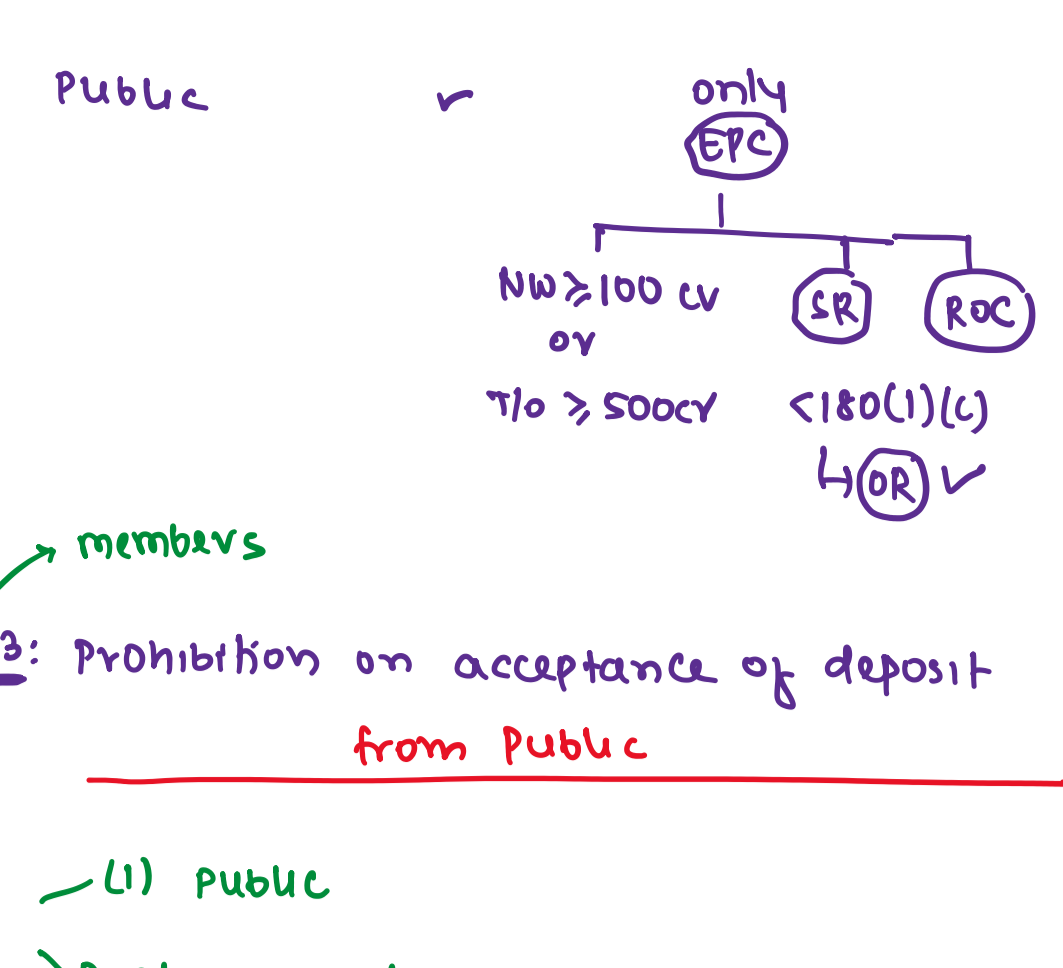


# Lecture 5.2

## Section 73:



## 73: Prohibition on acceptance of deposit from Public

- (1) Public
- Bank - members
- (1) Co. shall not accept deposit from public **except in the manner provided in this chapter**
- N.A. - Banking Co., Housing Finance Co., NBFC, other co. [CQ + RBI]

## Deposit from member:

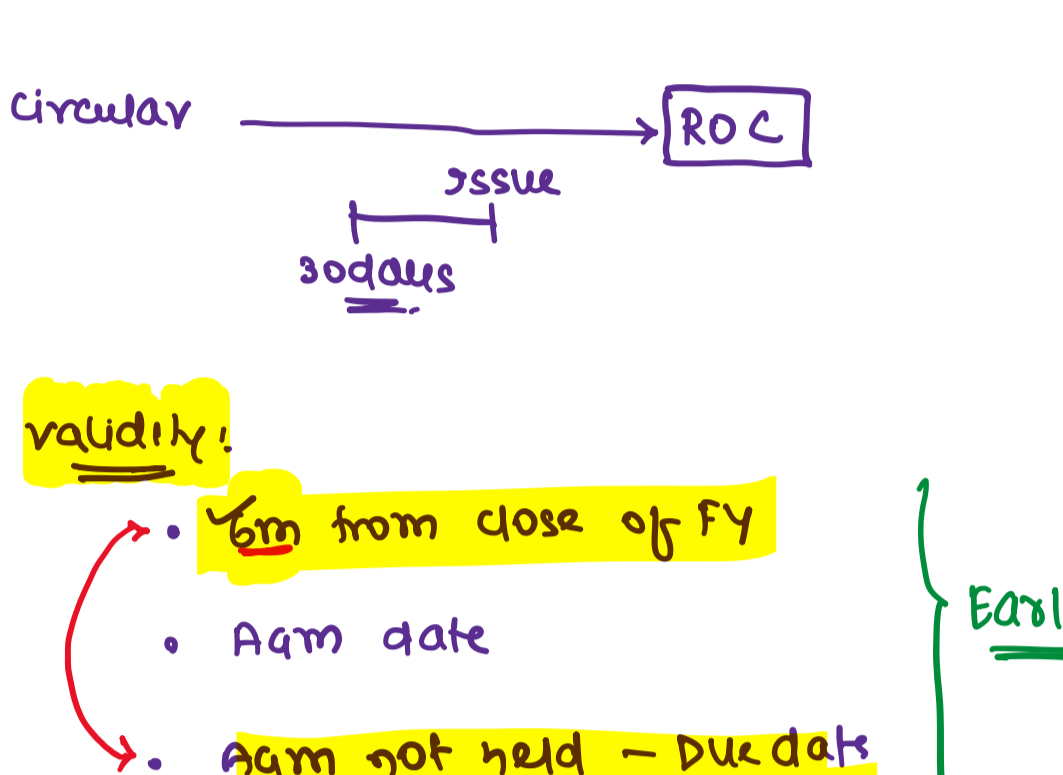
- Resolution → OR
- Issue circular → members [DPT-1] → statement:
  - Financial position
  - Credit rating agency
  - Total no. of depositors
  - Amount previously accepted
  - Other

## Rules:

### 1) Manner of issue:

- Co. circulars All member
- RPAD, Speed post, E-mode + website, Newspaper

### 2) Statutory auditor - certificate

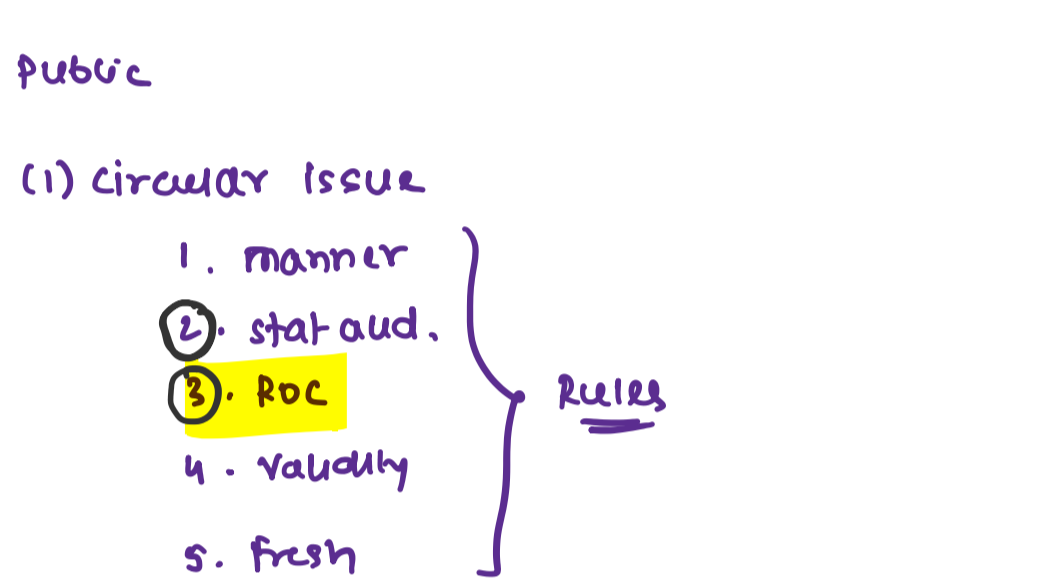


### 3) Circular → ROC

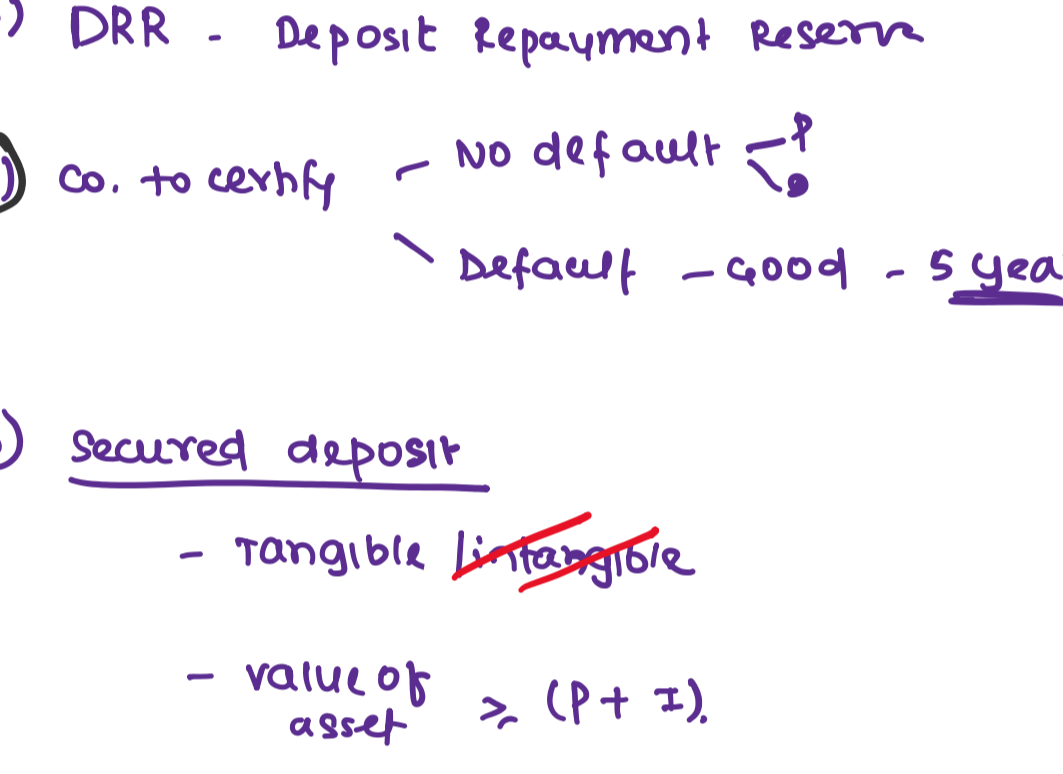
- Issue 30 days

### 4) Validity:

- 6m from close of FY
- Agm date
- Agm not held - due date of Agm
- Earliest



### 5) Fresh circular → Each succeeding FY



### 1) Public

### 2) (1) circular issue

- 1. manner
- 2. stat. aud.
- 3. ROC
- 4. validity
- 5. fresh

### 3) ROC - circular - 30 days

### 4) Co. to certify - No default / default - good - 5 year

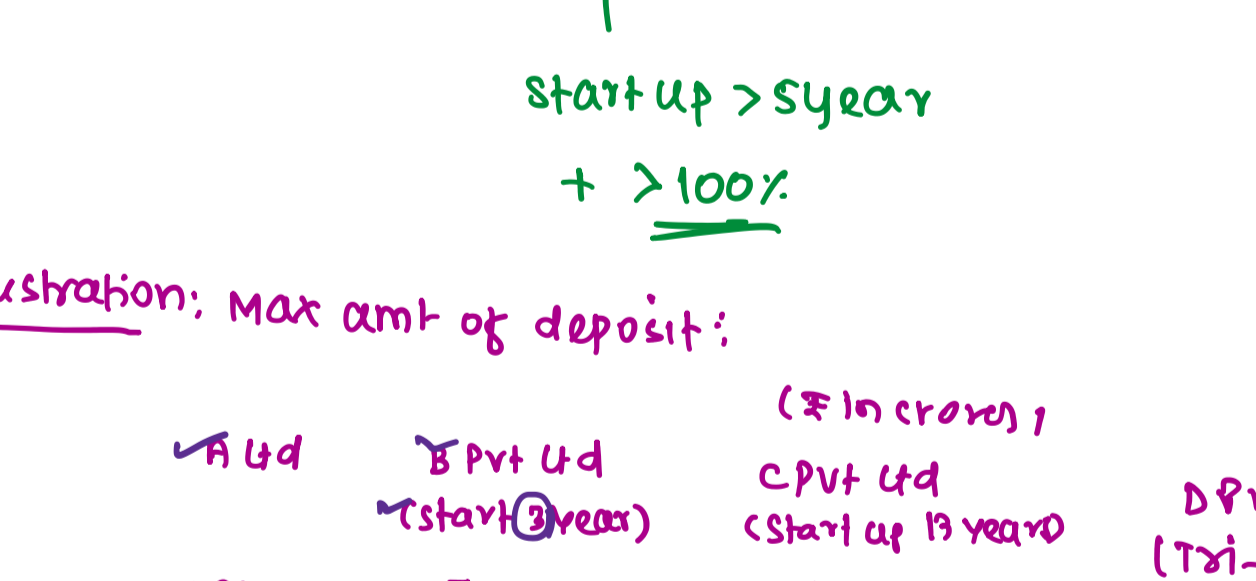
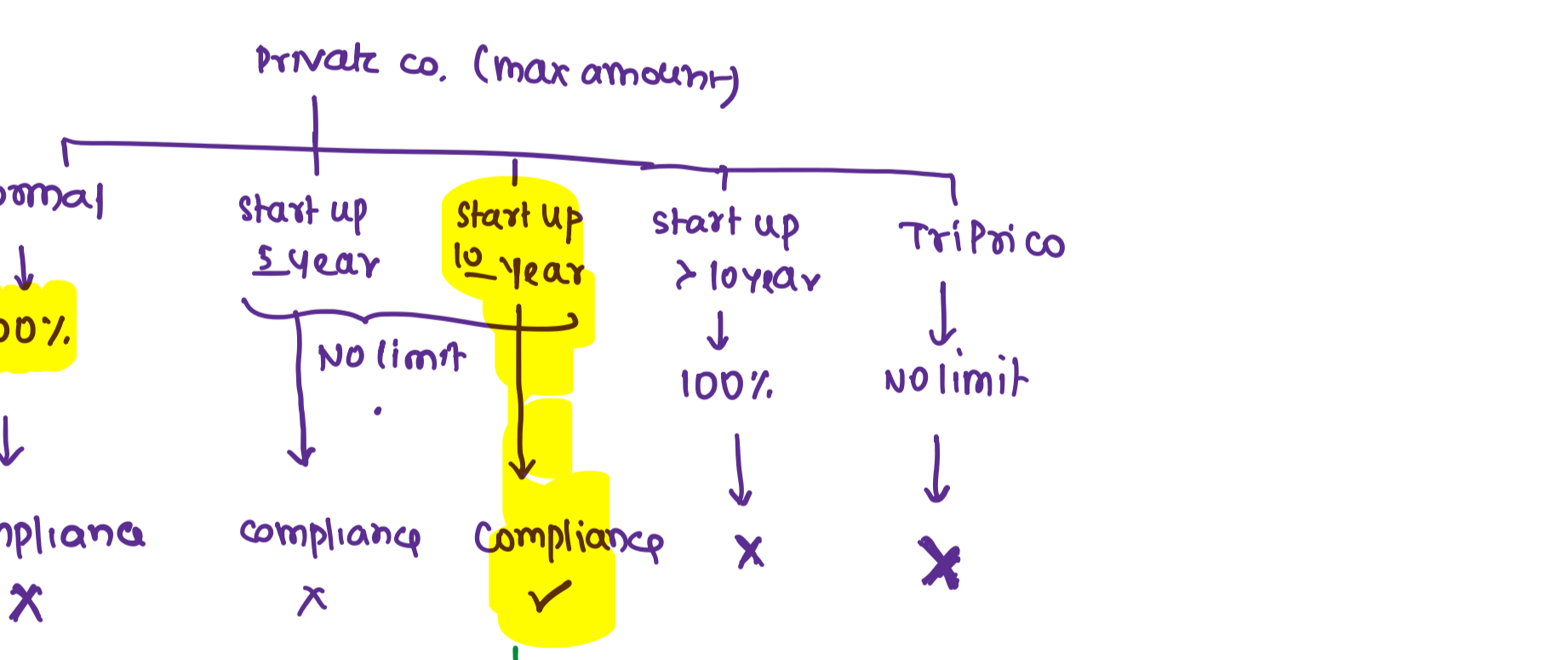
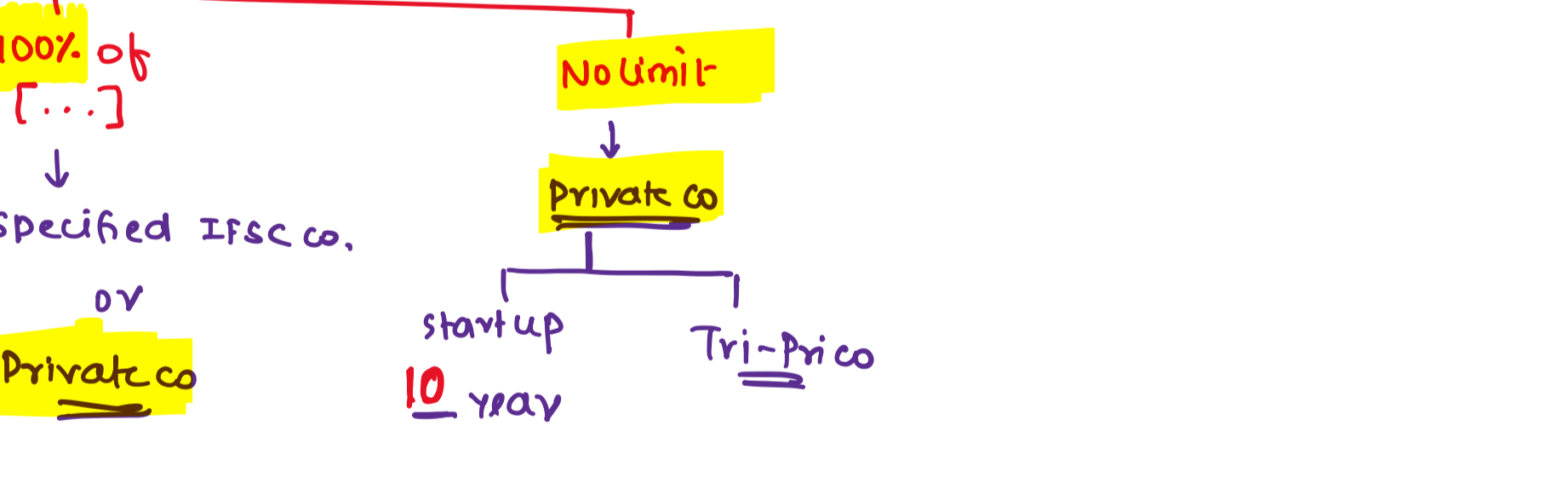
### 5) Secured deposit

- tangible / intangible
- value of asset >= (P + I)

100cr + 10cr = 110cr  
Asset = 95cr

- Secured / unsecured / partly secured / partly unsecured

Note: partly secured deposit > unsecured deposit



### Illustration: Max amt of deposit:

	Pub Ltd	Prvt Ltd (start > 3 years)	Pub Ltd (start > 10 years)	Prvt Ltd (Tri-Pri co)
PUESC	100	70	100	
PUPSC	100	80	150	
FR	50	120	60	
QR	50	80	60	
DRR	150	90	80	
SPA	50	100	100	
...	350	450	450	
max deposit?	35% (122.5)	No limit	100%	No limit
Statutory Auditor	✓	X	X	X

## 76: Deposit from Public

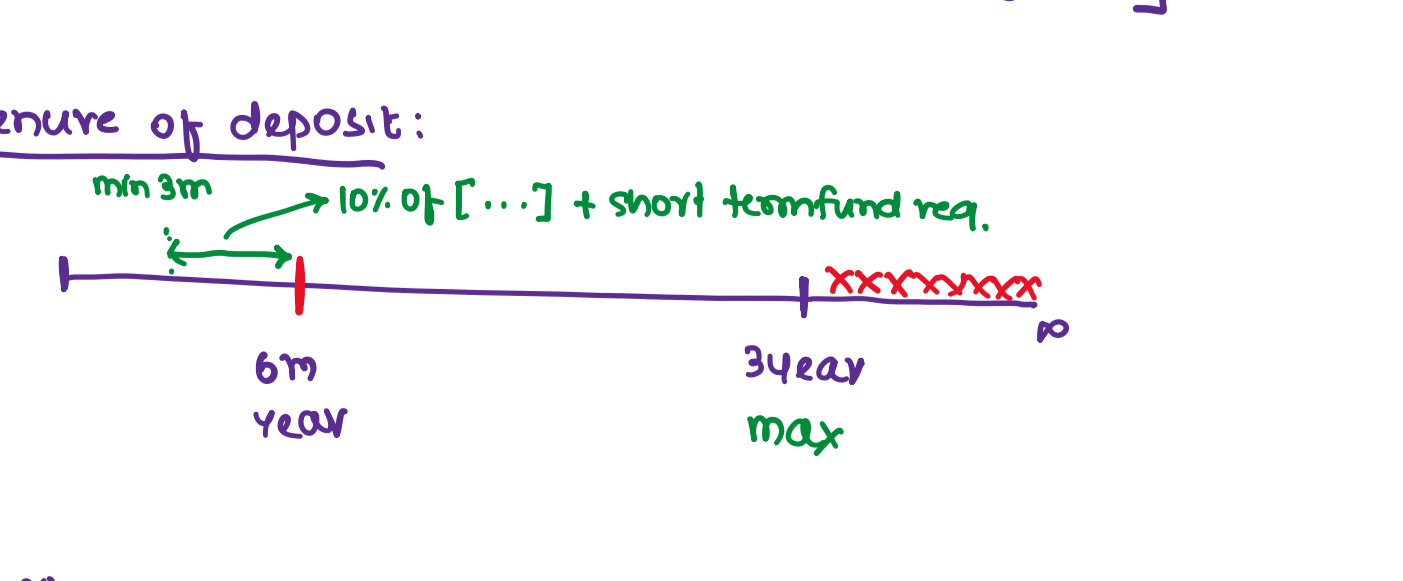
- EPC: NW >= 100cr OR T10 >= 500cr
- SR (< 180(l)(1) - OR)
- ROC

- 1. circular (statement)
  - manner of issue: members, website, Newspaper
  - Auditory ✓
  - ROC - 30 days ✓
  - sign - majority of directors ✓
  - validity ✓

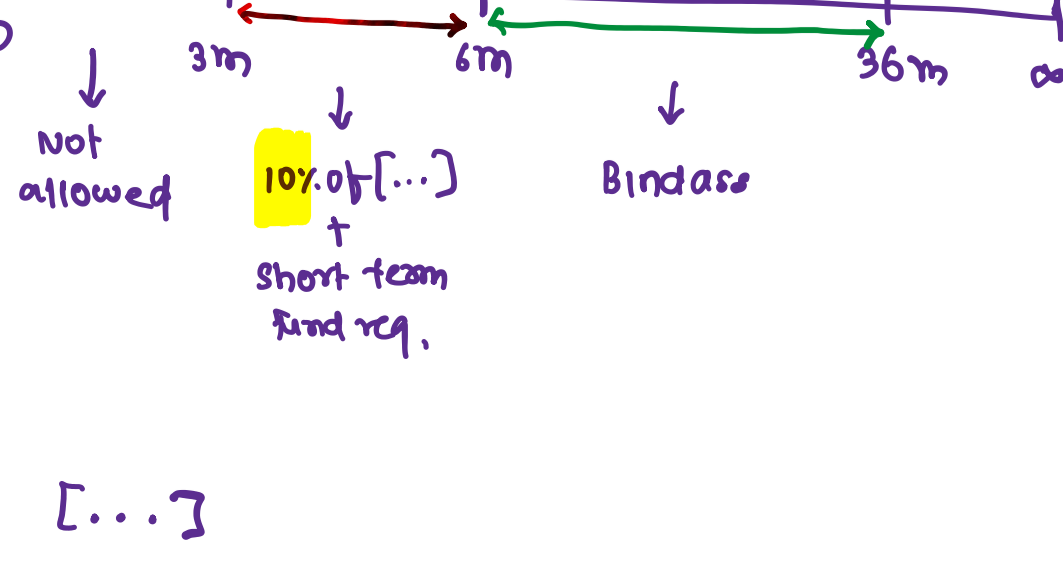
### Credit Rating Agency

- obtain rating from CRA - each year during tenure of deposit
- issue - minimum investment grade rating (MIG rating)

### Maximum amount of deposit:



### Tenure of deposit:



[...] 15cr x 1.5cr