

# **CONTENTS**

THE BANKING LAWS (AMENDMENT) ACT, 2025

(xix-xxiv)

## **THE BANKING REGULATION ACT, 1949**

### ***PART I*** **PRELIMINARY**

|     |                                                    |   |
|-----|----------------------------------------------------|---|
| 1.  | Short title, extent and commencement               | 1 |
| 2.  | Application of other laws not barred               | 1 |
| 3.  | Act not to apply to certain co-operative societies | 1 |
| 4.  | Power to suspend operation of Act                  | 2 |
| 5.  | Interpretation                                     | 2 |
| 5A. | Act to override memorandum, articles, etc.         | 9 |

### ***PART II*** **BUSINESS OF BANKING COMPANIES**

|       |                                                                                                                                               |    |
|-------|-----------------------------------------------------------------------------------------------------------------------------------------------|----|
| 6.    | Form and business in which banking companies may engage                                                                                       | 10 |
| 7.    | Use of words “bank”, “banker”, “banking” or “banking company”                                                                                 | 11 |
| 8.    | Prohibition of trading                                                                                                                        | 12 |
| 9.    | Disposal of non-banking assets                                                                                                                | 12 |
| 10.   | Prohibition of employment of Managing Agents and restrictions on certain forms of employment                                                  | 13 |
| 10A.  | Board of Directors to include persons with professional or other experience                                                                   | 15 |
| 10B.  | Banking company to be managed by whole-time Chairman                                                                                          | 16 |
| 10BB. | Power of Reserve Bank to appoint Chairman of the Board of Directors appointed on a whole-time basis or Managing Director of a banking company | 19 |
| 10C.  | Chairman and certain Directors not to be required to hold qualification shares                                                                | 19 |
| 10D.  | Provisions of sections 10A and 10B to override all other laws, contracts, etc.                                                                | 19 |
| 11.   | Requirement as to minimum paid-up capital and reserves                                                                                        | 19 |
| 12.   | Regulation of paid-up capital, subscribed capital and authorised capital and voting rights of shareholders                                    | 22 |
| 12A.  | Election of new Directors                                                                                                                     | 23 |
| 12B.  | Regulation of acquisition of shares or voting rights                                                                                          | 23 |
| 13.   | Restriction on commission, brokerage, discount, etc., on sale of shares                                                                       | 25 |
| 14.   | Prohibition of charge on unpaid capital                                                                                                       | 25 |
| 14A.  | Prohibition of floating charge on assets                                                                                                      | 25 |
| 15.   | Restrictions as to payment of dividend                                                                                                        | 26 |
| 16.   | Prohibition of common Directors                                                                                                               | 26 |
| 17.   | Reserve Fund                                                                                                                                  | 27 |

|                                |                                                                                                                                             |    |
|--------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------|----|
| 18.                            | Cash reserve                                                                                                                                | 27 |
| 19.                            | Restriction on nature of subsidiary companies                                                                                               | 29 |
| 20.                            | Restrictions on loans and advances                                                                                                          | 30 |
| 20A.                           | Restrictions on power to remit debts                                                                                                        | 32 |
| 21.                            | Power of Reserve Bank to control advances by banking companies                                                                              | 32 |
| 21A.                           | Rate of interest charged by banking companies not to be subject to scrutiny by courts                                                       | 33 |
| 22.                            | Licensing of banking companies                                                                                                              | 34 |
| 22A.                           | Validation of licences granted by Reserve Bank to multi-State co-operative societies                                                        | 36 |
| 23.                            | Restrictions on opening of new, and transfer of existing, places of business                                                                | 37 |
| 24.                            | Maintenance of a percentage of assets                                                                                                       | 38 |
| 25.                            | Assets in India                                                                                                                             | 40 |
| 26.                            | Return of unclaimed deposits                                                                                                                | 41 |
| 26A.                           | Establishment of Depositor Education and Awareness Fund                                                                                     | 41 |
| 27.                            | Monthly returns and power to call for other returns and information                                                                         | 42 |
| 28.                            | Power to publish information                                                                                                                | 42 |
| 29.                            | Accounts and balance-sheet                                                                                                                  | 43 |
| 29A.                           | Power in respect of associate enterprises                                                                                                   | 44 |
| 30.                            | Audit                                                                                                                                       | 44 |
| 31.                            | Submission of returns                                                                                                                       | 45 |
| 32.                            | Copies of balance-sheets and accounts to be sent to Registrar                                                                               | 45 |
| 33.                            | Display of audited balance-sheet by companies incorporated outside India                                                                    | 46 |
| 34.                            | Accounting provisions of this Act not retrospective                                                                                         | 46 |
| 34A.                           | Production of documents of confidential nature                                                                                              | 46 |
| 35.                            | Inspection                                                                                                                                  | 47 |
| 35A.                           | Power of the Reserve Bank to give directions                                                                                                | 49 |
| 35AA.                          | Power of Central Government to authorise Reserve Bank for issuing directions to banking companies to initiate insolvency resolution process | 49 |
| 35AB.                          | Power of Reserve Bank to issue directions in respect of stressed assets                                                                     | 49 |
| 35B.                           | Amendments of provisions relating to appointments of Managing Directors, etc., to be subject to previous approval of the Reserve Bank       | 50 |
| 36.                            | Further powers and functions of Reserve Bank                                                                                                | 51 |
| 36A.                           | Certain provisions of the Act not to apply to certain banking companies                                                                     | 52 |
| <b>PART IIA</b>                |                                                                                                                                             |    |
| <b>CONTROL OVER MANAGEMENT</b> |                                                                                                                                             |    |
| 36AA.                          | Power of Reserve Bank to remove managerial and other persons from office                                                                    | 52 |
| 36AB.                          | Power of Reserve Bank to appoint additional Directors                                                                                       | 54 |
| 36AC.                          | Part IIA to override other laws                                                                                                             | 54 |

|                                                                                                                                                                        |    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <b>PART IIAB</b>                                                                                                                                                       |    |
| SUPERSESION OF BOARD OF DIRECTORS OF BANKING COMPANY                                                                                                                   |    |
| 36ACA. Supersession of Board of Directors in certain cases                                                                                                             | 54 |
| <b>PART IIB</b>                                                                                                                                                        |    |
| PROHIBITION OF CERTAIN ACTIVITIES IN RELATION TO<br>BANKING COMPANIES                                                                                                  |    |
| 36AD. Punishments for certain activities in relation to banking companies                                                                                              | 56 |
| <b>PART IIC</b>                                                                                                                                                        |    |
| ACQUISITION OF THE UNDERTAKINGS OF BANKING<br>COMPANIES IN CERTAIN CASES                                                                                               |    |
| 36AE. Power of Central Government to acquire undertakings of banking<br>companies in certain cases                                                                     | 57 |
| 36AF. Power of the Central Government to make scheme                                                                                                                   | 58 |
| 36AG. Compensation to be given to shareholders of the acquired bank                                                                                                    | 59 |
| 36AH. Constitution of the Tribunal                                                                                                                                     | 60 |
| 36AI. Tribunal to have powers of a civil court                                                                                                                         | 60 |
| 36AJ. Procedure of the Tribunal                                                                                                                                        | 61 |
| <b>PART III</b>                                                                                                                                                        |    |
| SUSPENSION OF BUSINESS AND WINDING UP OF<br>BANKING COMPANIES                                                                                                          |    |
| 36B. High Court defined                                                                                                                                                | 61 |
| 37. Suspension of business                                                                                                                                             | 61 |
| 38. Winding up by High Court                                                                                                                                           | 62 |
| 38A. Court liquidator                                                                                                                                                  | 64 |
| 39. Reserve Bank to be official liquidator                                                                                                                             | 64 |
| 39A. Application of Companies Act to liquidators                                                                                                                       | 64 |
| 40. Stay of proceedings                                                                                                                                                | 65 |
| 41. Preliminary report by official liquidator                                                                                                                          | 65 |
| 41A. Notice to preferential claimants and secured and unsecured creditors                                                                                              | 65 |
| 42. Power to dispense with meetings of creditors, etc.                                                                                                                 | 66 |
| 43. Booked depositors' credits to be deemed proved                                                                                                                     | 66 |
| 43A. Preferential payments to depositors                                                                                                                               | 67 |
| 44. Powers of High Court in voluntary winding up                                                                                                                       | 69 |
| 44A. Procedure for amalgamation of banking companies                                                                                                                   | 69 |
| 44B. Restriction on compromise or arrangement between banking<br>company and creditors                                                                                 | 71 |
| 45. Power of Reserve Bank to apply to Central Government for suspension<br>of business by a banking company and to prepare scheme of<br>reconstruction or amalgamation | 71 |
| <b>PART IIIA</b>                                                                                                                                                       |    |
| SPECIAL PROVISIONS FOR SPEEDY DISPOSAL OF<br>WINDING UP PROCEEDINGS                                                                                                    |    |
| 45A. Part IIIA to override other laws                                                                                                                                  | 76 |
| 45B. Power of High Court to decide all claims in respect of banking<br>companies                                                                                       | 76 |

|                                                                                                                                                       |    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| 45C. Transfer of pending proceedings                                                                                                                  | 77 |
| 45D. Settlement of list of debtors                                                                                                                    | 77 |
| 45E. Special provisions to make calls on contributories                                                                                               | 78 |
| 45F. Documents of banking company to be evidence                                                                                                      | 79 |
| 45G. Public examination of Directors and Auditors                                                                                                     | 79 |
| 45H. Special provisions for assessing damages against delinquent Directors, etc.                                                                      | 81 |
| 45-I. Duty of Directors and Officers of banking company to assist in the realisation of property                                                      | 81 |
| 45J. Special provisions for punishing offences in relation to banking companies being wound up                                                        | 81 |
| 45K. Power of High Court to enforce schemes of arrangements, etc.                                                                                     | 82 |
| 45L. Public examination of Directors and Auditors, etc., in respect of a banking company under schemes of arrangement                                 | 82 |
| 45M. Special provisions for banking companies working under schemes of arrangement at the commencement of the Amendment Act                           | 83 |
| 45N. Appeals                                                                                                                                          | 83 |
| 45-O. Special period of limitation                                                                                                                    | 84 |
| 45P. Reserve Bank to tender advice in winding up proceedings                                                                                          | 84 |
| 45Q. Power to inspect                                                                                                                                 | 84 |
| 45R. Power to call for returns and information                                                                                                        | 85 |
| 45S. Chief Presidency Magistrate and District Magistrate to assist official liquidator in taking charge of property of banking company being wound up | 85 |
| 45T. Enforcement of orders and decisions of High Court                                                                                                | 86 |
| 45U. Power of High Court to make rules                                                                                                                | 86 |
| 45V. References to Directors, etc., shall be construed as including references to past Directors, etc.                                                | 86 |
| 45W. Part II not to apply to banking companies being wound up                                                                                         | 87 |
| 45X. Validation of certain proceedings                                                                                                                | 87 |

**PART IIIB****PROVISIONS RELATING TO CERTAIN OPERATIONS OF  
BANKING COMPANIES**

|                                                                                   |    |
|-----------------------------------------------------------------------------------|----|
| 45Y. Power of Central Government to make rules for the preservation of records    | 87 |
| 45Z. Return of paid instruments to customers                                      | 87 |
| 45ZA. Nomination for payment of depositor's money                                 | 87 |
| 45ZB. Notice of claims of other persons regarding deposits not receivable         | 88 |
| 45ZC. Nomination for return of articles kept in safe custody with banking company | 88 |
| 45ZD. Notice of claims of other persons regarding articles not receivable         | 89 |
| 45ZE. Release of contents of safety lockers                                       | 89 |
| 45ZF. Notice of claims of other persons regarding safety lockers not receivable   | 90 |

| CONTENTS                                                                                                     |  | (ix) |
|--------------------------------------------------------------------------------------------------------------|--|------|
| 45ZG. Priority of successive nominations                                                                     |  | 90   |
| <b>PART IV</b>                                                                                               |  |      |
| <b>MISCELLANEOUS</b>                                                                                         |  |      |
| 46. Penalties                                                                                                |  | 91   |
| 46A. Chairman, Director, etc., to be public servants for the purposes of Chapter IX of the Indian Penal Code |  | 92   |
| 47. Cognizance of offences                                                                                   |  | 92   |
| 47A. Power of Reserve Bank to impose penalty                                                                 |  | 92   |
| 48. Application of fines                                                                                     |  | 93   |
| 49. Special provisions for private banking companies                                                         |  | 93   |
| 49A. Restriction on acceptance of deposits withdrawable by cheque                                            |  | 94   |
| 49B. Change of name by banking company                                                                       |  | 94   |
| 49C. Alteration of memorandum of a banking company                                                           |  | 94   |
| 50. Certain claims for compensation barred                                                                   |  | 94   |
| 51. Application of certain provisions to the State Bank of India and other notified banks                    |  | 94   |
| 51A. Powers of Reserve Bank not to apply to International Financial Services Centre                          |  | 95   |
| 52. Power of Central Government to make rules                                                                |  | 95   |
| 53. Powers to exempt in certain cases                                                                        |  | 96   |
| 54. Protection of action taken under the Act                                                                 |  | 96   |
| 55. Amendment of Act 2 of 1934                                                                               |  | 96   |
| 55A. Power to remove difficulties                                                                            |  | 97   |
| <b>PART V</b>                                                                                                |  |      |
| <b>APPLICATION OF THE ACT TO CO-OPERATIVE BANKS</b>                                                          |  |      |
| 56. Act to apply to Co-operative Societies subject to modifications                                          |  | 97   |
| <b>THE FIRST SCHEDULE—AMENDMENTS</b>                                                                         |  | 118  |
| <b>THE SECOND SCHEDULE—[Repealed]</b>                                                                        |  | 120  |
| <b>THE THIRD SCHEDULE</b>                                                                                    |  |      |
| <b>FORM A—FORM OF BALANCE SHEET</b>                                                                          |  | 121  |
| <b>FORM B—FORM OF PROFIT AND LOSS ACCOUNT FOR THE YEAR ENDED ON 31ST MARCH (YEAR)</b>                        |  | 127  |
| <b>THE FOURTH SCHEDULE—LIST OF DEBTORS</b>                                                                   |  | 130  |
| <b>THE FIFTH SCHEDULE—PRINCIPLES OF COMPENSATION</b>                                                         |  | 130  |
| <b>THE BANKING REGULATION (COMPANIES) RULES, 1949</b>                                                        |  |      |
| 1. Short title, extent and commencement                                                                      |  | 133  |
| 2. Interpretation                                                                                            |  | 133  |
| 2A. Application of rules to State Bank of India, corresponding new banks and Regional Rural Banks            |  | 134  |
| 3. Submission of returns                                                                                     |  | 134  |
| 4. List of officers                                                                                          |  | 135  |
| 5. [Omitted]                                                                                                 |  | 136  |
| 5A. Determination of the Directors who are to cease to hold office                                           |  | 136  |

| (x)  | CONTENTS                                                                                                                                                                                                                          |     |
|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| 6.   | Deposits                                                                                                                                                                                                                          | 137 |
| 7.   | Withdrawals of deposits                                                                                                                                                                                                           | 137 |
| 8.   | Changes in deposits                                                                                                                                                                                                               | 137 |
| 9.   | Maturing of security deposits                                                                                                                                                                                                     | 137 |
| 10.  | Interest on deposits                                                                                                                                                                                                              | 137 |
| 10A. | [Omitted]                                                                                                                                                                                                                         | 137 |
| 11.  | Licensing of banking companies                                                                                                                                                                                                    | 137 |
| 12.  | Opening of new places of business                                                                                                                                                                                                 | 138 |
| 13.  | List of offices                                                                                                                                                                                                                   | 138 |
| 13A. | Return under sections 18 and 24                                                                                                                                                                                                   | 138 |
| 14.  | Publication of approved currencies and securities                                                                                                                                                                                 | 138 |
| 14A. | Return under sections 25 and 27                                                                                                                                                                                                   | 138 |
| 14B. | Return under section 26                                                                                                                                                                                                           | 138 |
| 15.  | Manner of publication of accounts and balance sheet                                                                                                                                                                               | 138 |
| 15A. |                                                                                                                                                                                                                                   | 139 |
| 15B. | [Omitted]                                                                                                                                                                                                                         | 139 |
| 16.  | Power to exempt in certain cases                                                                                                                                                                                                  | 139 |
|      | FORM I—[Omitted]                                                                                                                                                                                                                  | 140 |
|      | FORM II                                                                                                                                                                                                                           | 140 |
|      | FORM III—FORM OF APPLICATION FOR A LICENCE TO COMMENCE<br>BANKING BUSINESS BY A COMPANY INCORPORATED IN INDIA<br>AND DESIRING TO COMMENCE BANKING BUSINESS                                                                        | 140 |
|      | FORM IV—FORM OF APPLICATION FOR A LICENCE TO CARRY ON<br>BANKING BUSINESS BY A COMPANY INCORPORATED IN INDIA<br>AND IN EXISTENCE ON THE COMMENCEMENT OF THE ACT                                                                   | 143 |
|      | FORM V—FORM OF APPLICATION FOR A LICENCE TO<br>COMMENCE/CARRY ON BANKING BUSINESS IN INDIA<br>BY A BANKING COMPANY INCORPORATED OUTSIDE INDIA                                                                                     | 144 |
|      | FORM VI—FORM OF APPLICATION FOR PERMISSION TO OPEN<br>A NEW PLACE OF BUSINESS OR CHANGE THE LOCATION<br>(OTHERWISE THAN WITHIN THE SAME CITY, TOWN OR<br>VILLAGE) OF AN EXISTING PLACE OF BUSINESS UNDER<br>SECTION 23 OF THE ACT | 147 |
|      | FORM VII                                                                                                                                                                                                                          | 150 |
|      | FORM VIII—STATEMENT OF DEMAND AND TIME LIABILITIES AND<br>CASH, GOLD AND UNENCUMBERED APPROVED SECURITIES<br>FOR THE MONTH OF                                                                                                     | 151 |
|      | FORM IX—RETURN OF UNCLAIMED DEPOSIT ACCOUNTS IN INDIA<br>WHICH HAVE NOT BEEN OPERATED UPON FOR 10 YEARS OR<br>MORE AS ON THE DATE OF THE RETURN AS ON THE<br>31ST DECEMBER                                                        | 154 |
|      | FORM X—LIABILITIES AND ASSETS IN INDIA OF COMMERCIAL<br>BANKS AS ON THE LAST DAY OF THE MONTH OF 20.....                                                                                                                          | 156 |
|      | FORM XI                                                                                                                                                                                                                           | 159 |

**THE BANKING COMPANIES (ACQUISITION AND  
TRANSFER OF UNDERTAKINGS) ACT, 1970**

**CHAPTER I  
PRELIMINARY**

|    |                              |     |
|----|------------------------------|-----|
| 1. | Short title and commencement | 161 |
| 2. | Definitions                  | 161 |

**CHAPTER II**

**TRANSFER OF THE UNDERTAKINGS OF EXISTING BANKS AND  
SHARE CAPITALS OF THE CORRESPONDING NEW BANKS**

|     |                                                                  |     |
|-----|------------------------------------------------------------------|-----|
| 3.  | Establishment of corresponding new banks and business thereof    | 162 |
| 3A. | Trust not to be entered in the register                          | 166 |
| 3B. | Register of beneficial owners                                    | 166 |
| 4.  | Undertaking of existing banks to vest in corresponding new banks | 166 |
| 5.  | General effect of vesting                                        | 166 |

**CHAPTER III**

**PAYMENT OF COMPENSATION**

|    |                         |     |
|----|-------------------------|-----|
| 6. | Payment of compensation | 167 |
|----|-------------------------|-----|

**CHAPTER IV**

**MANAGEMENT OF CORRESPONDING NEW BANKS**

|     |                                                                                  |     |
|-----|----------------------------------------------------------------------------------|-----|
| 7.  | Head office and management                                                       | 168 |
| 8.  | Corresponding new banks to be guided by the directions of the Central Government | 169 |
| 9.  | Power to Central Government to make scheme                                       | 169 |
| 9A. | Power of Reserve Bank to appoint additional director                             | 173 |

**CHAPTER V**

**MISCELLANEOUS**

|      |                                                                                |     |
|------|--------------------------------------------------------------------------------|-----|
| 10.  | Closure of accounts and disposal of profits                                    | 174 |
| 10A. | Annual general meeting                                                         | 176 |
| 10B. | Transfer of unpaid or unclaimed money                                          | 176 |
| 11.  | Corresponding new bank deemed to be an Indian company                          | 177 |
| 12.  | Removal of Chairman from office                                                | 177 |
| 12A. | Bonus                                                                          | 178 |
| 13.  | Obligations as to fidelity and secrecy                                         | 178 |
| 14.  | Custodian to be public servant                                                 | 178 |
| 15.  | Certain defects not to invalidate acts or proceedings                          | 178 |
| 16.  | Indemnity                                                                      | 179 |
| 16A. | Arrangement with corresponding new bank on appointment of Directors to prevail | 179 |
| 17.  | References to existing banks on and from the commencement of this Act          | 179 |
| 18.  | Dissolution                                                                    | 180 |
| 18A. | Supersession of Board in certain cases                                         | 180 |
| 19.  | Power to make regulations                                                      | 181 |

|      |                                                                                                     |     |
|------|-----------------------------------------------------------------------------------------------------|-----|
| 20.  | Amendment of certain enactments                                                                     | 183 |
| 21.  | Repeal and saving                                                                                   | 184 |
|      | <b>THE FIRST SCHEDULE</b>                                                                           | 185 |
|      | <b>THE SECOND SCHEDULE</b>                                                                          | 185 |
|      | <b>THE THIRD SCHEDULE—DECLARATION OF FIDELITY AND SECRECY</b>                                       | 186 |
|      | <b>THE BANKING COMPANIES (ACQUISITION AND<br/>TRANSFER OF UNDERTAKINGS) ACT, 1980</b>               |     |
|      | <b>CHAPTER I</b>                                                                                    |     |
|      | PRELIMINARY                                                                                         |     |
| 1.   | Short title and commencement                                                                        | 187 |
| 2.   | Definitions                                                                                         | 187 |
|      | <b>CHAPTER II</b>                                                                                   |     |
|      | TRANSFER OF THE UNDERTAKINGS OF EXISTING BANKS AND SHARE<br>CAPITALS OF THE CORRESPONDING NEW BANKS |     |
| 3.   | Establishment of corresponding new banks and business thereof                                       | 188 |
| 3A.  | Trust not to be entered on the register                                                             | 192 |
| 3B.  | Register of beneficial owners                                                                       | 192 |
| 4.   | Undertakings of existing banks to vest in corresponding new banks                                   | 192 |
| 5.   | General effect of vesting                                                                           | 192 |
|      | <b>CHAPTER III</b>                                                                                  |     |
|      | PAYMENT OF AMOUNT                                                                                   |     |
| 6.   | Payment of amount—193                                                                               |     |
|      | <b>CHAPTER IV</b>                                                                                   |     |
|      | MANAGEMENT OF CORRESPONDING NEW BANKS                                                               |     |
| 7.   | Head office and management                                                                          | 194 |
| 8.   | Corresponding new banks to be guided by the directions of the<br>Central Government                 | 195 |
| 9.   | Power of Central Government of make scheme                                                          | 195 |
| 9A.  | Power of Reserve Bank to appoint additional director                                                | 199 |
|      | <b>CHAPTER V</b>                                                                                    |     |
|      | MISCELLANEOUS                                                                                       |     |
| 10.  | Closure of accounts and disposal of profits                                                         | 199 |
| 10A. | Annual general meeting                                                                              | 201 |
| 10B. | Transfer of Unpaid or Unclaimed money                                                               | 202 |
| 11.  | Corresponding new bank deemed to be an Indian company                                               | 203 |
| 12.  | Vacation of office of Chairman, etc.                                                                | 203 |
| 12A. | Bonus                                                                                               | 203 |
| 13.  | Obligations as to fidelity and secrecy                                                              | 204 |
| 14.  | Custodian to be public servant                                                                      | 204 |
| 15.  | Certain defects not to invalidate acts or proceedings                                               | 204 |
| 16.  | Indemnity                                                                                           | 204 |
| 16A. | Arrangement with corresponding new bank on appointment<br>of Directors to prevail                   | 205 |
| 17.  | Construction of references to existing banks                                                        | 205 |

| CONTENTS                                                                                                                                                               | (xiii)     |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------|
| 18. Dissolution                                                                                                                                                        | 205        |
| 18A. Supersession of Board in certain cases                                                                                                                            | 205        |
| 19. Power to make regulations                                                                                                                                          | 206        |
| 20. Amendment of certain enactments                                                                                                                                    | 208        |
| 21. Repeal and saving                                                                                                                                                  | 208        |
| THE FIRST SCHEDULE                                                                                                                                                     | 209        |
| THE SECOND SCHEDULE                                                                                                                                                    | 209        |
| THE THIRD SCHEDULE—DECLARATION OF FIDELITY AND SECRECY                                                                                                                 | 209        |
| <b>THE CO-OPERATIVE BANKS (PERIOD OF PRESERVATION<br/>OF RECORDS) RULES, 1985</b>                                                                                      |            |
| 1. Short title and commencement                                                                                                                                        | 210        |
| 2.                                                                                                                                                                     | 210        |
| 3.                                                                                                                                                                     | 210        |
| 4.                                                                                                                                                                     | 211        |
| <b>THE BANKING COMPANIES (PERIOD OF PRESERVATION<br/>OF RECORDS) RULES, 1985</b>                                                                                       |            |
| 1. Short title and commencement                                                                                                                                        | 212        |
| 2.                                                                                                                                                                     | 212        |
| 3.                                                                                                                                                                     | 212        |
| 4.                                                                                                                                                                     | 213        |
| <b>THE BANKING REGULATION (CO-OPERATIVE SOCIETIES)<br/>RULES, 1966</b>                                                                                                 |            |
| 1. Short title and commencement                                                                                                                                        | 214        |
| 2. Definitions                                                                                                                                                         | 214        |
| 3. Submission of returns                                                                                                                                               | 215        |
| 4. List of Officers                                                                                                                                                    | 215        |
| 5. Form of statement of liabilities and cash reserve and other assets                                                                                                  | 216        |
| 5A. manners of determination of drawing of lots of director or person<br>who will cease to hold office or removed from the membership of<br>Board of Directors         | 216        |
| 6. Licensing of co-operative societies                                                                                                                                 | 217        |
| 7. Opening of new places of business                                                                                                                                   | 217        |
| 8.                                                                                                                                                                     | 217        |
| 9. Other returns                                                                                                                                                       | 217        |
| 10. Manner of publication of accounts and balance-sheet                                                                                                                | 218        |
| 11. [Omitted]                                                                                                                                                          | 218        |
| 12. Banking Companies Rules, 1949, not to apply                                                                                                                        | 219        |
| <b>FORM I—STATEMENT OF DEMAND AND TIME LIABILITIES IN INDIA<br/>AND AMOUNT MAINTAINED IN INDIA IN CASH, GOLD AND<br/>UNENCUMBERED SECURITIES FOR THE MONTH OF.....</b> | <b>219</b> |
| <b>FORM II</b>                                                                                                                                                         | <b>223</b> |

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|
| <b>FORM IIIA</b> —FORM OF APPLICATION FOR A LICENCE TO COMMENCE BANKING BUSINESS BY A CO-OPERATIVE SOCIETY REGISTERED IN INDIA WITH THE OBJECT OF COMMENCING BANKING BUSINESS AS A PRIMARY CO-OPERATIVE BANK                                                                                                                                                                                                                                                                                                                                                                                                                   | 224 |
| <b>FORM IIIB</b> —FORM OF APPLICATION FOR A LICENCE TO COMMENCE BANKING BUSINESS BY A CO-OPERATIVE SOCIETY REGISTERED IN INDIA WITH THE OBJECT OF COMMENCING BANKING BUSINESS AS A CENTRAL CO-OPERATIVE BANK                                                                                                                                                                                                                                                                                                                                                                                                                   | 228 |
| <b>FORM IIIC</b> —FORM OF APPLICATION FOR A LICENCE TO COMMENCE BANKING BUSINESS BY A CO-OPERATIVE SOCIETY REGISTERED IN INDIA WITH THE OBJECT OF COMMENCING BANKING BUSINESS AS A STATE CO-OPERATIVE BANK                                                                                                                                                                                                                                                                                                                                                                                                                     | 232 |
| <b>FORM IV</b> —FORM OF APPLICATION FOR A LICENCE TO CARRY ON BANKING BUSINESS BY A CO-OPERATIVE SOCIETY WHICH WAS CARRYING ON BUSINESS AS A CO-OPERATIVE BANK AT THE COMMENCEMENT OF THE BANKING LAWS (APPLICATION TO CO-OPERATIVE SOCIETIES) ACT, 1965 (23 OF 1965), OR BY A CO-OPERATIVE BANK WHICH HAS COME INTO EXISTENCE AS A RESULT OF THE DIVISION OF ANY OTHER CO-OPERATIVE SOCIETY CARRYING ON BUSINESS AS CO-OPERATIVE BANK OR THE AMALGAMATION OF TWO OR MORE CO-OPERATIVE SOCIETIES CARRYING ON BANKING BUSINESS OR BY A PRIMARY CREDIT SOCIETY WHICH BECOMES A PRIMARY CO-OPERATIVE BANK AFTER SUCH COMMENCEMENT | 236 |
| <b>FORM V</b> —FORM OF APPLICATION FOR PERMISSION TO OPEN A NEW PLACE OF BUSINESS OR CHANGE THE LOCATION (OTHERWISE THAN WITHIN THE SAME CITY, TOWN OR VILLAGE) OF AN EXISTING PLACE OF BUSINESS UNDER SECTION 23 OF THE ACT                                                                                                                                                                                                                                                                                                                                                                                                   | 238 |
| <b>FORM VI</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 242 |
| <b>FORM VII</b> —[Omitted]                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 242 |
| <b>FORM VIII</b> —RETURN OF UNCLAIMED DEPOSIT ACCOUNTS IN INDIA WHICH HAVE NOT BEEN OPERATED UPON FOR TEN YEARS OR MORE AS ON THE DATE OF THE RETURN                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | 243 |
| <b>FORM IX</b> —STATEMENT SHOWING THE ASSETS AND LIABILITIES IN INDIA AS AT THE CLAUSE OF BUSINESS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | 244 |

## **THE BILATERAL NETTING OF QUALIFIED FINANCIAL CONTRACTS ACT, 2020**

### **CHAPTER I PRELIMINARY**

|                                 |     |
|---------------------------------|-----|
| 1. Short title and commencement | 249 |
| 2. Definitions                  | 249 |

### **CHAPTER II APPLICATION OF ACT**

|                              |     |
|------------------------------|-----|
| 3. Applicability of Act      | 252 |
| 4. Powers of authority       | 252 |
| 5. Enforceability of netting | 252 |

### **CHAPTER III INVOCATION OF CLOSE-OUT NETTING**

|                                    |     |
|------------------------------------|-----|
| 6. Invocation of close-out netting | 253 |
| 7. Net amount                      | 254 |

|                                                      |                                                                                            |
|------------------------------------------------------|--------------------------------------------------------------------------------------------|
| <b>CHAPTER IV</b>                                    |                                                                                            |
| LIMITATIONS ON POWERS OF ADMINISTRATION PRACTITIONER |                                                                                            |
| 8.                                                   | Limitations on powers of administration practitioner 254                                   |
| <b>CHAPTER V</b>                                     |                                                                                            |
| MISCELLANEOUS                                        |                                                                                            |
| 9.                                                   | Power to amend Schedules 254                                                               |
| 10.                                                  | Provisions of this Act to override other laws 254                                          |
| 11.                                                  | Power to remove difficulties 255                                                           |
| THE FIRST SCHEDULE 255                               |                                                                                            |
| THE SECOND SCHEDULE 255                              |                                                                                            |
| <b>THE RESERVE BANK - INTEGRATED OMBUDSMAN</b>       |                                                                                            |
| <b>SCHEME, 2026</b>                                  |                                                                                            |
| <b>CHAPTER I</b>                                     |                                                                                            |
| PRELIMINARY                                          |                                                                                            |
| 1.                                                   | Short Title, Commencement, Extent and Application 257                                      |
| 2.                                                   | Suspension of the Scheme 257                                                               |
| 3.                                                   | Definitions 258                                                                            |
| <b>CHAPTER II</b>                                    |                                                                                            |
| OFFICES UNDER THE RESERVE BANK - INTEGRATED          |                                                                                            |
| OMBUDSMAN SCHEME, 2026                               |                                                                                            |
| 4.                                                   | Appointment and Tenure of RBI Ombudsman and RBI Deputy Ombudsman 259                       |
| 5.                                                   | Location of the Office of the RBI Ombudsman 259                                            |
| 6.                                                   | Centralised Receipt and Processing Centre 259                                              |
| 7.                                                   | Staffing of the Offices of the RBI Ombudsman and Centralised and Processing Centre 260     |
| <b>CHAPTER III</b>                                   |                                                                                            |
| POWERS AND FUNCTIONS OF                              |                                                                                            |
| THE RBI OMBUDSMAN/RBI DEPUTY OMBUDSMAN               |                                                                                            |
| 8.                                                   | Powers and Functions 260                                                                   |
| <b>CHAPTER IV</b>                                    |                                                                                            |
| PROCEDURE FOR REDRESSAL OF GRIEVANCE                 |                                                                                            |
| UNDER THE SCHEME                                     |                                                                                            |
| 9.                                                   | Grounds of Complaint 260                                                                   |
| 10.                                                  | Grounds for maintainability of a Complaint 260                                             |
| 11.                                                  | Procedure for Filing a Complaint 262                                                       |
| 12.                                                  | Initial Scrutiny, Maintainability and Registration of Complaints 262                       |
| 13.                                                  | Power to Call for Information 263                                                          |
| 14.                                                  | Resolution of Complaints 263                                                               |
| 15.                                                  | Award by the Ombudsman 265                                                                 |
| 16.                                                  | Rejection of a Complaint 265                                                               |
| 17.                                                  | Appeal before the Appellate Authority 266                                                  |
| 18.                                                  | Regulated Entity to Display Salient Features of the Scheme for Knowledge of the Public 266 |

|                                                                                                            |     |
|------------------------------------------------------------------------------------------------------------|-----|
| <b>CHAPTER V</b>                                                                                           |     |
| <b>MISCELLANEOUS</b>                                                                                       |     |
| 19. Removal of Difficulties in the Scheme                                                                  | 267 |
| 20. Repeal of the Existing Schemes and Application to Pending Proceedings                                  | 267 |
| ANNEX.                                                                                                     | 267 |
| <b>THE NATIONAL BANK FOR FINANCING INFRASTRUCTURE<br/>AND DEVELOPMENT ACT, 2021</b>                        |     |
| <b>CHAPTER I</b>                                                                                           |     |
| <b>PRELIMINARY</b>                                                                                         |     |
| 1. Short title, extent and commencement                                                                    | 272 |
| 2. Definitions                                                                                             | 272 |
| <b>CHAPTER II</b>                                                                                          |     |
| <b>ESTABLISHMENT AND INCORPORATION OF INSTITUTION</b>                                                      |     |
| 3. Establishment and incorporation of Institution                                                          | 274 |
| 4. Purposes and objectives of Institution                                                                  | 274 |
| 5. Authorised share capital                                                                                | 274 |
| <b>CHAPTER III</b>                                                                                         |     |
| <b>BOARD OF DIRECTORS AND MANAGEMENT</b>                                                                   |     |
| 6. Board of Directors                                                                                      | 275 |
| 7. Management                                                                                              | 276 |
| 8. Delegation of powers                                                                                    | 276 |
| 9. Term of office and other terms and conditions of service of<br>Chairperson and other directors of Board | 276 |
| 10. Disqualification and removal of directors from office                                                  | 276 |
| 11. Removal of Chairperson and other directors in certain cases                                            | 277 |
| 12. Vacation and resignation of office by directors                                                        | 278 |
| 13. Meetings of Board                                                                                      | 278 |
| 14. Defects in appointment not to invalidate acts, etc.                                                    | 278 |
| 15. Committees of Board                                                                                    | 278 |
| 16. Disclosure of interest by members of Board or of committees                                            | 279 |
| <b>CHAPTER IV</b>                                                                                          |     |
| <b>ACTIVITIES OF INSTITUTION</b>                                                                           |     |
| 17. Functions and powers of Institution                                                                    | 280 |
| 18. Prohibited business                                                                                    | 283 |
| 19. Related party transactions                                                                             | 284 |
| 20. Performance review of institution                                                                      | 285 |
| <b>CHAPTER V</b>                                                                                           |     |
| <b>GOVERNMENT GRANTS, GUARANTEES AND<br/>OTHER CONCESSIONS</b>                                             |     |
| 21. Grants and contribution                                                                                | 285 |
| 22. Concessional rate of Government guarantee                                                              | 285 |
| 23. Hedging costs                                                                                          | 286 |

**CHAPTER VI**  
**ACCOUNTS, AUDIT AND REPORT**

|     |                                                              |     |
|-----|--------------------------------------------------------------|-----|
| 24. | Disposal of profits accruing to Institution, to reserve fund | 286 |
| 25. | Preparation of balance-sheet and accounts                    | 286 |
| 26. | Audit                                                        | 286 |
| 27. | Returns and report                                           | 287 |

**CHAPTER VII**  
**MISCELLANEOUS**

|     |                                                                                   |            |
|-----|-----------------------------------------------------------------------------------|------------|
| 28. | Receivables to be held in trust                                                   | 287        |
| 29. | Setting up of other development financial institution                             | 287        |
| 30. | Officers and employees                                                            | 287        |
| 31. | Powers of Central Government to make rules                                        | 288        |
| 32. | Power of Board to make regulations                                                | 288        |
| 33. | Rules and regulations to be laid before Parliament                                | 289        |
| 34. | Protection of action taken in good faith                                          | 289        |
| 35. | Sanction for enquiry, inquiry, investigation and prosecution                      | 289        |
| 36. | Appointment of directors by Institution to prevail                                | 290        |
| 37. | Validity of loan or advance not to be questioned                                  | 291        |
| 38. | Obligations as to fidelity and secrecy                                            | 291        |
| 39. | Adjudication                                                                      | 291        |
| 40. | Indemnity of directors                                                            | 291        |
| 41. | Bankers' Books of Evidence Act, 1891 to apply in relation to the Institution      | 292        |
| 42. | Sections 34A and 36AD of the Banking Regulation Act, 1949 to apply to Institution | 292        |
| 43. | Liquidation of Institution                                                        | 292        |
| 44. | Power of Central Government to issue directions                                   | 292        |
| 45. | Overriding effect of this Act                                                     | 292        |
| 46. | Power to remove difficulties                                                      | 292        |
| 47. | Amendment of Act 2 of 1934                                                        | 292        |
| 48. | Amendment of Act 10 of 1949                                                       | 292        |
|     | <b>THE FIRST SCHEDULE—DECLARATION OF FIDELITY AND SECRECY</b>                     | <b>292</b> |
|     | <b>THE SECOND SCHEDULE—AMENDMENTS TO THE RESERVE BANK OF INDIA ACT, 1934</b>      | <b>293</b> |
|     | <b>THE THIRD SCHEDULE—AMENDMENTS TO THE BANKING REGULATION ACT, 1949</b>          | <b>294</b> |

**THE NATIONAL BANK FOR FINANCING INFRASTRUCTURE  
AND DEVELOPMENT GENERAL RULES, 2022**

|     |                                                                                    |     |
|-----|------------------------------------------------------------------------------------|-----|
| 1.  | Short title and commencement                                                       | 295 |
| 2.  | Definitions                                                                        | 295 |
| 3.  | Term of office of Chairperson and other directors                                  | 295 |
| 4.  | Other terms and conditions of service of directors other than whole-time directors | 296 |
| 4A. | Other terms and conditions of service of the whole-time directors                  | 297 |

|                                                                                                                                                                                             |                                                    |     |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------|-----|
| 5.                                                                                                                                                                                          | Induction of independent directors                 | 297 |
| 6.                                                                                                                                                                                          | Disclosure of interest                             | 299 |
| 7.                                                                                                                                                                                          | Contract or arrangement with related party         | 299 |
| 8.                                                                                                                                                                                          | Use of electronic records and electronic signature | 300 |
| 9.                                                                                                                                                                                          | Form and manner of balance sheet and accounts      | 300 |
| 10.                                                                                                                                                                                         | Concessional rate of fees for Government Guarantee | 300 |
| <b>SCHEDULE</b>                                                                                                                                                                             |                                                    |     |
|                                                                                                                                                                                             | <i>FORM 1</i> —INTEREST DISCLOSURE FORM            | 300 |
|                                                                                                                                                                                             | <i>FORM 2</i>                                      | 302 |
|                                                                                                                                                                                             | <i>FORM 3</i>                                      | 312 |
| <b>THE NATIONAL BANK FOR FINANCING INFRASTRUCTURE<br/>AND DEVELOPMENT GENERAL REGULATIONS, 2022</b>                                                                                         |                                                    |     |
| 1.                                                                                                                                                                                          | Short title and commencement                       | 340 |
| 2.                                                                                                                                                                                          | Definitions                                        | 340 |
| 3.                                                                                                                                                                                          | Manner of holding meetings of Board and committees | 340 |
| 4.                                                                                                                                                                                          | Audit Committee                                    | 341 |
| 5.                                                                                                                                                                                          | Nomination and Remuneration Committee              | 342 |
| 6.                                                                                                                                                                                          | Risk Management Committee                          | 343 |
| 7.                                                                                                                                                                                          | Executive Committee and other committees           | 343 |
| 8.                                                                                                                                                                                          | Amount for transactions with related party         | 343 |
| 9.                                                                                                                                                                                          | Salary and allowances                              | 344 |
| 10.                                                                                                                                                                                         | Deputation                                         | 345 |
| 11.                                                                                                                                                                                         | Mechanism for determining penalties                | 345 |
| <b>THE BANKING COMPANIES (NOMINATION)<br/>RULES, 2025</b>                                                                                                                                   |                                                    |     |
| 1.                                                                                                                                                                                          | Short title and commencement                       | 347 |
| 2.                                                                                                                                                                                          | Nomination in respect of deposits                  | 347 |
| 3.                                                                                                                                                                                          | Nomination in respect of articles in safe custody  | 348 |
| 4.                                                                                                                                                                                          | Nomination in respect of safety lockers            | 348 |
| <b>NOMINATION FORM—FORM FOR NOMINATION, CANCELLATION OF<br/>NOMINATION AND VARIATION OF NOMINATION IN RESPECT<br/>OF THE BANK DEPOSITS, ARTICLES IN SAFE CUSTODY AND<br/>SAFETY LOCKERS</b> |                                                    | 349 |