

## यूको बैंक सम्मान आपके विश्वास का





Date: 29.10.2022

#### **PUBLIC NOTICE - EMPANELMENT OF VALUERS**

UCO BANK invites application in sealed envelope for Empanelment of Valuers from the eligible individuals and firms/companies firms subject to fulfillment of the criteria related to Educational Qualifications, Experience, Terms and Conditions etc. as mentioned in **Annexure – I** to **Annexure – V** for a period of 3 years subject to annual review.

Applications are to be submitted at the following address and as per attached **Annexure-VI and Annexure-VII**, along-with the copies of qualification and proof of experience.

Deputy General Manager UCO Bank Head Office, Credit Monitoring Department 5<sup>th</sup> Floor, 10 B.T.M. Sarani Kolkata - 700001

The sealed envelope shall super scribed (in bold letters) "APPLICATION FOR EMPANELMENT OF VALUERS".

In addition the prospective valuers should note that:

- a) For the purpose of valuation under SARFAESI Act 2002, the valuers should possess registration under section 34AB of Wealth Tax Act.
- b) For valuation of assets in respect of Companies, valuers should be registered with Insolvency and Bankruptcy Board of India (IBBI) as per extant provisions of Companies Act.

Therefore, the applicant valuers must submit their status in respect of the provisions under SARFAESI Act and Companies Act.

The hardcopy of application in prescribed format complete in all respect, along with all supportive documents as stated in the application format in sealed envelope must reach at the above mentioned address by **28.11.2022** positively.

In case any Valuer has been found guilty of misconduct in professional capacity in some other Bank/Institution and his name has been circulated /reported by the Indian Bank' Association (IBA)/ Central Bureau of Investigation (CBI)/ Reserve Bank of India (RBI)/ any other Govt. Agency/Body, the application will not be considered for empanelment.

Bank reserves the Right to amend/modify any terms of empanelment and withdraw the advertisement without any notice.

(Arnab Barkakati) Deputy General Manager

यूको बैंक – कोलकाता ,बी टी एम सरणी .10 , पाँचवा तल , प्रधान कार्यालय ,ऋण निगरानि विभाग , UCO Bank, Credit Monitoring Department, Head Office, 5th Floor, 10, BTM Sarani, Kolkata – 700 001

Phone: 033 44557553, 033 44557543 E-mail: <u>hocradmn.calcutta@ucobank.co.in</u>

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#### Eligibility criteria for Empanelment of Valuer as per Companies Act, 2013

#### **General Criteria**

#### a. For Individual

A person shall be eligible to be an empanelled valuer if he/she-

- is a member in good standing of any one of the Valuer Associations viz. Institute of Valuers (IOV), Institute of Estate Managers & Appraisers (IESMA), Practicing Valuers Association (INDIA) (PVAI), The Institute of Company Secretaries of India (ICSI), The Indian Institute of Valuers (IIV), The Institute of Cost Accountants of India (ICMAI), The Institute of Chartered Accountants of India (ICAI), Association of Certified Valuers and Analysts (ACVA), Centre for Valuation Studies, Research and Training Association (CVSRTA), Council of Engineers and Valuers, Divya Jyoti Foundation or any other association registered as RVO with IBBI, Royal Institution of Chartered Surveyors, India Chapter [RICS], American Society of Appraisers [ASA], USA, Appraisal Institute [AI], USA etc.
- (ii) is not a minor and is a person resident in India in case of individual.
- (iii) has not been declared to be of unsound mind.
- (iv) is not an un-discharged bankrupt or has not applied to be adjudicated as a bankrupt.
- (v) has not been convicted by any competent court for an offence punishable with imprisonment or for an offence involving moral turpitude and a period of five years has not elapsed from the date of expiry of the sentence: provided that if a person has been convicted of any offence and sentenced in respect thereof to imprisonment for a period of seven years or more; he/she shall not be eligible to be registered.
- (vi) has not been levied a penalty under section 271J of Income Tax Act, 1961 (43 of 1961) and time limit for filing appeal before Commissioner of Income Tax (Appeals) or Income Tax Appellate Tribunal, as the case may be has expired or such penalty has been confirmed by Income Tax Appellate Tribunal and five years have not elapsed after levy of such penalty.
- (vii) is a fit and proper person: For determining whether an individual is a fit and proper person the empanelment authorities may take account of any relevant consideration including but not limited to the following criteria:
  - (a) Integrity, reputation and character
  - (b) Absence of convictions and restraint orders, and
  - (c) Competence and financial solvency

#### b. For Partnership[/Company

No partnership entity or company, shall be eligible for empanelment as valuer if-

- (i) It has been set up for objects other than for rendering professional or financial services, including valuation services and that in the case of a company, it is a subsidiary, joint venture or associate of another company or body corporate.
- (ii) It is undergoing an insolvency resolution or is an un-discharged bankrupt.
- (iii) All the partners or directors, as the case may be, are not ineligible under above General Criteria clause.
- (iv) Lead valuers in case of companies and all the partners in case of partnership firms, undertaking valuations do not fulfil the criteria of qualification and experience as stated in clause 3 of this policy (Annexure -11).
- (v) None of its partners or directors, as the case may be, fulfils the criteria of qualification and experience in the asset class for the valuation.

#### (a) Other Criteria

#### (i) Registration with Insolvency and Bankruptcy Board of India (IBBI):

For valuation of properties/assets pertaining to companies, in term of companies (Registered Valuers and Valuation) Rules, 2017, issued as per the MCA notification dated 18.10.2017, a valuer registered as a valuer member with IBBI for relevant class of asset shall be eligible for conducting the valuation. Such valuers shall also be eligible for valuation of properties/assets pertaining to other than companies. As regards, all the valuation work related to the company assets would be undertaken only by the valuers registered with IBBI w.e.f. 1st February, 2019 as notified by the Ministry of Corporate Affairs. If a company has appointed any valuer before such date and the valuation or any part of it has not been completed before 31st January, 2019, the valuer shall complete such valuation or such part within three months thereafter. Further, to undertake the valuation of Properties/Assets pertaining to companies under SARFAESI Act, 2002, the valuer must be registered under section 34AB of Wealth Act, 1957.

#### Valuation under SARFAESI Act, 2002:

- (i) For valuation of properties under SARFAESI Act, 2002, applicant has to be registered under section 34AB of Wealth Tax Act, 1957.
- (ii) Valuers with education qualification of Graduation and above, who are neither registered with IBBI nor registered under section 34AB of Wealth Tax Act, 1957, shall undertake the valuation of properties/assets for the loans up to Rs.2.00 crore only.

- (iii) Valuers with education qualification of Diploma and other than Graduation or Post Graduation in respective fields, shall be eligible for empanelment to undertake valuation of properties/assets for the loans up to Rs.1.00 crore only. However, such valuers may conduct valuation of properties/assets under Housing Loans up to Rs.2.00 crore.
- (iv) Completed at least 5 (five) assignments successfully as valuer during immediately preceding 12 months. Competent Authority i.e. Empanelment Committee may waive this condition on case to case basis
- (v) Possess through knowledge of extant RBI guidelines as also instructions/circulars issued by RBI/IBBI/IIBF/IBA or any other statutory authority from time to time in addition to the instructions/circulars issued by the Bank in this regard.
- (vi) Registration with Central/State governments is desirable but not compulsory.

In view of the above, a valuer shall be eligible to conduct the valuation as hereunder:

Educational qualification of a valuer	Type of valuer	Eligibility to conduct valuation of property/asset			
Graduation and above	Valuers registered with IBBI	As per category** of the valuer			
Graduation and above	Valuers registered under section 34AB of Wealth Tax Act, 1957	As per category** of the valuer			
Graduation and above	Who are neither registered with IBBI nor registered under section 34AB of Wealth Tax Act, 1957	•			
Diploma and other than Graduation or Post Graduation	Who are neither registered with IBBI nor registered under section 34AB of Wealth Tax Act, 1957	Rs.1.00 crore. However, such valuers may			

<sup>\*\*</sup> For category of valuers please refer Table -1, page no 4 of this policy

#### 3.1 **Age**

The minimum age of valuer [individual/sole-proprietor, all partners of partnership firm and all lead valuers of company] at the time of making application for empanelment with the Bank shall be 25 years. There shall be no maximum age limit prescribed for a valuer to remain on the Bank's panel.

#### 3.2 Education qualification and Experience

It is necessary that a valuer possesses proper educational qualifications which make him competent to carry out the task of valuation of securities. In addition, relevant work experience is also important. Persons possessing the following educational qualifications and work experience shall be eligible for empanelment as valuers:

### [A] Valuation of Land and Building/Real Estate:

Presently, there is no Act regulating the profession of valuation of real estate in our country. Till the same is enacted, empanelment by the Bank shall be made as per following criteria:

Education Qualification	Experience	Additional Requirement/ Remarks
<del></del>	Five years of work experience in the field of valuation of real estate after completion of the degree or equivalent.	Preference should be given to: i)Applicants who have competed certificate course in valuation of real estate recognized by AICTE ii) Retired Government /
Diploma in Civil Engineering / Architecture.	Eight years of work experience in the field of valuation of real estate after completion of the diploma.	PSU officials  They must complete SIX months' course in valuation of real estate from recognized universities/the institution conducting the examination in valuation of real estate which are recognized by the Govt. of India for recruitment to superior services or posts on or before 31.03,2022  The diploma holders in Civil Engineering / Architecture are eligible for empanelment to undertake valuations with value upto Rs.5.00 crore only.
Pass in Examination in valuation of real estate recognized by the Govt of India for recruitment to superior services or posts conducted by any institution.	Two years of work experience in the field of valuation of real estate after completing the examination.  Preference should be given to retired Government/PSU Officials	
Master's Degree in valuation of real	Two years of work experience in the field	

estate awarded by a recognized University in India established under state or central act	estate after completing the examination.	
	Preference should be given to retired Government/PSU Officials	"
Chartered / Professional membership of the Royal Institution of Chartered Surveyors [RICS] or American Society of Appraisers [ASA] or Appraisal Institute [AI] USA/ other internationally reputed Institutional players who fulfill the criteria- obtained by passing an examination equivalent to examinations mentioned against SI. Nos. 3 and 4 here above.	requirement is being prescribed.  Preference should be given to retired Government/PSU  Officials	
I <b>Note:</b> Applicants emi	canelled on the basis	of criteria of additional

<u>Note:</u> Applicants empanelled on the basis of criteria of additional qualification prescribed here above shall be eligible for empanelment even after 31.03.2022 provided they have not been de-listed / depanelled / removed for unsatisfactory performance and/or for negligence and/or for professional misconduct and/or for any fraudulent activity and/or for any other reason whatsoever, at the discretion of the Bank.

#### [B] Valuation of Plant and Machinery

Presently, there is no Act regulating the profession of valuation of plant and machinery in our country. Till the same is enacted, empanelment by the Bank shall be made as per following criteria:

Education	Experience	Additional Requirement/
Qualification		Remarks
Bachelor's degree in	Five years of work	Preference should be
Mechanical,	experience in the field	given to:
Electrical, Production,	of valuation of plant	
Industrial, Computer,	and machinery after	i) Applicants have
Mining, Chemical,	completion of the	competed certificate
Electronics and any	degree or equivalent.	course in valuation of
other stream of	_	plant and machinery

engineering as required by the bank for conduct of valuation of plant and machinery and other equipments		recognized by AICTE  ii) Retired Government / PSU officials
Diploma in Mechanical, Electrical, Production, Industrial, Computer, Mining, Chemical, Electronics and any other stream of engineering as required by the bank for conduct of valuation of plant and machinery and other equipments.		Preference should be given to: i) Applicants who have competed certificate course in valuation of plant and machinery recognized by AICTE ii) Retired Government / PSU officials
Master's Degree in valuation of plant and machinery awarded by a recognized University established under State or Central Acts in India.	Two years' work experience in the field of valuation of plant and machinery post completion of the examination.  Preference should be given to retired Government/PSU Officials	

#### Note:

Applicants empanelled on the basis of criteria of additional qualification prescribed here above shall be eligible for empanelment provided they have not been de-listed/ de-panelled / removed for unsatisfactory performance and/or for negligence and/or for professional misconduct and/or for any fraudulent activity and/or for any other reason whatsoever, at the discretion of the Bank.

#### [C] Valuation of Agricultural Land

- 1. Valuer of Agricultural Land ought to have knowledge of following principles of valuation:
  - (i) Cost, price, value and worth,
  - (ii) Value types, elements, ingredients, characteristics
  - (iii) Annuities capitalisation rate of capitalisation redemption of capital,
  - (iv) Three approaches to value viz., Income, Market and Cost,
  - (v) Laws applicable to agricultural land.
- 2. Presently, there is no Act to regulate the profession of valuation of

agricultural land. Also, there are no study courses being offered in our country to qualify as valuer of agricultural land. Till the same are offered, the Bank shall empanel valuers as per criteria under rules of Wealth Tax Act 1957 as follows:

## 2.1 Other than Plantations [Under Wealth Tax Rule 8A(3)]:

Education	Experience						
Qualification							
The applicant must be a graduate in agricultural science of a recognized university	i. The applicant must have worked as a farm valuer for a period of not less than five years; and						
	ii. The applicant must be a person formerly employed in a post under Government as Collector, Deputy Collector, Settlement Officer, Land Valuation Officer, Superintendent of Land Records, Agricultural Officer, Registrar under the Registration Act 1908 (16 of 1908), or any other officer of equivalent rank performing similar functions and must have retired or resigned from such employment after having rendered service in any one or more of the posts aforesaid for an aggregate period of not less than five years.						
2.2 Plantations [Unde	r Wealth Tax Rule 8A(4)]:						
The applicant must be a graduate in agricultural science of a recognized university	(i) He must have, for a period of not less than FIVE years, owned, or acted as manager of a coffee, tea, rubber or, cardamom plantation, as the case may be, having an area under plantation of not less than four hectares in the case of cardamom plantation or forty hectares in the case of any other plantation;						
	(ii) He must be a person formerly employed in a post under Government as Collector, Deputy Collector, Settlement Officer, Land Valuation Officer, Superintendent of Land Records, Agricultural Officer, Registrar under the Registration Act 1908 (16 of 1908), or any other officer of equivalent rank performing similar functions and must have retired or resigned from such employment after having rendered service in any one or more of the posts aforesaid for an aggregate period of not less than five years, out of which, not less than three years must have been in areas wherein coffee, tea, rubber or cardamom, as the case may be, is extensively grown.						

#### [D] Valuation of Stock/Inventory, Shares:

- Criteria laid down under the Wealth Tax Rule 8A(7) is to be adopted in case of valuation of stock/inventory and shares.
- 2. Under Rule 8A(7), a valuer of stocks, shares, debentures, securities, shares in partnership firms and of business assets, including goodwill but excluding those referred to in sub-rules (2) to (6) and (8) to (11) should possess the following aualifications:

#### **Education Qualification**

Institute of Chartered Accountants of India (ICAI) or the Institute of Cost and Works Accountants of India (ICWAI) or the Institute of Company Secretary of India (ICSI).

#### Experience

He must be a member of the He must have practised as chartered accountant or a cost and works accountants or а company secretary for a period not less than ten years and his gross receipts from such practice should not be less than fifty thousand rupees in any three of the five preceding years.

#### NOTE:

- 1. In case of empanelment of partnership firms and companies for undertaking valuations, the qualification and experience shall apply to all partners and key personnel/ directors respectively of the partnership firm and company unless otherwise specified.
- 2. Experience of valuer shall be calculated from the date of his/its first empanelment with any Bank/Financial Institution/High Court or registration under Wealth Tax Act 1957.
- 3. Valuers should have thorough knowledge of the industry concerned and also the type of assets to be valued.
- 4. Valuers should constantly update their knowledge base by actively participating in various continuing education programmes including seminars, conferences, workshops, training programmes, capacity building programmes, etc.

#### Valuation of properties those require under Companies Act, 2013 [E]

- 1. The Ministry of Corporate Affairs (MCA) has notified the provisions governing valuation by registered valuers [ section 247 of the Companies Act, 2013 (the act)] and the Companies (Registered Valuers and Valuation ) Rules , 2017 (the Rules). In addition, to administer and perform functions under the said rules, the MCA by way of notification on 23<sup>rd</sup> October, 2017, has specified the Insolvency and Bankruptcy Board of India (IBBI) as the responsible authority.
- 2. Section 247 of the Act requires that where a valuation is to be made of any property, stocks, shares, debentures, securities or goodwill or any assets or net worth of a company or its liabilities under the provisions of

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- the Act, the same shall be valued by a person having the requisite qualifications, experience, registered as a valuer and member of a registered valuers organisation, in the manner prescribed in the Rules.
- 3. The valuation of assets in respect of the companies where Corporate Insolvency Resolution Process(CIRP) has been invoked with NCLT under IBC 2016 are to be undertaken by the valuers registered with Insolvency and Bankruptcy Board Of India(IIBI)/organizations recognized by IBBI. The scope and fees payable to such valuers shall be fixed by the IRP/RP with approval of Committee of Creditors (CoC).
- **[F].** The prevailing IBA guidelines shall continue to be applicable for valuation which are not mandatorily required to be done under Companies Act, 2013.

#### 3.3 **Proof of Work Experience:**

Applicant valuer shall necessarily <u>furnish any one</u> of the following <u>as proof of</u> his/its work experience:

- 1. Letter of empanelment by any Bank/Financial Institution.
- 2. Letter of empanelment by any Court of India.
- 3. Registration Certificate under Wealth Tax Act 1957.
- 4. Letter of appointment as valuation consultant by Govt of India/any State Govt/any Municipality/any Municipal Corporation.
- 5. Letter of appointment as valuer employee by Govt of India / any State Govt / any Municipality / any Municipal Corporation.
- 6. Letter of appointment as valuer employee by any Limited Company engaged in the business of valuation.
- 7. Letter of appointment as valuation consultant by any LLP Company.
- 8. Letter of appointment as valuer employee by any partnership/ proprietorship/ private limited company engaged in the business of valuation for the last five years.
- The experience of the valuer shall be calculated from the date of his/her first empanelment with any Bank/Financial Institution/ High Court or registration under Wealth Tax Act, 1957.

#### 3.4 References:

- Carrying out a reference check is extremely important in order to verify the competence of a valuer. Applicant valuer should provide evidence of previous work experience to the Bank. <u>Reference checks</u> on applicant valuer shall be carried out by the Bank <u>before empanelling</u> on its panel to verify the competence, performance and service quality of applicant valuer.
- 2. For the purpose, applicant valuer shall necessarily <u>submit atleast three reference letters/ empanelment letter</u> from banks / financial institutions /DRT / courts / Govt Departments / any other public sector undertaking where the valuers had done valuations previously or companies for whom the valuer had done valuations previously, obtained on letter head and duly signed by a senior level official at zonal/head office and bearing rubber stamp of the

issuing office.

The condition may be waived by the competent Authority i.e. Committee of General Managers on case to case basis.

#### 3.5 Retired Staff Members:

A retired staff member who is otherwise eligible for empanelment may also be considered for empanelment by the Bank subject to following restrictions:

- 1. No punishment/penalty arising out of disciplinary proceedings has been imposed upon him/her either during the service career or subsequent to his/her superannuation.
- 2. No disciplinary /criminal /judicial proceedings are contemplated/ pending subsequent to his/her superannuation from the Bank's service.
- 3. A staff member who has voluntarily retired from the Bank's service under any voluntary scheme or has taken voluntary retirement or resigned from the Bank's service shall not be considered for empanelment.

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Format of undertaking to be submitted by individual/Proprietor/Partners/Directors

# <u>DECLARATION – CUM – UNDERTAKING</u> [To be executed on non-judicial stamp paper of requisite value]

On th	is day day of	_ 2020,	
l,	s/o / d/o / w/o _		/sole proprietor
	A/S		a partnership
штус	company registered in India and w	е,	
(1)	S	/o/d/o/w/o	
(2)		o/o/o/w/o	
(3		s/o/d/o/w/o	
(4		_s/o/d/o/w/o	· 
	partners/ lead valuers of the dertake as under:	company do hereby solemn	ly declare and
1.	I am a citizen of India/all the parthe company are citizens of India India.		
2.	Whereas at my/our request, empanelled me/us to assess the sestate, plant and machinery, agricultural land-plantations, serequisitioned by the Bank from times.	valuation of securities of land o agricultural land – other th tock/inventory and shares	ind building/real an plantations,
3.	Whereas I/We have accepted my/our empanelment.	unconditionally the terms an	d conditions of
4.	I/We shall not undertake valuation me/us by the Bank from time to the partners/any of the directors/are indirect interest in the properties.	me in which I/the firm/the com	pany/any of the
	I/We also undertake to give a de the subject properties by incorp thereon.	•	
5.	I/We shall submit valuation report	in the format as prescribed by t	ne Bank.

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- 6. The valuation furnished by me/us shall be true and impartial.
- 7. I/We shall personally inspect the property on a particular date and such inspection shall not be sub contracted to any other valuer.
- 8. I/We shall submit valuation report in the format as prescribed by the Bank.
- 9. I/We have not been depanelled/delisted by any other bank and in case any such depanelment by other banks during my empanelment with your Bank, I shall inform your Bank within three days of such depanelment.
- 10.1/We have not been removed/dismissed from service/previous employment earlier.
- 11.1/We have not been convicted of any offence and sentenced to a term of imprisonment.
- 12.1/We have not been found guilty of misconduct in professional capacity.
- 13.1/We have not been declared to be unsound mind.
- 14.1/We am/are not an un-discharged bankrupt or have not applied to be adjudicated as a bankrupt.
- 15.1/We am/are not an un-discharged insolvent(s).
- 16.1 have not levied a penalty under section 271J of Income Tax Act 1961 (43 of 1961) and time limit for filing appeal before Commissioner of Income Tax (Appeals) or Income Tax Appellate Tribunal, as the case may be has expired or such penalty has been confirmed by Income Tax Appellate Tribunal and five years not elapsed after levy of such penalty.
- 17.1/We have not been convicted of an offence connected with any proceeding under the Income Tax Act 1961 and/or Wealth Tax Act 1957 and/or Gift Tax Act 1958 and/or Service Tax Act.
- 18.1/We have no complaints registered against me/us with CBI and/or SFIO and/or police and/or court of law and /or have not been blacklisted by any bank/FI/IBA.
- 19.1/the firm and all the partners of the firm/the company and all the directors of the company each possess PAN Card.
- 20.1/We possess required Goods and Services Tax Registration Number [mandatory in case of Category A valuers].
- 21. All directors of the company each have DIN allotted to them.
- 22.1/We shall keep the Bank informed immediately of any happenings or events that would make me/us ineligible for empanelment as a valuer.

- 23.1/We shall not conceal or suppress any material information and facts prejudicial to the interest of the Bank and shall disclose immediately to the Bank any such developments that may take place during the tenure of my/our empanelment with the Bank.
- 24.1/We have read the Handbook on Policy, Standard and Procedure for Real Estate Valuation, 2011 of IBA and this report is in conformity to the "Standards" enshrined for valuation in the Part-B of the above handbook to the best of my ability.
- 25.1/We have read the International Valuation Standards (IVS) and the report submitted to the Bank for the respective asset class is in conformity to the "Standards" as enshrined for valuation in the IVS in "General Standards" and "Asset Standards" as applicable.
- 26.1/We shall comply with the guidelines, standards and procedures and abide by the Model Code of Conduct for empanelment of valuer prescribed and amended by the Bank from time to time.(Annexure-IV: a signed copy of the same to be taken and kept along with this declaration)
- 27.I/We shall act with independence, integrity and objectivity; shall undertake all valuation works entrusted to me/us by the Bank with an independent mind and shall not come under any influence of anybody.
- 28.1/we are not related to any of the personnel in the department /division in the Bank dealing with valuation work directly.
- 29.1/We shall complete the assignment of valuation and submit duly signed valuation report [by me/us/lead valuers of the company] on properties that shall be assigned to me/us by the Bank from time to time within the timeframe stipulated by the Bank/mutually agreed upon.
- 30.1/We shall not induct/appoint/employ any person as its partner/director/employee who is a retired member of Bank
  - i) against whom any punishment/penalty arising out of disciplinary proceedings has been imposed upon him/her during the service career or subsequent to his/her superannuation and/or
  - ii) any disciplinary/criminal/judiciary proceedings are pending subsequent to his/her superannuation from the Bank's service and/or
  - iii) Who have voluntarily retired from the Bank's service under any voluntary retirement scheme or have taken voluntary retirement or resigned from the Bank's service.

- iv) I/We also declare that I am not/none of the partners of the firm/none of the directors of the company/none of my/our employees is such retired staff member of the Bank.
  - I/We shall keep the Bank informed immediately as and when any retired staff member of the Bank clear of disqualifications as above is taken in as my/our employee/partner/director.
- 31.I/We am/are aware and agreeable that for any negligence, lapses, professional misconduct and/or any unfair practices resorted to me/us whether with the Bank and/or other banks and/or other institutions, my/our empanelment with the Bank will stand cancelled without referring to its Grievances Redressal/Conflict Resolution Committee of the Bank and my/our name(s) shall also be reported to IBA for placement on IBA's Caution List of Third Party Entities [TPEs] and also to other professional bodies/institutions.
- 32.1/We bind myself /ourselves irrevocably to strict adherence to the following code of conduct prescribed and as amended by the Bank from time to time.
  - i) I/We shall express an opinion only when it is founded on adequate knowledge and honest conviction.
  - ii) 1/We shall refrain from misrepresenting qualifications or work experience.
  - iii) I/We shall treat all information procured during the course of the business as confidential.
  - iv) I/We shall observe integrity and fair play in the practice of the profession.
  - v) 1/We shall refrain from undertaking to review the work of another valuer of the same client except under written orders from the Bank and with knowledge of the concerned valuer.
  - vi) I/We shall give unbiased valuation report confirming to standards and confirming to the objective opinion of the property and not to attempt merely to accommodate the interest of the client.
  - vii) I/We shall steer clear of situations where interests and duty clash.
  - viii) I/We shall conduct myself/ourselves in such a manner that will not prejudice the professional status or reputation of the profession.
  - ix) I/We shall follow this code as amended or revised by the Bank from time to time.

Date:

Place:

#### Signature

(Name of the Approved Valuer and Seal of the Firm/Company)

[To be signed by valuer-individual/sole proprietor/all partners/all lead valuers of company in both representative and personal capacity.]

#### Other Terms and Conditions for Applicant Valuer

In addition to the above "Declaration-cum-Undertaking by the applicant valuers, the following are the "Other Terms and Conditions" to be fulfilled by applicant valuer:

- 1. Bank, in its sole discretion, may require the Valuer to determine the fair market value of one or more properties. Bank shall have the sole discretion to allot any one or more number of property or properties to the Valuer for the purpose of valuation. The Valuer shall not insist on allotment of any specific property or increase in the number of properties to be allotted to such Valuer and shall not initiate or attempt any negotiations in this regard with the Bank.
- 2. The Valuer shall determine the fair market value of property allotted for valuation, as on the date of the valuation and submit the valuation report in this regard to the Bank. The valuation report shall certify the documentary and physical existence of the property and shall include all matters germane to the valuation and must provide a full explanation of the Valuer's analyses and understand how he reached his valuation.
- 3. Valuers shall comply with International Valuation Standard (IVS) and valuation report submitted to the Bank for the respective asset class is in conformity to the "Standards" as enshrined for valuation in the IVS in "General Standards" and "Asset Standards" as applicable.
- 4. Valuer shall ensure that the valuation report invariably includes:
  - (a) Fair Market Value, Realizable Value, Book Value and Distress Sale Value of the property as on the date of the valuation and difference in the values should be explained.
  - (b) The manner in which the Valuer has arrived at and determined the valuation.
  - (c) All factors which the Valuer has taken into account as having the effect of increasing or decreasing the value of the property.
  - (d) Any factors which may prejudicially affect the market price or easy marketability of the property.
  - (e) Any factors which may in future prejudicially affect the market price or easy marketability of the property (if such factors can be reasonably perceived as of the date of the valuation).
  - (f) A rough sketch of the property with nearby landmarks useful for identifying the property, in case of immovable properties and the photographs identifying boundaries of the and its surroundings.
  - (g) Such other matters concerning valuation as Bank may require.

- 5. The Valuer shall provide full details of the basis of valuation in the report and is required to clearly specify whether the property is in actual possession of the applicant/borrower and whether anyone else has interest in the property.
- 6. The Valuer shall personally visit the property site and a certificate to the effect shall be included in the valuation report.
- 7. Valuation must be based on prevailing market rates and any departure from the same should be mentioned with reasons in the valuation report.
- 8. The Valuer shall carry out all such investigations and gather all such information as is necessary and/or appropriate for the purposes of the valuation report.
- 9. Valuation report of property in the same area by different Valuers should be comparative and not widely differ.
- 10. The Valuer shall modify or furnish supplements to any valuation report furnished without additional cost to the Bank in event of any material omissions, inaccuracies, defects in the valuation report by the Bank or the Valuer receiving or becoming aware of relevant additional information that were in existence prior to the date of such report or any other change in circumstances including change in applicable principles of law requiring the modification or supplementing of such report.
- 11. The Valuer and Valuer's employees, agents or representatives shall not use, directly or indirectly, any confidential information provided by the Bank for the benefit of any person other than the Bank or disclose such confidential information, in whole or in part, to any person. The Valuer shall be responsible for the safe keeping of all such information, documents, records and items provided to Valuer which may come into the Valuer's power or possession and shall ensure that they are not misplaced, stolen, misappropriated, modified, deleted, tampered with or destroyed.
- 12. The Valuer shall ensure that such information, documents, records, items and copies and abstracts thereof do not come into the possession of any person except Bank and such of the Valuer's Personnel as may be necessary for the purpose of valuation. The Valuer shall be liable and responsible for any and all unauthorized use and/or copying of the same after it is delivered to or while in the power or possession of the Valuer or Valuer's Personnel. Promptly upon the expiry or termination of period of empanelment or upon the request of the Bank, the Valuer shall return to the Bank all such documents, records, tangible items, valuation reports and specific materials.
- 13. Valuation methodology used for the valuation of the respective asset class shall be in conformity to the "Standards" as enshrined for valuation in the International

- Valuation Standards (IVS) in "General Standards" and "Asset Standards" as applicable.
- 14. Format for the Valuation Report shall be as per Bank's format for valuation prescribed.
- 15. The Bank may, at its sole discretion, depanel/delist/blacklist a Valuer in the following cases:
  - (a) If the Valuer fails to deliver any or all obligations within the time period specified for valuation or any extension thereof granted by the Bank or
  - (b) If the Valuer fails to perform any other material obligation(s) under the terms of empanelment and does not rectify, if capable of rectification, the same within 10 days of receipt of notice of default from the Bank or
  - (c) If Bank is of the opinion that the services rendered by the Valuer are not up to the Standard, quality and level as desired by Bank or
  - (d) for any reason which the Bank, at its sole discretion consider a fit and proper ground for termination of the empanelment..
  - (e) if the Valuer becoming bankrupt or insolvent or passing any resolution for winding up or becoming incompetent to contract or any other such or similar reason whatsoever or
  - (f) if any acts of commission or omission on the part of Valuer or Valuer's Personnel, in the reasonable opinion of the Bank, tantamount to fraud.
- 16.Bank shall have the right to adopt any or all the following course(s) of action unless the said happening, in the reasonable opinion of the Bank, is not attributable to any act, omission or commission of the Valuer or Valuer's Personnel:
  - (a) depanel and/or remove the name of the Valuer from the list of Valuers on the panel of the Bank.
  - (b) blacklist the Valuer and display the name of the valuer in the list of blacklisted Valuers.
  - (c) share the information of such depanelment or removal or blacklisting with Indian Banks' Association or Insolvency and Bankruptcy Board of India (IBBI) or both.
  - (d) bring such depandement or removal or blacklisting to the notice of Institute of Chartered Engineers or any other similar professional body or association in which such Valuer is a member.

- 17. In the event of the depanelment/delisting, Valuer shall
  - (a) be liable and responsible to return to the Bank all records, documents, data and information including confidential information pertaining to or relating to the Bank or services in its possession
  - (b) refrain from holding itself in any way as the Valuer of Bank and
  - (c) provide a final account of fees and other payment, if any, due to the Valuer.

#### MODEL CODE OF CONDUCT FOR VALUERS

All valuers empanelled with bank shall strictly adhere to the following code of conduct:

#### Integrity and Fairness

- 1. A valuer shall, in the conduct of his/its business, follow high standards of integrity and fairness in all his/its dealings with his/its clients and other valuers.
- 2. A valuer shall maintain integrity by being honest, straightforward, and forthright in all professional relationships.
- 3. A valuer shall endeavour to ensure that he/it provides true and adequate information and shall not misrepresent any facts or situations.
- 4. A valuer shall refrain from being involved in any action that would bring disrepute to the profession.
- 5 A valuer shall keep public interest foremost while delivering his services.

#### Professional Competence and Due Care

- 6. A valuer shall render at all times high standards of service, exercise due diligence, ensure proper care and exercise independent professional judgment.
- 7. A valuer shall carry out professional services in accordance with the relevant technical and professional standards that may be specified from time to time
- 8. A valuer shall continuously maintain professional knowledge and skill to provide competent professional service based on up-to-date developments in practice, prevailing regulations/guidelines and techniques.
- 9. In the preparation of a valuation report, the valuer shall not disclaim liability for his/its expertise or deny his/its duty of care, except to the extent that the assumptions are based on statements of fact provided by the company or its auditors or consultants or information available in public domain and not generated by the valuer.
- 10. A valuer shall not carry out any instruction of the client insofar as they are incompatible with the requirements of integrity, objectivity and independence.
- 11. A valuer shall clearly state to his client the services that he would be competent to provide and the services for which he would be relying on other valuers or professionals or for which the client can have a separate arrangement with other valuers.

#### Independence and Disclosure of Interest

- 12. A valuer shall act with objectivity in his/its professional dealings by ensuring that his/its decisions are made without the presence of any bias, conflict of interest, coercion, or undue influence of any party, whether directly connected to the valuation assignment or not.
- 13. A valuer shall not take up an assignment if he/it or any of his/its relatives or associates is not independent in terms of association to the company.
- 14. A valuer shall maintain complete independence in his/its professional relationships and shall conduct the valuation independent of external influences.
- 15. A valuer shall wherever necessary disclose to the clients, possible sources of conflicts of duties and interests, while providing unbiased services.
- 16. A valuer shall not deal in securities of any subject company after any time when he/it first becomes aware of the possibility of his/its association with the valuation, and in accordance with the Securities and Exchange Board of India (Prohibition of Insider Trading) Regulations, 2015 or till the time the valuation report becomes public, whichever is earlier.
- 17. A valuer shall not indulge in "mandate snatching" or offering "convenience valuations" in order to cater to a company or client's needs.
- 18. As an independent valuer, the valuer shall not charge success fee (Success fees may be defined as a compensation / incentive paid to any third party for successful closure of transaction. In this case, approval of credit proposals).
- 19. In any fairness opinion or independent expert opinion submitted by a valuer, if there has been a prior engagement in an unconnected transaction, the valuer shall declare the association with the company during the last five years.

#### **Confidentiality**

 A valuer shall not use or divulge to other clients or any other party any confidential information about the subject company, which has come to his/its knowledge without proper and specific authority or unless there is a legal or professional right or duty to disclose.

#### **Information Management**

21. A valuer shall ensure that he/ it maintains written contemporaneous records for any decision taken, the reasons for taking the decision, and the information and evidence in support of such decision. This shall be maintained so as to sufficiently enable a reasonable person to take a view on the appropriateness of his/its decisions and actions.

- 22. A valuer shall appear, co-operate and be available for inspections and investigations carried out by the authority, any person authorised by the authority, the registered valuers organisation with which he/it is registered or any other statutory regulatory body.
- 23. A valuer shall provide all information and records as may be required by the authority, the Tribunal, Appellate Tribunal, the registered valuers organisation with which he/it is registered, or any other statutory regulatory body.
- 24. A valuer while respecting the confidentiality of information acquired during the course of performing professional services, shall maintain proper working papers for a period of three years or such longer period as required in its contract for a specific valuation, for production before a regulatory authority or for a peer review. In the event of a pending case before the Tribunal or Appellate Tribunal, the record shall be maintained till the disposal of the case.

#### Gifts and hospitality:

- 25. A valuer or his/its relative shall not accept gifts or hospitality which undermines or affects his independence as a valuer. *Explanation.* For the purposes of this code the term 'relative' shall have the same meaning as defined in clause (77) of Section 2 of the Companies Act, 2013 (18 of 2013).
- 26. A valuer shall not offer gifts or hospitality or a financial or any other advantage to a public servant or any other person with a view to obtain or retain work for himself/ itself, or to obtain or retain an advantage in the conduct of profession for himself/ itself.

#### Remuneration and Costs.

- 27. A valuer shall provide services for remuneration which is charged in a transparent manner, is a reasonable reflection of the work necessarily and properly undertaken, and is not inconsistent with the applicable rules.
- 28. A valuer shall not accept any fees or charges other than those which are disclosed in a written contract with the person to whom he would be rendering service.

#### Occupation, employability and restrictions.

- 29. A valuer shall refrain from accepting too many assignments, if he/it is unlikely to be able to devote adequate time to each of his/ its assignments.
- 30. A valuer shall not conduct business which in the opinion of the authority or the registered valuer organisation discredits the profession.

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Place:

Signature

(Name of the Approved Valuer and Seal of the Firm / Company)

#### Internationally Accepted Valuation Standards (IVS)

While conducting a valuation, valuers have to comply with **Internationally Accepted Valuation Standards (IVS)** as applicable to the respective class of asset and respective method of valuation as required. The brief background of IVS is as follows:

- > The IVSC also promotes leading practice approaches for the conduct and competency of professional valuers.
- > The IVSC Standards Board is the body responsible for setting the IVS. The Board has autonomy in the development of its agenda and approval of its publications. In developing the IVS, the Board:
- follows established due process in the development of any new standard, including consultation with stakeholders (valuers, users of valuation services, regulators, valuation professional organisations, etc) and public exposure of all new standards or material alterations to existing standards,
- > liaises with other bodies that have a standard-setting function in the financial markets,
- > conducts outreach activities including round-table discussions with invited constituents and targeted discussions with specific users or user groups. The objective of the IVS is to increase the confidence and trust of users of valuation services by establishing transparent and consistent valuation practices. A standard will do one or more of the following:
- > identify or develop globally accepted principles and definitions,
- > identify and promulgate considerations for the undertaking of valuation assignments and the reporting of valuations,
- > identify specific matters that require consideration and methods commonly used for valuing different types of assets or liabilities. International Valuation Standards.
- The IVS consist of mandatory requirements that must be followed in order to state that a valuation was performed in compliance with the IVS. Certain aspects of the standards do not direct or mandate any particular course of action, but provide fundamental principles and concepts that must be considered in undertaking a valuation. The IVS are arranged as follows:
- > The IVS Framework -This serves as a preamble to the IVS. The IVS Framework consists of general principles for valuers following the IVS regarding objectivity, judgement, competence and acceptable departures from the IVS.
- > IVS General Standards These set forth requirements for the conduct of all valuation assignments including establishing the terms of a valuation engagement, bases of value, valuation approaches and methods, and reporting. They are designed to be applicable to valuations of all types of assets and for any valuation purpose.

- > IVS Asset Standards The Asset Standards include requirements related to specific types of assets. These requirements must be followed in conjunction with the General Standards when performing a valuation of a specific asset type. The Asset Standards include certain background information on the characteristics of each asset type that influence value and additional asset-specific requirements on common valuation approaches and methods used.
- > The comprehensive document on international valuation standard is available on the IVSC website at www.ivsc.org.
- ➤ It is expected that every empanelled valuer are made aware of the IVS guidelines and adherence to the same is done by valuer in valuation process.

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> Place:

Signature

(Name of the Approved Valuer and Seal of the Firm / Company)

#### Format of Application for Empanelment as Valuer

[To be submitted on the letterhead of applicant Valuer]

#### Note:

- 1. Application should be submitted strictly as per format prescribed by the Bank.
  - 2. Each and every page of application should be branded with the rubber stamp of the applicant valuer individual/firm/company and initialled by the individual/ proprietor/all partners/all lead valuers of the company.
  - 3. Application should be signed by all partners/all lead valuers of applicant firm/company both in representative and personal capacity.
  - 4. Incomplete and partially filled application is liable for rejection.
  - 5. Application should be accompanied by Bank prescribed declaration-cumundertaking duly executed by applicant valuer – individual/sole-proprietor/ partnership firm/company and by all partners/all lead valuers of the company in both representative and personal capacity:
  - 6. The following also should be enclosed with the application:
- 1. Bio-data, in original, of each and every partner/director of the applicant firm/company separately, duly signed by them together with relevant enclosures.
- 2. Self-attested photocopy each of following evidences
  - (i) Registration with State and Central Government.
  - (ii) Registration under Wealth Tax Act 1957.
  - (iii) Membership of/Affiliation with various professional bodies.
  - (iv) Academic and professional qualifications acquired.
  - (v) PAN, DIN, Service Tax Registration No Certificate and Trade License.
  - (vi) Letters of appointment as valuer on panel of banks/FIs/Courts/DRT etc.
  - (vii) Previous work experience certificates.
  - (viii) KYC documents [photo identity and address proof].
  - (ix) Registered Partnership Deed/ Memorandum & Articles of Association.
  - (x) IT Returns for <u>preceding FIVE years</u> of the individual/firm/company, all partners/all lead valuers of company.
  - (xi) Any other relevant documents/evidences.

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Credit Monitoring Department Subject:- Empanelment of Valuers

Date

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and am/each one of the partners/each one of the director	s is
agreeable to execute the same on non-judicial stamp paper	of
requisite value in both representative and personal capacity at	the
time of empanelment.	•

#### 7 Code of Conduct:

I/We bind myself/ourselves irrevocably to strict observance of the Code of Conduct prescribed and as amended by the Bank from time to time.

I/We solemnly declare that the information furnished hereinabove is complete and full and is entirely true to the best of my/our knowledge and belief; and I/we have not concealed or suppressed any material information and facts, events and happenings prejudicial to the interest of the Bank and that would make me/us ineligible for empanelment as valuer.

9 Signatures:

In Personal		In Representative Capacity			
Capacity		-			
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	(Signature)	•••••			
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/ <b></b>	(Name)	Partner	(Signature)		
(Name)	Sole-		Director		
	Proprietor				

10	End	closures: Self-attested photocopy of each of the following:
	1	Registered Partnership Deed [in case of partnership firm] /
		Memorandum & Articles of Association of Company.
	2	PAN Card and PAN Allotment Letter of individual/sole-
		proprietor/ partnership firm and all individual partners of the
		firm / company and all directors of the company.
	3	DIN Allotment Letter of directors of company.
	4	Certificate of Service Tax Registration of individual/sole-
		proprietor/ partnership firm / company.
	5	Trade License.
	6	Financial Statements and IT Returns for last three years of the

		individual/ sole-proprietor/ partnership firm / company / all
		partners / all directors.
	7	Certificate of Registration as Valuer under Wealth Tax Act 1957.
	8	Evidence/Certificates of Registration/Affiliation/Membership
		with various professional bodies.
	9	Advice of Empanelment issued by other
		banks/FIs/Courts/public sector undertakings etc.
	10	Bio-data, in original, of each of all partners/directors of the firm/
		company duly signed by them together with relative enclosures.
	11	Passing Certificates of Qualifications acquired by individual /
		partners / directors.
	12	Certificates of Work experience/Empanelment issued by
		banks/FIs/ Courts/Government authorities/departments etc.
	13	KYC documents (Photo Identity and Address proof) of individual
		/ partnership firm / all partners of partnership firm / company
		/ all directors of company.
	14	Declaration-cum-Undertaking prescribed by the Bank, duly
		signed by me/us and each of all partners/directors of the
		firm/company, in original.
	15	Any other [Please specify].
-		•

#### Format of Bio-Data

[To be submitted separately by each and every individual partner/lead valuers of applicant Valuer Firm/Company]

Category of Valuer		_/	Nature of Assets
Work Experience in undertaking valuation	Category		
More than 10 years	A	_	
More than 5 years & less than 10 years	В		
Upto 5 years	C		

Affix passport size photograph and sign across it.

					Date:
1	Per	sonal details:			
	1	Name			
	2	Son/Daughter/Wife of	:		
	3	Nationality			
	4	Sex			
	5	Date of Birth	:		
	6	Age	:		
	7	Telephone No			
	8	Mobile No			
	9	E-mail			
	10	PAN			
	11	DIN	:		
	12		;	No	Date
		Registration			
	13	Complete Residential	Add	ress:	
		1 Present Address:			
		2 Permanent Addres	ss:	<del>-</del>	

2	Aca	ademic/Professional Qu	alification	s acquired:	_
		Course study /	*Nature	Institution/ University	Date of
		Qualification		Examining Body	_award_
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	[No	ote: *Graduation/Bachelor's	s Degre	ee / Post-Grad	iuation/Mas	ters
		gree / Diploma / Certificate				
3	COI	etails of continuing education inferences, workshops, train mended during last TWO yea	ning an			
		cinded during last 1 wo yea	1	· · · · · · · · · · · · · · · · · · ·	Peri	od
		Subject/Course Title	Co	nducted by	From	То
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		Name of the Body	Membership	dies [Atleast ANY ONE]  Membership   Members		
		``````````````````````````````````````	Type/Position		since	
	1	Institution of Valuers				
	2	Institution of Surveyors (Valuation Branch) [IOS]				
	3	Institution of Government approved Valuers [IGAV]				
	4	Association of India [PVAI]				
	5	The Indian Institution of Valuers [IIV]				
	6	Institution of Estate Managers and Appraisers [I.Esma]				
	7					
	8	Royal Institution of Chartered Surveyors, India Chapter [RICS]				
	9	American Society of Appraisers [ASA], USA				
	10	Appraisal Institute [AI], USA		_		
	11	Institute of Chartered Accountants of India [ICAI]				
	12	Institute of Cost and				

		Works Accountant India [ICWAI]	s of		•			·		
	13		ınv	• • • •					-	
	10	Secretary of India		,						
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5	Undertaking valuation of assets since				:					
6	Details of Registration under Wealth				[dd/mm/yyyy] Tax Act:					
	Registered as Valuer of				Registration No				Date	
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7	Details of Registration with Central / State Governments:									
1	Name of the Body					Registra			Date	
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8	8 Details of Previous Work Experience:									
		Name of the		Period		Duration			Nature of	
		Organisation	From	To	)	Year	Mor	ith	Assets	
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9	Det	ails of Major Assign	ments	handle	d so	o far:			<del></del>	
	Name of Organisation					Nature of			Amount	
			Assignment			Assets			Involved	
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10	Details of existing empa		Nature of						ny other	
	Bank/FI/DRT/		Assets		Since			details		
	Co	urt/Govt Dept etc								
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