

FORM A

Pension Fund Regulatory and Development Authority (Point of Presence) Regulations, 2018 (See regulation 4)

Application for Grant of Certificate of Registration for Point of Presence – Atal Pension Yojana (PoP-APY)

INSTRUCTIONS FOR FILLING UP FORM –

1. This form is meant for use by the applicant for grant of certificate of registration as a PoP in respect of Atal Pension Yojana (APY).
2. This application form should be filled in accordance with PFRDA (Point of Presence) Regulations, 2018 and amendments thereof.
3. The applicant should complete this form, and submit it, along with all supporting documents to the Authority.
4. Application for registration will be considered, only if it is complete in all respects.
5. All information /details must be typed and every page of the form as well as every additional sheet must be serially numbered with signature/stamp on each page by the authorised signatory of the applicant.
6. Information which needs to be supplied in more detail may be given on separate sheets which should be attached to the application form and properly numbered.
7. All signatures on the application must be original.

Part I

1. General details of the applicant (organization):

| | Particulars | Details |
|-----|--|---------|
| 1.1 | Name of the applicant: | |
| 1.2 | Address of the registered office: Address for corporate/correspondence: Telephone numbers and mobile number: E- mail: Website: Details of the contact person (name and mobile number): | |
| 1.3 | Date and place of incorporation/establishment and registration number given by the Registrar of Companies or any other authority (Enclose copy of the same): | |
| 1.4 | Brief description of the principal activity of the applicant: (Enclose copy of the Memorandum and Articles of Association) (Kindly ensure that the objective clause of MoA contains clause for distribution of pension products/ APY): | |

1.5 Shareholding pattern of the applicant (List out the names of all such persons who hold whether directly or indirectly more than 5% of the shareholding or voting rights in the applicant):

| Name of the Shareholder | No. of Shares | % of shareholding |
|-------------------------|---------------|-------------------|
| | | |
| | | |
| | | |

1.6. Particulars of Key Managerial Personnel:

| Name | DIN Number (where applicable) | Qualification | Shareholding in applicant | Directorship in other Companies |
|------|-------------------------------|---------------|---------------------------|---------------------------------|
| | | | | |
| | | | | |
| | | | | |

1.7 Name and activities of holding, subsidiary, associate, joint venture companies/concerns:

| Name of Company / Firm | Address | Principal business activity | Nature of Interest of Promoter/ Director | Nature of interest Of applicant company |
|------------------------|---------|-----------------------------|--|---|
| | | | | |
| | | | | |

1.8 Details of the Authorised Person: *(Enclose copy of valid documents viz Board Resolution clearly specifying the name of Officer designated as authorized signatory)*

| | |
|-------------------|--|
| Name& Designation | |
| Business Address | |
| Telephone No. | |
| Mobile No. | |
| E-mail Address | |

1.9 Details of the Compliance Officer: *(Enclose copy of valid documents viz Board Resolution clearly specifying the name of Officer designated as Compliance Officer)*

| | |
|-------------------|--|
| Name& Designation | |
| Business Address | |
| Telephone No. | |
| Mobile No. | |
| E-mail Address | |

1.10 Details of the Grievance Redressal Officer:

| | |
|-------------------|--|
| Name& Designation | |
| Business Address | |
| Telephone No. | |
| Mobile No. | |
| E-mail Address | |

1.11 Details of Designated Director: *(Enclose copy of valid documents viz Board Resolution clearly specifying the name of officer appointed as Designated Director in compliance of Prevention of Money Laundering Act, 2002 (17 of 2003) and the rules made thereunder)*

| | |
|-------------------|--|
| Name& Designation | |
| Business Address | |
| Telephone No. | |
| Mobile No. | |
| E-mail Address | |

1.12 Details of Principal Officer: *(Enclose copy of valid documents viz Board Resolution clearly specifying the name of officer appointed as Principal Officer in compliance of Prevention of Money Laundering Act, 2002 (17 of 2003) and the rules made thereunder)*

| | |
|-------------------|--|
| Name& Designation | |
| Business Address | |
| Telephone No. | |
| Mobile No. | |
| E-mail Address | |

PART II

Eligibility Criteria POP -APY

{Refer: Reg. 5 and 9}

| S.No | Criteria | Supporting document to be submitted | Whether Documents submitted (Yes/No) | Remarks (if any) | | | | | | | | | | | | | | | | |
|-----------------------|--|---|--------------------------------------|------------------|--------------------|--|--|--|--|--|--|--|--|--|--|--|--|---|--|--|
| a. | <p>Details of registration with financial sector regulator (RBI, SEBI, IRDA, PFRDA or National Housing)</p> <p>Please mention all the registration(s) held with financial regulatory authorities alongwith their details</p> <table><tr><th>Name of the Regulator</th><th>Details of Registration</th><th>Registration No.</th><th>Period of validity</th></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr><tr><td></td><td></td><td></td><td></td></tr></table> | Name of the Regulator | Details of Registration | Registration No. | Period of validity | | | | | | | | | | | | | Copy of Certificate(s) of registration duly attested by the authorised signatory. | | |
| Name of the Regulator | Details of Registration | Registration No. | Period of validity | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | | |
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| | | | | | | | | | | | | | | | | | | | | |
| b. | <p>The applicant shall be:</p> <p>(i) a bank; or</p> <p>(ii) any other entity(s) registered under the relevant laws, if in the opinion of the Authority, such entity(s) can facilitate provision of old age income security;</p> <p>“Bank” shall mean any entity:</p> <p>(i) established under Banking Regulation Act, 1949 or Regional Rural Banks Act, 1976 or under any other relevant Act; and</p> <p>(ii) registered with and regulated by RBI;</p> | Certificate of incorporation/establishment and registration number given by the Registrar of Companies or any other authority duly attested by the authorized signatory | | | | | | | | | | | | | | | | | | |
| c. | <p>The applicant should have at least one branch or office in India, possessing information technology infrastructure capable of electronic connectivity with the central recordkeeping agency(s) to receive and transmit the subscribers’ funds, instructions, and pay out of funds as per the service standards or relevant guidelines issued by the Authority</p> | <p>Certificate by CFO or equivalent grade officer that the branch of the PoP have demonstrated capability to electronically transmit clear APY subscriber contribution and subscriber information on “T+1” basis where T stands for the day on which clear funds are available with the PoP.</p> <p>Certificate by CFO or equivalent grade officer for adhering the timelines related to various APY activities and grievance handling as applicable to PoPs.</p> | | | | | | | | | | | | | | | | | | |

| S.No | Criteria | Supporting document to be submitted | Whether Documents submitted (Yes/No) | Remarks (if any) |
|------|--|--|--------------------------------------|------------------|
| d. | The applicant and its key managerial personnel shall fulfil the “fit and proper person criteria” as provided under Schedule-V; <i>“key managerial personnel” shall have the same meaning as defined under section 2(51) of the Companies Act, 2013.</i> | Format for declaration of “fit and proper person criteria” as per Annexure- I | | |
| e. | Details of the applications refused in the past five years by any of the financial sector regulator(s) including Reserve Bank of India, the Securities and Exchange Board of India, the Insurance Regulatory and Development Authority of India, the Pension Fund Regulatory and Development Authority, or the National Housing Bank along with reasons of refusal by the regulator. | A certificate to that effect to be enclosed under the sign and seal of the authorized signatory of the applicant | | |

2. Undertaking and Declarations:

UNDERTAKING

We hereby represent, warrant and declare that:

- 2.1. The information supplied in the application, including the attachment sheets thereto, is complete, true and accurate in all respects;
- 2.2. We are in compliance with, and have adhered to and fulfilled, all the criteria and conditions applicable for grant of certificate of POP-APY under NPS;
- 2.3. We shall abide by the Fees and Charges structure as may be prescribed by PFRDA from time to time and shall not charge more than the specified amount from the subscribers.
- 2.4. We further undertake that we will immediately notify the PFRDA of any change in the information provided in the application but not later than three working days of occurrence of such change, in the manner as set out under the regulations;
- 2.5. We further undertake that we shall comply with the provisions of the PFRDA Act 2013 and the rules, regulations, guidelines, notifications, circulars, and any other directions as may be passed by the PFRDA from time to time, issued thereunder and applicable to us, and all other relevant laws including guidelines issued by the other governing regulatory bodies and the Government of India.
- 2.6. We further undertake PFRDA may take suitable action against us in case we do not work as per the Business Plan submitted by us while evaluating performance review.
- 2.7. We further undertake that as a condition of grant of certificate, we shall abide by such operational instructions/ directives as may be issued by PFRDA from time to time under provisions of the Act or any other law for the time being in force.
- 2.8. We further undertake that we shall abide by the charge structure to subscriber as issued by the authority from time to time by issuance of circulars/regulations/ notifications etc.
- 2.9. We hereby agree to perform activities prescribed under APY scheme details, rules/guidelines prescribed by PFRDA and the Ministry of Finance, GoI from time to time.
- 2.10. We confirm that we have understood and agree to abide unconditionally by all the requirements as set out in “Atal Pension Yojana”.

DECLARATION

THIS DECLARATION IS TO BE SIGNED BY TWO AUTHORISED SIGNATORIES (*authorised by the Board alongwith copy of Board Resolution*) (CMD/CEO/CFO/Director) OF THE APPLICANT:

I/We hereby apply for registration

I/We have gone through **the Government of India notification for APY dated 16.10.2015** and Pension Fund Regulatory and Development Authority (Point of Presence) Regulations, 2018 and amendments thereof am/are satisfied that I/ We am/ are eligible to apply for the Point of Presence registration.

I/We state that I/We have truthfully and fully answered the questions above and provided all the information which might reasonably be considered relevant for the purposes of my/our license.

I/We declare that the information supplied in the application form is complete and correct.

For and on behalf of (Name of the applicant)

| | |
|-----------------------------|--|
| Name of the Applicant | |
| Signature | |
| Name of the Signatory | |
| Seal/Stamp of the Applicant | |
| Designation | |
| Date (dd/mm/yyyy) | |

Annexure I - UNDERTAKING FOR FIT AND PROPER PERSON BY POINT OF PRESENCE

(To be submitted on the letter head of the applicant duly stamped and signed)

{Refer: Reg 5 (1) (f)}
Schedule V

To,
Pension Fund Regulatory and Development Authority
New Delhi

I/ We, M/s. <.....> hereby declare that I/ We, our directors/ partners, Compliance officer and Key Managerial Personnel are 'fit and proper person' including but not limited to the following criteria:

- (a) financial integrity;
- (b) absence of convictions or civil liabilities;
- (c) competence;
- (d) good reputation and character;
- (e) efficiency and honesty; and
- (f) financial solvency and net worth.

Further, as per Schedule V of the PFRDA (Point of Presence) Regulations, 2018 and amendments thereof, I/ We confirm the following in this regard:

(i) Criminal complaint or information under section 154 of the Code of Criminal Procedure, 1973 (2 of 1974) has not been filed against me/us or our directors/ partners, Compliance officer and Key Managerial Personnel by the Authority and which is pending;

(ii) Charge sheet has not been filed against me/us or our directors/ partners, Compliance officer and Key Managerial Personnel by any enforcement agency in matters concerning economic offences and is pending;

(iii) No order of restraint, prohibition or debarment has been passed against me/us or our directors/ partners, Compliance officer and Key Managerial Personnel by the Authority or any regulatory authority or enforcement agency in any matter concerning securities laws or financial markets and such order is in force;

(iv) No recovery proceedings have been initiated by the Authority against me/us or our directors/partners, Compliance officer and Key Managerial Personnel and are pending;

(v) I/ We, our directors/ partners, Compliance officer and Key Managerial Personnel have not been convicted by a court for any offence involving moral turpitude or involving economic offences or fraud;

(vi) No winding up proceedings have been initiated or an order for winding up has been passed against me/us;

(vii) Neither I/ We, our directors/ partners, Compliance officer and Key Managerial Personnel have been declared insolvent and not discharged;

(viii) I/ We, our directors/ partners, Compliance officer and Key Managerial Personnel have not been found to be of unsound mind by a court of competent jurisdiction and the finding is in force;

(ix) I/ We, our directors/ partners, Compliance officer and Key Managerial Personnel have not been categorized as a willful defaulter;

(x) I/ We, our directors/ partners, Compliance officer and Key Managerial Personnel have not been declared a fugitive economic offender;

Details of Directors/Partners/Compliance Officer and Key Managerial Personnel (KMP):

| | Name | Designation | Business Address | Tel. No./ Mb. No. | E-mail Address |
|--------------------|------|-------------|------------------|-------------------|----------------|
| Directors(s) | | | | | |
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |
| Partner(s) | | | | | |
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |
| Compliance Officer | | | | | |
| 1. | | | | | |
| KMP | | | | | |
| 1. | | | | | |
| 2. | | | | | |
| | | | | | |

I/We declare that I/ We, our directors/ partners, Compliance officer and Key Managerial Personnel shall be bound at all times by the provisions of the PFRDA Act, 2013, the rules and regulations notified thereunder, alongwith amendments thereof and all instructions/directions/guidelines and circulars that may be issued from time to time by the Authority in relation to NPS.

For on behalf of (Name of the applicant)

Name of the Authorised Signatory

Signature and Seal of the Authorised Signatory

Seal/Stamp of the Applicant

Place

Date (dd/mm/yy)

*Please strike whichever is not applicable
