
INVITATION FOR APPLICATIONS FOR TRADING CUM CLEARING MEMBERSHIP / TRADING MEMBERSHIP OF NCDEX SPOT EXCHANGE LIMITED (NCDEXSPOT)

NCDEX Spot Exchange Limited (NCDEXSPOT) is a 100% subsidiary of National Commodity & Derivatives Exchange Limited (NCDEX). NCDEX Spot Exchange Limited, the Exchange, is set up to provide an online trading platform for spot trading in commodities.

NCDEX Spot Exchange Limited invites applications for Trading cum Clearing Membership (TCM) and Trading Membership (TM) from persons all over India, who fulfill eligibility criteria contained herein. The TCM membership shall entitle the Members to trade and clear, both for themselves and / or on behalf of their clients and also clear the trades done through other Trading Members. TM membership shall entitle the Members to trade for themselves and on behalf of their clients. They however, need to clear their trades through another Trading cum Clearing Member (TCM) or a Professional Clearing Member (PCM).

The words "Member" and "Applicant" used hereinafter refer and apply to TCMs and TMs and the term "Exchange" shall wherever used, shall refer to NCDEX Spot Exchange Ltd..

The Applicants who are admitted as Members shall adhere to the conditions, stipulations and guidelines as contained in the Rules, Bye Laws and Regulations of the Exchange and directions of the Exchange or any Regulatory authority as communicated / notified from time to time by the Exchange and / or any other Indian regulatory / statutory authorities.

1. CRITERIA FOR ADMISSION AS MEMBER OF NCDEX SPOT EXCHANGE LIMITED

A. ELIGIBILITY

A.1 Applicants who are:-

- (a) Individuals
- (b) Sole proprietorships
- (c) Partnership Firms
- (d) Co-operative societies registered with the registrar of co-operative societies of the respective states / Union Territories
- (e) Companies, corporations or institutions incorporated under Companies Act, 1956 or under any central or state legislation and are permitted under their Memorandum of Association or applicable constitution document for engaging in production / trading / consumption / broking in commodities/assets/services etc. and derivatives
- (f) Such other persons / entities as may be permitted by the relevant authority of the Exchange

A.2. Existing registered members of National Commodity & Derivatives Exchange Limited (NCDEX) subject to fulfillment of any additional criteria as may be required by the Exchange.

B. FEE / DEPOSIT STRUCTURE AND NET WORTH REQUIREMENT

Applicants whose applications are accepted for admission will be required to pay the following fee / deposits and also maintain net worth as given below:

(Rupees)

Sr. No.	Particulars	TCM Membership	Applicants other than existing Members of NCDEX	
		For Existing Members of NCDEX	For Trading cum Clearing Membership	Trading Membership (TM)
1	One time admission fees	Nil	20,000	10,000
2	Interest Free Security Deposit	5,00,000	5,00,000	
3	Interest Free Security Deposit for clearing the trade of each Trading Member	1,00,000	1,00,000	
4	Networth Requirement (in lacs)	50.00	50.00	5.00
5	Annual Membership Fees	10,000	10,000	10,000

* (Security Deposit shall be in the form of Cash.)

An applicant must pay the membership and other fees, deposits etc, as applicable at the time of admission. The security deposits shall be refunded to the Members upon surrender of membership provided that a minimum period of 3 years has elapsed from the date of becoming a Member.

C. ADMISSION PROCEDURE

All applicants are required to submit the application form in the prescribed format.

For applicants other than existing Members of National Commodity & Derivatives Exchange Ltd. (NCDEX):

The admission procedure shall consist of appraisal of valid applications and other documents annexed and a personal interface with the membership committee constituted by the Exchange for this purpose. The final acceptance / rejection of any membership shall be at the absolute discretion of the Relevant Authority and the decision of the Relevant Authority shall be final and binding.

D. SUBMISSION OF APPLICATION FORM

1. For Existing Members of NCDEX

Registered Members of National Commodity & Derivatives Exchange Limited willing to take membership for NCDEX Spot Exchange Limited are required to submit the application form in Annexure **S1** along with other annexures and the applicable non-refundable amount as per table above by demand draft / pay order drawn in favour of "NCDEX Spot Exchange Limited", payable at Mumbai.

2. For applicants other than existing Members of NCDEX:

Other eligible applicants are required to submit their applications for TCM or TM of the Exchange in the format prescribed in Annexures **SA1** hereto, complete in all respects, along with all relevant documents and accompanied by non refundable amount and deposit amount as per table above by demand draft / pay order drawn in favour of "NCDEX Spot Exchange Limited", payable at Mumbai. Incomplete applications are liable to be rejected. The application along with relevant documents and the demand draft / pay order must be submitted at the following address of the Exchange.

Address
NCDEX Spot Exchange Limited Membership Department 1 ST Floor, Akruti Corporate Park, Near G.E. Garden, LBS Road, Kanjurmarg (West), Mumbai – 400 079. Tel. No. 22 - 66406646 www.ncdexspot.com

Notwithstanding anything contained herein, the Exchange shall have absolute discretion and right to relax, vary, change, add to and delete any or all of the eligibility criteria for Application / Membership for any person or partners or directors or any member of governing body. Further, the admission of the applicant as a member would be at the sole discretion of the Exchange.

NCDEX SPOT EXCHANGE LIMITED

ANNEXURE S1

APPLICATION FOR TRADING CUM CLEARING MEMBERSHIP (TCM)
(For existing Members of NCDEX)

1. NAME OF APPLICANT: _____

2. Constitution:

- INDIVIDUAL
- SOLE PROPRIETORSHIP
- PARTNERSHIP FIRM

- CORPORATE - Pvt. Ltd.
- CORPORATE - Public Ltd – Listed
- CORPORATE - Public Ltd – Unlisted

- CO-OPERATIVE SOCIETY
- OTHERS – PLEASE SPECIFY

3. Registered Office : _____

Address _____

City _____

Pin _____

Tel. _____

Tlx. _____

Fax _____

4. Address for : _____

Communication _____

City _____

Pin _____

Tel. _____

Tlx. _____

Fax _____

Email ID _____

Contact Person's Name _____ Mobile No. _____

Designation _____

5. PAN No. _____

6. Details of the Individual/Proprietor/Managing Partner/Chief Executive/Chairman/Secretary:

Name : _____
Address: _____

City _____
Pin _____
Tel. _____ Mobile No. _____
Tlx. _____
Fax _____
Email ID _____

(Please give details of the Individual/Proprietor/Managing Partner/Chief Executive/Chairman/Secretary of the governing body)

7. Details of authorized signatory/ies

Name : _____
Designation: _____
PAN No. _____
Address: _____

City _____
Pin _____
Tel. _____ Mobile No. _____
Tlx. _____
Fax _____
Email ID _____

8. NCDEX Membership Number: _____

I / We the above named member of National Commodity & Derivatives Exchange Limited (NCDEX), hereby apply for the membership of NCDEX Spot Exchange Limited (NCDEX Spot Exchange) and agree to comply with the Rules, Bye Laws and Regulations of NCDEX Spot Exchange Limited. I / We confirm that documents submitted by me/ us to NCDEX for the membership of NCDEX shall be read as part of this application and I / We authorise NCDEX Spot Exchange Limited to obtain copies of all our documents submitted to NCDEX at the time of application and thereafter from time to time.

Signature
Dated
Place

Check List

1. Documents to be submitted:
 - a) Application form - S1 duly filled in and signed by authorised signatories
 - b) Copy of the Board Resolution in case of company
 - c) Membership Undertaking
 - d) Copy of the TMID letter given by NCDEX towards membership of NCDEX.
2. Application form should be duly signed by the authorised signatories. In case of Partnership firms, the application form should be signed by all partners. In case of a Company, the application form has to be signed by the person/s authorised by its Board of Directors.
3. In case of a Company, the copy of the Board Resolution authorizing the company to take the membership for trading and specifying the authorized signatories for execution of documents.
4. Membership Undertaking executed on non-judicial stamp paper of Rs. 300/- and duly notarized.

ANNEXURE- SA1

NCDEX SPOT EXCHANGE LIMITED (NCDEXSPOT)

APPLICATION FORM FOR TRADING CUM CLEARING MEMBERSHIP (TCM) or TRADING MEMBERSHIP (TM)
(For Non Members of NCDEX)

- i) Please read the accompanying notes carefully before filling up the form.
 - ii) Please attach all relevant documents along with this application.
 - iii) Please use additional sheets to furnish information, wherever necessary.
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APPLICATION FOR

- TRADING CUM CLEARING MEMBERSHIP
- TRADING MEMBER

1. NAME OF APPLICANT:

2. Constitution:

- INDIVIDUAL
- SOLE PROPRIETORSHIP
- PARTNERSHIP FIRM

- CORPORATE - Pvt. Ltd.
- CORPORATE - Public Ltd – Listed
- CORPORATE - Public Ltd – Unlisted

- CO-OPERATIVE SOCIETY
- OTHERS – PLEASE SPECIFY

3. Date of Birth/Incorporation/Registration

4. PAN No. _____

5. Details of the Individual/Proprietor/ManagingPartner/ChiefExecutive/Chairman/Secretary

Name : _____

PAN No. _____

Address : _____

City _____

Pin _____

Tel. _____ Mobile No. _____

Tlx. _____

Fax _____

Email ID _____

(Please give details of the Individual/Proprietor/Managing Partner/Chief Executive/Chairman/Secretary of the governing body and all Directors / partners/members of governing body in Annexure SC – 3, along with their detailed biodata)

6. (A) Name of the stock / commodity exchange(s) on which the applicant is a member.

1. _____
2. _____
3. _____
4. _____

If yes,

Membership No. : _____

(B) Name of the stock / commodity exchange/s on which any director/dominant promoter/partner is a member.

1. _____
2. _____
3. _____
4. _____

(Please provide details in Annexure SC – 2. Please, submit conduct certificates from the respective stock / commodity exchanges for the applicant / partners / director / dominant promoter(s) / group company /associate company)

7. Registered Office : _____

Address _____

City _____

Pin _____

Tel. _____

Tlx. _____

Fax _____

Email ID _____

Contact Person's Name _____ Mobile No. _____

Designation _____

8. Address for : _____

Communication _____

City _____

Pin _____

Tel. _____

Tlx. _____

Fax _____

Email ID _____

Contact Person's Name _____ Mobile No. _____

Designation _____

9. Net worth of the Applicant: Rs. _____ Lakhs as on _____.
(The Net worth certificate has to be submitted in the format prescribed in Annexure SC-1 duly certified by a Chartered Accountant)

10. Are the promoters / Major Shareholders of the applicant:

- a) Commodity Brokers
- b) Stock Brokers
- c) Commodity & Stock Brokers
- d) Manufacturers
- e) Agriculturists
- f) Others (Please give full details)

(if more than one is applicable, tick all the applicable fields)

11. Are you an Income Tax assessee? YES / NO

If Yes, Please attach a copy of the latest IT Return with proof of filing.

12. Are you a Wealth Tax assessee? YES / NO

If Yes, Please attach a copy of the latest Wealth Tax Return with proof of filing

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

14. Whether the applicant and / or any of the partners /promoters /directors / employees were/are involved in any financial irregularities? YES / NO

15. Has any disciplinary action been taken by any stock / commodity exchange against the applicant or any of the partners/promoters / directors / shareholders / employees of the applicant? If so, please give details in a separate sheet? YES / NO

16. Whether any court case/s is / are pending against the applicant and / or any of its partners / promoters / directors / employees

A) in their present status YES / NO

B) as a promoter / principal / partner / director / employees of any organisation in the past YES / NO

(if yes, give details in separate sheet. If No, please furnish undertaking as per Annexure SC-8)

17. Please give full details of the applicant/partner / promoters/ shareholders / directors / any of the core staff who:

-
- (a) has/have ever been adjudged bankrupt or have a receiver order been made against them or have been proved to be insolvent at any time? YES/ NO
- (b) has/have ever compromised with its creditors for less than full discharge of debts? YES / NO
- (c) has/have ever been involved in litigations, suits or proceedings or have been involved in any financial liability of contingent or unascertained nature? YES / NO
- (d) has/have ever been at any time convicted of an offence involving fraud or dishonesty or financial irregularities? YES / NO
- (e) has/have ever been denied / rejected for membership of any stock / commodity exchange or commercial organisation? YES / NO
- (f) has/have ever been suspended / expelled / declared a defaulter on any stock / commodity exchange or he has been debarred from trading in securities/commodities by any Regulatory Authorities like RBI, SEBI, FMC, Registrar of co-operative societies, statutory authorities etc.? YES / NO
- (g) has/have committed any act, which renders the Company liable to be wound-up? YES / NO
- (h) has/have had a provisional Liquidator or Receiver or Official Liquidator appointed by a competent Court? YES / NO

(If answers to question nos 14 - 17 are indicated as "YES", please give complete details separately)

Any mis-statement or misrepresentation or suppression of facts in connection with this application for trading cum clearing membership / trading membership or breach of any undertaking or condition of admission to trading cum clearing membership/ trading membership entails rejection of application or expulsion from membership.

I/We hereby state that the above-mentioned particulars and annexures hereto are true, correct and complete to the best of my/our knowledge and information. I / We also state that no relevant material fact has been misstated, misrepresented or suppressed.

Signed :
Name :
Designation :

Signed :
Name :
Designation :

Date :
Place :

Date :
Place :

Affix Passport
size photograph
of the
Signatory

Affix Passport
size photograph
of the
Signatory

APPLICATION TO BE SIGNED BY:

- For individuals - By the Individual himself/herself
- For partnership firms - By all the partners of the firm
- For Co-operative Societies - By persons duly authorized by a resolution in accordance with Bye Laws of the society (submit certified true copy of the relevant resolutions, duly signed)
- For Corporates / Institution - Managing Director/Whole Time Director/any other person/s as authorised by the Board. (submit certified true copy of the relevant Board resolution)

ANNEXURE-SB1 (For Corporates / Institutions)

**FORMAT OF CERTIFICATE TO BE FURNISHED BY APPLICANT
ALONGWITH APPLICATION**

From: The name and address of the Applicant

To:

The Managing Director,
NCDEX Spot Exchange Limited
Exchange Plaza
C 1, Block G
Bandra East
Mumbai 400 051

Dear Sir,

1. The net worth of the M/s _____, the applicant, as on _____, computed and certified in the prescribed format as indicated in Annexure **SC-1**, is Rs. _____ lakhs (net worth should be indicated as on 31st March of last financial year or later).
2. We understand that our investments in any subsidiary / joint ventures shall be excluded while calculating our net worth and in case the same falls below the minimum net worth stipulated by the Exchange before or after granting of membership, the Exchange is free to take any action it deems fit, including termination of our membership
3. Details of membership(s) in any stock / commodity exchange in the name of the company, its subsidiaries or any of the directors / dominant promoter groups therein, are given in Annexure **SC-2**. It is further certified that none of these memberships has ever been suspended / expelled / penalised / declared defaulter nor any other disciplinary action initiated there against by the concerned stock / commodity exchanges or any other regulatory or statutory authority except as detailed in the application form.
4. The Dealers of the applicant shall clear the certification programme as may be required by the Exchange.
5. Attested copies of Certificate of Incorporation, Certificate for Commencement of Business (if applicable), and Memorandum and Articles of Association of the company are enclosed. Copies of the audited Balance Sheets for last three financial years are also enclosed.
6. The share holding pattern of the company as on _____ is given in Annexure **SC-4**.
7. After _____ (date given in (5) above), there has been no change in the Board of Directors of the undersigned, nor is it likely to be effected due to any direct or indirect transfer of shares or other equity instruments in the share capital of the company or any direct or indirect transfer of shares or other equity instruments in the share capital of any one or more companies or bodies corporate holding any part of the paid up capital of the company.

(If any change has taken/likely to take place, please give complete details in separate sheet)

We undertake to keep the Exchange informed of any changes in the Board of Directors or in the shareholding pattern.

9. In case the company is currently an unlisted company and goes for a public issue, the Offer document / Prospectus shall be submitted to Exchange for prior perusal, at least 21 days before opening of the subscription list.

We hereby state that the information given above is true, correct and complete to the best of our knowledge and information. We also state that no relevant material fact has been suppressed. We agree that in the event of any of the above statements being found false, incorrect or incomplete, we accept that the Exchange may take any action as it may deem fit, including termination of the trading membership. We also agree to provide the Exchange with all such documents as may be called for and /or required by the Exchange from time to time.

We hereby undertake to inform the Exchange about any change in the above-mentioned facts within 15 days of the change taking place / coming to our knowledge, whichever is earlier.

Place:

Date:

** Signature(s)

** To be signed by any persons authorised by the Board. (submit certified true copy of the relevant Board resolution)

ANNEXURE: SB-1 (For Partnership Firms)

**FORMAT OF CERTIFICATE TO BE FURNISHED BY PARTNERSHIP FIRM
ALONGWITH APPLICATION**

From: The Name and address of the Applicant

To:

The Managing Director
NCDEX Spot Exchange Limited
Exchange Plaza
C 1, Block G
Bandra East
Mumbai 400 051

Dear Sir,

1. The net worth of our firm and combined net worth of its partners as on _____, computed and certified in the format as prescribed in Annexure: SC-1, is Rs. _____ and Rs. _____ respectively (net worth should be indicated as on 31 March, of the previous financial year or later). Each partner contributes at least 5% of the minimum required net worth of the firm.
2. Details of membership(s) in any other stock / commodity exchange in the name of the firm and/or in the name of any partner/the company (including its subsidiaries) in which any of the partners is a promoter or director is given in Annexures **SC-2**. It is further certified that none of these memberships has ever been suspended/expelled / penalised /declared defaulter or any other disciplinary action initiated there-against by the concerned stock / commodity exchange(s) or any other regulatory authority except as detailed in the application.
3. Attested copies of Partnership Deed are enclosed.
4. The Dealers employed by the firm shall clear the Certification Programme as may be required by the Exchange.
5. Sharing pattern of profits and losses of the partners / persons in the firm is given in Annexure **SC-4**. **We undertake to keep the Exchange informed of any changes in the partners.**

We hereby state that the information given above as well as in the annexures is true, correct and complete to the best of our knowledge and information. We also state that no relevant material fact has been suppressed. We agree that in the event of any of the above statements being found false, incorrect or incomplete, we accept that the Exchange may take any action as it may deem fit, including termination of the membership. We also agree to provide the Exchange with all such documents as may be called for and / or required by the Exchange from time to time.

We hereby undertake to inform the Exchange of the change in the above-mentioned facts within 15 days of the change taking place/coming to our knowledge, whichever is earlier.

Place:

Date:

Signature:

**** TO BE SIGNED BY:** Any two working partners of the firm

ANNEXURE - SB-1 (For Individuals / Sole Proprietorship)

**FORMAT OF CERTIFICATE TO BE FURNISHED BY APPLICANT
ALONGWITH APPLICATION**

From : The name and address of the Applicant

To :

The Managing Director
NCDEX Spot Exchange Limited
Exchange Plaza
C 1, Block G
Bandra East
Mumbai 400 051

Dear Sir,

1. My net worth as on _____, computed and certified on the prescribed format as indicated in Annexure SC-1, is Rs._____. (Net worth should be indicated as on March 31, of the last financial year or later).
2. Upon grant of membership, I shall trade /and clear trades on NCDEX Spot Exchange Limited trading platform under the name and style of M/s _____, of which I am sole proprietor. All trades and transactions done under the above name, shall be binding on me and shall be deemed to be done / undertaken by me in my individual capacity for all purposes. All rights and liabilities in the above name shall be deemed to be my rights and liabilities.
3. Details of membership(s) in any stock / commodity exchange in my name/firms in which I am a partner/the company (including its subsidiaries) in which I am a promoter or director are given in **Annexure SC-2**. It is further certified that none of these memberships have been suspended/ expelled/ penalised/ declared defaulter or any other disciplinary action initiated there against by the concerned stock / commodity exchanges or any other regulatory or statutory authority except as detailed in Annexures SC-2 & SC-3.
4. The dealers employed by me shall clear the Certification Programme as may be required by the Exchange.

I hereby state that the information given above as well as in the annexures is true, correct and complete to the best of my knowledge and information. I also state that no relevant material fact has been suppressed. I agree that in the event of any of the above statements being found false, incorrect or incomplete, I accept that the Exchange may take any action as it may deem fit, including termination of the trading membership. I also agree to provide the Exchange with all such documents as may be called for and / or required by the Exchange from time to time.

I hereby undertake to inform the Exchange of any change in the above mentioned facts within 15 days of the change taking place/ coming to my knowledge, whichever is earlier.

Place :

Date :

Signature

ANNEXURES TO THE CERTIFICATE TO BE FURNISHED ALONG WITH THE APPLICATION

SC-1 : Certificate of Net worth, along with computation.

SC-2 : Details of Stock / Commodities Exchange Memberships, other than NCDEX

SC-3 : Details of Directors/ Partners/ Proprietor

SC-4 : Share holding pattern of company/Sharing Pattern of the Partnership Firm

SC-5 : Details of the Stock Exchanges in which applicant company is listed

SC-6 : Affidavit on the non-judicial stamp paper of Rs. 300/- duly notarised

The applicant shall submit the Certificate of Net worth computed in accordance with the guidelines given in the enclosed Annexure SC-1A. The Annexures SC-1, SC-4 and SC-5 are to be certified by the Statutory Auditors.

Annexure : SC-1

**Certificate dated _____ submitted by _____ to NCDEX Spot Exchange
Limited**

(For Corporates, Institutions, Co-operative Societies, Individuals & Sole Proprietorships)

CERTIFICATE

This is to certify that the Net worth of M/s./Mr./Ms. _____ as on _____ as per the statement of computation of even date annexed to this certificate is Rupees _____ only.

It is further certified that the computation of Net worth based on my / our scrutiny of the books of accounts, records and documents is true and correct to the best of my / our knowledge and as per information provided to my / our satisfaction.

Date:

For (Name of Accounting Firm)

Place:

Name of Partner
Chartered Accountant
Membership Number

Annexure : SC-1
Certificate dated _____ submitted by _____ to NCDEX Spot Exchange
Limited
(For Partnership Firms)

CERTIFICATE

This is to certify that the Net worth of M/s. _____ as on _____ as per the statement of computation of even date annexed to this certificate is Rupees _____ only. Combined net worth of all partners is Rs. _____ (Rupees _____ only.)

It is further certified that the computation of net worth based on my / our scrutiny of the books of accounts, records and documents is true and correct to the best of my / our knowledge and as per information provided to my / our satisfaction.

Date:
Place:

For (Name of Accounting Firm)

Name of Partner
Chartered Accountant
Membership Number

Annexure SC – 1A.

Computation of Net worth of Trading Cum Clearing Members as part of Membership Requirements

The TCM members are required to provide the Net worth Certificate as per the format provided in Annexure SC - 1

The TCM members have the option of calculating their net worth as per any of the two methods given below. However, once a TCM member chooses one of the two given methods, he will have to continue to compute his net worth using the same method unless a change of method is specifically approved by NCDEX.

Method 1:

The net worth should be computed either as per the format given below;

Paid up Capital	
Net worth calculated as follows:	
Paid up Capital	
Add: Reserve & Surplus (excluding revaluation reserves)	
Less: Accumulated losses if any -	
Less: Miscellaneous Expenditure -	
Total Net worth	

Or

Method 2:

By valuation of their assets on the following basis :

- A. Listed (Quoted) investments in the name of the applicant (at market value)
(Detailed list to be enclosed)
- B. Margin of 30% on market value of listed (quoted) Investments
- C. Net value of listed Investments (A) – (B)
- D. Investments in unlisted (unquoted) companies (as per Note No. 2)
- E. Margin of 50% on (D)
- F. Net value of unlisted Investments (D) – (E)
- G. Other Investments (at cost) like PPF, NSC at current value, Statutory deposits with NCDEX, Deposits with registered NBFCs, Bank Fixed Deposits
- H. Total Net Investments (C) + (F) + (G)
- I. Market Value of Land & Building component of the Fixed Assets (Full details of such assets like survey number, location, address, extent of land & building to be furnished)
- J. Margin on I at 50%
- K. Net value of such fixed assets (I – J).
- L. Debtors not exceeding 3 months + Cash & Bank balance

-
- M. Current Liabilities
N. Long term liabilities
O. Net worth $(H + K + L) - (M + N)$

Notes: -

1. Valuation of fixed assets for the consideration of net worth would have to be certified by government approved valuers which should not be more than 2 years old. Only those items of land & building that are in the name of the TCM member as well as in the possession of the TCM member shall be included under the head (I) - Land & Building component of the Fixed Assets. Those properties that are leased out by the TCM member or taken on lease shall not be included for computation of net worth. Fixed Assets other than Land & Building shall not be included for the purpose of computation of net worth.
2. Valuation of unlisted investments would be at "fair value" of the said investment, i.e. the average of the "break up value" and the "earning value". For this purpose: -
 - a) The "break up value" means the equity capital and reserves as reduced by intangible assets and revaluation reserves, divided by the number of equity shares of the investee company.
 - b) The "earning value" means the value of an equity share computed by taking the average of profits after tax as reduced by the preference dividend and adjusted for extra-ordinary and non-recurring items, for the immediately preceding three years and further divided by the number of equity shares of the investee company and capitalised at the following rate: -
 - In case of predominantly manufacturing company, eight percent;
 - In case of predominantly trading company, ten percent; and
 - In case of any other company, including an NBFC, twelve percent;
 - If, an investee company is a loss making company, the earning value will be taken at zero.
(For e.g. earning value for an NBFC with capitalisation rate of 12%, is earning per share multiplied by 100/12)
3. Details of items comprising investments, current assets, current liabilities and long term liabilities should be given separately.
4. Current assets should exclude loans to related entities, bad and doubtful debts and debts outstanding for more than 3 months, advance against capital assets, pledged securities / assets, prepaid expenses and also intangible assets.
5. Debtors should be distinguished as debtors arising from commodity operations and others.
6. Value of membership card / Deposits with any other Stock / Commodity Exchange except with NCDEX are to be excluded for the purpose of computation of net worth.

-
7. Advance / Investment with or debts due from persons / entities notified under Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992 are to be excluded for the purpose of computation of net worth.

Annexure : SC-2
Certificate dated _____
submitted by _____ to NCDEX Spot Exchange Limited

DETAILS OF STOCK / COMMODITY EXCHANGE MEMBERSHIPS

<u>S.N</u>	<u>Name</u>	<u>Stock / Commodity Exchange</u>	<u>Since</u>	<u>Membership No.</u>	<u>Mode of acquisition</u>
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					

Date:

Place:

Signature(s)

Annexure : SC-3
Certificate dated _____
submitted by _____ to NCDEX Spot Exchange Limited

DETAILS OF DIRECTORS/PARTNER/PROPRIETOR/SOCIETY MEMBER

<u>S.N</u>	<u>Name</u> <u>Age</u> <u>Education</u> <u>#</u>	<u>Designatio</u> <u>n, since @</u>	<u>Experienc</u> <u>e</u> <u>No. of</u> <u>years</u> <u>#</u>	<u>Share holding</u> <u>No. Amt</u> % age of <u>total</u>	<u>Directorships</u> _____/ <u>controlling</u> _____ <u>share</u> <u>holding in other cos /</u> <u>entities</u>
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- 1.
- 2.
- 3.
- 4.
- 5.
- 6.

Date:

Place:

Signature(s)

NOTES :

@ : Enclose the conduct Certificate / Status report from the stock exchange for the companies.

: For each of these memberships, give details of disciplinary action, if any, taken by the Stock / Commodity Exchange or any other regulatory/statutory authority in respect of these memberships with dates in the following format:

- Expulsion
- Suspension
- Default
- Any other disciplinary action or enquiry against the member

CERTIFICATE (for Corporates / Institutions only)

This is to certify that the Shareholding in _____ as given above, based on my/ our scrutiny of the books of accounts, records and documents is true and correct to the best of my/our knowledge and as per information provided to my/our satisfaction.

Date:

For (Name of Accounting Firm)

Place:

Name of Partner
Chartered Accountant
Membership Number

Annexure : SC-4 (For Corporates / Institutions)
 Certificate dated _____
 submitted by _____ to NCDEX Spot Exchange Limited

SHARE HOLDING PATTERN of _____ as on _____

<u>Sr. no.</u>	<u>Name #</u>	<u>Number of Shares held</u>	<u>Amt paid up</u>	<u>%age of</u>
	<u>total</u>			
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
Others @				
		-----	-----	-----
TOTAL				100 %
		=====	=====	
		=====		

NOTES :

In case of

- ◇ body corporate, give similar details thereof separately.
- ◇ partnership firm, give names of all partners and the sharing pattern.

@ Persons holding 2% or more of the paid up capital should be shown separately and not clubbed in Others.

Date :

Place :

Signature(s)

Annexure : SC-4 (For Partnership Firms)
 Certificate dated _____

submitted by _____ to NCDEX Spot Exchange Limited

SHARING PATTERN of _____ as on _____

<u>Sr. no.</u>	<u>Partner</u>	<u>Capital in the Firm</u>	<u>Share in Profits</u>	<u>Share in Losses</u>
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				
TOTAL		----- =====	----- =====	----- 100 % =====

Date:

Place:

Signature(s)

Note: If any company is a partner, please furnish the shareholding of that company.

CERTIFICATE

This is to certify that the Capital and Sharing Pattern of _____ as given above, based on my/ our scrutiny of the books of accounts, records and documents is true and correct to the best of my/our knowledge and as per information provided to my/our satisfaction.

Date:

Place:

For (Name of Accounting Firm)

Name of Partner
Chartered Accountant
Membership Number

Annexure : SC-5
Certificate dated _____

submitted by _____ to NCDEX Spot Exchange Limited

To be submitted by listed public company

<u>Sr. No.</u>	Name of the Stock Exchange(s) on which company is listed	Listed since (date)
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1.

2.

3.

4.

Date:

Place:

Signature(s)

Annexure: SC-6

AFFIDAVIT CUM UNDERTAKING

(Affidavit to be given in the following format on Stamp Paper duly notarized)

We, M/s. _____, hereby declare that we have neither been declared defaulters by any Stock Exchange / by SEBI or any commodity exchange/FMC, nor are we related or associated with any other entity/person who have been declared as defaulters by any Stock/Commodity Exchange in India or SEBI/FMC.

We, M/s _____, further declare that, none of the shareholders nor directors of our company or any other company in our group, have been declared as defaulters by any Stock/Commodity Exchange in India or SEBI/FMC, or are related or associated with any other entity/person who have been declared defaulters by any Stock/Commodity Exchange in India or by SEBI/FMC.

None of the applicant/partners /promoters /directors / employees/shareholders were/are involved in any financial irregularities nor any court case/s are pending against them

None of the partners / promoters/ shareholders / directors / any of the core staff of the applicant:

- i. has/have ever been adjudged bankrupt or have a receiver order been made against them or have been proved to be insolvent at any time
- ii. has/have ever compromised with their creditors for less than full discharge of debts
- iii. has/have ever been involved in litigations, suits or proceedings or have been involved in any financial liability of contingent or unascertained nature
- iv. has/have ever been at any time convicted of an offence involving fraud or dishonesty or financial irregularities
- v. has/have ever been denied / rejected for membership of any stock / commodity exchange or commercial organisation
- vi) has/have ever been suspended / expelled / declared a defaulter on any stock / commodity exchange or he has been debarred from trading in securities/commodities by any Regulatory Authorities like RBI, SEBI, FMC, Registrar of co-operative societies, statutory authorities etc.
- vii) has/have committed any act, which renders the Company liable to be wound-up

viii) has/have had a provisional Liquidator or Receiver or Official Liquidator appointed by a competent Court

We further declare that no enquiry/investigations has been initiated/pending against M/s. _____ or any of the shareholders/directors or the shareholders and directors of the group companies by any Stock/Commodity Exchange/SEBI/FMC.

(To be stamped for the amount as applicable to the state where the applicant is located, signed by authorised signatories/partners and to be notarised)

Date:

CHECK LIST

An applicant for membership is required to note the following and furnish all the documents.

1. Applications should be complete in all respects.
2. Applications may be retyped on A4 size paper provided all the contents remain intact.
3. The Net worth should be computed as of March 31, of the immediate preceding financial year or later and presented in the prescribed format given in Annexure SC-1A, along with the computation sheet. For partnership firms net worth of each partner should also be submitted. The Net worth certificate should preferably be submitted on the basis of audited financial statements.
4. Details should be given of each item considered in the computation. Thus, details of investments, current assets, current liabilities, fixed assets including land and building, Debtors outstanding for more than 3 months etc. should be specifically stated. Even if the amount of any item involved in the computation is nil, it should be stated in the computation.
5. **Duly completed application should be submitted along with the following :**
 - Certificate of Incorporation, Memorandum & Articles of Association or Partnership Deed
 - Copies of the Balance Sheet for last three financial years since the time entity is constituted.
 - Copies of the latest returns of Income Tax and Wealth tax along with proof of filing the same.
6. List of investments valued at market price as on March 31, of the immediate preceding financial year.
7. Proof of age and educational qualification, duly attested by a Gazetted officer / Chartered accountant to be attached.
8. Attested copies of Certificate of Incorporation, Certificate for Commencement of Business (if applicable), Memorandum of Association and Articles of Association or Partnership Deed. In the Memorandum of Association, Commodity broking / trading / hedging / financing / processing / financial services should be one of the objects of the company.
9. Such other documents as may be called for and be required by the Exchange from time to time.
10. Such other documents that the applicant believes are relevant to the application may also be submitted.
11. Attention of applicants is particularly drawn to the following provisions:
 - Any canvassing by an applicant shall debar his application from being considered for membership
 - The number of members to be admitted shall be at the sole discretion of the Exchange.

NCDEX SPOT EXCHANGE LIMITED

Identity Card for Interview

Name of the Applicant :

Constitution :

Name of the Interviewee :

Age :

Status/Designation :

Affix Passport
size photograph
of the
Interviewee

(Signature of the Examinee)

(Signature & Seal of the Applicant)

Note: This Identity Card should be brought by the examinee for the Interview.

NCDEX SPOT EXCHANGE LIMITED

Identity Card for Interview

Name of the Applicant :

Constitution :

Name of the Interviewee :

Age :

Status/Designation :

Affix Passport
size photograph
of the
Interviewee

(Signature of the Examinee)

(Signature & Seal of the Applicant)

Note: This Identity Card should be brought by the examinee for the Interview.