

MINISTRY OF CORPORATE AFFAIRS**NOTIFICATION**

New Delhi, the 5th September, 2016

G.S.R. 854(E).—In exercise of the powers conferred by sub-sections (1), (2), (3), (4), (8), (9), (10) and (11) of section 125 and sub-section (6) of section 124 read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules, namely:-

1. Short title, extent and commencement.- (1) These rules may be called the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016.

(2) They shall come into force with effect from the 7th September 2016.

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

(a) “Act” means the Companies Act 2013;

(b) “Authority” means the Investor Education and Protection Fund Authority constituted under sub-section (5) of section 125 of the Act;

(c) “Chairperson” means the chairperson of the authority appointed under sub-section (6) of section 125 of the Act;

(d) “Company” means company as defined in sub-section (20) of section 2 of the Act and includes ‘corresponding new bank’ as defined in sub-section (d) of section 2 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) and clause (b) of section 2 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980);

(e) “Existing IEPF” means the Investor Education and Protection Fund (IEPF) constituted under section 205C of the Companies Act, 1956 (1 of 1956);

(f) “Fund” means the Investor Education and Protection Fund (IEPF) constituted under section 125 of the Act;

(g) “Investor” means any person, who has committed money in shares, or debentures, bond or deposits under a scheme or plan of a company registered under the Act;

(h) “Member” means member of the Authority appointed under sub-section (6) of section 125 of the Act; and

(i) “Section” means the section of the Act.

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

3. Fund.- (1) The Authority shall administer the Fund.

(2) There shall be credited to the Fund, the following amounts, namely:-

(a) all amounts payable as mentioned in clause (a) to (n) of sub-section (2) of section 125 of the Act;

(b) all shares in accordance with sub-section (6) of section 124 of the Act;

(c) all the resultant benefits arising out of shares held by the Authority under clause (b);

(d) all grants, fees and charges received by the Authority under these rules;

(e) all sums received by the Authority from such other sources as may be decided upon by the Central Government;

(f) all income earned by the Authority in any year;

(g) all amounts payable as mentioned in sub-section (3) of section 10B of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 and section 10B of Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980; and

(h) all other sums of money collected by the Authority as envisaged in the Act.

(3) In case of term deposits and debentures of companies, due unpaid or unclaimed interest shall be transferred to the Fund along with the transfer of the matured amount of such term deposits and debentures.

(4) (a) All the money, which accrue under sub section (2) [except clause (g)] of section 125 of the Act shall be deposited in the Consolidated Fund of India under the Major Head '0075- Miscellaneous General Services – 104 - Unclaimed and Unpaid dividends, deposits and debentures etc.'. Such sums along with amount deposited under section 205C of the Companies Act, 1956 shall be transferred to the Fund in the non-interest bearing Public Account after taking due approval of Parliament through Appropriation Act. This non-interest bearing Public Account shall be termed as IEPF Fund and shall be utilised for the purposes provided under sub-section (3) of section 125 of the Act.

(b) (i) All amounts remitted by the companies shall initially be accounted for under the following heads of Accounts:-

Major Head 0075 – Miscellaneous General Services

Minor Head 104 - Unpaid dividend of Companies.

(ii) Grants and donations given to the Fund by the State Governments, Companies or any other institutions for the purpose of the Fund as also the interest or other income received out of the Investments made from the Fund shall be credited to a separate sub-head under "800 – Other Receipts" below the MH 0075 – Misc. General Services.

(iii) Amount booked under the above receipt head shall be transferred to the Fund account under Major Head '8235 – General and other Reserve Fund – 116 – IE & PF' by the PAO, Ministry of Corporate Affairs after making suitable budget provision under Major Head '3451 – Secretariat Economic Services 797 – Transfer to Reserve Fund Deposit Account – Transfer to Investor's Education and Protection Fund'. In case the amounts of receipts in a year is more than the budget provision made under Major Head 3451 transfer to the Fund, the difference shall be transferred to the Fund in subsequent year, after obtaining approval of the Budget Division of Department of Economic Affairs and after making adequate budget provision in the relevant year.

(iv) Budget provision in connection with the activities to be financed from the Fund shall be made under Major Head 3451 – Secretariat Economic Services 090 Secretariat – Investor's Education and Protection Fund. Actual expenditure under the head shall be recouped from the Fund and the amount so recouped shall be accounted for under the Major Head '3451' as Deduct entry below Minor Head '902 – Deduct – amount met from Investor's Education and Protection Fund' with contra debit to Major Head – '8235 – General and Other Reserve Funds -116 – Investor's Education and Protection Fund'.

4. **Accounts and audit.-** (1) The Authority shall maintain proper accounts and other relevant records as given in Schedule to these rules and prepare an annual statement of accounts in such form as may be specified by the Central Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Authority shall be audited annually by the Internal Audit Party of the office of Chief Controller of Accounts and Comptroller and Auditor-General of India at such intervals and any expenditure incurred in connection with such audit shall be payable by the Authority to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India or any other person appointed by him in connection with the audit of the accounts of the Authority shall have the same rights and privileges and authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Authority.

(4) The accounts of the Authority as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before each House of Parliament.

5. **Statement to be furnished to the Fund.-** (1) Any amount required to be credited by the companies to the Fund as provided under clause (a) to (n) of sub-section (2) of section 125 of the Act shall be remitted into the specified branches of Punjab National Bank, which is the accredited Bank of the Pay and Accounts Office, Ministry of Corporate Affairs and other authorised banks engaged by the MCA-21 system, within a period of thirty days of such amounts becoming due to be credited to the Fund.

(2) The amount shall be tendered by the companies along with challan (in triplicate) to the specified Bank Branches of Punjab National Bank and other authorised banks under MCA-21 system who will return two copies of the challan, duly stamped in token of having received the amount, to the Company. The third copy of the challan will be forwarded along with the daily credit scroll by the receiving branch to its Focal Point Branch of the Bank for onward transmission to the Pay and Accounts Office, Ministry of Corporate Affairs.

(3) Every company shall file with the concerned Authority one copy of the challan referred to in sub-rule (2) indicating the deposit of the amount to the Fund and shall fill in the full particulars of the amount tendered, including the head of account to which it has been credited.

(4) The company shall, along with the copy of the challan as required under sub-rule (3), furnish a Statement in Form No. IEPF 1 containing details of such transfer to the Authority within thirty days of submission of challan.

(5) The amount may also be remitted by Electronic Fund Transfer in such manner, as may be specified by the Central Government.

(6) (a) On receipt of the statement, the Authority shall enter the details of such receipt in a Register maintained physically or electronically by it in respect of each company every year, and reconcile the amount so remitted and collected, with the concerned designated bank on monthly basis.

(b) Each designated bank shall furnish an abstract of such receipts during the month to the Authority within seven days after the close of every month.

(c) The company shall maintain record consisting of name, last known address, amount, folio number or client ID, certificate number, beneficiary details etc. of the persons in respect of whom unpaid or unclaimed amount has remained unpaid or unclaimed for a period of seven years and has been transferred to the Fund and the Authority shall have the powers to inspect such records.

(7) The provisions of this rule shall be applicable *mutatis mutandis* in respect of the amounts to be credited to the Fund in pursuance of clauses (h) to (m) of sub-section (2) of section 125.

(8) Every company shall within a period of ninety days after the holding of Annual General Meeting or the date on which it should have been held as per the provisions of section 96 of the Act and every year thereafter till completion of the seven years period, identify the unclaimed amounts, as referred in sub-section 2 of section 125 of the Act, as on the date of holding of Annual General Meeting or the date on which it should have been held as per the provisions of section 96 of the Act, separately furnish and upload on its own website and also on website of Authority or any other website as may be specified by the Government, a statement or information through Form No. IEPF 2, separately for each year, containing following information, namely:-

- (a) the names and last known addresses of the persons entitled to receive the sum;
- (b) the nature of amount;
- (c) the amount to which each person is entitled;
- (d) the due date for transfer into the Investor Education and Protection Fund; and
- (e) such other information as may be considered relevant for the purposes.

6. **Manner of transfer of shares under sub-section (6) of section 124 to the Fund.**- (1) The shares shall be credited to an IEPF suspense account (on the name of the company) with one of the depository participants as may be identified by the Authority within a period of thirty days of such shares becoming due to be transferred to the Fund:

Provided that, in case the beneficial owner has encashed any dividend warrant during the last seven years, such shares shall not be required to be transferred to the Fund even though some dividend warrants may not have been encashed.

(2) For the purposes of effecting transfer of such shares, the Board shall authorise the Company Secretary or any other person to sign the necessary documents.

(3) The company shall follow the following procedure, namely:-

(a) The company shall inform at the latest available address, the shareholder concerned regarding transfer of shares three months before the due date of transfer of shares and also simultaneously publish a notice in the leading newspaper in English and regional language having wide circulation, and on their website giving details of such shareholders and shares due for transfer:

Provided that in cases, where the seven years as provided under sub-section (5) of section 124 have been completed or are being completed within three months from the date of coming into force of these rules, the company shall initiate the aforesaid procedure immediately and transfer the shares on completion of three months;

(b) In case, where there is a specific order of Court or Tribunal or statutory Authority restraining any transfer of such shares and payment of dividend, the company shall not transfer such shares to the Fund:

Provided that the company shall furnish details of such shares and unpaid dividend to the Authority in Form No. IEPF 3 within thirty days from the end of financial year;

(c) For the purposes of effecting the transfer where the shares are dealt with in a depository,-

(i) the Company Secretary or the person authorised by the Board shall sign on behalf of such shareholders, the delivery instruction slips of the depository participants where the shareholders had their accounts for transfer in favour of IEPF suspense account (name of the company);

(ii) on receipt of the delivery instruction slips, the depository shall effect the transfer of shares in favour of the Fund in its records.

(d) For the purposes of effecting the transfer where the shares are held in physical form,-

(i) the Company Secretary or the person authorised by the Board shall make an application, on behalf of the concerned shareholders, to the company, for issue of duplicate share certificates;

(ii) on receipt of the application under clause (a), a duplicate certificate for each such shareholder shall be issued and it shall be stated on the face of it and be recorded in the register maintained for the purpose, that the duplicate certificate is "Issued in lieu of share certificate No..... for purpose of transfer to IEPF" and the word "duplicate" shall be stamped or punched in bold letters across the face of the share certificate;

(iii) particulars of every share certificate issued as above shall be entered forthwith in a register of renewed and duplicate share certificates maintained in Form No. SH 2 as specified in the Companies (Share Capital and Debentures) Rules, 2014;

(iv) after issue of duplicate share certificates, the Company Secretary or the person authorised by the Board, shall sign the necessary Form No. SH 4 i.e., securities transfer Form as specified in the Companies (Share Capital and Debentures) Rules, 2014, for transferring the shares in favour of the Fund;

(v) on receipt of the duly filled transfer forms along with the duplicate share certificates, the Board or its Committee shall approve the transfer and thereafter the

transfer of shares shall be effected in favour of the Fund in the records of the company.

(4) The company or depository, as the case may be, shall preserve copies of the depository instruction slips, transfer deeds and duplicate certificates for its records.

(5) While effecting such transfer, the company shall send a statement to the Fund in Form No. IEPF 4 containing details of such transfer.

(6) The voting rights on shares transferred to the Fund shall remain frozen until the rightful owner claims the shares:

Provided that for the purpose of the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011, the shares which have been transferred to the Authority shall not be excluded while calculating the total voting rights.

(7) Once the physical shares are transferred in the name of the Authority, the Authority shall dematerialise these shares and it shall keep only those shares in physical form, where dematerialisation of shares is not possible.

(8) The Authority shall maintain IEPF suspense account (name of the company) with depository participant on behalf of the shareholders who are entitled for the shares and all benefits accruing on such shares e.g. bonus shares, split, consolidation, fraction shares etc. except right issue shall also be credited to such IEPF suspense account (name of the company).

(9) The shares held in such IEPF suspense account shall not be transferred or dealt with in any manner whatsoever except for the purposes of transferring the shares back to the claimant as and when he approaches the Authority or in accordance with sub-rule (10) and (11).

(10) If the company is getting delisted, the Authority shall surrender shares on behalf of the shareholders in accordance with the Securities and Exchange Board of India (Delisting of Equity Shares) Regulations, 2009 and the proceeds realised shall be credited to the Fund and a separate ledger account shall be maintained for such proceeds.

(11) In case the company whose shares or securities are held by the Authority is being wound up, the Authority may surrender the securities to receive the amount entitled on behalf of the security holder and credit the amount to the Fund and a separate ledger account shall be maintained for such proceeds.

(12) Any further dividend received on such shares shall be credited to the Fund and a separate ledger account shall be maintained for such proceeds.

7. **Refunds to claimants from Fund.** - (1) Any person, whose shares, unclaimed dividend, matured deposits, matured debentures, application money due for refund, or interest thereon, sale proceeds of fractional shares, redemption proceeds of preference shares, etc. has been transferred to the Fund, may claim the shares under provision to sub-section (6) of section 124 or apply for refund, under clause (a) of sub-section (3) of section 125 or under proviso to sub-section (3) of section 125, as the case may be, to the Authority by making an application in Form IEPF 5 online available on website www.iepf.gov.in along with fee, as decided by the Authority from time to time in consultation with the Central Government, under his own signature.

(2) The claimant shall after making an application online in Form IEPF-5 under rule (1), send the same duly signed by him along with, requisite documents as enumerated in Form IEPF-5 to the concerned company at its registered office for verification of his claim.

(3) The company shall, within fifteen days of receipt of claim form, send a verification report to the Authority in the format specified by the Authority along with all documents submitted by the claimant.

(4) After verification of the entitlement of the claimant-

(a) to the amount claimed, the Authority and then Drawing and Disbursement Officer of the Authority shall present a bill to the Pay and Accounts Office for e- payment as per the guidelines.

(b) to the shares claimed, the Authority shall issue a refund sanction order with the approval of the Competent Authority and shall either credit the shares which are lying with depository participant in IEPF suspense account (name of the company) to the demat account of the claimant to the extent of the claimant's entitlement or in case of the physical certificates, if any, cancel the duplicate certificate and transfer the shares in favour of the claimant.

(5) The Authority shall, in its records, cause a note to be made of all the payments made under sub-rule (4).

(6) An application received for refund of any claim under this rule duly verified by the concerned company shall be disposed of by the Authority within sixty days from the date of receipt of the verification report from the company, complete in all respects and any delay beyond sixty days shall be recorded in writing specifying the reasons for the delay and the same shall be communicated to the claimant in writing or by electronic means.

(7) In cases, where the application is incomplete, a communication shall be sent to the claimant by the Authority detailing deficiencies of the application.

(8) In case, claimant is a legal heir or successor or administrator or nominee of the registered security holder, he has to ensure that the transmission process is completed by the company before filing any claim with the Authority.

(9) The claimant shall file only one consolidated claim in respect of a company in a financial year.

(10) The company shall be solely liable under all circumstances whatsoever to indemnify the IEPF Authority in case of any dispute or lawsuit that may be initiated due to any incongruity or inconsistency or disparity in the verification report or otherwise. The IEPF Authority shall not be liable to indemnify the security holder or Company for any liability arising out of any discrepancy in verification report submitted etc leading to any litigation or complaint arising thereof.

8. Power to direct payment of amount due to the Fund. - (1) The company shall furnish a statement to the Authority in Form No. IEPF 6 within thirty days of end of financial year stating therein the amounts due to be transferred to the Fund in next financial year.

(2) The company shall also furnish a statement to the authority within thirty days of the closure of its accounts for the financial year stating therein the reasons of deviation, if any, of amounts detailed in sub-rule (1) above and actual amounts transferred to the Fund.

(3) Authority shall furnish a report to the Central Government within sixty days of end of financial year giving details of companies who have failed to transfer the due amount to the Fund.

(4) Authority shall also furnish a report to the Central Government by end of next financial year giving details of companies who have failed to file information referred to in sub-rule (8) of rule 5.

9. Transfer of assets, liabilities, etc., of the existing IEPF to the Authority.- On and from the date of establishment of the Authority,—

(a) any reference to the existing IEPF in any law other than these rules or in any contract or other instrument shall be deemed as a reference to the Authority;

(b) all properties and assets, movable and immovable, of, or belonging to, the existing IEPF, shall vest in the Authority;

(c) all rights and liabilities of the existing IEPF shall be transferred to, and be the rights and liabilities of the Authority;

(d) without prejudice to the provisions of clause (c), all debts, obligations and liabilities incurred, all contracts entered into and all matters and things engaged to be done by, with or for the existing IEPF immediately before that date, for or in connection with the purpose of the said existing IEPF shall be deemed to have been incurred, entered into, or engaged to be done by, with or for, the Authority;

(e) all sums of money due to the existing IEPF immediately before that date shall be deemed to be due to the Authority; and

(f) all suits and other legal proceedings instituted or which could have been instituted by or against the existing IEPF, immediately before that date may be continued or may be instituted by or against the Authority.

10. **Returns and reports.**- (1) The Authority shall furnish to the Central Government at such time and in such form and manner as may be specified or as the Central Government may direct, such returns and statements and such particulars with regard to its activity.
- (2) Without prejudice to the provisions of sub-rule (1), the Authority shall, within one hundred and eighty days after the end of each financial year, submit to the Central Government a report in such form, as may be specified, giving a true and full account of its activities during the previous financial year.
11. **Protection of action taken in good faith.**- No suit, prosecution or other legal proceedings shall lie against the Central Government or Authority or any officer of the Central Government or any member, officer or other employee of the Authority for anything which is in good faith done or intended to be done under these rules.
12. **Repeal and savings.** - (1) The Investor Education and Protection Fund (Awareness and Protection of Investors) Rules, 2001 and Investor Education and Protection Fund (Uploading of information regarding unpaid and unclaimed amounts lying with companies) Rules, 2012 are hereby repealed.
- (2) Notwithstanding such repeal, anything done or any action taken or purported to have been done or taken under the rules repealed by sub-rule (1) shall, in so far as it is not inconsistent with the provisions of these rules, be deemed to have been done or taken under the corresponding provisions of these rules.

SCHEDULE

REGISTERS AND BOOKS OF ACCOUNT TO BE MAINTAINED BY THE AUTHORITY

- (i) Register of Shares transferred under sub-section (6) of section 124
- (ii) Central Cash Book
- (iii) Company wise Ledger
- (iv) General Ledger
- (v) Cashier's Cash Book
- (vi) Bank Ledger
- (vii) Register of Assets
- (viii) Investment Register
- (ix) Claim Register
- (x) Refund Register
- (xi) Suspense Register
- (xii) Documents Register
- (xiii) Any other register or Book as decided by Authority

FORM NO. IEPF-1

[Pursuant to rule 5(4) of the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016]



Statement of amounts credited to Investor Education and Protection Fund

Form language English Hindi

Refer instruction kit for details.

Note 1 - Please adhere to the 'Process for uploading Investor-wise details' as mentioned on the Acknowledgment, to be generated upon upload of this eForm.

Note 2 – Please take a note that this form has to be filled only for one Financial Year at a time.

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

1.(a)*Corporate identity number (CIN) of company/
Bank Corporate Identification number (BCIN)

(b) Global Location Number (GLN) of company

2. (a) Name of the company/bank

(b) Address of registered office of the company/bank

(c) *email id of the company/bank

3.* Service request number (SRN) in respect of payment made to the fund

4. Date of payment of amount to the fund (DD/MM/YYYY)

5. Amount credited to the fund (in Rs.)

6. Mode of payment Challan payment (Cash, Cheque, Demand draft) Online Payment

7. *Details of the amount credited to the fund

S. No	Particulars	Amount (in Rupees)	Date by which amount should have been credited to the fund
(a)	Amount in the unpaid dividend accounts of companies		
(b)	The application money received by companies for allotment of any securities and due for refund		
(c)	Matured deposits with companies		
(d)	Matured debentures with companies		
(e)	Interest accrued on the amounts referred to in clause (b) to (d) above		
	(i) Application money due for refund		
	(ii) Matured deposits with companies		
	(iii) Matured debentures with companies		
(f)	Sale proceeds of fractional shares arising out of		

	issuance of bonus shares, merger and amalgamation		
(g)	Redemption amount of preference shares		
(h)	Grants and donation		
(i)	Others		
	Total		

8. * Financial Year to which the amount relates

Attachments

1. Optional attachments, if any.

Attach

List of attachments

Remove attachment

Declaration

I have been authorized by the Board of directors' resolution number* Dated *
(DD/MM/YYYY)

to sign and submit this form.

To the best of my knowledge and belief, I 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 including the attachments to this form and nothing material has been suppressed.

*To be digitally signed by

DSC Box

*Designation

*DIN of the director; or PAN of the manager or CEO

or CFO; or Membership number of the company

secretary; or PAN of Authorized person of the bank

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

Modify

Check Form

Prescrutiny

Submit

This eform has been taken on file maintained by IEPF Authority through electronic mode and on the basis of statement of correctness given by the company.

(h) Others

Total**Declaration**

I have been authorized by the Board of directors' resolution number* Dated *
(DD/MM/YYYY)

to sign and submit this form.

To the best of my knowledge and belief, I 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 including the attachments to this form and nothing material has been suppressed.

*To be digitally signed by

DSC Box

*Designation

*DIN of the director; or PAN of the manager or CEO or

CFO; or Membership number of the secretary; or

PAN of Authorized person of the bank

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

Modify

Check Form

Prescrutiny

Submit

This eform has been taken on file maintained by IEPF Authority through electronic mode and on the basis of statement of correctness given by the company.

FORM NO. IEPF-3

[Pursuant to sub-section (6) of section 124 of the Companies Act, 2013 and rule 6(3) of the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016]



Statement of shares and unclaimed or unpaid dividend not transferred to the Investor Education and Protection Fund

Form language O English O Hindi

Refer instruction kit for details.

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

1. Details of the Company

(a) *Corporate identity number (CIN) of company/

Pre fill

Bank Corporate Identification number (BCIN)

(b) Name of the company/bank

(c) Address of registered office of the company/bank

(d) *email id of the company/bank

2. Details of shares and dividend not transferred to IEPF account

*Total number of shares

Total nominal amount of the shares

Total amount of unpaid dividend on such shares

3. *Financial year ended as on **(DD/MM/YYYY)**

4. Details of shares and dividend

*Number of entries/cases

Folio No./ DP ID- Client ID- Account number	Category	Kind of shares

Nominal amount of shares	Amount of unclaimed and unpaid dividend	Financial year to which it relates	Name of the court/ tribunal/ authority	Date of order

Attachments

1. *Order of the court/tribunal/statutory authority;

Attach

2. Optional attachments, if any

Attach

List of attachments

Remove attachment

Declaration

I have been authorized by the Board of directors' resolution number* (DD/MM/YYYY)

Dated *

to sign and submit this form. To the best of my knowledge and belief, I 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 including the attachments to this form and nothing material has been suppressed.

*To be digitally signed by

DSC Box

*Designation

*DIN of the director; or PAN of the manager or CEO or CFO; or Membership number of the secretary; or PAN of Authorized person of the bank

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

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For office use only:		<input type="button" value="Affix filing details"/>	
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Digital signature of the authorising officer	<input type="text"/>	<input type="button" value="Confirm submission"/>	
Date of signing	<input type="text"/>	(DD/MM/YYYY)	

FORM NO. IEPF-4

[Pursuant to rule 6(5) of the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016]



Statement of shares transferred to the Investor Education and Protection Fund

Form language English Hindi

Refer instruction kit for details.

Note 1 - Please adhere to the 'Process for uploading Investor-wise details' as mentioned on the Acknowledgment, to be generated upon upload of this eForm.

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

1(a). * Corporate identity number (CIN) of company

(b). Global location number (GLN) of company

2(a). Name of the company

(b). Address of the registered office of the company

(c) *e-mail ID of the company

3. (a) *Total nominal amount of shares transferred to the IEPF account

(b) *Total number of shares transferred

Prefill

4. *SRN of form IEPF-1

5. * Financial Year to which the amount relates

Declaration

I have been authorized by the Board of directors' resolution number* Dated *
(DD/MM/YYYY)

to sign and submit this form.

To the best of my knowledge and belief, I 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 including the attachments to this form and nothing material has been suppressed.

*To be digitally signed by

DSC Box

*Designation

*DIN of the director; or Income-tax permanent account number
of the manager or CEO or CFO; or Membership number
of the secretary

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

Modify

Check Form

Prescrutiny

Submit

This eform has been taken on file maintained by IEPF Authority through electronic mode and on the basis of statement of correctness given by the company.

FORM NO. IEPF-5

[Pursuant to sub-section (3) of section 125 of the Companies Act, 2013 and rule 7(1) of the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016]



Application to the Authority for claiming unpaid amounts and shares out of Investor Education and Protection Fund (IEPF)

Form language O English O Hindi

Refer instruction kit for details.

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

1. Particulars of the applicant

(a) *Name of the applicant

(b) *Address of the applicant

(c) Phone number

(d) Mobile Number

(e) E-mail ID

2. Particulars of the Company/Bank from which the amount is due

(a) *Corporate identity number (CIN) of company/

Pre-fill

Bank Corporate Identification Number (BCIN)

(b) Name of the company/bank

(c) Address of registered office of the company/bank

(d) email id of the company/bank

3. Details of shares claimed

Folio No./ DP ID -Client ID- Account number	Category	Kind of share	Number of shares	Total nominal amount of the share

4. Details of amount claimed

S No.	Particulars	Amount (in Rupees)
(i)	Dividend amount	
(ii)	Application money due for refund	
(iii)	Matured deposits with company	
(iv)	Matured debentures with company	
(v)	Interest accrued on application money due for refund	
(vi)	Interest accrued on matured deposits with company	
(vii)	Interest accrued on matured debentures with company	
(viii)	Interest accrued on dividend credited to IEPF under the Companies Act, 1956	
(ix)	Sale proceeds of fractional shares arising out of issuance of bonus shares, merger and amalgamation	
(x)	Redemption amount of preference shares	
(xi)	Others, specify <input type="text"/>	
	Total	

Note: If applicant doesn't have any information on amount claimed then the related column above may be left blank.

*Number of claims

Year wise details of securities / deposits for which the amount is claimed

Nature of claim (1)	Amount of the claim (2)	Financial year to which it relates (3)	Nature of security/ deposit (4)	Folio No./DP ID-Client ID- Account Number (5)	Category (6)	Reason for non-receipt/non-encashment of the instrument of payment (7)

5. *Aadhaar Number or Passport/OCI/PIO Card No. (in case of NRI/foreigners)

6. *Details of bank account (Aadhar linked, in case applicant is not NRI/foreigner) in which refund of claim to be made

(a) Bank account number

(b) Bank name

(c) Bank branch

(d) Type of account Saving Current

(e) IFSC code

7. Demat account number

Declaration

I 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 further declare that all the information given herein above is true, correct and complete including the attachments to this form and nothing material has been suppressed.

I understand that I, am the claimant and after filing the refund claim in this form online, shall to send the attachments prescribed below to Nodal Officer (IEPF) of the company at its registered office in an envelope marked "claim for refund from IEPF Authority" for initiating the verification for claim

1. Print out of duly filled claim form with claimant signature
2. Copy of acknowledgement
3. Indemnity Bond (original) with claimant signature
4. Advance Stamped receipt (original)
5. In case of refund of matured deposit or debenture, original certificate thereto
6. Copy of Aadhaar Card
7. Proof of entitlement (certificate of share/Interest warrant Application No. etc.)
8. Cancelled Cheque leaf
9. Copy of Passport, OCI and PI card in case of foreigners and NRI
10. Other optional document,(if any)

Note: Attention is also drawn to provisions of Section 448 of Companies Act, 2013 which states that-

"Save as otherwise provided in this Act, if in any return, report, certificate, financial statement, prospectus, statement or other document required by, or for, the purposes of any of the provisions of this Act or the rules made thereunder, any person makes a statement,-

(a) which is false in any material particulars, knowing it to be false; or

(b) which omits any material fact, knowing it to be material,

he shall be liable under section 447."

Modify	Check Form	Prescrutiny	Submit
For office use only :			
eForm Service request number (SRN)	<input type="text"/>	eForm filing date	<input type="text"/> (DD/MM/YYYY)
Digital signature of the authorising officer	<input type="text"/>	Affix filing details	<input type="text"/>
This e-Form is hereby approved	<input type="text"/>	Confirm Submission	<input type="text"/>
This e-Form is hereby rejected	<input type="text"/>		
Date of signing	<input type="text"/>		(DD/MM/YYYY)

FORM NO. IEPF-6

[Pursuant to rule 8 of the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016]



Statement of unclaimed or unpaid amounts to be transferred to the Investor Education and Protection Fund

Form language o English o Hindi

Refer instruction kit for details.

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

- 1.(a)*Corporate identity number (CIN) of company/
 Bank Corporate Identification number (BCIN) Pre fill
- (b) Global Location Number(GLN) of company
2. (a) Name of the company/bank
- (b) Address of registered office of the company/bank
- (c) *email id of the company/bank
3. *Financial year end date
4. *Details of the amount due to be credited to the IEPF in subsequent financial year

S. No.	Particulars	Amount (in Rupees)	Date by which amount should be credited to the fund
(a)	Amount in the unpaid dividend accounts of companies		
(b)	The application money received by companies for allotment of any securities and due for refund		
(c)	Matured deposits with companies		
(d)	Matured debentures with companies		
(e)	Interest accrued on the amounts referred to in clause (b) to (d) above		
	(i) Application money due for refund		
	(ii) Matured deposits with companies		
	(iii) Matured debentures with companies		
(f)	Sale proceeds of fractional shares arising out of issuance of bonus shares, merger and amalgamation		
(g)	Redemption amount of preference shares		
(h)	Grants and donation		
(i)	Others, specify <input type="text"/>		
	Total		

5. Details of the amount credited to the IEPF

SRN of relevant form IEPF-6

Pre fill

SRN of relevant form IEPF-1

Pre fill

S No	Particulars	Amount reported for transfer in last year (in Rupees)	Amount actually transferred (in Rupees)	Reasons for deviation
(a)	Amount in the unpaid dividend accounts of companies			
(b)	The application money received by companies for allotment of any securities and due for refund			
(c)	Matured deposits with companies			
(d)	Matured debentures with companies			
(e)	Interest accrued on the amounts referred to in clause (b) to (d) above			
	(i) Application money due for refund			
	(ii) Matured deposits with companies			
	(iii) Matured debentures with companies			
(f)	Sale proceeds of fractional shares arising out of issuance of bonus shares, merger and amalgamation			
(g)	Redemption amount of preference shares			
(h)	Grants and donation			
(i)	Others, specify <input type="text"/>			
	Total			

Attachments

2. Optional attachments, if any

Attach

List of Attachment(s)

Remove

Declaration

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

To the best of my knowledge and belief, I 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 including the attachments to this form and nothing material has been suppressed.

*To be digitally signed by **DSC Box**

*Designation

* DIN of the director; or PAN of the manager or CEO or
 CFO; or Membership number of the secretary; or
 PAN of Authorized person of the bank

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

This eform has been taken on file maintained by IEPF Authority through electronic mode and on the basis of statement of correctness given by the company.

[F. No. 05/27/2013-IEPF]

AMARDEEP SINGH BHATIA, Jt. Secy.

**[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, the 28/2 2017

G.S.R. _____ (E).- In exercise of the powers conferred by sub-sections (1), (2), (3), (4), (8), (9), (10) and (11) of section 125 and sub-section (6) of section 124 read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules, to amend the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016, namely:-

1. (1) These rules may be called the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Amendment Rules, 2017.
(2) They shall come into force from the 28th February, 2017.

2. In the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016, (hereinafter referred to as the Principal rules) in rule 2, in sub-rule (1), for sub-rule (d), the following shall be substituted, namely:

(d) "Company" means a company defined in sub-section (20) of section 2 of the Act and includes 'corresponding new bank' as defined in sub-section (d) of section 2 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) and clause (b) of section 2 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980) and 'subsidiary bank' as defined in clause (k) of section 2 of State Bank of India (Subsidiary Bank) Act, 1959 (38 of 1959);

(da) "Corporate action" means any action taken by the company relating to transfer of shares and all the benefits accruing on such shares namely, bonus shares, split, consolidation, fraction shares etc., except right issue to the Authority;

3. In the principal rules, in rule 3, in sub-rule (2) for clause (g), the following clause shall be substituted, namely:-

'(g) all amounts payable as mentioned in sub-section (3) of section 10B of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970, section 10B of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 and section 40A of the State Bank of India (Subsidiary Bank) Act, 1959; and'.

4. In the principal rules, for rule 6, the following rule shall be substituted, namely:-

6.

Manner of transfer of shares under sub-section (6) of section 124 to the Fund.- (1) The shares shall be credited to DEMAT Account of the Authority to be opened by the Authority for the said purpose, within a period of thirty days of such shares becoming due to be transferred to the Fund:

Provided that, in case the beneficial owner has encashed any dividend warrant during the last seven years, such shares shall not be required to be transferred to the Fund even though some dividend warrants may not have been encashed:

Provided further that in cases where the period of seven years provided under sub-section (5) of section 124 has been completed or being completed during the period from 7th September, 2016 to 31st May, 2017, the due date of transfer of such shares shall be deemed to be 31st May, 2017.

(2) For the purposes of effecting transfer of such shares, the Board shall authorise the Company Secretary or any other person to sign the necessary documents.

(3) The company shall follow the following procedure while transferring the shares, namely:-

(a) The company shall inform, at the latest available address, the shareholder concerned regarding transfer of shares three months before the due date of transfer of shares and also simultaneously publish a notice in the leading newspaper in English and regional language having wide circulation informing the concerned that the names of such shareholders and their folio number or DP ID -Client ID are available on their website duly mentioning the website address.

(b) In case, where there is a specific order of Court or Tribunal or statutory Authority restraining any transfer of such shares and payment of dividend or where such shares are pledged or hypothecated under the provisions of the Depositories Act, 1996 or shares already been transferred under sub-rule (1) above, the company shall not transfer such shares to the Fund:

Provided that the company shall furnish details of such shares and unpaid dividend to the Authority in Form No. IEPF 3 within thirty days from the end of financial year.

- (c) For the purposes of effecting the transfer, where the shares are dealt with in a depository-
- (i) the Company shall inform the depository by way of corporate action, where the shareholders have their accounts for transfer in favour of the Authority.
 - (ii) on receipt of such intimation, the depository shall effect the transfer of shares in favour of DEMAT account of the Authority.
- (d) For the purposes of effecting the transfer where the shares are held in physical form-
- (i) the Company Secretary or the person authorised by the Board shall make an application, on behalf of the concerned shareholders, to the company, for issue of duplicate share certificates;
 - (ii) on receipt of the application under clause (a), a duplicate certificate for each such shareholder shall be issued and it shall be stated on the face of it and be recorded in the register maintained for the purpose, that the duplicate certificate is “Issued in lieu of share certificate No..... for purpose of transfer to IEPF” and the word “duplicate” shall be stamped or punched in bold letters on the first page of the share certificate;
 - (iii) particulars of every share certificate issued as above shall be entered forthwith in a register of renewed and duplicate share certificates maintained in Form No. SH-2 as specified in the Companies (Share Capital and Debentures) Rules, 2014;
 - (iv) after issue of duplicate share certificates, the company shall inform the depository by way of corporate action to convert the duplicate share certificates into DEMAT form and transfer in favour of the Authority.
- (4) The company shall make such transfers through corporate action and shall preserve copies for its records.
- (5) While effecting such transfer, the company shall send a statement to the Authority in Form No. IEPF 4 containing details of such transfer.
- (6) The voting rights on shares transferred to the Fund shall remain frozen until the rightful owner claims the shares:

Provided that for the purpose of the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011, the shares which

have been transferred to the Authority shall not be excluded while calculating the total voting rights.

- (7) The company shall maintain the details of shareholding of each individual shareholders whose shares have been credited to the DEMAT account of the Authority.
- (8) All benefits accruing on such shares e.g., bonus shares, split, consolidation, fraction shares etc., except right issue shall also be credited to such DEMAT account.
- (9) The shares held in such DEMAT account shall not be transferred or dealt with in any manner whatsoever except for the purposes of transferring the shares back to the claimant as and when he approaches the Authority or in accordance with sub-rule (10) and (11).
- (10) If the company is getting delisted, the Authority shall surrender shares on behalf of the shareholders in accordance with the Securities and Exchange Board of India (Delisting of Equity Shares) Regulations, 2009 and the proceeds realised shall be credited to the Fund and a separate ledger account shall be maintained for such proceeds.
- (11) In case the company whose shares or securities are held by the Authority is being wound up, the Authority may surrender the securities to receive the amount entitled on behalf of the security holder and credit the amount to the Fund and a separate ledger account shall be maintained for such proceeds.
- (12) Any further dividend received on such shares shall be credited to the Fund and a separate ledger account shall be maintained for such proceeds”.

5. In the principal rules, for rule 7, the following rule shall be substituted, namely:-

“7. Refund to claimants from Fund.- (1) Any person whose shares, unclaimed dividend, matured deposits, matured debentures, application money due for refund, or interest thereon, sale proceeds of fractional shares, redemption proceeds of preference shares etc., has been transferred to the Fund, may claim the shares under proviso to sub-section (6) of section 124 or apply for refund under clause (a) of sub-section (3) of section 125 or under proviso to sub-section (3) of section 125, as the case may be, to the Authority by submitting an online

application in Form IEPF-5 available on the website www.iepf.gov.in along with fee specified by the Authority from time to time in consultation with the Central Government.

- (2) The claimant shall after making an application in Form IEPF-5 under rule (1), send the same duly signed by him along with, requisite documents as enumerated in Form IEPF-5 to the concerned company at its registered office for verification of his claim.
- (3) The company shall, within fifteen days from the date of receipt of claim, send a verification report to the Authority in the format specified by the Authority along with all the documents submitted by the claimant.
- (4) After verification of the entitlement of the claimant-
 - (a) to the amount claimed, the Authority and then Drawing and Disbursement Officer of the Authority shall present a bill to the Pay and Accounts Office for e- payment as per the guidelines,
 - (b) to the shares claimed, the Authority shall issue a refund sanction order with the approval of the Competent Authority and shall credit the shares to the DEMAT account of the claimant to the extent of the claimant's entitlement.
- (5) The Authority shall, in its records, cause a note to be made of all the payments made under sub-rule (4).
- (6) An application received for refund of any claim under this rule duly verified by the concerned company shall be disposed off by the Authority within sixty days from the date of receipt of the verification report from the company, complete in all respects and any delay beyond sixty days shall be recorded in writing specifying the reasons for the delay and the same shall be communicated to the claimant in writing or by electronic means.
- (7) In cases, where the application is incomplete or not approved, a communication shall be sent to the claimant and the concerned company by the Authority detailing deficiencies of the application.

(8) In case, claimant is a legal heir or successor or administrator or nominee of the registered share holder, he has to ensure that the transmission process is completed by the company before filing any claim with the Authority.

(9) In case, claimant is a legal heir or successor or administrator or nominee of any other registered security or in cases where request of transfer or transmission of shares is received after the transfer of shares by company to the Authority, the company shall verify all requisite documents required for registering transfer or transmission and shall issue letter to the claimant indicating his entitlement to the said security and furnish a copy of the same to the Authority while verifying the claim of such claimant.

(10) The claimant shall file only one consolidated claim in respect of a company in a financial year.

(11) The company shall be liable under all circumstances whatsoever to indemnify the Authority in case of any dispute or lawsuit that may be initiated due to any incongruity or inconsistency or disparity in the verification report or otherwise and the Authority shall not be liable to indemnify the security holder or Company for any liability arising out of any discrepancy in verification report submitted etc., leading to any litigation or complaint arising thereof.”

6. In the principal rules, -

(i) in forms IEPF-3 and IEPF-5, the word “/bank” and “/Bank Corporate Identification Number (BCIN)” shall be omitted, wherever they are occurring;

(ii) in form IEPF -6, in serial number 5, for-

“SRN of relevant form IEPF-6

SRN of relevant form IEPF-1

the following shall be substituted, namely:-

“SRN of relevant form IEPF-6

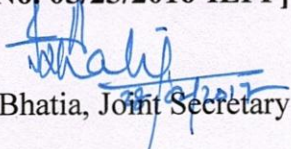
Total Number of SRNs for IEPF-1

Pre fill

SRN of relevant form IEPF-1

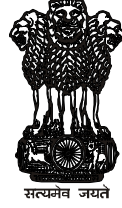
Pre fill All

[F.No. 05/23/2016-IEPF]


Amardeep Singh Bhatia, Joint Secretary

Note: The principal rules were published in the Gazette of India Extraordinary, Part II Section 3, sub-section (i) vide number GSR 854 (E), dated the 5th September, 2016.

SC



भारत का राजपत्र The Gazette of India

असाधारण

EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं. 845]

नई दिल्ली, शुक्रवार, अक्तूबर 13, 2017/आश्विन 21, 1939

No. 845]

NEW DELHI, FRIDAY, OCTOBER 13, 2017/ASVINA 21, 1939

कारपोरेट कार्य मंत्रालय

अधिसूचना

नई दिल्ली, 13 अक्तूबर, 2017

सा.का.नि. 1267(अ).—केन्द्रीय सरकार, कंपनी अधिनियम, 2013 (2013 का 18) की धारा 469 के साथ पठित धारा 125 की उप धारा (1), (2), (3), (4), (8), (9), (10) और (11), धारा 124 की उप धारा (6) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए विनिधानकर्ता शिक्षा और संरक्षण निधि प्राधिकरण (लेखा, संपरीक्षा, अंतरण और प्रतिदाय) नियम, 2016 को और संशोधित करने के लिए निम्नलिखित नियम बनाती है, अर्थात्:—

1. (1) इन नियमों का संक्षिप्त नाम विनिधानकर्ता शिक्षा और संरक्षण निधि प्राधिकरण (लेखा, संपरीक्षा, अंतरण और प्रतिदाय) दूसरा संशोधन नियम, 2017 है।

(2) ये नियम तारीख 13 अक्तूबर, 2017 को प्रवृत्त होंगे।

2. विनिधानकर्ता शिक्षा और संरक्षण निधि प्राधिकरण (लेखा, संपरीक्षा, अंतरण और प्रतिदाय) नियम, 2016 (जिसे इसमें इसके पश्चात् मूल नियम कहा गया है) में, नियम 6 में—

(1) उप-नियम (1) में,—

(क) दूसरे परंतुक के स्थान पर निम्नलिखित परंतुक रखा जाएगा, अर्थात्—

“परंतु यह और कि जहां धारा 124 की उपधारा (5) के तहत उपबंधित सात वर्ष की अवधि समाप्त कर ली गई है या 7 सितंबर, 2016 से 31 अक्तूबर, 2017 तक की अवधि के दौरान समाप्त की जा रही है तो ऐसे शेयरों के अंतरण की तारीख 31 अक्तूबर, 2017 मानी जाएगी।”;

(ख) दूसरे परंतुक के पश्चात्, निम्नलिखित परंतुक अंतःस्थापित किया जाएगा, अर्थात्—

“परंतु यह और कि कंपनियों द्वारा शेयरों का निधि में अंतरण शेयरों का परेषण माना जाएगा और शेयरों के परेषण में अनुपालन की जाने वाली प्रक्रिया का कंपनियों द्वारा शेयरों का निधि में अंतरण करते समय पालन किया जाना चाहिए।”

(II) उप-नियम (3) में, खंड (घ) के स्थान पर, निम्नलिखित खंड रखा जाएगा, अर्थात्—

‘(घ) वास्तविक रूप से रखे गए शेयरों का अंतरण करने के प्रयोजनों के लिए—

- (i) कम्पनी सचिव या बोर्ड द्वारा प्राधिकृत व्यक्ति नया शेयर प्रमाणपत्र जारी करने के लिए, संबंधित शेयरधारक की ओर से कंपनी को एक आवेदन करेगा;
- (ii) खंड (क) के अधीन आवेदन प्राप्त होने पर, ऐसे प्रत्येक शेयरधारक के लिए एक नया शेयर प्रमाणपत्र जारी किया जाएगा और उस पर यह उल्लेख किया जाएगा कि नया प्रमाण पत्र “आईईपीएफ को अंतरण के प्रयोजनार्थ शेयर प्रमाणपत्र सं. के स्थान पर” जारी किया जाता है और इस प्रयोजन के लिए रखे गए रजिस्टर में अभिलिखित किया जाएगा;
- (iii) प्रत्येक शेयर प्रमाणपत्र की विशिष्टियां कंपनी (शेयरपूजी और डिबेंचर) नियम, 2014 में यथा विनिर्दिष्ट प्ररूप सं. एसएच-1 में दी जाएगी;
- (iv) नए शेयर प्रमाणपत्र जारी करने के पश्चात्, कंपनी कारपोरेट कार्यवाही द्वारा शेयर प्रमाणपत्रों को डीमेट रूप में बदलने के लिए निक्षेपागार को सूचित करेगी और प्राधिकरण के पक्ष में अंतरित करेगा।”;

(III) उप-नियम (12) के पश्चात्, निम्नलिखित उप-नियम अंतःस्थापित किया जाएगा, अर्थात् :—

“(13) उप-नियम (10), (11) और उप-नियम (12) के अधीन यथा उपबंधित कंपनियों द्वारा निधि में जमा किए जाने की कोई अपेक्षित राशि आईईपीएफ प्राधिकरण द्वारा पंजाब नेशनल बैंक में खोले गए विनिर्दिष्ट खाते में प्रेषित की जाएगी।

(14) प्राधिकरण अपने ज्ञान में आए नियम के अननुपालन को अपनी रिपोर्ट में केन्द्रीय सरकार को प्रस्तुत करेगा।”

3. मूल नियमों में, नियम 7 में—

(क) उप-नियम (2) के पश्चात्, निम्नलिखित उप-नियम अंतःस्थापित किया जाएगा, अर्थात्—

“(2क) वह प्रत्येक कंपनी, जिसने निधि में कोई राशि जमा की है, आईईपीएफ प्राधिकरण के साथ समन्वय के प्रयोजन के लिए एक नोडल अधिकारी नामित करेगी और नोडल अधिकारी से संपर्क का विवरण उसका पदनाम, डाक पता, दूरभाष और मोबाइल तथा कंपनी के प्राधिकृत ई-मेल पता दर्शाते हुए इन नियमों के प्रकाशन की तारीख से पन्द्रह दिन के भीतर आईईपीएफ प्राधिकरण को देगी और कंपनी नोडल अधिकारी का नाम और उसका ई-मेल पता अपनी-वेबसाइट पर दर्शाएगी।”;

(ख) उप-नियम (3) के पश्चात्, निम्नलिखित परंतुक अंतःस्थापित किया जाएगा, अर्थात् —

“परंतु कि प्ररूप आईईपीएफ-5 फाइल करने की तारीख से नब्बे दिन समाप्ति के बाद प्राधिकरण द्वारा दस्तावेजों की गैर प्राप्ति के मामले में प्राधिकरण के पास अभियाचक को तीस दिन की एक अवधि के भीतर प्रत्युत्तर देने का एक अवसर देते हुए प्ररूप आईईपीएफ-5 को अस्वीकार कर सकेगा।”;

(ग) उप-नियम (7) के पश्चात्, निम्नलिखित परंतुक अंतःस्थापित किया जाएगा, अर्थात्—

“परंतु कि ऐसी सूचना की तारीख से नब्बे दिन समाप्ति के बाद, यदि प्राधिकरण को परिशोधित दस्तावेज प्राप्त नहीं होते हैं तो, प्राधिकरण के पास अभियाचक को तीस दिन की एक अवधि के भीतर प्रत्युत्तर देने का एक अवसर देते हुए प्ररूप आईईपीएफ-5 को अस्वीकार कर सकेगा।”

[फा. सं. 05/17/2017-आईईपीएफ]

अमरदीप सिंह भाटिया, संयुक्त सचिव

टिप्पण : मूल नियम अधिसूचना सं. सा.का.नि. 854(अ), तारीख 5 सितंबर, 2016 को भारत के राजपत्र, असाधारण, भाग-II, खंड-3, उप-खंड (i) में प्रकाशित किए गए थे और अधिसूचना संख्या सा.का.नि. 178(अ), तारीख 28 फरवरी, 2017 द्वारा संशोधित किए गए थे।

MINISTRY OF CORPORATE AFFAIRS**NOTIFICATION**

New Delhi, the 13th October, 2017

G.S.R. 1267(E).—In exercise of the powers conferred by sub-sections (1), (2), (3), (4), (8), (9), (10) and (11) of section 125, sub-section (6) of section 124 read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016, namely:—

1. (1) These rules may be called the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Second Amendment Rules, 2017.

(2) They shall come into force from the 13th October, 2017.

2. In the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016, (hereinafter referred to as the principle rules), in rule 6—

(I) in sub-rule (1),—

(a) for the second proviso, the following proviso shall be substituted, namely:—

“Provided further that in cases where the period of seven years provided under sub-section (5) of section 124 has been completed or being completed during the period from 7th September, 2016 to 31st October, 2017, the due date of transfer of such shares shall be deemed to be 31st October, 2017.”;

(b) after the second proviso, the following proviso shall be inserted, namely:—

“Provided further that transfer of shares by the companies to the Fund shall be deemed to be transmission of shares and the procedure to be followed for transmission of shares shall be followed by the companies while transferring the shares to the fund.”.

(II) in sub-rule(3), for clause (d), the following clause shall be substituted, namely;—

‘(d) For the purposes of effecting the transfer shares held in physical form-

(i) the Company Secretary or the person authorised by the Board shall make an application, on behalf of the concerned shareholder, to the company, for issue of a new share certificate;

(ii) on receipt of the application under clause (a), a new share certificate for each such shareholder shall be issued and it shall be stated on the face of the certificate that “Issued in lieu of share certificate No..... for the purpose of transfer to IEPF” and the same be recorded in the register maintained for the purpose;

(iii) particulars of every share certificate shall be in Form No. SH-1 as specified in the Companies (Share Capital and Debentures) Rules, 2014;

(iv) after issue of a new share certificate, the company shall inform the depository by way of corporate action to convert the share certificates into DEMAT form and transfer in favour of the Authority.’;

(III) after sub-rule (12), the following sub-rules shall be inserted, namely:—

“(13) Any amount required to be credited by the companies to the Fund as provided under sub-rules (10), (11) and sub-rule (12) shall be remitted into the specified account of the IEPF Authority maintained in the Punjab National Bank.

(14) Authority shall furnish its report to the Central Government as and when non-compliance of the rules by companies came to its knowledge.”.

3. In the principle rules, in rule 7—

(a) after sub-rule (2), the following sub-rule shall be inserted, namely:—

“(2A) Every company which has deposited the amount to the Fund shall nominate a Nodal Officer for the purpose of coordination with IEPF Authority and communicate the contact details of the Nodal Officer duly indicating his or her designation, postal address, telephone and mobile number and company authorized e-mail ID to the IEPF Authority, within fifteen days from the date of publication of these rules and the company shall display the name of Nodal Officer and his e-mail ID on its website.”;

(b) after sub-rule (3), the following proviso shall be inserted, namely:—

“Provided that in case of non receipt of documents by the Authority after the expiry of ninety days from the date of filing of Form IEPF-5, the Authority may reject Form IEPF-5, after giving an opportunity to the claimant to furnish response within a period of thirty days.”;

(c) after sub-rule (7), the following proviso shall be inserted, namely:—

“Provided that in case of non receipt of rectified documents by the Authority after the expiry of ninety days from the date of such communication, the Authority may reject Form IEPF-5, after giving an opportunity to the claimant to furnish response within a period of thirty days.”.

[F. No. 05/17/2017-IEPF]

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 GSR 854(E) dated the 5th September, 2016 and amended vide notification number G.S.R 178(E), dated the 28th February, 2017.