

[To be Published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)]

**Government of India
Ministry of Corporate Affairs
NOTIFICATION**

New Delhi, dated

G.S.R(E).- In exercise of the powers conferred under sections 77, 78, 79, 81, 82, 83, 84, 85, 87 read with section 469 of the Companies Act, 2013 (18 of 2013) and in supersession of the Companies (Central Government's) General Rules and Forms, 1956 or any other relevant rules prescribed under the Companies Act, 1956 (1 of 1956) on matters covered under these rules, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely: -

1. Short title and commencement.- (1) These rules may be called the Companies (**Registration of Charges**) Rules, 2014.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

- (a) "Act" means the Companies Act, 2013 (18 of 2013);
- (b) "Annexure" means the Annexure appended to these rules;
- (c) "Fees" means the fees as specified in the Companies (Registration offices and fees) Rules, 2014;
- (d) "Form" or "eforms" means form set forth in Annexure to these rules which shall be used for the matter to which it relates;
- (e) "Regional Director" means the person appointed by the Central Government in the Ministry of Corporate Affairs as a Regional Director;
- (f) "section" means the section of the Act.

(2) Words and expressions used in these rules but not defined and defined in the Act or in Companies (Specification of definitions details) Rules, 2014 shall have the meanings respectively assigned to them in the Act and said rules.

3. Registration of creation or modification of charge. (1) For registration of charge as provided in sub-section (1) of section 77, section 78 and section 79, the particulars of the charge together with a copy of the instrument, if any, creating or modifying the charge in **Form No.CHG-1** (for other than Debentures) or **Form No.CHG-9** (for debentures including rectification), as the case may be, duly signed by the company and the charge holder and filed with the Registrar within a period of thirty days of the date of creation or modification of charge along with the fee.

(2) If the particulars of a charge are not filed within the aforesaid period, but filed within a period of three hundred days of the date of such creation or modification, the additional fee shall be levied.

(3) If the company fails to register the particulars of the charge with the Registrar within the period of thirty days of its creation or modification, the particulars of the charge together with a copy of the instrument, if any, creating or modifying such charge may be filed by the charge-holder, in **Form No.CHG-1** or **Form No.CHG-9**, as the case may be, duly signed along with fee.

(4) A copy of every instrument evidencing any creation or modification of charge and required to be filed with the Registrar in pursuance of section 77, 78 or 79 shall be verified as follows-

(a) where the instrument or deed relates solely to the property situated outside India, the copy shall be verified by a certificate issued either under the seal of the company, or under the hand of any director or company secretary of the company or an authorised officer of the charge

holder or under the hand of some person other than the company who is interested in the mortgage or charge;

- (b) where the instrument or deed relates, whether wholly or partly, to the property situated in India, the copy shall be verified by a certificate issued under the hand of any director or company secretary of the company or an authorised officer of the charge holder.

4. Condonation of delay by Registrar.-(1) The Registrar may, on being satisfied that the company had sufficient cause for not filing the particulars and instrument of charge, if any, within a period of thirty days of the date of creation of the charge, allow the registration of the same after thirty days but within a period of three hundred days of the date of such creation of charge or modification of charge on payment of additional fee.

(2) The application for delay shall be made in **Form No.CHG-10** and supported by a declaration from the company signed by its secretary or director that such belated filing shall not adversely affect rights of any other intervening creditors of the company.

5. Application of rules in certain matters.- The provisions of rule 4 shall apply, *mutatis mutandis*, to the registration of charge on any property acquired subject to such charge and modification of charge under section 79 of the Act.

6. Certificate of registration. -(1) Where a charge is registered with the Registrar under sub-section (1) of section 77 or section 78, he shall issue a certificate of registration of such charge in Form No.**CHG-2**

(2) Where the particulars of modification of charge is registered under section 79, the Registrar shall issue a certificate of modification of charge in Form No. **CHG-3**

(3) The certificate issued by the Registrar under sub-rule (1) and sub-rule (2) shall be conclusive evidence that the requirements of Chapter VI of the Act and the rules made thereunder as to registration of creation or modification of charge, as the case may be, have been complied with.

7. Register of charges to be kept by the Registrar.- (1) The particulars of charges maintained on the Ministry of Corporate Affairs portal (www.mca.gov.in/MCA21) shall be deemed to be the register of charges for the purposes of section 81 of the Act.

(2) The register shall be open to inspection by any person on payment of fee.

8. Satisfaction of charge.- (1) A company shall within a period of thirty days from the date of the payment or satisfaction in full of any charge registered under Chapter VI, give intimation of the same to the Registrar in Form No. **CHG-4** along with the fee.

(2) Where the Registrar enters a memorandum of satisfaction of charge in full in pursuance of section 82 or 83, he shall issue a certificate of registration of satisfaction of charge in Form No. **CHG-5**.

9. Intimation of appointment of Receiver or Manager.- The notice of appointment or cessation of a receiver of, or of a person to manage, the property, subject to charge, of a company shall be filed with the Registrar in Form No. **CHG.6** along with fee.

10. Company's register of charges.- (1) Every company shall keep at its registered office a register of charges in Form No. **CHG.7** and enter therein particulars of all the charges registered with the Registrar on any of the property, assets or undertaking of the company and the particulars of any property acquired subject to a charge as well as particulars of any modification of a charge and satisfaction of charge.

(2) The entries in the register of charges maintained by the company shall be made forthwith after the creation, modification or satisfaction of charge, as the case may be.

(3) Entries in the register shall be authenticated by a director or the secretary of the company or any other person authorised by the Board for the purpose.

(4) The register of charges shall be preserved permanently and the instrument creating a charge or modification thereon shall be preserved for a period of eight years from the date of satisfaction of charge by the company.

11. Register open for inspection.- The register of charges and the instrument of charges kept by the company shall be open for inspection-

(a) by any member or creditor of the company without fees;

(b) by any other person on payment of fee.

12. Condonation of delay and rectification of register of charges.- (1) Where the instrument creating or modifying a charge is not filed within a period of three hundred days from the date of its creation (including acquisition of a property subject to a charge) or modification and where the satisfaction of the charge is not filed within thirty days from the date on which such payment of satisfaction, the Registrar shall not register the same unless the delay is condoned by the Central Government.

(2) The application for condonation of delay and for such other matters covered in sub-clause (a),(b) and (c) of clause (i) of sub-section (1) of section 87 of the Act shall be filed with the Central Government in Form No.**CHG-8** along with the fee.

(3) The order passed by the Central Government under sub-section (1) of section 87 of the Act shall be required to be filed with the Registrar in **Form No.INC.28** along with the fee as per the conditions stipulated in the said order.

File No. 01/10/2013 CL-V

(Renuka Kumar),
Joint Secretary to the Govt of India

Form No. CHG-2

Certificate of registration of charge.

[Pursuant to sections 77(1) and 78 of the Companies Act 2013 and sub-rule (1) of 6 of the Companies (Registration of Charges) Rules, 2014

Corporate identity number (CIN) or foreign company registration number of the company(FCRN) of the company:

GLN:

Name of the company:

Charge Identification No.:

This is to certify that pursuant to the provisions contained in Chapter VI of the Companies Act, 2013, the above mentioned charge dated the ____ day of _____two thousand _____, created by the above named company/, on behalf of the company in favour of _____ to secure the amount of _____ rupees has been registered and assigned a Charge Identification Number as mentioned above in the Register of Charges, in accordance with the provisions contained in that behalf in Chapter VI of the said Act.

Given under my hand and seal, at(place), this _____day of _____two thousand _____.

Registrar of Companies

.....

Form No. CHG-3

Certificate of registration of modification of charge [Pursuant to section 79(b) of the Companies Act 2013 and sub-rule (2) of rule 6 of the Companies (Registration of Charges) Rules, 2014

Corporate identity number (CIN) or foreign company registration number (FCRN) of the company:

Name of the company:

Charge Identification No.:

This is to certify that pursuant to the provisions contained in Chapter VI of the Companies Act 2013, the above charge dated the..... Day of 20... created in favour ofto secure the amount of Rs._____ has been modified in the following manner:

Brief particulars of the modification: (as appearing in Form No. 6.1 filed for modification of charge)

and the above modification has been registered and assigned a Charge Identification Number as mentioned above in the Register of Charges, in accordance with the provisions contained in that behalf in Chapter VI of the said Act.

Given under my hand at(place), this _____day of _____two thousand _____.

Registrar of Companies

.....

Form No. CHG-5

Memorandum of satisfaction of charge

*Section 82/83 of the Companies Act 2013 and sub-rule (2) of rule 8
of the Companies (Registration of Charges) Rules, 2014*

1 (a) Corporate identity number (CIN) or foreign company
registration number (FCRN) of the company:

(b) GLN

2 (a) Name of the company:

(b) Charge Identification Number:

This is to certify that pursuant to the provisions contained in
Chapter VI of the Companies Act 2013, the above charge for Rs.
_____ only has been satisfied in full on day of two
thousand in accordance with the provisions contained in
that behalf in Chapter VI of the said Act.

Given under my hand and seal at _____(place), this _____day
of _____two thousand _____.

Registrar of Companies

Form No. CHG-7

Register of charges

[Pursuant to section 85 sub-rule (1) of rule 10 of the Companies (Registration of Charges) Rules, 2014]

S.No	Charge ID	Date of creation of charge or date of acquisition of property subject to charge	Date of registration of creation of charge	Short description of the property charged
(1)	(2)	(3)	(4)	(5)

Period and amount secured by the charge	Names and addresses of the charge holder	Particulars of the terms and conditions of the charge	Description of the instrument creating the charge
(6)	(7)	(8)	(9)

Date of modification of charge	Date of registration of modification of charge	Description of the instrument modifying the charge	Particulars of modification
(10)	(11)	(12)	(13)

Date of satisfaction	Date of registration of satisfaction	Facts and date of condonation of delay, if any	Reasons for delay in filing for registration of creation, modification or satisfaction of the charge, if any
(14)	(15)	(16)	(17)

FORM NO. CHG.1

[Pursuant to sections 77,78 and 79 and pursuant to Section 384 read with 77,78 and 79 of the Companies Act, 2013 and Rule 3 (1) of the Companies(Registration of Charges) Rules 2014]



Application for registration of creation, modification of charge (other than those related to debentures) including particulars of modification of charge by Asset Reconstruction Company in terms of Securitization and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFAESI)

Form Language English Hindi

Refer the instruction kit for filing the form.

1. (a) *Corporate identity number (CIN) or foreign company registration number (FCRN) of the company Pre-fill
(b) Global Location Number (GLN) of company
2. (a) Name of the company
(b) Address of the registered office

(c) email id of the company
3. (a) *This form is for registration of
 Creation of charge Modification of charge
(b) Charge ID of the charge to be modified.
(c) SRN of form INC.28
4. *Whether the applicant is The company The charge holder
5. Whether the form is being filed
(i) *Beyond 30 days but within 300 days from the date of creation or modification Yes No
(ii) If yes, give reasons for the delay and mention the duration of delay

(iii)
6. (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
7. (a) *Date of the instrument creating or modifying the charge
(b) *Nature, description and brief particulars of the instrument(s) creating or modifying the charge

(c)
8. Type of charge
*(a) A charge on

<input type="checkbox"/> Uncalled share capital	<input type="checkbox"/> Calls made but not paid	<input type="checkbox"/> Immovable property or any interest therein
<input type="checkbox"/> Movable property (not being pledge)	<input type="checkbox"/> Floating charge	<input type="checkbox"/> Motor Vehicle (Hypothecation)
<input type="checkbox"/> Any property for securing the issue of secured deposits	<input type="checkbox"/> Goodwill	<input type="checkbox"/> Patent
<input type="checkbox"/> Licence under a patent	<input type="checkbox"/> Trade mark	<input type="checkbox"/> Copyright
<input type="checkbox"/> Book debts	<input type="checkbox"/> Ship or any share in a ship	<input type="checkbox"/> Solely of Property situated outside India
<input type="checkbox"/> Others		

(b) If others, specify
9. (a) *Whether consortium finance is involved Yes No
If Yes, enter Lead Banker's name
(b) *Whether joint charge is involved Yes No
(c) *Number of charge holder(s)
(Note: If more than one charge holder is involved then attach the names of charge holders, details of extent to the charge, particulars of property charged, amount secured)

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

Category

If others, specify

Name

In case of others, specify

CIN, if applicable **Pre-fill**

*Name

Address *Line I

Line II

*City

*State *ISO country code

Country

*Pin code

*e-mail id

11. (a) *Amount secured by the charge (in Rs.)
(In case the amount is in foreign currency, rupee equivalent to be stated)
(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)

12. B

(a)

(b)

(c)

(d)

(e)

13. In

th n

- (a) Date of instrument creating or evidencing the charge
- (b) Description of the instrument creating or evidencing the charge

(c)

(d)

(e)

14. * 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)

15. (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, name of the person in whose name it is registered

16. Da

17. Pa

shall be displayed in the certificate of modification of charge)

Atta

- (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 together with the instrument evidencing such acquisitions;
- (3) Particulars of all joint charge holders;
- (4) Optional attachments, if any

Declaration

- I am authorized by the Board of Directors of the Company vide resolution number * [] *dated [] to sign this form and declare that all the requirements of Companies Act, 2013 and the rules made thereunder in respect of the subject matter of this form and matters incidental thereto have been complied with. I also declare that all the information given herein above is true, correct and complete and as per the attached charge instrument(s) or document(s) and nothing material has been suppressed. 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 further declare that:
 - (a) the delay in filing the particulars of creation/modification, was accidental or due to inadvertence or some other sufficient cause and are or is not of a nature to prejudice the position of the charge holder, shareholders or creditors of the company;
 - (b) no prejudice would be caused to the charge holder(s) or any other creditor(s) of the company, if the delay is condoned;
 - (c) the company has not created or modified any other charge(s) whatsoever on the assets of the company, since the creation / modification of the present charge, for which the application for condonation of delay is being filed;
 - (d) the company is carrying on the business as on the date of filing this application and no proceedings to wind-up the company have commenced or are pending against the company;
 - (e) there is no litigation proceedings pending before any court of law for which condonation of delay is being filed;
 - (f) the company has not applied for striking off the name of the company from the register of Registrar of Companies

To be digitally signed by

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

DSC

Designation []

[]

DIN of the director; DIN or PAN of the manager or CEO or CFO or authorised representative; or membership number of company secretary

Declaration

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

To be digitally signed by

Charge Holder
PAN of the charge holder

To be digitally signed by

ARC or assignee
PAN of the ARC or assignee

To be digitally signed by

Designation
PAN

Note: Attention is also drawn to provisions of Section 447, section 448 and 449 of the Companies Act, 2013 which provide for punishment for fraud, punishment for false statement and punishment for false evidence respectively.

For office use only:

eForm Service request number (SRN)

eForm filing date (DD/MM/YYYY)

Digital signature of the authorising officer

This e-Form is hereby registered

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 NO. CHG.4

[Pursuant to section 82(1) of the Companies Act, 2013 and Rule 8(1) of the Companies (Registration of charges) Rules 2014]



Particulars for satisfaction of charge thereof

Form Language English Hindi

Refer the instruction kit for filing the form

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 register
- (c) email ID of the company
3. *This form is for registration of Satisfaction of charge
4. (a) (i) *Whether the form is being filed beyond 30 days Yes No
If yes, give reasons for the delay and mention the duration of delay
- (ii)
- (b) *SRN of Form CHG.4 filed for satisfaction of charge
- (c) *SRN of Form INC.28
5. *Whether charge is satisfied company (ARC) or assignee Yes No
* Charge creation identification (ID) number
6. (a) Particulars of the charge holder or ARC or assignee
* Name of chargeholder
In case of others,
CIN, if applicable
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

7. *Date of Satisfaction of charge in full

Attachments

1. *Letter of the charge holder stating that the amount has been satisfied;
2. Order of the Central Government;
3. Optional attachment(s)

Declaration

- I am authorized by the Board of Directors of the Company vide resolution no. * dated * to sign this form and declare that all the requirements of Companies Act, 2013 and the rules made thereunder in respect of the subject matter of this form and matters incidental thereto have been complied with. I also declare that all the information given herein above is true, correct and complete and as per the attached charge instrument(s) or document(s) and nothing material has been suppressed.
- I further declare that:
1. the delay in filing the particulars of satisfaction, was accidental or due to inadvertence or some other sufficient cause and are or is not of a nature to prejudice the position of the charge holder, shareholders or creditors of the company;
 2. no prejudice would be caused to the charge holder(s) or any other creditor(s) of the company, if the delay is condoned;
 3. the company has not created or modified any other charge(s) whatsoever on the assets of the company, since the satisfaction of the present charge, for which the application for condonation of delay is being filed;
 4. the company is carrying on the business as on the date of filing this application and no proceedings to wind-up the company have commenced or are pending against the company;
 5. there is no litigation proceedings pending before any court of law for which condonation of delay is being filed;
 6. the company has not applied for striking off the name of the company from the register of Registrar of Companies

To be digitally signed by

DSC Box

Director or manager or company secretary or CEO or CFO (in case of an Indian company)
or an authorised representative (in case of a foreign company)

Designation

DIN of the director; or DIN or PAN of the manager or CEO or CFO or authorised representative; or Membership number of the company secretary

Declaration

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

To be digitally signed by

DSC Box

Charge Holder (financial institution or bank or debenture holder etc.)

PAN

Email ID

To be digitally signed by

ARC or assignee **DSC Box**

PAN

Email ID

To be digitally signed by **DSC Box**

PAN

Designation

Email ID

Note: Attention is also drawn to provisions of Section 447, section 448 and 449 of the Companies Act, 2013 which provide for punishment for fraud, punishment for false statement and punishment for false evidence respectively.

For office use only:

eForm Service request number (SRN)

eForm filing date (DD/MM/YYYY)

Digital signature of the authorising officer

This e-Form is hereby registered

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 NO. CHG.6

[Pursuant to section 84(1) and pursuant to Section 384 of the Companies Act, 2013 and Rule 9 of the Companies (Registration of charges) Rules 2014]



Notice of appointment or cessation of receiver or manager

Form Language English Hindi

Refer the instruction kit for filing the form.

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

3. (a) *This notice is being filed by Person appointing receiver or manager Person appointed as receiver or manager
(b) *Type of Notice Appointment Cessation

4. Particulars of receiver or manager

(a). *Income-tax permanent account number (PAN)	<input type="text"/>
(b). *Name	<input type="text"/>
(c). *Address	Line I <input type="text"/> Line II <input type="text"/>
(d). *City	<input type="text"/>
(e). *State	<input type="text"/>
(f). *Country	<input type="text"/>
(g). *Pin code	<input type="text"/>

5. *Date of appointment (DD/MM/YYYY)

6. *Date of Cessation (DD/MM/YYYY)

7. * Whether the appointment is Pursuance to an order of court Pursuance to any instrument

8. (a) Number of charges
(b) Pursuance to an order

Court reference	Date of Court order (DD/MM/YYYY)	Charge ID	Appointment relating to whole of the property of the company	Appointment relating to income arising from whole of the property of the company
			<input type="radio"/> Yes <input type="radio"/> No	<input type="radio"/> Yes <input type="radio"/> No

(c) Pursuance to any instrument

Description of instrument	Date of instrument (DD/MM/YYYY)	Charge ID	Appointment relating to whole of the property of the company	Appointment relating to income arising from whole

				of the property of the company
			O Yes O No	O Yes O No

Attachments

1. *Copy of instrument appointing receiver/ manager;
2. *Copy of court order;
3. List of specified property of the company in case the appointment relates to specified property of the company;
4. List of specified property of the company in case the appointment relates to income arising from specified property of the company;
5. Optional attachment(s), if any

Attachment
Attachment
Attachment
Attachment
Attachment

Declaration

I declare that whatever stated above is true correct and complete and nothing material has been suppressed including the attachments to this form. I am duly authorised to sign this form.

To be digitally signed by DSC Box

Person appointing receiver or manager

PAN

To be digitally signed by DSC Box

Receiver or manager

PAN

Note: Attention is also drawn to provisions of Section 447, section 448 and 449 of the Companies Act, 2013 which provide for punishment for fraud, punishment for false statement and punishment for false evidence respectively

Modify	Check Form	Prescrutiny	Submit
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For office use only:

Affix filing details

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

This e-Form is hereby registered

Digital signature of the authorising officer

Confirm submission

Date of signing

(DD/MM/YYYY)

FORM NO. CHG.8

[Pursuant to section 77(1) read with 87 of The Companies Act, 2013 and rule 12 (2) of The Companies(Registration of charges) Rules 2014]



Application to Central Government for extension of time for filing particulars of registration of creation / modification / satisfaction of charge OR for rectification of omission or misstatement of any particular in respect of creation/ modification/ satisfaction of charge

Form Language o English o Hindi

Refer the instruction kit for filing the form.

16. (a) *Corporate identity number (CIN) or foreign company registration number (FCRN) of the company
- (b) Global Location Number (GLN) of company
17. (a) Name of the company
- (b) Address of the registered office or principal place of business in India of the company
- (c) email ID of the company
18. *This form is for condonation of
- Delay in registration of
 - Creation of Charge
 - Modification of Charge
 - Satisfaction of Charge
 - Omission or misstatement of any particular in respect of
 - Creation of Charge
 - Modification of Charge
 - Satisfaction of Charge

4. *The application is made by Company Any other interested person

5. *SRN of relevant form Form CHG.1 Form CHG.4 Form CHG.9

6. Charge identification number(ID)

7. (a) *Date of creation/modification/satisfaction of charge entered in the relevant form

(b) *Amount of charge created/modified/satisfied

(c) *Name(s) of the charge holder(s)

(d) *Particulars of the property or asset(s) charged (including complete address and location of the property)

8. *Reasons for delay/omission/misstatement in filing

9. *Details of omission/misstatement and the relief required

Attachment(s)

1. *Instrument creating/modifying/satisfying the charge;
2. Letter of authorisation (in case of Authorised Representative of a foreign company);
3. Copy of resolution of the Board authorising the filing of the application and appointing the authorized representative, if any;
4. Affidavit;
5. Confirmation from the Charge-holder;

Attachment

Attachment

Attachment

Attachment

Attachment

List of attachments

6. Balance Sheet and Annual Return of financial year in which form was filed for which rectification is done (if completed);

Attachment
Attachment

Remove attachment

7. Optional attachment, (if any)

Declaration (if applicant is company)

I

- do solemnly declare that I am the (Drop down: values- director or manager or company secretary or CEO or CFO or an authorised representative);
- and it is further declared that
 1. the delay in filing the particulars of creation/modification/satisfaction or omission or misstatement, was accidental or due to inadvertence or some other sufficient cause and are or is not of a nature to prejudice the position of the charge holder, shareholders or creditors of the company;
 2. no prejudice would be caused to the charge holder(s) or any other creditor(s) of the company, if the delay is condoned or omission or misstatement is rectified;
 3. the company has not created or modified any other charge(s) whatsoever on the assets of the company, since the creation / modification of the present charge, for which the application for condonation of delay is being filed;
 4. the company is carrying on the business as on the date of filing this application and no proceedings to wind-up the company have commenced or are pending against the company;
 5. there is no litigation proceedings is pending before any court of law for which condonation of delay is being filed;
 6. the company has not applied for striking off the name of the company from the Register of Registrar of Companies.

To be digitally signed by

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

DSC

Designation

DIN of the director; or DIN or PAN of the manager or CEO or CFO or
or authorised representative; or Membership number of the company secretary

Declaration (if applicant is any person other than the company)

I confirm that the delay in filing the particulars of creation/modification/satisfaction or omission or misstatement, was accidental or due to inadvertence or some other sufficient cause and are or is not of a nature to prejudice the position of the charge holder, shareholders or creditors of the company and all the information and particulars mentioned above are concisely and correctly stated.

To be digitally signed by

DSC

Charge Holder

PAN

To be digitally signed by

DSC

ARC or assignee

PAN

To be digitally signed by

DSC

Designation

PAN

Note: Attention is also drawn to provisions of Section 447, section 448 and 449 of the Companies Act, 2013 which provide for punishment for fraud, punishment for false statement and punishment for false evidence respectively

Modify

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For office use only :

Affix filing details

eForm Service request number (SRN)

eForm filing date

(DD/MM/YYYY)

Digital signature of the authorising officer

This e-Form is hereby approved

This e-Form is hereby rejected

Confirm Submission

Date of signing

(DD/MM/YYYY)

FORM NO. CHG.9

[Pursuant to sections 71(3), 77,78 & 79 and pursuant to Section 384 read with 71(3), 77,78 and 79 of The Companies Act, 2013 and Rule 3 of The Companies(Registration of charges) Rules 2014]



Application for registration of creation or modification of charge for debentures or rectification of particulars filed in respect of creation or modification of charge for debentures

Form Language o English o Hindi

Refer the instruction kit for filing the form.

- 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. (a) *This form is for Creation of charge Modification of charge Rectification of charge
- (b) *Type of debentures Debentures Debenture Stock Bond Any other instrument
- (c) SRN of the form for which rectification is being filed
- (d) Charge ID of the charge to be modified or rectified
- (e) SRN of form INC.28
- (f) Rectification to be made in regard to
- | | |
|---|---|
| <input type="checkbox"/> Type of debentures | <input type="checkbox"/> Number of trustees or debenture holders |
| <input type="checkbox"/> Particulars related to series of debentures | <input type="checkbox"/> Particulars related to present issue of series |
| <input type="checkbox"/> Amount secured by charge | <input type="checkbox"/> Description / Particulars of property charged |
| <input type="checkbox"/> Principal terms and conditions, extent and operation of charge | <input type="checkbox"/> Extent of charge |
| <input type="checkbox"/> Particulars of commissions, allowances or discount | |
4. (a) *whether applicant is Company Trustee of debenture holders or charge holder
- (b) Whether the form is being filed
- (i) *Beyond 30 days but within 300 days from the date of creation or modification Yes No
- (ii) If yes, give reasons for the delay and mention the duration of delay

(iii) Beyond 300 days Yes No

(if yes, an application will be required to be made to Central Government for extension of further time)

5. * Number of trustee(s) of debentureholders or chargeholder(s)

Particulars of the trustee of debenture holders or charge holder (if modified in favour of ARC or assignee, enter the particulars of ARC or assignee)

Name

Get List of Charge holders

In case of ot

CIN, if applicable

*Name

Address *Line I

Line II

*City

*State

*ISO country code

*Country

*Pin code

*e-mail id

6. * Date of creation of charge (DD/MM/YYYY)

7. Whether the charge is for Entire series of debentures Any issue in a series of debentures

8. (a) Whether the series of debentures are registered with the Registrar of Companies (RoC) Yes No

(b) If yes, (i) The total amount secured by the whole series (in Rs.)

(ii) Date of registration of series (DD/MM/YYYY)

9. (a) *Date of present issue of series (DD/MM/YYYY)

(b) *Amount of present issue of series (amount secured by the charge) (in Rs.)

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

(c) Amount secured by the charge in words

10. * Date of resolution authorising the issue of the series (DD/MM/YYYY)

11.(a) *Description of the property charged indicating whether it is a charge on

- | | | |
|--|--|---|
| <input type="checkbox"/> Uncalled share capital | <input type="checkbox"/> Calls made but not paid | <input type="checkbox"/> Immovable property or any interest therein |
| <input type="checkbox"/> Movable property (not being pledge) | <input type="checkbox"/> Floating charge | <input type="checkbox"/> Motor Vehicle (Hypothecation) |
| <input type="checkbox"/> Any property for securing the issue of secured deposits | <input type="checkbox"/> Goodwill | <input type="checkbox"/> Patent |
| <input type="checkbox"/> Licence under a patent | <input type="checkbox"/> Trade mark | <input type="checkbox"/> Copyright |
| <input type="checkbox"/> Book debts | <input type="checkbox"/> Ship or any share in a ship | <input type="checkbox"/> Solely of Property situated outside India |
| <input type="checkbox"/> Others | | |

(b) If others, specify

(c) *Particulars of the property charged (including location of the property)

12. * Brief of the principal terms and conditions, (including rate of interest, date of redemption and creation of debenture redemption reserve) extent and operation of charge

13. * Particulars as to amount or rate percent of the commission, allowances or discount (if any) paid, or made either directly or indirectly by the company to any person(s) in consideration of their subscribing or agreeing to subscribe, whether absolutely or conditionally, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the debentures included in this return.

Modification of charge

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

(b) Whether trustee of debenture holders or charge holder is authorised to assign the charge Yes No

15.(a) *Description of the instrument modifying the charge

(b) *Date of instrument modifying the charge (DD/MM/YYYY)

16. * 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)

Attachment(s)

- (5) Copy of resolution authorising the issue of debenture series;
- (6) Instrument(s) of creation or modification of charge;
- (7) Order of the Central Government for rectification of charge;
- (8) Optional attachments, if any

Attachment

Attachment

Attachment

List of attachments

Remove attachment

Declaration

- I am authorized by the Board of Directors of the Company vide resolution number.* [] dated [] to sign this form and declare that all the requirements of Companies Act, 2013 and the rules made thereunder in respect of the subject matter of this form and matters incidental thereto have been complied with. I also declare that all the information given herein above is true, correct and complete and as per the attached charge instrument(s) or document(s) and nothing material has been suppressed. 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 further declare that:
 - (g) the delay in filing the particulars of creation/modification, was accidental or due to inadvertence or some other sufficient cause and are or is not of a nature to prejudice the position of the charge holder, shareholders or creditors of the company;
 - (h) no prejudice would be caused to the charge holder(s) or any other creditor(s) of the company, if the delay is condoned;
 - (i) the company has not created or modified any other charge(s) whatsoever on the assets of the company, since the creation / modification of the present charge, for which the application for condonation of delay is being filed;
 - (j) the company is carrying on the business as on the date of filing this application and no proceedings to wind-up the company have commenced or are pending against the company;
 - (k) there is no litigation proceedings pending before any court of law for which condonation of delay is being filed;
 - (l) the company has not applied for striking off the name of the company from the register of Registrar of Companies

To be digitally signed by

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

DSC

Designation []

DIN of the director; DIN or PAN of the manager or CEO or CFO or
Authorised representative; or membership number of company secretary []

Declaration

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

To be digitally signed by

DSC

Trustee of debenture holders or Charge Holder
PAN []

To be digitally signed by

DSC

ARC or assignee

PAN

To be digitally signed by

DSC

Designation

PAN

Note: Attention is also drawn to provisions of Section 447, section 448 and 449 of the Companies Act, 2013 which provide for punishment for fraud, punishment for false statement and punishment for false evidence respectively

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Digital signature of the authorising officer

This e-Form is hereby registered

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