**Application Form for Membership of National Stock Exchange of India Ltd/** **NSE Clearing Limited (*Formerly known as National Securities Clearing Corporation Limited*) – (Format applicable for LLPs)**

*(On the letterhead of the applicant)*

To,

The Managing Director

National Stock Exchange of India Ltd/ NSE Clearing Limited

Exchange Plaza, Bandra-Kurla Complex

Bandra (E), Mumbai – 400 050.

Dear Madam/Sir,

We are desirous to become the Member of the National Stock Exchange of India Ltd and/or NSE Clearing Limited and submit requisite details as under:

|  |  |  |
| --- | --- | --- |
| **Type of membership applying for** | | **Normal Alpha** |
| **Sr.** | **Segment of membership applying for** | **Category of Membership {(Trading/ / Trading cum self-clearing(TMSCM)/ Trading cum clearing(TMCM) / Professional Clearing(PCM)}** |
| 1. | Capital Market | TM TMSCM TMCM  PCM |
| 2. | Futures & Options | TM TMSCM TMCM  PCM |
| 3. | Currency Derivatives | TM TMSCM TMCM  PCM |
| 4. | Debt | TM TMSCM TMCM  PCM |
| 5. | Commodity Derivatives | TM TMSCM TMCM  PCM |

# Tick wherever applicable

**I. APPLICANT DETAILS:**

|  |  |  |
| --- | --- | --- |
| **Sr.** | **Particulars** |  |
| 1. | Name of Applicant |  |
| 2. | Trade name of Applicant |  |
| 3. | Form of Organization | Limited Liability Partnership (LLP) |
| 4. | Permanent Account No. (PAN) of the Applicant |  |
| 5. | Date of Registration , as applicable (DD/MON/YYYY) |  |
| 6. | LLP Identification no. (LLPIN), if applicable |  |
| 7. | Brief description of principal activity of the applicant |  |
| 8. | Brief description of group, if any, to which the applicant belongs |  |

**II. OFFICE DETAILS:**

|  |  |  |  |
| --- | --- | --- | --- |
| **Type of office** | **Registered Office** | **Correspondence Office** | **Branch Office** |
| Address |  |  |  |
| City |  |  |  |
| District |  |  |  |
| State/Union Territory |  |  |  |
| Pincode |  |  |  |
| STD Code |  |  |  |
| Telephone No. |  |  |  |
| Fax |  |  |  |
| E-mail ID |  |  |  |
| Website |  |  |  |

**III. PERSONNEL DETAILS:**

Details of the Chief Executive Officer /Managing Partner/ Key Managerial Partner(s) and Compliance Officer:

|  |  |
| --- | --- |
| **Particulars** | **CEO/Managing Partner** |
| Name |  |
| Designation |  |
| Tel. No. |  |
| Fax No. |  |
| Mobile No. |  |
| E-mail ID |  |
| PAN |  |

|  |  |
| --- | --- |
| **Particulars** | **Compliance Officer** |
| Name |  |
| Qualification |  |
| Tel. No. |  |
| Fax No. |  |
| Mobile No. |  |
| E-mail ID |  |
| PAN |  |
| Date of appointment |  |
| Correspondence address |  |

**IV. ASSOCIATION DETAILS**

1. Disclosure of PAN details:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sr.** | **Category** | **Name of person/entity** | **PAN** | **CIN (Applicable only for**  **corporates)** |
| 1 | Promoters |  |  |  |
| 2 | Associate(s) / Group companies |  |  |  |
| 3 | Principal officer(s) /Key Management Person(s) |  |  |  |
| 4 | All entities / persons falling within the verticals of applicant, both from bottom to top (e.g. holding co.) and top to bottom (e.g. subsidiary co.), whether they are registered with SEBI or any other regulatory authority |  |  |  |

2. Whether, the applicant entity/ Partners/or any associate of the applicant is/are associated with any recognized Stock Exchange(s) / Clearing Corporation(s) or Commodity Exchange(s) or have any other direct/indirect interest\* in securities market?

YES / NO: ; In case yes, kindly provide the following details: (you may attach a separate sheet, if required, duly signed.

|  |  |  |
| --- | --- | --- |
| **Sr.** | **1** | **2** |
| Name of the person/ entity interested |  |  |
| Nature of Interest |  |  |
| Relationship with the applicant |  |  |
| Type of organisation |  |  |
| Type of the intermediary # |  |  |
| Name of the Exchange, if applicable |  |  |
| Trade Name, if applicable |  |  |
| Trading Segments, if applicable |  |  |
| Authority granting registration |  |  |
| Registration No. |  |  |
| Registration Date |  |  |

(#) Merchant Banker, Portfolio Manager, Registrar to Issue & Share Transfer Agent, Banker to an Issue, Mutual Fund, Venture Capital, Underwriter, Debenture Trustee, FII, Investment Advisor, Research Analyst, Sub-broker, Authorised Person, Remisier, etc.

(\*) The member is deemed to have direct/indirect interest in the following conditions:

i) Where he is individual, he or any of his relative being a broker/any intermediary, he or any of his relative being a partner in a broking firm/any intermediary, he or any of his relative being a director in a broking company/any intermediary or he or any of his relative clubbed together holding substantial equity in any broking company/any intermediary engaged in capital market.

ii) Where it is partnership firm/ company/ limited liability partnership, the relative(s) of partner(s)/director(s) in the firm(s)/corporate body/ limited liability partnership being a broker/any intermediary or being partners(s)/ director(s) in any broking/intermediary engaged in capital market.

iii) Relative shall mean husband, wife, brother, unmarried sister or any linear ascendant or descendant of any individual.

3. Whether there are any instances of violation or non-adherence to any securities market related regulations by the applicant entity/ Partners or its associate(s) / group companies in India or abroad or any associate of the applicant as indicated in above point 2. YES / NO:

If yes, whether any action has been taken by Exchange/Clearing Corporation/SEBI or other regulatory agency in this regard. If yes, kindly state the nature of violation, action initiated/ taken and by which authority, and the details of corrective steps taken thereon. Further, kindly provide the following information as an annexure.

* 1. Top 10 monetary penalties in case of foreign entities and all monetary penalties in case of Indian entities, imposed against the applicant or any associate of the applicant (for irregularities/ violations in the financial services sector or for defaults in respect of shareholders / debenture holders and depositors, by any financial regulatory body or government authority or settlement arrived with any financial regulatory body during the last five years and details thereof). Penalties awarded for economic offences may be disclosed only in case of the applicant.
  2. Details of all cases of suspensions and cancellation of certificate of registration (for irregularities / violations in financial services sector or for defaults in respect of shareholders, debenture holders and depositors) of the applicant or any associate of the applicant shall be disclosed for the last 10 years.

All disclosures on penalties and action taken as per (a) and (b) above against foreign entities may be limited to the jurisdiction of the country where the principal activities (in terms of income / revenue) of the applicant / associate companies are carried out or where the headquarters is situated.

4. Is the applicant entity listed on any stock exchange?

YES / NO: ; In case yes, kindly provide following details:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Sr. | Name of Stock Exchange where listed | Date since when Listed | Current Status (Active/ Suspended/ Delisted | Date of Suspension/ Delisting, if applicable |
|  |  |  |  |  |

**V. FINANCIAL DETAILS**

1. Net-worth as per the requirement of the Exchange (*Rs.in Lakhs*):

2. Name and address of the bankers and the facilities availed from such banks. (Please enclose reference letters from each bank)

**VI. OTHER INFORMATION/DISCLSOURE:**

Please give the following details of the applicant (If Yes, please provide complete details)

| **Sr.** | **Particulars** | **Yes/No** |
| --- | --- | --- |
| a) | In case you have been engaged as principal or employee in any business other than that of securities, whether you have compounded with its creditors for less than full discharge of debts? |  |
| b) | Have you committed any act which may render you liable to be wound – up? |  |
| c) | Have you had a provisional liquidator or receiver or official liquidator appointed to it by a competent court? |  |
| d) | Are you aware that on admission of membership of the Exchange/Clearing Corporation the applicant will have to severe connection with any fund based business/ business other than that of securities? |  |
| e) | Whether the applicant or its Partners have been at any time convicted of any economic offence? |  |
| f) | Whether the applicant or its Partners, have been declared insolvent or declared defaulter by any exchange? |  |
| g) | Whether the applicant or its Partners, have been rejected by any Stock exchange for membership? |  |

**VII. DECLARATION**

We hereby undertake / declare / confirm that:

1. No enquiry/investigation/ has been initiated/pending against the applicant or any of the Partners/compliance officer/key management persons/associates by any Stock Exchange/SEBI.
2. No enquiry/investigation/disciplinary action/adjudication/prosecution or any other action including consent proceedings, administrative warning, caution or advisory letter, etc., have been initiated against us or any of our associate company or any of our Partners/compliance officer/key management persons by any stock exchange/SEBI/any other regulatory authority. (If Yes, please provide complete details alongwith the details of corrective steps taken)
3. No action in respect of deviations in our stock broking operations has been initiated against us by the stock exchange pursuant to inspection/audit, etc. (If Yes, please provide complete details along with the details of corrective steps taken)
4. We have not, at any point, introduced any fake / forged/ stolen shares in the market.
5. Our Designated Partners Mr./Ms.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and Mr./Ms.\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ meet the eligibility requirements as prescribed in Securities Contracts (Regulation) Rules, 1957 (Rule 8(6) and other relevant provisions) and SEBI (Stock Brokers & Sub-brokers) Regulations, 1992. We shall ensure that such requirements are met by the above individuals or whosoever as identified by us as designated Partners, in future, on a continuous basis.
6. Necessary infrastructure like adequate office space, equipments and man power to effectively discharge my/our activities is available with us.
7. As long as the limited liability partnership is engaged in stock broking as a member of any recognized Stock Exchange in India, it will engage itself in only such business as a member of a recognized Stock Exchange is permitted to engage in under the Securities and Contracts (Regulation) Rules, 1957, and the Rules, Bye-laws & regulations of the Stock Exchange. We are aware and acknowledge that if we engage in any other business the Exchange will be entitled to take disciplinary action (including fine, suspension &/or expulsion) against us.
8. M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, and their Partners/is/ are not associated in the following two categories as per Reserve Bank of India data as on today: (www.cibil.com <http://www.cibil.com>)
   * Suit Filed Accounts of Rs. 100 Lakhs and above
   * Suit Filed Accounts (Wilful Defaulters) of 25 Lakhs and above.
   * No proceeding has been initiated against applicant and partners/compliance officer/key management persons for declaring them as willful defaulter by any bank or financial institution.
9. M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,/, and their partners/compliance officer/key management persons/ associate/is/are not associated in the following four categories as per SEBI data as on today: (www.sebi.gov.in <http://www.sebi.gov.in>)
   * List of Companies & Directors debarred from associating with Capital Market for a period of five years - Companies (<http://www.sebi.gov.in/pmd/debarredco1.html>)
   * List of Companies & Directors debarred from associating with Capital Market for a period of five years - Directors (<http://www.sebi.gov.in/pmd/debardirector1.html>)
   * Database of Prosecution cases launched against CIS Entities across the country (<http://www.sebi.gov.in/cis/cis_prosecution_data.html>)
   * Database of the Prosecution cases launched other than Collective Investment Schemes (CIS) across the country ([http://www.sebi.gov.in/cis/ noncisdata.html](http://www.sebi.gov.in/cis/%20noncisdata.html))
10. There are no adverse comments against M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,any of its their partners/compliance officer/key management persons/associate as per the Vanishing Companies Database (Data available in Vanishing Companies on <http://www.mca.gov.in/Ministry/vanishing.html>) in the following categories as per SEBI data as on today:

* [List of Companies against which orders have been passed U/s 11B of SEBI Act](http://www.sebi.gov.in/pmd/debarredco1.html)
* [List of Companies where orders issued U/s 11B were revoked](http://www.sebi.gov.in/pmd/11bcompany.html)
* [List of Directors where orders issued U/s 11B were revoked](http://www.sebi.gov.in/pmd/11bdirector.html)
* [List of Promoters/Directors against whom orders have been passed U/s 11B of SEBI Act](http://www.sebi.gov.in/pmd/debardirector1.html)

1. There are no adverse comments against the M/s. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, any of its partners/compliance officer/key management persons/associate as per the Watchout Investors Database as on today. (www.watchoutinvestors.com < http://www.watchoutinvestors.com/>)
2. We are ‘fit and proper person’ as per SEBI (Intermediaries) Regulations, 2008 and confirm the following in this regard:
3. the applicant or the intermediary, as the case may be or its whole time partners has not been convicted by a Court for any offence involving moral turpitude, economic offence, securities laws or fraud;
4. no order for winding up has been passed against the applicant or the intermediary;
5. the applicant or the intermediary, or its whole time partners, or managing partner has not been declared insolvent and has been discharged;
6. no order, including an order of suspension of certificate of registration as an intermediary, restraining, prohibiting or debarring the applicant or the intermediary, or its whole time partners, or managing partner from dealing in securities in the capital market or from accessing the capital market has been passed by SEBI or any other regulatory authority wherein a period of three years from the date of the expiry of the period specified in the order has not elapsed;
7. no order canceling the certificate of registration of the applicant or the intermediary has been passed by SEBI on the ground of its indulging in insider trading, fraudulent and unfair trade practices or market manipulation wherein a period of three years from the date of the order has not elapsed;
8. no order withdrawing or refusing to grant any license / approval to the applicant or the intermediary, or its whole time partners, or managing partner which has a bearing on the capital market, has been passed by SEBI or any other regulatory authority wherein a period of three years from the date of the order has not elapsed;
9. the applicant or the intermediary, is financially sound;
10. there is no other reason, recorded in writing by SEBI , which in the opinion of SEBI, renders such applicant or the intermediary, or its whole time partners, or managing partner unfit to operate in the capital market.
11. Our Partners/Compliance Officer/ Associates2 are not ‘Politically Exposed Persons’1 (PEP). If yes, please provide following details:

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Sr.** | **Full Name of the PEP** | **PAN of PEP** | **Address of the PEP** | **Details of Function /position held by PEP** | **Date since when position held as PEP** | **Relationship of PEP with Member** |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |

**Note:**

1. *As per SEBI master circular ISD/AML/CIR-1/2010 dated February 12, 2010, ‘Politically Exposed Persons’ (PEP) are individuals who are or have been entrusted with prominent public functions in a foreign country, e.g., Heads of States or of Governments, senior politicians, senior government/judicial/military officers, senior executives of state-owned corporations, important political party officials, etc.*
2. *‘Associate’ has the same definition as given under Section 2(1)(b) of the SEBI (Intermediaries) Regulations, 2008.*
3. *A revised undertaking stamped & signed by two designated directors or authorised signatory(ies) as per Board Resolution mentioning names and designations need to be submitted as and when there is change in any of the details submitted vide current undertaking.*
4. We shall ensure that the Compliance Officer appointed by us will obtain the required Certification (s) as prescribed by SEBI/Exchange from time to time.
5. We have disclosed and reported all the details in regard to inquiry / investigation, if any, that has been conducted by any authorities including government agencies against applicant / Partners etc., during past 10 years and the findings of the concerned agencies available with us have been disclosed fully along with this application.
6. We shall pay the required fee and deposits to the Exchange and submit the necessary documents as required by the Exchange for our seeking the trading and/or clearing membership of the Exchange/Clearing Corporation and as required from time to time.
7. We will notify the Exchange/Clearing Corporation within 15 days of any change in information provided in the application.
8. We have as of date cleared all our dues to SEBI in respect of all the SEBI registrations that we hold including SEBI fees, sub broker fee etc, and that we do not have any dues to SEBI outstanding for payment in respect of all our SEBI registrations, if applicable. We also conform to abide by the Limited Liability Partnership Agreement, the Incorporation Document of the Limited Liability Partnership, and the Rules, Bye-Laws, Regulations, Business-Rules, Circular, Notifications and office orders, issued by the Exchange/Clearing Corporation from time to time. We also conform to be liable for all contracts and transactions in the exchange entered by us or by our authorized representatives and comply with all requirements of the Exchange relating to settlement thereof and also confirm to abide by all decisions of the Exchange/Clearing Corporation with respect to the operation of the Exchange/Clearing Corporation and would perform accordingly in meeting our financial, regulatory and operational responsibility as decided by the Exchange/Clearing Corporation from time to time.
9. The information given in this form is true, correct and complete to the best of our knowledge and information and there is no misstatement or misrepresentation or suppression of facts in connection with this application or breach of any undertaking or condition of admission to trading and/or clearing membership or of trading cum clearing membership that entails rejection of application. In the event of any information furnished found to be false, misleading or suppression of facts; our certificate of registration is liable to be cancelled by the Exchange / Clearing Corporation / SEBI without assigning any reasons whatsoever.
10. There is no financial liability which is due and payable in terms of the Act, the Securities Contracts (Regulation) Act, 1956 or rules and regulations there under. *(If Yes, please provide complete details)*
11. Applicant has been subjected to disciplinary proceedings under the rules, and bye-laws of a stock exchange, or enforcement action under securities laws, with respect to his business as a stock-broker involving either himself or any of his partners, directors or employees .*(If Yes, please provide complete details alongwith the details of corrective steps taken)*
12. There is no outstanding fee payable by any of the sub-brokers of the associate of the applicant as member of any stock exchanges.
13. Neither the applicant nor any of its Partners/Compliance Officer/ key management persons have been declared defaulters by any stock exchange or are associated with any stock brokers/person/entity who have been declared defaulters by any stock exchange in India.
14. The applicant is eligible to be admitted as the member of Exchange/Clearing Corporation/Clearing House as per provisions of SC(R)A, SC(R)R, bye-laws of the exchange and circulars issued by Government of India and SEBI, in particular the GOI guidelines dated Nov 09, 1989 and SEBI circular dated May 14, 1993.
15. No complaints/arbitration cases are pending against the applicant or partners/compliance officer/key management persons and all the complaints received by Exchange/Clearing Corporation/Clearing House or referred by SEBI have been settled to the satisfaction of the Exchange/Clearing Corporation/Clearing House.

Affix photo and also sign across the photo

Affix photo and also sign across the photo

Stamp:

Date:

Place:

Sign: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Name of the signatory: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Note: Should be signed by the designated Partners

**FORM A**

**SECURITIES AND EXCHANGE BOARD OF INDIA**

**(Stock Brokers and Sub-Brokers) Regulations 1992**

**(Regulation 3)**

**APPLICATION FORM FOR REGISTRATION AS STOCK BROKER WITH SECURITIES AND EXCHANGE BOARD OF INDIA**

**Table 1:**

|  |  |  |
| --- | --- | --- |
| **Sl. No.** | **Particulars** | **Details** |
| 1 | Name of Member with Code No. |  |
| 2 | Trade name of Member |  |
| 3 | Name of the Stock Exchange/ segment of which the applicant is the member |  |
| 4 | Date of admission to exchange/ segment |  |
| 5 | Address of Member |  |
| 6 | Fax Number(s), Phone Number(s) of office and residence and email address |  |
| 7 | Form of Organization - Sole proprietorship, partnership, corporate body, financial institution, Limited Liability Partnership, others (please specify). |  |
| 8 | Net worth along with supporting document |  |
| 9 | PAN of the applicant |  |

**Table 2: Details of proprietor/ partners/ directors**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Sl. No.** | **Names** | **Age** | **PAN** | **Educational Qualifications** | **Experience in derivatives trading or securities market, as applicable** |
|  |  |  |  |  |  |

**Table 3: Details of sales personnel or approved user who has passed any certification**

**programme**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Sl. No.** | **Name** | **Date of test** | **Percentage** | **Certificate No.** |
|  |  |  |  |  |

**Other details:**

1. Please furnish a copy of the memorandum and articles of association/partnership deed/Limited Liability Partnership Agreement and its incorporation document,-.

2. If the applicant intends to clear and settle his trades through a clearing member, the applicant is required to furnish the name and details of the clearing member along with a copy of MoU/ agreement/ contract with them for the same.

3. Whether the application is accompanied by a requisite fee as per Schedule V of the Regulations as applicable to the applicant.

**Undertaking:**

4. Whether the applicant or its director or partners, any time convicted of any economic offence? If so, furnish the details.

5. Whether the applicant or its directors or partners, declared insolvent or declared defaulter by any exchange? If so, furnish details.

6. Whether the applicant or its directors or partners at any time subjected to any proceedings or penalty by the Board under SEBI Act or any of the regulations framed under the SEBI Act? If so, furnish the details.

7. Whether any disciplinary action has been initiated/ taken or penalty has been imposed by SEBI/ stock exchange(s)/ clearing corporation(s) or any other regulatory authority? If yes, furnish details. Also provide the details of corrective steps taken thereon.

**Declaration:**

I declare that the information given in this form is true and in the event of any information furnished is false, misleading or suppression of facts, my certificate of registration is liable to be cancelled by SEBI without assigning any reasons whatsoever.

Dated \_\_\_\_\_\_\_\_\_\_\_\_ Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**RECOMMENDATION OF THE STOCK EXCHANGE**

This is to certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ is a member of this Stock Exchange and is recommended for registration with the Securities and Exchange Board of India.

Signature:

Name:

Designation:

**FORM AD**

**SECURITIES AND EXCHANGE BOARD OF INDIA**

**(Stock Brokers and Sub-Brokers) Regulations 1992**

**(Regulation 10A)**

**APPLICATION FORM FOR REGISTRATION AS CLEARING MEMBER WITH SECURITIES AND EXCHANGE BOARD OF INDIA**

**Table 1:**

|  |  |  |
| --- | --- | --- |
| **Sl. No.** | **Particulars** | **Details** |
| 1 | Name of Member with Code No. |  |
| 2 | Trade name of Member |  |
| 3 | Name of the Clearing Corporation of which the applicant is the member |  |
| 4 | Date of admission to Clearing Corporation |  |
| 5 | Address of Member |  |
| 6 | Fax Number(s), Phone Number(s) of office and residence and email address |  |
| 7 | Form of Organization - Sole proprietorship, partnership, corporate body, financial institution, Limited Liability Partnership, others (please specify) |  |
| 8 | Net worth along with supporting document |  |
| 9 | PAN of the applicant |  |

**Table 2: Details of proprietor/ partners/ directors**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Sl. No.** | **Names** | **Age** | **PAN** | **Educational Qualifications** | **Experience in derivatives trading or securities market, as applicable** |
|  |  |  |  |  |  |

**Other details:**

1. Please furnish a copy of the memorandum and articles of association/partnership deed/Limited Liability Partnership Agreement and its incorporation document.
2. Whether the application is accompanied by a requisite fee as per Schedule V of the regulations as applicable to the applicant.

**Undertakings:**

3. Whether the applicant or its directors or partners, any time convicted of any economic offence? If so, furnish the details.

4. Whether the applicant or its directors or partners, declared insolvent or declared defaulter by any exchange? If so, furnish details.

5. Whether the applicant or its directors or partners at any time subjected to any proceedings or penalty by the Board under SEBI Act or any of the regulations framed under the SEBI Act? If so, furnish the details.

6. Whether any disciplinary action has been initiated/ taken or penalty has been imposed by SEBI/ stock exchange(s)/ clearing corporation(s) or any other regulatory authority? If yes, furnish details. Also provide the details of corrective steps taken thereon.

**Declaration:**

I declare that the information given in this form is true and in the event of any information furnished is false, misleading or suppression of facts; my certificate of registration is liable to be cancelled by SEBI without assigning any reasons whatsoever.

Dated \_\_\_\_\_\_\_\_\_\_\_ Signature

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**RECOMMENDATION OF THE CLEARING CORPORATION**

This is to certify that \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_is a member of this Clearing Corporation and is recommended for registration with the Securities and Exchange Board of India.

Signature:

Name:

Designation:

**ANNEXURE – H -2**

**ADDITIONAL INFORMATION TO BE SUBMITTED AT THE TIME OF REGISTRATION OF STOCK BROKER WITH SEBI**

1. Name of the Stock Exchange

2.a) Name of the Applicant Member Broker

b) Exchange Clearing Code No. (If allotted by

the Stock Exchange)

3. Trade Name of Member

4. Address of Member

Tel. No. (O)

Tel. No. (R)

5. Form of Organisation : Please tick the relevant entity

a) Sole Proprietorship b) Partnership

c) Corporate Body I) Financial Institution

II) Others

III) Foreign Joint Ventures

(If an Indian Company is holding more than 25% of total equity in the joint venture, please give details of top five shareholders of Indian Company).

|  |  |
| --- | --- |
| Name of Indian Company |  |
|  | % Holding |
| 1. |  |
| 2. |  |
| 3. |  |
| 4. |  |
| 5. |  |
| FIPB Approval, if applicable |  |

6.A) Sole Proprietorship:

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Proprietor | Educational Qualification | Age (on the date of filing of application) | Experience (specify the nature and years) |
|  |  |  |  |

B) Partnership:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Partners | Age on the date of filing of application | Educational Qualification | Experience (specify the nature & years) | In case of Partner(s) is/are registered with SEBI, give SEBI Reg. No. |
|  |  |  |  |  |
|  |  |  |  |  |

C) Corporate Body (Financial Institution/Others):

i) MOA Object Clause contains stock broking as one of the object in

a) Main Object

b) Other Object

c) Incidental Object

(If stock broking clause appears in other object, please attach a copy of special resolution to amend the MOA to incorporate Stock Broking in main object clause)

ii) Mention relevant Clause No.

(Please enclose copy of the relevant clause of the MOA duly certified by the Stock Exchange. If certified copy is not enclosed, application would be returned).

iii) Information regarding directors:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of directors with Designation (whether whole-time/designated/ additional | Percentage of Share holding | Educational Qualification | Experience (specify nature and years) | Whether directors in other corporate bodies engaged in capital markets (please give names and SEBI Reg. No.) |
|  |  |  |  |  |
|  |  |  |  |  |

iv) Details of top five shareholders:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of Share holders | Percentage of Share holding | Educational Qualification | Experience (specify nature and years) | Whether Share holders in other corporate bodies engaged in capital markets (please give names and SEBI Reg. No.) |
|  |  |  |  |  |
|  |  |  |  |  |

7. a) Date of admission to Membership of the Stock Exchange

b) Mode of Acquiring Membership

(Please attach old SEBI Regn. Certificate in all cases other than the case of new membership)

i) New Membership

ii) Conversion

iii) Succession

iv) Auction Purchase

(In case member has become defaulter)

v) Market Purchase

vi) Transfer of another company under same management

(please specify reasons)

vii) Others Please specify

c) Please give the following information in all the cases other than the case of new membership

i) Name of the previous holder of the card

ii) SEBI Regn. No.

iii) Date of Regn. No.

d) Whether applicant is member of more than one Stock Exchange?

YES NO

e) If yes, please give name(s) of the stock exchange(s) with Code No. and SEBI Regn. No.

Name of Exchange(s)

SEBI Regn. No.

8.a) Whether any of the Associate Companies/Partnership/Proprietorship Firm is/are having direct/indicate interest (\*as defined below) in capital market

YES NO

\* The member is deemed to have direct/indirect interest in the following conditions:

i) Where he is individual, he or any of his relative being a broker/any intermediary, he or any of his relative being a partner in a broking firm/any intermediary, he or any of his relative being a director in a broking company/any intermediary or he or any of his relative clubbed together holding substantial equity in any broking company/any intermediary engaged in capital market.

ii) Where it is partnership firm/company/Limited Liability Partnership, the relative(s) of partner(s)/director(s) in the firm(s)/corporate body being a broker/any intermediary or being partners(s)/ director(s) in any broking/intermediary engaged in capital market.

iii) Relative shall mean husband, wife, brother, unmarried sister or any linear ascendant or descendant of any individual.

d) If yes, please give details (you may attach separate sheet, if required)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name | Form of Organisation | Type of Inter-mediary # | Whether registered with SEBI (give SEBI Reg. No.) | Nature of interest |
|  |  |  |  |  |
|  |  |  |  |  |

# Merchant Banker, Portfolio Manager, Registrar to Issue & Share Transfer Agent, Banker to an Issue, Mutual Fund, Venture Capital, Underwriter, Debenture Trustee, FII.

9. Disciplinary Action initiated/taken against the Associate entities, as indicated in 8(b) above. (Please state details of nature of violation, action initiated/taken and by which authority)

a) Disciplinary action taken by SEBI (If yes, please attach details mentioning nature of violation and action taken)

#### YES NO

b) Disciplinary action taken by any other authority (Please specify details of nature of violation and action initiated)

YES NO

c) Disciplinary action initiated by SEBI (please attach details of nature of violation and action initiated)

YES NO

d) Disciplinary action initiated by any other authority (please attach details of nature of violation and action initiated)

YES NO

10. a) Net-worth as per the requirement of the Exchange (Rs. In Lakhs)

b) Applicant’s net-worth in accordance with formula

Prescribed by concerned stock exchange (Rs. in Lakhs)

(Certificate from a qualified C.A. certifying the above should be enclosed)

Please indicate the net-worth as per the following formula (Rs. in lakhs)

1. Paid up capital
2. Free Reserves (Exclusive of Revaluation Reserves)
3. Less: Misc. Expenditure not written off

Total Net-worth (i+ii=iii)

I/We declare that the information given in this form is true to the best of my knowledge and belief.

Date : Signature

Name and address of the applicant

List of Enclosures:

1. Registration fees – DD of Rs.5000/- (DD No.\_\_\_\_\_\_\_\_\_\_ dated\_\_\_\_\_\_\_\_\_\_\_\_\_, drawn on \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_Bank).
2. Copy of relevant clause of Incorporation Document /LLP Agreement duly certified by the stock exchange.
3. Certificate from the qualified Chartered Accountant certifying the networth and paid up capital
4. Undertaking by applicant that he/it had not introduced through any member broker/ sub-broker of the Exchange any fake/forged/stolen shares in the Exchange/market. If yes, details thereof including action taken, if any, by the applicant.

# Certification of the Exchange

The above details have been scrutinized as per record made available to the stock exchange.

**SIGNATURE :**

**NAME :**

**DESIGNATION :**

**SEAL OF STOCK EXCHANGE :**

**(Undertaking addressed to SEBI to be provided in the letter head of the applicant)**

**Undertaking**

We hereby declare and undertake that:

1. The applicant and following persons as referred in Clause 2 of Schedule II of SEBI (Intermediaries) Regulations, 2008 are fit and proper person as per requirement laid in in aforesaid schedule:
   1. the applicant;
   2. the principal officer, the directors or managing partners, the compliance officer and the key management persons of the applicant by whatever name called; and
   3. the promoters or persons holding controlling interest or persons exercising control over the applicant, directly or indirectly:

(Provided that in case of an unlisted applicant or intermediary, any person holding twenty percent or more voting rights, irrespective of whether they hold controlling interest or exercise control, shall be required to fulfill the ‘fit and proper person’ criteria.)

***Explanation***– For the purpose of this sub-clause, the expressions “controlling interest” and “control” in case of an applicant or intermediary, shall be construed with reference to the respective regulations applicable to the applicant or intermediary.

1. The applicant and persons referred in point 1 above bear integrity, honesty, ethical behaviour, reputation, fairness and character of the person;
2. The applicant and persons referred in point 1 above are not incurring following disqualifications mentioned in Clause 3(b) of Schedule II of SEBI (Intermediaries) Regulations, 2008:
   1. criminal complaint or information under section 154 of the Code of Criminal Procedure, 1973 (2 of 1974) has been filed against such person by the Board and which is pending;
   2. charge sheet has been filed against such person by any enforcement agency in matters concerning economic offences and is pending;
   3. an order of restraint, prohibition or debarment has been passed against such person by the Board or any other regulatory authority or enforcement agency in any matter concerning securities laws or financial markets and such order is in force;
   4. recovery proceedings have been initiated by the Board against such person and are pending;
   5. an order of conviction has been passed against such person by a court for any offence involving moral turpitude;
   6. any winding up proceedings have been initiated or an order for winding up has been passed against such person;
   7. such person has been declared insolvent and not discharged;
   8. such person has been found to be of unsound mind by a court of competent jurisdiction and the finding is in force;
   9. such person has been categorized as a wilful defaulter;
   10. such person has been declared a fugitive economic offender.
3. The applicant or any other person mentioned in point 1 above have not been declared as not ‘fit and proper person’ by an order of the Board.
4. No notice to show cause has been issued for proceedings under SEBI(Intermediaries) Regulations, 2008 or under section 11(4) or section 11B of the SEBI Act during last one year against the applicant or any other persons referred in point 1 above.

Name: Date:

Designation:

Stamp and Signature