**1. Scope/ Applicability:**

**TEV** reports/ **LIE** monitoring will be mandatory for project loans (Greenfield/Brownfield) where fresh term loan exposure exceeds Rs.25.00 crores and/ or where project cost exceeds Rs.50.00 crore, under Sole Banking Arrangement. In case of Consortium/ Multiple Banking Arrangement, Bank will continue to accept TEV reports and LIE’s, as per the decision taken by Consortium/ Bank with highest exposure under Multiple Banking Arrangement.

1. Projects other than those classified above, involving new technology, production processes, products etc. can also be considered.
2. In case of Restructuring/ Resolution Proposals with total restructured debt above Rs.25.00 crore & necessitating technical and economic viability of the Restructuring/ Resolution Plan.

**2. Eligibility Criteria:**

**2.1 Experience:**

The Consultant (Individual/Proprietor/Private Limited Companies/ Partnership Firm / LLP / Public Limited Companies/ Cooperative Society) should have been empanelled as TEV consultant/ LIE with minimum 2 other Scheduled Commercial Banks for at least 1 year.

The consultant should have Good/Proven Track record of industrial consultancy, including conducting TEV studies/LIE for Banks/ FIs. Consultants will be required to submit documents related to their work experience as TEV Consultant/ LIE.

**2.2 Qualification:**

The empanelled TEV consultant shall have core team of professionals as CAs / ICWA/CS/MBA etc., (for financial analysis of project) and BE (Mechanical, Electrical, Civil, Electronic / Telecom, Textile, Chemical) / B. Tech / M.Tech etc. (for technical analysis of project).

For LIE applicant should have professional qualification as BE, MS, MTech, BArch etc in the core branches viz. Mechanical, Civil, Electrical & Electronics etc.

*Core team of professionals employed/engaged by the consultant should possess minimum 2 years’ experience in that field.*

**2.3 Affiliation:**

One of the Director/Partner/Proprietor of the Consultancy should have secured registration / membership with the concerned department / professional body / agency **and/or** At least one of the technical staff of the consultancy should be members of Institutions of Valuers / Association of Engineers / Institute of Engineers / Registration under Companies (Registered valuers and valuation) etc.

**2.4 Other Requirements:**

1) The Consultants should not be delisted / de-panelled by any other Bank / FI. The name of the Consultants should not be blacklisted by IBA or any other agency (Self attested affidavit on stamp paper to be obtained in this regard).

2) Consultants against whom complaints have been registered with CBI, Serious Fraud Investigation Cell and are blacklisted by any banks / FIs will also not be eligible. (Self-attested affidavit on stamp paper to be obtained in this regard)

3) The name of the consultants or its promoters/ directors/ partners etc should not be in the defaulter/ caution list published/ displayed at websites of public bodies such as RBI/ IBA/ECGC/ SEBI/ CICs etc.

4) Fixed Office Premises with adequate Infrastructure.

5) In case the applicant being a Company (Public/Private) there should be minimum 3 Professional Directors having requisite qualification as per pre-para 5.2 with minimum 3 years of experience in his/her field.

6) In case of partnership firms/LLP atleast one of the partners should have requisite qualification as pre-para 5.2 with minimum 3 years of experience in his/her field.

7) If applying for a particular sector/industry, consultant (at least one of the partners or directors) should have the requisite qualification in the subject of his/their proposed area of specialization. In case of a consultant other than individuals applying for multiple sectors/industries, core team of professional should be on employment/engaged to carry out the work assigned.

**The actual performance of at least 3 projects appraised and acted as LIE in past 3 years should be evaluated.**

**For Project Loans upto Rs.50.00 crores, existing valuers on Banks panel having required qualification (as defined under qualification clause) and specific sector experience with satisfactory track record for 5 years or more are also eligible for appointment as LIE. However, such valuers have to apply for empanelment as LIE in terms of this policy and will be given preference for empanelment subject to fulfilling the eligibility criteria.**

**3. Process of Empanelment:**

1. Application will be invited from interested applicants for empanelment as TEV consultants/ LIE which shall be made available through daily newspapers and also will be hosted on Bank’s website.
2. The intending TEV consultants/ LIE shall submit the application form along with other relevant enclosures / documents etc. as per the policy to the concerned Credit Department of the nearest Zonal Office (list attached as annexure-VI).

Once a decision to empanel or otherwise is taken, a **letter of empanelment** in duplicate or letter / email shall be sent to the TEV consultant/ LIE.

**4. Empanelment / Validity/Renewal:**

1. The tenure of the empanelment shall be for 3 (three) years from the date of empanelment (date of issue of letter to respective individual / firm / company) subject to the condition that they are not de-empanelled from Banks’ approved list of TEV/LIE consultants.
2. In respect of TEV consultant/ LIE who has completed 3 years of empanelment and wish to continue, the entity should approach the bank at least 3 months before the expiry of the term of empanelment.
3. Bank shall carry out review exercise at the time of renewal, based on performance along with necessary information which the consultant will have to furnish to the Bank as and when called for. For renewal of empanelment of the entity, Bank and the empanelled entity shall follow the same process as applicable to a fresh empanelment.
4. Bank reserves the right to remove any consultant from the approved panel any time after giving 15 days’ notice even before completion of 3 years.
5. Powers of empanelment in case of any consultant/constituent of the Consultant is related to Management of bank (General Manager and above) or to any Board of Directors (BoD), shall be vested with BoD (The consultant shall declare the relation with Management or BoD vide Declaration/undertaking form placed as Annexure-III to the policy).

**5. De-empanelment:**

Bank may De-empanel/remove the name of any consultants from the approved panel of TEV/LIE Consultants where it is satisfied after giving consultants a reasonable opportunity of being heard on following grounds

1. On account of misrepresentation or suppression of a material fact,
2. On conviction of any offence and sentenced to a term of imprisonment or has been guilty of misconduct in his professional capacity which, in the opinion of the Competent Authority, renders him unfit to be kept on the panel,
3. that his services are found unsatisfactory and/or his reports are influenced/detrimental to the Bank’s interest, poor service quality thereby jeopardizing the interests of the bank,
4. that he is found to have indulged in unfair practice, guilty of professional misconduct, facilitated fraud and violates code of ethics and professional practice,
5. If the consultant commits a material breach which remains un-remedied for 30 days after notice,
6. The Bank reserves its right for de-empanelment of consultants for Techno-Economic Viability (TEV) study & Lender’s Independent Engineer’s (LIE), whose names have been circulated by IBA and other agencies for de-empaneling them with other Banks/FIs.

On removal from panel, Credit Monitoring Department, CHQ shall report the name of such delinquent consultant to IBA for placing it on the IBA’s caution list.

**6. Scope of Services/Work:**

**6.1 For TEV Consultant:**

The service required relates to financial management, market study/research, viability study, due diligence etc. The details are mentioned as under:

* + 1. Purpose of TEV
		2. Promoter’s qualifications (specially professional qualifications)
		3. Promoter’s experience especially project specific experience in executing similar projects
		4. Due diligence of the promoters, their overall experience, details of their Group Companies and their past financials. Status of Group Company Loan Accounts i.e., whether Standard or NPA
		5. Assessing the capacity of the promoters to establish and run the business successfully including capacity to bring in equity and ability to arrange funds for cost overrun.
		6. Government policies and restrictions
		7. Statutory clearances and status as on date of conducting TEV study
		8. Critical success factors
		9. Product: Main product(s) to be manufactured, bye–product and waste, nature of product, demand/supply & Gap position global as well as local.
		10. Comparison with other similar projects
		11. To Vet various components of project cost
		12. Production Technology Evaluation
		13. Industry scenario (Macro & Micro) and Market Dynamics
		14. Availability of backward/forward linkages like raw material, power, Power Purchase Agreement (PPA), Fuel Supply Agreement (FSA).
		15. Availability of raw materials, source of raw materials, cost of raw materials and volatility in price of raw materials.
		16. Availability of trained/skilled manpower in vicinity.
		17. Availability of infrastructure support like road, rail, power, port connectivity.
		18. Plant and Machinery: Condition of existing/proposed machinery, technological level of machinery, suppliers of machinery, sourcing of technology. In case of second hand machinery, availability of chartered engineer’s certificate on age/condition/residual life/availability of spares/cost etc. should be examined and commented upon.
		19. Market and Marketing arrangements, Demand-supply data position, Position of other competitors in the industry, imported substitute, Targeted Consumer Segment.
		20. Competitive analysis and demand supply analysis.
		21. Any other factors considered relevant to project.
		22. Assessment of financial viability
1. Assessment of project cost and means of finance
2. Financial analysis justifying the projected financial numbers including justification underlying the projected profitability estimates. Financial analysis in case of existing units with a view to ascertain investible surplus, expected cash accruals during the implementation of the proposed new/ expansion /diversification project.
3. Assessment of Working Capital Requirement.
4. Inventory and receivables level maintained vis-à-vis normative requirements and/or industry standards.
5. Assessment of Term Loan requirement.
6. SWOT analysis and including risk factors and risk mitigants. The analysis to be carried out to identify the key internal and external factors which are important for success of the project.
7. Sensitivity analysis/ Comments on technical feasibility and economic viability including BEP analysis, DSCR calculation, IRR calculation and sensitivity analysis on sales/ major inputs.
8. Debt servicing capacity of the project at different sensitivity scenarios.

*The above lists are illustrative and not exhaustive. The Bank may decide on addition/deletion to the above lists on case to case basis and depending upon the nature of the project and purpose of the report. The Bank based on the requirement may also obtain TEV study for restructuring proposals and due diligence report on any existing/ new borrower on case to case basis.*

**6.2 For Lenders Independent Engineer (LIE):**

1. **Before financial closure:**
2. Project Review & Assessment
3. Project Risk & Risk Mitigants
4. Assessment of timelines for arriving at DCCO
5. Pre-finance Due Diligence to assess selection of appropriate technology
6. Performance assumptions
7. Required statutory clearances and approvals including Pollution Control Board Clearance.
8. **During implementation stage:**
9. Periodic review of construction/ implementation schedule.
10. Review of compliance of EPC contract and permits.
11. To monitor the progress of the project on an ongoing basis in terms of time schedule as well as cost angle.
12. Submission of Quarterly Progress Reports and red flagging any issues which is considered detrimental towards project execution/ completion
13. Review and approve payment requirements.
14. Contract amendment and modification required if any.
15. Commissioning and start up plans.
16. **Other:**

Any other factors considered relevant to the project by LIE.

**7. Timeline for submission of TEV Report:**

Timeline should be clearly spelt out while giving Project Assignment Letter to the TEV/LIE Consultant. However, maximum timeline shall not exceed six weeks.

**8. Exemptions:**

* In case the project is appraised by any Government Agency/ PSU.
* Proposal under consortium/ multiple banking arrangement where TEV Study has already been / will be undertaken from reputed external agency and LIE is/ will be appointed in consultation with lenders.
* Proposals with term loan exposure upto Rs.25.00 crores.
* Restructuring/ Rehabilitation of units with aggregate credit exposure upto Rs.25 Crore.

**9. Fee Structure:**

*
* The fee structure will be on mutually acceptable terms between the Client and TEV /LIE Service Provider depending on the size of the project and specific assignment keeping in view number of man hours required for execution. However, the final fee to be paid to the TEV /LIE Service Provider must not exceed 0.10% of the total project cost.
* The TEV Consultant /LIE shall provide a copy of the mutually agreed fee structure with terms and conditions (duly signed by the Client and Consultant) to the branch/ LCU, where the borrowal accounts are maintained, before commencement of the assignment.

**10. Disclaimer:**

The Bank shall reserve the right to accept or reject any or all applications without assigning any reasons thereof. The bank shall also reserve the right to relax / modify the eligibility criteria and the banks decision in this matter shall be final and binding.

**Annexure-I**

(On the firms Letter Head)

**Application for Empanelment as Consultant for TEV Study/LIE**

|  |  |  |
| --- | --- | --- |
| **APPLICATION FOR**  | **TEV CONSULTANT**  | **LENDERS’** **INDEPENDENT** **ENGINEER (LIE)**  |
| Tick Appropriate  | ( )  | ( )  |

**To,**

**Dy. General Manager**

**J & K Bank Ltd,**

**Zonal Office……**

**Sub: Request for empanelment as TEV Consultant/LIE**

I/ We hereby apply for empanelment as Technical Consultant for TEV studies/ LIE on J&K Bank Panel and furnish hereunder the requisite supporting bio data/information /documents.

|  |  |  |  |
| --- | --- | --- | --- |
| **Sr** | **Particular** |  | **Details** |
| 1  | Name of the Consultant  |  |   |
| 2  | Constitution (Individual/AOP/Proprietorship/Partnership Firm/LLP/Public Ltd Company/Private Ltd Company/Co-operative Society)  |  |   |
| 3  | Date of Establishment/Date of Registration/Date of Incorporation  |  |   |
| 4  | Date of commencement of business  |  |   |
| 5  | Registered/Communication address of the Consultant (Email ID & Mobile No.)  |  |   |
| 6  | Details of the Offices/Branches of the firm/company : |  |   |
| 7 | Details of the Subsidiary/Group Companies |  |  |
| 8 | Key Technical Expert /One Point Contact Person |
| Name |  |
| Mobile No. |  |
| Landline No. |  |
| E-mail ID |  |
| 9  | PAN No.  |  |   |
|   | GST No.  |  |   |
| **10** | **Details about the Consultant**   |
| a)  | Brief Profile of the Consultant  |  |   |
| b)  | Nature and particular of activities undertaken by the Consultant |  |   |
| c) | Details of Directors/Partners/Proprietor

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name  | DIN | PAN  | Qualification | Experience (in Years) |
| Graduation | Post graduation | Additional Qualification like LLB/CA/MCA/FCA/CS/ICWA/MMS etc. |
|   |   |   |   |   |
|   |   |   |   |   |

 |  |
| d) | Details of Promoters\*

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name  | DIN | PAN  |  Qualification | Experience (in Years) |
| Graduation | Post graduation | Additional Qualification like LLB/CA/MCA/FCA/CS/ICWA/MMS etc. |
|   |   |   |   |   |
|   |   |   |   |   |

\*if applicable |
| e) | Applicants financials information for the last 3 years along with ITR Returns & Audited Balance sheets (to be enclosed):-

|  |  |  |  |
| --- | --- | --- | --- |
| As on  | 31.03. | 31.03. | 31.03. |
| Paid up capital |  |  |  |
| Income/Revenue |  |  |  |
| Net worth |  |  |  |
| PAT |  |  |  |
| Borrowings |  |  |  |
| Debt Equity Ratio |  |  |  |

 |  |
| f) | Capital/Share Holding Pattern:

|  |  |  |  |
| --- | --- | --- | --- |
| Name of Holder | Resident/Non-Resident | Address | % of Shareholding |
|  |  |  |  |
|  |  |  |  |

 |  |
| f) |  | Existing Banker Details:- |   |
| g) |  | Engineering /Technical Degree of promoters/partners/directors/ key experts

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name  | Designation  | Technical /FinancialQualifications  | Additional qualifications like MBA, LLB, CA, MCA, CS,ICWA,MCM etc  | Industrial consultancy experience  |
|   |   |   |   |   |
|   |   |   |   |   |

*Supporting copies of all the qualifications needs to be attached*   |
| h) |  | Mention the area of specializations / industry / sectors in which the applicant has expertise in conducting TEV studies/ LIE. |
| i)  |    | Details of Technical & Managerial Staff /Employee:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Name | Designation  | Diploma/Graduation | Post-Graduation | Additional Qualification like LLB/CA/MCA/FCA/CS/ICWA/MMS etc. | Experience In Years | Area of specilization | Whether the person is on the roll of employment/ available on retention basis |
|  |  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |  |

|  |  |
| --- | --- |
| No. of Persons having adequate knowledge of Financial Analysis |  |
| No. of Persons having adequate knowledge of Technical Analysis |  |

 |
| j)  |  | Details of the present set up/infrastructure available to deal with TEV and/ or LIE work  |   |
| k)  |  | Any other credentials worth mentioning (with supporting documents)  |   |
| 1  |  | Particulars of the current empanelment as Consultants for TEV Studies and / or LIE with other Banks/Financial Institutions(Copy of current / active empanelment letters to be enclosed)  |
| a) |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Name of the Banks/FIs/Govt Deptt/ Central PSUs/ Defence Establishment | Zone/Region/Circle/Division for which empanelled | Empanelled for TEV Study and/or LIE | Date of Empanelment | No. of Assignments  |
| Allotted | Completed |
| 1 |  |  |  |  |
| 2 |  |  |  |  |
| 3 |  |  |  |  |

 |
| b)  | Details of past experience as Consultants for TEV Studies and/ or LIE in last 2 financial years (Details to be furnished in the following format)

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Name of Bank/FI/any other agency  | Name & Address of Client  | Project Cost  | Loan Amt (FB & NFB separately) in Crores  | Nature of Task Handled/services rendered  | Date of completion of assignment  | Fees Charged  | Industry  | Activity |
|   |   |   |   |   |   |   |   |  |
|  |  |  |  |  |  |  |  |  |

  |
| c) | Details of Registration/Membership with Professional bodies/organizations(national/international institution/agencies) such as Institute of Engineer, ADB, IBRD, Valuers,IBBI,ICAI etc )

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Name Of the staff/employee/Partner/Director | Designation in the consultants Firm, | Governing Council/Association | Type of Membership | Registration No. | Valid upto |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

 |
| J) | Furnish the details if the firm/any director/promoter/partner has been de-paneled/delisted/blacklisted by any Bank /FI/Organization in the past  |   |

**Annexure-II**

**List of documents to be attached**

**Attach (attested photocopies) of the following documents:**

|  |  |
| --- | --- |
| Firm Profile  |   |
| Copy Of Proprietor/Partnership Deed / MOA/ AOA/ROC Registration  |   |
| Supporting copies of education qualifications promoters/partners/directors/ key experts  |   |
| Supporting Copies of Additional/Higher Qualification (LLB/MBA/CS/CA/MCA/MCM/ICWA etc)  |   |
| Profile/CV of Key Personnel/ Technical Expert / Director  |   |
| Detail Of Staff (Engineer/Technical :CV , Certificate)  |   |
| Copy Of Empanelment Letters as Technical Consultants from Banks/FIs/Organizations for TEV Studies  |   |
| Summary of Assignments Of TEV Studies conducted in last 2 Years(point No.10(b))  |   |
| Work Orders / Letter/Term of reference letter of TEV Assignments from Banks  |   |
| Copy of Pan Card |   |
| Copy of GST Reg. No.  |   |
| Copy of IT Return of last 3 Years  |   |
| Audited financials of Last 3 Years  |   |
| Copy of registration with professional body/Organization  |   |
| Two Specimen TEV Studies Reports (2 hard copies along with soft copies)  |   |
| Undertaking on official letter head as per annexure.  |   |

On the Behalf of the firm/company:

Name of the Individual firm/company:

Authorized Signature:

Name &Designation:

Stamp of the Firm:

Place:

Date:

**Annexure-III**

**DECLARATION cum UNDERTAKING**

(To be executed on Non-Judicial Stamp Paper)

This declaration cum undertaking is given by the Executant/s named hereunder in favour of the J&K Bank Ltd, a banking company and having registered and Corporate Office at M.A. Road, Srinagar, J&K -19001 on the following terms;

* Executant/s declare that the particulars furnished above are true to the best of my knowledge and belief.
* Executant/s declare and confirm that all the necessary supporting documents are enclosed with the application.
* Executant/s hereby undertake that I/we, if empanelled, shall have arm’s length dealing with the proposed clients for whose projects TEV Study/LIE is done, will not have any business dealings with them or give them undue favour, will not demand additional remuneration than what is initially settled nor will unnecessarily delay the TEV/LIE Report.
* Executant/s understand that Bank shall comply with RBI directions on examination of role of TPE’s wherever the accounts of the borrowers are declared wilful defaulter/Fraud, for caution listing of TPE’s with IBA wherever TPE’s are found involved.
* Executant/s hereby apply to the Bank for empanelment on the Bank’s panel as consultant for Techno Economic Viability Report/Lenders Independent Engineer in accordance with the Banks policy for such empanelment.
* Executant/s solemnly declare that I/we are not debarred / delisted/ caution listed with IBA by any Bank / Financial Institution / RBI and any other body for any professional misconduct and my/our services have not been found deficient by any Bank / Financial Institution as on date. Executants undertake to immediate inform the Bank in case any such event happens during the period of empanelment.
* Executant/s understand that any discrepancy/wrong information/breach of undertaking would lead to cancellation of empanelment as consultant with immediate effect.
* Executants declare that I/We are not related to any member of Management of the bank (General Manager and above) or to any member of Board of Directors. If yes please provide full details: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_
* Executant/s declare and affirm that I/we have accepted all terms and conditions related to empanelment and shall be bound by the same during the whole empanelment period with the Bank including right of the Bank to cancel the entire empanelment process and right of the Bank to depanel any consultant at any stage, if required by the change in law or other factors/events, without conveying any reason to me/us.

On the Behalf of the Firm/ Company

Name of the Individual Firm/ Company

 Authorized Signature:

 Name &Designation:

 Stamp of the Firm:

Place:

Date:

**Annexure-IV**

**Code of Conduct**

(To be executed by Empanelled for TEV (Techno Economic Viability) Study / Lenders Independent Engineers (LIE) on Non-Judicial Stamp Paper)

I/ We hereby undertake to strictly adhere to the following Code of Conduct:

**A. Integrity and Fairness**

1. A TEV Consultant / LIE shall, in the conduct of his/its business, follow high standards of integrity and fairness in all his/its dealings with his/its clients.
2. A TEV Consultant / LIE shall maintain integrity by being honest, straightforward, and forthright in all professional relationships.
3. A TEV Consultant / LIE shall endeavour to ensure that he/she/it/they provides true and adequate information and shall not misrepresent any facts or situations.
4. A TEV Consultant / LIE shall refrain from being involved in any action that would bring disrepute to the profession.
5. A TEV Consultant / LIE shall keep public interest foremost while delivering his services.

**B. Professional Competence and Due Care**

1. A TEV Consultant / LIE shall always render high standards of service, exercise due diligence, ensure proper care and exercise independent professional judgment.
2. A TEV Consultant / LIE shall carry out professional services in accordance with the relevant technical and professional standards that may be specified from time to time.
3. A TEV Consultant / LIE shall continuously maintain professional knowledge and skill to provide competent professional service based on up-to-date developments in practice, prevailing regulations/guidelines, and techniques.
4. In the preparation of a TEV/LIE report, the TEV Consultant / LIE shall not disclaim liability for his/its expertise or deny his/its duty of care, except to the extent that the assumptions are based on statements of fact provided by the subject firm (i.e., whose TEV/LIE report is undertaken) or its auditors or consultants or information available in public domain and not generated by the TEV Consultant / LIE.
5. A TEV Consultant / LIE shall not carry out any instruction of the subject firm in so far as they are incompatible with the requirements of integrity, objectivity, & independence.

**C. Independence and Disclosure of Interest**

1. A TEV Consultant / LIE shall act with objectivity in his/its professional dealings by ensuring that his/its decisions are made without the presence of any bias, conflict of interest, coercion, or undue influence of any party, whether directly connected to the assignment or not.
2. A TEV Consultant / LIE shall not take up an assignment, if he/it or any of his/its relatives or associates is not independent in terms of association to the subject client.
3. A TEV Consultant / LIE shall maintain complete independence in his/its professional relationships and shall conduct the assigned work independent of external influences.
4. A TEV Consultant / LIE shall, wherever necessary, disclose to the Bank, possible sources of conflicts of duties and interests, while providing unbiased services.
5. TEV Consultant / LIE shall not indulge in “mandate snatching (to undertake assignments for TEV / LIE inspection of a particular site / unit using unscrupulous means)” or offering “Convenience Report” in order to cater to a client’s needs.
6. As an independent entity, TEV Consultant / LIE shall not charge success fee (Success fees may be defined as a compensation / incentive paid to any third party for successful closure of transaction. In this case, favorable TEV / LIE report).

**D. Confidentiality**

1. A TEV Consultant / LIE shall not use or divulge to any other party any confidential information about the subject client for whom TEV/LIE study is conducted , which has come to his/its knowledge without proper and specific authority or unless there is a legal or professional right or duty to disclose.

**E. Information Management**

1. A TEV consultant / LIE shall ensure that he/ it maintains written contemporaneous records for any decision taken, the reasons for taking the decision, and the information and evidence in support of such decision. This shall be maintained so as to sufficiently enable a reasonable person to take a view on the appropriateness of his/its decisions and actions.
2. A TEV consultant / LIE shall appear, co-operate and will provide all information and records in case of any need or legal or statutory or professional requirement.

**F. Gifts and Hospitality**

1. A TEV consultant / LIE or his/its relative shall not accept gifts or hospitality which undermines or affects his independence as a TEV consultant / LIE.

**Explanation:** For the purposes of this code the term ‘relative’ shall have the same meaning as defined in clause (77) of Section 2 of the Companies Act, 2013 (18 of 2013).

1. A TEV consultant / LIE shall not offer gifts or hospitality or a financial or any other advantage to a public servant or any other person with a view to obtain or retain work for himself/ itself, or to obtain or retain an advantage in the conduct of profession for himself/ itself.

**G. Remuneration and Costs**

1. A TEV consultant / LIE shall provide services for remuneration which is charged in a transparent manner, is a reasonable reflection of the work necessarily and properly undertaken, and is not inconsistent with the applicable rules.
2. A TEV consultant / LIE shall not accept any fees or charges other than those which are disclosed in a written contract with the person to whom he would be rendering service.
3. A TEV consultant / LIE shall not conduct business which discredits the profession.

 Signature

 **(Name of LIE/TEV study Provider)**

Date:

Place:

**Annexure-V**

**Indemnity Bond**

(To be executed on Non-Judicial paper)

This indemnity bond is executed at ------------------on the ----------day of----20----by -------------------------------- ( Herein after called as Indemnifier ,which expression shall mean and include his legal heirs, Executors, Administrators, Assignees etc.)

In favour of

Jammu & Kashmir Bank Limited, a Banking Company under the Companies Act, 2013 having its Corporate Headquarters and Registered Office at M. A. Road, Srinagar (hereinafter called the Bank which expression shall mean and include its Executants, Administrators, Successors, Nominees, Assignees etc.)

Whereas by the letter of empanelment dated \_\_\_\_\_\_\_, the Bank has empanelled Indemnifier on their panel of approved Third-Party Services Providers (TPSPs) for TEV (Techno Economic Viability) Study / Lenders Independent Engineers (LIE) for the purpose of assessing/disbursing the credit limits granted/to be granted by the Bank,

Whereas as per aforesaid Letter of Empanelment, Indemnifier is required to submit an indemnity bond to indemnify the Bank against all losses, damages and actions, suits, proceedings, expenses, costs, charges and demands arising out of any act, lapses, defaults, negligence, errors, mistakes committed by indemnifier in performance of his professionals obligations and in violation of Code of Conduct:

Now, therefore, these presents witnesses as under:

a) I/We shall duly and faithfully perform and discharge all the duties in the works entrusted by the Bank and in relation to the purposes of empanelment, fairly without any favour or discrimination and I/We hereby undertake and agree to indemnify the bank at all times and from time to time from and against all loss, damage and all actions, suits, proceedings, expenses, costs, charges and demands arising out of any act, lapses, defaults, negligence, errors, mistakes, committed by me/us in performance of my/our professionals obligations and I/We also hereby undertake and agree to pay to you on demand sums of money, costs, charges, and expenses incurred in respect thereof and also to pay you interest on all such moneys at Banks ruling rate.

b) I/We further specifically agree that this Indemnity shall continue to remain in force and I/We shall continue to be liable there under for all losses, damages, costs, Charges and expenses arising out of any act, lapses, defaults, negligence, errors, mistakes committed by me/us in performance of my/our professional obligations and shall be binding on me/us and our legal and personal representatives, successors and assignees.

In witness thereof this instrument of indemnity is executed on the day, date and place mentioned hereinabove by the executants:

Executants:

* + - 1. Indemnifier
			2. Bank

Witnesses:

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**ANNEXURE-VI**

**(LIST OF ZONAL OFFICES)**

|  |  |  |  |
| --- | --- | --- | --- |
| **S.No.** | **Zonal Office**  | **Address** |  **Contact and Email ID** |
| 1 | Srinagar | Zonal Office Srinagar, J&K BankM.A. Road, SrinagarJ&K-190001 | Landline:0194-2471042, 2452658, 2471723 Email: advzok@jkbmail.com |
| 2 | Budgam | Zonal Office Budgam, J&K BankIndustrial Estate Zainakote,Srinagar , J&K-190012 | Landline:0194-2497735, 2497736, 2497734 Email: adv.zoktwo@jkbmail.com |
| 3 | Baramulla | Zonal Office Baramulla, J&K BankAmargarh, SoporeJ&K- 193201 | Landline:01954-223595, 223596 Email: adv.zobara@jkbmail.com |
| 4 | Pulwama | Zonal Office Pulwama, J&K BankJ&K Bank Building PulwamaJ&K-192301 | Landline:01933-241204, 242226 Email: adv.zopull@jkbmail.com |
| 5 | Anantnag | Zonal Office Anantnag, J&K BankBakshiabad, AnantnagJ&K-192101  | Landline:01932-2227340Email: adv.anantnag@jkbmail.com |
| 6 | Ladakh | Zonal Office Ladakh, J&K BankOpp. Tourist Information CentreMain bazzar, Leh-194101 | Landline:01982-252023Email: gumpha@jkbmail.com |
| 7 | Delhi | Zonal Office Delhi, J&K BankPlot 132-134, Sector- 44Gurgaon-194101 | Landline:0124-4715800Email: advances.favour@jkbmail.com |
| 8 | Mumbai | Zonal Office Mumbai, J&K BankNational Business Center,1st and 2nd Floor, Bandra KurlaComplexBandra East Near Asian HeartHospitalBesides JSW-400051 | Landline:022-26384200Email: zomadv@jkbmail.com |
| 9 | Jammu | Zonal Office Jammu, J&K BankRail Head ComplexJammu, J&K -180012 | Landline:0191-2471025Email: adv.jmu@jkbmail.com |
| 10 | Kathua | Zonal Office Kathua, J&K BankNear Forest Protection OfficeHatli Morh, KathuaJ&K -184102 | Landline:01922-234663Email: adv.zojtwo@jkbmail.com |
| 11 | Doda | Zonal Office Doda, J&K BankKhan Plaza, Near Dak BungalowDoda, J&K -182202 | Landline:01996-233589Email: adv.zojudam@jkbmail.com |
| 12 | Udhampur | Zonal Office Udhampur, J&K BankNear Samson Petrol PumpDomail, Udhampur, J&K -182101 | Landline:01992-270367Email: adv.zojnor@jkbmail.com |
| 13 | Rajouri | Zonal Office Rajouri, J&K BankMuradpur, RajouriJ&K -185131 | Landline:01962-253060, 253454Email: adv.zorajo@jkbmail.com |

***For any clarification kindly contact 0194-2711027, 2711025 or mail at cmd.chq@jkbmail.com***