

**NATIONAL COMMODITY & DERIVATIVES EXCHANGE LIMITED**  
**LIST OF PENALTIES / CHARGES**

Reference	Nature / Description	Penalties / Charges
<b>Maintenance of Books of Accounts, Records, Registers (partially/not maintained)</b>		
Reg 7.1	Non- maintenance of (a) Register of Transactions/ Soudha Book (b) Client Ledger (c) General Ledger (d) Journals (e) Cash Book (f) Bank Pass Book/ Statement	Minimum of ₹ 25,000/- and maximum of ₹ 50,000/- per register or/and deactivation of trading terminals till compliance is done
	Not maintained the above mentioned books / ledgers properly	Minimum ₹ 10,000/- and maximum of ₹ 25,000/- per register
<b>MCA &amp; KYC Norms</b>		
Reg 6.3.	KYC Forms formalities – not maintained or/and not maintained properly	₹ 10,000/- per client.
Reg 6.3.	Member Client Agreement - MCA (a) Not obtained. (b) Discrepancies / deviations from the prescribed MCA, if such discrepancies / deviations are detrimental to clients.	₹ 10,000/- per client.
Reg 6.3.	Risk Disclosure Document – RDD Not obtained from clients / in-complete	₹ 5,000/- per client.
<b>Clients Related</b>		
Reg.7.1	Non-segregation of client's money	₹ 25,000/- or 1% on the non- segregated client money, whichever is higher.
Reg.7.1	Use of clients fund for own purpose / for other clients	₹ 50,000/- or 1% per month of the money utilized, whichever is higher.
Reg.7.1	Delay in payments of funds to clients account / Delay in transfer of commodities to clients	₹ 5,000/- to ₹ 25,000/- per instance
Reg.7.1	Delay in payments of funds to clients / Delay in transfer of commodities to clients beyond 15 days from the date of receipt of request from clients	₹ 50,000/- or 1% of the value of the amounts / commodities, per instance

For further information / clarifications, please contact:

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Customer Service Group on toll free number: 1800 26 62339, Fax: +91-22-6640 6897, Website:

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CIN No. U51909MH2003PLC140116

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NCDEX/CSG-008/2008/236 dated October 17, 2008	More than one ID to a client	₹ 10,000/- per ID
Reg.7.1	Non-maintenance of client code/non mapping of trading code	₹ 10,000/- per client
Reg.5.5	Contract Note- Non-issuance	₹ 10,000/- per client
Reg.5.5 and NCDEX/LEGAL-001/2015/014 dated January 13, 2015	Contract Note- Belated issue / no proof of receipt of contract note.	₹ 5,000/- per client
	Contract Note- Non-maintenance of duplicate copies of contract note sent	₹ 5,000/- per client
<b>General</b>		
Reg 7.1	Non maintenance of Grievance/ Complaints Register	₹ 10,000/- per Register per office
	Adopting procedures ( like use of PRO code for client trade) to evade margin	0.5% per day of the margin money evaded or ₹ 5,000/- per day, whichever is higher
	Net worth certificate-Non production/improper and Non-compliance/non-submission – Annual Return	₹ 200/- per day
Circular No. NCDEX/Compliance-002/2006/238 dated September 19, 2006	Non display of Information board including details of Registration as prescribed by the Exchange	₹ 10,000/- per office
	Unauthorised or Illegal trading activities, fictitious transactions	Minimum of ₹ 1 lakh per case and maximum of ₹ 5 lakh  Offences like wash trades will be investigated by the Exchange and other penalty provisions such as termination / suspension of Members will be imposed
Rule 6.5.8 and Circular no NCDEX/LEGAL-003/2005/046 dated February 24, 2005	Violations of the Advertisement code of the Exchange	₹ 5,000/- per instance

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	Trading terminals (TWS/CTCL) provided to intermediaries or unauthorized extension of trading network / non submission of required details of CTCL terminals to the Exchange	First Instance ₹ 25,000/- per terminal Repeated Instances - ₹ 50,000/- per terminal and / or deactivation of trading terminals till compliance is made
	Non-payment of statutory dues/duties/fees etc.	Appropriate action may be taken against the Member

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		One or a few instance(s)	Multiple instances
<b>Membership /Office Requirements</b>			
	Shareholding pattern not verifiable due to incomplete / absence of records	₹ 10,000/-	
	Any change in the shareholding pattern / profit sharing ratio without the prior approval of the Exchange involving dilution not below the minimum prescribed shareholding of the dominant promoter group	₹ 10,000/-	
	Any other change in the shareholding pattern / profit sharing ratio of the Trading Member without the approval of the Exchange	₹ 5,000/-	
	Change in the shareholding pattern without the approval of the Exchange which has resulted in the dilution of the shareholding / profit sharing ratio of the dominant group below 51%	₹ 1,00,000/-	₹ 1,50,000/-
		Withdrawal of trading facility of the trading member till the changes are approved by the Exchange	
Bye Law 7.2 of the Exchange	Trading member acting through or on behalf of another trading member for trading on the Exchange without the prior approval of the Exchange in writing	₹ 10,000/-	₹ 25,000/-
Reg 4.1	Usage and operation of a trading terminal by a person (an employee of the trading member) other than an approved user	Advice	₹ 10,000/-
Reg 7.1	Half yearly statement of accounts for settlements and margins not sent to constituents	₹ 5,000/-	₹ 10,000/-

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<b>Trading Related</b>								
NCDEX/TRADING-142/2006/327 dated December 07, 2006	Violation of open positions during five days of the contract in contracts having other than compulsory delivery logic.	<p>a) Where the violation is <b>more than 2%</b> of the prescribed limit(s):            (Limit exceeded) X (closing price of the day) X (number of days such violation continued) X (0.02)            OR ₹ 10, 000/-, whichever is <b>higher</b></p> <p>b) Where the violation is <b>upto 2%</b> of the prescribed limit(s):            (Limit exceeded) X (closing price of the day) X (number of days such violation continued) X (0.02)            OR ₹ 10, 000/-, whichever is <b>lower</b></p> <p>In case, the instance at 1 (a) above is observed for more than 3 times in a month across the market, the Exchange would suspend the concerned member for a period of one week</p> <p>In case, the instance at 1 (b) above is observed for more than 6 times in a month across the market, the Exchange would impose a monetary penalty as below,            (Limit exceeded) X (closing price of the day) X (number of days such violation continued) X (0.02)            OR ₹ 10,000/-, whichever is <b>higher</b></p>						
NCDEX/TRADING-149/2006/346 dated December 28, 2006	Non-genuine trades	₹ 5,000/- per trade on the member concerned.  Stiffer penalties and initiation of suitable action against the member concerned under the Rules, Bye-Laws and Regulations of the Exchange in case of multiple instances.						
NCDEX/TRADING-033/2016/072 dated April 06, 2016	Client Code modification	<table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th>'a' as % of 'b'</th> <th>Penalty as % of 'a'</th> </tr> </thead> <tbody> <tr> <td>&lt;= 5%</td> <td>1%</td> </tr> <tr> <td>&gt; 5%</td> <td>2%</td> </tr> </tbody> </table> <p>Where            a = Value (turnover) of non-institutional trades where client codes have been modified by a trading member in a segment during a month.            b = Value (turnover) of non-institutional trades of the trading member in the segment during the month</p>	'a' as % of 'b'	Penalty as % of 'a'	<= 5%	1%	> 5%	2%
'a' as % of 'b'	Penalty as % of 'a'							
<= 5%	1%							
> 5%	2%							

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NCDEX/TRADING-101/2016/257 dated September 28, 2016	Violations of client level open interest	<p>a) Where the violation is <b>more than 2%</b> of the prescribed limit(s):</p> <p>(Limit exceeded x Closing price x number of days such violation continued x 2% (0.02) or ₹ 10,000/- whichever is <b>higher</b>.</p> <p>b) Where the violation is <b>upto 2%</b> of the prescribed limit(s):</p> <p>Limit exceeded x Closing price x number of days such violation continued x 2% (0.02) or ₹ 10,000/- whichever is <b>lower</b>.</p> <p>In case, the instance at 1 (a) above is observed for more than 3 times in a month across the market, the Exchange would suspend the concerned member for a period of one week</p> <p>In case, the instance at 1 (b) above is observed for more than 6 times in a month across the market, the Exchange would impose a monetary penalty as below,</p> <p>(Limit exceeded) X (closing price of the day) X (number of days such violation continued) X 2% (0.02) or ₹ 10,000, whichever is <b>higher</b>.</p>
<b>Office Management – Hedge limits</b>		
NCDEX/CLEARING-019/2016/246 dated September 28, 2016	Violation of overall hedge limits/Daily hedge limits as prescribed by the Exchange or violation by continuing to avail hedge limit even when there is no corresponding physical stock held by the hedger or when there is no domestic / import/export commitment	As prescribed by the Exchange from time to time for violation of client level open interest limits
NCDEX/CLEARING-019/2016/246 dated September 28, 2016	Submission of forged / fake documents for availing hedge limit	Suspension of membership together with financial penalty as deemed appropriate by the Relevant Authority of the Exchange.

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NCDEX/CLEARING-019/2016/246 dated September 28, 2016	Procedural violation of terms and conditions of approval of Hedge limits and Hedge Policy as amended from time to time	As may be decided on case to case basis by the Relevant Authority of the Exchange
<b>Delivery Related</b>		
NCDEX/RISK-014/2005/118 dated May 20, 2005 and NCDEX/RISK-037/2006/316 dated November 30, 2006	Penalty for cash settlement in seller's right contracts, on percentage of FSP if seller chooses not to deliver	0.5% of FSP on Open interest will be charged on seller for choosing not to deliver except few commodities.  Ten percent (10%) of such penalty amount shall be retained by the Exchange and the balance ninety percent (90%) shall paid to the buyers to whom the deliveries could not be made.
NCDEX/CLEARING-020/2016/247 dated September 28, 2016	Members giving delivery requests for the Seller's Option and Intention Matching contracts are not permitted to square off their open positions	3% of Settlement price + replacement cost (difference between settlement price and average of three highest of the last spot prices of 5 succeeding days after the commodity pay-out date, if the average price so determined is higher than settlement price, else this component will be zero.)
NCDEX/CLEARING-020/2016/247 dated September 28, 2016	Failure to meet delivery obligations (Agri Commodities)	3% of Settlement price + replacement cost (difference between settlement price and average of three highest of the last spot prices of 5 succeeding days after the commodity pay-out date, if the average price so determined is higher than settlement price, else this component will be zero.)
NCDEX/CLEARING-020/2016/247 dated September 28, 2016	Failure to meet delivery obligations (Non-agri Commodities)	3% of settlement price + replacement cost (difference between settlement price and higher of the last spot prices on the commodity pay-out date and the following day, if the spot price so arrived is higher than settlement price, else this component will be zero.)
Odd lot penalty details mentioned in Product Note of 29 mm Cotton	Penalty for Odd lot settlement	Total amount of penalty to be imposed = 3% on Final Settlement Price (FSP) for odd lot + the difference between the Final Settlement Price (FSP) and the average of lowest three of the last spot prices of 5 (five) succeeding days after the expiry of contract (E+1 to E+5 days), if the average spot price so determined is lower than FSP; else this component will be zero.

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		<p>The 3% penalty collected as mentioned in paragraph 1 shall be used as follows:</p> <p>a) 1.75 % component of the penalty shall be deposited in the Settlement Guarantee Fund of the Exchange;</p> <p>b) 1.00 % component of the penalty shall go to the counterparty who was supposed to deliver/ receive the delivery;</p> <p>c) Balance 0.25 % component of penalty shall be retained by the Exchange towards administrative expenses.</p> <p>Further, the difference between the FSP and the average spot price (as given above) shall also go to the counterparty who was supposed to deliver/ receive the delivery.</p> <p>If Buyer &amp; Seller both are in odd lot position, then would be penalized @ 3% on Final Settlement Price (FSP) and the entire amount of which would go to Settlement Guarantee Fund of the Exchange</p>
NCDEX/CLEARING-020/2016/247 dated September 28, 2016	<p>Any intentional / wilful delivery default by seller</p> <p>Any delivery default after marking an intention during Staggered delivery period by seller and / or having requisite stocks in Exchange approved warehouses</p>	Suitable penal / disciplinary action against such members in addition to the penalty prescribed for delivery defaults
NCDEX/CLEARING-022/2016/268 dated October 05, 2016	Failure to give delivery after claiming early pay-in	Penalty of 5% of settlement price of respective settlement number for which early pay-in was marked
<b>Funds Related</b>		
NCDEX/GEN001/2003/012 dated December 19, 2003	Non-payment of transaction charges	Interest charges @ 2.5 % per month from date of default till date of payment (Subject to a minimum of ₹ 500/- per instance)
NCDEX/GEN001/2003/012 dated December 19, 2003	<p>Funds shortage for obligations on NCDEX</p> <p>- Non-fulfillment of either the</p>	Penalty at the rate of 0.09 % per day computed on the amount outstanding from the day on which monies are due to be paid until the day all

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	whole or part of the margin obligations - Non fulfillment of Mark to Market variations - Non-fulfillment of either the whole or part of the settlement obligations	obligations and shortfall in deposits are fulfilled. (Subject to a Minimum of ₹ 500/- per instance)
<b>Back Office</b>		
NCDEX/TRADING-094/2016/226 dated September 21, 2016	Trades executed without uploading UCC details of the clients	1% of the value of the trade that has been carried out by the member without uploading the UCC details of the client.  If the client details are not uploaded within one month of the trade, the member is liable to be suspended.
NCDEX/CSG-002/2016/066 dated March 31, 2016, NCDEX/TECHNOLOGY-019/2016/139 dated June 20, 2016 and NCDEX/MEMBERSHIP-003/2017/021 dated January 27, 2017	Members found trading in client code(s) that are in Deleted, Inactive, Incomplete or Suspended status	1% of the trade value shall be levied if the trade has been executed in client codes that are in Deleted, Inactive, Incomplete or Suspended status.
NCDEX/TRADING-038/2015/107 dated March 27, 2015 and NCDEX/TRADING-077/2015/222 dated June 26, 2015	PAN status as 'Name Mismatch' and 'Invalid PAN'	1) 1% of the trade value is levied if the trade has been executed in client codes as per circular no NCDEX/CSG-002/2016/066 dated March 31, 2016. 2) The status for 'Name Mismatch' and 'Invalid PAN' is Suspended.
<b>Others</b>		
NCDEX/MEMBERSHIP-003/2015/317 dated October 01, 2015	Non-payment / late payment of annual fees / turnover fees	15 per cent per annum for every month of delay or part thereof
NCDEX/TRADING-042/2016/095 dated April 26, 2016 and NCDEX/TRADING-071/2016/157 dated July 01, 2016	Violation of the guidelines on Proprietary Accounts (Pro-Account) trading	Necessary disciplinary action against the member concerned.
NCDEX/COMPLIANCE-002/2010/146 dated June 02, 2010	Non submission / Delay of 30 days or more in submission, of any information / document and /or records sought by the	₹ 5,000/- per instance

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	Exchange for resolution of customer complaints											
NCDEX/MEMBERSHIP-003 /2011/226 dated July 25, 2011	Minimum of 2 users from each Member has to obtain Certification Examination on Commodity Module Certification Examination on Commodity Module and examination conducted by NCDEX Institute of Commodity Markets and Research	₹ 5,000/-										
NCDEX/COMPLIANCE-016 /2014/333 dated October 22, 2014	Non-settlement of client account	₹ 5,000/-										
NCDEX/TECHNOLOGY-038/2016/249 dated September 28, 2016	Non-compliance / non-adherence of Guidelines on Algorithmic Trading/High Frequency Trade (HFT)	Order trade ratio charges charged as per below slab <table border="1" data-bbox="889 982 1507 1285"> <thead> <tr> <th>Daily Order-Trade Ratio (Member wise)</th> <th>Charges (per Order)</th> </tr> </thead> <tbody> <tr> <td>Upto 50</td> <td>NIL</td> </tr> <tr> <td>50 up to 250 (on incremental basis)</td> <td>1 paise</td> </tr> <tr> <td>250 up to 500 (on incremental basis)</td> <td>5 paise</td> </tr> <tr> <td>More than 500 (on incremental basis)</td> <td>5 paise</td> </tr> </tbody> </table>	Daily Order-Trade Ratio (Member wise)	Charges (per Order)	Upto 50	NIL	50 up to 250 (on incremental basis)	1 paise	250 up to 500 (on incremental basis)	5 paise	More than 500 (on incremental basis)	5 paise
Daily Order-Trade Ratio (Member wise)	Charges (per Order)											
Upto 50	NIL											
50 up to 250 (on incremental basis)	1 paise											
250 up to 500 (on incremental basis)	5 paise											
More than 500 (on incremental basis)	5 paise											
NCDEX/CLEARING-016/2013 /204 dated June 18, 2013	Uploading of invoices and other relevant and applicable documents – Seller	₹ 5,000/- per day per invoice from T/E+6										
NCDEX/CLEARING-016/2013 /204 dated June 18, 2013	Discrepancies in invoice / documents or non-receipt of documents by buyer – Seller	A late fee of 0.10% of the delivery value or ₹ 5,000/- whichever is higher, for each invoice will be charged per day										
NCDEX/COMPLIANCE-012 /2013/313 dated October 14, 2013	Members indulged in offering fund based portfolio management services	Penalty of minimum ₹ 1 lakh per case										

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NCDEX/COMPLIANCE-002 /2014/066 dated March 18, 2014	Members should not accept cash from the clients whether against obligations or as margin money for trading in commodity derivatives except to the extent not in violation of the provisions of the Income Tax Act, Prevention of Money Laundering Act and any other law in force in this regard	0.5% of the value of cash transactions						
NCDEX/CLEARING-017/2016/212 dated September 08, 2016	Short / non-collection of margins from their clients	For each member <table border="1" data-bbox="889 793 1446 982"> <thead> <tr> <th>'a'</th> <th>Per day Penalty as % age of 'a'</th> </tr> </thead> <tbody> <tr> <td>(&lt; ₹ 1 lakh ) And (&lt; 10% of applicable margin)</td> <td>0.5</td> </tr> <tr> <td>(&gt;= ₹ 1 lakh) Or(&gt;= 10% of applicable margin)</td> <td>1.0</td> </tr> </tbody> </table> Where a = Short – collection/Non-collection of margins per client per day	'a'	Per day Penalty as % age of 'a'	(< ₹ 1 lakh ) And (< 10% of applicable margin)	0.5	(>= ₹ 1 lakh) Or(>= 10% of applicable margin)	1.0
'a'	Per day Penalty as % age of 'a'							
(< ₹ 1 lakh ) And (< 10% of applicable margin)	0.5							
(>= ₹ 1 lakh) Or(>= 10% of applicable margin)	1.0							
NCDEX/CLEARING-017/2016/212 dated September 08, 2016	If short-collection/non-collection of margins of a client continue for more than three consecutive days or clients who default 3 times or more during a month	Penalty of 5% of the shortfall amount shall be levied beyond 3rd instance of shortfall.						
<p><b>Note</b> - In case of short-collection /non collection of initial margins, the above penalty structure would be applicable from T day.</p> <p>All instances of non-reporting shall amount to 100% non-collection of margin and the penalty as prescribed above shall be charged on these instances in respect of non-collection</p>								
Circular issued from time	Wrong declaration in the Annual Compliance Report	₹ 1,000/- per instance.						
Circular issued from time to time	Failure to submit the Annual Compliance Report	₹ 100/- per day till the date of submission of ACR.						

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NCDEX/COMPLIANCE-017/2014/422 dated December 31, 2014	Failure to submit to the Exchange the details of registration of Principal Officer and reporting entity on FINnet Gateway as well as failure to communicate details of appointment of designated director to the FIU	₹ 200/- per day for failure to provide the details to the Exchange by December 31, 2014, in addition to such other disciplinary measures such as placing the trading terminals in temporary deactivation mode/suspended square off mode or as may be directed by the Regulator.
NCDEX/TECHNOLOGY-008/2017/033 dated February 06, 2017	Failure to report CTCL terminal details to the Exchange	₹ 100/- per day per CTCL terminal Id till the time the terminal details are not reported to the Exchange

**Disclaimer:** - Members are requested to also refer to circulars, Bye-Laws, Rules and Regulations for detailed/latest/complete compliance requirements.