

The NeSL Chronicle

July
22

The Quarterly E-Newsletter of NeSL

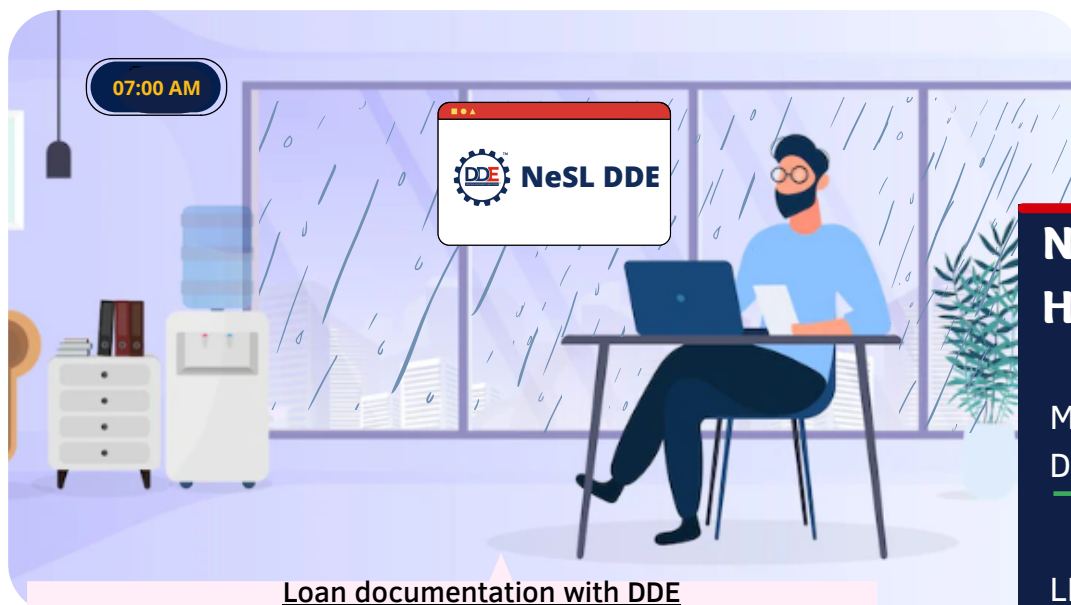
April - June 2022 | Vol.03

**No long queues and delays....
Switch to NeSL DDE.**



Physical loan documentation process

Multiple branch visits, long queue, inconvenience, stamp paper purchase, etc...



Loan documentation with DDE

Any Time Any Where!

No more multiple bank visits, Fast track your loan documentation,
Paperless e-stamping, Reduce delay, Ease of access....

Newsletter Highlights

MANAGING DIRECTOR'S MESSAGE

LEGAL CORNER

EVENTS & WEBINARS

Table of Contents

03 From MD & CEO's Desk

04 Statistical Information - Default & Distribution Analysis

05 Details of Information with NeSL

06 Legal Corner

08 IP Services

09 DDE at a Glance

13 Technology

16 Events & Webinars

20 Board of Directors

21 Employee Corner

23 Articles & Recent Communiques


25 Crossword Puzzle

26 Videos

27 Where & When & Crossword Solution

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From MD & CEO's Desk



*Debajyoti Ray Chaudhuri,
Managing Director & CEO*

As CEO of India's largest bank in Dubai, UAE, my colleagues would sometimes request for modest dilution in compliance requirements of the regulator. My usual response would be "**Compliance is good business**". To those who would insist, I would add "Compliance is good business as without compliance you could be out of business". And I would narrate the following experience from my initial days in Dubai.

We were looking for new premises for our office, when we were shown an office space where, from the layout, everything seemed to have been frozen in time. There was half-filled water in the jugs, files lying on the desks and newspapers accumulated under the door. On our further enquiry, we were told that the Regulators had detected major non-compliance, the entity was issued a show cause notice and subsequently asked to immediately cease operations.

Regulators in India have also been known to levy fines and penalties for noncompliance, sometimes SEBI has even prohibited entities from participating in the securities markets for specified periods. **Our own Regulator, IBBI has a Disciplinary Committee (DC) which examines issues of non-compliance by regulated entities.** After following due process, the DC may issue directions to a regulated entity which may sometimes include levy of penalties and/or suspension of registration. **Such actions of a regulator enable the public at large to transact with regulated entities with confidence.**

At NeSL our activities are subject to monitoring and supervision by IBBI. We do have a compliance officer but compliance with the law is not the responsibility of only the Compliance officer. It is for each of us to see that whatever we do so in conformity with the law. If we are in doubt, we should seek an opinion from one's superior or from the Compliance Officer. **A new task or activity or process should be undertaken only after taking the Compliance Officer into confidence.**

The Compliance Officer looks primarily at the compliance of the Code and the Regulations made thereunder. This is because we have a sole object in our MOA of doing the business of an IU. However, there are many incidental activities that also entail compliance with a law like compliance with the Companies Act, 2013, the Income-tax Act, or the Shops and Business establishments Act. **We need to ensure that these related activities are also in compliance with the law.**

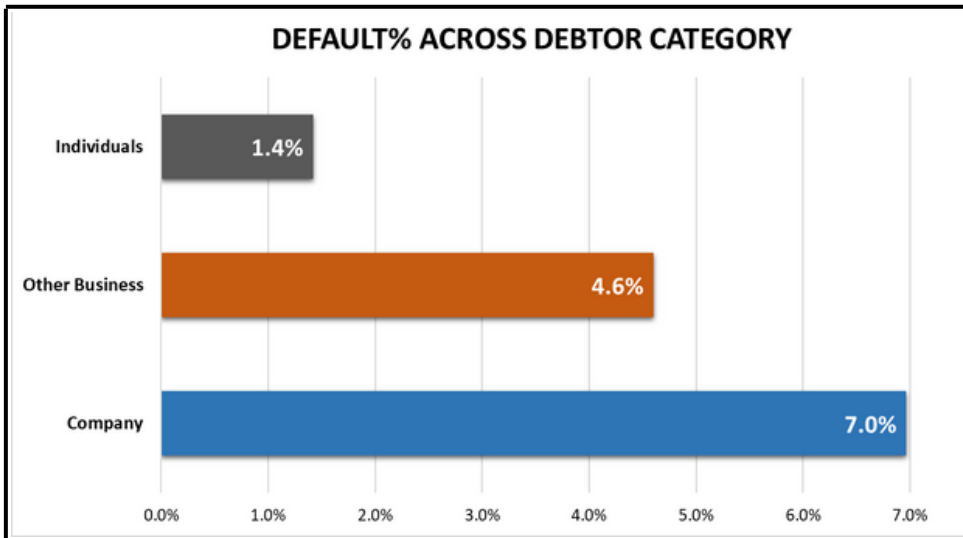
In the exigencies of doing business, sometimes we seek deviations in law or seek to interpret the law in a manner that is convenient to us. However, **there has to be zero tolerance for non-compliance with any law.** As a regulated entity, we must be always prepared for the regulator's oversight of our operations. Such oversight is good for our business, as the public is assured of minimum standards of service and also a forum where they can seek recourse in case of deficiencies of service.

Statistical Information - Defaults & Distribution Analysis

As on 30.06.2022

As provided in Regulation 36A of IBBI (IU) Regulations

Chart 1:

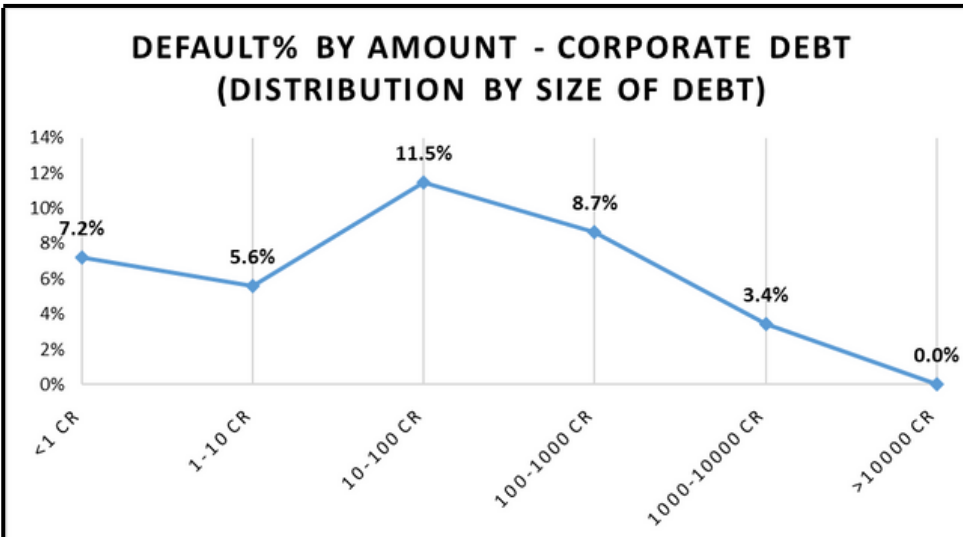


Broad Conclusions (Chart-1)* Company segment has highest default% in terms of amount, the individual segment being the lowest

Please read along with statistical information published on NeSL website.

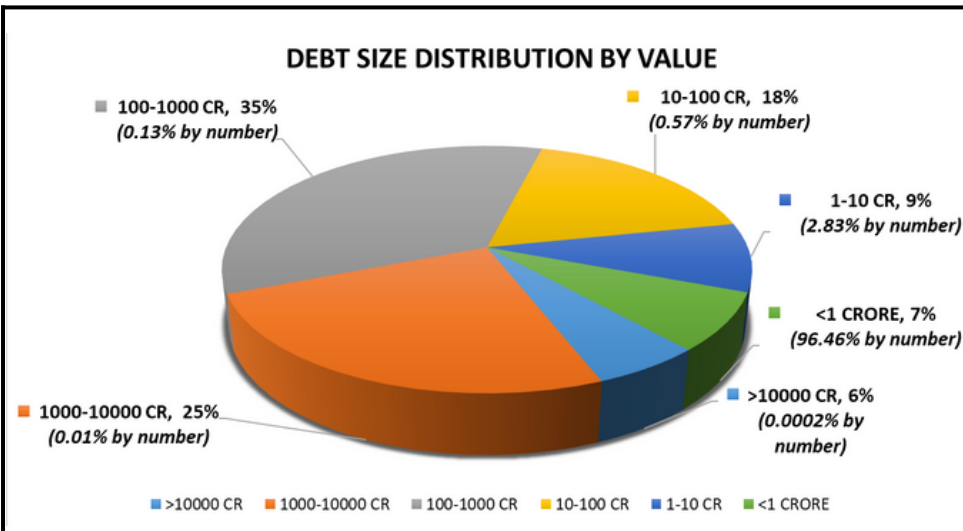
[Click Here for Statistical Information](#)

Chart 2:



Broad Conclusions (Chart 2)* Default% by amount is highest in the debt size 10-100 Cr for company segment, being 64% higher than the average

Chart 3:



Broad Conclusions (Chart 3)*

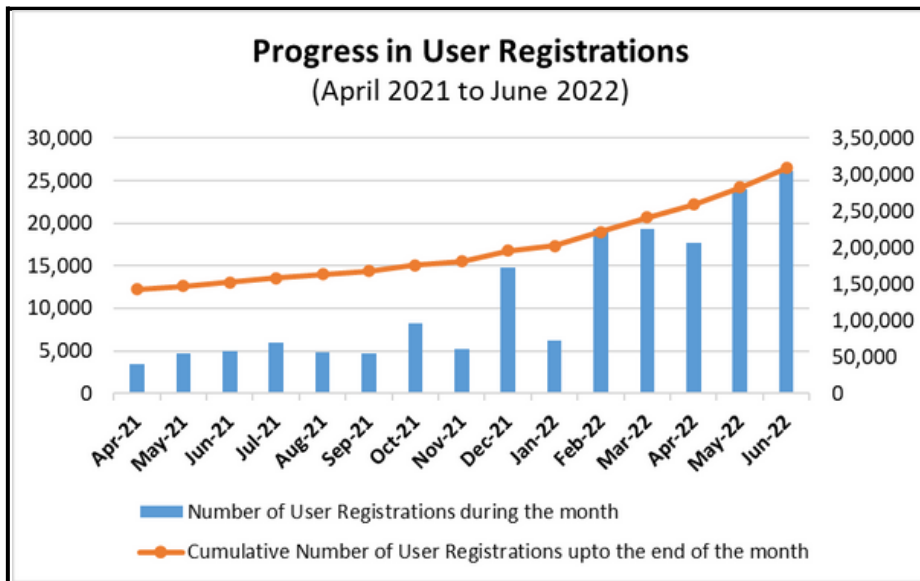
- Top 4% debts by number account for 92% by value
- 96% debts are <=1Cr, accounting for less than 8% by value

*Based on data received by IU. Data of some segments, especially individual and other businesses are not complete.

▲NeSL Data

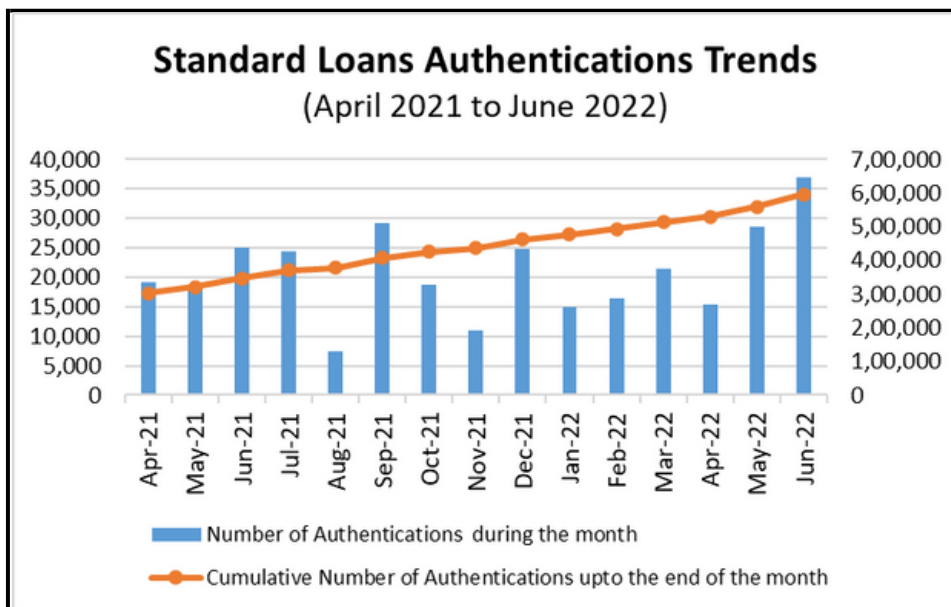
Details of Information with NeSL

Chart 4:



The chart indicates the **trends in User Registrations by Debtors in Standard Loans** during the period from March 2021 to June 2022. Before availing of any IU services from NeSL, any individual or entity needs to register itself on our IU Platform duly disclosing its identity and contact details. Therefore, user registration is like a Gateway for availing any of our IU Services.

Chart 5:



The chart indicates the **trends in the authentication of information by Debtors** under the Standard Loans category during the period from March 2021 to June 2022. Upon receipt of financial information from the Submitters, the IU obtains Verification & Authentication of financial information from the counterparties to the debt, this is one of the core functions of the IU.

^NeSL Data

Legal Corner

The period April to June 2022 has witnessed several events that have affirmed the critical role of the Information Utility in the conduct of an efficient and effective insolvency resolution process under the IBC:

In its judgment dated **18th May 2022**, the National Company Law Appellate Tribunal (NCLAT), in the matter of Vipul Himatlal Shah Vs. Teco Industries (Appeal No. 470 of 2022), noted that “... in case the record of IU shows that there is a debt which is in default, the AA of the Appellate Authority is not required to further examine the record maintained by the IU, more so when the record of the IU is deemed authenticated and no dispute or refutation of said records has been done by the CD earlier.”

This Judgement of the NCLAT paves the way for use of IU RoDs, to establish default for the purpose of admission to CIRP proceedings.



On **14th June 2022**, the amendments to the **IBBI IU Regulations 2017** were notified. The focus of these amendments have been to:

1. Ensure that information of default is submitted to the IU prior to the filing of the application for initiation of insolvency proceedings. Once this information is submitted to IU, the IU undertakes the process for authentication of default and upon completion of this process makes the Record of Default (RoD) available to creditors.
2. Lay down the format of the RoD in the Regulations.
3. Create a separate process for authentication of default records submitted by Banks that are included in the Second Schedule of the RBI Act, 1934. For these Banks, the “deemed to be authenticated” status has been merged with the “authenticated” status.



Legal Corner

On **15th June 2022**, the IBBI placed on its website the “Report of the Insolvency Law Committee (ILC)” which emphasizes the **role of the IU by recommending the mandatory use of IU records for establishing default**. To this effect, the ILC Report recommends that certain Financial Creditors (FC) should be mandated to submit IU Records establishing default along with their CIRP applications and that the AA should not seek any other documentation for proving default when IU records are submitted by the applicant.



On **14th July, 2022**, the IBBI has issued a Circular (IBBI/IU/51/2022) in respect of the **role of IU in disseminating the applications for CIRP filed with the Adjudicating Authority (AA)**. As per this Circular, the IBBI will make the applications for CIRP filed against a Corporate Debtor (CD) with the AA available to the IU. The IU, based on certain information provided to it by the IBBI, will attempt to intimate all creditors of the Corporate Debtor, registered with the IU, about such an application. This intimation will be an “early warning signal” for the creditors and can likely improve their credit decision systems.

The above developments are extremely positive and in line with the thinking of the Bankruptcy Law Reforms Committee which envisaged that the IU will utilize technology and computational power to:

“ dramatically reduce the cost and complexity of managing information. In turn, this allows using the information to eliminate delays and frictions in resolving insolvency and bankruptcy: drastically reducing delays and reducing costs.”

IP Services

Testimonials



Being the Liquidator I have used the nbid.nesl.com portal for the E-auction of assets of M/s.Propyl Packaging Ltd in Liquidation. Out of seven lots of assets spread across various states, we could successfully complete the sale of six lots at the better realization. The participation from the bidders was encouraging. The personnel at NESL were cordial and supportive. My experience is that this is a good platform for E-auction.



CA. George Varkey,
Liquidator of Propyl Packaging Limited



We have implemented NESL reporting for the last few months and our journey with NESL was very seamless. Right from my first call with NESL, the staff was always supportive. NESL Tech Team is just wonderful beyond words. They respond to every query almost always within a day. Sometimes even complicated queries were resolved within minutes. We are really excited to continue our journey with NESL in future.

Mohan Ketkar
VP-Operations, Incred
(Operational Creditor)



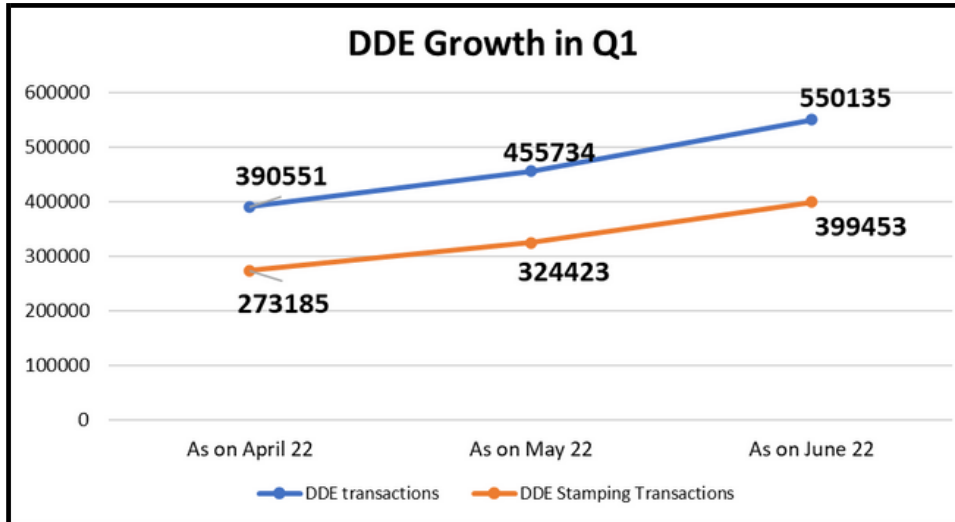
[Click Here for
Open E-Auctions](#)

DDE at a Glance

Digital Document Execution

DDE Milestones

Chart 6:



The growth in DDE transactions is shown in chart 6.

The number of Digital Document Execution (DDE) transactions crossed the milestone of 5 lacs in June 2022.

A Special Thanks to the State Governments & Banks as

DDE records a Milestone of over 500000 Transactions

Ph: 1800 599 2345 | Email: suggestions@nesl.co.in



Digital e-stamping states

[Click here](#)

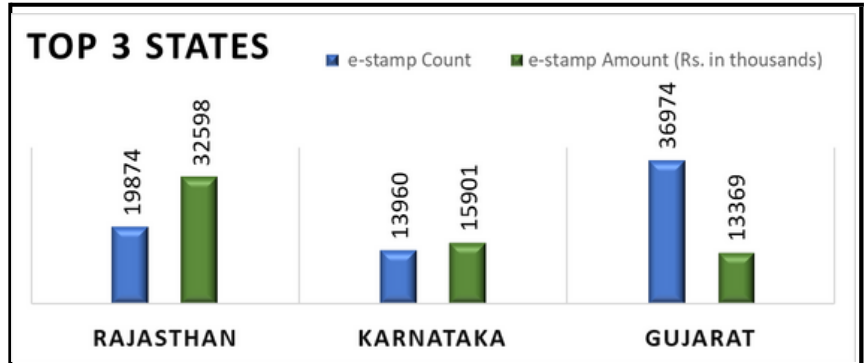
New Additions in the last quarter: The **Government of Bihar, Punjab and Andhra Pradesh** permits digital e-stamping on the NeSL platform

DDE at a Glance

Digital Document Execution

Chart 7:

**Top 3 States
(Stamp Duty Amount)**



SNo	Article Description	E-Stamp (Count)	E-Stamp (Amount in Rs.)
1	Loan Agreement	1,40,946	6,26,74,886
2	Hypothecation	6424	1,73,44,355
3	Affidavit	2439	47,100

Top 3 Articles in Use

Loan Portfolio based on DDE transactions

Chart 8:

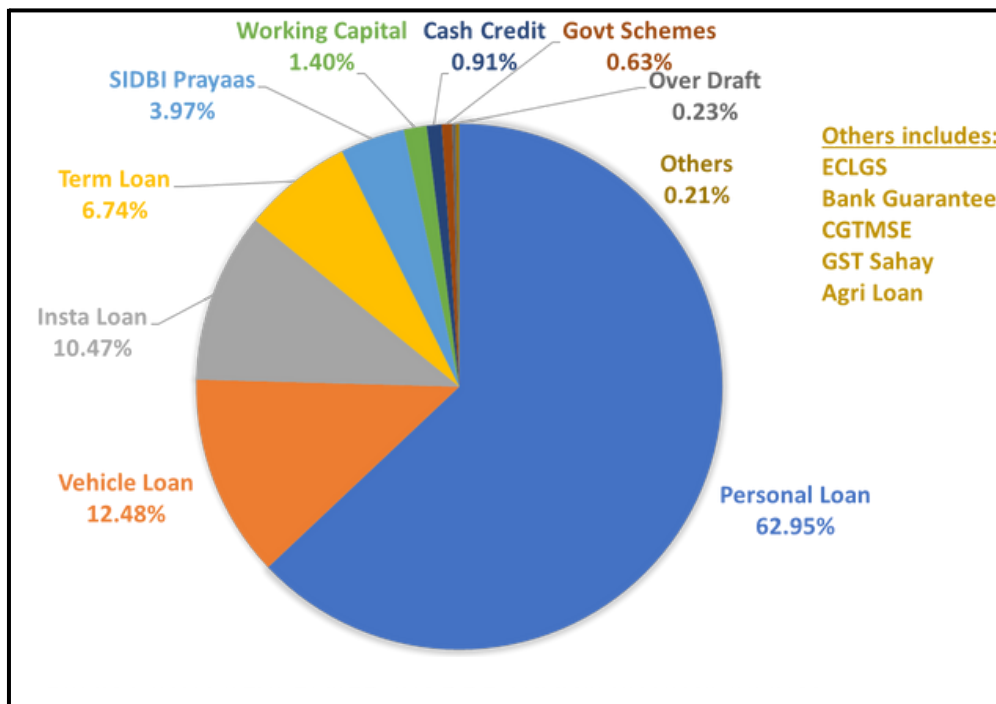


Chart no 8 indicates the **loan portfolio based on DDE transaction count**.
 Data Range- April 22-Jun 22

DDE at a Glance

Digital Document Execution

DDE transactions round the clock



Chart 9 :

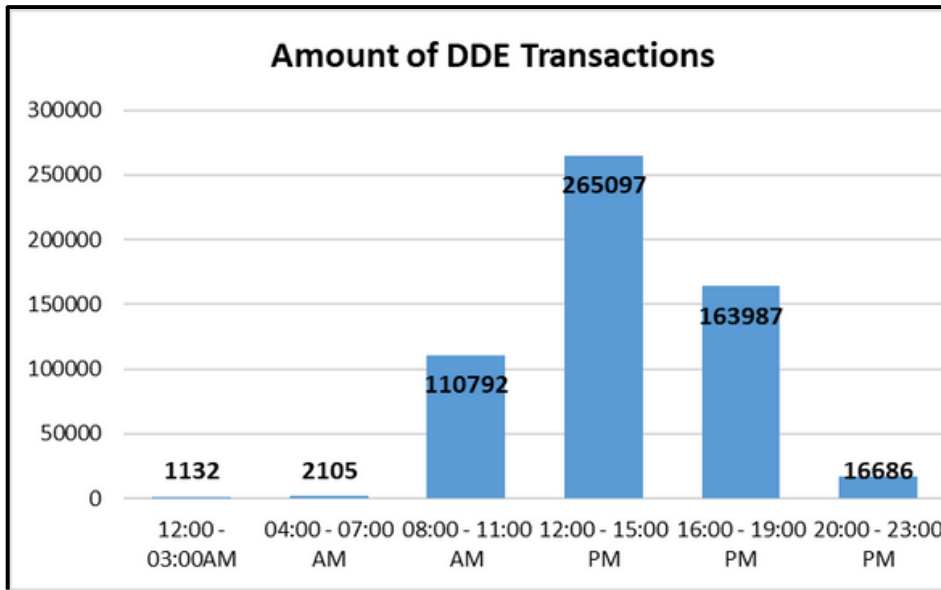


Chart no 9 indicates the **hour-wise transactions** initiated using the NeSL Digital Document Execution platform.

DDE Time based Transaction

Chart 10:

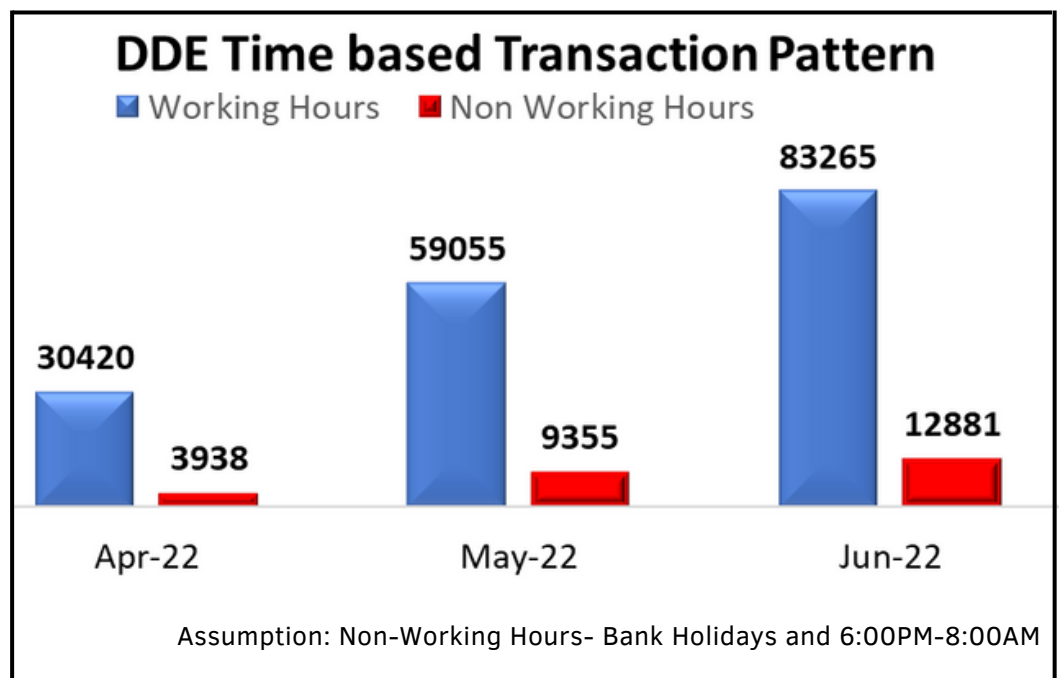


Chart 10 indicates the DDE initiated transactions carried out during **non-working hours**.

DDE at a Glance

Digital Document Execution

Testimonials



The loan process was so quick and easy that my document execution was done without a wet signature on a loan document.

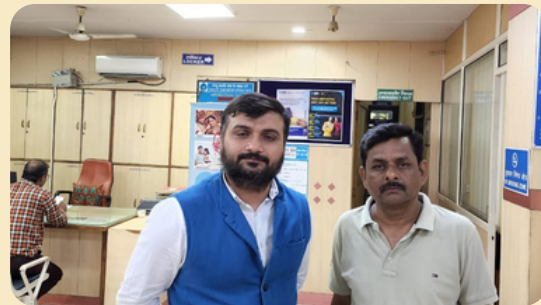


Ashok Kumar
SBI customer, Kasimpur, Uttar Pradesh

Excellent and fast service of my loan documentation process with Digital Document Execution.



Raj Kapoor
SBI customer, Kasimpur, Uttar Pradesh



I will like to express my gratitude to SBI and Mr. Mohit Yadav of Kasimpur branch for quickly processing my loan and documentation done in 10 minutes via Digital Document Execution.

I have taken two loans from SBI back to back in two months because of the speed of service of SBI.

Sonapal Singh,
SBI Customer, Aligarh, Uttar Pradesh



Technology

NeSL's Digital Document Execution (DDE) Platform

Electronic Signature (eSign) derives its constitutional validity from the IT Act, 2000. A **Digital Signature Certificate (DSC)** can be presented electronically to prove identity, access services on the internet, or sign certain documents digitally. A DSC provides a high level of security for online transactions by ensuring absolute privacy of information exchanged using a DSC.

Introduced in 2015, **Aadhaar based eSign** service is a legally compliant mode of electronic signature in India that allows anyone to sign as long as they have an Aadhaar Number.

DDE platform has Digital Signature Service integrated; which is an integral part of the digital document execution process.

There are different modes of digital signature services available in the DDE platform:



Aadhaar OTP based digital signature

This can be used by customers who have their mobile number linked to Aadhaar.



Biometric based digital signature

This mode of signing will be helpful for those customers who do not have their mobile number linked to their Aadhaar.



Dongle based digital signature

This will need a USB dongle-based digital signature certificate to be used. This mode of signing will be helpful for corporate customers who are in possession of a USB dongle DSC. To use this mode of signing on the DDE platform, the nCode component needs to be installed on the client machine. The nCode installable is available on the DDE portal itself.

NeSL has integrated with **CDAC** and **NSDL** as **eSign service providers (ESP)**. NeSL DDE platform uses CDAC as its primary eSign service. In case of any intermittent technical issues in the CDAC eSign service, DDE will platform will switch to NSDL; thereby ensuring that DDE service is not impacted.

Technology

Disaster Recovery Planning

By Mr. Rajesh Doshi,
Independent Director, NeSL



Information Technology (IT) is the backbone to provide service for financial market infrastructure institutions such as exchanges, depositories, IU, payment service providers and any glitch in the same can have devastating effect on their operations. Therefore, a robust Disaster Recovery Plan (DRP) to recover from IT system operations failure in shortest possible time Recovery Time Objective (RTO) and with minimal data loss (Recovery point Objective –RPO) has become a very important business as well as regulatory requirement for such institutions.

The first step is to have zero single point of failure in IT system by developing cloud ready application which can be deployed on cluster of virtualised servers with auto failover and auto provisioning features which ensures that any single node failure does not halt operations as other nodes in cluster continue to operate. Similarly, 1+1 redundancy is configured in every network device and data is stored on enterprise class storage featuring RAID (Redundant Array of Independent disk) ensuring multiple copies of data is maintained to prevent loss in the event on single disk failure and hot sparring facility with ensure adequate number of spare disks which will be activated to rebuild data of failed disk. Equally for external connectivity multiple data links are sourced from different service providers.

IT systems are hosted in Tier 3 or Tier 4 certified Data centres (DC) which feature N+1 redundancy for air conditioning / cooling system, power supplies, power distribution system, fire detection and prevention system to ensure that there is no single point of failure in facilities system of DC as well to ensure continues operations.

While this ensures that there is no single point of failure in any system at DC, disasters like fire floods bomb blast earthquake etc can render entire site in-operational. So, the next step in DRP is to also set up a backup DC with same IT infrastructure preferably in another distant city in different seismic zone to act as Disaster Recovery site from where the operations can be resumed in case of Primary site failure. Primary DC (PDC) and DRS DC are interconnected over a high-speed low latency link whereby all transactions being processed at primary are also replicated with minimal lag. Being a far site though zero data lag is not possible but with adequate investment in bandwidth and back up link it is possible to ensure that lag is confined to 1-5 minutes. i.e., at the most transactions executed in last 1-5 minutes will be missing at DRS DC and thus RPO becomes 1-5 minutes.

Technology

Continued: Disaster Recovery Planning

Institutions that can't afford even this level of minimal loss, setup one more DC at Near Site (NS) within same city limit as primary, where short distance permits synchronous data replication whereby transaction is treated as complete only after being recorded on storage system of both PDC and NS DC. So, if need arises last 1-5 minutes missing transaction information at DRS DC can be obtained from NS DC before resuming operations.

While above set of measures can help achieve near Zero RPO, next step is to bring up systems at DRS which involves starting several sub systems in a precise sequence, activate communication links to other operational systems and users from DRS system, ascertain data consistency and start operations. This is time consuming activity if done manually and to minimise RTO one needs to develop scripts (a sort of program) to bring up entire system in a required sequence in an automated manner by executing these scripts with minimal manual intervention. Over several drills these scripts also mature with iteration.

To ensure that DRS is truly operational and can be depended upon one needs to carry out actual operations from DRS on a sustained basis to gain confidence. One also needs to conduct such shift operations starting with, initially on weekends, later at the end or the beginning of the day's operations and later actually intraday to ensure that practice for such shift gets well-oiled and can be easily invoked in the time of demand.

It may also be noted that, not every glitch requires operations shift to DRS. Some glitches, where hot standby box somehow did not take over the operations upon detecting failure in active one, it may be better to force start standby machine manually than to shift to DRS. DRP therefore is complimented with a detailed play book enlisting each possible type of failure/glitches and steps to be followed to manage this glitch including shifting operations to DRS (if required). Orchestration of DRP requires a compact but competent emergency response team comprising experts from various technical discipline and senior executives from operations department empowered to support recommendation of the course of action by technical members of the team.



The technology committee is reconstituted as follows

- Shri Rajesh Doshi, former ED/CTO NSDL (Chairperson)
- Shri S. Sadagopan, former Director IIIT Bangalore
- Shri N Rajendran, Chief Digital Officer, MCX
- Shri N. Sarat Chandra Babu, Executive Director, SETS
- Shri N. Subramanian, Senior Director R&D, C-DAC

Events

Excerpts from MD's Address

-NeSL Foundation day On **24th June 2022**

"Recently when I was addressing a meeting on the DDE, I was asked whether there is any comparable product in the developed world. I was a bit astounded at this because India of today is host to one of the world's largest start-up ecosystems which attracts billions of dollars in VC funding every year.

The **Information Utility** itself, as a concept is unique to India. While many parts of the IBC draw inspiration from Insolvency legislation in advanced jurisdiction, the IU is an Indian innovation and we should be proud of it in the same way as we are proud of other success stories like the UPI or our own COVID-19 vaccine.

Since we were India's first Information Utility it was uncharted territory for us in the initial few years. After 6 years I will not say that we can rest on our laurels because a company has to constantly re-invent yourself depending on the external environment.

While we have been meeting operational creditors through a various industry associations, today we have scheduled a **meeting with the BCIC to convey to their members how the operational creditors can benefit from the IU.**

Over the past six years, we have earned an amount of goodwill not just because of our public sector ownership and also the transparent manner in which we have approached our relationships. We must build on them and see that our customer sees value in the relationship. As we celebrate our sixth foundation day, we shall take **a pledge that we shall continue to tailor our product to meet customer expectations and also to work with our customers to see how our products can have a positive impact on their businesses."**



Events

A colloquium of NCLT Members



-On **23rd April 2022**

'A colloquium of NCLT Members' comprising all the five southern state NCLT Benches was organized by the National e-Governance Services Ltd on 23rd April 2022. The Hon'ble President NCLT, Chief Justice (Retd.) Ramalingam Sudhakar was the Chief Guest and Shri. Amit Pradhan, Executive Director, Insolvency and Bankruptcy Board of India was the Guest of Honour for the event.

Launch of E- Udbhavam and inauguration of Administrative Office of NeSL

-On **25th April 2022**

NeSL launched the **E-Udbhavam platform** and inaugurated the Administrative Office in Bengaluru, Karnataka on 25th April 2022 in the presence of the Hon'ble Minister of Revenue, Karnataka Shri. R Ashoka as the Chief guest for the event and the other guest of honor were Shri. R Gandhi, Chairman, NeSL, Shri. S. Sadagopan, Independent Director, NeSL, Shri. Sudhaker Shukla, Whole Time Member, IBBI and other dignitaries from the Govt. of Karnataka.



About e-Udbhavam



Events & Webinar

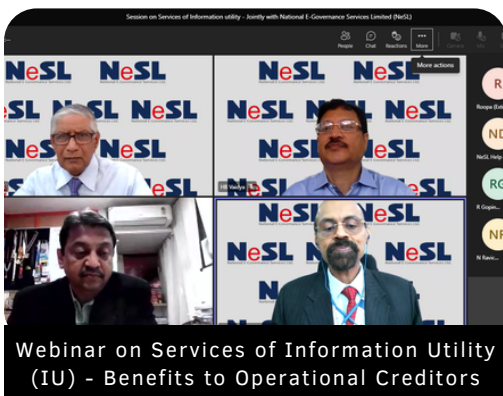
Webinars

The first **International Research Conference on Insolvency and Bankruptcy** was organized by the Insolvency and Bankruptcy Board of India (IBBI), jointly with the Indian Institute of Management, Ahmedabad (IIMA), at the IIMA campus at Ahmedabad, Gujarat, on the 30th April 2022 and 1st May 2022.

-01.05.2022

The webinar titled '**Office Infrastructure and Usage of Technology by IPs**' was conducted by the Indian Institute of Insolvency Professionals ICAI on 13th May 2022.

-13.05.2022



A webinar titled '**Services of Information Utility (IU) - Benefits to Operational Creditors**' was organized as a Joint Session by BCIC and National e-Governance Services Ltd (NeSL) on June 24, and our MD & CEO was the guest speaker and the session was moderated by Dr. K V Omprakash, Founder and Director, Conscientia Consultancy.

-24.06.2022

Special Addresses

The MD & CEO of NeSL addressed in a Workshop titled '**Information Utility in the Corporate Insolvency Resolution Process**' by ICSI IIP on 4th June 2022.

-04.06.2022

The MD and CEO of NeSL attended the conference on '**Entrepreneurship Liberty: Freedom of Entry, Competition and Exit**' and Insolvency Professionals Conclave organized by Insolvency and Bankruptcy Board of India as a part of Azadi ka Amrit Mahotsav on 10th June 2022 and addressed the participants on the Role of Information Utility in facilitating IPs.

-10.06.2022

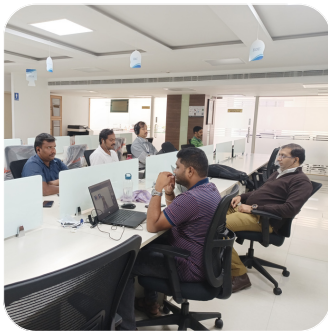


Events

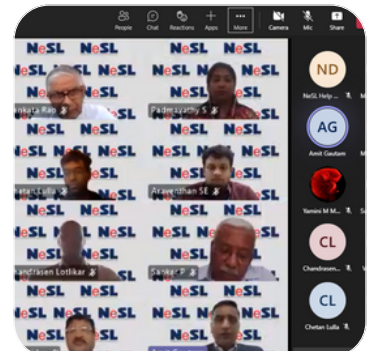
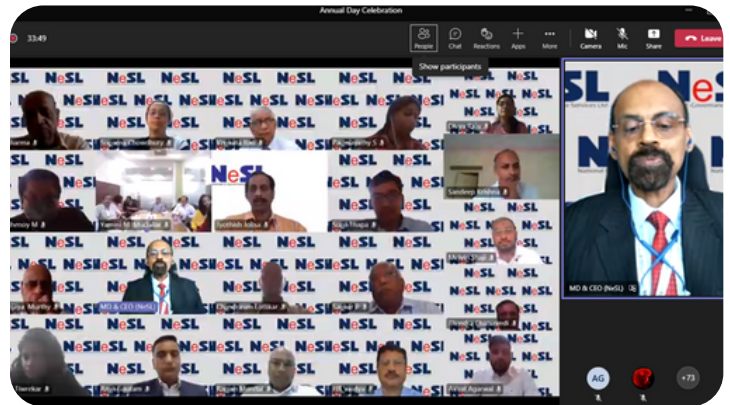
In-house events



International
Yoga Day



Annual Day



Board of Directors

Changes in the Governing Board



PROF. S. SADAGOPAN AND DR. NIVEDITA HARAN

Prof. S. Sadagopan, Former Director, International Institute of Information Technology, Bangalore and Dr. Nivedita Haran IAS (Retd) **completed their 2 terms as directors of the company on 24th June 2022.** They were among the first directors of the company and were on the Board for 6 years, nurturing the company in its initial stages. We sincerely appreciate their contribution towards making the company what it is today.

Expansion of our Board



SHRI. SUBRATA BISWAS

Nominee Director (SBI)

Shri. SUBRATA BISWAS, Dy. Managing Director (Stressed Assets Resolution Group - SARG) was **appointed as the Nominee Director of NeSL on 7th May 2022, representing the State Bank of India.**

His credentials include starting from being a Deputy General Manager, Leather International Branch, Chennai and then rising up the Corporate Ladder when he became the General Manager, Mid Corporate from where he moved further ahead as he became the Chief General Manager Corporate Clients Group and later CGM Risk Management, Corporate Centre after which he got elevated to the post of Deputy Managing Director, Stressed Assets Resolution Group.

Employee Corner

5 Years with NeSL



U VENKATA RAO

Head-Operations

Mr. U Venkata Rao has been associated with the IU, from its inception. Assuming the charge of Vice President & Head-Operations, on **1st Apr 2017**, Sri Rao played a pivotal role in drawing up the structure, policies, SOPs and the framework and in launching the operations of IU effective from Nov 2017.

NeSL acknowledges the contribution of Mr.Rao in building up the digital data platform for the IU with his vast domain knowledge in Core Banking Solutions of Banks.

Sri Rao continues to contribute and lead the team at IU with his expertise, and domain knowledge in Banking Concepts, Legal frameworks and Digital Solutions, to continuously improve the services, products and facilities offered by IU and in fine-tuning them to offer tailor-made concepts to the ultimate clients of IU.

The IU Team draws inspiration and guidance from Mr.Rao in his quest for excellence. He is also an IP registered with IBBI.



Employee Corner

Welcome to the team



JYOTHISH J

Chief Information Security Officer

Mr. Jyothish J joined NeSL as Senior DVP(CISO) on **23rd May 2022**. He is a professional with more than 22 years of experience in areas of Cyber Security, Cyber Forensics, continuous monitoring and compliance. Mr. Jyothish's previous assignment was with CDAC, a reputed Central Government organization. On behalf of all the staff members and the management, we have the pleasure of welcoming Mr. Jyothish J to be a part of the NeSL family and wish him success in his career with NeSL.

SUPARNA CHOWDHURY

AVP Operations

Mrs. Suparna Chowdhury joined the company as AVP Operations on **23rd June 2022**. Her previous employment was with the Insolvency Professional Agency of ICAI and she has a total professional experience of more than 20 years in areas of Banking, Administration, Operations, Operational Management, Monitoring, and compliance. On behalf of all the staff members and the management, we have the pleasure of welcoming Mrs. Suparna Chowdhury to the NeSL family and wish her success in her career at NeSL.



Article

End of the Mighty Pen



Article by Debajyoti Ray Chaudhuri, MD & CEO NeSL on Digital Document Execution, published in the Journal of Insolvency Professional Agency of Institute of Cost Accountants of India

[Click here to read the article or scan me](#)



DDE-A New Era of Contracting

DDE-A New Era of Contracting is an article by Debajyoti Ray Chaudhuri, MD & CEO NeSL, published in the State Bank Institute of Leadership's inhouse magazine, The SBIL Edge.



[Click here to read the article or scan me](#)



Recent Communiques

Click to view the
Communiques

#54

Annual
Statement to
Users as per
IU Reg 25 (1)

#55

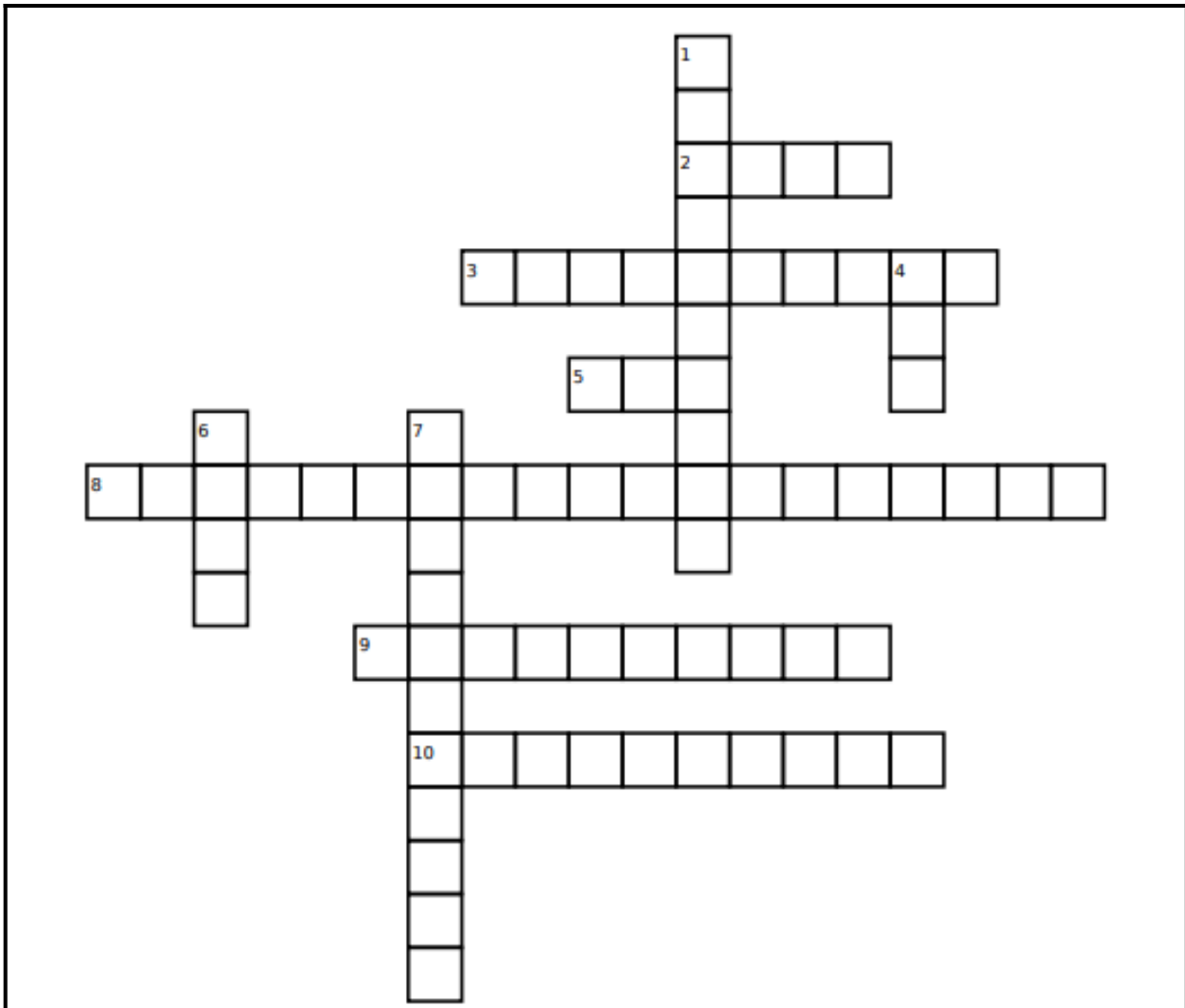
Update on
Aadhar based
TOTP eSigning

[Click Here for all Communiques](#)



DISCLAIMER: This Newsletter is meant for the sole purpose of generating awareness, and must not be used as a guide for taking or recommending any action or decision, commercial or otherwise. The reader must do his own research or seek professional advice if he or she intends to take any action or decision in any matter covered in this Newsletter.

CROSSWORD



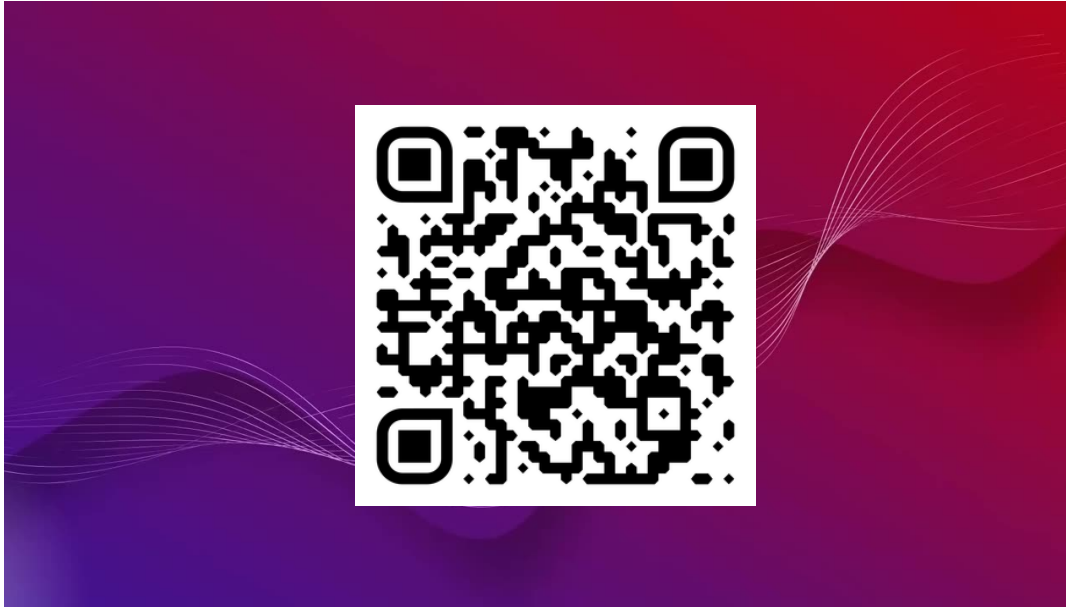
DOWN

1. A situation in which a person or company does not have enough money to pay debts, or buy.
4. India's central bank and regulatory body are responsible for the regulation of the Indian banking system.
6. India's first Information Utility
7. A situation in which a company stops operating and sells all its assets in order to pay.

ACROSS

2. Abbreviation of Securities and Exchange Board of India.
3. Making or concerned with making official rules about what is acceptable in a particular business, activity, etc.
5. Abbreviation of Digital Document Execution.
8. A person to whom an operational debt is owed & includes the person to whom such debt has been legally assigned or transferred.
9. Full form of PDA is Platform for _____ Assets.
10. Means to authenticate for E-Stamping.

Videos



Scan for DDE



Scan for PDA

Where & When

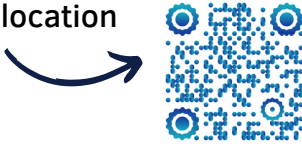
Where



Administrative Office

5th Floor, 'The Estate' 121,
Dickenson Road,
Bengaluru - 560042

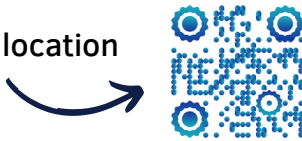
Scan me for location



Registered Office

Gresham Assurance House
4th Floor, Sir P.M. Road, Fort
Mumbai- 400001

Scan me for location



When

Monday - Saturday
10:00 AM - 6:00 PM

Closed on: 2nd & 4th
Saturday & All Sundays

DDE & IP services are
accessible



Toll Free No. : 1800-599-2345

Solution for Crossword

