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THE PRATAP CO OPERATIVE BANK LTD

Safe Deposit Locker

Policy INTRODUCTION:

The Reserve Bank of India had given guidelines regarding providing Locker facility to the customers by the Bank in its Master Direction - 'Know Your Customer (KYC) Directions, 2016'. Taking into consideration the various developments in the area of banking and technology, nature of consumer grievances and also the feedback received from banks and Indian Banks' Association (IBA), Reserve Bank of India ('the Reserve Bank') reviewed the guidelines/instructions issued on the above subject. These revised Guidelines shall come into force w.e.f. January 1, 2023.

These revised Guidelines of the RBI are incorporated here in this revised Locker Policy 2022 which is approved by board of Directors in their BOD meeting dated 05.11.2022

A. BASIS FOR ALLOTMENT OF LOCKERS TO PUBLIC

- Bank's lockers will be available to any person, having contractual capacity i.e. capacity to enter into a contract. When the Bank lets a Safe Deposit Locker on hire to any person, the contractual relationship between them is established that of a Licensor and a Licensee.
- The existing customers of a bank who have made an application for locker facility and who are fully compliant with the Customer Due Diligence (CDD) criteria under Know Your Customer (KYC) Directions may be given the facilities of safe deposit lockers subject to on-going compliance.
- Customers who are not having any other banking relationship with the bank may be given the facilities of safe deposit locker after complying with the CDD criteria under the Know Your Customer (KYC) Directions and subject to on-going compliance.
- In order to facilitate customers with lockers, bank shall maintain a branch wise list of vacant lockers as well as a wait-list in Core Banking System (CBS) or any other computerized system compliant with Cyber Security Framework issued by RBI, for the purpose of allotment of lockers and ensure transparency in allotment of lockers.
- The bank shall acknowledge the receipt of all applications for allotment of locker and provide a wait list number to the customers, if the lockers are not available for allotment. At least, 80% lockers are to be allotted on 'FIRST COME FIRST SERVE' Basis.



- The due diligence shall be carried out for all the customers in whatever rights and capacities they may be hiring the locker.
- Lockers may be hired in the name of the following constituents. Necessary KYC Documents are required to be submitted by each of the applicant along with documents related to their constituent.
 - Individual (single hirer)
 - Two or more individuals (Joint hirers)
 - Firms
 - Companies
 - Association or clubs or organization or co-operative societies
 - Trust
 - Government Departments
 - Staff Members
 - Blind Person
 - Illiterate Person

GUIDELINES:

INDIVIDUAL (SINGLE HIRER) -

Can be hired by a single person.

- Nomination in such cases is MANDATORY.
- If the locker holder insists on not giving nomination, the Bank Officials should convince him of the benefits of nomination.
- If he /she still insist for the same, a letter for such refusal should be obtained.
- Thereafter, if he refuses to give a letter, the same should be recorded in the account opening form itself.

JOINT HIRERS

- Can be hired jointly by two or more individuals.
- There can be maximum two nominations in case where the locker is jointly hired.
- Clear instructions on mode of operations

FIRMS

- Duly signed by all partners.
- Clear instructions on mode of operations
- An Authority Letter to this effect should be obtained on record signed by all partners.

COMPANIES

- Certified copies of documents required as mentioned in KYC Policy
- Note: If the above documents have already been obtained for opening Current Account with the branch and are available, the same need not be obtained again.

IN CASE LOCKER IS HELD BY FIRMS / COMPANIES



- In case the firm / Company is reconstituted, the locker may be allowed to be continued in the reconstituted firm's / company's name after obtaining fresh operational instructions and fresh Application Form.
- In case of dissolution of firm by operation of law by death, after obtaining proof of death, the surviving partner/s may be permitted to operate the locker for closing the same. There is no need to obtain consent of legal heir/s representation.
- In case of insolvency of the firm / company, instructions of the Official Assignee / Liquidator should be followed.

ASSOCIATION / CLUB

- Certified copies of required documents as per KYC Policy

TRUSTS

- Certified copies of required documents as mentioned in KYC Policy - Access should be permitted as per the provision in the Trust Deed.

GOVERNMENT DEPARTMENTS

- Locker should be in the name of the department / designated officer.
- Copy of the Government Notification / Order authorizing the concerned officer to hire, execute and operate should be obtained.
- A staff member jointly with only his / her close relation.
- Shall be treated as customer and no benefit shall be conferred upon such staff hiring the locker.

BLIND PERSON

- Blind persons / persons with low vision / other disabilities.
- Allowed only under signature of a duly authorized person, after obtaining an authority letter prescribed by the Bank.
- This facility can be granted by the Branch Managers in consultation with Head Office.

ILLITERATE PERSON

- Illiterate person/s.
- Allowed under signature of a witness, after obtaining a Vernacular declaration as prescribed by the Bank.
- This facility can be granted by the Branch Managers in consultation with Head Office.

DONT'S

MINOR

- A locker should not be hired out to a minor. The Bank will not allow locker to



be let out in the single name of a minor as the minor does not possess contractual capacity.

B. LOCKER SPECIFICATIONS

The Bank is associated with different vendors to supply Lockers. The various types and their sizes along with other specifications are mentioned as per Locker Tariffs and Security Deposits with areas

C. RENTALS:

- Rent for each type of Locker (as per size of the Locker) will vary. The rent rates will be fixed and revised from time to time by the HO.
- Locker rent will be recovered on annual basis. The lease period of one year will start from the date of hiring the locker and will continue till the preceding day of the corresponding date in the subsequent year.
- Locker Rent shall be recovered in advance for a minimum period of one year, at the time of hiring out the locker. Locker Rent thus recovered shall be credited to "Rent Received [Safe Deposit Locker] Account".
- If the rent is not paid within 30 days from the due date then the penalty at the rate of Rs. 100 per month shall be applicable.
- To facilitate recovery of rent on yearly basis, it is necessary to obtain Letter of Authority to debit his S.B. / C.D. Account on the due date by using prescribed form for this purpose at the time of allotment of locker.
- Locker rent shall be decided / fixed by the Management, depending upon the size of the lockers, from time to time.

D. LOCKER ALLOTMENT PROCEDURE

→ Application Form of the prospective hirers duly filled in.

The desiring customer should submit an application, in Bank's form, furnishing complete particulars like:

- Name and full address of the applicant with phone number. - Occupation and Business address.
- Mode of Operation - Singly / "E or S" / "A or S" / Jointly - Full names and specimen signatures of all Joint Holders
- Latest Photographs.
- KYC Proof's as per KYC policy.
- Memorandum of Letting of Locker (Locker Agreement) executed on Rs. 200/- signed by all the locker holders -



Bank shall incorporate a clause in the locker agreement that the locker-hirer/s shall not keep anything illegal or any hazardous substance in the Safe Deposit locker. If the bank suspects the deposit of any illegal or hazardous substance by any customer in the safe deposit locker, the bank shall have the right to take appropriate action against such customer as it deems fit and proper in the circumstances.

- Letter for Standing Instructions
- Security Deposit

NOTE:

- The cost of franking the Memorandum shall be borne by the Locker Holder only.
- Copy of the Memorandum of letting of locker shall be provided at the time of the allotment of the locker, if demanded by them.

E. FIXED DEPOSIT AS SECURITY FOR LOCKERS:

- Bank may face potential situations where the locker-hirer neither operates the locker nor pays the rent. To ensure prompt payment of locker rent, Bank will obtain a Term Deposit, at the time of allotment, which would cover three years' rent and the charges for breaking open the locker in case of such eventuality.

Bank, however, shall not insist on such Term Deposits from the existing locker holders or those who have satisfactory operative account.

- Such Term Deposit receipt should be pledged with the Bank and the same shall be lien marked, as per the RBI Policy. To comply this condition, following should be observed:
 - ✓ Fixed Deposit Receipt shall be in the name of only All Locker Holders. It should be duly discharged on revenue stamp.
 - ✓ Fixed Deposit should be for a period of 3 years
 - ✓ Fixed Deposit should be discharged all the Locker holder
 - ✓ FDR's to be marked lien in the CBS system (Finacus).
 - ✓ Acknowledgement to be given to locker hirer, if required.

F. PROCEDURE AT THE TIME OF FIRST OPERATION OF THE LOCKER:

- Application cum Specimen Signature Form / "Memorandum of Hiring" should be kept under lock and key under the custody of the Officer-in-Charge of Lockers.
- The key of the Locker should be tested i.e. to check whether it opens and locks the assigned Locker smoothly, before handing over to the hirer.
- As and when a Locker is rented out, the sealed packet relating to that Locker should be



taken out and the seal removed in the presence of the hirer and the key has to be tested to check whether it opens & locks the particular Locker. While doing so the officer should explain to the hirer how the Locker could be opened only with both the keys (the key of the respective Locker & the Master key) and how it could not be opened by solely by the Locker key or by the Master key.

- When a locker is allotted to more than one person, clear instructions regarding operation and surrender of the locker must be taken at the very beginning to avoid future complications. It should be ascertained whether the locker will be operated by anyone or more or all persons and whether, in the event of death of one of the parties, access may be given to the survivors without reference to the legal heirs of the deceased, and such instructions should be got signed by all the persons. Also special instructions should be recorded on the specimen signature cards.

G. ADDITION AND DELETION OF NAMES:

- Deletion / Additions of new names to the hired Lockers can be made only when all the existing hirers agree in writing to such a proposal.
- The Locker holder may at any point of time approach the Bank Officials for addition / deletion of names to operate the Locker. The Bank Officials should take utmost care and obtain a Letter signed by all the locker holders to either add / delete the name of the concerned person.

ADDITION OF NAMES

- a. The Branch Officials should obtain a letter in writing signed by all the existing Locker holders.
- b. All attested KYC proof's to be taken on record.
- c. Also a fresh Agreement with regards to addition should be executed by all the locker holders including the new/inducted member.
- d. Thereafter, the mode of operations instruction to be recorded.
- e. Branch Officials to obtain a new specimen form signed by all the Locker holders.

DELETION OF NAMES

- a. The Branch Officials should obtain a letter in writing signed by all the existing Locker holders, except in case of death of one of the locker holder.
- b. Request for deletion of name should be recorded on the Specimen Form along with reference of letter dated addressed by the Locker holder/s.
- c. The Branch Official should affix the stamp and put his signature on the Specimen Form.
- d. The Letter should be attached to the Specimen Form itself.

H. NOMINATION FACILITY



- The Bank shall offer nomination facility in case of safe deposit lockers in accordance with the provisions of section 45-ZC to 45-ZF of the Banking Regulation Act, 1949 and Banking Companies (Nomination) Rules, 1985/Co-operative Banks (Nomination) Rules, 1985. In case the nominee is a minor, the same procedure as prescribed for the bank accounts shall be followed by the Bank. A passport size photo of the nominee attested by the customer may be obtained from the customers, at his/her option and preserved in the records.
- Nominee means Entity named or appointed by another (the nominator) to act on its behalf in a limited capacity or in a specific matter. In other words, he is an agent or a trustee.
- Nomination facility is intended only for individuals, and hence, is not available for sole proprietorship concerns, officials etc. Nominee should also be an individual.
- A nominee cannot be an Association, Trust, Society or any other Organization or any office-bearer thereof in his official capacity.
- Addition / Variation/ Cancellation in the nomination in case of safety lockers hired shall be made only by all the safety locker hirers jointly.
- Nomination can be changed any time during the currency and should be signed by all the locker holders.

NOMINATION PROCEDURE

- Branch shall generally insist that the person/s opening a Safe deposit Locker makes a nomination.
- In case the person/s opening Safe deposit Locker declines to fill in nomination, the Bank shall explain the advantages of nomination facility.
- If the person/s opening Safe deposit Locker still does not want to nominate, the Bank shall ask him to give a specific letter to the effect that he does not want to make nomination.
- In case the person/s opening Safe deposit Locker declines to give such a letter, the Bank shall record the fact on the opening form and proceed with opening of the Locker if otherwise found eligible.
- Under no circumstances, a Bank shall refuse to open Safe deposit Locker solely on the ground that the person opening the Locker refused to nominate.
- This procedure is applicable even in respect of Safe deposit Locker in the name of Sole Proprietary Concerns.
- As per Companies (Nomination) Rules, 1985/Co-operative Banks (Nomination) Rules, 1985, only Thumb-impression(s) shall be required to be attested by two witnesses. Signatures of the Safe deposit Locker holders need not be attested by witnesses.

CHANGE/ CANCELLATION OF A SUBSISTING NOMINATION

- Bank shall allow change/cancellation of a subsisting nomination by all the surviving depositor(s) acting together. This is also applicable to Safe deposit Locker holder



- having operating instructions "Either or Survivor".
- Bank shall acknowledge in writing to the depositor(s)/ locker hirers (s) the filing of the relevant duly completed Form of nomination, cancellation and / or change of the nomination, if required.

I. SETTLEMENT OF CLAIMS IN CASE OF DEATH OF A CUSTOMER

- All settlement of Claims shall be done with proper Note and written consent from the Head Office.
- **Time limit for settlement of claims :** Bank shall settle the claims in respect of deceased locker hirers and shall release contents of the locker to survivor(s) / nominee(s), as the case may be, within a period not exceeding 15 days from the date of receipt of the claim subject to the production of proof of death of the depositor and suitable identification of the claimant(s) with reference to nomination, to the bank's satisfaction.
- **Reporting to Head Office:** Bank shall report to the Head Office of the Bank, at appropriate intervals, on an ongoing basis, the details of the number of claims received pertaining to deceased locker-hirers / depositors of safe custody article accounts and those pending beyond the stipulated period, with reasons therefore..

CLAIMS WITH NOMINATIONS:

Nominee willing to continue the locker facility:

- The Nominee should submit the 'Transmission Claim Form With nominee' to the Bank along with his/her KYC proofs.
 - The Bank Officials will ascertain the KYC's provided and shall allow the nominee to access the Safe Deposit Locker.
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- If the Nominee desires to continue the said Locker in his/her name, he / she should represent his desire to continue the same locker in his/her surrender letter cum application.
 - The Nominee should further complete all the required formalities afresh, to the satisfaction of the Bank Officials as per Bank's Policy with regards issuance of new Lockers.

Nominee not willing to continue the locker facility:

- The Nominee should submit the 'Transmission Claim Form - With nominee' to the Bank along with his/her KYC proofs.
- The Bank Officials will ascertain the KYC's provided and shall allow the nominee to



- access the Safe Deposit Locker.
- The Nominee shall surrender the Key of the locker and hand over the letter of discharge to the Bank Officials.
- In case the key is not traceable or lost, the locker will be broke open in the presence of the Nominee, 2 witnesses one each from both sides and the contents of the locker will be recorded by way of Panchnama to be signed by all the parties and witness. A copy of the same to be given to the Nominee along with the contents of the locker. The charges of break open of locker shall be recovered from the Nominee.

CLAIMS WITHOUT NOMINATIONS :

Willing to continue the locker facility :

- Bank Officials shall guide the legal heirs of the locker holder, of our Bank's policy and also the required formalities to be completed before the Bank accedes to their request.
- Legal representative/s should submit 'Transmission claim forms - Without Nominee' along with all the KYC proofs.
- Bank Officials should be guided by our Transmission Policy to settle the claims.
- In case of death of any one of the joint hirer, the case should be examined on the basis of the condition no. 2 of the Memorandum of Letting of Locker / access should be allowed to the surviving hirer jointly with the legal heirs of the deceased hirer.

Not Willing to continue the locker facility

- The Nominee should submit the 'Transmission Claim Form - Without Nominee' to the Bank along with his / her KYC proofs.
- The Bank Officials will ascertain the KYC's provided and shall allow the claimant to access the Safe Deposit Locker.
- The Claimants shall surrender the Key of the locker and hand over the letter of discharge to the Bank Officials.

ACCESS TO THE ARTICLES IN THE SAFE DEPOSIT LOCKER / RETURN OF SAFE CUSTODY ARTICLES :

- If the sole locker hirer nominates an individual to receive the contents in the locker, in case of his death, after verification of the death certificate and satisfying the identity and genuineness of such individual approached, the bank shall give access of the locker to such nominee with liberty to remove the contents of the locker, after an inventory was taken in the prescribed manner.
- In case the locker was hired jointly with the instructions to operate it under joint signatures, and the locker hirer(s) nominates any other individual(s), in the event of death of any of the locker hirers, the bank shall give access of the locker and the liberty to remove the contents jointly to the survivor(s) and the nominee(s) after an inventory was taken in the prescribed manner.



- In case the locker was hired jointly with survivorship clause and the hirers instructed that the access of the locker should be given to "either or survivor", "anyone or survivor" or "former or survivor" or according to any other survivorship clause permissible under the provisions of the Banking Regulation Act, 1949, the bank shall follow the mandate in the event of death of one or more of the joint locker-hirers.
- Bank shall, however, ensure the following before giving access to the contents to nominee / survivor
- Exercise due care and caution in Establishing the identity of the survivor(s) / of nominee(s) and the fact of death the locker hirer by obtaining appropriate documentary evidence



- Make diligent effort to find out whether there is any order or direction from Courts/Forums restraining it from giving access to the locker of the deceased
- Make it clear to the survivor(s) / nominee(s) that access to articles in the locker / safe custody articles is given to them only as a trustee of the legal heirs of the deceased locker hirer i.e., such access given to them shall not affect the right or claim which any person may have against the survivor(s) / nominee(s) to whom the access is given.
- The bank shall ensure that, the contents of locker, when sought to be removed on behalf of a minor nominee, are handed over to a person who is, in law, competent to receive the articles on behalf of such minor. Further, the bank shall prepare an inventory of the articles in the presence of two independent witnesses, one officer of the bank who is not associated with the locker facility or safe deposit of articles and the claimant (s), who may be a nominee or an individual receiving the articles, on behalf of a minor.
- The bank shall obtain a separate statement from the nominee (claimant) or the person competent to receive articles on behalf of the minor, as the case may be, that all the contents in the locker or in the safe custody of the bank, as the case may be, are received

and the locker is empty and they have no objection to allotment of the locker to any other customer as per norms.

- While giving access to the survivor(s) / nominee(s) of the deceased locker hirer / depositor of the safe custody articles, banks may avoid insisting on the production of succession certificate, letter of administration or probate, etc., or obtain any bond of indemnity or surety from the survivor(s)/nominee(s), unless there is any discrepancy in nomination.

J. INFRASTRUCTURE AND SECURITY STANDARDS

Security of the Strong Room/Vault

- Bank shall take necessary steps to ensure that the area in which the locker facility is housed is properly secured to prevent criminal break-ins. The risks of accessibility of an allotted locker from any side without involvement of the locker-hirer concerned may be assessed and kept on record.
- Bank shall have a single defined point of entry and exit to the locker room/vault.
- The place where the lockers are housed must be secured enough to protect against hazard of rain / flood water entering and damaging the lockers in contingent situations.
- The fire hazard risks of the area should also be assessed and minimized.



- The banks, as per their policy, shall conduct necessary engineering / safety verification regularly to identify the risks and carry out necessary rectification.
- The area housing the lockers should remain adequately guarded at all times.
- Bank shall cover the entry and exit of the strong room and the common areas of operation under CCTV camera and preserve its recording for a period of not less than 180 days. In case any customer has complained to the bank that his/her locker is opened without his/her knowledge and authority, or any theft or security breach is noticed/observed, the bank shall preserve the CCTV recording till the police investigation is completed and the dispute is settled.
- The internal auditors shall verify and report the compliance to ensure that the procedures are strictly adhered to.

Locker Standards

- All the new mechanical lockers to be installed by the bank shall conform to basic standards / benchmarks for safety and security as prescribed by Bureau of Indian Standards (BIS) or any other enhanced industry standards applicable in this regard.
- Banks shall ensure that identification Code of the bank / branch is embossed on all the locker keys with a view to facilitating identification of lockers / locker ownership by law enforcement agencies in case of need.
- The custodian of the locker i.e. Branch Manager shall, regularly/periodically, check the keys maintained in the branch to ensure that they are in proper condition.
- Bank shall permit the locker-hirer to operate the locker only with the key provided by the bank, although there is no restriction in allowing the customer to use an additional padlock of her /his own if there are such provisions in lockers.
- When the Locker Units are installed by the supplier, the keys of the individual Locker units and the Master key (to be used by the Bank) will be handed over to the Branch Manager by the company.
- The Manager shall first check whether all the keys open & lock the respective Locker smoothly prior to renting out the Lockers to customers. Then each key must be kept in a small cover and sealed, noting on it the Locker number & key number. These sealed covers (keys) should be kept in a box arranged in the order of Locker number and this box should be kept in a vacant Locker or inside cash safe.

Master Key

- A locker is operated by dual lock system. The first key is considered as 'Master Key' which is in the possession of the Bank. And the second key being the Hirer's Key should be carefully kept / preserved by the hirer.
- The 'Master Key' is common to all lockers in a cabinet in a particular branch. This is issued by the manufacturing company in duplicate. The original key is to be used by the Officer and the duplicate key is lodged with H.O.
- During office hours, the Manager / Officer in charge of Locker should hold the Master key and he should not part with it. It should never be carried out of officer



premises.

- The Master key should be kept in the cash safe under double lock except during office hours.

K. OPERATIONAL INSTRUCTIONS AND PROCEDURE:

Regular Operations by Customers

The locker hirer and/or the persons duly authorized by him/ her only shall be permitted to operate the locker after proper verification of their identity and recording of the authorization by the officials concerned of the bank.

The bank shall maintain a record of all individuals in the Locker Register, including the locker-hirers, who have accessed the lockers and the date and time (both check-in and check-out time) on which they have opened and closed the locker and obtain their signature.

Branch Official shall verify customer/s signature/s properly and promptly, before allowing him/her to operate the locker. The verifying Branch Official will put his signature in front of the locker entry made in the register as a token of satisfactory verification of signatures.

The Branch shall make data entry of each visit of the customer to operate the locker in the Locker register immediately at the time of entry and exit of the customer.

The ingress and egress register for access to Vault Room by locker-hirers or any other individual including the banks' staff shall be maintained to record the movement of individuals in the Vault Room area with their signatures at appropriate place in the records.

The Branch Officials holding the Master Key/First Key shall accompany the locker holder to the locker. The key to operate the locker is with the help of the Master Key and "Hirer's Key" i.e. opening the locker with both the keys simultaneously. However, the hirer can close the locker with his/her key alone. The lock closes automatically and thus there is no necessity to use the Master Key for closing the locker.

The bank's officer authorizing the locker-hirer to access the locker, after unlocking the first key / password shall not remain present when the locker is opened by the locker-hirer.

The banks shall ensure that there is adequate privacy to the locker-hirers in the operations when customers access the lockers at the same time.

Banks shall send an email and SMS alert to the registered email ID and mobile number of the customer before the end of the day as a positive confirmation intimating the date and time of the locker operation and the redressal mechanism available in case of unauthorized locker access.

Locker left open by the Hirer :



The bank custodian shall check whether the lockers are properly closed post locker operation. If the same is not done, the lockers must be immediately closed, and the locker-hirer shall be promptly intimated through e-mail, if registered or through SMS, if mobile number is registered or through letter so that they may verify any resulting discrepancy in the contents of the locker. The bank custodian shall record the fact of not closing the locker properly in the register and its closure by the bank with the date and time.

At times, the hirer may go out of Vault / Locker Room without properly locking his Locker / leaving the locker key to the locker. The Bank Officials may have no knowledge of the same making it difficult to take cognizance of the contents of the Lockers.

Valuables/articles found in locker room :

Customer (hirer) by mistake or in a hurry, may leave certain valuable articles in the Locker room. Such valuable articles found inside the Vault or "Safe Deposit Locker Room" must be kept under proper Safe Custody as per the following guidelines :

A Register with title "Valuable Articles Found in The Locker Room" shall be maintained by the Branch with the following columns.

| Date | Description of Valuables with Shop / Maker's name and address, if available | Signatures of Manager & Officer-in-charge of Lockers |
|------|---|--|
| | | |
| | | |



- The valuable articles found inside the Locker room should be kept in a cover, which should be properly sealed with the date of finding the article noted on this cover. The Manager, office in charge of Lockers and the cashier all will have to affix their full signatures on this cover.
- Efforts should be taken, through discreet enquiries of all those Locker customers who operated their Lockers on that particular day, to trace the true owner of the valuable articles found inside the Locker room.
- Excepting the Manager, officer in charge of the Locker and the cashier (if he is also included) no other staff in the Branch should be allowed to know the details and description of the valuables found in the Locker room. Utmost secrecy should be maintained to ensure that the information does not leak out to anyone else.
- The Manager will have to, in all such cases, inform the appropriate officer at HO, through a confidential letter in the Branch Letter Head, giving full particulars of date & time of finding the valuables inside the Locker room, their full description and number of items found. This letter must be prepared in "triplicate", first copy of which will be retained with the sealed cover, second copy will be kept in a separate file maintained for this purpose titled as "Valuables / Documents found inside Locker room" and the third copy to be sent to the appropriate officer at HO [e.g. GM/DGM (Admin / Dev.)].
- In case any claim is received or a reference to this loss is made by any of the Locker customers, the Manager will have to satisfy himself beyond any doubt that the person claiming is the genuine person. This should be possible if the person gives the correct description of each article he had misplaced in the Locker Room with the shop / maker from whom he had purchased them (if he is able to produce the purchase bill it will serve the purpose of identification of the article).
- After identifying the genuine person (Locker hirer) the Manager will get the permission from the appropriate officer of HO to release the articles against indemnity bond (on stamp paper of appropriate value as per directions of Head Office).
- An acknowledgement should be obtained from the hirer, in writing giving full descriptions of the articles received back by him.
- At the time of releasing the articles to the hirer all necessary details should be recorded in the Register maintained for this purpose with the following columns.

| Name & address of the claimant | Description of articles found & now restored to the Locker hirer | Indemnity Bond dated | HO order dated |
|--------------------------------|--|----------------------|----------------|
| | | | |



| Date of releasing the articles to the claimant | Signature of the claimant | Compliance report sent To HO on Date | Initials of officers (Manager & Custodian) |
|--|---------------------------|--------------------------------------|--|
| | | | |
| | | | |

Unclaimed articles :

Whenever articles / valuables are left in the branch premises unclaimed, they are to be kept in safe custody and the matter should be reported to C.O.

L. DEFAULT OF RENTALS:

- In the event of locker rent remaining unpaid for more than one year, TWO reminders should be sent to the Locker holder with at an interval of 10 days under certificate of posting, requesting him / her to pay the amount immediately.. This letter should be delivered by way of Registered AD to maintain the record.
- In event, this letter remains unaddressed by way of non-payment of the locker rent, a Final Demand Notice Letter should be sent to the Locker Hirer by the Hand Delivery and RAD.
- In case, if the Locker rent is still not paid hirer then the Bank shall have the right to refuse access to the locker without prejudice to Bank's right to break open the locker.



- In case of sticky accounts, Branch should adopt the following measure:

- A sticker should be affixed on the locker to easily identify and advise, to pay the rent immediately.

- The Bank Officials are under obligation to freeze opening of the Locker under the following circumstances:

- Dispute amongst the Locker Holders / Specific request from either or any one of the Locker holders.

FREEZE AND UNFREEZE

Freeze Locker Operations

- On receipt of a letter from any of the locker holder with a request to freeze the locker operations under the circumstances as mentioned above, the Branch Officials should prima facie observe the following:

- To record the date and the time of the receipt of the letter.
- To verify the signature of the locker holder before acceding to the request to freeze the operations of the locker
- To attach the letter to the locker form.
- Instructions to be written in the locker register and in Finacus Module.

Unfreeze Locker Operations

- To unfreeze / allow the operations in the Locker account, the Branch Officials should prima facie observe the following:
- To obtain a letter bearing signature of all the locker holders with a request to allow operations in the account.
- On receipt of the letter to record the date and time thereupon • To verify the signatures of all the locker holders.
- To attach this letter also to the locker form.
- Instructions accordingly to be modified and recorded in the locker register.
- Injunction Order from Competent Authorities to stop access.
- The Bank Officials should take on record a letter signed by all the locker holders to unfreeze and allow operations in the account.

Recovery and Follow up :

- Details of follow up done are required to be recorded in the S.D. Locker Register. This should show the following



- Expiry date, Renewal date in respect of the lockers, S.B. Account Number and Address in detail.
- Date of issue of Notices / Reminders sent etc.
- Branches should maintain a record of the steps taken for proper follow up done for recovery of rent.
- A letter for Locker Rent duethrough system should be sent to the hirer fifteen days before the expiry period. Locker number should not be indicated in this letter. Despite, sending a letter to him / her, if he / she refuse to pay the rent.
- In the event of locker rent remaining unpaid for more than one month, TWO reminders should be sent to the Locker holder with at an interval of 10 days under certificate of posting, requesting him / her to pay the amount immediately and This letter should be delivered by way of Registered AD to maintain the record.
- A Final Demand Notice Letter (should be sent by Registered Post Acknowledgement Due specifically stating that if he is not inclined to renew the agreement by paying rent, he / she should surrender the locker within fifteen days from the date of notice failing which the same should be broken open by the Bank Officials.
- In case of default, if the registered letter / notice served is returned undelivered on any ground / reason (not found / not refused etc.), the returned envelope containing the above remarks should be kept safely along with Memorandum of Letting of Locker. Notation to this effect may be made on the Locker Register.
- Notice charges should be recovered by debiting the amount to the hirer's account.
- These details should be recorded in the "S.D. Locker Register". This record should be maintained so as to bring clarity in the status / position of availability of Lockers at any point of time.

M. PROHIBITORY ORDERS:

- Access should not be allowed to the hirer of a Locker on which a valid prohibitory order from a competent authority or a Court appointing a Receiver in respect of the Locker is received.
- In the event of the competent authority bringing an order for making an inventory of the content of the Locker and accompanied by the hirer, the access of the Locker should be allowed. However, the hirer should be made to sign the Locker Access Register as usual.

N. INOPERATED LOCKERS:

- Where the lockers have not been operated for more than three years for medium risk category or one year for a higher risk category, the Branch Officials should immediately take steps to contact the locker hirer and advise him / her / them to either operate the



locker or surrender it.

- This exercise should be carried out even if the locker hirer is paying the rent regularly.
- Further, the Bank Officials should ask the locker hirer to give in writing, the reasons why he / she did not operate the locker.
- In case the locker hirer has some genuine reasons as in the case of NRIs or persons who are out of town due to a transferable job etc., Bank Officials may allow the locker hirer to continue with the locker. A letter / mail to this effect should be taken on record.
- In case the locker hirer does not respond nor operate the locker, Bank Officials should consider opening the lockers after giving due notice to him.

O. SURRENDERING LOCKERS

- Either party (Bank / Hirer), may terminate the Agreement on giving to the other seven days advance notice of such intention in writing prior to the date on which the agreed period of renting terminates and the key of the locker shall in such case be delivered by the Hirer/s to the Bank.
- Lockers are to be surrendered only on the basis of a written request from the Customer (in person) duly signed by all Locker holders. Any exceptions will be handled on a case-to-case basis.

Thereafter, the locker holder should submit a letter bearing contents to denote clearly that the locker has been vacated & all the belongings have been removed.

- Further, the Bank Officials shall seek signature of all the Locker holders in the Column mentioned Surrender of Locker on the Specimen Form.
- The Bank Officials shall further levy surrender charges along with service tax, as applicable from time to time.
- The Deposit Receipt kept with the Bank under Lien shall be released to the locker holder on obtaining his/her/their signature on the register where it is recorded.
- If there is any event such as merger / closure / shifting of branch warranting physical relocation of the lockers, the bank shall give public notice in two newspapers (including one local daily in vernacular language) in this regard and the customers shall be intimated at least two months in advance along with options for them to change or close the facility. In case of unplanned shifting due to natural calamities or any other such emergency situation, banks shall make efforts to intimate their customers suitably at the earliest.
- If a hirer surrenders the locker before the due date of Security Deposit, the deposit will be refunded by treating it as a prepayment. The hirer may also decide for continuance of deposit till its maturity to avoid loss of interest.
- The lock of the surrendered Locker must be inter-changed with that of a vacant



Locker. In case no vacant Locker is available in the branch then a spare lock should be procured from the company which supplied the Locker units and the same should be fitted in the surrendered Locker retaining the lock of that Locker as a spare one. These costs will be borne by the Bank.

- Only after changing the lock of the surrendered Locker the same could be hired out to another customer.

P. CLOSURE AND DISCHARGE OF LOCKER ITEMS :

PROCEDURE FOR BREAKING OPEN THE LOCKER:

This part refers to the breaking open of the locker in a manner other than through the normal access by the customer using her/his original key under any one of the following circumstances:

- i) if the hirer loses the key and requests for breaking open the locker at her /his cost; or
- ii) if the Government enforcement agencies have approached the bank with orders from the Court or appropriate competent authority to seize lockers and requested for access to the lockers; or
- iii) if the bank is of the view that there is a need to take back the locker as the locker hirer is not co-operating or not complying with the terms and conditions of the agreement.

Before breaking open the locker, prior permission from Head Office should be obtained. A note for the same should be put up mentioning the details of efforts taken and all the correspondence and proofs attached.

i) Discharge of locker contents at the request of customer (If Key is lost) :

- If the key of the locker, supplied by bank is lost by the locker-hirer, the customer (locker hirer) shall notify the bank immediately in writing signed by all account/locker holders.
- An undertaking may also be obtained from the customer that the key lost, if found in future, will be handed over to the bank.
- On receipt of such letter, the Officials should make a note of the same and in consultation with the hirer/s, and the manufacturers arrange for a date to break open the locker.
- All charges for opening the locker, changing the lock and replacing the lost key may be recovered from the hirer. The charges applicable for replacement of lost keys shall be communicated to the locker hirer.
- The opening of the locker has to be carried out by the bank or its authorized technician only after proper identification of the hirer, proper recording of the fact of loss and written authorization by the customer for breaking open the locker.
- On the appointed day, the locker should be broken open in the presence of the hirer/s and the Officials. The hirer should take possession of the contents and sign acknowledgement for having received the same. Notation to this effect should be made in the record.



- In case, where a locker is hired by more than one person jointly and the same is operated singly then if only one person is to be present at the time of break open of the locker, the joint hirer/s should give letter of authority to supervise the operation in favour of that person. However in case where the locker operation is jointly, all the hirers should be present. Report of Locker Broken Open
- Separate Resolution shall be required incase of Private Limited Companies
- In case of Blind/ Illiterate person further precautions shall be taken as per Banks Policy from time to time.
- It shall be ensured that the adjoining lockers are not impacted by any such operations and the contents of the lockers are not exposed to any individual other than the locker-hirer during the break-up or restoration process.

ii) Attachment and recovery of contents in a Locker and the Articles in the safe custody of the bank by any Law Enforcement Authority

- In case of attachment and recovery of the contents in a locker of a customer or the articles left by a customer for safe custody of the bank by any Authority acting either under the orders of a Court or any other competent authority vested with the power to pass such orders, the banks shall co-operate in execution and implementation of the orders.
- The bank shall verify and satisfy itself about the orders and the connected documents received for attachment and recovery of the contents in a locker or articles in the safe custody of the bank.
- The customer (locker-hirer) shall be informed by letter as well as by email/SMS to the registered email id/mobile phone number that the Government Authorities have approached for attachment and recovery or seizure of the locker or articles deposited for safe custody.
- An inventory of the contents of locker and articles seized and recovered by the Authority shall be prepared in the presence of such Government Authorities, two independent witnesses and an officer of the bank and shall be signed by all.
- A copy of the inventory may be forwarded to the customer to the address available in the bank's records or handed over to the customer against acknowledgement.
- Bank shall also record a video of the break-open process and the inventory assessment, wherever legally permissible, and preserve the video to produce as evidence in case of any dispute or Court or fraud case in future.

iii) Discharge of locker contents by banks due to non-payment of locker rent

- Bank shall have the discretion to break open any locker following due procedure if the rent has not been paid by the customer for three years in a row.
- The bank shall notify the existing locker-hirer prior to any changes in the allotment and give him/her reasonable opportunity to withdraw the articles deposited by him/her.
- Before breaking open the locker, the bank shall give due notice to the locker-hirer through a letter and through email and SMS alert to the registered email id and mobile phone number demanding to pay the rent immediately.



- If the rent is still unpaid, at least Three Reminders should be sent at an interval of 10 days, under certificate of posting.
- Even after the reminders the hirer does not pay up the rent, then issue a final letter giving notice that the Bank would break open the Locker. This letter should be sent by Registered Post with Acknowledgement due.
- If there is no response for the Registered letter the Branch should depute a responsible staff member to ascertain the following information of the hirer.
 - latest address of the hirer,
 - whether the hirer is available at this address, and • if not, what do the enquiries at the address reveal.
- If the letter is returned undelivered or the locker-hirer is not traceable, the bank shall issue public notice in two newspaper dailies (one in English and another in local language) giving reasonable time to the locker-hirer or to any other person/s who has interest in the contents of locker to respond.
- If all the above efforts to collect the Locker rent fail then the Bank may wait for a further period of 3 months.
- After expiry of this 3 months period, another registered letter may be issued informing him that the Locker hired by him will be broken open, without further intimation to him, if the rent is not paid within 10 days from the date of notice.
- If the rent is not paid within the notice period, then the Bank will have to break open the Locker.
- Note is to be placed to Head Office prior to Breaking Open of the Locker.
- The locker shall be broken open in the presence of an officer of the bank and two independent witnesses.
- Bank shall also record a video of the break open process together with inventory assessment and its safe keep and preserve the same so as to provide evidence in case of any dispute or Court case in future.
- Bank shall also ensure that the details of breaking open of locker is documented in locker register.
- After breaking open of locker, the contents shall be kept in sealed envelope with detailed inventory inside fireproof safe in a tamper-proof way until customer claims it under the joint custody of the Manager & another Officer / Cashier of the Branch.
- The fact shall be recorded in a separate Register called "Register of Lockers Broken Open" which will be authenticated by both the custodians.
- After breaking open the Locker due notices are to be sent to the concerned hirer in the following manner, a specimen of such notices as follows is given in the, Locker found empty, Locker found with articles
- A report / inventory should be prepared and signed by all the persons in whose presence the Locker was broken open. A specimen of the report / inventory.
- While returning the contents of the locker, the bank shall obtain acknowledgement of the customer on the inventory list to avoid any dispute in future.
- Bank shall not open sealed/closed packets found in locker while releasing them to the



nominee(s) and surviving locker hirers / depositor of safe custody article, unless required by law.

- In such cases, the Bank shall recover its dues on account of rent till the quarter in which the locker is broken open, Charges for breaking open the locker and repair / replacement and other handling charges, service charges, to cover losses of rental income owing to immobility of the locker shall be recovered by exercising Bank's lien over the contents / deposit with the Bank.

Discharge of locker contents if the locker remains inoperative for a long period of time

- If the locker remains inoperative for a period of seven years and the locker-hirer cannot be located, even if rent is being paid regularly, the bank shall be at liberty to transfer the contents of the locker to their nominees/legal heir or dispose of the articles in a transparent manner, as the case may be.
- Before breaking open the locker, the bank shall follow the prescribed procedure.

Q. DEALING WITH CASES OF MISSING PERSON

- While Section 107 of the Indian Evidence Act, 1872 deals with presumption of continuance of life, Section 108 deals with presumption of death. As per section 108 of the Indian Evidence Act, when the question is whether a man is alive or dead and it is proved that he/she has not been heard of for seven years by those who would naturally have heard of him/her if he/she were alive, the burden of proving the existence of the person will be shifted to the person who affirms it.
- Again as per the provisions of Section 108 of the Indian Evidence Act, presumption of death can be raised only after a lapse of seven years from the date of his/her being reported missing. As such, the nominee of a missing depositor has to raise an express presumption of death of the subscriber under Section 107 & 108 of the Indian Evidence Act before a competent Court. If the court presumes that the person is dead, then, the nominee will be entitled for settlement of outstanding amount or the safe custody article of the missing subscriber.

R. GENERAL GUIDELINES :

- The hirer should not be permitted to stay in the strong room for unreasonably long time. There should be proper watch during his presence inside.
- For ensuring that hirers who come to the Bank for operating the locker are not trapped inside the strong room, IBA has advised that
- The operative timings for safe deposit vaults / strong room should be restricted to Banking / Business Hours;
- The Officer should go around the 'Strong Room' / Vault where the lockers are kept and inspect each and every locker that has been operated during the day for ensuring that every locker has been locked properly and that no one was inside the Vault.

S. GUIDELINES TO BE FOLLOWED IN CASE OF SPECIFIC INSTANCES:



such catastrophes.

- Liability of banks arising from events like fire, theft, burglary, dacoity, robbery, building collapse or in case of fraud committed by the employees of the bank

Bank shall take all steps for the safety and security of the premises in which the safe deposit vaults are housed. It has the responsibility to ensure that incidents like fire, theft/ burglary/ robbery, dacoity, building collapse do not occur in the bank's premises due to its own shortcomings, negligence and by any act of omission/ commission.

As bank cannot claim that they bear no liability towards their customers for loss of contents of the locker, in instances where loss of contents of locker are due to incidents

mentioned above or attributable to fraud committed by its employee(s), the banks' liability shall be for an amount equivalent to one hundred times the prevailing annual rent of the safe deposit locker.

Y. Insurance :


- Insurance of locker contents by the customer

Bank shall not be under any liability to insure the contents of the locker against any risk whatsoever as the Bank do not keep a record of the contents of the locker or of any articles removed there from or placed therein by the customer. Bank shall under no circumstances offer, directly or indirectly, any insurance product to its locker hirers for insurance of locker contents.

Z. Customer guidance and publicity

- The bank shall display the model locker agreement with all the Terms & Conditions and the Standard Operating Procedures (SOPs) on various aspects on the website for public viewing. The bank shall ensure that the customers are made aware of the bank's terms and conditions to avail those facilities.
- Bank shall display updated information on all kinds of charges for safe deposit lockers and safe custody articles on the website.
- Bank shall place on the website, the instructions together with the policies / procedures put in place for giving access of the locker/safe custody article to the nominee(s) / survivor(s) / legal heir(s) of the deceased locker hirer/safe custody article.

This Policy is effective from 1st January, 2023.


Chief Executive Officer


Chairman

