

Procedure for claim from Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016

Provisions under the Rules:

Excerpts from Rule 7 of the Investor Education and Protection Fund Authority (Accounting, Audit, Transfer and Refund) Rules, 2016 as amended from time to time states the following:

- (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) Upon submission, Form No. IEPF-5 shall be transmitted online to the Nodal Officer of the company for verification of claim.
- (3) The claimant after making an application in Form No. IEPF-5, shall send original physical share certificate, original bond, deposit certificate, debenture certificate, as the case may be, along with Indemnity Bond, Advance Receipts, any other document as enumerated in Form No. IEPF-5, duly signed by him, to the Nodal Officer of the concerned company at its registered office for verification of the claim.
- (4) The company shall, within thirty days from the date of receipt of claim, send an online verification report to the Authority after verification of details in Form No. IEPF-5 in the format specified by the Authority along with all the documents submitted by the claimant and shall attach the scanned copy of all the original documents submitted by the claimant in physical form duly certified by its Nodal Officer along with the e-verification report along with a scanned copy of both sides of original physical share certificate or original bond or deposit or debenture certificate/s duly cancelled and certified:

Provided further that the company shall be liable to maintain the original documents submitted to it by the claimant and shall produce such documents whenever required:

Provided also that in case of non-receipt of verification report along with documents by the Authority after the expiry of sixty days from the date of filing of Form No. IEPF-5, the Authority may reject Form No. IEPF-5, after sending a communication to the claimant and the concerned company, on the e-mail address of the claimant and the company, to furnish response within a period of fifteen days.

Explanation.-In case (i) loss of original physical share certificate or original bond or deposit or debenture certificate or proof of entitlement, the company and the claimant shall follow the procedure as laid down in the Companies (Share Capital and Debenture) Rules, 2014 , the Securities and Exchange Board of India (Listing Obligation and Disclosure Requirements) Regulation, guidelines, procedures and circulars issued from time to time and Schedule III of these rules and attach certified copies of all documents as may be required under the said rules or guidelines with the e-verification report; (ii) In addition, the

company shall attach a scanned copy of both sides of share certificate generated under clause (d) of sub-rule (3) of rule 6 of these rules along with the e-verification report;(iii) The Company shall be solely responsible for collecting original physical share certificate or original bond or deposit or debenture certificate or proof of entitlement from the claimant and shall be liable for any misuse thereof.

- (5) Where the Authority, on examining any application for claim, finds it necessary to call for further information or finds such application or e-form or document to be defective or incomplete in any respect, the Authority shall give intimation of such information called for or defects or incompleteness, by e-mail on the email address of the claimant and the company, which has filed such application or e-form or document, directing him or it to furnish such information or to rectify such defects or incompleteness or to re-submit such application or e-Form or document within fifteen days from the date of receipt of such communication, failing which the Authority may reject the claim or e-form No. IEPF-5:

Provided that if such information or incompleteness is called from the claimant, he shall file the e-form and shall send such documents as called for within fifteen days, duly signed by him, to the Nodal Officer of the concerned company at its registered office for verification of the claim and company shall send a revised verification report:

Provided further that if any such information or incompleteness is called from the company, the company shall file the revised verification report and shall send such documents as called for within thirty days:

In case, claimant is a legal heir or successor or administrator or nominee of the registered share holder, the claimant shall ensure to submission of self-attested scanned copy of all documents detailed in Schedule II of these rules online along with the Form No. IEPF-5:

Provided that in case of loss of securities held in physical form, he has to ensure to submission of self-attested scanned copy of additional documents detailed in Schedule III of these rules online along with the Form No. IEPF-5:

Provided further that the claimant shall submit in original all these documents duly signed by him, to the Nodal Officer of the concerned company at its registered office for verification of the claim.

- (6) 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 through its e-verification report:

Provided that the authority shall dispose such request of transfer or transmission based on the e-verification report of the company subject to verification of such request.

Any fraudulent claim by the claimant shall be deemed to be fraud within the meaning of section 447 of the Act and the claimant shall be liable accordingly.

If any person deceitfully personates an owner of any security or of any share warrant or coupon issued in pursuance of this Act and thereby files any claim to obtain or attempts to obtain any such security or interest or any such warrant or coupon due to the lawful owner, he shall be punishable under sections 57, 447 and 448 of the Act.

Procedure for claiming shares and dividend amounts from the Investor Education and Protection Fund Authority:

- 1) Applicant is required to Open a Demat Account with any of the depository as shares will be released by the IEPF Authority in favor of claimants only in the Demat Account of the claimant. (ignore if already opened)
- 2) Download Form IEPF-5 from the website of IEPF (<http://www.iepf.gov.in>).
Read the instructions provided on the website/instruction kit along with the e-form carefully before filling the form.
- 3) Fill the required fields and after filling the form, save it on your computer and submit the duly filled form by following the instructions given in the upload link on the website.
- 4) On successful uploading of Form on MCA Portal, an acknowledgement will be generated indicating the SRN. Please note the SRN for future tracking of the form.
- 5) Take a printout of the duly filled IEPF-5 and the acknowledgement issued after uploading the form.
- 6) Steps to be followed after Form upload:
User has 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
 - a. Print out of duly filled and uploaded claim form IEPF-5; with claimant signature and if joint holders are involved than the Form should be signed by all the joint holders
 - b. Copy of acknowledgement generated after uploading the claim Form IEPF- 5
 - c. Indemnity Bond (original) with claimant signature (As per format given in Annexure II of IEPF Form-5 under HELP KIT) to be executed :
 - On a non-judicial Stamp Paper of the value as prescribed under the Stamp Act (**According to state**) if the amount of the claim is Rs.10, 000 or more. **Please ensure to enter date, place and Signature of claimant and witness.**
 - On a plain paper if the amount claimed does not exceed Rs.10,000.
 - In case of refund of shares, on a non-judicial Stamp Paper of the value as prescribed under the Stamp Act.
 - d. Advance Stamped receipt (original) with signature of claimant and two witnesses. (Format is given at Annexure I of IEPF Form-5 under HELP KIT)
 - e. In case of refund of matured deposit or debenture, or bonds, or where shares (in physical form) are claimed original certificate thereto
 - f. Copy of Aadhaar Card of the claimant and if joint holders are there, Copy of Aadhar card of all the joint holders

- g. Proof of entitlement (certificate of share/Interest warrant/dividend warrant, Application No. etc.)
- h. Original Cancelled Cheque leaf
- i. Copy of Passport, OCI and PIO card in case of foreigners and NRI
- j. Copy of PAN Card (mandatory in case of claim for shares)
- k. Client Master List of De-mat A/c of the claimant
- l. In case any Joint holder is deceased, Copy of Death certificate to be attached.
- m. Additional documents as circumstances warrants as required under Schedule II and Schedule III attached hereto.

The documents are required to be sent to Shri Virendra Kumar Jain, Company Secretary, the Nodal Officer of the Company at the corporate office of the Company in an envelope marked "**Claim for refund from IEPF Authority**".

The Address of the Corporate Office is:

India Tourism Development Corporation Limited
Core 8, Scope Complex, 7 Lodhi Road, New Delhi-110003
Tel.: 011-24360249, Email: vkjain@itdc.co.in,
Website: www.itdc.co.in

**The address of the RTA is
KFin Technologies Limited**

Selenium Building, Tower B, Plot No. 31-32, Financial District, Nanakramguda, Serilingampally,
Hyderabad, Telangana – 500032
E-mail- einward.ris@kfintech.com, ravuri.vijay@kfintech.com
Tel.: 91406716518, Toll free: 1800-345-4001

Schedule II

Documents to be submitted to the Authority to register transmission of securities

A. Documentary requirement for securities held in physical mode

1. Where the shares are held singly with nomination:

1.1. Duly signed transmission request form by the nominee.

1.2. Original or copy of death certificate duly attested.

1.3. Self-attested copy of PAN card.

1.4. Original share certificate(s).

1.5. Any other government ID proof of the nominee.

2. Where the shares are held singly without nomination, the following documents in addition to the documents specified at paragraph 1 are required:

2.1 Affidavit from all the legal heirs made on appropriate non-judicial stamp paper- to the effect of identification and claim of legal ownership to the securities:

Provided that in case the legal heir(s) or claimant(s) is named in the succession certificate or probate of will or Letter of Administration, an Affidavit from such legal heir(s) or claimant(s) alone would be sufficient.

2.2 For value of securities up to Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application, one or more of the following documents:

(a) Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925. (39 of 1925)

(b) In the absence of the documents as mentioned at (a) above,

(i). No objection certificate from all legal heir(s) executed by all the legal heirs of the deceased holder not objecting to such transmission (or) copy of Family Settlement Deed duly notarized and

(ii). An Indemnity bond made on appropriate non-judicial stamp paper – indemnifying the STA or Issuer Company.

2.3 For value of securities more than Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application: Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925. (39 of 1925)

3. Where the shares are held jointly with nomination:

3.1 Duly signed transmission request form by the nominee.

3.2 Original or copy of death certificate(s) of all the joint holders duly attested

3.3 Self-attested copy of PAN card.

3.4 Original share certificate(s).

3.5 Any other government ID proof of the nominee.

4. Where the shares are held jointly without nomination, the following documents in addition to the documents specified at paragraph 3 are required:

4.1 Affidavit from all the legal heirs made on appropriate non-judicial stamp paper- to the effect of identification and claim of legal ownership to the securities.

Provided that in case the legal heir(s) or claimant(s) is named in the succession certificate or probate of will or Letter of Administration, an Affidavit from such legal heir(s) or claimant(s) alone would be sufficient.

4.2 For value of securities upto Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application, one or more of the following documents:

(a) Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925.(39 of 1925)

(b) In the absence of the documents as mentioned at (a) above,

(i). No objection certificate from all legal heir(s) executed by all the legal heirs of the deceased holder(s) not objecting to such transmission (or) copy of Family Settlement Deed duly notarized and

(ii). An Indemnity bond made on appropriate non-judicial stamp paper – indemnifying the STA or Issuer Company.

4.3 For value of securities more than Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application: Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925. (39 of 1925)

B. Documentary requirement for securities held in DEMAT mode

1. Where the shares are held singly with nomination:

1.1. Duly signed transmission request form by the nominee.

1.2. Original or copy of death certificate duly attested

1.3. Self-attested copy of PAN card.

1.4. Copy of transaction statement duly certified by Depository Participant.

1.5. Any other government ID proof of the nominee.

2. Where the shares are held singly without nomination, the following documents in addition to the documents specified at paragraph 1 are required:

2.1 Affidavit from all the legal heirs made on appropriate non-judicial stamp paper- to the effect of identification and claim of legal ownership to the securities.

Provided that in case the legal heir(s) or claimant(s) is named in the succession certificate or probate of will or Letter of Administration, an Affidavit from such legal heir(s) or claimant(s) alone would be sufficient.

2.2 For value of securities upto Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application, one or more of the following documents:

(a) Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925.

(b) In the absence of the documents as mentioned at (a) above,

(i) No objection certificate from all legal heir(s) executed by all the legal heirs of the deceased holder not objecting to such transmission (or) copy of Family Settlement Deed duly notarized and

(ii) An Indemnity bond made on appropriate non-judicial stamp paper – indemnifying the STA or Issuer Company.

2.3 For value of securities more than Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application:

Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925. (39 of 1925)

3. Where the shares are held jointly with nomination:

3.1 Duly signed transmission request form by the nominee.

3.2 Original or copy of death certificate(s) of all the joint holders duly attested

3.3 Self-attested copy of PAN card.

3.4 Copy of transaction statement duly certified by Depository Participant.

3.5 Any other government ID proof of the nominee.

4. Where the shares are held jointly without nomination, the following documents in addition to the documents specified at paragraph 3 above are required:

4.1 Affidavit from all the legal heirs made on appropriate non-judicial stamp paper- to the effect of identification and claim of legal ownership to the securities:

Provided that in case the legal heir(s) or claimant(s) is named in the succession certificate or probate of will or Letter of Administration, an Affidavit from such legal heir(s) or claimant(s) alone would be sufficient.

4.2 For value of securities upto Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application, one or more of the following documents, namely:-

(a) Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925. (39 of 1925)

(b) In the absence of the documents as mentioned at (a) above,

(i) No objection certificate from all legal heir(s) executed by all the legal heirs of the deceased holder(s) not objecting to such transmission (or) copy of Family Settlement Deed duly notarized and

(ii) An Indemnity bond made on appropriate non-judicial stamp paper – indemnifying the STA or Issuer Company.

4.3 For value of securities more than Rs. 2,00,000 (Rupees Two lakh only) per issuer company as on date of application:

Succession certificate or probate of will or letter of administration or court decree, as may be applicable in terms of Indian Succession Act, 1925. (39 of 1925).

Schedule III

Documents to be submitted to the Authority in case of loss of securities held in physical mode.

1. Notarised copy of FIR/ Police Compliant containing information of security holder, holding details, folio number and distinctive numbers of share certificate.
2. Surety Affidavit of value equal to market value that of shares as on date of execution along with his Proof of identity like Pan Card of sureties duly attested by Notary.
3. Indemnity bond by security holder on a non-judicial stamp paper of requisite value duly attested by Notary Public by the person, in whose name the original share certificate are being issued that he has not sold / disposed off the involved shares or acted in any manner by which any interest of third party would have been created.
4. Copy of advertisement issued in at least one English language national daily newspaper having nationwide circulation and in one regional language daily newspaper published in the place of registered office of company, if the market value of the shares is greater than Rs 10,000.