YYYY) to sign and submit this form.

To be digitally signed by

Managing Director or director or manager or secretary (In case of an Indian company) or an authorised representative (In case of a foreign company)

Designation

Director identification number of the director or Managing Director; or Income-tax permanent account number (income-tax PAN) of the manager or authorised representative; or Membership number, if applicable or income-tax PAN of the secretary (secretary of a company who is not a member of ICSI, may quote his/ her income-tax PAN)

Verification

I/ we confirm that the attached charge instrument(s) or document(s) is/ are true copies of the original which is/are available with the charge holder and/ or assignee and all the information and particulars mentioned above are derived there from are concisely and corrected stated.

I/ we am/ are duly authorised to sign this form.

To be digitally signed by

*Designation

Charge holder

To be digitally signed by

Designation

ARC or assignee

Certificate

It is hereby certified that I have verified the above particulars (including attachment(s)) from the records of

and found them to be true and correct. I further certify that all the required attachment(s) have been completely attached to this form.

- Chartered accountant (in whole-time practice) or Cost accountant (in whole-time practice) or
 Company secretary (in whole-time practice)

* Whether associate or fellow Associate Fellow

* Membership number or certificate of practice number

For office use only:

eForm Service request number (SRN) eForm filing date (DD/MM/YYYY)

It is certified that the above document for charge creation or modification (other than those related to debentures) is hereby registered.

Digital signature of the authorising officer

Date of signing (DD/MM/YYYY)

OR

This eForm has been taken on file maintained by the registrar of companies through electronic mode and on the basis of statement of correctness given by the filing company.

FORM 17

[Pursuant to section 138 and pursuant to section 600 of the Companies Act, 1956]

Particulars for satisfaction of charges

Form Language English हिन्दी

Note - All fields marked in * are to be mandatorily filled.

- 1.(a) * Corporate identity number (CIN) or foreign company registration number (FCRN) of the company
- (b) Global location number (GLN) of company
- 2.(a) Name of the company
- (b) Address of the registered office or of the principal place of business in India of the company
- (c) *e-mail ID of the company
3. *Whether charge is satisfied in favour of asset reconstruction company (ARC) or assignee Yes No
4. * Charge creation identification (ID) number
- (a) Particulars of the charge holder or ARC or assignee
- CIN
- Name
- Address
- *e-mail ID
- (b) Particulars of creation of original charge and subsequent modifications
- (i) Charge creation date (DD/MM/YYYY)
- (ii) Charge last modified date (DD/MM/YYYY)
- (iii) * Final amount secured
(In case the amount is in foreign currency, rupee equivalent to be stated) (in Rs.)
- (iv) Amount secured by the charge in words
- (v) In case amount secured by the charge is in foreign currency, mention details
5. * Date of satisfaction of charge in full (DD/MM/YYYY)

Attachments

1. Letter of the charge holder stating that the amount has been satisfied

Attach

2. Optional attachment(s) - if any

Attach

List of attachments

[Empty box for listing attachments]

Remove Attachment

Verification

I confirm that all the information and particulars mentioned above are true and correct as per the company's record.

I have been authorised by the Board of directors' resolution number [] dated [] to sign and submit this form.

To be digitally signed by

Managing director or director or manager or secretary (In case of an Indian company or an authorised representative (In case of a foreign company)

[Signature box]

(DD/MM/YYYY)

* Designation []

* Director identification number of the director or Managing Director; or Income-tax permanent account number (income-tax PAN) of the manager or authorised representative; or Membership number, if applicable or income-tax PAN of the secretary (secretary of a company who is not a member of ICSI, may quote his/ her income-tax PAN) []

Verification

To the best of my knowledge and belief, the information given in this form and its attachment(s) is correct and complete. I am duly authorised to sign this form.

To be digitally signed by

Designation []

Charge holder (financial institution or bank or debenture holder etc.) []

To be digitally signed by

Designation []

ARC or assignee []

Certificate

It is hereby certified that I have verified the above particulars (including attachment(s)) from the records of []

and found them to be true and correct. I further certify that all the required attachment(s) have been completely attached to this form.

- Chartered accountant (in whole-time practice) or
- Company secretary (in whole-time practice)
- Cost accountant (in whole-time practice) or

* Whether associate or fellow Associate Fellow

* Membership number or certificate of practice number []

Modify

Check Form

Prescrutiny

Submit

For office use only:

eForm Service request number (SRN) []

eForm filing date [] (DD/MM/YYYY)

Affix filing details

It is certified that the above document for charge satisfaction is hereby registered

Digital signature of the authorising officer []

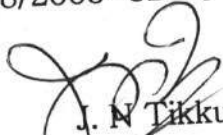
Confirm Submission

Date of signing [] (DD/MM/YYYY)

OR

This eForm has been taken on file maintained by the registrar of companies through electronic mode and on the basis of statement of correctness given by the filing company.))

[F No 5/18/2005-CL.V]


J. N. Tikku
Joint Director