G.S.R 284(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 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 (Third Amendment) Rules 2009.

   (2) These rules shall come into force from 19th July, 2009.

2. In the Companies (Central Government’s) General Rules and Forms, 1956, in the Annexure ‘A’, –
(a) for Form 8, the following form shall be substituted, namely:-

**FORM 8**

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 (SARFASCI)

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

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

(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 is 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 \( \text{(DD/MM/YYYY)} \)

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

(c) Date of acquisition of the property \( \text{(DD/MM/YYYY)} \)

(d) Amount of the charge \( \text{(in Rs.)} \)
(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)

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

List of attachments

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
If 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 and are concisely and correctly stated.
If we are/ are duly authorised to sign this form.

To be digitally signed by

*Designation

Charge holder

To be digitally signed by

Designation

ARC or assignee

For office use only:

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

Confirm submission
(b) for Form 10, the following Form shall be substituted, namely:-

**FORM 10**

*Particulars for registration of charges for debentures*

[Pursuant to sections 125, 127, 128, 129, 130, 132, 134 and 135 and Pursuant to section 600 read with 125, 127, 128, 129, 130, 132, 134 and 135 of the Companies Act, 1956]

**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. *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. *Number of trustee(s) of debenture holders or charge holder(s)*

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

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   | Address |
   | Line I |
   | Line II |

   | City |
   | State |

   | ISO country code |
   | Country |

   | Pin code |
   | E-mail ID |

6. *Date of creation of charge* [mm/dd/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*
    - [ ] Immovable properties  [ ] Plant and machinery  [ ] Furniture and fixtures  [ ] Stock in trade
    - [ ] Book debts  [ ] Vehicles  [ ] Shares and debentures  [ ] Fixed deposits
    - [ ] Intangible assets  [ ] Uncalled share capital  [ ] Others
   (b) If others, specify

12. *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)
(c) *Is modification of charge done outside India  ○ Yes  ○ No
(d) Date of receipt 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)

Attachments

1. *Copy of the resolution authorising the issue of the debenture series  
2. *Instrument of creation or modification of charge
3. Optional attachment(s) - if any

List of attachments
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 and are concise and correctly stated.
I/ we am/ are duly authorised to sign this form.

To be digitally signed by

*Designation

Trustee of debenture holders or 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.

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

*Whether associate or fellow O Associate O Fellow

*Membership number or certificate of practice number

For office use only:

It is certified that the above document for charge creation or modification for debentures is hereby registered

Digital signature of the authorising officer

[Confirm submission]
FORM 17

Particulars for satisfaction of charges

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
2. 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.

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

Digital signature of the authorising officer [ ]
(d) for Form 61, the following Form shall be substituted, namely:-

**FORM 61**

[Form for filing an application with Registrar of Companies]

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

1. *Category of applicant

2. *Name of office of the Registrar of Companies (RoC) to which application is being made

3.(a) Corporate identity number (CIN) or foreign company registration number (FCRN) of the company or Form 1A reference number (Service request number (SRN) of Form 1A)

   (b) Global location number (GLN) of company

4.(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

5. Details of applicant (in case category is others)

   (a) Name

   (b) Address

       Line I

       Line II

   (c) City

   (d) State

   (e) ISO country code

   (f) Country

   (g) Pin code

   (h) e-mail ID

6. *Application filed for

   ○ Compounding of offences
   ○ Extension of period of annual general meeting by three months under section 166(1)
   ○ Extending the period of annual accounts upto eighteen months under section 210(4)
   ○ Declaring a defunct company under section 560
   ○ Scheme of arrangement, amalgamation
   ○ Others

7. If others, then specify
8. "Details of application"

9. In case of application for compounding of offences, provide the following details

(a) Whether application for compounding offence is filed in respect of

- Company
- Director
- Manager or secretory
- Other

(b) Number of person(s) for whom the application is being filed

(c) Details of person(s) for whom the application is being filed

(i) Category

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(iv) Category

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(viii) Category

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<td>Name</td>
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(d) Whether application is being filed
   ○ Suo-motu  ○ In pursuance to notice received from RoC or any other competent authority

(e) Notice number and date of notice

(f) Section for which application is being filed

(g) Brief particulars as to how the default has been made good

10. In case of application under section 156(1) or 210(1), mention financial year end date in respect of which the application is being filed

   (DD/MM/YYYY)

11. (a) Service request number of Form 23

   (DD/MM/YYYY)

   (b) Date of passing special or ordinary resolution

   (DD/MM/YYYY)

   (c) Date of filing Form 23

   (DD/MM/YYYY)

12. Particulars of payment of stamp duty

   Total number of stamp duty payment(s) for which details to be entered

   (DD/MM/YYYY)

   State or Union territory in respect of which stamp duty is paid

   Total amount of stamps or stamp paper (in Rs.)

   Particulars of instrument(s) on which stamp duty is paid

   Mode of payment of stamp duty

   Name of vendor authorised to collect stamp duty or to sell stamp papers on behalf of the Government

   Serial number of stamps or stamp paper

   Registration number of vendor

   Date of purchase of stamps or stamp paper

   Place of purchase of stamps or stamp paper
Attachments

1. Board resolution
2. Scheme of arrangement, amalgamation
3. Detailed application
4. Copy of notice received from RoC or any other competent authority
5. Optional attachment(s) - if any

Verification

To the best of my knowledge and belief, the information given in this application and its attachments is correct and complete.

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

☐ I am duly authorised to sign and submit this application.

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) or other

Designation

DIN of the director or Managing Director; or 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)

To be digitally signed by

☐ 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:

Digital signature of the authorising officer

This e-Form is hereby approved

This e-Form is hereby rejected

Confirm submission
[F No 1/15 /2008 CL.V]

(Renuka Kumar),
Joint Secretary.

Note: The principal rules were published in the Gazette of India Part II, section 3, subsection (i) vide number G.S.R. 432 dated the 18th January, 1956 and subsequently amended vide the following notifications:-

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