

**Emergency Credit Line Guarantee Scheme (ECLGS)**  
**Operational Guidelines updated as on May 30, 2021**

**1. Name of the Scheme:**

The Scheme shall be named as 'Emergency Credit Line Guarantee Scheme (ECLGS)'. It shall have three components, ECLGS 1.0, ECLGS 2.0, ECLGS 3.0 and ECLGS 4.0 (hereinafter together referred as the 'Scheme').

ECLGS-1.0 refers to the scheme for providing 100% Guarantee to member lending institutions in respect of eligible credit facility extended by them to its borrowers whose total credit outstanding (fund based only) across all lending institutions and days past due as on February 29, 2020 was upto Rs.50 crore and upto 60 days respectively.

ECLGS-2.0 refers to the scheme for providing 100% Guarantee to member lending institutions in respect of eligible credit facility extended by them to its borrowers in the 26 sectors identified by the Kamath Committee on Resolution Framework vide its report dated 04.09.2020 and the Healthcare sector whose total credit outstanding (fund based only) across all lending institutions and days past due as on February 29, 2020 was above Rs.50 crore and not exceeding Rs.500 crore and upto 60 days respectively.

ECLGS 3.0 refers to the scheme for providing 100% guarantee to member lending institutions in respect of eligible credit facility extended by them to its borrowers in the Hospitality (hotels, restaurants, marriage halls, canteens etc.), Travel & Tourism, Leisure & Sporting and Civil Aviation (scheduled and non-scheduled airlines, chartered flight operators, air ambulances and airports) sectors whose days past due are upto 60 days as on 29.02.2020.

ECLGS 4.0 refers to the scheme for providing 100% guarantee to member lending institutions in respect of eligible credit facility extended by them to its eligible hospitals/nursing homes/clinics/medical colleges / units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. for setting up of on-site oxygen producing plants. The credit product for which guarantee would be provided under the Scheme shall be named as 'Guaranteed Emergency Credit Line (GECL)'.

**2. Purpose of the Scheme:**

To provide 100% guarantee coverage for the GECL assistance of loan outstanding as on 29<sup>th</sup> February, 2020 to eligible borrowers, in the form of additional term loan /working capital term loan facility (under ECLGS 1.0, 2.0 and 3.0 & 4.0) and/or non-fund based

facility (under ECLGS 2.0 & 4.0) in case of banks and Financial Institutions, and additional term loan facility (under ECLGS 1.0, 2.0,3.0 & 4.0), in case of NBFCs, from all Member Lending Institutions (MLIs) to eligible Business Enterprises / Micro, Small and Medium Enterprise (MSME) borrowers, including interested PMMY borrowers, in view of COVID-19 crisis, as a special Scheme.

### 3. Date of commencement

Scheme shall come into force from the date of issue of these guidelines by NCGTC.

### 4. Definitions

#### For the purposes of this Scheme –

- **“Amount in Default”** means the principal and interest amount outstanding in the account of the borrower in respect of term loan/working capital term loan facility/crystallised non-fund facility (including interest) as the case may be, as on the date of the account becoming NPA, or on the date of lodgment of claim application, whichever is lower, or on such other date as may be specified by Trustee Company for preferring any claim against the guarantee cover subject to a maximum of amount guaranteed.
- **“Credit facility”** means financial assistance provided under the Scheme by way of additional term loan / working capital term loan facility (under ECLGS 1.0, 2.0 3.0 and/or 4.0) and / or non-fund based facility (under ECLGS 2.0 & 4.0) (in case of banks and Financial Institutions), and additional term loan facility (under ECLGS 1.0, 2.0 3.0 and /or 4.0) (in case of NBFCs) extended by all Member Lending Institution (MLI) to eligible Business Enterprises / Micro, Small and Medium Enterprise (MSME) borrowers/individuals who have availed loan for business purposes. The financial assistance provided as part of the Scheme is to be operated as a separate loan account.
- **“Eligible borrower” under ECLGS 1.0** means all Business Enterprises / MSMEs/individuals who have availed loan for business purposes with total credit outstanding (fund based only) of up to Rs. 50 crore as on 29.2.2020. The Scheme is valid for existing customers on the books of the MLI. Borrower accounts should be less than or equal to 60 days past due as on 29th February, 2020 in order to be eligible under the Scheme.
- **“Eligible borrower” under ECLGS 2.0** means all Business Enterprises /MSMEs in the 26 sectors identified by the Kamath Committee on Resolution Framework and the Healthcare sector who have availed loan for business purposes with total credit outstanding (fund based only), across lending institutions, above Rs.50 crore and not exceeding Rs.500 crore as on 29.02.2020. To be eligible under ECLGS

2.0, the borrower accounts should be less than or equal to 60 days past due as on February 29, 2020.

- **“Eligible borrower” under ECLGS 3.0** means all Business Enterprises /MSMEs in the Hospitality (hotels, restaurants, marriage halls, canteens etc.), Travel & Tourism ,Leisure & Sporting and Civil Aviation (including scheduled and non-scheduled airlines, chartered flight operators, air ambulances and airports) sectors whose days past due are upto 60 days as on 29.02.2020.

**“Eligible borrower” under ECLGS 4.0** means existing Hospitals/nursing homes/clinics/medical colleges / units engaged in manufacturing of liquid oxygen, oxygen cylinders etc having credit facility with an MLI with days past due upto 90 days as on March 31, 2021 and requiring assistance of upto Rs.2 crore for setting up technologies like Pressure Swing Adsorption etc. for on-site oxygen producing plants.

- However, exception has been allowed for overdues of the borrower in respect of their credit card/savings account/current account provided the said overdues did not exceed 1% of the loan amount (i.e. GECL amount) extended under the scheme and that the overdue amount were regularized prior to assistance being extended under the scheme and provided further that the member lending institutions ensure that the overdues were covered by the materiality concept being followed by the MLIs.
- For the purpose of this scheme, the term ‘Business Enterprises/MSMEs’ would also include loans covered under Pradhan Mantri Mudra Yojana (PMMY).
- ‘Guarantee Cover’ means the maximum cover available per eligible borrower of the amount in default in respect of the credit facility extended by the lending institution. For this Scheme, the guarantee coverage would be 100% of the amount in default.
- **“Member Lending Institution(s)” (MLI)**
  - Banks: All Scheduled Commercial Banks.
  - Financial Institutions: As defined in sub-clause (i) of clause (c) of Section 45-I of Reserve Bank of India Act.
  - NBFC: "Non-Banking Financial Company" means a non-banking financial company as defined in clause (f) of section 45-I of the RBI Act, 1934 and which has its principal business as defined by RBI and has been granted a certificate of registration under sub-section (1) of section 45-IA of the Act and Housing Finance Companies as defined under Clause (d) of Section 2 of the National Housing Bank Act, 1987 All NBFCs which have been in operation for 2 years as on 29<sup>th</sup> February, 2020 would be eligible under the Scheme.
- **“Non-Performing Assets”** means an asset classified as non-performing based on the instructions and guidelines issued by the Reserve Bank of India from time to time

- **“Primary security”** in respect of a credit facility shall mean the assets created out of the credit facility so extended
- **“Interest Rate”** for a lending institution means the rate so declared by that lending institution from time to time as per Reserve Bank of India guidelines based on which interest rate applicable for the loan will be determined.
- **“Tenure of guarantee cover”** means the maximum period of guarantee cover which shall be co-terminus with the tenor of the loan under GECL

## **SCOPE AND EXTENT OF THE SCHEME**

### **5. Eligible MLIs**

- MLIs for this purpose shall include all Scheduled Commercial Banks (SCBs), Non-Banking Financial Companies (NBFCs) and Financial Institutions (FIs), as specified above.
- All NBFCs & HFCs which have been in operation for 2 years as on 29th February, 2020 would be eligible under the Scheme.

### **6. Duration**

- The Scheme would be applicable to all loans sanctioned under GECL during the period from the date of issue of these guidelines by NCGTC to 30.09.2021 or till guarantees for an amount of Rs 3,00,000 crore are issued (taking into account ECLGS 1.0, 2.0 3.0 & 4.0), whichever is earlier.

### **7. Eligible Borrowers**

- Under ECLGS 1.0, all borrower accounts pertaining to Business Enterprises /MSMEs/Loans to individuals for specific businesses purposes (as specified in the FAQs) with total credit outstanding (fund based only) across all lending institutions of up to Rs. 50 crore as on 29.2.2020 are eligible. MLIs are expected to check with credit bureau the overall outstanding of the borrower to assess the eligibility of the borrower. To be eligible under ECLGS 1.0, the Borrower accounts should be less than or equal to 60 days past due as on 29th February, 2020 in order to be eligible under the Scheme. *i.e.* they should not have been classified as SMA 2 or NPA by any of the lender as on 29<sup>th</sup> February, 2020.
- Under ECLGS 2.0, all Business Enterprises /MSMEs in the 26 Covid related stressed sectors identified by the Kamath Committee on Resolution Framework and the Healthcare sector who have availed loan for business purposes with total credit outstanding (fund based only) across all lending institutions above Rs.50 crore and upto Rs.500 crore as on 29.02.2020 are covered. To be eligible under ECLGS 2.0, the borrower accounts should be less than or equal to 60 days past

due as on February 29, 2020 i.e. they should not have not been classified as SMA 2 or NPA by any of the lender as on 29<sup>th</sup> February 2020.

- Under ECLGS 3.0, all Business Enterprises /MSMEs in the Hospitality (hotels, restaurants, marriage halls, canteens etc.), Travel & Tourism , Leisure & Sporting and Civil Aviation (including scheduled and non-scheduled airlines, chartered flight operators, air ambulances and airports) sectors whose days past due are upto 60 days as on 29.02.2020 are eligible
- Under ECLGS 4.0, all existing hospitals/nursing homes/clinics/medical colleges / units engaged in manufacturing of liquid oxygen, oxygen cylinders etc, who have a credit facility from a lending institution with days past due upto 90 days as on 31.03.2021 are eligible for assistance of upto Rs.2 crore for setting up technologies like Pressure Swing Adsorption for on site oxygen producing plants.
- Loans provided to Business Enterprises / MSMEs constituted as Proprietorship, Partnership, registered company, trusts and Limited Liability Partnerships (LLPs) or any other legal entity shall be eligible under the Scheme. As per decision taken on August 03, 2020, loans provided to individuals for business purposes under ECLGS 1.0 shall also be eligible (as specified in the FAQs) under specified categories.
- For the purpose of this Scheme, Business Enterprises / MSMEs would include loans covered under Pradhan Mantri Mudra Yojana extended on or before 29.2.2020 and reported on the MUDRA portal. All eligibility conditions including the condition related to Days past due would also apply to PMMY loans.
- Loans provided in individual capacity are covered under ECLGS 1.0 However, such loans should be restricted to business loans taken by individuals (as specified in the FAQs) for their own businesses and should be supported with a Management Certificate to this effect at the time of guarantee application. These loans should also meet the other eligibility criteria of the scheme.
- The Scheme is valid for existing customers on the books of the MLIs.
- Days Past Due status as on 29.2.2020 to be checked across all lending institutions from credit bureau.
- All borrower accounts which had NPA or SMA-2 status as on 29.2.2020 shall not be eligible under ECLGS 1.0, ECLGS 2.0 and ECLGS 3.0. All borrower accounts which had NPA status as on 31.03.2021 shall not be eligible under ECLGS 4.0. However, as per decision taken on September 08, 2020, exception has been allowed for overdues of the borrower in respect of their credit card/savings account/current account provided the said overdues did not exceed 1% of the loan amount (i.e. GECL amount) extended under ECLGS facility and that the overdue amount were regularized prior to assistance being extended under ECLGS and

provided further that the member lending institutions ensure that the overdues were covered by the materiality concept being followed By the MLIs.

- Business Enterprises / MSME borrower must be GST registered in all cases where such registration is mandatory. This condition will not apply to Business Enterprises / MSMEs that are not required to obtain GST registration.
- An 'opt-out' option should be provided to the eligible borrowers under ECLGS 1.0 to enable them to choose whether they wish to opt out of the GECL facility. Facility under ECLGS 2.0 ,ECLGS 3.0 & ECLGS 4.0 however, shall be on 'Opt-in' basis.
- For the purpose of this Scheme it is not necessary that the existing loans of the borrowers should be covered under the existing NCGTC or CGTMSE Scheme.
- Some examples on the eligibility of the borrowers under ECLGS 1.0 are indicated below:

Name of the Borrower	Overall Outstanding (fund based) of the Borrower across all lending institutions (INR Crore)	Overall Outstanding (fund based) of the Borrower with MLI (INR Crore)	DPD of borrower as on 29 <sup>th</sup> Feb 2020 (Days)	Turnover as per latest available financials (INR Crore)	Eligibility
Borrower A	60	15	30	90	Not eligible
Borrower B	60	15	62	90	Not eligible
Borrower C	50	50	59	300	Eligible
Borrower D	15	10	0	80	Eligible
Borrower E	20	10	0	260	Eligible

- Some examples on the eligibility of the borrowers under ECLGS 2.0 are indicated below:

Industry sector of Borrower	Overall Outstanding (fund based) of the Borrower	Overall Outstanding (fund based) of the	DPD of borrower as on 29 <sup>th</sup>	Eligibility
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	<b>across all lending institutions (INR Crore)</b>	<b>Borrower with MLI (INR Crore)</b>	<b>Feb 2020 (Days)</b>	
Healthcare Sector or 26 stressed sectors identified by the Kamath Committee on Resolution Framework	600	500	30	Not eligible
As above	500	400	62	Not eligible
As above	500	500	60	Eligible
Outside of 27 sectors indicated above (other than those covered under ECLGS 3.0)	500	400	0	Not Eligible

#### **8. Credit facility eligible under the Guarantee Coverage**

- Under ECLGS 1.0, the amount of GECL funding to eligible borrowers either in the form of additional working capital term loan facility (in case of banks and Financial Institutions), and additional term loan facility (in case of NBFCs) would be up to 20% of their total credit outstanding up to Rs. 50 crore (fund based only) as on 29<sup>th</sup> February, 2020, subject to the borrower meeting all the eligibility criteria.
- Under ECLGS 2.0, the amount of GECL funding to eligible borrowers either in the form of additional working capital term loan facility and / or non-Fund based facility or a mix of the two (in case of banks and Financial Institutions), and additional term loan facility (in case of NBFCs) would be up to 20% of their total credit outstanding (fund based only) up to Rs. 500 crore as on 29<sup>th</sup> February, 2020, subject to the borrower meeting all the eligibility criteria. Credit facility under ECLGS 2.0 could be in the form of fund based or non-fund based facility or a mix of the two.
- Under ECLGS 3.0, the amount of GECL funding to eligible borrowers either in the form of additional working capital term loan facility (in case of banks and Financial Institutions) and additional term loan facility (in case of NBFCs) would be up to 40% of their total credit outstanding (fund based only), subject to a cap of Rs.200 crore per borrower and the borrower meeting all the other eligibility criteria. Such of the eligible borrowers, who are eligible under ECLGS 3.0 and have already

availed benefit under ECLGS 1.0 or ECLGS 2.0 shall be eligible for additional credit upto 20% of their total credit outstanding as on 29.02.2020

- Under ECLGS 4.0, the amount of GECL funding to eligible borrowers would be in the form of fund based (term loan) or non-fund based (LC for import of capital goods) facility and would be limited to Rs.2 crore per borrower for setting up on-site oxygen producing plant.
- Total Outstanding Amount would comprise of the on-balance sheet exposure such as outstanding amount across WC loans, term loans and WCTL loans. Off-balance sheet and non-fund based exposures will be excluded.
- MLIs are expected to check with credit bureau the overall outstanding of the borrower to assess the overall additional loan amount eligible for sanction under the Scheme.
- MLIs would be required to open a separate account for Credit Facility extended through the Scheme
- Loans extended through current Government schemes such as PMEGP, PMMY etc. would continue to be categorized under that scheme as earlier. WCTL/Term Loans under this Scheme shall be over and above the existing loan.
- In case a borrower has existing limits with multiple lenders, GECL may be availed either through one lender or multiple lenders depending upon the agreement between the borrower and the MLI.
- In case the borrower wishes to take from any lender an amount more than the proportional 20%(40% in case of ECLGS 3.0 subject to cap of Rs.200 crore per borrower) of the outstanding credit that the borrower has with that particular lender, a No Objection Certificate (NOC) would be required from such lenders whose share of ECLGS loan is being proposed to be taken from the specific lender. However, it would be necessary for the specific lender to agree to provide ECLGS facility on behalf of such of the lenders
- No NOC will, however, be required if the GECL availed from a particular lender is limited to the proportional 20% (40% in case of ECLGS3.0 subject to cap of Rs.200 crore per borrower) of the outstanding credit that the borrower has with that lender.
- MLIs are expected to have simple and enabling criteria to assess the borrower eligibility. Since the loans are being provided to existing borrowers it is expected that the time required for due diligence would be minimal in nature. MLIs should work towards enabling access of this facility to all the eligible borrowers by educating borrowers regarding the Scheme and steps to avail credit under the Scheme.



- Examples to calculate the maximum loan amount covered under the Guarantee coverage:

Name of the Borrower	Overall Outstanding (fund based) of the Borrower across all lending institutions (INR Crore)	Overall Outstanding (fund based) of the Borrower with MLI (INR Crore)	Total Maximum Loan Amount allowed under the scheme (INR Crore)	Total Maximum Loan Amount allowed without NOC for MLI (INR Crore)
	A	B	C= 20% of A	D= 20% of B
Borrower A	20	15	4	3
Borrower B	5	2	1	0.4
Borrower C	25	25	5	5
Borrower D	15	10	3	2
Borrower E	400	100	80	20
Borrower F	500	300	100	60

Under ECLGS 1.0, the maximum loan amount calculated under Columns C & D can be extended as a fund based facility only.

Under ECLGS 2.0, the maximum loan amount calculated at Columns C & D can be extended as a fund based or non-fund based or a mix of the two. For example a borrower eligible for say Rs.100 crore credit facility under ECLGS 2.0 could be provided this facility in any one or more of the following ways :

Eligible credit facility under ECLGS 2.0	Fund based facility	Non fund based
100	100	0
100	0	100
100	50	50
100	80	20

- Borrowers eligible for assistance under ECLGS 3.0 who have not availed any assistance under ECLGS 1.0 and / or 2.0 would be eligible for full 40% assistance under ECLGS 3.0. Examples to calculate the maximum loan amount eligible under ECLGS 3.0 is given below:

Name of the Borrower (in hospitality sector, Travel & Tourism sector and Leisure & Sporting sector)	Overall Outstanding (fund based) of the Borrower across all lending institutions (INR Crore)	Total Maximum Loan Amount allowed under the scheme (INR Crore)	Already availed under ECLGS 1.0 or 2.0 (INR Crore)	Total Maximum Loan Amount allowed under ECLGS 3.0 (INR Crore)
	A	B= 40% of A	C	D = C - B
Borrower A	20	8	3	5
Borrower B	5	2	1	1
Borrower C	25	10	5	5
Borrower D	15	6	0	6
Borrower E	400	160	0	160
Borrower F	500	200	80	120
Borrower G	700	200	0	200
Borrower H	1500	200	0	200

## 9. Interest Rate of Credit under the Scheme

Interest Rate on GECL under ECLGS 1.0, 2.0, 3.0 shall be capped as under:

- For Banks and FIs, lending rate linked to one of the external benchmark lending rate prescribed by RBI (for MSMEs) or marginal cost of lending rate (for non-MSMEs) +1%, subject to a maximum of 9.25% per annum.
- For NBFCs, the interest rate on GECL shall not exceed 14% per annum.
- Since the additional facility is to be provided to existing customers, no additional processing fee shall be charged by MLIs to borrowers.
- No penal interest due to any non-compliance of the already accepted covenants on the existing credit facilities may be charged on additional loans during the sanction time.

Interest Rate on GECL under ECLGS 4.0 for loans upto Rs.2. crore to hospitals/nursing homes/clinics/medical colleges / units engaged in manufacturing of liquid oxygen, oxygen cylinders etc for setting up on site oxygen producing plant shall be capped at 7.5% p.a.

## 10(1). Nature of account and Tenor of Credit under the Scheme

- A separate loan account should be opened for the borrower, distinct from the existing loan account(s), for coverage under the Scheme.
- Under ECLGS 1.0 the tenor of loans provided under GECL shall be four years from the date of first disbursement.
- Under ECLGS 2.0, the tenor of facilities provided under GECL shall be for a period of 5 years from the date of first disbursement of fund based facility or first date of utilization of non-fund based facility, whichever is earlier. To be eligible for guarantee cover of the sanctioned non-fund based facility, first utilization must happen on or before September 30, 2021.
- Under ECLGS 3.0, the tenor of facilities provided under GECL shall be six years from the date of first disbursement.
- Under ECLGS 4.0, the tenor of facilities provided under GECL shall be for a maximum period of 5 years from the date of first disbursement of fund based facility or first date of utilization of non-fund based facility, whichever is earlier. Last date of disbursement under fund based facility and utilization of LC under non-fund facility shall be December 31, 2021.
- The last date of disbursement for fund based facility under the scheme (ECLGS 1.0, ECLGS 2.0, 3.0 & 4.0) shall be December 31, 2021.
- While no last date has been stipulated for the non-fund based facility under ECLGS 2.0, the MLIs should ensure to progressively reduce their liability under the non-fund based facility as the guarantee cover under the scheme for a particular borrower shall expire on completion of 5 years from the first date of utilization by the borrower under ECLGS 2.0 or December 31, 2026, whichever is earlier.
- No pre-payment penalty shall, however, be charged by the MLIs in case of early repayment.
- Moratorium period of one year on the principal amount shall be provided to borrowers for the fund based portion of GECL credit under ECLGS 1.0 & 2.0 and 6 months for the fund based portion of GECL under ECLGS 4.0 during which interest shall be payable. Moratorium period of 2 years on the principal amount shall be provided to borrowers for GECL facility (only fund based is allowed) under ECLGS 3.0, during which period interest shall be payable.
- The principal shall be repaid in 36 monthly installments under ECLGS 1.0 in 48 monthly instalments under ECLGS 2.0 and 3.0 and in maximum 54 monthly instalments under ECLGS 4.0, after the moratorium period is over.
- Pre-payment of facilities to be allowed at no additional charge to the borrower. The account may be operated in combination with applicable Interest Subvention

Scheme(s) as far as feasible. RBI's approval has been obtained for keeping risk weight for loans provided under GECL at zero.

#### **10 (2). Restructuring in terms of RBI Guidelines of May 05, 2021**

- Borrowers who have availed assistance under ECLGS 1.0 and are eligible for restructuring as per RBI guidelines of May 05, 2021 are permitted to avail of the same. GECL loans in such cases would be allowed a repayment tenure of upto 5 years, i.e, period upto 24 months during which only interest shall be payable and the principal instalments shall be payable thereafter in 36 monthly instalments.
- Borrowers who avail of the restructuring as per RBI guidelines shall be permitted to avail additional assistance upto 10% of their outstanding as on February 29, 2020, provided they have not availed additional assistance under ECLGS 3.0. They shall not be subsequently eligible for ECLGS 3.0, i.e. borrowers may either avail of this additional 10% or additional assistance under ECLGS 3.0, but not both.
- The borrower and the respective MLI shall ensure to comply with the terms and conditions of the said RBI guidelines.

#### **11. Security**

- The additional WCTL or non fund based facility (in case of banks and FIs)/ Term loan (in case of NBFCs) facility granted under ECLGS 1.0 or 2.0 or 3.0 or 4.0 shall rank *second charge* with the existing credit facilities in terms of cash flows (including repayments) and security, with charge on the assets financed under the Scheme to be created on or before September 30, 2021 or date of NPA, whichever is earlier.
- No additional collateral shall be asked for additional funding under GECL.
- Borrowers availing assistance under ECLGS 4.0 shall open ESCROW A/c on which MLI shall have its charge.
- As per decision taken on September 08, 2020, the stipulation of second charge has been waived in respect of all loans up to Rs.25 lakh (outstanding as on February 29, 2020 plus loan sanctioned under GECL), subject to MLI ensuring to safeguard the interests of NCGTC. In this regard, MLI shall obtain a suitable undertaking (as per draft format provided by NCGTC and hosted on the website) from the borrower.

#### **12. Guarantee Fee**

No Guarantee Fee shall be charged from the MLIs by NCGTC for the Credit facilities provided under the Scheme.

#### **13. Extent of the Guarantee Coverage**

The Trustee Company shall provide 100% Guarantee coverage on the outstanding amount for the credit facility provided under the Scheme as on the date of NPA or on the date of lodgment of claim, whichever is lower.

#### **14. Definition of Default**

The definition of default for borrowers shall be as per the instructions and guidelines issued by the Reserve Bank of India from time to time under extant norms on income recognition, asset classification and provisioning.

#### **15. Invocation of guarantee**

- The Member Lending Institutions (MLIs) are required to inform the date on which the account was classified as NPA within 90 days of the account being classified as NPA or within 90 days of the order dated March 24, 2021 of the Hon'ble Supreme Court.
- The Trustee Company shall pay 75 per cent of the guaranteed amount within 30 days of preferring of eligible claim by the lending institution, subject to the claim being otherwise found in order and complete in all respects. The balance 25 per cent of the guaranteed amount will be paid on conclusion of recovery proceedings or till the decree gets time barred, whichever is earlier. With regard to loans to individuals, furnishing of a Statutory Auditor Certificate certifying the eligibility of the loan availed and claim preferred as per scheme guidelines would be essential prior to final settlement of balance 25%.
- The entire claim process, commencing from reporting of NPAs to invocation of guarantee to lodgment of interim and final claim would be as explained in detail in the FAQs.

#### **16. Appropriation of amount realized by the member lending institution in respect of a credit facility after the guarantee has been invoked**

Post invocation of the guarantee claim, if any recoveries are made in the account, MLIs shall first adjust such recoveries towards default amount relating to first charge and the legal costs incurred by them for recovery of the amount and shall thereafter remit to NCGTC the balance recoveries.

#### **17. Agreement to be executed by the member lending institution**

- A member lending institution shall not be entitled to a guarantee in respect of any eligible credit facility granted by it unless it has submitted an Undertaking with the Trustee Company in such form as may be required by the Trustee Company for covering by way of guarantee, under the Scheme all the eligible credit facilities granted by the lending institution, for which provision has been made in the Scheme.

- All interested and eligible MLIs are required to submit the Undertaking to NCGTC for the purpose of this Scheme

### **18. Responsibilities of member lending institution under the Scheme:**

Member Lending Institutions shall provide certain data points on a fortnightly basis to Trustee Company to enable Trustee Company to track the outreach and impact of the Scheme. The indicative data points required shall be as follows:

- (i) Number of eligible borrowers and the amount outstanding as on 29<sup>th</sup> February, 2020 (to be shown separately for Business Enterprises, MSME and PMMY borrowers)
- (ii) Number of Business Enterprises, MSMEs, PMMY and individual borrowers sanctioned GECL facility under the Scheme (to be shown separately for MSME, PMMY and individual borrowers)
- (iii) Number of Business Enterprises, MSMEs, PMMY and individual borrowers disbursed GECL facility under the Scheme (to be shown separately for MSME, PMMY and individual borrowers)
- (iv) Total Amount of Funds sanctioned under the Scheme with break up across TL (in case of NBFCs) and WCTL/non-fund based facility (in case of banks and FIs), to be shown separately for Business Enterprises, MSMEs, PMMY and individual borrowers
- (v) Total Amount of Funds disbursed under the Scheme with break up across TL (in case of NBFCs) and WCTL/non-fund based facility (in case of banks and FIs), to be shown separately for Business Enterprises, MSMEs, PMMY and individual borrowers
- (vi) Total Outstanding Amount for Term loans (in case of NBFCs) and for WCTL/non-fund based facility (in case of banks and FIs), to be shown separately for Business Enterprises, MSMEs, PMMY and individual borrowers
- (vii) Number of employees employed by the borrowers, to be shown separately for Business Enterprises, MSMEs, PMMY and individual borrowers (to be provided at the time of sanction and then to be updated monthly)
- (viii) Default ratio and NPA ratio  
(NCGTC may seek additional information from MLIs within extant regulation)
- (ix) Should enable communication of the Scheme to the borrowers by highlighting the Scheme details on their website and linking to Scheme webpage
- (x) Lending institution should work towards creating awareness for the Scheme by enabling communication of the Scheme through SMS and Email campaigns to all eligible borrowers
- (xi) The lending institution shall closely monitor the borrower account, and shall put in all required efforts to ensure that the account is serviced regularly

- (xii) The lending institution shall safeguard the primary securities in respect of the credit facility in good and enforceable condition
- (xiii) The lending institution shall ensure that the guarantee claim in respect of the credit facility and borrower is lodged with the Trustee Company in the form and in the manner and within such time as may be specified by the Trustee Company in this behalf and that there are no delays on its part to notify the default in the borrowers account which shall result in the Trustee Company facing higher guarantee claims
- (xiv) The payment of guarantee claim by the Trustee Company to the lending institution does not in any way take away the responsibility of the lending institution to recover the entire outstanding amount of the credit from the borrower. The lending institution shall exercise all the necessary precautions and maintain its recourse to the borrower for entire amount of credit facility owed by it and initiate all necessary actions for recovery of the outstanding amount, including such action as may be advised by the Trustee Company
- (xv) The lending institution shall comply with such directions as may be issued by the Trustee Company from time to time for facilitating recoveries in the guaranteed account, or safeguarding its interest as a guarantor, as the Trustee Company may deem fit and the lending institution shall be bound to comply with such directions
- (xvi) The lending institution shall, in respect of any guaranteed account, exercise the same diligence in recovering the dues, and safeguarding the interest of the Trustee Company in all the ways open to it as it might have exercised in the normal course if no guarantee had been furnished by the Trustee Company. The lending institution shall, in particular, refrain from any act of omission or commission, either before or subsequent to invocation of guarantee, which may adversely affect the interest of the Trustee Company as the guarantor. In particular, the lending institution should intimate the Trustee Company while entering into any compromise or arrangement, which may have the effect of discharge or waiver of personal guarantee(s) or security
- (xvii) The lending institution shall also ensure either through a stipulation in an agreement with the borrower or otherwise, that it shall not create any charge on the security held in the account covered by the guarantee for the benefit of any account not covered by the guarantee, with itself or in favour of any other creditor(s) without intimating the Trustee Company. Further the lending institution shall secure for the Trustee Company or its appointed agency, through a stipulation in an agreement with the borrower or otherwise, the right to list the defaulted borrowers' names and particulars on the Website of the Trustee Company.

## **19. Status of the borrower account on the date of sanction / disbursement**

The borrower account otherwise eligible under the scheme should not be an NPA as on the date of sanction / disbursement.

## **20. Modifications in the Scheme**

Any changes to the current structure of the Scheme, including but not limited to the eligibility criteria, guarantee fee, rate of interest and tenor of GECL under the Scheme, shall be decided by the Management Committee for the ECLGS Fund.

21. The scheme guidelines may be read along with the FAQs uploaded on the website from time to time.

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