

4. In the principal rules, for 'Form No. CHG-9', the following form shall be substituted, namely:-

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 ☐ 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 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

☐ Type of debentures

☐ Number of trustees or debenture holders

☐ Particulars related to series of debentures

☐ Particulars related to present issue of series

☐ Amount secured by charge

☐ Description / Particulars of property charged

☐ Principal terms and conditions, extent and operation of charge ☐ Extent of charge

☐ Particulars of commissions, allowances or discount

4. (a) *Whether the 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 (in case charge is modified in favour of ARC or assignee, enter the particulars of ARC or assignee)

Get List of Charge holders

Name

In case of others, specify

CIN, if applicable

*Name

Pre-fill

Address *Line I

Line II

*City

*State

*ISO country code

*Country

*Pin code

*e-mail id

*Whether trustee of debenture holder or charge holder is having a valid Income Tax PAN ☐ Yes ☐ No
Income tax-Permanent Account Number (PAN)

BSR Code / Branch Code

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	<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

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

☐ Plot Unit ☐ Dwelling Interest

Evaluated Price of Asset as on Security interest Creation date	Nature of Property	Plot ID number	Survey number /Gate number etc. *
Street Number and Name	Sector /Block Number	Locality	Landmark
Village/Town	Taluka	District	State
Pin Code	Latitude	Longitude	Area of plot (Square feet/meter, Acre, Gunta, Cents, Hectares)

Evaluated Price of Asset as on Security interest Creation date	Nature of Property	Plot ID number	Survey number/Gate number *
Dwelling Unit ID Number	Floor number	Building Name and Society Name	Street number and name
Sector/Block Number	Locality	Landmark	Village/Town Name
Taluka	District	State	Pin Code
Latitude	Longitude	Area of dwelling (Square feet/meter)	

Bounded by

By North	By South	By East	By West

*Survey number, GAT number, Khesra number, khweta number, Mouza number, Phase number or any other such similar representation in various states or union territories can be captured in this field.

(All the fields should be captured as appearing in the revenue record, flat no, house no, Municipal Office/Municipal Corporation / Gram panchayat are to be specified and also the area of the immovable property as well as boundaries)

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

(a) Date of Creating Security Interest by actual/ constructive deposit of title deeds within bank/ housing finance company

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(DD/MM/YYYY)

(b) Borrower's customer/account number	
(c) *Rate of interest	
(d) Repayment term (in months)	
(e) *Terms of Repayment	
(f) Nature of facility	
(g) Date of Disbursement	<input type="text"/> (DD/MM/YYYY)
(h) Miscellaneous narrative information	
(i) *Margin	
(j) *Extent and operation of the charge	
(k) Others	

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.

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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

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(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)

17. Description of the document by which the company acquired the title

Number of title documents deposited by customer	
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Document type	
Document Number	
Sub-registrar	
Taluka	
District	
State	
Country code	
Pin Code	

Attachment(s)

- (1) Copy of resolution authorising the issue of debenture series
- (2) Instrument(s) of creation or modification of charge;
- (3) Order of the Central Government for rectification of charge
- (4) Optional attachments, if any

Attachment
Attachment
Attachment
Attachment

List of attachments

100

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:

- (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 Box

Designation

DIN of the director, 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.
- ☐ I/we am/are a multilateral/International financial institution who has/have been exempted from payment of income tax in India under the UN Privileges and Immunities Act.

*To be digitally signed by

DSC Box

Trustee of debenture holders or Charge Holder

PAN

To be digitally signed by

DSC Box

ARC or assignee

PAN

To be digitally signed by

DSC Box

Designation

PAN

Certificate by Practising professional

I declare that I have been duly engaged for the purpose of certification of this form. It is hereby certified that I have gone through the provisions of the Companies Act, 2013 and rules thereunder for the subject matter of this form and matters incidental thereto and I have verified the above particulars (including attachment(s)) from the original/certified records maintained by the Company/applicant which is subject matter of this form and found them to be true, correct and complete and no information material to this form has been suppressed. I further certify that:

- I. The said records have been properly prepared, signed by the required officers of the Company and maintained as per the relevant provisions of the Companies Act, 2013 and were found to be in order;
- II. All the required attachments have been completely and legibly attached to this form.

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

DSC BOX

Whether associate or fellow ☐ Associate ☐ Fellow

Membership number

Certificate of Practice number

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

	Check Form	Prescribing	
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)

[F.No. 01/10/2013 CL-V]

Amardeep Singh Bhatia
07/04/2017

Amardeep Singh Bhatia, Jt. Secy.

Note:- The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) *vide* number G.S.R. 248(E), dated the 31st March, 2014 and subsequently amended *vide* notification G.S.R 440(E) dated the 29th May, 2015.