

The Companies (Registration of Charges) Rules, 2014

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 31st March, 2014

[Amended upto date¹]

G.S.R. 248(E).— In exercise of the powers conferred under Sections [77](#), [78](#), [79](#), [81](#), [82](#), [83](#), [84](#), [85](#), [87](#) read with [Section 469](#) of the Companies Act, 2013 (18 of 2013) and in supersession of the Companies (Central Government's) General Rules and Forms, 1956 or any other relevant rules prescribed under the Companies Act, 1956 (1 of 1956) on matters covered under these rules, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.- (1) These rules may be called the Companies (Registration of Charges) Rules, 2014.

(2) They shall come into force on the 1st day of April, 2014.

2. Definitions.- (1) In these rules, unless the context otherwise requires,-

(a) “**Act**” means the Companies Act, 2013 (18 of 2013);

(b) “**Annexure**” means the Annexure appended to these rules;

(c) “**Fees**” means the fees as specified in the Companies (Registration offices and fees) Rules, 2014;

(d) “**Form**” or “**e-forms**” means form set forth in Annexure to these rules which shall be used for the matter to which it relates;

(e) “**Regional Director**” means the person appointed by the Central Government in the Ministry of Corporate Affairs as a Regional ‘Director’;

(f) “**section**” means the section of the Act.

(2) Words and expressions used in these rules but not defined and defined in the Act or in Companies (Specification of definitions details) Rules, 2014 shall have the meanings respectively assigned to them in the Act and said rules.

3. Registration of creation or modification of charge. (1) For registration of

charge as provided in sub-section (1) of [Section 77](#), [Section 78](#) and [Section 79](#), the particulars of the charge together with a copy of the instrument, if any, creating or modifying the charge in **Form No. CHG-1** (for other than Debentures) or **Form No. CHG-9** (for debentures), as the case may be, duly signed by the company and the charge holder ²[shall be filed] with the Registrar within a period of thirty days of the date of creation or modification of charge along with the fee.

³[(2) If the particulars of a charge are not filed in accordance with sub-rule (1), such creation or modification shall be filed in Form No. CHG-1 or Form No. CHG-9 within the period as specified in [section 77](#) on payment of additional fee or advalorem fee as prescribed in the Companies (Registration Offices and Fees) Rules, 2014.

(3) Where the company fails to register the charge in accordance with sub-rule (1) and the registration is effected on the application of the charge-holder, such charge-holder shall be entitled to recover from the company the amount of any fees or additional fees or advalorem fees paid by him to the Registrar for the purpose of registration of charge.]

(4) A copy of every instrument evidencing any creation or modification of charge and required to be filed with the Registrar in pursuance of [Section 77](#), [78](#) or [79](#) shall be verified as follows-

(a) where the instrument or deed relates solely to the property situated outside India, the copy shall be verified by a certificate issued either ⁴[under the seal, if any, of the company], or under the hand of any director or company secretary of the company or an authorised officer of the charge holder or under the hand of some person other than the company who is interested in the mortgage or charge;

(b) where the instrument or deed relates, whether wholly or partly, to the property situated in India, the copy shall be verified by a certificate issued under the hand of any director or company secretary of the company or an authorised officer of the charge holder.

⁵[(5) Nothing contained in this rule shall apply to any charge required to be created or modified by a banking company under [section 77](#) in favour of the Reserve Bank of India when any loan or advance has been made to it under sub-

clause (d) of clause (4) of section 17 of the Reserve Bank of India Act, 1934 (2 of 1934).]

⁶[**4. Application to Registrar.**– (1) For the purposes of the first proviso and clause (b) of the second proviso to sub-section (1) of [section 77](#), the Registrar may, on being satisfied that the company had sufficient cause for not filing the particulars and instrument of charge, if any, within a period of thirty days of the date of creation of the charge including modification thereto, allow the registration of the same after thirty days but within the period as specified in the said provisos, on payment of fee, additional fee or advalorem fee, as may be applicable, as prescribed in the Companies (Registration Offices and Fees) Rules, 2014.

(2) The application under sub-rule (1) shall be made in Form No.CHG-1 and Form No.CHG-9 supported by a declaration from the company signed by its company secretary or a director that such belated filing shall not adversely affect the rights of any other intervening creditors of the company.]

5. Application of rules in certain matters.– The provisions of rule 4 shall apply, mutatis mutandis, to the registration of charge on any property acquired subject to such charge and modification of charge under [Section 79](#) of the Act.

6. Certificate of registration. -(1) Where a charge is registered with the Registrar under sub-section (1) of [Section 77](#) or [section 78](#), he shall issue a certificate of registration of such charge in **Form No. CHG-2**.

(2) Where the particulars of modification of charge is registered under [section 79](#), the Registrar shall issue a certificate of modification of charge in **Form No. CHG-3**.

(3) The certificate issued by the Registrar under sub-rule (1) and sub-rule (2) shall be conclusive evidence that the requirements of Chapter VI of the Act and the rules made thereunder as to registration of creation or modification of charge, as the case may be, have been complied with.

7. Register of charges to be kept by the Registrar.– (1) The particulars of charges maintained on the Ministry of Corporate Affairs portal (www.mca.gov.in/MCA21) shall be deemed to be the register of charges for the purposes of [Section 81](#) of the Act.

(2) The register shall be open to inspection by any person on payment of fee.

8. Satisfaction of charge. – ⁷[(1) A company or charge holder shall within a period of three hundred days from the date of the payment or satisfaction in full of any charge registered under Chapter VI, give intimation of the same to the Registrar in **Form No. CHG-4** along with the fee.]

(2) Where the Registrar enters a memorandum of satisfaction of charge in full in pursuance of [Section 82](#) or [83](#), he shall issue a certificate of registration of satisfaction of charge in **Form No. CHG-5**.

9. Intimation of appointment of Receiver or Manager. – The notice of appointment or cessation of a receiver of, or of a person to manage, the property, subject to charge, of a company shall be filed with the Registrar in **Form No. CHG.6** along with fee.

10. Company's register of charges. – (1) Every company shall keep at its registered office a register of charges in **Form No. CHG.7** and enter therein particulars of all the charges registered with the Registrar on any of the property, assets or undertaking of the company and the particulars of any property acquired subject to a charge as well as particulars of any modification of a charge and satisfaction of charge.

(2) The entries in the register of charges maintained by the company shall be made forthwith after the creation, modification or satisfaction of charge, as the case may be.

(3) Entries in the register shall be authenticated by a director or the secretary of the company or any other person authorised by the Board for the purpose.

(4) The register of charges shall be preserved permanently and the instrument creating a charge or modification thereon shall be preserved for a period of eight years from the date of satisfaction of charge by the company.

11. Register open for inspection. – The register of charges and the instrument of charges kept by the company shall be open for inspection-

(a) by any member or creditor of the company without fees;

(b) by any other person on payment of fee.

⁸**[12. Rectification in register of charges on account of omission or misstatement of particulars in charge previously recorded and extension of time in filing of satisfaction of charge.**– The Central Government may on an application filed in Form No. CHG-8 in accordance with [section 87](#)–

(a) direct rectification of the omission or misstatement of any particulars, in any filing, previously recorded with the Registrar with respect to any charge or modification thereof, or with respect to any memorandum of satisfaction or other entry made in pursuance of [section 82](#) or [section 83](#),

(b) direct extension of time for satisfaction of charge, if such filing is not made within a period of three hundred days from the date of such payment or satisfaction.]

⁹**[13. Signing of charge e-forms by insolvency resolution professional or resolution professional or liquidator for companies under resolution or liquidation.**– The Form No. CHG-1, CHG-4, CHG-8 and CHG-9 shall be signed by Insolvency resolution professional or resolution professional or liquidator for companies under resolution or liquidation, as the case may be and filed with the Registrar.]

[F. No. 01/10/2013 CL-V]
RENUKA KUMAR, Jt. Secy.

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References:

1. Last amendment on 29.08.2022[[X](#)]
2. Substituted by the Companies (Registration of Charges) Amendment Rules, 2018 vide Notification No. G.S.R. 614(E) dated 5th July, 2018 , w.e.f. 05.07.2018, for the words “*and filed*”.[[X](#)]
3. Substituted by the Companies (Registration of Charges) Amendment Rules, 2019 vide Notification No. G.S.R. 342(E) dated 30th April, 2019, w.e.f. 30.04.2019, for the sub-rules :

“(2) If the particulars of a charge are not filed within the aforesaid period, but filed within a period of three hundred days of the date of such creation or modification, the additional fee shall be levied.

(3) If the company fails to register the particulars of the charge with the Registrar within the period of thirty days of its creation or modification, the particulars of the charge together with a copy of the instrument, if any, creating or modifying such charge may be filed by the charge-holder, in Form No.CHG-1 or Form No.CHG-9, as the case may be, duly signed along with fee.”.[[X](#)]

4. Substituted by the Companies (Registration of Charges) Amendment Rules, 2015 vide Notification No. G.S.R. 440(E) dated 29th May, 2015, w.e.f. 29.05.2015, for the word “*under the seal of the company*”.[[X](#)]
5. Inserted by the Companies (Registration of Charges) Amendment Rules, 2022 vide Notification No. G.S.R. 320(E) dated 27th April, 2022, w.e.f. 27.04.2022.[[X](#)]
6. Substituted by the Companies (Registration of Charges) Amendment Rules, 2019 vide Notification No. G.S.R. 342(E) dated 30th April, 2019, w.e.f. 30.04.2019, for the rule:

“**4. Condonation of delay by Registrar.**-(1) The Registrar may, on being satisfied that the company had sufficient cause for not filing the particulars and instrument of charge, if any, within a period of thirty

days of the date of creation of the charge, allow the registration of the same after thirty days but within a period of three hundred days of the date of such creation of charge or modification of charge on payment of additional fee.

(2) The application for delay shall be made in **Form No. CHG-1** and supported by a declaration from the company signed by its secretary or director that such belated filing shall not adversely affect rights of any other intervening creditors of the company.”. [X]

7. Substituted by the Companies (Registration of Charges) Amendment Rules, 2018 vide Notification No. G.S.R. 614(E) dated 5th July, 2018 , w.e.f. 05.07.2018, for the sub-rule “(1) A company shall within a period of thirty days from the date of the payment or satisfaction in full of any charge registered under Chapter VI, give intimation of the same to the Registrar in **Form No. CHG-4** along with the fee.”. [X]
8. Substituted by the Companies (Registration of Charges) Amendment Rules, 2019 vide Notification No. G.S.R. 342(E) dated 30th April, 2019, w.e.f. 30.04.2019, for the rule:

“12. Condonation of delay and rectification of register of charges.- (1) Where the instrument creating or modifying a charge is not filed within a period of three hundred days from the date of its creation (including acquisition of a property subject to a charge) or modification and where the satisfaction of the charge is not filed *[within a period of three hundred days] from the date on which such payment of satisfaction, the Registrar shall not register the same unless the delay is condoned by the Central Government.

(2) The application for condonation of delay and for such other matters covered in sub-clause (a),(b) and (c) of clause (i) of sub-section (1) of [Section 87](#) of the Act shall be filed with the Central Government in **Form No. CHG-8** along with the fee.

(3) The order passed by the Central Government under sub-section (1) of [section 87](#) of the Act shall be required to be filed with the Registrar in **Form No. INC.28** along with the fee as per the conditions stipulated in the said order.”

Reference

*Substituted by the Companies (Registration of Charges) Amendment Rules, 2018 vide Notification No. G.S.R. 614(E) dated 5th July, 2018 , w.e.f. 05.07.2018, for the words “*within thirty days*“.[[X](#)]

9. Inserted by the Companies (Registration of Charges) Second Amendment Rules, 2022 vide Notification No. G.S.R. 664(E) dated 29th August, 2022, w.e.f. 29.08.2022.[[X](#)]