

KNOW YOUR CUSTOMER (KYC) GUIDELINES AND ANTI-MONEY LAUNDERING (AML) MEASURES

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Description	Signature
Recommended By:	Risk Management Committee
Approved by:	Board of Directors

Version History

Version	Date	Description of Changes
1.0	07.08.2018	First Version Released
2.0	30.07.2019	Amendment made as per the Policy Circular No. 94 dated March 11, 2019
3.0	28.01.2022	Updation of the Policy in line with RBI- Master Direction- Know Your Customer (KYC) Direction, 2016
4.0	27.04.2022	Reviewed by the Board
5.0	22.04.2024	Reviewed by the Board

SATIN HOUSING FINANCE LIMITED

KNOW YOUR CUSTOMER (KYC) GUIDELINES AND ANTI-MONEY LAUNDERING (AML) MEASURES

1. Preamble

As part of the best corporate practices, SATIN Housing Finance Limited (“the Company” or “SHFL”) has adopted ‘Know Your Customer (KYC)’ and ‘Anti Money Laundering (AML) Measure’ (referred to as “Guidelines”) for lending/ credit/ operations/ financial dealings in line with the extant guidelines framed by RBI/NHB.

The objective of these Guidelines is to prevent the Company from being used, intentionally or unintentionally, by criminal elements for money laundering/ fraudulent/ anti-social activities. KYC procedures also enable the Company to identify/ know/ understand their customers and their financial dealings better, which in turn help them manage their risks prudently.

These Guidelines are framed keeping in mind the above and has the following key elements:

- i. Customer Acceptance Policy
- ii. Customer Identification Procedures
- iii. Monitoring of Transactions
- iv. Risk management

2. SCOPE

2.1 Applicability-This “Know Your Customer (“KYC”) and Anti-Money Laundering (“AML”) Policy” will apply to **Satin Housing Finance Limited** (hereinafter referred to as ‘the Company’), its employees and its agents/ representatives.

2.2 Effective Date-The KYC and AML Policy (“the Policy”) shall be effective from the date of approval of this policy.

2.3 Review of Policy-RBI vide its circular dated May 19, 2020 extended Master Directions on Know your customer (KYC), 2016 applicable to Banks and HFCs by repealing all Directions /Guidelines /Policy circulars of NHB/RBI issued from time to time on KYC and AML. Accordingly, the extant Board approved Policy of SHFL on KYC and AML is being reviewed in the context of RBI’s Master Direction on KYC and AML, 2016 and amended policy as under is placed for approval of the Board.

2.4 Implementation & Monitoring of Policy-The Risk Management Committee (“RMC”) will monitor and supervise implementation of the Policy.

2.5 Policy Approval

The Policy shall be approved by the Board of Directors of the Company. However, the Principal Officer, jointly with any two of the following officials, will be authorized to carry out any modifications in the Policy, necessitated due to amendments in the applicable regulatory requirements, and/ or to finalize & approve any procedures or list of KYC documents in accordance with the applicable regulatory requirements:

- i) Chief Executive Officer;
- ii) Credit & Risk Head;

- iii) Compliance Officer;
- iv) Head- Operations

Once in a financial year, the consolidated Policy with amendments carried out by the above designated authorities during the year should be placed before the Board of the Company for their noting and advice, if any.

3. BACKGROUND

The term 'Money Laundering' refers to act of concealing or disguising origin and ownership of proceeds from criminal activities including drug trafficking, public corruption, terrorism, fraud, human trafficking and organized crime activities. 'Terrorist financing' is the use of legally or illegally obtained funds to facilitate terrorist activities. 'Money Laundering' and 'Terrorist Financing' may involve a wide variety of financial products, services and transactions including lending & investment products, financing of equipment or other property that could be used to facilitate terrorism and other criminal activity.

Almost every crime with a profit motive can create proceeds that can be laundered. For example, fraud, theft, illegal drug sales, organized crime, bribery, corruption of government officials and human trafficking can create illegal funds that a criminal seeks to convert into legitimate property without raising suspicion. Tax evasion and violations of fiscal laws can also lead to money laundering.

A financial institution may be used at any point in the process of money laundering. The criminals and other anti-social elements keep coming-up with innovative means to launder money and no financial institution is immune from possible victimization.

To address issue of money laundering, the Government of India had made money laundering a crime and prescribed regulatory requirements for compliance by the banks, financial companies/ institutions and other regulated/ reporting entities to prevent and detect money laundering. To prevent money-laundering in India and to provide for confiscation of property derived from or involved in money-laundering and related matters, the Government of India enacted the Prevention of Money Laundering Act, 2002 (PMLA), as amended from time to time. Further, the PMLA and necessary Notifications/ Rules thereunder have been published and amended thereafter.

Section 3 of the Prevention of Money Laundering Act 2002, defines offence of money laundering as whosoever directly or indirectly attempts to indulge or knowingly assists or knowingly is a party or is actually involved in any process or activity connected with the proceeds of crime and projecting it as untainted property shall be guilty of offence of money-laundering. It prescribes obligation of banking companies, financial institutions and intermediaries for verification and maintenance of records of the identity of all its clients and also of all transactions.

4. DEFINITION

4.1. Aadhaar number, means an identification number issued to an individual under sub-section (3) of section 3 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Act, 2016 ("Aadhaar Act"), and includes any alternative virtual identity generated under sub-section (4) of that section.

4.2. Authentication, in the context of Aadhaar authentication, means the process as defined under subsection (c) of section 2 of the Aadhaar Act.

4.3. Beneficial Owner (BO)

a. Where the customer is a company, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical persons, has/have a controlling ownership interest or who exercise control through other means.

Explanation- For the purpose of this sub-clause-

1. "Controlling ownership interest" means ownership of/entitlement to more than 25 per cent of the shares or capital or profits of the company.

2. "Control" shall include the right to appoint majority of the directors or to control the management or policy decisions including by virtue of their shareholding or management rights or shareholders agreements or voting agreements.

b. Where the customer is a partnership firm, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has/have ownership of/entitlement to more than 15 per cent of capital or profits of the partnership.

c. Where the customer is an unincorporated association or body of individuals, the beneficial owner is the natural person(s), who, whether acting alone or together, or through one or more juridical person, has/have ownership of/entitlement to more than 15 per cent of the property or capital or profits of the unincorporated association or body of individuals.

Explanation: Term 'body of individuals' includes societies. Where no natural person is identified under (a), (b) or (c) above, the beneficial owner is the relevant natural person who holds the position of senior managing official.

d. Where the customer is a trust, the identification of beneficial owner(s) shall include identification of the author of the trust, the trustee, the beneficiaries with 15% or more interest in the trust and any other natural person exercising ultimate effective control over the trust through a chain of control or ownership.

4.4. Certified Copy - Obtaining a certified copy by the RE shall mean comparing the copy of the proof of possession of Aadhaar number where offline verification cannot be carried out or officially valid document so produced by the customer with the original and recording the same on the copy by the authorised officer of the RE as per the provisions contained in the Act.

Provided that in case of Non-Resident Indians (NRIs) and Persons of Indian Origin (PIOs), as defined in Foreign Exchange Management (Deposit) Regulations, 2016 {FEMA 5(R)}, alternatively, the original certified copy, certified by any one of the following, may be obtained:

- authorised officials of overseas branches of Scheduled Commercial Banks registered in India,
- branches of overseas banks with whom Indian banks have relationships,
- Notary Public abroad,
- Court Magistrate,
- Judge,
- Indian Embassy/Consulate General in the country where the non-resident customer resides.

- 4.5. Cash Transaction Report (CTR)-** CTR will include the following:
(a) All cash transactions of the value of more than Rs.10 lakh or its equivalent in foreign currency;
(b) All series of cash transactions integrally connected to each other, which have been individually valued below Rs.10 lakh or its equivalent in foreign currency where such series of transactions have taken place within a month and the monthly aggregate exceeds Rs.10 lakh or its equivalent in foreign currency.
- 4.6. Central KYC Records Registry (CKYCR)-** means an entity defined under Rule 2(1)(aa) of Prevention of Money-Laundering (Maintenance of Records) Rules, 2005, to receive, store, safeguard and retrieve the KYC records in digital form of a customer.
- 4.7. Certified Copy of OVD-** Obtaining a certified copy by regulated entity shall mean comparing the copy of officially valid document so produced by the customer with the original and recording the same on the copy by an authorized officer of the Company.
- 4.8. Counterfeit Currency Transaction-** All cash transactions, where forged or counterfeit Indian currency notes have been used as genuine. These cash transactions should also include transactions where forgery of valuable security or documents has taken place.
- 4.9. Customer-** For the purpose of KYC Norms, a 'Customer' is defined as a person who is engaged in a financial transaction or activity with a reporting entity and includes a person on whose behalf the person who is engaged in the transaction or activity, is acting.
- 4.10. Customer Due Diligence (CDD)-** Identifying and verifying the customer and the beneficial owner using 'Officially Valid Documents' as a 'Proof of Identity' and a 'Proof of Address'.
- 4.11. Designated Director-** means the Managing Director or a whole-time Director designated by the Board of Directors of the Company to ensure overall compliance with the obligations prescribed by the PMLA and the Rules.
- However, the Principal Officer should not be nominated as the "Designated Director".
- 4.12. KYC Templates** means templates prepared to facilitate collating and reporting the KYC data to the CKYCR, for individuals and legal entities, as required by the relevant Rules.
- 4.13. Non-face-to-face customers-** Customers who open accounts without visiting the branch/ offices of the Company or meeting its officials.
- 4.14. Officially valid document (OVD) -** Any document notified/ advised by the Central Government/ Regulatory Authorities as officially valid document for verifying identity and proof of address of customers.

Currently, OVD means the following:

- i. Passport;
- ii. Driving licence;
- iii. Proof of possession of Aadhaar number; in such form as issued by the Unique Identification Authority of India (UIDAI). However, where the customer submits his Aadhaar number out of his

own volition/ discretion, the Company will ensure such customer to redact or blackout his Aadhaar number through appropriate means unless the same is submitted by the customer with desire to avail Credit Linked Subsidy under Pradhan Mantri Awas Yojana (PMAY);

“As per the RBI KYC Master Direction , a Bank or a regulated entity to which e-KYC authentication facility has been granted may take self-declaration from a customer only if current address is not updated in the Aadhaar/ UIDAI records.

- iv. Voter's Identity Card issued by Election Commission of India;
- v. Job card issued by NREGA duly signed by an officer of the State Government;
- vi. Letter issued by the National Population Register containing details of name, address; or
- vii. Any other document as notified by the Central Government in consultation with the Regulator

Provided that where simplified measures are applied for verifying the identity of the Clients the following documents shall also be deemed to be officially valid documents:

- (a) Identity card with applicant's Photograph issued by Central/State Government Departments, Statutory/Regulatory Authorities, Public Sector Undertakings, Scheduled Commercial Banks, and Public Financial Institutions;
- (b) Letter issued by a gazetted officer, with a duly attested photograph of the person.

Provided further that where OVD OVD furnished by the customer does not contain updated address, simplified measures are applied for verifying the limited purpose of proof of address of the clients, where a prospective customer is unable to produce any proof of address, the following documents shall also be deemed to be 'officially valid document':

- (a) Utility bill which is not more than two months old: of any service provider (electricity, telephone, post-paid · mobile phone, piped gas, Water bill);
- (b) Property or Municipal tax receipt;
- (c) Bank account or Post Office savings bank account statement;
- (d) Pension or family pension payment orders (PPOs) issued to retired employees by Government Departments or Public Sector Undertakings, if they contain the address;
- (e) Letter of allotment of accommodation from employer issued by State or Central Government departments, statutory or regulatory bodies, public sector undertakings, scheduled commercial banks, financial institutions and listed companies. Similarly, leave and licence agreements with such employers allotting official accommodation.'
- (f) Where the OVD presented by a foreign national does not contain the details of address, in such case the documents issued by the Government departments of foreign jurisdictions and letter issued by the Foreign Embassy or Mission in India shall be accepted as proof of address.
- (g) Bhamashah Card and Janadhar Card issued by Govt of Rajasthan for the purpose of identity, relationship and proof of address, as OVD. The notification on validity of OVD status of such documents would be checked from the website of UIDAI before application of such measures for KYC purpose.
- (h) CKYC identifier number issued by CERSAI and provided by the customer shall be used for verification of KYC documents already created with CKYC Registry viz., CERSAI.

Provided, the customer shall submit OVD with current address within a period of three months of submitting the alternate documents specified above.

Explanation: For the purpose of this clause, a document shall be deemed to be an OVD even if there is a change in the name subsequent to its issuance provided it is supported by a marriage certificate issued by the State Government or Gazette notification, indicating such a change of name.

- 4.15. Offline Verification** - “Offline verification” shall have the same meaning as assigned to it in clause (pa) of section 2 of the Aadhaar (Targeted Delivery of Financial and Other Subsidies,

Benefits and Services) Act, 2016 (18 of 2016).

- 4.16. Video based Customer Identification Process (V-CIP)** - a method of customer identification by an official of the SHFL by undertaking seamless, secure, real-time, consent based audio-visual interaction with the customer to obtain identification information including the documents required for CDD purpose, and to ascertain the veracity of the information furnished by the customer. Such process shall be treated as face-to-face process for the purpose of the Master Direction issued by RBI.
- 4.17. On-going Due Diligence-** Regular monitoring of transactions in accounts to ensure that they are consistent with the customers' profile and source of funds.
- 4.18. Periodic Updation-** means steps taken to ensure that documents, data or information collected under the CDD process is kept up-to-date and relevant by undertaking reviews of existing records at periodicity prescribed by the RBI, the PMLA and the Rules thereunder.
- 4.19. Politically Exposed Persons-** Individuals who are or have been entrusted with prominent public functions, e.g., Heads of States/Governments, senior politicians, senior government/judicial/military officers, senior executives of state-owned corporations, important political party officials etc.
- 4.20. Suspicious transaction** means a "transaction" as defined below, including an attempted transaction, whether or not made in cash, which, to a person acting in good faith:
- (a) gives rise to a reasonable ground of suspicion that it may involve the proceeds of crime, regardless of the value involved; or
 - (b) appears to be made in circumstances of unusual or unjustified complexity; or
 - (c) appears to have no economic rationale or bona fide purpose; or
 - (d) gives rise to a reasonable ground of suspicion that it may involve financing of the activities relating to terrorism.

Explanation: Transaction involving financing of the activities relating to terrorism includes transaction involving funds suspected to be linked or related to, or to be used for terrorism, terrorist acts or by a terrorist, terrorist organization or those who finance or are attempting to finance terrorism.

Indicative list of suspicious transactions

- Frequent opening and closure of loan accounts and payment through cash
 - Over-payment of instalments of repayment in cash with a request to refund the excess amount
 - Confirmed negative media news about the concerned company/borrower
 - Counterfeit currency notes found in cash deposited by the customers
- 4.21. Principal Officer (PO)-** An official designated by the Board of Directors of the Company for overseeing and managing the KYC & AML policies and processes. The PO will be responsible for ensuring compliance, monitoring transactions, and sharing and reporting information as required under the law/regulations.
- 4.22. Transaction-** means a purchase, sale, loan, pledge, gift, transfer, delivery or the arrangement thereof and includes:
- (a) opening of an account;

- (b) deposits, withdrawal, exchange or transfer of funds in whatever currency, whether in cash or by cheque, payment order or other instruments or by electronic or other non-physical means;
- (c) the use of a safety deposit box or any other form of safe deposit;
- (d) entering into any fiduciary relationship;
- (e) any payment made or received in whole or in part of any contractual or other legal obligation;
- (f) establishing or creating a legal person or legal arrangement.

- 4.23.** “**FATCA**” means Foreign Account Tax Compliance Act of the United States of America (USA) which, inter alia, requires foreign financial institutions to report about financial accounts held by U.S. taxpayers or foreign entities in which U.S. taxpayers hold a substantial ownership interest.
- 4.24.** **Freeze lists/ Negative lists and Country lists** - These are the lists against which names/ locations of prospective Customers have to be screened before acceptance as Customer.
- 4.25.** **Digital KYC** - means the capturing live photo of the customer and officially valid document or the proof of possession of Aadhaar, where offline verification cannot be carried out, along with the latitude and longitude of the location where such live photo is being taken by an authorised officer of the RE as per the provisions contained in the Act
- 4.26.** **Senior Management** for the purpose of KYC Compliance shall include Head- Credit & Risk Department and Head- Operation Department.

5. Customer Acceptance Policy

The Customer Acceptance Policy ensures the following aspects of a customer relationship:

- i. The Company shall not open an account in anonymous or fictitious/ benami name(s).
- ii. The Company shall define and categorize the customer into low, medium and high risk perception on the basis of the location of customer, business profile, his clients, mode of payments, volume of turnover, social and financial status, etc. Customers requiring very high level of monitoring, e.g. Politically Exposed Persons (PEPs) will be given due consideration and may, if considered necessary be categorized even higher.
- iii. The Company shall collect required documents and other information in respect of different categories of customers depending on perceived low/ medium/ high risk and guidelines issued from time to time. Declaration shall be obtained from the customer that proceedings/ transactions are not in violation of Prevention of Money Laundering (PML) Act 2002 and NHB/RBI regulation issued from time to time.
- iv. The Company shall not open an account, or close an existing account where appropriate customer identification/ due-diligence measures, as mentioned under Master Direction – Know Your Customer (KYC) Direction, 2016, to ensure verification of the identity and also obtain documents required as per the risk categorization due to non-cooperation of the customer/ non-reliability of the data/ information furnished to the Company. However, the Company shall build-in safeguards to avoid any harassment to the customers.
 - Permanent Address proof from new customer will be collected. The documents which can be accepted as proof of address as prescribed by NHB/RBI, are mentioned in Annexure-II.
 - For customers who wish to pre-close their account with SHFL, following will be collected:
 - (a) Permanent Address proof (As per Annexure-I).

- (b) A declaration from the customer regarding source of funds being used for pre-closure of the loan account.
- v. In the following circumstances, the account may be opened/ operated by a mandate holder or by an intermediary, such as chartered accountants, solicitors, mutual funds, stock brokers etc., in a fiduciary capacity hence the customer is permitted to act on behalf of another person/entity, in conformity with the established law and practices:
 - if applicant is NRI/PIO
 - if applicant is a limited company
 - if applicant is a partnership firm
- vi. The Company shall ensure, before processing any loan disbursement either by the Company and/or through any specialized agency that the identity of the customer does not match with any person with known criminal background/ with forbidden entities such as individual terrorists or terrorist organizations, etc.

6. Customer Profile Preparation

The Company shall prepare a customer profile for each new customer during the credit appraisal process based on risk categorization as mentioned in these guidelines. The customer profile will contain information relating to the customer's identity, social/ financial status, nature of business activity, information about his clients' business and their location, etc. The nature and extent of due diligence will depend on the risk perceived by the Company. During the credit appraisal process of the customer, details shall be recorded along with his/ her profile based on meeting with the customer (by the Company representative) apart from collection of applicable documents; this will be as per the Company's credit and product norms which are incorporated in the Credit risk policy and are in practice. However, while preparing customer profile, the Company will seek only such information from the customer which is relevant to the risk category and is not intrusive. Any other information from the customer should be sought separately with his/her consent and after opening the account.

The customer profile will be accorded the status of a highly confidential document and details contained therein shall not be disclosed for cross selling or for any other purposes; unless for the purpose of risk minimization or fraud prevention or required by law & regulations or for social/ economic responsibility.

As per KYC policy, for acceptance and identification, customers are categorized broadly into low risk, medium/moderate risk, and high risk categories.

Low Risk: If customer is having proper income document proof, whether Salaried or SENP profile along with other KYC documents and bank account details.

Medium/Moderate Risk: If customer is cash salaried / assessed income SENP, and is not having proper income document to establish his regular income, but having proper bank account and other KYC documents.

High Risk: If the customer falls under the negative list of the Company.

The Risk Management Committee can redefine or alter the criteria of risk categorization of the customer from time to time, if required.

In the event of an existing customer or the beneficial owner of an existing account subsequently becoming a PEP, the Company shall obtain senior management approval in such cases to continue the business relationship, and also undertake enhanced monitoring as indicated and specified in Annexure-I.

7. Customer Identification Procedure

Customer identification means identifying the customer and verifying his/ her identity by using reliable, independent source documents, data or information.

As per Rule 9 of the Prevention of Money-Laundering (Maintenance of Records of the nature and Value of Transactions, The Procedure and Manner of Maintaining and Time for Furnishing information and Verification and Maintenance of Records of the Identity of the Clients of the Banking Companies, Financial Institutions and Intermediaries) Rules, 2005 (hereinafter referred to as PML Rules), requires every HFC:

- a. at the time of commencement of an account-based relationship, verify the identity of the customer and obtain information on the purpose and intended nature of the business relationship, and
- b. in all other cases, verify identity at the time of processing:
 - i. the transaction of an amount equal to or exceeding rupees fifty thousand, whether conducted as a single transaction or multiple transactions that appear to be connected, or
 - ii. any international money transfer operations.

As per Rule 9 of the PML Rules, the Company shall identify the beneficial owner and take all reasonable steps to verify his/ her identity. The Company shall also exercise ongoing due diligence with respect to the business relationship with every customer and closely examine the transactions in order to ensure that transactions are consistent with our knowledge of the customer profile, his business/ activity nature and risk categorization.

The Customer Identification procedure shall be carried out at different stages, i.e.

- a. while establishing a relationship;
- b. carrying out a financial transaction or
- c. When there is a doubt about the authenticity/ veracity or the adequacy of the previously obtained customer identification records/ information.

As per Rule 9 of the PML Rules, the Company shall obtain sufficient and reliable documents or information necessary to establish to its satisfaction, the identity of each new customer, (whether regular or occasional) and the clear purpose of the intended nature of relationship. According to the said Rules, the documents/ information to be obtained for identifying various types of customers i.e. individuals, companies, partnership firms, trusts, unincorporated association or a body of individuals and juridical persons. Customer identification requirements keeping in view the provisions of the said rules are indicated in Annexure-I, also indicative list of the nature and type of documents/ information that may be relied upon for customer identification is given in the Annexure-II. The Company will ensure compliance to the above rule.

The Company shall frame internal guidelines based on their experience of dealing with such persons/entities, normal prudence and the legal requirements.

The Company shall implement the Client Identification Programme to determine the true and correct identity of its customer keeping the above in view.

8. Monitoring of Transactions

Ongoing monitoring is an essential element for effective KYC procedures. However, the extent of monitoring will depend on the risk categorization of the account.

The Company shall pay special attention to all complex, unusually large transactions and all unusual patterns which have no apparent economic or visible lawful purpose. The Company may prescribe various methods for calculating the threshold limits for a particular category of accounts and pay particular attention to the transactions which may exceed these limits.

Transactions that involve large amounts of cash inconsistent with the normal and expected activity of the customer would particularly attract the attention of the Company. High-risk accounts shall be subjected to intensify monitoring. The Company shall set key indicators for such accounts, taking note of the background of the customer, such as the country of origin, sources of funds, the type of transactions involved and other risk factors.

The Company should put in place a system of periodical review of risk categorization of accounts and the need for applying enhanced due diligence measures.

9. Risk Management

The Management under the supervision of the Board of Directors of the Company shall ensure that an effective KYC programme is put in place by establishing appropriate procedures and ensuring effective implementation. It will cover proper management oversight, systems and controls, segregation of duties, training and other related matters. Responsibility will be explicitly allocated within the Company for ensuring that the Company's policies and procedures are implemented effectively. The Company shall devise procedures for creating Risk Profiles of their existing and new customers and apply various Anti Money Laundering measures keeping in view the risks involved in a transaction, account or business relationship.

SHFL shall carry out 'Money Laundering (ML) and Terrorist Financing (TF) Risk Assessment' exercise at Credit level to identify, assess and take effective measures to mitigate its money laundering and terrorist financing risk for clients, countries or geographic areas, products, services, transactions or delivery channels, etc. The UN Sanction list and other negative databases like willful defaulters published by the regulator from time to time to be checked as a part of Credit dedupe process during the credit underwriting process of loan applications. The bureau check to be done for all the customer applications. SHFL shall apply a Risk Based Approach (RBA) for mitigation and management of the identified risk. Further, SHFL shall monitor the implementation of the controls and enhance them if necessary.

SHFL shall carry out 'Money Laundering (ML) and Terrorist Financing (TF) Risk Assessment' exercise once annually to identify, assess and take effective measures to mitigate its money laundering and terrorist financing risk for clients, countries or geographic areas, products, services, transactions or delivery channels, etc. The assessment process should consider all the relevant risk factors before determining the level of overall risk and the appropriate level and type of mitigation to be applied. While preparing the internal risk

assessment, SHFL shall take cognizance of the overall sector-specific vulnerabilities, if any, that the regulator/supervisor may share from time to time.

The outcome of the exercise shall be put up to the Risk Management Committee, and should be available to competent authorities and self-regulating bodies.

10. Internal Audit

The Company's Internal Audit and Compliance functions shall evaluate and ensure adherence to the KYC policies and procedures. As a general rule, the Compliance function will provide an independent evaluation of the Company's own policies and procedures, including legal and regulatory requirements. The Management under the supervision of Board/ Audit Committee shall ensure that the audit function is staffed adequately with skilled/ trained individuals.

Internal Auditors will specifically check and verify the application of KYC procedures at the branches/offices and comment on the lapses observed in this regard. The compliance in this regard will be put up before the Audit Committee of the Board in quarterly meetings or with their normal reporting frequency.

11. Training & Development

The Company shall have an ongoing employee training programs so that the staff members are adequately trained in KYC procedures & Anti-Money Laundering measures. Training requirements will have different focuses for frontline staff, compliance staff and staff dealing with new customers so that all those concerned fully understand the rationale behind the KYC policies and implement them consistently.

12. Customer Education

The Company shall educate the customer on the objectives of the KYC programme so that customer understands and appreciates the motive and purpose of collecting such information. The Company shall made KYC guidelines available on website, displayed in branches/ office and prepare specific literature/pamphlets, etc., which can be made available to customer upon request, to educate the customer about the objectives of the KYC programme.

13. Introduction of New Technologies

The Company shall pay special attention to any money laundering threats that may arise from new or developing technologies including online transactions that may favour anonymity, and take measures, if needed, to prevent their use in money laundering activities as and when online transactions are started/ accepted by the Company.

14. KYC for the Existing Accounts

The Company shall apply the KYC norms to the existing customers of loan accounts on the basis of materiality and risk envisaged by it for those existing loan accounts.

The Company shall carry on ongoing due diligence as per the provisions of the Reserve Bank of India/ National Housing Bank.

15. Non-Cooperation by the customer in respect of KYC norms

Where the Company is unable to apply appropriate KYC measures due to non-furnishing of information and/or non-cooperation by the customer, the Company shall follow-up with the existing identified customers for KYC compliance, Closure decision (if at all) will depend upon the internal assessment and its decision will be taken at a senior management (VP & above), only after issuing due notice to the customer explaining the reasons.

16. Applicability to branches/offices and subsidiaries outside india

The KYC guidelines shall also apply to the branches/ offices and majority owned subsidiaries located abroad, especially in countries which do not or insufficiently apply the FATF recommendations, to the extent local laws permit as and when the Company opens overseas branches/ offices. When local applicable laws and regulations prohibit implementation of these guidelines, the same shall be informed to National Housing Bank and RBI.

17. Appointment of Principal Officer and Designated Director

The Company shall designate a senior employee as 'Principal Officer' who shall located at Head/ Corporate office and will be responsible for monitoring and reporting of all transactions and sharing of information as required under the law. He/ she will maintain close liaison with enforcement agencies, HFCs and any other institution(s) which are involved against money laundering and combating financing of terrorism.

The Company shall designate a senior employee or Director as 'Designated Director' to ensure overall compliance and shall be nominated by the Board of the Company.

Details of Principal Officer & Designated Director and any change therein shall be informed to NHB/RBI and Financial Intelligence Unit India (FIU).

18. Maintenance of records of transactions

The Company shall maintain proper record of the transactions as required under Section 12 of the PMLA read with Rules 3 of the PML Rules as mentioned below:

- i. All cash transactions of the value of more than rupees ten lacs or its equivalent in foreign currency.
- ii. All series of cash transactions integrally connected to each other which have been valued below rupees ten lacs or its equivalent in foreign currency where such series of transactions have taken place within a month.
- iii. All transactions involving receipts by non-profit organizations of rupees ten lacs or its equivalent in foreign currency.
- iv. All cash transactions where forged or counterfeit currency notes or bank notes have been used as genuine and where any forgery of a valuable security has taken place; any such transactions; and
- v. All suspicious transactions whether or not made in cash and by way of as mentioned in the Rule 3 (1) (D).

An Illustrative List of suspicious transaction pertaining to Housing Loan is given in Annexure-III A & III B

19. Records to contain the specified information

The Company shall maintain records referred to above in Rule 3 of PMLA Rules to contain the following information:

- i. the nature of the transactions.
- ii. the amount of the transaction and the denominated currency.
- iii. the date on which the transaction was conducted; and
- iv. the parties to the transaction.

20. Maintenance and preservation of records

Section 12 of PMLA requires every housing finance company to maintain records as under:

- (a) records of all transactions referred to in clause (a) of Sub-section (1) of section 12 read with Rule 3 of the PML Rules is required to be maintained for a period of ten years from the date of transactions between the clients and the Company.
- (b) records/ documents pertaining to the identification of customers e.g copies of documents, like Passport, Identity Card, Driving Licenses, PAN, Utility bills etc. will be maintained for a period of ten years from the date of cessation of transactions between the customer and the Company.

The Company shall ensure that proper maintenance and preservation of records/ information in a manner (in hard and soft copies) that allows data to be retrieved easily and quickly whenever required, or when requested by the competent authorities upon request through the Principal Officer.

21. Reporting to Financial Intelligence Unit India

The Principal Officer shall report information relating to cash and suspicious transactions, if detected, to the Director, Financial Intelligence Unit India (FIUIND) as advised in terms of the PMLA rules, in the prescribed formats as designed and circulated by NHB/RBI at the following address:

Director, FIU - IND,
Financial Intelligence Unit India,
6th Floor, Hotel Samrat,
Chanakyapuri
New Delhi - 110021

The employees of the Company shall maintain strict confidentiality of the fact of furnishing/ reporting details of suspicious transactions.

Note: Reports shall be submitted every month by the 15th day of succeeding month; FIU-IND does not accept NIL Cash/ Suspicious Reports if no such transaction occurred during a particular period.

22. Reporting requirement under Foreign Account Tax Compliance Act (FATCA) and Common Reporting Standards (CRS)

The Company shall adhere to the provisions of Income Tax Rules 114F, 114G and 114H and shall take following steps:

- i. Register on the related e-filing portal of Income Tax Department as Reporting Financial Institution.
- ii. Submit online reports by using the digital signature of the 'Designated Director' by either uploading the Form 61B or 'NIL' report.
- iii. Develop Information Technology (IT) Framework for carrying out due diligence procedure and for recording and maintaining the same, as provided in Rule 114H of Income Tax Rules.
- iv. Develop a system of audit for the IT framework and compliance with Rules 114F, 114G and 114H of Income Tax Rules.
- v. Constitute a "High Level Monitoring Committee" under the Designated Director or any other equivalent functionary to ensure compliance.
- vi. Ensure compliance with updated instructions/ rules/ guidance notes/ Press release issued on the subject by Central Board of Direct Taxes (CBDT) from time to time.

23. Compliance under Foreign Contribution (Regulation) Act, 1976

The Company shall ensure that the provisions of Foreign Contribution and Regulation Act, 1976, wherever applicable, are duly adhered to.

FCRA regulate the acceptance and utilization of foreign contribution or foreign hospitality received by certain specified persons or associations such as candidates for election, journalist, Judges/Government servants, political party, etc.

However, law permits certain persons or associations to accept the foreign contribution with the approval of the Central Government, as per the provisions of FCRA. In those cases, copy of approval or letter of intimation shall be taken from the customer.

24. Other Measures

a. Secrecy Obligation and Sharing of Information

The Company shall maintain secrecy regarding the customer information which arises out of the contractual relationship between the customer and the company.

The Company shall ensure that neither of its employee nor its third party agencies misuse the data of the customer and use for any purpose other than it is sought from the customer.

While considering the requests for data/information from Government and other agencies, HFC shall satisfy themselves that the information being sought is not of such a nature as will violate the provisions of the law relating to secrecy in transactions.

b. Sharing KYC information with Central KYC Records Registry (CKYCR)

The Company shall capture the KYC information for sharing with the CKYCR and upload the Know Your Customer (KYC) data with CERSAI in respect of new individual accounts opened on or after November 01, 2016.

c. Hiring of Employees and Employee training

The Company shall put in place an adequate screening mechanism as an integral part of their personnel recruitment/hiring process.

On going employee training programme should be put in place so that the members of staff are adequately trained in KYC/AML Measures policy

25. General

Where the Company is unable to apply appropriate KYC measures due to non-furnishing of information and/or non-cooperation by the customer, the Company may consider closing the account or terminating the business relationship after assessing the account at senior management (VP & above) and above upon issuing notice to the customer explaining the reasons for account closure.

26. Digital KYC Process

- SHFL will develop an application for digital KYC process as per the requirement which shall be made available at customer touch points for undertaking KYC of their customers and the KYC process shall be undertaken only through the authenticated application of the REs.
- The access of the Application shall be controlled by the REs and it should be ensured that the same is not used by unauthorized persons. The Application shall be accessed only through login-id and password or Live OTP or Time OTP controlled mechanism given by REs to its authorized officials.
- The customer, for the purpose of KYC, shall visit the location of the authorized official of the RE or vice-versa.
- The original OVD shall be in possession of the customer.
- The RE must ensure that the Live photograph of the customer is taken by the authorized officer and the same photograph is embedded in the Customer Application Form (CAF). Further, the system Application of the RE shall put a water-mark in readable form having CAF number, GPS coordinates, authorized official's name, unique employee Code (assigned by REs) and Date (DD:MM:YYYY) and time stamp (HH:MM:SS) on the captured live photograph of the customer.
- The Application of the RE shall have the feature that only live photograph of the customer is captured and no printed or video-graphed photograph of the customer is captured. The background behind the customer while capturing live photograph should be of white colour and no other person shall come into the frame while capturing the live photograph of the customer.
- Similarly, the live photograph of the original OVD or proof of possession of Aadhaar where offline verification cannot be carried out (placed horizontally), shall be captured vertically from above and watermarking in readable form as mentioned above shall be done. No skew or tilt in the mobile device shall be there while capturing the live photograph of the original documents.
- The live photograph of the customer and his original documents shall be captured in proper light so that they are clearly readable and identifiable.
- Thereafter, all the entries in the CAF shall be filled as per the documents and information furnished by the customer. In those documents where Quick Response (QR) code is available, such details can be auto-populated by scanning the QR code instead of manual filing the details. For example, in case of physical Aadhaar/e-Aadhaar downloaded from UIDAI where QR code is available, the details like name, gender, date of birth and address can be auto-populated by scanning the QR available on Aadhaar/e-Aadhaar.
- Once the above mentioned process is completed, a One Time Password (OTP) message containing the text that 'Please verify the details filled in form before sharing OTP' shall be sent to

customer's own mobile number. Upon successful validation of the OTP, it will be treated as customer signature on CAF.

- However, if the customer does not have his/her own mobile number, then mobile number of his/her family/relatives/known persons may be used for this purpose and be clearly mentioned in CAF. In any case, the mobile number of authorized officer registered with the RE shall not be used for customer signature. The RE must check that the mobile number used in customer signature shall not be the mobile number of the authorized officer.
- The authorized officer shall provide a declaration about the capturing of the live photograph of customer and the original document. For this purpose, the authorized official shall be verified with One Time Password (OTP) which will be sent to his mobile number registered with the RE. Upon successful OTP validation, it shall be treated as authorized officer's signature on the declaration.
- The live photograph of the authorized official shall also be captured in this authorized officer's declaration.
- Subsequent to all these activities, the Application shall give information about the completion of the process and submission of activation request to activation officer of the RE, and also generate the transaction-id/reference-id number of the process. The authorized officer shall intimate the details regarding transaction-id/reference-id number to customer for future reference.
- The authorized officer of the RE shall check and verify that:- (i) information available in the picture of document is matching with the information entered by authorized officer in CAF. (ii) live photograph of the customer matches with the photo available in the document.; and (iii) all of the necessary details in CAF including mandatory field are filled properly.; On Successful verification, the CAF shall be digitally signed by authorized officer of the RE who will take a print of CAF, get signatures/thumb-impresion of customer at appropriate place, then scan and upload the same in system.
- Original hard copy may be returned to the customer.

**CUSTOMER IDENTIFICATION REQUIREMENTS
(INDICATIVE GUIDELINES)**

Trust/ Nominee or Fiduciary Accounts

1. There exists the possibility that trust/nominee or fiduciary accounts can be used to circumvent the customer identification procedures. HFCs should determine whether the customer is acting on behalf of another person as trustee/nominee or any other intermediary. If so, HFCs may insist on receipt of satisfactory evidence of the identity of the intermediaries and of the persons on whose behalf they are acting, as also obtain details of the nature of the trust or other arrangements in place. While opening an account for a trust, HFCs should take reasonable precautions to verify the identity of the trustees and the settlors of trust (including any person settling assets into the trust), grantors, protectors, beneficiaries and signatories. Beneficiaries should be identified when they are defined. In the case of a 'foundation', steps should be taken to verify the founder managers/directors and the beneficiaries, if defined. If the HFC decides to accept such accounts in terms of the Customer Acceptance Policy, the HFC should take reasonable measures to identify the beneficial owner(s) and verify his/her/their identity in a manner so that it is satisfied that it knows who the beneficial owner(s) is/are.

Accounts of companies and firms

2. HFCs need to be vigilant against business entities being used by individuals as a 'front' for maintaining accounts with HFCs. HFC should verify the legal status of the legal person/ entity through proper and relevant documents. HFC should verify that any person purporting to act on behalf of the legal/ juridical person/entity is so authorized and identify and verify the identity of that person. HFCs should examine the control structure of the entity, determine the source of funds and identify the natural persons who have a controlling interest and who comprise the management. These requirements may be moderated according to the risk perception, e.g. in the case of a public company it will not be necessary to identify all the shareholders.

Client accounts opened by professional intermediaries

3. When the HFC has knowledge or reason to believe that the client account opened by a professional intermediary is on behalf of a single client, that client must be identified. HFCs may hold 'pooled' accounts managed by professional intermediaries on behalf of entities like mutual funds, pension funds or other types of funds. Where the HFCs rely on the 'customer due diligence' (CDD) done by an intermediary, they should satisfy themselves that the intermediary is regulated and supervised and has adequate systems in place to comply with the KYC requirements. It should be understood that the ultimate responsibility for knowing the customer vests with the HFC.

Accounts of Politically Exposed Persons (PEPs)

4. Politically exposed persons are individuals who are or have been entrusted with prominent public

functions, e.g. Heads of States or of Governments, senior politicians, senior government/ judicial/ military officers, senior executives of state-owned corporations, important political party officials, etc. HFCs should gather sufficient information on any person/ customer of this category intending to establish a relationship and check all the information available on the person in the public domain. HFCs should verify the identity of the person and seek information about the sources of funds before accepting the PEP as a customer. The decision to open an account for PEP should be taken at a senior level which should be clearly spelt out in Customer Acceptance Policy. HFCs should also subject such accounts to enhanced monitoring on an ongoing basis. The above norms may also be applied to the accounts of the family members or close relatives of PEPs.

Accounts of non-face-to-face customers

The Company will open any account of non-face-to-face customers in compliance with the Master Direction- Know Your Customer (KYC) Direction, 2016.

CUSTOMER IDENTIFICATION PROCEDURE FEATURES TO BE VERIFIED AND DOCUMENTS THAT MAY BE OBTAINED FROM CUSTOMERS

Features	Documents (Certified Copy)
<p>Individuals</p> <ul style="list-style-type: none"> - Legal name and any other names used - Correct permanent address 	<ul style="list-style-type: none"> (i) Passport (ii) PAN card (iii) Voter's Identity Card (iv) Driving license (v) Aadhaar Card (Mandatory only in case customer is desirous of receiving any benefit or subsidy under any scheme notified under Section 7 of the Aadhaar Act.) (vi) Identity card (subject to the Company's satisfaction) (vii) Letter from a recognized public authority or public servant verifying the identity and residence of the customer to the satisfaction of Company (i) Telephone bill (ii) Bank Account statement (iii) Letter from any recognized public authority (iv) Electricity bill (v) Ration card (vi) Letter from employer (subject to satisfaction of the Company) (any one document which provides customer information to the satisfaction of the Company will suffice) <p>One recent passport size photograph except in case of transactions referred to in Rule 9(1)(b) of the PML Rules</p>
<p>Companies</p> <ul style="list-style-type: none"> - Name of the company - Principal place of business - Mailing address of the company - Telephone/Fax Number 	<ul style="list-style-type: none"> (i) Certificate of incorporation and Memorandum & Articles of Association (ii) Resolution of the Board of Directors to open an account and identification of those who have authority to operate the account (iii) Power of Attorney granted to its managers, officers or employees to transact business on its behalf (iv) an officially valid document in respect of managers, officers or employees holding an attorney to transact on its behalf (v) Copy of PAN allotment letter (vi) Copy of the telephone bill

<p>Partnership Firms</p> <ul style="list-style-type: none"> - Legal name - Address - Names of all partners and their addresses - Telephone numbers of the firm and partners 	<ul style="list-style-type: none"> (i) Registration certificate, if registered (ii) Partnership deed (iii) Power of Attorney granted to a partner or an employee of the firm to transact business on its behalf (iv) Any officially valid document identifying the partners and the persons holding the Power of Attorney and their addresses (v) Telephone bill in the name of firm/partners
<p>Trusts & Foundations</p> <ul style="list-style-type: none"> - Names of trustees, settlers, beneficiaries and signatories - Names and addresses of the founder, the managers/directors and the beneficiaries - Telephone/fax numbers 	<ul style="list-style-type: none"> (i) Certificate of registration, if registered (ii) Trust Deed (ii) Power of Attorney granted to transact business on its behalf (iii) Any officially valid document to identify the trustees, settlers, beneficiaries and those holding Power of Attorney, founders/ managers/ directors and their addresses (iv) Resolution of the managing body of the foundation/association (v) Telephone bill
<p>Unincorporated association or a body of individuals</p>	<ul style="list-style-type: none"> (i) Resolution of the managing body of such association or body of individuals (ii) power of attorney granted to him to transact on its behalf (iii) an officially valid document in respect of the person holding an attorney to transact on its behalf (iv) and such other information as may be required by Company to collectively establish the legal existence of such as association or body of individuals.

***‘Officially valid document’** is defined to mean the passport, the driving license, the permanent account number card, the Voter’s Identity Card issued by the Election Commission of India or any other document as may be required by the Company.

**SUSPICIOUS TRANSACTIONS PERTAINING TO HOUSING LOANS
(ILLUSTRATIVE LIST)**

- a) Customer is reluctant to provide information, data, documents;
- b) Submission of false documents, data, purpose of loan, details of accounts;
- c) Refuses to furnish details of source of funds by which initial contribution is made, sources of funds is doubtful etc;
- d) Reluctant to meet in person, represents through a third party/Power of Attorney holder without sufficient reasons;
- e) Approaches a branch/office of a HFC, which is away from the customer's residential or business address provided in the loan application, when there is HFC branch/office nearer to the given address;
- f) Unable to explain or satisfy the numerous transfers in the statement of account/ multiple accounts;
- g) Initial contribution made through unrelated third party accounts without proper justification;
- h) Availing a top-up loan and/or equity loan, without proper justification of the end use of the loan amount;
- i) Suggesting dubious means for the sanction of loan;
- j) Where transactions do not make economic sense;
- k) There are reasonable doubts over the real beneficiary of the loan and the flat to be purchased;
- l) Encashment of loan amount by opening a fictitious bank account;
- m) Applying for a loan knowing fully well that the property/dwelling unit to be financed has been funded earlier and that the same is outstanding;
- n) Sale consideration stated in the agreement for sale is abnormally higher/lower than what is prevailing in the area of purchase;
- o) Multiple funding of the same property/dwelling unit;
- p) Request for payment made in favour of a third party who has no relation to the transaction;
- q) Usage of loan amount by the customer in connivance with the vendor/ builder/ developer/ broker/ agent etc. and using the same for a purpose other than what has been stipulated.
- r) Multiple funding/ financing involving NGO/ Charitable Organisation/ Small/ Medium Establishments (SMEs)/ Self Help Groups (SHGs)/ Micro Finance Groups (MFGs)
- s) Frequent requests for change of address;
- t) Overpayment of installments with a request to refund the overpaid amount

**II. SUSPICIOUS TRANSACTIONS PERTAINING TO BUILDER/ PROJECT LOANS
(ILLUSTRATIVE LIST)**

- a) Builder approaching the HFC for a small loan compared to the total cost of the project;
- b) Builder is unable to explain the sources of funding for the project;
- c) Approvals/sanctions from various authorities are proved to be fake.