

THE BANKING COMPANIES (NOMINATION) RULES, 1985¹

In exercise of the powers conferred by section 52 read with sections 45ZA, 45ZC and 45ZE of the Banking Regulation Act, 1949 (10 of 1949), and after consultation with the Reserve Bank of India, the Central Government hereby makes the following rules, namely:—

1. Short title and commencement.—(1) These rules may be called the Banking Companies (Nomination) Rules, 1985.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Nomination in respect of deposits.—(1) The nomination to be made by the depositor, or, as the case may be, all the depositors together in respect of a deposit held by a banking company to the credit of one or more individual shall be in Form DA 1.

(2) The said nomination may be made only in respect of a deposit which is held in the individual capacity of the depositor and not in any representative capacity as the holder of an office or otherwise.

(3) Where the nominee is a minor, the depositor or, as the case may be, all the depositors together, may, while making the nomination, appoint other individual not being a minor, to receive the amount of the deposit on behalf of the nominee in the event of the death of the depositor, or, as the case may be, all the depositors during the minority of the nominee.

(4) In the case of a deposit made in the name of a minor, the nomination shall be made by a person lawfully entitled to act on behalf of the minor.

(5) The cancellation of the said nomination to be made by the depositor or, as the case may be, all the depositors together, shall be in Form DA 2.

(6) A variation of the said nomination to be made by the depositor or, as the case may be, all the depositors together, shall be in Form DA 3.

(7) The said nomination shall be made in favour of only one individual.

(8) (a) A nomination, cancellation of nomination or variation of nomination may be made as aforesaid at any time during which the deposit is held by a banking company to the credit of the depositor or depositors, as the case may be.

(b) In the case of a deposit held to the credit of more than one depositor, the cancellation or variation of a nomination shall not be valid unless it is made by all the depositors surviving at the time of the cancellation or variation of the nomination.

(9) The banking company shall acknowledge in writing, to the concerned depositor or depositors, the filing of the relevant duly completed form of nomination or cancellation of nomination or variation of nomination, as the case may be, in respect of a deposit.

1. *Vide* S.O. 264 (E), dated 29th March, 1985, published in the Gazette of India, Extra., Pt II, Sec. 3(ii), dated 29th March, 1985.

(10) The relevant duly completed form of nomination or cancellation of nomination or variation of nomination filed with the banking company shall be registered in the books of the banking company.

(11) A nomination or cancellation of nomination or variation of nomination shall not cease to be in force merely by reason of the renewal of the deposit.

3. Nomination in respect of articles in safe custody.—(1) The nomination to be made by an individual (hereinafter referred to as "the depositor") in respect of articles left in safe custody with a banking company shall be in Form SC 1.

(2) Where the nominee is a minor, the depositor may, while making the nomination, appoint another individual not being a minor, to receive the said articles on behalf of the nominee in the event of the death of the depositor during the minority of the nominee.

(3) Where the articles are left in safe custody with a banking company in the name of a minor, the nomination shall be made by a person lawfully entitled to act on behalf of the minor.

(4) The cancellation of the said nomination to be made by the depositor shall be in Form SC 2.

(5) A variation of the said nomination to be made by the depositor shall be in Form SC 3.

(6) The said nomination shall be made in favour of only one individual.

(7) A nomination, cancellation of nomination or variation of nomination may be made by the depositor at any time during which the articles so deposited are held in safe custody by the banking company.

(8) The banking company shall acknowledge in writing, to the depositor, the filing of the relevant duly completed form of nomination or cancellation of nomination or variation of nomination, as the case may be, in respect of the articles so deposited.

(9) The relevant duly completed form of nomination or cancellation of nomination or variation of nomination filed with the banking company shall be registered in the books of the banking company.

4. Nomination in respect of safety lockers.—(1) The nomination to be made by an individual who is a sole hirer of a locker from a banking company shall be in Form SL 1.

(2) Where the locker is hired from a banking company by two or more individuals jointly, the nomination to be made by such hirers shall be in Form SL 1A.

(3) In the case of a sole hirer of a locker, nomination shall be made in favour of only one individual.

(4) Where the locker is hired in the name of a minor, the nomination shall be made by a person lawfully entitled to act on behalf of the minor.

(5) The cancellation of the said nomination to be made by the sole hirer or, as the case may be, joint hirers of a locker, shall be in Form SL 2.

(6) A variation of the said nomination to be made by the sole hirer of a locker shall be in Form SL 3.

(7) A variation of the said nomination to be made by the joint hirers of a locker shall be in Form SL 3A.

(8) A nomination, cancellation of nomination or variation of nomination may be made as aforesaid at any time during which the locker is under hire.

(9) A banking company shall acknowledge in writing, to the sole hirer, or joint hirers, the filing of the relevant duly completed form of nomination or cancellation of nomination, or variation of nomination, as the case may be, in respect of the locker so hired.

(10) The relevant duly completed form of nomination or cancellation of nomination or variation of nomination filed with the banking company shall be registered in the books of the banking company.

FORM DA 1

Nomination under section 45ZA of the Banking Regulation Act, 1949,
and rule 2(1) of the Banking Companies (Nomination)
Rules, 1985, in respect of bank deposits

I/We,[name(s) and address(es)],
nominate the following person to whom in the event of my/our/minor's death the
amount of the deposit, particulars whereof are given below, may be returned by
..... (name and address of branch/
office in which deposit is held):

Deposit			Nominee				
Nature of	Distinguishing No.	Additional details, if any	Name	Address	Relationship with depositor, if any	Age	If nominee is a minor, his date of birth

¹2. As the nominee is a minor on this date, I/We appoint Shri/Smt./Kum.
..... (name, address and age) to receive the
amount of the deposit on behalf of the nominee in the event of my/our/minor's death
during the minority of the nominee.

Place.....

Date.....

Name(s), signature(s) and
address(es) of witness(es)³

²Signature(s)/Thumb impression(s)
of depositor(s).

1. Strike out if nominee is not a minor.
2. Where deposit is made in the name of a minor, the nomination should be signed by a person lawfully entitled to act on behalf of the minor.
3. Thumb impression(s) shall be attested by two witnesses.

FORM DA 2

Cancellation of nomination under section 45ZA of the Banking Regulation Act, 1949, and rule 2 (5) of the Banking Companies (Nomination) Rules, 1985, in respect of bank deposits

I/We,.....
[name(s) and address(es)], hereby cancel the nomination made by me/us in favour of..... (name and address) in respect of (give details of deposit).

Place.....

Date.....

Name(s), signature(s) and
address(es) of witness(es)²¹Signature(s)/Thumb impression(s)
of depositor(s).

1. Where deposit is made in the name of a minor, the cancellation of nomination should be signed by a person lawfully entitled to act on behalf of the minor.
2. Thumb impression(s) shall be attested by two witnesses.

FORM DA 3

Variation of nomination under section 45ZA of the Banking Regulation Act, 1949, and rule 2 (6) of the Banking Companies (Nomination) Rules, 1985, in respect of bank deposits

I/We,.....
[name(s) and address(es)], cancel the nomination made by me/us in favour of and hereby nominate the following person to whom in the event of my/our/minor's death the amount of the deposit, particulars whereof are given below, may be returned by..... (name and address of branch/office in which deposit is held):

Deposit			Nominee				
Nature of	Distinguishing No.	Additional details, if any	Name	Address	Relationship with depositor, if any	Age	If nominee is a minor, his date of birth

¹2. As the nominee is a minor on this date, I/We appoint Shri/Smt./Kum.(name, address and age) to receive the amount of the deposit on behalf of the nominee in the event of my/our/minor's death during the minority of the nominee.

Place.....

Date.....

Name(s), signature(s) and
address(es) of witness(es)³²Signature(s)/Thumb impression(s)
of depositor(s).

1. Strike out if nominee is not a minor.
2. Where deposit is made in the name of a minor, the variation of nomination should be signed by a person lawfully entitled to act on behalf of the minor.
3. Thumb impression(s) shall be attested by two witnesses.

FORM SC 1

Nomination under section 45ZC of the Banking Regulation Act, 1949, and rule 3 (1) of the Banking Companies (Nomination) Rules, 1985, in respect of articles left in safe custody with banking company

I,
[name and address], nominate the following person to whom in the event of my/minor's death the article left in safe custody, particulars whereof are given below, may be returned by (name and address of branch/office in which the articles are left in safe custody):

Articles			Nominee				
Nature of	Distinguishing No.	Additional details, if any	Name	Address	Relationship with depositor, if any	Age	If nominee is a minor, his date of birth

¹2. As the nominee is a minor on this date, I appoint Shri/Smt./Kum. (name, address and age) to receive the said articles on behalf of the nominee in the event of my/minor's death during the minority of the nominee.

Place.....

Date.....

Name(s), signature(s) and address(es) of witness(es)³

²Signature(s)/Thumb impression(s) of depositor(s).

1. Strike out if nominee is not a minor.
2. Where articles are left in safe custody in the name of a minor, the nomination should be signed by a person lawfully entitled to act on behalf of the minor.
3. Thumb impression(s) shall be attested by two witnesses.

FORM SC 2

Cancellation of nomination under section 45ZC of the Banking Regulation Act, 1949, and rule 3 (4) of the Banking Companies (Nomination) Rules, 1985, in respect of articles left in safe custody with banking company

I, (name and address), hereby cancel the nomination made by me in favour of (name and address) in respect of (given details of articles) left by me in safe custody with (name and address of branch/office in which the articles are left in safe custody).

Place.....

Date.....

Name(s), signature(s) and
address(es) of witness(es)²¹Signature(s)/Thumb impression(s)
of depositor(s).

1. Where articles are left in safe custody in the name of a minor, the cancellation/nomination should be signed by a person lawfully entitled to act on behalf of the minor.
2. Thumb impression shall be attested by two witnesses.

FORM SC 3**Variation of nomination under section 45ZC of the Banking Regulation Act, 1949, and rule 3 (5) of the Banking Companies (Nomination) Rules, 1985, in respect of articles left in safe custody with banking company**

I,(name and address), cancel the nomination made by me in favour of(name and address) and hereby nominate the following person to whom in the event of my/minor's death, the articles left in safe custody, particulars whereof are given below, may be returned by (name and address of branch/office in which articles are left in safe custody).

Articles			Nominee				
Nature of	Distinguishing No.	Additional details, if any	Name	Address	Relationship with depositor, if any	Age	If nominee is a minor, his date of birth

¹2. As the nominee is a minor on this date, I appoint Shri/Smt./Kum. (name, address and age) to receive the articles on behalf of the nominee in the event of my/minor's death during the minority of the nominee.

Place.....

Date.....

Name(s), signature(s) and
address(es) of witness(es)³²Signature(s)/Thumb impression(s)
of depositor(s).

1. Strike out if nominee is not a minor.
2. Where articles are left in the safe custody in the name of a minor, the variation of nomination should be signed by a person lawfully entitled to act on behalf of the minor.
3. Thumb impression(s) shall be attested by two witnesses.

FORM SL 1

Nomination under section 45ZE of the Banking Regulation Act, 1949,
and rule 4 (1) of the Banking Companies (Nomination) Rules, 1985,
by sole hirer in respect of safety locker

I,(name and addresses), nominate the following
person to whom in the event of the my/minor's death
..... (name and address of branch/office in which the locker is
situated) may give access to the locker and liberty to remove the contents of the locker,
particulars whereof are given below:

Locker			Nominee			
Nature of	Distinguishing mark or No.	Additional details, if any	Name	Address	Relationship with hirer, if any	Age

Place.....

Date.....

Name(s), signature(s) and
address(es) of witness(es)²¹Signature(s)/Thumb impression(s)
of hirer.

1. Where the locker is hired solely in the name of a minor, the nomination should be signed by a person lawfully entitled to act on behalf of the minor.
2. Thumb impressions shall be attested by two witnesses.

FORM SL 1A

Nomination under section 45ZE of the Banking Regulation Act, 1949,
and rule 4 (2) of the Banking Companies (Nomination) Rules, 1985,
by joint hirers in respect of safety locker

We,(names and addresses), nominate the
following person(s) to whom in the event of the death of one or more of us
..... (name and address of branch/
office in which the locker is situated) may give access to the locker and liberty to remove
the contents of the locker, particulars whereof are given below, jointly with the survivor
or survivors of us.

Locker			Nominee			
Nature of	Distinguishing mark or No.	Additional details, if any	Name	Address	Relationship with hirer, if any	Age

Place.....

Date.....

Name(s), signature(s) and
address(es) of witness(es)¹Signature/Thumb impression(s)
of hirer(s).

1. Thumb impression shall be attested by two witnesses.

FORM SL 2

Cancellation of nomination under sections 45ZE and 52 of the Banking Regulation Act, 1949, and rule 4 (5) of the Banking Companies (Nomination) Rules, 1985, in respect of safety locker

I/We,.....
[name(s) and address(es)], hereby cancel the nomination made by me/us in favour of (names and addresses) in respect of the safety locker, the particulars where of are given below:

Locker			Nominee(s)			
Nature of	Distinguishing mark or No.	Additional details, if any	Name	Address	Relationship with hirer(s), if any	Age

Place.....

Date.....

Name(s), signature(s) and address(es) of witness(es)²¹Signature(s)/Thumb impression(s) of hirer

1. Where locker is hired solely in the name of a minor, the cancellation of nomination should be signed by a person lawfully entitled to act on behalf of the minor.
2. Thumb impression shall be attested by two witnesses.

FORM SL 3

Variation of nomination under sections 45ZE and 52 of the Banking Regulation Act, 1949, and rule 4 (6) the Banking Companies (Nomination) Rules, 1985, by sole hirer in respect of safety locker

I,(name and address), cancel the nomination made by me in favour of (name and address) and hereby nominate the following person to whom in the event of my death/minor's death (name and address of branch/office in which the locker is situated) may give access to the locker and liberty to remove the contents of the locker, particulars whereof are give below:

Locker			Nominee			
Nature of	Distinguishing mark or No.	Additional details, if any	Name	Address	Relationship with hirer, if any	Age

Place.....

Date.....

Name(s), signature(s) and address(es) of witness(es)²¹Signature(s)/Thumb impression(s) of hirer.

1. Where the locker is hired solely in the name of a minor, the nomination should be signed by a person lawfully entitled to act on behalf of the minor.
2. Thumb impression shall be attested by two witnesses.

FORM SL 3A

Variation of nomination under sections 45ZE and 52 of the Banking Regulation Act, 1949, and rule 4 (7) the Banking Companies (Nomination) Rules, 1985, by joint hirers in respect of safety locker

We,(names and addresses), cancel the nomination(s) made by us in favour of [name(s) and address(es)] and hereby nominate the following person(s) to whom in the event of the death of one or more of us (name and address of branch/office in which the locker is situated) may give access to the locker and liberty to remove the contents of the locker, particulars whereof are give below, jointly with the survivor or survivors of us.

Locker			Nominee(s)			
Nature of	Distinguishing mark or No.	Additional details, if any	Name	Address	Relationship with hirers, if any	Age

Place.....

Date.....

Name(s), signature(s) and address(es) of witness(es)¹

Signature(s)/Thumb impression(s) of hirer.

1. Thumb impression(s) shall be attested by two witnesses.