

**Frequently Asked Questions (FAQs) on Emergency Credit Line
Guarantee Scheme of Rs. 5 lakh crore
(Updated as on June 29, 2023)**

1.What is Guaranteed Emergency Credit Line (GECL)?

The GECL is a loan for which 100% guarantee would be provided by National Credit Guarantee Trustee Company (NCGTC) to Member Lending Institutions (MLIs), and which will be extended in the form of additional working capital term loan facility and non-fund based facility in case of Scheduled Commercial Banks (SCBs) and Financial Institutions (FIs), and additional term loan facility in case of Non-Banking Financial Companies (NBFCs), to eligible MSMEs/ Business Enterprises, individual borrowers in case of the original loan having been for own business and interested Pradhan Mantri Mudra Yojana (PMMY) borrowers.

Credit under GECL would be up to 30% of borrower's total fund based outstanding credit, excluding off balance sheet and non-fund based exposures, as on 29.2.2020 or 31.3.2021, whichever is highest.

Credit under GECL would be up to 50% of borrower's total fund based outstanding credit for Hospitality and related sectors, subject to maximum of Rs.200 crore per borrower.

Credit under GECL for would be 50% of borrower's total fund based and non-fund based outstanding credit for aviation sector, subject to maximum of Rs.400 crore per borrower, as on 29.02.2020 or 31.03.2021 or 31.01.2022, whichever is highest. However, for airlines, the maximum eligibility shall be 100% of their total credit outstanding (both fund based and non-fund based outstanding, net of ECLGS support already received, if any) as on 29.02.2020 or 31.03.2021 or 31.01.2022, whichever is higher, subject to a cap of Rs.1,500 crore per borrower (of which up to Rs.500 crore to be allowed only subject to proportionate equity contribution by the promoters/owners).

Credit under GECL in respect of hospitals/nursing homes/clinics/medical colleges/units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. seeking loans for setting up of on-site oxygen generating plants shall be upto Rs.2 crore and can be provided as fund based or non-fund based facility or a mix of two.

GECL in respect of eligible borrowers with credit outstanding upto Rs.50 crore is open for all MSMEs/businesses, including MUDRA borrowers. However, GECL in respect of borrowers with credit outstanding above Rs.50 crore and not exceeding Rs.500 crore is restricted only to borrowers in the 26 sectors identified by Kamath Committee on Resolution Framework in its report of September 04, 2020 and the Healthcare sector and shall be provided as fund based or non-fund based facility or a mix of two.

No ceiling on outstanding credit has been prescribed for GECL in respect of borrowers eligible under ECLGS 3.0/3.0 Extension.

2.What is the objective of the Scheme?

The Scheme is a specific response to the unprecedented situation arising out of COVID-19. It seeks to provide much needed relief to the MSMEs/businesses by incentivizing MLIs to provide additional credit of up to Rs.5 lakh crore at low cost, thereby enabling MSMEs/businesses to meet their operational liabilities and restart their businesses.

3.What is the Emergency Credit Line Guarantee Scheme?

The Emergency Credit Line Guarantee Scheme provides 100% guarantee coverage by NCGTC to MLIs on GECL of up to Rs.5 lakh crore to eligible MSMEs. MSMEs for the purpose of this Scheme will include MSMEs/ Business Enterprises which are constituted as Proprietorships, Partnerships, Registered Companies, Trusts and Limited Liability Partnerships (LLPs), interested borrowers under PMMY, and also loans to individuals for business purpose.

4.Who are the MLIs under the Scheme?

All SCBs are eligible as MLIs. NBFCs which have been in operation for at least 2 years as on 29.2.2020, and FIs will also be eligible as MLIs under the Scheme.

5.What will be the definition of FIs for the purpose of this Scheme?

FIs for the purpose of this Scheme will include All India Financial Institutions as defined under sub-clause (i) of clause (c) of Section 45-I of RBI Act.

6.What is the duration of the Scheme?

The Scheme would be applicable to all loans sanctioned under GECL during the period from May 23, 2020 to March 31, 2023, or till guarantees for an amount of Rs. 5 lakh crore are issued by NCGTC, whichever is earlier.

7.What would be the guarantee coverage under the Scheme?

The entire funding provided under GECL shall be provided with a 100% credit guarantee coverage by NCGTC under the Scheme.

8.What will be the eligibility criteria for MSMEs to avail the benefit of the Scheme?

The eligibility criteria under the Scheme are as under:

- All MSME borrower accounts with combined outstanding loans across all MLIs of up to Rs. 50 crore in any sector and classified as regular, SMA-0 or SMA-1 as on 29.2.2020 or 31.03.2021.
- All MSME borrower accounts with any amount of combined outstanding loans across all MLIs in the Hospitality and related sector and Civil Aviation sector and classified as regular, SMA-0 or SMA-1 as on 29.2.2020 or 31.03.2021 or 31.01.2022.
- All MSME borrower accounts in the 26 sectors identified by the Kamath Committee on Resolution Framework in its report of September 04, 2020 and the Healthcare sector having combined outstanding loans across all MLIs above Rs. 50 crore and not exceeding Rs.500 crore and classified as regular, SMA-0 or SMA-1 as on 29.2.2020 or 31.03.2021.
- Hospitals/Nursing Homes/Clinics/Medical Colleges/ units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. having credit facility with any lending institution (non necessarily MLI) and classified as regular, SMA-0, SMA-1 or SMA-2 as on 31.03.2021.
- Borrowers who have availed facility under ECLGS 1.0 and are seeking restructuring as per RBI guidelines of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021).
- The Scheme is valid only for existing customers on the books of the MLI.
- The MSME borrower must be GST registered in all cases where such registration is mandatory. This condition will not apply to MSMEs that are not required to obtain GST registration.
- Loans provided to individuals for own business purposes will be covered under the Scheme.

9.Will the Scheme also cover borrowers under PMMY?

Yes, loans under PMMY extended on or before 31.03.2021, and reported on the MUDRA portal shall be covered under the Scheme.

10.Will GECL be extended as a separate loan account, or as part of the existing loan account of the borrower?

A separate loan account shall be opened for the borrower for extending additional credit under GECL. This account will be distinct from the existing loan account(s) of the borrower.

11. Will loans under ECLGS 1.0 be automatically given without any application or solicitation from the borrower?

This is a pre-approved loan. An offer will go out from the MLI to the eligible borrowers for a pre-approved loan which the borrower may choose to accept. If the MSME accepts the offer, it will be required to complete requisite documentation. Thus, an 'opt-out' option will be provided to eligible borrowers under the Scheme, *i.e.*, if the borrower is not interested in availing the loan, he/she may indicate accordingly.

12. What would be the procedure followed in case a borrower has loan accounts with multiple lenders?

- In case a borrower has existing limits with multiple lenders, GECL may be availed either through one lender or each of the current lenders in proportion depending upon the agreement between the borrower and the MLI.
- In case the borrower wishes to take GECL funding from any specific lender an amount more than the proportional 30% of the fund based outstanding (upto 50% of the fund based outstanding in respect of borrowers in the Hospitality and related sectors and upto 50% of the fund and non fund based outstanding in respect of borrowers in the Civil Aviation sector, subject to cap specified), a No Objection Certificate (NOC) would be required from such lenders whose share of loan under ECLGS is being proposed to be taken from the specific lender. Similar shall be the case with regard to airlines. However, it would be necessary for the specific lender to agree to provide loan under ECLGS on behalf of such lenders.
- No NOC will, however, be required if the GECL availed from a particular lender is limited to the proportional 30% of the fund based outstanding (upto 50% of the fund based outstanding in respect of borrowers in the Hospitality and related sectors and upto 50% of the fund and non-fund based outstanding in respect of borrowers in the Civil Aviation sector).

13. To avail GECL, will it be necessary for existing loans of the borrower to be covered under existing guarantee schemes such as CGFMU or CGTMSE?

No.

14. Will the interest rate on GECL be capped?

Yes, interest rates on GECL shall be capped as under:

- For Banks and FIs, one of the RBI prescribed external benchmark linked rates (for MSMEs) and marginal cost based lending rate (for non-MSMEs) +1% subject to a maximum of 9.25% per annum

- For NBFCs, the interest rate on GECL shall not exceed 14% per annum
- For loans to hospitals/nursing homes/clinics/medical colleges/units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. For setting up on-site oxygen generation plants, rate of interest shall be capped at 7.5% p.a.

The Scheme may also be operated in combination with applicable interest subvention schemes, as far as feasible.

15.What would be the tenor of loans provided under GECL?

The tenor of loans provided under GECL shall be four years from the date of first disbursement in respect of borrowers under ECLGS 1.0. However, such of the borrowers under ECLGS 1.0 who avail of restructuring or borrowers under ECLGS 1.0 (Extension), the tenor of loans under GECL shall be five years from the date of first disbursement.

The tenor of fund based facility provided under ECLGS 2.0 shall be five years from the date of first disbursement/first utilization under fund based or non-fund based facility. The tenor of fund based facility provided under ECLGS 2.0 (Extension) shall be six years from the date of first disbursement/first utilization under fund based or non-fund based facility. No tenor has been prescribed for non-fund based facility, but the guarantee cover on the non-fund based facility shall be reduced proportionately and shall expire on completion of 5 years (or tenor of facility, whichever is earlier) under ECLGS 2.0 and in 6 years (or tenor of facility, whichever is earlier) under ECLGS 2.0 (Extension), from the date of first disbursement/first utilization of fund based or non-fund based facility.

The tenor of fund based facility provided under ECLGS 3.0/3.0(Extension) shall be six years from the date of first disbursement/first utilization under fund based or non-fund based facility. No tenor has been prescribed for non-fund based facility [only available under ECLGS 3.0 (Extension)], but the guarantee cover on the non-fund based facility shall be reduced proportionately and shall expire on completion of 6 years (or tenor of facility, whichever is earlier) from the date of first disbursement/first utilization of fund based or non-fund based facility.

The tenor of fund based facility under ECLGS 4.0 is maximum 54 months after initial moratorium of 6 months (total tenor maximum 5 years) from the date of first disbursement/first utilization of fund based or non-fund based facility. No tenor has been prescribed for non-fund based facility, but the guarantee cover on the non-fund based facility shall be reduced proportionately and shall expire on completion of 5 years (or tenor of facility, whichever is earlier) from the date of first disbursement/first utilization of fund based or non-fund based facility.

It may be noted that last date of disbursement of fund based facility is June 30, 2023(July 15, 2023 for Airlines) and first tranche of non-fund based facility should be utilized on or before June 30, 2023 (July 15, 2023 for Airlines).

No pre-payment penalty shall, however, be charged by the MLIs in case of early repayment.

16. Is there any moratorium period prescribed under the Scheme?

Yes, a moratorium period of one year on the principal amount shall be provided under ECLGS 1.0 & ECLGS 2.0, a moratorium period of two years on the principal amount shall be provided under ECLGS 1.0 (Extension), 2.0 (Extension), 3.0 & 3.0 (Extension) and a moratorium of 6 months shall be provided under ECLGS 4.0. However, borrowers opted for restructuring as per RBI guidelines of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021) have extended tenure as clarified at FAQ 15 above. Interest shall, however, be payable during the moratorium period. The principal shall be repaid in 36 instalments after the moratorium period is over in case of loans covered under ECLGS 1.0 & 1.0 (Extension), in 48 instalments after the moratorium period in case of loans covered under ECLGS 2.0, 2.0 (Extension), 3.0 and 3.0 (Extension) and in maximum 54 monthly instalments under ECLGS 4.0. There shall be no moratorium for non-fund based facility.

Type of facility	Total repayment period including moratorium	Moratorium period on principal repayment
GECL 1.0 (without restructuring)	4 years	1 year
GECL 1.0(Extension)	5 years	2 years
GECL 2.0	5 years	1 year
GECL 2.0 (Extension)	6 years	2 years
GECL 3.0 & 3.0(Extension)	6 years	2 years
GECL 4.0	5 years	6 months

17. Is any turnaround time prescribed for MLIs under the Scheme for sanction of GECL?

Indicative turnaround time for loans under the Scheme shall be the same as those prescribed by Department of Financial Services for credit support in the context of COVID-19 pandemic.

18. Will any guarantee fee be charged under the Scheme by NCGTC?

No, NCGTC will not charge any guarantee fee under the Scheme.

19. Will any processing fee be charged by MLIs for sanction of loans under GECL?

Since additional credit under GECL is to be provided to existing customers, no additional processing fee shall be charged by lenders.

20. Will MLIs ask for any additional collateral for the GECL facility?

No additional collateral shall be asked by MLIs for additional credit extended under GECL.

21. Will the categorization of existing loans extended through current Government schemes such as PMEGP or PMMY change if GECL is provided to such borrowers?

No. Existing loans extended through current Government schemes would continue to be categorized under that scheme as earlier. GECL under this Scheme shall be over and above the existing loan.

22. What will be the risk weight assigned to the credit extended under GECL?

Zero risk weight be assigned to the credit facilities extended under GECL, as per RBI Circular No. 76/21.06.201/2019-20 dated June 21, 2020.

Guarantee cover on non-fund based facility shall reduce proportionately each year and hence the MLI should apply the risk weight on the outstanding facility accordingly.

23. What will be the security on credit extended under GECL Scheme?

The credit under GECL will rank *second charge* with the existing credit facilities in terms of cash flows (including repayments) and securities, with charge on the assets financed under the Scheme to be created within a period of 3 months from the date of disbursal or till June 30, 2023 (July 15, 2023 for Airlines), but in any case prior to the account being classified as NPA.

24. Will MLIs be required to enter into any agreement with NCGTC for the purpose of this Scheme?

Yes, MLIs will be required to submit an Undertaking to NCGTC for the purpose of this Scheme.

25. How will the guaranteed amount be paid by NCGTC to the MLIs on invocation of the guarantee?

75% of the guaranteed amount will be paid by NCGTC within 30 days of an eligible claim being preferred by the MLI concerned. The balance 25% will be paid on conclusion of recovery proceedings or till the decree gets time barred, whichever is earlier.

26. Who will issue detailed operational guidelines for ECLGS, and who will have the authority to modify provisions of the Scheme/operational guidelines?

NCGTC has issued the detailed operational guidelines for the Scheme. The Management Committee for ECLGS fund will have the authority to approve any changes to the current structure of the Scheme/operational guidelines.

27.I run a business enterprise and have a GST registration. However, I am not registered as an MSME nor do I have Udyog Aadhar. My Bank also does not classify me as an MSME borrower. Am I eligible under the scheme?

You are eligible if

- (i) you have total credit outstanding of Rs. 50 Crore or less as on 29th Feb 2020 or 31st March 31, 2021 ; or
- (ii) you belong to the 26 sectors identified by the Kamath Committee on Resolution Framework in its report dated September 04, 2020 or the Healthcare sector and the total credit outstanding is above Rs.50 Crore and not exceeding Rs.500 crore as on 29th Feb 2020 or 31st March, 2021; or
- (iii) you have total credit outstanding of any amount with an eligible MLI as on 29th Feb 2020 or 31st March, 2021 or 31st January 2022 and belong to the Hospitality or related sectors or Civil Aviation sector;
- (iv) You are a hospital/nursing home/clinic/medical college /unit engaged in manufacturing of liquid oxygen, oxygen cylinders etc. having credit outstanding with a lending institution and need assistance upto Rs.2 crore for setting up a on-site oxygen generation plant;
- (v) you have a GST registration or were not required to obtain such GST registration Udyog Aadhar or recognition as MSME is not required under this Scheme; and
- (vi) You meet other eligibility criteria prescribed under the scheme.

28.My Bank/ NBFC has offered me a pre-approved loan of 15% only though the scheme mentions 30%/50. Can the Bank/ NBFC do so?

Under ECLGS, Banks/ NBFCs/HFCs are to offer loans **up to 30%** (upto 50% in respect of borrowers in the Hospitality and related sectors and Civil Aviation sector and 100% in case of airlines, subject to the maximum ceiling specified). Actual loan extended can therefore be less than 30% (or less than 50% in respect of borrowers in the Hospitality and related sectors or aviation sector). This is generally on mutually agreed terms between the borrower and the lender based on factors relevant to the business operations.

29.I run a retail shop. Am I eligible for coverage?

See answer to question 27

30.I operate a lending business. Am I eligible?

No. Typically lending institutions get funds from banks/ NBFCs through on lending, refinance, asset purchase, securitization, assignment etc. There are therefore other windows available including the Partial Credit Guarantee Scheme and the Special Liquidity Facility.

31.Are all NBFCs eligible to become MLIs with NCGTC?

No. The NBFC must be registered with RBI or NHB, should be meeting the CRAR/prudential norms prescribed by RBI/NHB and have been in lending business for at least two years as on 29th Feb 2020. The Managing Committee of the Scheme may prescribe additional qualification criteria from time to time.

32.What will be the procedure for claim settlement?

Please see reply under FAQ No. 71.

33.Can new MSME borrowers get covered under the scheme?

ECLGS scheme is only for existing borrowers on the books of the banks as on 29th Feb 2020 or 31st March 2021 or 31st January 2022, depending upon the sector to which it belongs. Any new borrower can, however, be covered under the ongoing CGTMSE and NCGTC schemes.

34.Can co-applicant loans between entity and the promoter or director get covered under the scheme?

Yes

35.Are off balance sheet loans provided to MSME borrowers covered as part of the scheme?

Under ECLGS 1.0/1.0(Extension)/2.0/2.0(Extension)/3.0, off-balance sheet exposure are not considered for working out the eligible GECL. Only on balance sheet exposures outstanding as on 29th Feb, 2020 or 31st March 2021 are eligible to be covered. Same shall be the position for borrowers in the hospitality and related sectors under ECLGS 3.0 (Extension). However, eligible borrowers can avail non fund based limits also under ECLGS 2.0/2.0 Extension.

For Civil Aviation sector under ECLGS 3.0 (Extension), both fund and non-fund based exposure shall be reckoned as on 29.2.2020 or 31.3.2021 or 31.1.2022, whichever is highest, for computing the eligible GECL and these borrowers can avail GECL funding in the form of both fund and non-fund based limits.

36.How is the interest rate to be decided for loans under the scheme?

As per RBI guidelines dated September 04, 2019 & February 26, 2020, all loans to MSMEs must be benchmarked to one of the external benchmark rates. Banks are free to decide the spread over the external benchmark as per their approved policies. Accordingly, loans under the scheme must adhere to the above-mentioned guidelines and linked to the external benchmark rates with regard to MSMEs. For non-

MSMEs, interest rate would be linked to marginal cost based lending rate.

As part of the Scheme, overall lending rate is capped at 1% above the external benchmark lending rate (for MSMEs) and marginal cost based lending rate (for non-MSMEs) or 9.25% p.a. whichever is lower. Loans which are allowed not to be benchmarked to external rates shall be capped at maximum of 9.25%.

For e.g. for Bank ABC External Benchmark Lending Rate is 7.80 %; i.e. RBI Repo Rate (4.0%) + Spread (3.80%). For the purpose of this scheme the lending rate would be Min of (7.8% + 1% = 8.8% and 9.25%) = 8.8% in this case.

For e.g. for Bank ABC1 External Benchmark Lending Rate is 8.50 %; i.e. RBI Repo Rate (4.0%) + Spread (4.50%). For the purpose of this scheme the lending rate would be Min of (8.5% + 1% = 9.5% and 9.25%) = 9.25% in this case.

As regards NBFCs / HFCs, the interest rate has been capped at 14% p.a.

Interest rate on all loans to hospitals/nursing homes/clinics/medical colleges//units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. for setting up of on-site oxygen generation plant under the scheme shall be capped at 7.5% p.a.

37.I am not a registered MSME and operate a general/retail business. My account was NPA as on 29th Feb, 2020. Am I eligible for ECLGS?

Accounts that are NPA or where overdues have crossed 60 days (SMA-II or NPA) on February 29, 2020/March 31, 2021 are not eligible under ECLGS 1.0/1.0(Extension), ECLGS 2.0/2.0 (Extension). Likewise, accounts that are NPA or where overdues have crossed 60 days (SMA-II or NPA) as on February 29, 2020/March 31, 2021/January 31, 2022 are not eligible under ECLGS 3.0 /3.0(Extension). Further, accounts which had NPA status as on 31.03.2021 shall not be eligible under ECLGS 4.0.

38.My lender, which is an NBFC, proposes to charge 15% for the loan. Is this permissible?

While a NBFC lender can charge a rate of interest higher than 14%, such a loan would not be eligible for guarantee coverage.

39.What is the process of issue of Guarantees under the scheme?

As per the system developed by us for issue of guarantee under ECLGS, once a lender enters the details of the loan sanctioned to an eligible borrower as per the scheme guidelines, the system shall approve the guarantee automatically and will provide Application Reference No. and Credit Guarantee Number to the lender, which shall be used by the lender for later references.

No documents are sought at the time of application lodgment of guarantee, except in the case of individual loans where a management certificate certifying that the original loan was for business purposes.

40. Will a portfolio / clients that has been purchased under a pool qualify under this scheme?

The guarantee is available to the existing lender for the additional loan extended during the specified period. Thus, the lenders on whose book these borrowers currently are can provide these facilities provided the borrowers meet all the eligible conditions as defined in the scheme guidelines. The buyer of the pool should be an MLI under the Scheme.

41. Once the credit facility / loan under the scheme is extended to eligible clients, can the loans be assigned or be eligible for securitization?

The facilities provided under the scheme are eligible for securitization. Since the facility is to be opened as a separate loan account it can be treated at par with normal loans for securitization purpose. Other conditions of eligibility must be fulfilled.

42. In case where the original loan is an unsecured loan (i.e. with no primary or collateral security), is it required to create a charge within a period of 3 months as applicable for ECLGS scheme?

If the underlying loan is unsecured in nature, no charge is required to be created/extended.

43. In retail financial sector, it is a common practice to balance transfer of loans from one entity to other. Will these customers be eligible for this scheme?

Mere transfer of loan from one lender to the other will not invalidate the customer or reduce the maximum loan eligibility available to such customer under this scheme, provided the lender taking over is also eligible under the scheme as per the criteria defined in the scheme guidelines.

MLIs should note that the overall loan under the scheme will be capped at overall outstanding as on 29th Feb, 2020/31st March 2021/31st January 2022(as the case may be). The MLI taking over should submit and retain proof of the outstanding loans of the borrower as on 29th February 2020/31st March 2021/31st January 2022, details of eligible GECL obtained by the borrower from the earlier MLI so that the total GECL provided to the borrower is within the eligible limit.

44. Will MSME customer of HFC entitled for this scheme?

MSME portfolio of HFC will be eligible. All MSME Loans must be given to entities which are eligible to be covered and provided other eligibility conditions are fulfilled.

45.What would be the format of NOC and undertaking to be obtained from other lender?

No format has been prescribed under the scheme. MLIs may use whatever they have been following till now.

46.What would be the nature of guarantee under the scheme?

The Credit Guarantee from NCGTC would be unconditional and irrevocable.

47.What would be the risk weight assigned to loans provided guarantee cover under the scheme?

Zero risk weight is to be assigned to the credit facilities extended under the scheme, as per RBI Circular No. 76/21.06.201/2019-20 dated June 21, 2020.

Guarantee cover on non-fund based facility shall reduce proportionately each year and hence the MLI should apply the risk weight on the outstanding facility accordingly.

48.Guarantee was issued under the scheme to a borrower who was eligible at the time of issue of guarantee. However, subsequently its combined loan outstanding across all MLIs exceeded Rs.500 crore or annual turnover exceeded Rs.250 crore. Whether the guarantee issued in such a case become void?

No, it would not become void. Eligibility is reckoned at the time of sanction of the loan. Relevant Clause of the Undertaking furnished by MLIs shall therefore stand deleted.

49.I run my business as a Society/ HUFs. Am I eligible under the scheme of ECLGS ?

Yes, all legal entities are eligible. Association of Persons is not a legal entity and hence not eligible for assistance under ECLGS.

50.Whether individuals are covered under ECLGS, if they are MUDRA borrowers?

Yes, they are eligible, provided they meet the other eligibility norms of the scheme and the lender should have reported loans extended by it on the Mudra portal.

51.In case of MUDRA borrowers, if the total outstanding after support under ELGS exceeds the limit of Rs.10 lakh as specified for MUDRA borrowers, will they continue to get cover under Credit Guarantee Fund for Micro Units ?

Yes, the additional loan would be covered under NCGTC's ECLGS, while the original loan would

continue under CGFMU as previously covered.

52. Whether educational institutes/ agri allied activities eligible for coverage under the scheme?

The scheme is for business activities. Any activity that is classified as an MSME or a business enterprise as per various guidelines issued by RBI or any Ministry from time to time are eligible for coverage under the scheme. If the other norms of the scheme are complied with, these institutions shall stand eligible.

53. Whether projects under implementation (who have not yet started commercial operations or have not completed one year of commercial operations) eligible for coverage under the scheme?

No restriction has been imposed for such types of units as they would also have been impacted by the pandemic and may suffer time and cost overrun. The concerned MLI should ensure overall eligibility under the scheme.

54. What is meant by Commercial Vehicle (CV)?

It means a vehicle registered for commercial purposes.

55. Whether RRBs are eligible for coverage under the scheme?

Yes, they are eligible.

56. I am a borrower and have furnished corporate guarantee/ guarantee of self / third party to my Bank on an existing loan. Do I have to arrange to extend this previously furnished guarantee for the 20% loan being availed by me under ECLGS?

No. Extension of any guarantee or obtention of any fresh guarantee will make the guarantee cover provided by NCGTC under the scheme void.

57. The Bank has taken first charge on perishable assets/current assets against short term loans to a borrower and extended second charge on these assets to NCGTC against facility under ECLGS. What would be the security available once these assets are sold off/disposed?

The second charge assumes the nature of first charge after payment of full dues of first charge holder. However, if the assets against which second charge was created itself are not there, then the facility extended under ECLGS would become unsecured. New assets would not be required for creating or sustaining the charge.

58. Some lenders have indicated a negative list of sectors for consideration under ECLGS. Does the scheme have any restriction on business activity of a borrower?

ECLGS is admissible for all business activities. There is no negative list for coverage under ECLGS.

59. Whether individuals are eligible for assistance under the scheme?

Yes, business loans availed by individuals for their own businesses/proprietorship concerns shall be eligible under ECLGS 1.0/1.0(Extension)/3.0/3.0(Extension). However, the MLI shall have to submit a suitable Management Certificate at the time of lodgment of guarantee application.

60. I am an individual having taken loan from an eligible MLI for commercial purpose vehicle. Am I eligible for ECLGS facility?

Yes, you are eligible, provided you meet the other eligibility criteria of the scheme.

61. I am an individual having taken loan from an eligible MLI for commercial/ construction equipment. Am I eligible for ECLGS facility?

Yes, you are eligible, provided you meet the other eligibility criteria of the scheme.

62. I am an individual having taken loan from an eligible MLI for diagnostic equipment. Am I eligible for ECLGS facility?

Yes, you are eligible, provided you meet the other eligibility criteria of the scheme.

63. I am an individual having taken loan against property from an eligible MLI. Am I eligible for ECLGS facility?

You are eligible, provided the loan has been taken for your own business purpose and you meet the other eligibility criteria of the scheme.

64. Whether Lease Rental Discounting is eligible for assistance under ECLGS?

No.

65. I am an eligible borrower banking with MLI 'A' and MLI 'B'. MLI 'A' has sanctioned me the eligible assistance of overall outstanding with MLIs 'A' and 'B' and obtained guarantee under ECLGS by indicating in the system that NOC has been obtained from MLI 'B', though it has actually not been. Now MLI 'A' is delaying disbursement and is seeking NOC from MLI 'B',

which MLI 'B' is refusing. MLI 'B' has also sanctioned assistance to me as per my eligibility with them, but cannot disburse as it is not able to obtain guarantee under ECLGS. Finally, I am a sufferer not able to avail assistance under ECLGS due to tussle between the 2 MLIs. What should I do ?

On receipt of details, correction would be done by NCGTC to enable guarantee cover to MLI 'B' to the extent of its eligibility and guarantee cover to MLI 'A' to the extent of its eligibility under ECLGS. You will then be able to avail proportional loan from both the MLIs.

66.I am an eligible MLI and have got some guarantees issued in respect of certain eligible borrowers. However, some of the details entered in the system are incorrect. Can the incorrect details entered be modified?

No, there are some validations in the system and hence modifications cannot be allowed. However, on specific request from registered (at the time of enrolment) mail id of the MLI, NCGTC would arrange to delete the guarantees issued and the MLI shall be able to apply afresh for the guarantee in respect of loan to such borrowers.

67.Bureau outstanding has been entered incorrectly by MLI 'A' while taking guarantee cover in respect of an eligible borrower. The said borrower is also baking with MLI 'B', but it is not able to extend assistance to the borrower in view of incorrect entry of Bureau Outstanding. What should MLI 'B' do ?

NCGTC has already developed and circulated a module as per which the MLI 'B' can rectify the Bureau outstanding. It may, however, be noted that MLI 'B' should retain the document relating to Bureau outstanding as proof which would be required in case of claim settlement. Similar provision has been made with regard to incorrect marking of account under GECL 1 or 2 by the MLI, which rectification they may do subject to meeting of validations put thereat.

68.Are Regional Rural Banks (RRBs) eligible as Member Lending institution under ECLGS?

Yes, all scheduled RRBs are eligible. It may be mentioned here that subsequent to amalgamation of certain RRBs which were previously scheduled, they are yet to be included in Second Schedule of RBI Act, but considering that RBI has already commenced the process to include them in the Schedule which may take some time and the fact that they were earlier scheduled, they are also eligible under ECLGS.

69.It has been indicated under FAQ 12 that in case a borrower wishes to take from any lender an amount more than the proportional eligible, a No Objection Certificate (NOC) would be required from all other lenders. Is it necessary for the borrower to obtain NOC from all lenders even though the loan being taken from a particular lender is not the total outstanding across all MLIs ?

No, NOC would be required from the respective lenders whose share of ECLGS loan, the borrower wants to avail from one particular lender. It may, however, be necessary here for the particular lender to agree to provide assistance under ECLGS on behalf of these other lenders.

70. An MLI 'A' has taken guarantee cover under ECLGS for a loan provided to a specific borrower. MLI 'B' takes over the said loan from MLI 'A' anytime during the repayment period. How will the guarantee provided under ECLGS be transferred from MLI 'A' to MLI 'B' and what would be the repayment schedule of the said loan under ECLGS with MLI 'B' ?

A page has been created on the portal for takeover cases wherein MLI 'B' has to enter certain details about the borrower being taken over from MLI 'A'—it includes fields like borrower name, names of MLIs 'A' & 'B', CGPAN number of MLI 'A', loan account number, Management Certificate of having taken over the loan, etc. On submission of the same, NCGTC would verify the details of transfer and on approval, fresh CGPAN number is generated for MLI 'B' and a mail goes to the registered mail ids of the two MLIs about shift of guarantee from MLI 'A' to MLI 'B'.

There would be no change in the repayment schedule, which should be as per scheme guidelines and both MLIs should ensure the same.

71. What would be the procedure for filing and settlement of claims under ECLGS ?

NPA Marking –

NPA marking module is available on portal under Claim & Settlement, wherein provision is made for NPA marking. MLI needs to mark NPA within 90 days of the account being classified as NPA or date of Supreme Court order (March 23, 2021), whichever is later.

Interim Claim –

The MLI shall furnish the details of the account which would include date of NPA, amount in default, status of legal action etc. in the claim lodgment page available on the portal. The MLI may also be required to upload Management Certificate certifying certain details about the account. On submission of this claim, an e-mail shall go to the MLI that their claim has been lodged and NCGTC would initiate action to approve the claim request and arrange to pay 75% of the amount in default within 30 days of the claim date provided all requisite documents are submitted and the claim is found to be in order and complete in all respects. This shall be treated as Interim Claim. In view of the fact that date of default for facilities under non-fund based assistance could be on different dates, multiple interim claims shall be allowed to the MLI.

The MLI shall also furnish details of the recoveries made in the account and after adjusting such recoveries towards default amount relating to first charge and the legal costs incurred by them, remit the balance amount to NCGTC within 30 days, failing which MLI shall be required to pay the recovered amount along with interest at 2% over and above the prevailing repo rate from the date of recovery to

the date of payment.

Final Claim:

On completion of the recovery Proceedings or till decree gets time barred, whichever is earlier, the MLI shall submit its claim for the balance 25% of the amount in default (net of recoveries, if not already remitted as above). Procedure for settlement of this Final Claim shall be the same as that of Interim Claim except that in the case of loans to individuals, Management Certificate shall be replaced by Statutory Auditor's certificate.

72. The scheme provides that all business enterprises / MSME borrower accounts with combined outstanding loans are eligible for the scheme. In this regard, whether MLI means such institutions which are registered with NCGTC or includes all lending institutions?

MLI here refers to all lending institutions.

73. I am an eligible borrower banking with 2 lending institutions – one is registered with NCGTC and the other is not eligible or not registered with NCGTC. Can the registered MLI provide assistance under ECLGS against my outstanding with non-eligible/non- registered lending institution after obtaining NOC from it?

Yes

74. I am an eligible borrower banking with MLI 'A' and MLI 'B'. If MLI 'A' provides m ECLGS facility on the outstanding amount of MLI 'B' also based on NOC received from it, do I have to create second charge on my securities available with MLI 'B'.

No, second charge has to be created only on the securities available with the lender providing the ECLGS facility.

75. A legal entity 'A' eligible under the scheme got merged into/taken over by another entity 'B' after February 29, 2020/March 31, 2021/January 31, 2022 and the account of entity 'A' has since closed. Will entity 'B' be eligible for facility under ECLGS to the extent of 20/30% of outstanding as on February 29, 2020/March 31, 2021/January 31, 2022 of entity 'B' alone or combined outstanding as on February 29, 2020/March 31, 2021/January 31, 2022 of entities 'A' & 'B'.

The facility cannot be provided in respect of closed accounts. Hence, Entity 'B' would be entitled to upto 30% of the fund based outstanding [upto 50% of the fund based outstanding in respect of borrowers in the Hospitality and related sectors and upto 50% (100% for airlines) of the fund and non-fund based outstanding in respect of borrowers in the Civil Aviation sector of outstanding of entity 'B' alone as on February 29, 2020 or March 31, 2021 or January 31, 2022 (whichever is highest), subject to

the sector to which it belongs and meeting other eligibility criteria prescribed under the scheme].

However, if the constitution of entity 'A' gets changed to entity 'B' (and PAN gets changed) subsequent to February 29, 2020/March 31, 2021/January 31, 2022 (as the case may be and the sector to which the borrower belongs), then entity 'B' shall be eligible for assistance as entity 'A' would have become eligible, had it continued to be in existence.

76.NCGTC had come out with an FAQ on June 29, 2020 wherein it was clarified that extension of any guarantee or obtention of any fresh guarantee for the facility under ECLGS shall make the guarantee void. In view of the practice being followed in some MLIs, they have taken extension on guarantees available from the borrowers while creating second charge. Can such accounts be exempted from being considered void, as clarification through FAQ was received only on June 29, 2020?

The Operational Guidelines of the scheme provide for second charge only on securities available with an MLI. Nowhere any mention of obtention of any guarantee was stipulated. The said FAQ was not an amendment to the guidelines, but just a clarification. MLIs who have obtained guarantee in any form may take necessary steps to get the same cancelled to ensure continuity of guarantee cover.

77.I am an eligible borrower having availed loan under the scheme. Till which date can I avail disbursement?

Sanction under ECLGS is valid upto March 31, 2023 and disbursement out of fund based facility can be availed upto June 30, 2023 (July 15, 2023 for Airlines). Facility under non-fund based portion can be availed during the 5/6 year tenor of facility sanctioned provided the first tranche has been utilized on or before June 30, 2023 (July 15, 2023 for Airlines).

78.I am a borrower banking with an eligible MLI 'A'. My total turnover is Rs.250 crore (exclusive of taxes) for FY 2019-20 and is exceeding Rs.250 crore with taxes including GST. Whether I am eligible under the scheme?

Yes, the turnover limit is no more applicable.

79.Are Self Help Groups eligible for assistance under ECLGS?

No.

80.I am an eligible borrower banking with an eligible MLI. However, sister concern of the borrower or my personal account has some outstanding over 60 days past due. Whether I am eligible for assistance under ECLGS?

Yes, eligibility of the borrower is to be seen, not of other entities/personal account.

81.I am an eligible borrower having availed assistance under ECLGS. I have since repaid loans to the lender and am seeking release of partial/full securities. Can the lender release these securities?

The lender can release his charge, but continue to hold the securities on behalf of NCGTC till clearance of entire dues under the scheme.

82.I am an eligible borrower banking with an eligible MLI. My present loan is covered under CGTMSE. Am I eligible for loan under ECLGS?

Yes. While, under the existing guidelines of CGTMSE, assets are exclusively charged to the MLI, CGTMSE is allowing creation of second charge under this specific scheme of ECLGS and has been sending clarifications to the MLIs as and when sought.

83.Subsequent to the account turning NPA, when would legal action be considered as initiated on the part of MLI ?

Mere issue of recall notice shall not be construed as initiation of legal action. Legal action shall be considered as initiated upon filing of application in Lok Adalat/Civil Court/Revenue State Authority/DRT or after action pursuant to the notice issued under Section 13(4) of SARFAESI Act, 2002 or after admission of application under NCLT or commencement of arbitration proceedings or such other action as may be decided by NCGTC from time to time.

84.I am an eligible borrower banking with an eligible MLI. Whether commercial or consumer outstanding of credit Bureau (as on February 29, 2020/March 31, 2021/January 31, 2022, as the case may be) shall be considered while grant of facility under the scheme?

It could be cumulative outstanding, particularly in the case of individuals. With regard to commercial bureau outstanding, the outstanding under fund based facility should be considered. With regard to consumer bureau outstanding (basically for individuals), only the outstanding appearing under business purposes like commercial purpose vehicles, commercial and construction equipment, diagnostic equipment, etc. should be considered. For example, loan taken for non-business purposes like housing loan, education loan, consumer loan, gold loan, credit card loan etc. taken by the borrower and appearing under the consumer bureau outstanding should not be considered to arrive at the Bureau outstanding. Credit bureau proof of the same should be retained by the MLI for verification, as and when sought.

85.Whether an MLI can deny loan solely on the ground that Borrower's credit rating or Bureau score is below the cut-off decided as per the internal policy of the MLI.

This scheme is designed with specified eligibility criteria and 100% guarantee by GoI. Therefore, coverage from NCGTC is not restricted by borrower's credit rating or Bureau score.

86.I have 3 proprietorship concerns in my name with the same PAN. The Bureau outstanding shows my cumulative outstanding against the 3 units. Am I eligible for assistance in all the 3 units?

Yes, provided the total outstanding under a single PAN is limited to the eligible additional assistance of the Bureau outstanding and the borrower units are, otherwise, eligible for assistance under the scheme.

87.I am an eligible MLI having loan outstanding in respect of a proprietary concern as on February 29, 2020. The owner has changed due to old age or death and accordingly the PAN has also changed. Is the unit eligible under the new PAN?

No, eligibility is PAN specific.

88.I am an eligible MLI having sanctioned cases under MUDRA scheme. When I was trying to lodge MUDRA cases for guarantee under ECLGS, it was showing that I have exhausted my limit. How is the eligibility limit for extending assistance to MUDRA borrowers assessed?

In terms of the scheme guidelines, ECLGS facility can be extended to such of the MUDRA borrowers where, besides meeting the other eligibility criteria including loan outstanding as on February 29, 2020/March 31, 2021, the MLIs have reported the accounts on the MUDRA portal as on March 31, 2020/March 31, 2021 (reporting of outstanding loans to MUDRA being on quarterly basis). The eligibility / limit is, accordingly, assessed.

89.I am an eligible MLI having extended assistance under ECLGS to an eligible borrower. The borrower has approached for release of existing full/partial security or replacement of security. Is it permitted?

Release/replacement of security, partially or fully, is a credit call to be taken by the MLI, subject to the condition that the interest of NCGTC is not compromised in any manner whatsoever, as per the scheme guidelines.

90.I am an eligible MLI having extended assistance under ECLGS to an eligible borrower. The borrower has subsequently approached for enhancement of facility/sanction of additional facility. Is it permitted?

NCGTC may be intimated, as provided in the Operational Guidelines. No prior approval is needed. Enhancement of credit facility / sanction of additional credit facility is a credit call to be taken by the MLI, subject to the condition that the interest of NCGTC is not compromised in any manner whatsoever, as per the scheme guidelines.

91.I am an eligible borrower banking with an eligible MLI. My loan outstanding (as on February 29, 2020/March 31, 2021/January 31, 2022, as the case may be) with the MLI is secured on the basis of second charge on certain assets. What would be the security to be created on ECLGS funding?

As per the scheme guidelines, it is second charge on existing assets. Accordingly, in case where second or subservient charge is already created, pari passu second charge may be created.

92.I am an eligible borrower banking with an eligible MLI. My loan outstanding in one of the Credit Bureaus is showing DPD higher than 60 days as on February 29, 2020/March 31, 2021/January 31, 2022. However, this is incorrect as I had paid on time and the DPD as on February 29, 2020 was 60 days or less and I have submitted the detailed accounts to my MLI. Am I eligible for assistance under ECLGS?

The scheme guidelines stipulates checking of such details with a Credit Bureau. It, however, does not specify which Bureau. Mistakes can happen at the Bureau also or in reporting of data to the Bureau. It is, therefore, the duty of the MLI to satisfy itself on the eligibility of the borrower as per the scheme guidelines and preserve such documents, which may be required at the time of claim settlement, if any. Efforts may also be made to rectify such issues with the respective Credit Bureau.

93.Whether outstanding NCDs/ Debentures as on February 29, 2020/March 31, 2021/January 31, 2022 are to be taken into account for arriving at the outstanding debt ceiling as specified in the scheme?

For better clarity, please read FAQ 102.

94.Whether limits sanctioned under bill discounting facilities (purchase wise or seller wise), which is short term but rolling over facility, is eligible for ECLGS assistance based on the outstanding debt as on Feb 29, 2020/March 31, 2021.

Bill discounting limits are given to purchasers as well as sellers. Such limits given to purchasers only replaces the debts due to their suppliers and does not affect their working capital cycle. Hence, only bill discounting limits given to suppliers will be eligible for ECLGS assistance, based on outstanding facilities on the reference date, subject to it meeting other eligibility norms.

95.I am an eligible borrower who was banking with MLI 'A'. The MLI 'A' has assigned major portion of the loan sanctioned to me to MLI 'B' through securitization and the loan remaining with MLI 'A' is marginal. Also, the security that was available with MLI 'A' has been transferred to MLI 'B' and there is no security available with MLI 'A' now. Whether MLI 'A' can sanction the

eligible amount based on my outstanding facility across MLI 'A' & 'B' as on February 29, 2020/March 31, 2021/January 31, 2022 (as the case may be) after obtaining NOC from MLI B'?

Yes, MLI 'A' can do so provided the borrower is otherwise eligible and it is an existing customer of MLI 'A'. However, if 100% of the loan is assigned by MLI 'A' to MLI 'B' and there is no outstanding of the borrower with MLI 'A', then MLI 'A' shall not be able to provide facility under ECLGS to the said borrower. There is no stipulation of availability of security in the scheme.

96. Whether loans to Joint Liability Group (JLG) under MUDRA scheme eligible for assistance under ECLGS?

JLG is not an entity and no loans are extended to JLG per se. Under the JLG model of lending, individuals are given loans and as per the ECLGS guidelines, individuals are eligible.

97. I am an individual running a proprietary concern. Am I eligible for ECLGS facility both as a proprietary concern and also as an individual?

PAN would be same for the proprietary concern and the individual. If both meet the eligibility criteria of the scheme and original assistance by the proprietary concern was used for business purposes and original assistance by the individual was used as prescribed under the scheme, both would be eligible for assistance under ECLGS but they shall have to apply separately.

98. I am an eligible borrower under ECLGS. However, I am not required to prepare annual accounts and hence I do not have audited/ finalized turnover details for FY 2019-20. What details are required from me for getting the benefit under ECLGS?

In terms of the scheme guidelines, the MLI shall obtain a declaration from such borrowers regarding turnover. The MLI should satisfy itself in this regard.

99. I am an eligible borrower banking with an eligible MLI. My loan accounts were less than 60 days past due, but small overdues exceeding 60 days past due were there in my (borrower's) credit card/savings account/current account as on February 29, 2020/March 31, 2021/January 31, 2022 which were appearing in the Credit Bureau report and making the account ineligible for assistance under Emergency Credit Line Guarantee Scheme (ECLGS). Whether any exemption can be granted by the MLIs in such cases?

As an exception, such cases can be considered eligible for assistance under ECLGS, if overdues in respect of credit card/savings account/current account of the borrower does not exceed 1% of the loan amount (i.e. GECL amount) extended under ECLGS facility, the overdue amounts are regularized prior to assistance being provided under ECLGS and are within the materiality concept being followed by the MLI concerned.

100. In a securitization deal, the pooled assets of MLI 'A' have been assigned to a Trust (not an MLI), acting through a Trustee, through direct assignment or through Pass Through Certificate, and the beneficiary is another eligible MLI under the scheme. Please advise whether the purchasing Trust would be eligible for transfer of Guarantees in its name in respect of such pooled assets?

Yes.

101. What will be the security on credit extended under GECL Scheme in respect of small loans?

In continuation of FAQ No.23, it is further clarified that as per decision taken on September 08, 2020, the stipulation for creation of second charge has been waived in respect of all loans up to Rs.25 lakh **(outstanding loan on the reference date plus loans sanctioned under GECL)**, provided the MLI ensures to safeguard the interests of NCGTC and in this regard obtains a suitable undertaking (as per draft format to be provided by NCGTC and hosted/to be hosted on the website) from the borrower.

102. I am an eligible borrower with outstanding loans from an eligible MLI and debentures from an investor. Am I eligible for ECLGS facility on debentures also as this is a type of debt, though subordinate to the senior debt?

The Scheme is limited to lending institutions covered under the Scheme, and the ECLGS facility is eligible only on outstanding debt. Hence, ECLGS would be eligible on debentures only if they are either Non-convertible or Optionally Convertible and have been raised from a lending institution covered under the Scheme, and not from investor(s)/investing company. In case of Optionally Convertible debentures, the guarantee on GECL shall, however, cease to be operative on such debt being converted to equity during the currency of the guarantee coverage.

103. I am an eligible MLI having extended facility under ECLGS to an eligible borrower. In terms of the scheme guidelines, security has to be created within 3 months. Can extension be granted on the same?

As indicated at FAQ 101, stipulation of creation of second charge has already been waived in respect of all loans up to an aggregate of Rs.25 lakh, inclusive of the original loan as well as the additional credit provided under ECLGS. Further, certain States have already started the facility of e-stamping. Accordingly, MLIs need to make all efforts to create the security within the stipulated time in all cases where creation of security is required under ECLGS.

However, considering that the sanction under the scheme is valid upto March 31, 2023 and keeping the

3 months period allowed for creation of security in view, time up to June 30, 2023 (July 15, 2023 for Airlines) will be allowed to the MLIs to create the stipulated security. MLIs may, accordingly ensure that the stipulated security is created prior to the account turning NPA or up to June 30, 2023 (July 15, 2023 for Airlines), whichever is earlier, failing which claims shall not be settled and the guarantee shall be considered as void.

104. Whether loans given against FDs/Mutual Funds etc. be considered eligible for ECLGS support?

Yes, provided that the various aspects of the scheme guidelines are complied with. The MLI should ensure to create charge /lien on such assets as per the scheme guidelines to safeguard the interest of NCGTC.

105. Whether GECL loans provided under ECLGS are eligible to be restructured without downgrade as per RBI guidelines of August 06, 2020 ?

No, as only credit outstanding as on March 1st, 2020 is eligible for restructuring under RBI's Resolution framework of August 6, 2020.

However, GECL loans are eligible for rescheduling of principal instalments as per RBI guidelines on resolution framework of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021). The same have been explained in later FAQs.

106. An eligible borrower has obtained loan under ECLGS from an eligible MLI 'A'. Whether the said borrower can avail enhanced/fresh loan from the same MLI 'A' or another MLI and extend its first charge on the security available?

The borrower can avail enhanced/fresh loan from the same or another MLI against extension of first charge / creation of pari-passu first charge on the security available.

107. I am a borrower banking with an eligible MLI 'A'. Due to some incorrect accounting or inefficiency of MLI 'A', I was marked as SMA-2/NPA as on February 29, 2020/March 31, 2021/January 31, 2022. Whether MLI can consider loan to me under ECLGS ?

It is for the MLI to check the eligibility of the borrower based on all facts available with it and rectify the mistakes so that an eligible borrower is not denied benefit under the scheme due to inefficiency or incorrect accounting at the end of MLI. In such cases, the MLI concerned which had reported the borrowers to CRILC or any other Credit Bureau as SMA-2 or NPA shall have to certify that such reporting was erroneous or due to purely technical reasons.

108. What is ECLGS 1.0, ECLGS 1.0(Extension), ECLGS 2.0, ECLGS 2.0(Extension) , ECLGS 3.0, ECLGS 3.0 (Extension) & ECLGS 4.0

ECLGS-1.0 refers to the scheme for providing 100% Guarantee coverage by NCGTC to its Member Lending Institutions against extension of eligible credit to its existing borrowers whose total credit outstanding (fund based) across all lending institutions and days past due as on February 29, 2020 was upto Rs.50 crore and upto 60 days respectively.

ECLGS 1.0(Extension) refers to the scheme for providing additional support to existing borrowers of ECLGS 1.0 or new borrowers eligible under ECLGS 1.0 based on revised reference date of March 31, 2021.

ECLGS-2.0 refers to the scheme for providing 100% Guarantee coverage by NCGTC to its Member Lending Institutions against extension of eligible credit to its existing borrowers in the 26 stressed sectors identified by the Kamath Committee on Resolution Framework and the Healthcare sector whose total credit outstanding (fund based) across all lending institutions and days past due as on February 29, 2020 was above Rs.50 crore and not exceeding Rs.500 crore and upto 60 days respectively.

ECLGS 2.0 (Extension) refers to the scheme for providing additional support to existing borrowers of ECLGS 2.0 or new borrowers eligible under ECLGS 2.0 based on revised reference date of March 31, 2021.

ECLGS 3.0 refers to the scheme for providing 100% guarantee coverage by NCGTC to its Member Lending Institutions against extension of eligible credit to its existing borrowers in the Hospitality and related sector and Civil Aviation sector whose days past due as on February 29, 2020 was upto 60 days.

ECLGS 3.0 (Extension) refers to the scheme for providing additional support to existing borrowers of ECLGS 3.0 or new borrowers eligible under ECLGS 3.0 based on revised reference date of March 31, 2021/January 31, 2022.

ECLGS 4.0 refers to the scheme for providing 100% guarantee coverage by NCGTC to its Member Lending Institutions against extension of eligible credit to hospitals/nursing homes/clinics/medical colleges/units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. setting up on site oxygen generation plants.

109. I am an eligible borrower with total credit outstanding across all lending institutions above Rs.50 crore as on February 29, 2020/March 31, 2021/January 31, 2022. Am I eligible for assistance under the scheme of ECLGS?

You are eligible for assistance under ECLGS 2.0/2.0(Extension) provided you fall in the 26 stressed sectors identified by the Kamath Committee on Resolution Framework or the Healthcare sector, your

total outstanding fund based facility across all lending institutions and DPD as on February 29, 2020/March 31, 2021 was upto Rs.500 crore and upto 60 days respectively and you meet the other eligibility criteria prescribed under the scheme.

You are eligible for assistance under ECLGS 3.0/3.0(Extension) provided you belong to the Hospitality and related sectors (including Hotels/restaurants etc., Tourism & Travel sector, Leisure & Sporting etc.) or Civil Aviation sector and have credit facilities with an MLI with DPD of upto 60 days as on February 29, 2020/March 31, 2021/January 31, 2022.

You are eligible for assistance under ECLGS 4.0, if you are a hospital/nursing home/clinic/medical college/unit engaged in manufacturing of liquid oxygen, oxygen cylinders etc. having outstanding credit facility with any lending institution with days past due upto 90 days as on March 31, 2021

110.I am an eligible borrower in the 27 identified industry sectors for assistance under ECLGS 2.0. How much fund based and / or non-fund based facility am I eligible under the scheme?

As per the scheme guidelines, you are eligible for total assistance upto 30% of your credit outstanding across all lending institutions as on February 29, 2020 or March 31, 2021(whichever is higher). This assistance could be in the form of fund based facility, non-fund based facility or a mix of the two. Credit decision of how much would be fund based and/or how much would be non-fund based would rest with the MLI.

111.What shall be the repayment period of loans under ECLGS 2.0 & 2.0 (Extension)?

For fund based facility granted under ECLGS 2.0 & 2.0(Extension), the repayment period shall be 5 years & 6 years respectively, including moratorium period of 1 year & 2 years respectively. No repayment period is prescribed for non-fund based facility in view of its nature, but the guarantee cover on such facility shall expire at the close of 5/6 years from the date of first disbursement/utilization out of the sanctioned fund based/non-fund based facility, whichever is earlier. It may further be noted that first tranche out of the sanctioned non-fund based facility should be utilized on or before June 30, 2023 to enjoy guarantee cover on the sanctioned non-fund based facility.

Similar position shall be for non-fund based facility availed under ECLGS 3.0 (Extension) and 4.0. However, for Airlines, first tranche out of the sanctioned non-fund based facility should be utilized on or before July 15, 2023.

Also see FAQ 15 for better clarity.

112.I am an eligible MLI having sanctioned assistance to an eligible borrower under ECLGS. However, I have not yet obtained guarantee cover from NCGTC. Please advise till which date can I apply for guarantee cover?

The facility of ECLGS shall be available for sanction till March 31, 2023 or till guarantees for an amount of Rs.5 lakh crore are issued by NCGTC, whichever is earlier. Accordingly, you should avail of the guarantee cover at the earliest or else you may lose the same if the amount of guarantees issued under the scheme reaches the mark of Rs.5 lakh crore.

113.I am an educational institution cum hospital banking with an eligible MLI. My total fund based credit outstanding across all MLIs as on February 29, 2020/March 31, 2021 was upto Rs.500 crore and days past due as on February 29, 2020/March 31, 2021 was upto 60 days. Whether I am eligible for assistance under ECLGS 2.0 ?

Yes, you are eligible for assistance under ECLGS (both the criteria should be met on the applicable reference date) to the extent of your fund based outstanding in the Healthcare sector as assessed by the MLI, provided you meet the other eligibility criteria prescribed under the scheme.

114.I am an eligible borrower banking with an eligible MLI. I am enjoying fund based facility of Rs.500 crore besides some non-fund based facility. Am I eligible for assistance under ECLGS 2.0/2.0 (Extension) ?

The maximum outstanding of Rs.50 crore under ECLGS 1.0/1.0 (Extension) & Rs.500 crore under ECLGS 2.0/2.0 (Extension) refers to fund based outstanding. Hence, you are eligible for assistance under ECLGS 2.0/2.0 (Extension).

115.I am an eligible borrower banking with an eligible MLI. As per guidelines of ECLGS 2.0/2.0(Extension), I am eligible for credit facility of upto 20%/30% of my outstanding across all MLIs as on February 29, 2020/March 31, 2021. What would be the proportion of fund based and non-fund based facility that I will be entitled to?

This is a credit call to be taken by the MLI based on requirement of the borrower.

116.I am a Housing Finance Company (HFCs) with exposure of lending to MSMEs. Am I eligible under ECLGS?

Yes, HFCs are eligible. However, please see FAQ 44 in this regard which clarifies that only MSME borrowers of HFCs are eligible.

117.I am an eligible borrower having availed assistance under ECLGS 1.0/1.0(Extension). Am I eligible for coverage under ECLGS 2.0/2.0(Extension) ?

No.

118.I am an eligible borrower banking with an eligible MLI. As per guidelines of ECLGS 2.0, I have

been sanctioned some fund based and some non-fund based facility. Are the two interchangeable?

No, the two facilities are not interchangeable and shall be fixed at the time of sanction by the MLI.

119.I am an eligible borrower having availed assistance under ECLGS 1.0/1.0(Extension). Can I avail assistance under ECLGS 2.0/2.0(Extension) also ?

No. A borrower having availed assistance under ECLGS 1.0/1.0(Extension) is not eligible for assistance under ECLGS 2.0/2.0(Extension). Further, non-fund based facility is not eligible for borrowers under ECLGS 1.0/1.0(Extension).

120.As the maturity date of a non-fund based facility could be different from the date of NPA of a fund based facility, whether MLI would be allowed for filing of separate claims for the fund based and non-fund based facility in case of default and NPA ?

Separate claims would be eligible for filing based on the date of NPA of the two facilities. Moreover, as the maturity date of various tranche of utilization under non-fund based would be different from each other and also different from the date of NPA due to default in fund based facility or any one of the non-fund based facility, provision has been made to allow multiple interim claims based on amount of default arising from time to time under non fund based facility only.

121.I am an eligible borrower having diversified activities and fund based outstanding of Rs.20 crore in one or more of the 27 identified sectors for assistance under ECLGS 2.0 and total fund based outstanding for all businesses across all MLIs at Rs.200 crore. How much loan would I be eligible under ECLGS 2.0/2.0(Extension)?

As your outstanding in the identified sectors under ECLGS 2.0 is only Rs.20 crore, you shall be eligible for only upto 20% of Rs.20 crore, i.e. Rs.4 crore under ECLGS 2.0. However, you shall be eligible for total support of upto 30% of Rs.20 crore i.e. upto Rs.6 crore under ECLGS 2.0 (Extension) – part of it could be under ECLGS 2.0 & balance under ECLGS 2.0 (Extension).

As an extension to the above, even if borrowers have fund based outstanding in the select 27 sectors within Rs.500 crore but their total fund based outstanding exceeds Rs.500 crore, they shall be ineligible for assistance under ECLGS 2.0/2.0(Extension).

122.What is the margin prescribed for non-fund based facility under ECLGS 2.0/2.0(Extension) & 4.0?

This is left to the discretion of the MLI.

123.As the last date of sanction of assistance is March 31, 2023 and last date of disbursement is June 30, 2023, can disbursement out of fund based facility or issuance of LC/BG under non-fund based facility happen after March 31, 2023?

The last date of sanction and disbursement of fund based facility has been modified to March 31, 2023 and June 30, 2023 (July 15, 2023 for Airlines) respectively. Entire disbursement out of fund based facility should happen on or before June 30, 2023 (July 15, 2023 for Airlines). Utilization of at least first tranche under non-fund based facility under ECLGS 2.0/2.0(Extension)/3.0(Extension) should happen on or before June 30, 2023 (July 15, 2023 for Airlines). Utilisation of further tranches under non-fund based facility under ECLGS 2.0/2.0(Extension)/3.0(Extension) can happen subsequently during the currency of the guarantee cover, which shall reduce proportionately as explained elsewhere. Utilisation of entire non-fund based facility (LC for import of capital goods) under ECLGS 4.0 should happen on or before June 30, 2023, even though they may be crystallizing later.

124.What would be the applicable commission on non-fund based facilities extended under ECLGS 2.0/2.0(Extension) and ECLGS 3.0/3.0 (Extension)?

With regard to facility under ECLGS 2.0/2.0(Extension), it would be as per the existing guidelines of an MLI.

However, with regard to non-fund based support for borrowers in the aviation sector under ECLGS 3.0/3.0(Extension), the fee/ commission has been capped at 0.5% p.a. and no cash margin should be stipulated by an MLI.

125.What would the interest rate chargeable be on loans provided under ECLGS 2.0/2.0(Extension)?

Interest rate has been capped at 9.25% p.a. for Banks and FIs and 14% p.a. for NBFCs. Interest rates for non-MSMEs would be linked to Marginal Cost based Lending Rate (MCLR) while interest rates for MSMEs would be linked to External Benchmark Lending Rate (EBLR), but the cap prescribed should not be exceeded.

However, in case the MCLR exceeds 9.25% during the tenor of the guarantee, a view would be taken by the Management Committee on revising the cap specified.

126.Whether individuals are eligible under ECLGS 2.0 / 2.0(Extension) ?

No.

127.I am a Housing Finance Company (HFC) registered with NCGTC under ECLGS. Am I eligible for extending assistance under ECLGS 2.0 ?

In partial modification of FAQ Numbers 44 & 116, HFCs are eligible Member Lending Institutions under ECLGS (ECLGS 1.0, 2.0 & 3.0 and extension thereof) for extending 100% guaranteed loans to eligible borrowers within limits specified under the scheme guidelines.

128.I am a borrower banking with an eligible MLI and am interested to avail assistance under ECLGS. I am meeting all the norms of eligibility, but number of days past due in my account as on date is over 90 days. Am I eligible for assistance under ECLGS, in view of Sr. No. 19 of Operational Guidelines of the scheme which states that “*The borrower account, otherwise eligible under the scheme, should not be an NPA as on the date of sanction/disbursement*”?

In normal course of business, accounts which are more than 90 days past due would require the MLI to take legal action against such accounts and file claims with NCGTC. Hence, in terms of prudent banking, a borrower with DPD over 90 days would not be eligible for sanction/disbursement under ECLGS.

129.I belong to the 27 identified industry sectors for assistance under ECLGS 2.0/2.0(Extension), but my lender feels otherwise. Who shall decide my eligibility under the scheme?

The scheme parameters have been clearly defined in the Operational Guidelines of the scheme and FAQs are being issued from time to time for further clarification. It is the responsibility of the MLI to check the eligibility of the borrower and satisfy itself, as the guarantees are issued automatically based on submissions of the MLI.

130.I have got my original loan with an eligible MLI restructured under the present RBI scheme as per which the account need not be downgraded or classified as NPA. Will I be eligible for facility under ECLGS?

Yes, you shall be eligible provided you meet all the eligibility parameters of the scheme.

131.Whether RBI has issued any guidelines on the new scheme ECLGS 2.0, and if so, what are they?

ECLGS 2.0 is not a separate scheme, but a window within the ECLGS scheme launched on May 23, 2020. RBI has previously clarified that all loans sanctioned under Guaranteed Emergency Credit Line (GECL) and covered under ECLGS shall carry zero risk weight. Subsequent to introduction of ECLGS 2.0 within ECLGS, RBI has, in its December 04, 2020 statement, informed about extension of sectors and synergy with ECLGS 2.0 of funds from RBI under on tap TLTRO.

Guarantee cover on non-fund based facility shall reduce proportionately each year and hence the MLI should apply the risk weight on the outstanding facility accordingly.

132. Whether MLIs can charge interest rate lower than that arrived at as per EBLR (for MSMEs) or MCLR (for non-MSMEs) ?

Yes.

133. I am a borrower banking with an eligible MLI. As on 28.02.2020/31.03.2021 (reference date for ECLGS support), I had an outstanding loans against 6 commercial vehicles and have received the eligible ECLGS facility. My original loan against one of the commercial vehicles is getting closed and I want NOC to sell the vehicle. Please advise if I can get it from my MLI.

The MLI would issue NOC in respect of the vehicle against which the original loan has been repaid, provided you pay the proportionate amount of ECLGS facility availed and the MLI is satisfied with the level of assets available with it to secure the balance loan including loan under ECLGS. Similar approach needs to be adopted by MLIs in case of multiple loans against separate identifiable securities.

134. What is ECLGS 3.0?

ECLGS 3.0 refers to the scheme for providing 100% guarantee coverage by NCGTC to its Member Lending Institutions against extension of eligible credit to its existing borrowers in the Hospitality & related sectors (including Travel & Tourism sector, Leisure & Sporting ect.) and Civil Aviation sector, whose total days past due as on 29.02.2020/31.03.2021/31.01.2022 was upto 60 days, irrespective of the amount outstanding.

135. What is eligible credit facility under ECLGS 3.0/3.0 (Extension)?

Under ECLGS 3.0, the borrowers meeting the criteria indicated at FAQ 134 are eligible for additional credit upto 40% of their total loan outstanding (fund based) as on February 29, 2020, subject to cap of Rs.200 crore per borrower and meeting other norms prescribed under the scheme.

Under ECLGS 3.0 (Extension), eligible borrowers in the Hospitality and related sectors can avail additional credit upto 50% of their loan outstanding (total of fund based facility) as on February 29, 2020 or March 31, 2021 or January 31, 2022, whichever is highest, subject to maximum of Rs.200 crore per borrower.

Under ECLGS 3.0 (Extension), eligible borrowers in the Civil Aviation sector can avail additional credit upto 50% of their loan outstanding (total of fund and non-fund based facility) as on February 29, 2020 or March 31, 2021 or January 31, 2022, whichever is highest, subject to maximum of Rs.400 crore per borrower. However, for airlines, the maximum eligibility shall be 100% of their total credit outstanding (both fund based and non-fund based outstanding, net of ECLGS support already received, if any) as on 29.02.2020 or 31.03.2021 or 31.01.2022, whichever is higher, subject to a cap of Rs.1,500 crore per

borrower (of which up to Rs.500 crore to be allowed only subject to proportionate equity contribution by the promoters/owners) and the borrower meeting all the other eligibility criteria.

Facility by borrowers in the Civil Aviation sector can be utilized either in the form of fund based or non-fund based or both as per requirement. Facility by borrowers in Hospitality and related sectors can be utilised as fund based facility only. Such of these borrowers who have already availed assistance under ECLGS 1.0 or ECLGS 2.0, but fall in the sectors specified under ECLGS 3.0/3.0 (Extension) shall be eligible for additional credit under ECLGS 3.0/3.0 (Extension), provided they meet the other terms of the guidelines.

136.What activities are covered under ECLGS 3.0/3.0 (Extension) ?

Eligible activities are businesses in the Hospitality and related sector (all kinds of hotels, restaurants, canteens, caterers, marriage halls, event conference organisers, floriculture products etc.), Travel & Tourism sector (including travel agents, tour operators, tour assistance activities, adventure tourism and heritage facilities, private bus operators, car repair services, rent-a-car service providers, motor vehicle aggregators), Leisure & Sporting sector (Entertainment or recreational activities including amusement parks, theatres, spa clinics, beauty parlours/salons, cinema halls, swimming pools, entertainment parks, bars, auditorium, yoga institutes, gymnasiums, other fitness centres) and Civil Aviation sector (including scheduled and non-scheduled airlines, chartered flight operators, air ambulances, airports, aviation ancillary services such as ground handling units and supply chain).

137.What shall be the repayment period of loans under ECLGS 3.0 & 3.0 (Extension)?

Under ECLGS 3.0 & 3.0 (Extension), total repayment period shall be 6 years including moratorium period of 2 years on the fund based facility.

138.I am an eligible borrower having availed assistance under ECLGS 1.0 or ECLGS 2.0. Can I avail assistance under ECLGS 3.0/3.0(Extension) also ?

Yes, if you are covered by the sectors for ECLGS 3.0/3.0(Extension). The facility being provided under ECLGS 3.0/3.0(Extension) should be treated separately. Such of the eligible borrowers who have availed assistance under ECLGS 1.0 or 2.0 are also eligible for assistance under ECLGS 3.0/3.0(Extension), but they shall be eligible for only additional credit upto balance eligibility based on credit outstanding as on February 29, 2020 or March 31, 2021 or January 31, 2022, whichever is highest. Separate loan account is to be maintained for ECLGS 3.0/3.0(Extension).

139.I am a borrower banking with an eligible MLI in India with loans outstanding of Rs.800 crore, including External Commercial Borrowing (ECB) of Rs.300 crore, as on February 29, 2020/ March 31, 2021/January 31, 2022. Am I eligible for assistance under ECLGS, particularly as ECB does not get reported to any credit Bureau in India?

As indicated in the Operational Guidelines, the facility under ECLGS 2.0/2.0(Extension) is available for borrowers whose total loan outstanding from all lending institutions as on February 29, 2020/March 31, 2021 was upto Rs.500 crore, besides other terms and conditions. As your total outstanding is exceeding Rs.500 crore, you would be ineligible for assistance under ECLGS, if you are falling within the purview of ECLGS 2.0/2.0(Extension).

The cap of total loan outstanding of Rs.500 crore from all lending institutions has been removed in respect of sectors falling under ECLGS 3.0/3.0 (Extension). Accordingly, if you belong to any one of the sectors specified under ECLGS 3.0/3.0 (Extension) and meet the other eligibility criteria of the scheme, you shall be eligible for assistance based on your outstanding as on February 29, 2020 or March 31, 2021 or January 31, 2022, whichever is highest, subject to cap specified.

As regards checking of outstanding on the Bureau wherein ECB details may not get captured, please appreciate that this has been continued from the time of launch of the scheme when the total outstanding loans as on February 29, 2020 was restricted upto Rs.50 crore. The same is, however, still needed for a second check pertaining to loans other than ECBs and non-fund based facility.

140.I am an eligible borrower under ECLGS 2.0/ECLGS 3.0 banking with an eligible MLI in India with loans outstanding of Rs.500 crore, including External Commercial Borrowing (ECB) of Rs.300 crore, as on February 29, 2020/March 31, 2021/January 31, 2022. Am I eligible for assistance under ECLGS against full amount of Rs.500 crore ?

Yes, you are eligible for ECLGS support against the full amount of Rs.500 crore, subject to caps specified and other terms of the scheme. However, your MLI shall have to furnish proof in support of ECB borrowings along with Bureau Outstanding at the time of claim settlement, if any.

141.I am an individual borrower engaged in the business of Hospitality and related sector (hotel/restaurants, canteens etc./Travel/Tourism/Leisure/Sporting) and Civil Aviation sector banking with an eligible MLI. Am I eligible for assistance under ECLGS 3.0 ?

Under ECLGS 1.0/1.0(Extension), individuals are allowed coverage if they are either (i) MUDRA borrowers or have taken assistance for (ii) their own business as proprietorship concerns, (ii) commercial purpose vehicle, (iii) commercial / construction equipment, (iv) diagnostic equipment or (v) have taken loan against property for their own business.

Under ECLGS 2.0/2.0(Extension), individuals are not eligible.

Under ECLGS 3.0/3.0(Extension), proprietorship concerns and such of the individuals who have taken loan against property for their own business which falls within one of the specified sectors under ECLGS 3.0 (i.e. Hospitality and related sectors/Civil Aviation) would be eligible, provided all other conditions are

met.

142. Whether GECL loans provided under ECLGS are eligible for resolution framework without downgrade as per RBI guidelines of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021)?

Yes, they are eligible, provided the borrower is eligible under extant RBI guidelines and under ECLGS guidelines. The MLI should ensure to comply with the guidelines stipulated therein to be eligible for claims, if any, and seek rescheduling of principal instalments. That is, total tenor of these loans can be enhanced from the present 4 years to 5 years with only interest payment upto 2 years and principal repayment in 36 monthly instalments thereafter. Borrower may or may not seek rescheduling of the original facilities. However, lenders should ensure comprehensive re-assessment of all facilities of the borrower with a view to enable implementation of viable resolution plan.

143. I have availed assistance under ECLGS 1.0 and am eligible for resolution framework as per RBI guidelines of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021). Am I eligible for any additional assistance under ECLGS ?

If you have availed ECLGS 1.0 and your overall outstanding meets the eligibility conditions prescribed by RBI, you are eligible for additional assistance upto 10% of outstanding loan as on February 29, 2020, subject to compliance of other terms and conditions of ECLGS & RBI guidelines. Lenders should ensure comprehensive re-assessment of all facilities of the borrower and further ensure that the additional assistance provided is aligned to RBI resolution framework of May 05, 2021.

144. I have availed assistance under ECLGS 1.0 and my total credit outstanding (including non-fund based facility) was Rs.65 crore as on March 31, 2021. Am I eligible for additional assistance of 10%.

You shall be eligible for additional support under ECLGS 1.0(Extension) only if your total fund based facility as on February 29, 2020 or March 31, 2021 (net of ECLGS availed, if any) was upto Rs.50 crore, subject to meeting the other conditions of the scheme.

145. I have availed assistance under ECLGS 1.0 & 3.0 and am eligible for resolution framework as per RBI guidelines of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021). Am I eligible for additional assistance under ECLGS?

Eligibility under ECLGS 3.0 (Extension) may be examined as per guidelines to see if additional assistance is eligible.

146. I have availed assistance under ECLGS 1.0 and am eligible for resolution framework as also assistance under ECLGS 3.0. Am I eligible for all the three benefits viz. restructuring, additional assistance under ECLGS 3.0 and additional assistance of upto 10% available to restructured

accounts?

You may avail of the resolution framework as per RBI's guidelines of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021) as per the need. Further, you would be eligible for additional assistance of upto 10% available to accounts covered under the RBI's resolution framework or additional assistance under ECLGS 3.0/3.0 (Extension), but not both.

147. My account was restructured as per earlier RBI guidelines, but I have not yet availed assistance under ECLGS. Upto how much additional assistance am I eligible under ECLGS?

You may avail of assistance upto 30% of outstanding as on February 29, 2020 or March 31, 2021 (whichever is higher) under ECLGS 1.0/1.0(Extension)/2.0/2.0(Extension) and upto 50% of outstanding under ECLGS 3.0/3.0(Extension) within the cap specified, depending upon the sector to which you belong and subject to you meeting the other eligibility criteria specified under ECLGS.

148. What is ECLGS 4.0?

ECLGS 4.0 refers to the scheme for providing 100% guarantee coverage by NCGTC to its Member Lending Institutions against extension of eligible credit facility to existing hospitals/nursing homes/clinics/medical colleges/units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. who have a loan outstanding with a lending institution (not necessarily MLI) and whose days past due status as on March 31, 2021 was upto 90 days.

149. What is eligible credit facility under ECLGS 4.0?

Under ECLGS 4.0, eligible credit facility means loans upto Rs.2 crore to existing hospitals/nursing homes/clinics/medical colleges/units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. and setting up on-site oxygen generation plants.

150. What activities are covered under ECLGS 4.0 ?

ECLGS 4.0 covers loans for setting up of on-site oxygen generation plants by hospitals/nursing homes/clinics/medical colleges/units engaged in manufacturing of liquid oxygen, oxygen cylinders etc.

151. What shall be the repayment period of loans under ECLGS 4.0?

Under ECLGS 4.0, both fund based and non-fund based (only LC for import of capital equipment) facility shall be eligible. For fund based facility, the repayment period shall be maximum 5 years, including moratorium period of 6 months, from the date of first disbursement. The non-fund based facility granted for import of capital goods shall be converted into a term loan upon crystallization and shall be repayable within a maximum period of 5 years from the date of first disbursement/utilization out of fund

based/non-fund based facility, subject to other conditions.

152.I am an eligible borrower having availed assistance under ECLGS 1.0 or 2.0. Can I avail assistance under ECLGS 4.0 also?

Yes. The facility being provided under ECLGS 4.0 should be treated separately. Such of the borrowers who have availed assistance under ECLGS 1.0 or 2.0 and meet the eligibility criteria of ECLGS 4.0 are eligible for assistance under it also. Separate loan account is to be maintained for ECLGS 4.0.

153.I am a Government Hospital / Government Medical College. Am I eligible for assistance under ECLGS 4.0 ?

Yes, you are eligible provided you are enjoying credit facility with some lending institution, have days past due upto 90 days and meet the other terms of ECLGS. You may avail need based assistance upto Rs.2 crore from any MLI registered with NCGTC and ensure to comply with the other terms of ECLGS guidelines.

154.I am an existing hospital/nursing home/clinic/medical college/units engaged in manufacturing of liquid oxygen, oxygen cylinders etc. having credit facility with a lender who is not registered with MLI and days past due on the said credit facility is upto 90 days as on March 31, 2021. Am I eligible for assistance under ECLGS 4.0 from any MLI ?

Yes, you are eligible to avail of the assistance under ECLGS 4.0. Further, even if you are having credit facility with an existing MLI who is unable to assist you under ECLGS 4.0, you may go to another MLI and seek assistance under ECLGS 4.0 without obtention of NOC from your existing MLI.

155.Is there any prescribed technology/plant for expenditure of assistance under ECLGS 4.0 ?

No specific technology / plant has been prescribed for utilization of assistance under ECLGS 4.0. The borrower and the MLI need to assess the best technology/plant suited for the borrower for oxygen generation.

156.ECLGS 4.0 talks about opening of Escrow account. What exactly is it?

It has been prescribed that borrowers availing assistance under ECLGS 4.0 shall open an escrow account on which the lender shall have charge. All cash inflows arising out of usage of the oxygen plant installed should be routed through this escrow account to enable the lender to monitor the cash flows from the said project.

157.It is observed that additional time has been allowed on the tenor of loans under ECLGS 1.0, but the same has not been provided under ECLGS 2.0 or 3.0. What is the reason?

RBI guidelines of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021) permitted rescheduling of principal repayments of accounts, without asset downgrade, only where the total outstanding (fund based and non-fund based) is upto Rs.50 crore as on March 31, 2021. Only these loans forming part of ECLGS 1.0 and complying with the terms of ECLGS & RBI resolution framework have been permitted for rescheduling of instalments by giving additional time. ECLGS 2.0 pertains to borrowers with fund based loans outstanding above Rs.50 crore and hence these loans would be ineligible for rescheduling under RBI guidelines. ECLGS 3.0 was launched on March 31, 2021 and any sanctions/disbursements under it have been done on or after April 01, 2021 - hence these are also ineligible for rescheduling as per RBI guidelines of May 05, 2021.

158.I am an eligible MLI having a borrower who is eligible for coverage under the resolution plan. The said borrower has some outstanding with another MLI also. If I restructure the account as per RBI resolution framework of May 05, 2021 (as amended vide RBI Circular dated June 04, 2021), will I be able to extend additional assistance upto 10% of the overall fund based outstanding as on February 29, 2020 ?

No, you shall be able to extend additional assistance only upto 10% of the fund based outstanding that the borrower had with you as on February 29, 2020, other terms and conditions remaining the same. You will not be able to lend on behalf of the other MLI, whether or not the other MLI restructures its part of the loan to the borrower.

159.I am an eligible borrower having availed assistance under ECLGS. I am availing the benefit under RBI resolution Framework and would like to take the additional assistance upto 10% allowed under ECLGS. Please advise the tenor and moratorium that shall be provided on this additional loan.

The tenor and moratorium period of this additional loan of upto 10% shall be 60 months including moratorium of 24 months and repayment thereafter in 36 months.

160.I am an MLI with a borrower whose total outstanding is in the form of non-fund based and External Commercial Borrowing (ECB). Can loan be extended to such borrower under ECLGS?

No, as regards with ECB and for borrowers falling within the scope of ECLGS 1.0/1.0(Extension)/2.0/2.0(Extension)/3.0/3.0 (Extension), other than the Civil aviation sector. For borrowers in the Civil Aviation sector, non-fund based facility with a lender would make it eligible for assistance under ECLGS 3.0 (Extension).

161.We, an eligible MLI, had extended additional assistance to eligible borrowers under ECLGS. Some of these borrowers have turned NPA. FAQ No. 83 provides that legal action shall be considered as initiated upon filing of application in Lok Adalator after admission of

application under NCLT or commencement of arbitration proceedings as may be decided by NCGTC from time to time. Please advise how to file claims for small accounts where accounts are settled by way of arbitration proceedings also.

Arbitration proceedings are not considered as legal action for recovery of dues.

However, a carve out has been provided for low value loans of upto Rs.10 lakh. For such loans i.e. of ECLGS accounts where the total loan outstanding of a borrower as on 29.02.2020 (as per Bureau outstanding) does not exceed Rs.10 lakh, the filing and payment of interim claim shall be permissible without insistence on initiation of legal proceedings. Subsequent to filing of an eligible claim, 75% of amount in default pertaining to loan under ECLGS shall be settled for payment by NCGTC. However, the balance amount (25% of amount in default pertaining to loan under ECLGS) shall be paid only after conclusion of recovery proceedings or till decree gets time barred, whichever is earlier. The Bank should, therefore, initiate appropriate legal action for recovery of dues to claim the balance 25% of amount in default.

161(A) Are award cases under arbitration proceedings eligible for claim settlement process under ECLGS?

The sentence in FAQ No. 161 viz. "Arbitration proceedings are not considered as legal action for recovery of dues" stands modified with the following clarification given in 2 sub-heads which may be seen and complied with while applying for claim settlement under arbitration proceedings:

(i) Where the recovery mechanism for a debt due attracts the provisions of DRT Act.

Where MLIs have an arbitration clause in their lending agreements and the total debt due attracts the jurisdiction and provisions of the DRT Act, any action initiated upon commencement of arbitration proceedings under this category shall not be considered as recovery proceedings as any recovery action which is within the purview of the DRT Act is non-arbitrable and hence claims filed for such action shall not be honoured.

(ii) Where the recovery mechanism for a debt due does not attract DRT Act.

Where MLIs have an arbitration clause in their lending agreements and do not attract the provisions of the DRT Act in any manner, any action initiated upon commencement of arbitration proceedings shall be considered as recovery proceedings.

It is further clarified that in all arbitration cases under (ii) above, the final claim filed by MLIs will be honoured only subject to the passing of an Award by the Hon'ble Tribunal when the Award passed on merits (excluding settlements, which are not permitted under the Scheme) is duly executed and recovery of money has been made by the MLIs to the satisfaction of NCGTC under the Scheme.

162.I am an eligible MLI having extended ECLGS facility to an eligible borrower. The said borrower had fund based outstanding upto Rs.50 crore and was extended assistance under ECLGS 1.0 accordingly. The borrower was provided additional credit facility subsequently and its outstanding credit (excluding credit extended under ECLGS 1.0) as on 31.03.2021 has gone beyond Rs.50 crore but is less than Rs.500 crore. The borrower belongs to the Healthcare sector or one of the 26 sectors identified by the Kamath Committee. Whether the borrower is eligible for additional assistance under ECLGS as per the reference date of 31.03.2021?

Yes, the borrower is eligible for additional assistance under ECLGS 2.0 extension.

163.An eligible borrower was extended credit facility under ECLGS 1.0 by an eligible MLI (MLI 1) based on fund based outstanding with it as on 29.02.2020. The borrower has now approached us, another eligible MLI (MLI 2), for assistance under ECLGS based on their outstanding loans with us. On scrutiny, we observe that the Bureau outstanding was more than Rs.50 crore and upto Rs.500 crore as on 29.02.2020 (Bureau outstanding was incorrectly fed by MLI 1) and that the borrower belongs to the Healthcare sector or to the 26 sectors identified by the Kamath Committee. Please advise how to extend assistance to the borrower as per its credit outstanding with us as on 29.02.2020.

We have made provision for change of Bureau outstanding as well as category (ECLGS 1.0 or 2.0 as the case may be) based on validations. You may advise the borrower to approach MLI 1 for changing the category of ECLGS (from ECLGS 1.0 to ECLGS 2.0), modifying the Bureau outstanding and specifying the sector (dropdown available) on NCGTC's portal. Thereafter, MLI 2 can avail guarantee on ECLGS 2.0 as per the eligibility.

Same shall be the procedure if such discrepancy is observed with regard to guarantees issued based on reference date of 31.03.2021 (Change from ECLGS 1.0 extension to ECLGS 2.0 extension).

164.I am an eligible MLI having extended ECLGS facility to an eligible borrower based on its fund based outstanding as on 29.02.2020/31.03.2021/31.01.2022, which it has since paid back. Can the borrower now again avail full 30%/50% outstanding as on 29.02.2020 or 31.03.2021 or 31.01.2022, whichever is highest?

Any single borrower is eligible for total support under ECLGS upto 30%/50% of their outstanding credit facility (subject to cap specified) as on 29.02.2020/31.03.2021/31.01.2022, depending upon the sector to which it belongs. Hence, the borrower shall now be eligible for only the balance, if any, out of the total eligible facility, depending upon its eligibility and meeting the terms of the scheme.

165.A borrower banking with a lender was SMA 0 or SMA 1 as on 29.02.2020 (initial reference date) and SMA2 or NPA as on 31.03.2021/31.01.2022 (alternate reference dates) or vice versa. The borrower is Standard as on date and is meeting the other eligibility parameters of the scheme.

Whether the borrower is eligible for assistance under ECLGS and, if so, what would be the maximum eligible amount ?

Yes, the borrower is eligible for total assistance of upto 30% of its fund based outstanding as on the eligible reference date (reference date on which it meets the eligibility parameters of the scheme) under ECLGS 1.0/1.0 (Extension) or ECLGS 2.0/2.0 (Extension) and upto 50% of its outstanding (subject to cap specified) as on the eligible reference date under ECLGS 3.0/3.0(Extension), provided it meets the other eligibility parameters prescribed under the scheme.

166.I am an eligible MLI having extended non-fund based facility under ECLGS to an eligible borrower. How would the guarantee coverage on the said facility be reckoned?

The guarantee on non-fund based facility shall commence from the date of first disbursement of fund based facility or first date of utilization of non-fund based facility or last date of disbursement under the scheme, whichever is earlier and shall end on the expiry of 5 (ECLGS 2.0)/6 year (ECLGS 2.0 Extension) period from the said date.

As mentioned under para 10(1) of the Operational Guidelines, the MLIs should progressively reduce their liability under the non-fund based facility. Guarantee cover on non-fund based facility shall reduce proportionately each year (without any moratorium) and hence the MLI should apply the risk weight on the outstanding facility accordingly.

The MLI should, accordingly, assign the risk weight on the non-fund based facility, in a progressive manner.

167.I am an eligible MLI having extended ECLGS facility to an eligible borrower. The borrower account had subsequently turned NPA, due to which claim was filed with NCGTC and interim claim amount has since been received. The account has now turned back Standard. Whether guarantee under ECLGS would continue to be available on the said account ?

In terms of para 16 of the Operational Guidelines of ECLGS, the MLI should refund the claim amount/recoveries immediately. Delay in refund of the amount may result in such other action as deemed fit by NCGTC.

As the claim (whether interim or final) has already been made, account gets closed in the system of live guarantees and, therefore, continuation of the guarantee on the said account is not possible. If, however, the claim has not been made and the account turns Standard, provision for continuation of the guarantee and reversal of NPA status has been made in the system.

168.I am an eligible MLI having extended credit facility under ECLGS to an eligible borrower. The borrower has changed its constitution due to which PAN number has undergone a change. The

borrower has now approached for availing additional facility under ECLGS(Extension), which we are agreeable to offer. As per the NCGTC's portal, guarantee on any extension facility to an existing borrower should be obtained against the same identification number (CGPAN). However, it is creating difficulty in cases where constitution of borrower has changed as the PAN number has undergone a change and continuation with the earlier PAN number may not be proper while obtaining guarantee for the extension facility. What would be the proper procedure to avail guarantee against additional facility extended to such borrowers?

Whenever an MLI obtains guarantee under ECLGS against the first eligible loan extended to an eligible borrower, a unique identification number (CGPAN Number) is generated which immediately gets forwarded to the MLI. As and when additional facility is extended to the same borrower (even if its name or constitution and hence PAN number is changed), the same identification CGPAN number should be used for obtaining guarantee as validations have been put on the CGPAN numbers. Thus, the MLI can provide additional facility to the borrower against the earlier details viz. name, constitution PAN number etc., even though the name/constitution of the borrower and consequently its PAN number has changed. Updation of the name, constitution and/or PAN number can be avoided at this stage. The same may be followed till lodgment of claim or closure of account.

If and when a claim is lodged, the MLI should furnish details of change in name or constitution and PAN number etc., along with relevant documents, for which provision has been made in the system. After due verification, the eligible claim shall be paid to the MLI.

For example, if a borrower AB (a partnership firm) having availed support under ECLGS 1.0 against which CGPAN No. 1 has been issued, changes its constitution to a Pvt. Ltd. company and its name becomes AB Pvt. Ltd., the MLI should consider additional support under ECLGS 1.0 (Extension) to this borrower under CGPAN No. 1 only and not generate fresh CGPAN. Because, if it issues fresh CGPAN, the same borrower will again become eligible for support upto 30% of outstanding which would not be as per the guidelines. Same procedure to be followed for other components of ECLGS.

169.I am an eligible MLI having extended credit facility under ECLGS to an eligible borrower. The borrower has since been classified as NPA. We propose to initiate legal action as permissible under ECLGS guidelines for the loan availed under ECLGS, but propose to settle the parent loan by way of some other legal means as we may find suitable. Please advise if this is permissible.

As per the guidelines, lenders need to protect the interest of NCGTC and hence legal action as permitted under the ECLGS guidelines (read along with the FAQs at 83 & 161) should be proceeded with for the entire defaulted amount (ECLGS and parent loan for consistency in approach) to be eligible for settlement of claims.

170.Who can provide answers to any further queries?

Please address your queries/suggestions to ceo@ncgtc.in

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