

# FORM NO. CHG-9

Pursuant to sections 71(3), 77,78 & 79 and pursuant to Section 384 read with 71(3), 77,78 and 79 of The Companies Act, 2013 and Rule 3 of The Companies( Registration of charges) Rules 2014]



**Application for registration of creation or modification of charge for debentures or rectification of particulars filed in respect of creation or modification of charge for debentures**

Form language  English  Hindi

Refer the instruction kit for filing the form

1. (a) \*Corporate identity number (CIN) or foreign company registration number (FCRN) of the company

(b) Global location number (GLN) of company

2. (a) Name of the company

(b) Address of the registered office or of the principal place of business in India of the company

(c) e-mail ID of the company

3. (a) \*This form is for  Creation of charge  Modification of charge  Rectification of charge

(b) \*Type of debentures  Debentures  Debenture Stock  Bond  Any other instrument

(c) SRN of the form for which rectification is being filed

(d) Charge ID of the charge to be modified or rectified

(e) SRN of form INC-28

(f) Rectification to be made in regard to

- |   |   |
|---|---|
| <input type="checkbox"/> Type of debentures   | <input type="checkbox"/> Number of trustees or debenture holders        |
| <input type="checkbox"/> Particulars related to series of debentures                    | <input type="checkbox"/> Particulars related to present issue of series |
| <input type="checkbox"/> Amount secured by charge                                       | <input type="checkbox"/> Description / Particulars of property charged  |
| <input type="checkbox"/> Principal terms and conditions, extent and operation of charge | <input type="checkbox"/> Extent of charge                               |
| <input type="checkbox"/> Particulars of commissions, allowances or discount             | <input type="checkbox"/> Particulars of modification                    |

4. (a) Whether the applicant is  Company  Trustee of debenture holders or charge holder

(b) Whether the form is being filed

(i) \*Beyond 30 days but within 300 days from the date of creation or modification  Yes  No

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

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

* Name of the charge holder	<a href="#">Get List of chargeholders</a>
In case of others, specify	
CIN if applicable	<input type="text"/>
<a href="#">Pre-fill</a>	
* Name	
*Address Line I	<input type="text"/>
Line II	<input type="text"/>
*City	<input type="text"/>
*State	<input type="text"/>
*ISO country code	<input type="text"/>
Country	<input type="text"/>
*Pin code	<input type="text"/>
*e-mail ID	<input type="text"/>

6. \*Date of creation of charge  (DD/MM/YYYY)

7. Whether the charge is for  Entire series of debentures  Any issue in a series of debentures

8. (a) Whether the series of debentures are registered with the Registrar of Companies (RoC)  Yes  No

9. (a) \*Date of present issue of series  (DD/MM/YYYY)

(b) \*Amount of present issue of series (amount secured by the charge) (in Rs.)   
(In case of modification of charge, enter the amount secured by the charge after such modification )

(c) Amount secured by the charge in words

10. \*Date of resolution authorising the issue of the series  (DD/MM/YYYY)

11. (a) \*Description of the property charged indicating whether it is a charge on

- |  |  |   |
|--|--|---|
| <input type="checkbox"/> Uncalled share capital                                      | <input type="checkbox"/> Calls made but not paid     | <input type="checkbox"/> Immovable property or any interest therein |
| <input type="checkbox"/> Movable property (not being pledge)                         | <input type="checkbox"/> Floating charge             | <input type="checkbox"/> Motor Vehicle (Hypothecation)              |
| <input type="checkbox"/> Any Property for Securing the issue of the secured deposits | <input type="checkbox"/> Goodwill                    | <input type="checkbox"/> Patent                                     |
| <input type="checkbox"/> Licence under a patent                                      | <input type="checkbox"/> Trade mark                  | <input type="checkbox"/> Copyright                                  |
| <input type="checkbox"/> Book debts  | <input type="checkbox"/> Ship or any share in a ship | <input type="checkbox"/> Solely of Property situated outside India  |
| <input type="checkbox"/> Others  |  |   |

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

12. \*Brief of the principal terms and conditions, (including rate of interest, date of redemption and creation of debenture redemption reserve) extent and operation of charge

13. \*Particulars as to amount or rate percent of the commission, allowances or discount (if any) paid, or made either directly or indirectly by the company to any person(s) in consideration of their subscribing or agreeing to subscribe, whether absolutely or conditionally, or procuring or agreeing to procure subscriptions, whether absolute or conditional, for any of the debentures included in this return.

**Modification of charge**

14. (a) \*Whether charge is modified in favour of asset reconstruction company(ARC) or assignee  Yes  No

15. (a) \*Description of the instrument modifying the charge

- (b) \*Date of instrument modifying the charge  (DD/MM/YYYY)

16. \*Particulars of the present modification

(Please ensure that correct particulars are entered as the same shall be displayed in the certificate of modification of charge)

**Attachments**

- 1. Copy of the resolution authorising the issue of the debenture series
- 2.\* Instrument of creation or modification of charge
- 3. Order of the Central Governmet for Rectification of change
- 4. Optional attachment(s) - if any

Attach

Attach

Attach

Attach

List of attachments

Remove attachment

**Declaration**

- I am authorized by the Board of Directors of the Company vide resolution no. \*  dated \*

to sign this form and declare that all the requirements of Companies Act, 2013 and the rules made thereunder in respect of the subject matter of this form and matters incidental thereto have been complied with. I also declare that all the information given herein above is true, correct and complete and as per the attached charge instrument(s) or document(s) and nothing material has been suppressed. A copy of the attached charge instrument(s) or document(s) is/ are available at the registered office or principal place of business in India of the company.

I further declare that:

- (a) the delay in filing the particulars of creation/modification, was accidental or due to inadvertence or some other sufficient cause and are or is not of a nature to prejudice the position of the charge holder, shareholders or creditors of the company
- (b) no prejudice would be caused to the charge holder(s) or any other creditor(s) of the company, if the delay is condoned
- (c) the company has not created or modified any other charge(s) whatsoever on the assets of the company, since the creation / modification of the present charge, for which the application for condonation of delay is being filed
- (d) the company is carrying on the business as on the date of filing this application and no proceedings to wind-up the company have commenced or are pending against the company
- (e) there is no litigation proceedings pending before any court of law for which condonation of delay is being filed
- (f) the company has not applied for striking off the name of the company from the register of Registrar of Companies

**To be digitally signed by**

Director or manager or secretary or CEO or CFO (In case of an Indian company) or an authorised representative (In case of a foreign company)

Designation

DIN of the director; DIN or PAN of the manager or CEO or CFO or authorised representative; or membership number of company secretary

**Declaration**

I/we confirm that the attached charge instrument(s) or document(s) is/are true copies of the original which is/are available with the charge holder and/or assignee and all the information and particulars mentioned above are derived there from are concisely and correctly stated. I/we am/are duly authorised to sign this form.

**\* To be digitally signed by**

Trustee of debenture holders or Charge Holder

PAN of the chargeholder

**To be digitally signed by**

Signature Field 3 (ARC or Assignee)

PAN of the ARC or assignee

**To be digitally signed by**

Signature Field 4

Designation

PAN

**Certificate**

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

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

**To be digitally signed by**

Chartered accountant (in whole-time practice) or

Cost accountant (in whole-time practice) or

Company secretary (in whole-time practice)

Whether

Associate

Fellow

Membership Number

Certificate of Practice Number

**Note: Attention is also drawn to provisions of Section 447, section 448 and 449 of the Companies Act, 2013 which provide for punishment for fraud, punishment for false statement and punishment for false evidence respectively**

Modify	Check Form	Prescrutiny	Submit
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**For office use only:**

eForm Service request number (SRN)  eForm filing date  (DD/MM/YYYY)

**Digital signature of the authorizing officer**

This e-Form is hereby registered

Date of signing

(DD/MM/YYYY)

**This eForm has been taken on file maintained by the registrar of companies through electronic mode and on the basis of statement of correctness given by the filing company.**