



**कर्ज व प्रशासन विभाग**

**Resolution Framework 2.0 कोविड 19 अंतर्गत Micro, Small and Medium Enterprises (MSME) Sector, Individual and Small Business – Restructuring Of Advances पॉलीसीजबाबत विचार करणे.**

कोरोना साथीच्या दुस-या लाटेने देशभरात पुन्हा एकदा लॉकडाउन, कडक निर्बंध लागू करण्याची वेळ आल्यामुळे आर्थिक परिस्थिती पुन्हा ढेपाळली आहे. याचा सर्वाधिक फटका बसणारे सामान्य कर्जदार, छोटे व्यावसायिक आणि लघु, मध्यम उद्योजक यांना दिलासा देण्याच्या उद्देशाने रिझर्व्ह बँक ऑफ इंडिया यांचे कडुन दि. 05/05/2021 रोजी DOR.STE.REC.11/21.04.048/2021-22, DOR.STR.REC.12/21.04.048/2021-22 ने Resolution Framework 2.0 For Covid-19 – Related Stress कर्ज पुनर्रचनेची योजना जाहीर केलेली आहे. सदरचे मार्गदर्शक तत्वानुसार कर्जदाराचे 31 मार्च 2021 रोजी असेट क्लासीफिकेशन स्टॅण्डर्ड मध्ये आहे व त्यांचेवर Covid 19 मुळे संकट आलेले आहे. त्यांचेसाठी प्रत्येक बँकेने सदर परिपत्रकाचे अनुषंगाने बँकेचे धोरण करणे विषयी सुचना केली आहे. त्यानुसार आपले बँकेकडुन कर्जाचे रिस्ट्रक्चरींगबाबतचे धोरण तयार करणेत आलेले असुन त्यास **Covid 19 अंतर्गत 2.0 रिस्ट्रक्चर कर्ज धोरण** असे संबोधण्यात येईल. सदर धोरणात रिझर्व्ह बँकेच्या परिपत्रकानुसार खालील बाबींचा समावेश केलेला आहे.

**A) Resolution of advances to individuals and small Business**

- 1) Individuals who have availed of personal loans (as defined in the circular DBR.No.BP.BC.99/08.13.100/2017-18 dated January 4, 2018 on “XBRL Returns – Harmonization of Banking Stastics”) excluding the credit facilities provided by lending institutions to their own personal / staff.
- 2) Individuals who have availed of loans and advances for business purposes and to whom the lending institutions have aggregate exposure of not more than Rs.25 crore as on March 31, 2021.
- 3) Small businesses, including those engaged in retail and wholesale trade, other than those classified as micro, small and medium



**कर्ज व प्रशासन विभाग**

enterprises as on March 31, 2021, and to whom the lending institutions have aggregate exposure of not more than Rs.25 crore as on march 31, 2021.

बँकानी मंजुर केलेल्या वैयक्तिक व लघु उद्योग कर्जासाठी ही योजना लागू असेल ज्यामध्ये,

1. ग्राहकोपयोगी वस्तु कर्ज
2. वाहन तारण कर्ज
3. तारणी कर्ज, गृहतारण इ.
4. व्यवसायाकिंची वैयक्तिक कर्जे
5. XBRL Return मधील वर्गीकरणाप्रमाणे वैयक्तिक कर्जे
6. वैयक्तिक व्यवसायासाठी एकुण रु.25 कोटीपर्यंत दिलेली कर्जे.
7. MSME वर्गवारीत समाविष्ट नसलेले रिटेल व होलसेल विक्री करणारे लहान व्यापारी ज्यांची कर्जे रु.25 कोटीपेक्षा कमी आहेत.
8. शेती पुरक कर्जे – डेअरी, कुक्कुटपालन, मत्स्य व्यवसाय, मधमाशीपालन
9. बँकेच्या कर्मचा-यांना दिलेल्या कर्जाचा या मध्ये समावेश होणार नाही.
10. या पुर्वी कर्जाची पुर्नबांधणी (Restructure) Resolution केलेली असता कामा नये, याबाबत परिपत्रकामधील Clause 22 अपवाद असेल. त्यानुसार पुर्वी पुर्नबांधणी करताना 2 वर्षापेक्षा कमी कालावधी केला असेल तर असा कालावधी दोन वर्षापर्यंत वाढीव कालावधी देता येईल.
11. पुर्नबांधणी (Restructure) करणा-या कर्जदाराचे 31 मार्च 2021 रोजी असेट क्लासीफिकेशन स्टॅण्डर्ड मध्ये असणे आवश्यक आहे.

• **Invocation of resolution Process – अंमलबजावणीची पध्दत**

1. बँकेच्या एकाच कर्जदारासाठी बँक वेगवेगळे स्वतंत्र निर्णय घेवू शकते.
2. पुर्नबांधणी करावयाच्या खात्यांच्या बाबतीत 30/09/2021 पुर्वी मंजुरी (Invocation) घेणे.

• **Permitted features of resolution plans and implementation –**

1. या अंतर्गत अंमलात आणलेल्या ठरावाच्या योजनामध्ये कर्ज हप्त्याचे पुन्हा शेड्युल करणे, जमा झालेल्या व्याजाचे रूपांतर अन्य कर्जामध्ये करणे, खेळत्या भांडवलासाठी दिलेल्या



**कर्ज व प्रशासन विभाग**

कर्जाचे revision करणे. मात्र कर्जदाराचे उत्पन्नाचे असेसमेंट करूनच अंमलबजावणी करणे. यामध्ये कर्ज तडजोडीच्या तोडग्यांना परवानगी नाही.

2. या योजने अंतर्गत कर्जाचा मोरॅटोरिअम कालावधी अंमलबजावणी तारखेपासून जास्तीत जास्त 2 वर्षे राहिल. कर्ज परतफेडीचा कालावधी मोरॅटोरिअम व विना मोरॅटोरिअम शिवाय 2 वर्षापेक्षा जास्त वाढविता येणार नाही.

3. The instructions contained in the circular DOR.No.BP.BC/13/21.04.048/2021 dated September 7, 2020 on Resolution Framework for Covid-19 related stress – Financial Parameters shall not be applicable to resolution plans implemented under this window.

4. या अंतर्गत कर्जदारांचा पुर्नबांधणीचा अर्ज 30.09.2021 पर्यंत घेवून मंजुरी दिले पासून 90 दिवसाच्या आत अंमलबजावणी करणेची आहे.

The resolution plan shall be deemed to be implemented only if all the conditions in Paragraph 10 of the Annex to the Resolution Framework 1.0 are met.

**• Asset classification and provisioning**

1. अशा प्रकारे कर्जदारास ही योजना मंजूर केली व अंमलबजावणी केल्यास ज्यादा दिलेली कर्ज मर्यादा ही नियमित (Standard) वर्गीकृत असेल, जरी मंजूर कालावधी व अंमलबजावणी दरम्यान असे खाते NPA असले तरीही अंमलबजावणीच्या वेळी ते नियमित (Standard) धरावे व वर्गीकृत करावे.
2. अशा प्रकारे सदर कर्ज या योजनेअंतर्गत अंमलबजावणी होवू शकली नाही तर असे ज्यादा दिलेले कर्ज त्यानंतर अनुत्पादीत कर्जाच्या (IRAC) नियमाप्रमाणे जास्तीत येणा-या वर्गात वर्ग करावे व त्यासाठी नियमित, थकीत कर्जाचे निकष लागू राहतील.
3. कर्जदारास ही योजना अंमलबजावणी अगोदर जरी गरजेपोटी अथवा व्यवसायासाठी जादा अतिरिक्त कर्ज अदा केले असले तरी ते सुध्दा नियमित वर्गीकरण करावे, कर्जदाराच्या स्थितीचा अथवा मध्यंतर मुदतीचा विचार करून अंमलबजावणी पर्यंत हे वर्गीकरण करावे.
4. कर्ज येणेबाकीच्या 10% तरतुद (Provision) किंवा IRAC प्रमाणे करावी.



**कर्ज व प्रशासन विभाग**

5. या योजनेची अंमलबजावणी केलेल्या वैयक्तिक कर्जासाठी अंमलबजावणी होताच, अनुत्पादीत कर्जाच्या नियमाप्रमाणे (IRAC) लगेचच तरतुद करावी.
6. अशा प्रकारे वैयक्तिक कर्जासाठी केलेल्या तरतुदीतील 50% तरतुद कर्जदाराने कर्जाच्या 20% रक्कम कर्ज खाते NPA मध्ये न जावु देता परतफेड केल्यास केलेली तरतुद रिव्हर्स करता येईल आणि राहिलेली अर्धी तरतुद ग्राहकाने कर्जाच्या 10% रक्कम भरल्यास कर्ज वर्गीकरण अनुत्पादीत न होऊ देता तरतुद रिव्हर्स करता येईल.
7. Personal Loan सोडुन इतर कर्जाच्या मोरॅटोरिअम कालावधीनंतर पहिले व्याज किंवा मुद्दल वसुल झाले नंतर 1 वर्षानंतर तरतुद Written करता येईल.
8. पुर्नबांधणी कर्ज खातेस पुर्वीची तरतुद रिव्हर्स केली नसेल तर ती ग्राह्य धरता येईल.

- **Working Capital support for small businesses where resolution plans were implemented previously –**

In respect of borrowers specified at sub-clauses (b) and (c) Clauses 5 Above where resolution plans had been implemented in terms of the Resolution Framework – 1.0, lending institution are permitted, as a one-time measure, to review the working capital sanctioned limits and / or drawing power based on a reassessment of the working capital cycle, reduction of margins, etc. without the same being treated as restructuring. The decision with regard to above shall be taken by lending institutions by 30/09/2021, with the margins and working capital limits being restored to the levels as per the resolution plan implemented under Resolution Framework – 1.0 by 31/03/2022.

The above measures shall be contingent on the lending institution satisfying themselves that the same is necessitated on account of the economics fallout from Covid-19. Further, accounts provided relief under these instructions shall be subject to subsequent supervisory review with



**कर्ज व प्रशासन विभाग**

regard to their justifiability on account of the economics fallout from Covid-19.

**B) Resolution Framework 2.0 for Micro, Small and Medium Enterprises (MSMEs)**

**1. Introduction –**

In order to facilitate restructuring of MSME accounts which were under stress, RBI had issued circular pertaining to Micro, Small and Medium Enterprises (MSME) sector – Restructuring of Advances on January 01, 2019 wherein onetime restructuring of the existing loans to MSMEs classified as 'standard' was permitted without downgrade in asset classification subject to fulfilment of certain conditions. This scheme was further extended vide RBI circular dated 11.02.2020

In view of the continued need to support the viable MSME entities which are facing stress on account of the fallout of Covid-19 and to align the existing guidelines on restructuring of MSME advances with the Resolution Framework for COVID- 19 – related stress announced for other advances, RBI has extended the scheme for restructuring of MSME vide notification DOR.No.BP.BC/4/21.04.048/2020-21 dated August 6, 2020. This window was valid till 31/03/2021.

In view of resurgence of the COVID-19 pandemic in India, RBI has decided to extend the above facility for restructuring of existing loans without a downgrade in the asset classification.

Accordingly, on May 5, 2021, RBI announced Resolution Framework 2.0 – Resolution of COVID-19 related stress of Micro, Small and Medium



**कर्ज व प्रशासन विभाग**

Enterprises (MSMEs) vide circular RBI/2021-22/32 DOR.STR.REC.12/21.04.048/2021-22. This policy is based on the said circular.

**2. Eligible Borrowers :-**

Existing loans to MSMEs classified as 'standard' may be restructured without a downgrade in the asset classification, subject to the following conditions:

- i. The borrower should be classified as a micro, small or medium enterprise as on March 31, 2021 in terms of the Gazette Notification S.O. 2119 (E) dated 26/06/2020.
- ii. The borrowing entity is GST-registered on the date of implementation of the restructuring. However, this condition will not apply to MSMEs that are exempt from GST-registration. This shall be determined on the basis of exemption limit obtaining as on 31/03/2021.
- iii. The aggregate exposure, including non-fund based facilities, of all lending institutions to the borrower does not exceed Rs.25 crore as on 31/03/2021.
- iv. The borrower's account was a 'standard asset' as on 31/03/2021.
- v. The borrower's account was not restructured in terms of the circulars DOR.No.BP.BC/4/21.04.048/2020-21 dated August 6, 2020; DOR.No.BP.BC.34/21.04.048/2019-20 dated February 11, 2020; or DBR.No.BP.BC.18/21.04.048/2018-19 dated January 1, 2019 (collectively referred to as MSME restructuring circulars).

**3. Invocation and implementation :-**





**कर्ज व प्रशासन विभाग**

- i) The restructuring should be invoked by September 30, 2021. For this purpose, the restructuring shall be treated as invoked when the lending institution and the borrower agree to proceed with the efforts towards finalising a restructuring plan to be implemented in respect of such borrower.
- ii) The decisions on applications received by the lending institutions from their customers for invoking restructuring under this facility shall be communicated in writing to the applicant by the lending institutions within 30 days of receipt of such applications.
- iii) The decision to invoke the restructuring under this facility shall be taken by each lending institution having exposure to a borrower independent of invocation decisions taken by other lending institutions, if any, having exposure to the same borrower.
- iv) The restructuring of the borrower account is implemented within 90 days from the date of invocation.
- v) A restructuring would be treated as implemented if the following conditions are met:
  - a) all related documentation, including execution of necessary agreements between lenders and borrower / creation of security charge / perfection of securities are completed by all lenders; and
  - b) the new capital structure and / or changes in the terms and conditions of the existing loans get duly reflected in the books of all the lenders and the borrower.

**4. Udyam Registration :-**



**कर्ज व प्रशासन विभाग**

Udyam Registration Number to be obtained alongwith the application for restructuring.

If the borrower is not registered in the Udyam Registration portal, such registration shall be required to be completed before the date of implementation of the restructuring plan for the plan to be treated as implemented.

In order to ensure compliance with the time-lines for implementation of the resolution plan, the operating units should ensure that the borrower has applied for Udyam Registration at the time of receipt of application.

**5. Asset Classification :-**

Asset classification of borrowers classified as standard may be retained as such, whereas the accounts which may have slipped into NPA category between April 1, 2021 and date of implementation may be upgraded as 'standard asset', as on the date of implementation of the restructuring plan.

The asset classification benefit will be available only if the restructuring is done as per provisions of this circular.

Post restructuring, NPA classification of these accounts shall be as per the extant IRAC norms.

**6. Provisioning :-**

Upon implementation of the restructuring plan, the lending institutions shall keep provision of 10 percent of the residual debt of the borrower.

Banks will, however, have the option of reversing such provisions at the end of the specified period, subject to the account demonstrating satisfactory performance during the specified period.





**कर्ज व प्रशासन विभाग**

'Specified Period' means a period of one year from the commencement of the first payment of interest or principal, whichever is later, on the credit facility with longest period of moratorium under the terms of restructuring package.

'Satisfactory Performance' means no payment (interest and/or principal) shall remain overdue for a period of more than 30 days. In case of cash credit / overdraft account, satisfactory performance means that the outstanding in the account shall not be more than the sanctioned limit or drawing power, whichever is lower, for a period of more than 30 days.

**7. Working Capital Support for borrowers already restructured in terms of the MSME Circulars :-**

- 1) In respect of accounts of borrowers which were restructured in terms of the MSME restructuring circulars, lending institutions are permitted, as a one-time measure, to review the working capital sanctioned limits and / or drawing power based on a reassessment of the working capital cycle, reduction of margins, etc. without the same being treated as restructuring.
- 2) Reduction in margin is proposed to the extent of 10% below the existing margins stipulated for existing Working Capital limit. E.g. If the borrower is having margin of 25% on existing CC limit then DP will be reworked considering 15% margin. For arriving the drawing power, Debtors above 90 days upto 180 days to be considered with 30% margin.
- 3) The decision with regard to above shall be taken by lending institutions by September 30, 2021.



**कर्ज व प्रशासन विभाग**

- 4) The reassessed sanctioned limit / drawing power shall be subject to review by the lending institution at least on a half yearly basis and the renewal / reassessment at least on an annual basis. The annual renewal/reassessment shall be expected to suitably modulate the limits as per the then-prevailing business conditions.

प्रकरणी वरील माहिती व RBI कडील परिपत्रके विचारात घेवुन बँकेचे Restructuring धोरण (Policy) अंमलबजावणी करण्यास खालील प्रमाणे मान्यता देणेत यावी. तसेच संबंधित कर्जदाराचा व्यवसाय Covid 19 मुळे अडचणी मध्ये आला आहे याची खातरजमा करणे आवश्यक आहे. तसेच बोर्ड मंजूरी पॉलीसी सर्वांसाठी वेबसाईटवर प्रसिध्द करणे.

1. रु. 50.00 लाख पर्यंतचे कर्जाचे Restructuring करण्याचे अधिकार जनरल मॅनेजर (कर्ज) / जनरल मॅनेजर / चिफ जनरल मॅनेजर / कार्यकारी संचालक या पैकी एक व चेअरमन/व्हा.चेअरमन यांना द्यावेत. (शाखाधिकारी / क्लस्टर मॅनेजर यांना हे अधिकार नसतील)
2. रु.100.00 लाखचे वरील कर्जाचे रिस्ट्रक्टींग मंजूरी अधिकार कर्ज समिती/कार्यकारी समिती यांना राहतील.
3. कर्ज रिस्ट्रक्चर करणेसाठी प्रोसेसिंग फी घेणेत येवु नये.
4. कर्ज रिस्ट्रक्चर करणेसाठी आवश्यक पुरवणी दस्त / कागदपत्रे पॅनेल अँडव्होकेट यांचे कडुन करुन घ्यावीत.