

March 17, 2023

RBI imposes monetary penalty on IGH Holdings Private Limited, Mumbai

The Reserve Bank of India (RBI) has, by an order dated March 15, 2023, imposed a monetary penalty of ₹11.25 lakh (Rupees Eleven lakh twenty five thousand only) on IGH Holdings Private Limited, Mumbai (the company) for non-compliance with the provisions of section 45-IC of the Reserve Bank of India Act, 1934 (RBI Act) and the directions issued by RBI under sub-section (1) of section 11 of Credit Information Companies (Regulation) Act, 2005 [CIC (R) Act] on membership of Credit Information Companies (CICs) and submission of credit information to CICs contained in 'Non-Banking Financial Company - Systemically Important Non-Deposit taking Company and Deposit taking Company (Reserve Bank) Directions, 2016'. This penalty has been imposed in exercise of powers vested in RBI under the provisions of clause (a) of sub-section (1) of section 58-G read with sub-section (6) of section 58-B of the RBI Act and clause (iii) of sub-section (1) of section 25 read with sub-section (4) of section 23 of CIC (R) Act.

This action is based on the deficiencies in regulatory compliance and is not intended to pronounce upon the validity of any transaction or agreement entered into by the company with its customers.

Background

The statutory inspection of the company was conducted by RBI with reference to its financial position as on March 31, 2021 and examination of the Risk Assessment Report, Inspection Report, supervisory letter and all related correspondence pertaining to the same revealed, *inter alia*, that the company failed to (i) comply with the statutory requirement of transferring 20% of the net profit as disclosed in its profit and loss account for the financial year 2020-21 to the Reserve Fund, (ii) become member of three out of four CICs and (iii) furnish any credit information to even the CIC, of which it was a member. In furtherance to the same, a notice was issued to the company advising it to show cause as to why penalty should not be imposed on it for failure to comply with the provisions of the RBI Act and the directions issued by the RBI under CIC (R) Act, as stated therein.

After considering the company's reply to the notice and oral submissions made during the personal hearing, RBI came to the conclusion that the charge of non-compliance with the aforesaid provisions of the RBI Act and directions was substantiated and warranted imposition of monetary penalty on the company, to the extent of non-compliance with the provisions of the RBI Act and the directions.