WHAT TO DO IF YOUR SHARE CERTIFICATE HAS LOST OR MISPLACED?

If Share Certificate has lost or Misplaced, the Steps need to be followed for issue of Duplicate Share Certificate

Steps to be taken by Shareholder

- Immediately inform to the Company/RTA the fact about Lost or misplaced of Shares Certificates.
- Mode of Communication-

  (a) A letter address to the Company With a copy to RTA.
  (b) As a precautionary an immediate E-Mail Communication to the Company/RTA.
- Proper Disclosure about Share Certificate lost or misplaced like-
  (a) Name, Address,
  (b) Registered Folio No,
  (c) Certificate No., & Distinctive No.

Steps to be taken by Company/RTA

- On receipt of information about loss or misplaced of Share Certificates the Company/RTA freeze the transfer for 30 Days to prevent any fraudulent or illegal Proceedings of transfer.
- On establishing the identity of the investor/Shareholder the Company/RTA will guide the Shareholder regarding issue of Duplicate Share Certificate(s).

By: CS Vikram Singh Sirohi

Documents required to be furnished for issue of Duplicate Share Certificate

- Prepare Idementity Bond Agreement on Non judicial Stamp Paper of Rs. 500.
- Prepare Affidavit on Non Judicial Stamp Paper of Rs. 100.
- A FIR with Police with the full details of lost of Share Certificate(s).

  (a) Name,
  (b) Folio No.
  (c) Share Certificate No.
  (d) Distinctive No. of Shares.

- A Notice/Advertisment shall published in the Newspaper about the fact of lost of Share Certificate(s).

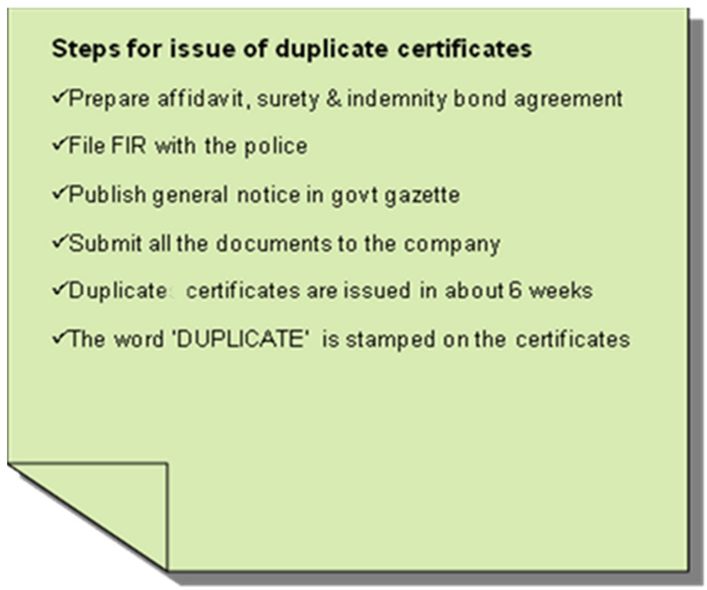
*Note-1: All Documents shall be submitted to the Company/RTA.

* Note-2: Indemnity Bond and Affidavit shall be notarized by First class Magistrate.

Actions to be taken by Company/RTA after receiving documents

- After proper verification the Company/RTA initiate the request to issue duplicate Share Certificate(s).

- Processing Time: 4 weeks to 6 weeks.



- The following words shall be written on the face of the duplicate share certificate, 'Duplicate issued in lieu of share certificate No XXX' and the word '***DUPLICATE'*** will be stamped in bold letters across the face of the share certificate.

- Particulars of duplicate share certificates issued will be entered in the register of renewed and duplicate share certificates indicating the name of the shareholder to whom it is issued, the number and date of the new share certificate.

*Note: Indemnity Bond and Affidavit should be as per the format given below-

DRAFT FOR THE INDEMNITY AGREEMENT

(To be executed on non-judicial stamp paper of Rs. 500/- by the registered holder)

To
XYZ Limited
…………………….
…………………….
……………………

WHEREAS

(1) Mr. / Mrs. / M/s. ____ is/are Registered in the Registrar of Members and other Books of the company as the holder (s) of following shares of the Company-

Ledger Folio No.	No. of Shares/ Debentures	Certificate No. (s)	Distinctive Nos.

(2) It has been stated to the Company that the Certificate(s) of the said Shares has / have been lost or misplaced and the same cannot be found.

(3) Mr./Mrs./M/s.____
Has /have applied to the Company for duplicate Share / Debenture Certificate (s).
In Consideration of the Company issuing such Duplicate Certificate (s), I/We Mr. / Mrs. / M/s. _______________________________________ (name of the Share holders including Joint Holders) and Surety (1) ____
Surety (2) ____(names of Two Sureties)* for ourselves, respective heirs, executors and administrators do hereby jointly and severally convenant with the Company, its successors or assignees that we and our heirs executors and administrators respectively, will at all times and from time to time save, defend and keep harmless and indemnify the Company, its successors, assignees and the Directors thereof and their respective heirs, executors administrators, each of their

estates and effects from and against all actions causes, suits, proceedings accounts, claims and demands whatsoever on account of the said Shares / Debentures or any of them or loss or non-production of the Certificates thereof, on the part of any person or persons whomsoever and against all damages costs charges, expenses and sums of money incurred in respect thereof or otherwise in relation of the premises.

I/We declare that I/we have not deposited the original Share Certificate (s) by way of security or otherwise, or transferred or sold, the said Shares or any of them and I/we agree and confirm to return forthwith to the company for the purpose of cancellation the said original Share Certificate (s) in case, the shall be found.

I/We further declare and agree in writing, that in the event of my / our failure to compensate the company in any action, suits and proceedings with company which the company might face for having issued the duplicate Share / Debenture Certificates at my / our request, the Company can have a lien in general on all the Share/Debentures which I/We am are now holding or I/We may be holding hereafter and also the Dividend/Interest declared or payable on the said Shares

.

I/ We the said Mr. / Mrs / M/s.

(Names of all the Share Holders Holders) and

Surety 1.

Surety 2.

(Names of sureties) undertaken on demand by the company to return and redeliver such duplicate Share Certificates(s) and without such demand to produce and return to the Company the Original Certificate (s) when found or traced and to take all actions, suits and proceedings at our own cost, as the Company shall require for the recovery thereof, otherwise in relation to the premises.

Phone No :

Fax No :

Email

Dated : This …Day of….2019

A COPY OF LATEST I.T.RETURNS

PAN CARD COPY

WITNESS: (Sign., Name & Address) 1.	(Signatures of the Share holders Holders, including all the Joint Holders) Name & Address/ Fax no. Telephone nos. Email (Latest I.T. returns with PAN card any Identification proof)
WITNESS: (Sign., Name & Address) 2.	
WITNESS: (Sign., Name & Address) 3.	(Sign., Name & Address of Surety 1) (Latest I.T. returns with PAN card any Identification proof)
WITNESS: (Sign., Name & Address) 4.	(Sign., Name & Address of Surety 2) (Latest I.T. returns with PAN card any Identification proof)

*Surety should not be a Share holder / joint Holder or witness or vice versa.

The Indemnity Bond should be attested by First Class/Special Executive Magistrate/Notary.

<u>Surety – 1</u>

(Private & Confidential)

DRAFT FORM TO BE SIGNED BY THE SURETY PROPOSED FOR THE INDEMNITY BOND

1. Name in full :

2. Permanent Residential Address :

3. Age :

4. Place of employment, name of employer and the salary and other emoluments to be shown

   separately.

   OR

5. Details of immovable property owned (absolutely) In your own name not as member of HUF)

   Within municipal limits

   a. Situation :

   b. Valuation :

   c. Annual rent realised :

   (Please specify whether the immovable property

   consists of houses or mere lands.)

   OR

6. a. Nature of value of Business :

   (in your own name & not as partner)

   b. Annual turnover :

   c. Annual profits :

Date ------------------------------------ [Signature of the Surety]

(A Copy of Latest I.T. returns with PAN CARD)

Note: Reply if applicable, otherwise kindly write NOT APPLICABLE against the relevant column.

Surety – 2

(Private & Confidential)

DRAFT FORM TO BE SIGNED BY THE SURETY PROPOSED FOR THE INDEMNITY BOND

1. Name in full :

2. Permanent Residential Address :

3. Age :

4. Place of employment, name of employer and the salary and other emoluments to be shown separately.

   OR

5. Details of immovable property owned (absolutely) In your own name not as member of HUF)

   Within municipal limits

   a. Situation :

   b. Valuation :

   c. Annual rent realised :

   (Please specify whether the immovable property consists of houses or mere lands.)

   OR

6. a. Nature of value of Business :

   (in your own name & not as partner)

   b. Annual turnover :

   c. Annual profits :

Date ------------------------------------ [Signature of the Surety]

(A Copy of Latest I.T. returns with PAN CARD)

Note: Reply if applicable, otherwise kindly write NOT APPLICABLE against the relevant column.

AFFIDAVIT

(To be executed on non-judicial stamp paper of Rs**. 100**/-)

(by the Registered Shareholder)

To:

…………………………………

…………………………………

………………………………..

……………………………….

I/We ________________________________ S/o. __________________________aged ________year___________________ _residing at_________________________________

____

Solemnly affirm and declare as follows :

1. That I / We am / are the sole / joint holder(s) OF _________ number of equity share(s) in _____________________________________ (name of the Company)

Folio no.	No. of Shares	Certificate no.	Distinctive Nos	
			From	To

2. That the above share(s) were acquired by me/us for valuable Consideration out of my /our own investment / funds against allotment in public issue / allotment in Right issue / Bonus issue or acquired from the market in the year(s)______________________.

3. That I / We have not pledged the original certificate(s) by way of security or collateral or otherwise have not sold the above mentioned share(s) anytime to any person.

4. That the stop transfer instructions given by me / us are not on the grounds of the non-payment by my / our Broker /Sub-broker.

5. That I / We have genuinely lost / misplaced the above mentioned share(s).

6. That I / We am /are solely responsible for any future liabilities in respect of the above mentioned securities.

This affidavit is executed in favour of the Company on my / our own volition and is in the form as required by the Company / its agents forwarded to me / us vide its letter no. ______________dated

VERIFICATION

I / We solemnly affirm that the statement contained in the above paragraphs are true to the best of my / our knowledge information and belief and that nothing material has been concealed from being disclosed.

Solemnly declared and affirmed on	**DEPONENTS**
Identification at ________________ On this ________ day of 20_.	1. ___________________________
Phone: Fax No:	2. ___________________________
E-mail ID :	3___________________________

A COPY OF LATEST I.T. RETURNS WITH PAN CARD COPY

Before the Executive Magistrate or Notary Public.