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असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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वित्त मंत्रालय

(वित्तीय सेवाएं विभाग)

अधिसूचना

नई दिल्ली, 24 जनवरी, 2020

सा.का.नि. 45(अ).—केन्द्रीय सरकार, वित्तीय आस्तियों का प्रतिभूतिकरण और पुनर्गठन तथा प्रतिभूति हित का प्रवर्तन अधिनियम, 2002 (2002 का 54) की धारा 20 और 26 ख के साथ पठित धारा 38 की उपधारा (1) और उपधारा (2) के खंड (ग) से (छ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए वित्तीय आस्तियों का प्रतिभूतिकरण और पुनर्गठन और प्रतिभूति हित का प्रवर्तन (केन्द्रीय रजिस्ट्री) नियम, 2011 का और संशोधन करने के लिए निम्नलिखित नियम बनाती है अर्थात :—

1. संक्षिप्त नाम और प्रारम्भ :

- (1) इन नियमों का संक्षिप्त नाम वित्तीय आस्तियों का प्रतिभूतिकरण और पुनर्गठन और प्रतिभूति हित का प्रवर्तन (केन्द्रीय रजिस्ट्री) नियम, 2020 है।
- (2) ये राजपत्र में प्रकाशन की तारीख से लागू होंगे।

2. वित्तीय आस्तियों का प्रतिभूतिकरण और पुनर्गठन और प्रतिभूति हित का प्रवर्तन (केन्द्रीय रजिस्ट्री) नियम, 2011 में, —

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[. . . 3/1/2017-]

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15 , 2013 . . . 310(.)
22 , 2016
. . . 102(.)

MINISTRY OF FINANCE
(Department of Financial Services)

NOTIFICATION

New Delhi, the 24th January, 2020

G.S.R. 45(E).—In exercise of powers conferred by sub-section (1) and clauses (c) to (g) of sub-section (2) of section 38 read with sections 20 and 26 B of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (54 of 2002), the Central Government hereby makes the following rules further to amend the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (Central Registry) Rules, 2011, namely:—

1. Short title and commencement: —
 - (1) These rules may be called the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (Central Registry) (Amendment) Rules, 2020.
 - (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (Central Registry) Rules, 2011,
 - (a) in the opening para for the word and figures “section 20”, the words and figures “sections 20 and 26B” shall be substituted,
 - (b) in rule 4, sub-rule (2D) the following new sub-rules, shall be inserted namely:—
 - (2E) Particulars of creation, modification or satisfaction of a right, title or interest of any kind, including those referred to in sub- clauses (i) and (ii) of clause (zf) of sub-section (1) of section 2 of the Act created by a borrower in favour of other creditors shall be filed in Form number I, through (i) e sign (through an Aadhaar based One Time Password validation); or (ii) digital signature ; or (iii) CKYC number, as the case may be.
 - (2F) Particulars of attachment orders as referred to in sub-section (4) of section 26B of the Act with the particulars of the assesses and details of tax or other Government dues shall be filed electronically by the officers authorised in that behalf by such authority of the Central Government or the State Government or local authority in Form number I, and particulars of modification or satisfaction of such attachment orders shall be filed in Form number I or Form number II as the case may be.
 - (2G) Particulars of attachment orders passed by a court or other authority

referred to in sub-section (5) of section 26B shall be filed electronically by the person in whose favour such orders have been passed in Form number I and the particulars of modification or satisfaction of such attachment orders shall be filed in Form number I or Form number II through (i) e sign (through an Aadhar based One Time Password validation) ; or (ii) digital signature ; or (iii) CKYC number, as the case may be.

(c) rule 5 shall be omitted;

(d) in rule 7 in the Table after serial no.10, the following serial numbers and entries shall be inserted namely: —

S.No.	Nature of transaction to be registered	Rule	Form No.	Amount of fee payable.
1	2	3	4	5
“11.	Particulars of creation, modification or satisfaction of a right, title or interest of any kind, over any property created by a borrower in favour of a creditor other than a secured creditor	Sub-rule (2E) of rule 4.	Form I	Rs.100 for creation and for any subsequent modification of security interest for a loan above Rs.5 lakh. For a loan upto Rs.5 lakh, the fee would be Rs.50 for both creation and modification of security interest.
12.	Particulars of Attachment orders as referred to in sub. section (4) of section 26 B of the Act with the particulars of the assesses and details of tax or other Government dues	Sub-rule (2F) of rule 4	Form I	Nil
13.	Particulars of attachment orders passed by a court or other authority referred to in sub. section (5) of section 26 B in favour of a person.	Sub-rule (2G) of rule 4	Form I	Rs.100 for creation and for any subsequent modification of security interest for a loan above Rs.5 lakh. For a loan upto Rs.5 lakh, the fee would be Rs.50 for both creation and modification of security interest.”

[F. No. 3/1/2017- DRT]

VANDITA KAUL, Jt. Secy.

Note: The principal rules were published in the Gazette of India , Part II, Section 3 Sub-section (i), *vide* number G.S.R.276 (E), dated the 31st March, 2011 and subsequently amended *vide* notification number G.S.R 310 (E), dated the 15th May, 2013 and last amended *vide* notification number G.S.R.102(E), dated the 22nd January, 2016.