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CS Update

March 18, 2011

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- ~~MCA GENERAL CIRCULAR No: 3/2011 DATED: 21ST FEBRUARY ON CLARIFICATION IN RESPECT OF CIRCULAR NO. 2/2011 DATED 8TH FEBRUARY, 2011 REGARDING DIRECTION UNDER SECTION 212(8) OF THE COMPANIES ACT, 1956~~
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- MCA NOTIFICATIONS ON GENERAL EXEMPTIONS U/S 211 AND APPLICABILITY OF SCH. XIII IN CASE OF UNLISTED COMPANIES
- EXEMPTION UNDER SECTION 211 OF COMPANIES ACT 1956 [MCA NOTIFICATION/DATE: 08/02, 2011]
- EASY EXIT SCHEME, 2011 [MCA/ DATE: FEBRUARY 03, 2011]

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- LISTING AGREEMENT FOR SECURITIZED DEBT INSTRUMENTS [SEBI/16.03.2011]

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- LIQUIDITY ADJUSTMENT FACILITY – REPO AND REVERSE REPO RATES [RBI/17.03.2011]
- AMENDMENT TO DEFINITION OF INFRASTRUCTURE LOAN [RBI/16.03.2011]

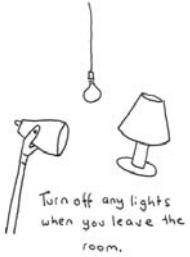
LABOUR LAW UPDATE

- VARIATION OF MINIMUM WAGE RATES IN STATES [PIB/16.03.2011]

PREVIOUS ISSUES ARE AVAILABLE AT THE FOLLOWING LINK:

<http://www.icsi.edu/Member/CSUpdate/tabid/1635/Default.aspx>

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FROM ICS!



COMPANY SECRETARIES IN PRACTICE

RELAXATION OF TIME TO COMPLETE REQUIRED PROGRAMME CREDIT HOURS FOR THE BLOCK OF THREE YEARS ENDING 31.12.2010

The Guidelines for Compulsory Attendance of Professional Development Programmes by Members (ICSI Guideline No. 3 of November, 2007), which were notified and came into effect from January 1, 2008 require every PCS to secure 12 Programme Credit Hours in one year or 40 Programme Credit Hours in a block of three years by attending approved learning programmes.

As per the guidelines the current block of three years which commenced from January 1, 2008 will close on December 31, 2010.

The Council of the Institute in its 197th meeting held on December 15, 2010 considered the matter and granted an opportunity to those practicing members who have not completed the mandatory programme credit hours to complete the same by attending approved learning programmes upto March 31, 2011.

The Council further decided that if a member does not complete the mandatory Programme Credit Hours till March 31, 2011 the Certificate of Practice of such member shall not be renewed.



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Computation of PCH Required in block (Jan. 2008 – Dec. 2010) for Renewal of Certificate of Practice

In terms of the Guidelines for Compulsory Attendance of Professional Development Programmes for the Members each member in Practice is required to obtain certain number of Programme Credit Hours by attending approved learning programmes:

Computation of PCH Required in block (January 2008 – March 31, 2011 {As extended by the Council from December 31, 2008}) for Renewal of Certificate of Practice*

Date of issue of Certificate of Practice	PCH required in 2008	PCH required in 2009	PCH required in 2010	Total PCH required in the block
Before April 1, 2008	12	12	12	40**
Apr. 1, 2008 to Sep. 30, 2008	12	12	12	40**
Oct. 1, 2008 to 31 Mar., 2009	0	12	12	24
Apr. 1, 2009 to Sep. 30, 2009	0	12	12	24
Oct. 1, 2009 to 31 Mar., 2010	0	0	12	12
Apr. 1, 2010 to Sep. 30, 2010	0	0	12	12
On or After Oct. 1, 2010	0	0	0	0

* No carry forward of Programme Credit Hours shall be allowed from one block of three years to another block of three years.

** Members are required to obtain twelve programme credit hours in each year or a total of 40 PCH in the entire block

The requirement of obtaining the mandatory programme credit hours is not applicable to members who are above the age of 65 years.



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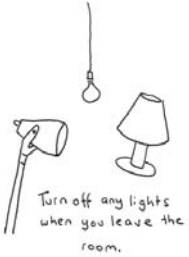
PMQ COURSE IN CORPORATE GOVERNANCE

ENHANCEMENT OF FEES

The Council at its 197th Meeting held on December 15, 2010 felt that honorarium be paid to the Guides for dissertation and project report under PMQ Course in Corporate Governance. With a view to meet the expense on honorarium to be paid to the Guide and to meet the increased costs, the Council has decided to enhance the **fee for PMQ Course in Corporate Governance with effect from January 1, 2011 to Rs.25,000/-** for the entire course payable as under :

Rs.12500/- payable at the time of registration for the course.

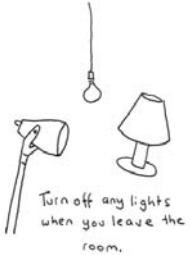
Rs.12,500/- payable after completion of Part I and before commencement of Part II



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INSTITUTE'S NEW PUBLICATIONS

- Business @ Governance & Sustainability
- Guidance Note on Board Processes
- Independent Directors-A research Study on Corporate Practice in India
- Corporate Social Responsibility –Research Study of Corporate Practice in India
- DNA of Integrity
- Role of Company Secretaries-A New Perspective
- A Guide to Company Secretary in Practice
- Guidance Note on Related Party Transactions
- Guidance Note on Listing of Corporate Debt
- Guidance Note on Corporate Governance Certificate
- Referencer on Secretarial Audit
- Referencer on Filing and Filing of E-Forms 23AC and 23ACA
- Establishment of Branch, Liaison & Project Offices in India
- Handbook on Mergers, Amalgamation and Takeover

e Book Store - buy Online [Journals & Publications](#)

or

Contact : Shri Harish Chander Joshi,
Admn. Officer(store),
The Institute of Company Secretaries of India,
C-37, Sector 62,
Institutional Area,
NOIDA (U.P.)



MEMORANDUM OF UNDERSTANDING BETWEEN ICSI AND CHARTERED INSTITUTE FOR SECURITIES & INVESTMENT (CISI)

February 22, 2011

Dear Member

Sub : Memorandum of Understanding between ICSI and Chartered Institute for Securities & Investment (CISI)

The Council of the Institute has a policy to build partnerships with such professional bodies, within and outside India, which re-inforce professional capacities and capabilities of Company Secretaries.

In pursuance of this policy, ICSI has executed MOU, the Institute entered into an MOU with Securities Investment Institute (SII) London on September 10, 2008 to provide opportunity to Company Secretaries to enhance their career progression in various specialized areas like capital market, commodity market, investment banking, wealth & fund management, etc..

Subsequently, the Securities & Investment Institute received Royal Charter and became the Chartered Institute for Securities & Investment (CISI) w.e.f November 01, 2009. Royal Charters are granted to bodies that work in public interest and demonstrate pre-eminence, stability and permanence in their particular field. The MOU has been renewed with CISI in January 2011.

About CISI (erstwhile SII)

Formed by the London Stock Exchange, the CISI is the leading professional body, offering progressive qualifications, training and membership for individuals in the securities and investment industry across international markets.

As the principal provider of qualifications in financial markets, CISI offers individuals the opportunity to achieve core competence and foster strong careers.

With over 48,000 examinations taken in 49 countries , CISI has established offices in China, India, Singapore and UAE.

CISI enjoys industry-wide acceptance world-over, with almost all of the top leading global banks and corporates signing up to CISI qualifications and has secured regulatory recognition for its qualification in countries like Singapore, Hong Kong, UAE and other parts of the Middle East.

As a not-for-profit membership body, CISI maintain and develop professional competence and promote the highest levels of professional behaviour and integrity.

Arrangement between the Institutes

- CISI has also recognised membership of ICSI for automatic membership of CISI at the associate level (ASI).



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- Senior practitioners of ICSI in Securities and Investment industry would be entitled to apply for direct Membership of CISI (MSI)).
- Discounts/ rebates upto 30 to 50 % of International fee is offered to ICSI students and members for pursuing Certificate Programmes, International Operations Certificate
- CISI has offered certain recognitions to ICSI students who have passed the 'Executive Programme, which will facilitate their obtaining the 'International Investment Administration Qualification (IAQ)'.
- ICSI Centre for Corporate Governance Research & Training (CCGRT) at Navi-Mumbai has been offered accreditation as a training provider (ATP) to conduct direct training for CISI exams to those wishing to obtain CISI international qualifications.
- CISI also provide its Members an opportunity to develop their competencies through :
 - Free use of the CISI CPD scheme
 - Access to free CPD seminars (local and outside India)
 - Online access to webcasts and podcasts of previous CPD events
 - Online archive of slides and transcripts of previous CPD events
 - Free use of CISI Professional Refresher
 - Free online version of the members' magazine, Securities & Investment Review
 - Free access to Infolink, the CISI's online information resource library
 - Online members' directory
 - Access to Integrity Matters, the CISI's e- learning product, focusing on ethical dilemmas facing financial services practitioners
 - A PDF of an CISI workbook of your choice on registering for membership

We are sure that MOU will provide a unique opportunity to Company Secretaries to have better access to the International Financial Markets, enhance their career progression within the industry and enhanced credibility and reputation to the profession of the Company Secretaries.

Members are advised to go through the Memorandum of Understanding and take benefit of the collaboration entered between the ICSI and CISI.

A copy of the MOU between the two Institutes is enclosed as a ready reference.

Regards

N K Jain
Secretary & CEO



THE INSTITUTE OF
Company Secretaries of India
AN INSTITUTION OF PROFESSIONAL EXCELLENCE
ESTABLISHED UNDER ACT OF PARLIAMENT

Memorandum of Understanding

between

*The Chartered Institute for
Securities & Investment (CISI)*

and

*The Institute of Company Secretaries
of India (ICSI)*



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The Chartered Institute for Securities & Investment (hereinafter also referred to as 'CISI'), having its main office at 8 Eastcheap, London EC3R 8AQ;

and

The Institute of Company Secretaries of India (hereinafter also referred to as "ICSI"), having its head office at ICSI House, 22, Institutional Area, Lodi Road, New Delhi 110 003 , India

Hereinafter referred to as 'the parties'

1. *Hereby agree to extend their collaboration (an original MOU having been signed in September 2008) to promote the recognition and uptake of CISI qualifications and CISI Membership to ICSI students and members in India.*
2. *Qualifications collaboration*
 - 2.1 *The ICSI will offer units of CISI qualifications in capital markets, commodity markets, fund management, wealth management and investment banking as an elective both to their students studying for the ICSI qualification and to full ICSI members, as follows:*

CISI Certificates programme in:

*Securities
Derivatives
Financial Derivatives
Commodity Derivatives
International Wealth Management
International Investment Management
Risk in Financial Services
Principles of Financial Regulation*

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International Introduction to Investment Award – stand-alone award

*International Operations Certificate
(also known as IOC) global units*

(Modular exam of three units):

*International Introduction to Securities and Investment
Asset Servicing*

Exchange Traded Derivatives Administration

Global Securities Operations

Operational risk

Over-The-Counter (OTC) Derivatives administration

Risk in Financial Services

Principles of Financial Regulation

Advanced Certificates in:

Operational Risk

Global Securities Operations

CISI Diploma units:

Interpretation of Financial Statements

Fund Management

Financial Derivatives

2.2 *The CISI can offer ICSI students and members wishing to register for any of the CISI qualification units set out above a rebate, on production of a promotional booking code (that will be issued to ICSI separately), when registering for the CISI examination as follows:*

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CISI Modules	Rebate offered to ICSI Students (on full International price)	Rebate offered to ICSI Members (on full International price)	Full International Prices (Subject to change every April)
CISI Certificates programme:			
Securities	30%	£5	£190
Derivatives	30%	£5	£190
Financial Derivatives	50%	50%	£160
Commodity Derivatives	50%	50%	£190
International Wealth Management	50%	50%	£190
International Investment Management	30%	£5	£190
Risk in Financial Services	30%	£5	£190
Principles of Financial Regulation	30%	£5	£160
International Introduction to Investment Award – stand-alone award	50%	£5	£118

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International Operations Certificate (also known as IOC) global units (Modular exam of three units):

International Introduction to Securities and Investment	50%	£5	£118
Asset Servicing	30%	£5	£118
Exchange Traded Derivatives Administration	30%	£5	£118
Global Securities Operations	30%	£5	£118
Operational Risk	30%	£5	£118
Over-The-Counter (OTC) Derivatives administration	30%	£5	£118
Risk in Financial Services	30%	£5	£190
Principles of Financial Regulation	30%	£5	£160

Advanced Certificates in:

Operational Risk	30%	£5	£235
Global Securities Operations	30%	£5	£235

CISI Diploma units:

Interpretation of Financial Statements	30%	£5	£290 + invigilation
Fund Management	30%	£5	£290 + invigilation
Financial Derivatives	30%	£5	£290 + invigilation

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2.3 Candidates enrolling for examinations for any CISI qualifications programme in India receive as part of their examination fee:

- an electronic Workbook sent to the candidate at point of payment for the examination.
- one year's free Student Membership of CISI

2.4 CISI will update the set of Frequently Asked Questions (FAQs) that has been developed for the qualifications set out above that are to be offered as an elective to student and full ICSI members and for CISI membership.

2.5 CISI examines all of its Certificates examinations by Computer-Based Testing (CBT) because of the many benefits this brings to candidates, to firms and to the Institute. Tests are delivered at regional test centres in selected locations around the world including seven centres in India (Mumbai, Bangalore, Hyderabad, Chennai, Gurgaon, Ahmedabad and Kolkata), in partnership with Prometric, one of the world's leading providers of professional testing. CBT also allows candidates to receive their results immediately. CISI's advanced and diploma modules are written examinations and these can be taken at the British Council Centres.

3. Recognition for ICSI Qualifications

3.1 CISI will offer recognition for ICSI student who have passed the Company Secretaries 'Executive Programme' against the Introduction to Investment unit of the CISI's International Operations Certificate (also known as the IOC). ICSI students who have passed the Executive Programme including Paper 1: General and Commercial Laws and Paper 4 : Company Law and passes in two technical units of the CISI will be eligible to receive the International Operations Certificate (IOC).

3.2 In line with the CISI's Exemption Policy, detailed on the CISI website at www.cisi.org/qualifications > Booking and results > Exemptions an exemption fee of £ 10 will be payable by ICSI students who have successfully passed ICSI Executive Programme and who request an exemption against the 'Introduction to Securities & Investment unit' of the IOC™.

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3.3 ICSI students applying for the exemption will need to complete an Exemption form available on the CISI website and submit that, along with the exemption fee when booking for the technical units of the IOC examination(s) in order to achieve their CISI certification.

4. Accreditation of ICSI to offer direct training for CISI qualifications

4.1 CISI has policy of accrediting training providers (ATPs) providing high quality direct training to candidates wishing to take CISI qualifications outside the UK. CISI is the first Awarding Body in the financial services sector to introduce this process, which monitors the quality of training and values strong working relationships with its training.

4.2 CISI will offer ICSI's Centre for Corporate Governance Research and Training, complementary accreditation to run direct training for CISI exam units for ICSI students and full members and external market participants wishing to obtain an CISI International qualification. The accreditation fee of GBP2000 normally charged to training providers applying for CISI accreditation will be waived.

4.3 ATP status will be granted for an initial period of three years to provide training in accordance with the terms set out in a separate Training Provider contract detailing the qualifications for which ICSI will be training provider and subject to the CVs of the ICSI tutors delivering training for CISI qualifications being reviewed by CISI.

5. Membership

5.1 ICSI will encourage their students to apply for membership at Student level and its Associate and Fellow Members to apply for membership at Associate (ACSI) level- the first category of membership to award designatory letters and awarded to holders of CISI's benchmark qualifications such as the IOC award and Certificates programme.

5.2 CISI offers membership at ACSI level to ICSI members for which no initial joining fee will be charged. Initial membership fees are charged on a pro-rata basis dependent on the month of joining and on renewal at the International rate listed on the CISI price list at: www.cisi.org/prices

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5.3 ICSI members applying for CISI Student (not through CISI exams) & Associate membership, application will need to complete application forms and attach a copy of their ICSI certificate to the form (or for those who are still ICSI students, confirmation of registration with ICSI for their course of study).

5.4 Benefits of CISI Membership include:

- Use of designatory letters (ACSI & MCSI) according to level of Membership
- Free attendance at Continuing Professional Development (CPD) events (local and outside India)
- S&I review
- E-CPD - Webcasts and pod casts of CPD events
- Outline Professional Refresher
- Infolink
- International Regulatory Update
- Online member's directory
- Integrity at Work - e-learning tool

ICSI members will also be given a free CISI workbook in PDF form of their choice on registering for ACSI membership, which normally would cost £75 on purchase.

5.5 The process of application for membership is available on the Membership section of CISI's website at: www.cisi.org/membership

5.6 As an alternative to the traditional route to membership, senior practitioners in the securities and investment industry may also apply for status as Members of the institute. The criteria for this is made up of a combination of seniority, experience and relevant professional qualifications. Non-CISI members can also apply to be considered for MCSI status as long as they also meet the criteria. All applications are assessed on a points system

Application forms for MCSI showing the points system matrix used by CISI is attached at Appendix A to this agreement.

5.7 Each party will publicise the Membership collaboration in any publicity or membership materials produced by either party and on their respective websites. CISI will publicise the membership offering on the India page in the Global Presence section of its website.

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5.8 CISI will also offer automatic membership at ACSI level to ICSI members at the level for international membership fee renewals (currently discounted by 25% discount on the price of the UK fee and 50% on price of the annual renewal fee). There is, additionally, no initial joining fee for ICSI members.

6. Government Approval

The Ministry of Corporate Affairs, India has, in August 2010, conveyed the approval of Central Government to the Memorandum of Understanding already signed between SII (Now CISI), London and ICSI, India.

7. Intellectual Property

7.1 As part of this agreement and following the accreditation of ICSI's Centre of Corporate Governance Research and Training (CCGRT), CCGRT will be permitted to use the CISI's Accredited Training Provider logo, on any promotional materials produced to market CISI qualifications.

7.2 ICSI agrees to acknowledge the use of CISI's materials where such material is used.

8. Service of Notice

8.1 The addresses for service of Notice on either party are as detailed above.

9. Arbitration

9.1 In the event of any dispute, difference, claim or demand arising under or pursuant to or touching the MOU, the Parties shall submit to proceedings before a Conciliation Panel for amicable settlement in accordance with the 1976 - UNCITRAL (United Nations Commission on International Trade Law) Arbitration Rules and if not satisfactorily resolved in conciliation, then the matter shall be referred to an Arbitral Tribunal for settlement in accordance with the Rules of Arbitration of UNCITRAL. The Award made in pursuance thereof shall be final and binding on the parties. The seat of conciliation or arbitration shall be in India.

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10. *Jurisdiction*

All disputes arising out of this MOU are subject to the Jurisdiction of Court in New Delhi, India.

11. *Review and Termination*

11.1 *This agreement will be reviewed, as agreed by both parties, every two years.*

11.2 *Where either party wishes to terminate the agreement, at least three months notice is given by either party.*

Collaboration extension (executed January 2011, w.r.e.f. 10th day of September 2010):

*For and on behalf of
The Chartered Institute for
Securities & Investment*

*(Simon Culhane)
Chief Executive Officer*

*For and on behalf of
The Institute of
Company Secretaries of India*

*(N K Jain)
Secretary & Chief Executive Officer*

*Witness: J Taylor
EXECUTIVE CISI*

Witness Director, ICSE

Date: 31 Jan 2011

Date:

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Appendix A

MCSI by experience (International Applicants) - Points system

<i>Eligibility criteria</i>	<i>Points Awarded</i>	<i>Actual Points</i>
<i>Job Role :</i>		
<i>Evidence of Senior Management Role, or</i>	5	
<i>Evidence of Middle Management Role</i>	3	
<i>Experience :</i>		
<i>15 years + relevant industry experience or</i>	5	
<i>10 years + relevant industry experience</i>	3	
<i>Relevant Qualification :</i>		
<i>Degree level Qualification, or</i>	2	
<i>Other relevant local qualification</i>	2	
<i>Actively demonstrated presently or in the past support of the SII (i.e. committee work, speaking at SII events, exam writer, etc.)</i>	1	

Points system used by CISI :

- 11 points or above* *Normally acceptable - formal ratification through Membership Committee*
- 9 to 10 points* *Borderline case - referred to local advisory board for decision*
- 8 points or below* *Not acceptable but offered ACSI if they meet requirements*

There is an alternative route to MCSI for CISI Diploma achievers and members of other recognised professional bodies.

CISI



MEMORANDUM OF UNDERSTANDING BETWEEN ICSI AND UNITED STOCK EXCHANGE OF INDIA LTD.(USE)

March 07, 2011

Dear Member

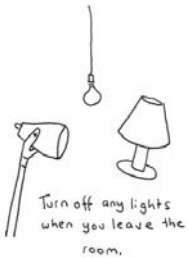
Sub : Memorandum of Understanding between ICSI and United Stock Exchange of India Ltd.(USE)

The Institute entered into an MOU with United Stock Exchange of India Ltd. on March 07, 2011

United Stock Exchange of India Limited (USE) is India's newest stock exchange and has been promoted by 21 Indian public sector banks, private banks and corporate houses.

The areas of collaboration under MOU include:

- 1) Holding and organizing seminars on financial markets and corporate governance to empower the users.
- 2) Creating infrastructure of knowledge based technical studies on financial markets.
- 3) Creating awareness about the complex financial instruments and using derivatives for effective hedging keeping accounting standards in perspective.
- 4) Conduct various kinds of certification programmes and literature on financial markets and corporate governance.
- 5) Hosting events such as simulation exercises (mock trading on exchanges), seminars, and training in financial markets to empower ICSI members and general investing public in rightfully analyzing the financial markets.
- 6) Conducting research and other related activities in financial markets and impact of corporate laws and Secretarial standards on financial markets.
- 7) Imparting and conducting special training and education programmes in financial markets.
- 8) Organizing short term courses on various asset classes, currency, interest rates, commodity, debt, mutual funds, and derivatives.



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9) Organizing panel discussions, webcasting and presentation of experts on various aspects of financial markets and using electronic media for imparting knowledge.

10) Collaborating for joint certification of ICSI professionals on topics of professional interest.

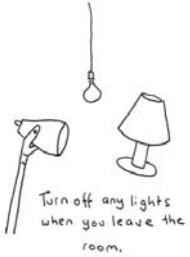
11) Membership of United Stock Exchange of India is available free of cost to all ICSI Members for the first three months from the signing of this MOU.

A copy of the MOU is enclosed as a ready reference.

Regards

N K Jain

Secretary & CEO



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THE INSTITUTE OF
Company Secretaries of India
IN PURSUIT OF PROFESSIONAL EXCELLENCE
INCORPORATED UNDER THE ACT OF 1939

Memorandum of Understanding

between

United Stock Exchange of India Ltd. (USE)

and

The Institute of Company Secretaries of India (ICSI)





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Memorandum of Understanding for Knowledge Partnership between United Stock Exchange of India Ltd. (USE), Mumbai and The Institute of Company Secretaries of India (ICSI), New Delhi.

This association records the following understanding between United Stock Exchange of India Ltd. (hereinafter referred to as "USE") having its Headquarters at C7, 2nd Floor - Laxmi Towers, Bandra Kurla Complex, Mumbai - 400051 represented by Mr. Saurav Arora, President, Marketing and Business Development, USE and The Institute of Company Secretaries of India (hereinafter referred to as "ICSI") having its Headquarters at ICSI House, 22, Institutional Area, Lodi Road, New Delhi, 110 003 represented by Mr. N K Jain, Secretary & CEO, The ICSI.'

"USE" and "ICSI" understand and realize the high growth potential of the Indian Financial markets and agree to collaborate in variety of educative initiatives. "USE" and "ICSI", over a period of time, as per mutual understanding and convenience, shall explore opportunities for collaboration such as:-

- 1) Holding and Organizing seminars on financial markets and corporate governance to empower the users.*
- 2) Creating infrastructure of knowledge based technical studies on financial markets.*
- 3) Creating awareness about the complex financial instruments and using derivatives for effective hedging keeping accounting standards in perspective.*
- 4) Conduct various kinds of certification programmes and literature on financial markets and corporate governance.*
- 5) Hosting events such as simulation exercises (mock trading on exchanges), seminars, and training in financial markets to empower ICSI members and general investing public in rightfully analyzing the financial markets.*

UNITED STOCK EXCHANGE

Saurav
07/03/11

ICSI

CS Update

March 18, 2011



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- 6) *Conducting research and other related activities in financial markets and impact of corporate laws and Secretarial standards on financial markets.*
- 7) *Imparting and conducting special training and education programmes in financial markets.*
- 8) *Organizing short term courses on various asset classes, currency, interest rates, commodity, debt, mutual funds, and derivatives.*
- 9) *Organizing panel discussions, webcasting and presentation of experts on various aspects of financial markets and using electronic media for imparting knowledge.*
- 10) *Collaborating for joint certification of ICSI professionals on topics of professional interest.*

Role and responsibility of each partner will be decided on the basis of nature of the proposed events/seminars/assignments to be organized jointly.

Terms and Conditions

Terms and conditions shall be mutually agreed between parties on a case to case basis. ICSI shall provide institutional support and facilitate interface/interactions with its members. USE would bear the cost and arrange for the content.

Intellectual property and its ownership

"USE" and "ICSI" hereby agree to respect and protect each other's rights to intellectual property, including, but not limited to, business processes, know-how, inventions, ideas, programmes, concepts, discoveries, confidential information, trade marks, or improvements, additions, research efforts relating to any of the above, or names that can be registered as a trademark, patent, copyright, service mark or otherwise of each Party.


United Stock Exchange
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Intellectual property and other rights owned solely by one Party shall and shall be deemed to vest solely and exclusively in that Party and they shall remain the property of such Party.

In case where the intellectual property is developed jointly, rights over such property shall be governed by an agreement or understanding arrived at by both the parties before undertaking the assignment.

However, the course ware or study material shall be co-branded if it is used in any of the joint events organized under this agreement.

Tenure and Termination

The tenure of the association would be for a period of 3 (three) years from the date of signing. The MOU can be extended for increments of 3 (three) years thereafter on mutually agreed terms and conditions. Either Party may in its absolute discretion, whether during the initial period of 3 (three) years, terminate this association by giving at least one month notice in writing, which will however be subject to compliance with completion of all commitments already made. Notwithstanding any such termination, both parties shall ensure that all activities in progress are completed successfully.

Confidentiality

The parties acknowledge that during the negotiations and subsistence of this association, each Party may be required to disclose certain information which shall be confidential and proprietary to the disclosing Party and therefore undertake not to disclose the same to any other party and/or any third party during the subsistence of this association and for a further period of 2 (two) years after the termination/expiry of this association except under any compulsion of law. The obligation of this Clause shall survive the termination of this association.

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Free Membership

Membership of United Stock Exchange will be available free of cost to all "ICSI" members for first three months from the signing of this MOU.

This association is an indicative arrangement of partnership between "USE" and "ICSI" to work closely to move in the right direction. Going forward, this association could be made more comprehensive to include additional collaborative arrangements to fulfill the objectives, as desired from this association.

United Stock Exchange of India Ltd.
(USE)

The Institute of Company
Secretaries of India

Name : Mr. Saurav Arora

Name : Mr. N K Jain

Title : President, Marketing and
Business Development, USE

Title : Secretary & CEO
The ICSI

Date : 7th MARCH 2011

Date : 7th MARCH, 2011

By signing this document, I also confirm that I am authorized to sign on behalf of "United Stock Exchange of India Ltd."

By signing this document, I also confirm that I am authorized to sign on behalf of "The Institute of Company Secretaries of India"

Mr. Saurav Arora
President
Marketing and Business Development
United Stock Exchange of India Ltd.

For witness



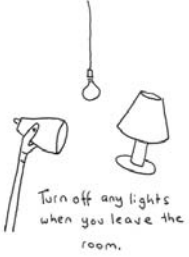
C.P. Ramachandran
Chief Regulatory Officer
USGIL

Mr. N K Jain
Secretary & CEO
The Institute of Company
Secretaries of India

For witness

Director, ICSI 7/3/2011





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MCA UPDATE



COMPANIES (NAME AVAILABILITY) RULES, 2011

In exercise of the power conferred by clause (a) of sub-section (1) of section 642 read with sections 20 and 21 of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules:

1(i) These Rules may be called "Companies (Name Availability) Rules, 2011";

(ii) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. As per provisions contained in Section 20 of the Companies Act, 1956, no company is to be registered with undesirable name. A proposed name is considered to be undesirable if it is identical with or too nearly resembling with:

(i) Name of a company in existence; or

(ii) A registered trade-mark or a trade mark which is subject of an application for registration, of any other person under the Trade Marks Act, 1999.

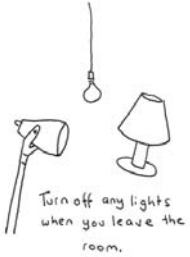
3. After notification of these Rules, while applying for a name in the prescribed e-form-1A, using Digital Signature Certificate (DSC), the applicant shall be required to furnish a declaration to the effect that:

(i) he has used the search facilities available on the portal of the Ministry of Corporate Affairs (MCA) i.e., www.mca.gov.in/MCA21 for checking the resemblance of the proposed name(s) with the companies and Limited Liability Partnerships (LLPs) already registered or the names already approved.

(ii) the proposed name(s) is/are not infringing the registered trademarks or a trademark which is subject of an application for registration, of any other person under the Trade Marks Act, 1999;

(iii) the proposed name(s) is/are not in violation of the provisions of Emblems and Names (Prevention of Improper Use) Act, 1950 as amended from time to time;

(iv) The proposed name is not offensive to any section of people, e.g., proposed name does not contain profanity or words or phrases that are generally considered a slur against an ethnic group, religion, gender or heredity;



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(v)he has gone through all the prescribed guidelines, given in these Rules, understood the meaning thereof and the proposed name(s) is/are in conformity thereof;

(vi)he undertakes to be fully responsible for the consequences, in case the name is subsequently found to be in contravention of the prescribed guidelines.

4. Where, the proposed name is containing more than one word, there will be an option in the e-form 1A for certification by the practicing Chartered Accountants, Company Secretaries and Cost Accountants, who will certify that he has used the search facilities available on the portal of the Ministry of Corporate Affairs (MCA) i.e., www.mca.gov.in/MCA21 for checking the resemblance of the proposed name(s) with the companies and Limited Liability Partnerships (LLPs) already registered or the names already approved and the search report is attached with the application form. The professional will also certify that the proposed name is not an undesirable name under the provisions of section 20 of the Companies Act, 1956 and also is in conformity with Companies (Name Availability) Rules, 2011 and Guidelines made therein.

5(i). Where e-form 1A has been certified by the professional in the manner stated at '4' above, the name will be made available by the system online to the applicant without backend processing by the Registrar of Companies (ROC). This facility is not available for applications for change of name of existing companies.

(ii) Where a name has been made available online on the basis of certification of practicing professional in the manner stated above, if it is found later on that the name ought not to have been allowed under provisions of section 20 of the Companies Act read with these Rules, the professional shall also be liable for penal action under provisions of the Companies Act, 1956 in addition to the penal action under Regulations of respective professional Institutes.

(iii) Where e-form 1A has not been certified by the professional, the proposed name will be processed at the back end office of ROC and availability or non availability of name will be communicated to the applicant.

6. The name if made available, is liable to be withdrawn anytime before registration of the company, if it is found later on that the name ought not to have been allowed. However, ROC will pass an specific order giving reasons for withdrawal of name, with an opportunity to the applicant of being heard, before withdrawal of such name.

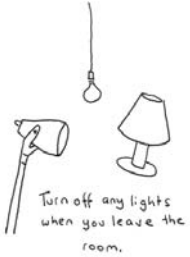
7. The name if made available to the applicant, shall be reserved for sixty days from the date of approval and further extension of thirty days with revalidation application and fees. If, the proposed company has not been incorporated within such period, the name shall be lapsed and will be available for other applicants.



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8. Even after incorporation of the company, the Central Government has the power to direct the company to change the name under section 22 of the Companies Act, 1956, if it comes to his notice or is brought to his notice through an application that the name too nearly resembles that of another existing company or a registered trademark.

9. In determining whether a proposed name is identical with another, the following shall be disregarded:

(i) The words Private, Pvt, Pvt., (P), Limited, Ltd, Ltd., LLP, Limited Liability Partnership;

(ii) The words appearing at the end of the names – company, and company, co., co, corporation, corp, corpn, corp.;

(iii) The plural version of any of the words appearing in the name;

(iv) The type and case of letters, spacing between letters and punctuation marks;

(v) Joining words together or separating the words does not make a name distinguishable from a name that uses the similar, separated or joined words;

(vi) The use of a different tense or number of the same word does not distinguish one name from another;

(vii) Using different phonetic spellings or spelling variations does not distinguish one name from another. For example, J.K. Industries limited is existing then J and K Industries or Jay Kay Industries or J n K Industries or J & K Industries will not be allowed. Similarly if a name contains numeric character like 3, resemblance shall be checked with 'Three' also;

(viii) Misspelled words, whether intentionally misspelled or not, do not conflict with the similar, properly spelled words;

(ix) The addition of an internet related designation, such as .COM, .NET, .EDU, .GOV, .ORG, .IN does not make a name distinguishable from another, even where (.) is written as 'dot';



(x) The addition of words like New, Modern, Nav, Shri, Sri, Shree, Sree, Om, Jai, Sai, The, etc. does not make a name distinguishable from an existing name such as New Bata Shoe Company, Nav Bharat Electronic etc. Similarly, if it is different from the name of the existing company only to the extent of adding the name of the place, the same shall not be allowed. For example, 'Unique Marbles Delhi Limited' can not be allowed if 'Unique Marbles Limited' is already existing;

Such names may be allowed only if no objection from the existing company by way of Board resolution is produced/ submitted;

(xi) Different combination of the same words does not make a name distinguishable from an existing name, e.g., if there is a company in existence by the name of "Builders and Contractors Limited", the name "Contractors and Builders Limited" should not be allowed;

(xii) If the proposed name is an exact Hindi translation of the name of an existing company in English especially an existing company with a reputation, e.g., Hindustan Steel Industries Ltd. will not be allowed if there exists a company with name 'Hindustan Ispat Udyog Limited';

10. Guidelines for availability of name

In supercession of all the previous circulars and instructions regarding name availability, the applicants and Registrar of Companies are also advised to adhere following guidelines while applying or approving the proposed name:

(i) It is not necessary that the proposed name should be indicative of the main object. However, in case the proposed name is indicative of any activity, the same will be appropriately reflected in the main object clause of the Memorandum of Association;

(ii) If the Company's main business is finance, housing finance, chit fund, leasing, investments, securities or combination thereof, such name shall not be allowed unless the name is indicative of such related financial activities, viz., Chit Fund/ Investment/ Loan, etc.;

(iii) If it includes the words indicative of a separate type of business constitution or legal person or any connotation thereof, the same shall not be allowed. For eg: co-operative, sehkari, trust, LLP, partnership, society, proprietor, HUF, firm, Inc., PLC, GmbH, SA, PTE, Sdn, AG etc.;

(iv) Abbreviated name such as 'ABC limited' or '23K limited' cannot be given to a new company. However the companies well known in their respective field by abbreviated names are allowed to change their names to abbreviation of their existing name (for Delhi Cloth Mills limited to DCM Limited, Hindustan Machine Tools limited to HMT limited) after following the requirement of Section 21 of the Companies Act, 1956;



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(v) If the proposed name is identical to the name of a company dissolved as a result of liquidation proceeding should not be allowed for a period of 2 years from the date of such dissolution since the dissolution of the company could be declared void within the period aforesaid by an order of the Court under section 559 of the Act. Moreover, if the proposed name is identical with the name of a company which is struck off in pursuance of action under section 560 of the Act, then the same shall not be allowed before the expiry of 20 years from the publication in the Official Gazette being so struck off since the company can be restored anytime within such period by the competent authority;

(vi) If the proposed names include words such as 'Insurance', 'Bank', 'Stock Exchange', 'Venture Capital', 'Asset Management', 'Nidhi', 'Mutual fund' etc., the name may be allowed with a declaration by the applicant that the requirements mandated by the respective regulator, such as IRDA, RBI, SEBI, MCA etc. have been complied with by the applicant;

(vii) If the proposed name includes the word "State", the same shall be allowed only in case the company is a government company. Also, if the proposed name is containing only the name of a continent, country, state, city such as Asia limited, Germany Limited, Haryana Limited, Mysore Limited, the same shall not be allowed;

(viii) If a foreign company is incorporating its subsidiary company, then the original name of the holding company as it is may be allowed with the addition of word India or name of any Indian state or city, if otherwise available;

(ix) Change of name shall not be allowed to a company which is defaulting in filing its due Annual Returns or Balance Sheets or which has defaulted in repayment of matured deposits and debentures and/or interest thereon;

(x) With a view to maintain uniformity, the following guidelines may be followed in the use of keywords, as part of name, while making available the proposed names under section 20 and 21 of the Companies Act, 1956:

S.No	Key Words	Required authorized capital (in Rs.)
1	Corporation, corp, corpn, corp.	25 crore



CS Update

March 18, 2011

2 international, Globe, Global, World, 5 crore

Overseas, Universe,
Universal, Continent,
Continental,
InterContinental,
Asiatic, Asia, Asian
being the first word of
the name

3 If any of the words at (2) above is 2 crore
used within the name
(with or without
brackets)

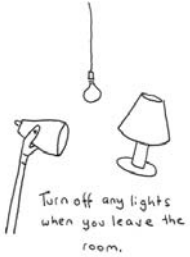
4 Hindustan, India, Indo, Indian, Bharat, 2 crore
Bharatvarsh, Bhartiya
or any other country's
name being first word
of the name

5 If any of the words at (4) above is 25 lakh
used within the name
(with or without
brackets)

6 Industries/ Udyog 5 crore

7 Enterprises, Products, Business, 50 lakh
Manufacturing,
Venture.

* * * * *



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REVISED SCHEDULE VI WOULD BE APPLICABLE FOR FINANCIAL YEAR 2010-11

Revised Schedule VI NEW



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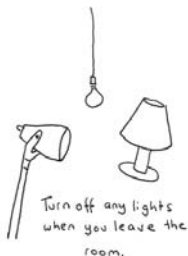
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DELEGATION OF POWERS AND FUNCTIONS TO REGISTRARS OF COMPANIES ON SELECTIVE PROVISIONS

17/03/2011 [G.S.R. - dated 17.03.2011 - Delegation of powers and functions to Registrars of Companies on selective provisions](#)



DELEGATION OF POWERS AND FUNCTIONS TO REGIONAL DIRECTORS ON SELECTIVE PROVISIONS

17/03/2011 [G.S.R. - dated 17.03.2011 - Delegation of powers and functions to Regional Directors on selective provisions](#)

AMENDMENTS IN THE NOTIFICATION NUMBER, SRO DATED 7TH JANUARY, 1957

17/03/2011 [S.O. - dated 17.03.2011 - Amendments in the notification number, SRO dated 7th January, 1957](#)



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PROCESS OF INCORPORATION OF COMPANIES (FORM-1) AND ESTABLISHMENT OF PRINCIPAL PLACE OF BUSINESS IN INDIA BY FOREIGN COMPANIES (FORM-44) – PROCEDURE SIMPLIFIED [MCA/08.03.2011]

General Circular No. 6/2011

F.No. 17/56/2011-CL-V
Government of India
Ministry of Corporate Affairs

5th Floor, A Wing, Shastri Bhavan
Dr. R.P. Road, New Delhi-110001

Dated 8th March, 2011

To
All Regional Directors
All Registrar of Companies
All Official Liquidators

Sub: Process of incorporation of Companies (Form-1) and establishment of principal place of business in India by Foreign Companies (Form-44) – Procedure simplified.

Sir,

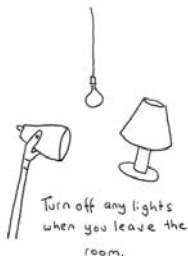
I am directed to inform that Ministry has received various representations regarding time taken by the Registrar of Companies for registration of Form-1 and Form-44.

The Ministry has got the issue examined by Business Process Re-engineering Group under MCA-21 and in order to speed up and simplify the process of incorporation of Companies and establishment of principal place of business in India by Foreign Companies for reduction in time taken by Registrar of Companies, the below mentioned procedure have been recommended :

1. Only Form-1 shall be approved by the RoC Office. Form 18 and 32 shall be processed by the system online.
2. There shall be one more category, i.e., Incorporation Forms (Form 1A, Form 37, 39, 44 and 68) which will have the highest priority for approval.
3. Average time taken for incorporation of company should be reduced to one (1) day only.
4. A Notification to notify minor changes in e-forms 18 and 32 to enable them to be taken on record through STP mode for aforesaid procedure is being issued separately.

Yours faithfully,
(Seema Rath)

Assistant Director (Inspection)
Tele : 011-23387263



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PAYMENT OF MCA FEES THROUGH ELECTRONIC MODE

No. HQ/9/2002-Computerization
Government of India
Ministry of Corporate Affairs

5th Floor, A Wing, Shastri Bhavan
Dr. R.P. Road, New Delhi-110001th

Dated 9 March, 2011

CIRCULAR

Sub: Payment of MCA fees –electronic mode-regarding

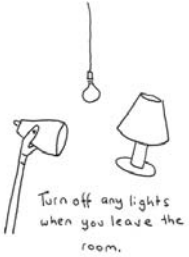
Ministry has reviewed the processes involved in delivery of important services to stakeholders, with a view to identify and improve the components causing delay in disposal of applications. Payment confirmation is found to be a major bottleneck in delivery of services in respect of offline payment made by physical challans .It was found that often there was a delay in confirmation of payments by physical challans, as banks have been given a reporting time of 'T'+3 days, as per payment procedure approved by C&AG,'T' being the transaction date. This leads to delay in creation of work item for disposal of an application/e-form, leading to inconvenience of stakeholders. On the other hand, it was found that wherever fees were paid online in the system, the work item was created faster and the approvals were speedier as banks are following 'T'+1 for reporting online payments.

2. In the interest of stakeholders, with a view to improving service delivery time, Ministry has decided to accept payments of value upto Rs.50,000, for MCA 21 services ,only in electronic mode w.e.f 27th March, 2011.

3. For the payments of value above Rs. 50,000, stakeholders would have the option to either make the payment in electronic mode, or paper challan. However such payments would also be made in electronic mode w.e.f .1st October'2011.

Yours faithfully,

(Nirupama Kotru)



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PAYMENT OF COMMISSION TO NON-WHOLE TIME DIRECTORS OF THE COMPANY UNDER SECTION 309(4)(b) OF THE COMPANIES ACT, 1956

MCA, vide General Circular No. 4/2011 dated 4th March, 2011, has decided that a Company shall not require approval of the central government for making payment of remuneration by way of commission to its non-whole time directors in addition to the sitting fee if the total commission to be paid to all these non-whole time directors does not exceed 1% of the net profit of the company if it has whole time director(s) or 3% of the net profit of the company if it does not have a managing director or whole time director(s).

A copy of the General Circular No. 4/2011 dated 4th March, 2011 is attached herewith or you may visit the following link to get the Circular:-
http://www.mca.gov.in/Ministry/pdf/Circular_4-2011_4mar2011.pdf





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MINISTRY OF CORPORATE AFFAIRS NOTIFIES SECTION 5,6,20,29, 30 & 31 OF COMPETITION ACT, 2002 WITH EFFECT FROM JUNE 01, 2011

March 08, 2011

Dear Professional Colleagues,

The Ministry of Corporate Affairs has notified long awaited Sections 5, 6, 20, 29, 30 & 31 of the Competition Act 2002 **with effect from June 01, 2011**

Section 5 deals with Combination (threshold limits).

Section 6 deals with Regulation of Combinations

Section 20 deals with Inquiry into Combination by Commission

Section 29 deals with procedure for investigation of combination

Section 30 deals with procedure in case of notice under Section 6(2)

Section 31 deals with orders of the commission on certain combinations

Highlights of the notifications

➤ The notification exempts an enterprise, whose control, shares, voting rights or assets are being acquired has assets of the value of not more than Rs. 250 crores or turnover of not more than Rs. 750 crores, from the provisions of section 5 of the Competition Act 2002 for a period of five years.

➤ The notification exempts the 'Group' exercising less than fifty per cent of voting rights in other enterprise, from the provisions of section 5 of the Competition Act 2002 for a period of five years.

➤ The notification enhances the value of assets and the value of turnover, by fifty per cent for the purposes of section 5 of the Competition Act 2002 on the basis of the wholesale price index.

The notifications are available at the link

http://www.mca.gov.in/Ministry/notification/pdf/Notification_4mar2011.pdf

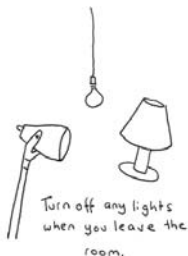
The draft Regulations are available at the link

<http://www.cci.gov.in/images/media/Regulations/DraftCombinationRegulation.pdf>

The notification of these provisions will open opportunities for Company Secretaries in Practice. The Competition Act, 2002 authorises Company Secretaries in practice to appear before Competition Commission of India and Competition Appellate Tribunal. Besides, there are a number of concepts, terms such as value of assets, turnover, determination of market, relevant market, geographic market which will require active professional involvement and advice.

Regards,

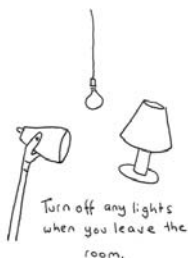
CS N K Jain
Secretary & CEO



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DIN PROCESS – SIMPLIFIED – REG.

General Circular No.5/2011
F.No.2/1/2011 CL.V
Government of India
Ministry of Corporate Affairs,

Shastri Bhawan,
5th Floor, 'A' Wing,
Dr.Rajendra Prasad Road
New Delhi.
Dated : 04.03.2011

To
All Regional Directors,
All Registrars of Companies,
All Official Liquidators.

SUBJECT; DIN PROCESS – SIMPLIFIED – REG.

Sir,

I am directed to inform that the Ministry's has re-examined the process of allotment of Directors Identification Number (DIN) to be obtained u/s 266B of the Companies Act, 1956. The present process is cumbersome and time consuming. Representations have been received in the Ministry that the documents required to be submitted should be simple to prove the existence/residence of a person, who intend to become a director of a company.

The Ministry has constituted a Group to examine the business process re-engineering under MCA-21. In order to speed up and simplify the process to obtain a DIN, the below mentioned procedure have been recommended.

1. Application for DIN will be made on **eForm** ; **No physical submission of documents shall be accepted** and for this purpose Scanned documents along with verification by the applicant will be attached with the eForm. **Only online fee payment** will be allowed i.e. No challan payment
2. **The application can also be submitted online by the applicant himself using his DSC.**
3. DIN 1 eForm can be **digitally signed by the professional who shall also confirm that he has verified the particulars of the Applicant given in the application.**



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4. Where the DIN 1 is verified by the professional, the DIN will be approved by the system immediately online.

5. In other cases the DIN cell will examine the application and same shall be disposed of within one or two days.

6. Companies (Directors Identification Number) Rules, 2006 are being amended on the above lines.

7. Penal action against the applicant and professional certifying the DIN application in case of false information / certification as per provisions of section 628 of the Act will be taken in addition to action for professional misconduct and revocation of DIN, allotted on false information

8. The above procedures is expected to enable allotment of DIN on the **same day**.

9. The above procedures applies to filing of DIN 4 intimating changes in particulars of Directors.

A notification to notify the aforesaid procedure is being issued. After issue of necessary notification, the applicant/professionals/DIN Cell are advised to follow the notified procedures for allotment of DIN.

**Yours faithfully,
(Monika Gupta)
Assistant Director (Inspection)
Tele :23387263**

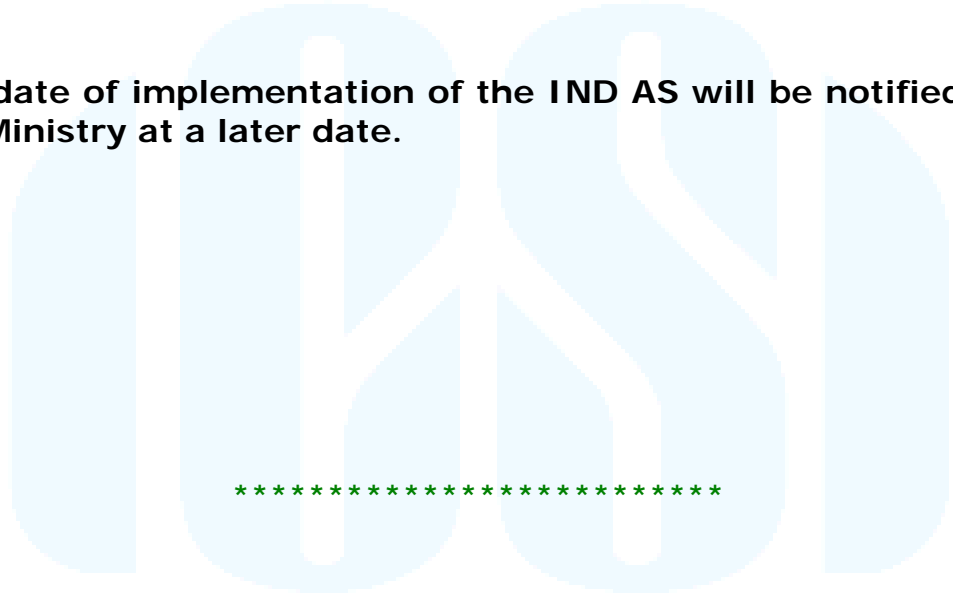
Copy to: DIN Cell, MCA, PDIL Bhawan, Sector-1, Noida.

INDIAN ACCOUNTING STANDARDS CONVERGED WITH IFRS

The Ministry of Corporate Affairs has notified convergence of 35 Indian Accounting Standards with International Financial Reporting Standards (henceforth called IND AS) on February 25, 2011.

These are: IND ASs 1, 2, 7, 8, 10, 11, 12, 16, 17, 18, 19, 20, 21, 23, 24, 27, 28, 29, 31, 32, 33, 34, 36, 37, 38, 39, 40, 101, 102, 103, 104, 105, 106, 107 and 108. (available on the MCA website at the link http://www.mca.gov.in/Ministry/accounting_standards.htm)

The date of implementation of the IND AS will be notified by the Ministry at a later date.

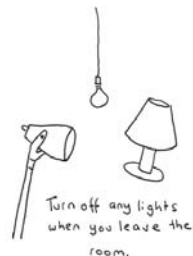




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MCA GENERAL CIRCULAR No: 3/2011 DATED: 21ST FEBRUARY ON CLARIFICATION IN RESPECT OF CIRCULAR NO. 2/2011 DATED 8TH FEBRUARY, 2011 REGARDING DIRECTION UNDER SECTION 212(8) OF THE COMPANIES ACT, 1956

General Circular No: 3/2011

No: 5/12/2007-CL-III
Government of India
Ministry of Corporate Affairs

th
5 floor, 'A' Wing, Shastri Bhavan,
Dr. R.P. Road, New Delhi - 110001

st
Dated: 21 February, 2011

To
All Regional Directors
All Registrar of Companies

th
Subject: Clarification in respect of Circular No. 2/2011 dated 8 February, 2011 regarding direction under Section 212(8) of the Companies Act, 1956.

Sir,

th
It is clarified that this Ministry Circular No. 2/2011 dated 8 February, 2011 shall be effective in respect of balance sheet and profit and loss accounts prepared regarding st the financial year ending on or after the 31 March, 2011.

Yours faithfully

(Jaikant Singh)
Director

General Circular No: 2 /2011

No: 51/12/2007-CL-III
Government of India
Ministry of Corporate Affairs

5th floor, 'A' Wing, Shastri Bhavan,
Dr. R.P. Road, New Delhi-110 001.
Dated: 8th February, 2011

To

All Regional Directors
All Registrar of Companies

Subject: Direction under Section 212(8) of the Companies Act, 1956.

Sir,

It has been noticed that a large number of companies are approaching the Ministry for exemption under Section 212(8) of the Companies Act, 1956. The matter was examined in the context of the globalizing Indian economy, the increased number of subsidiaries, and the introduction of accounting standards on consolidated financial statements. It has been decided to grant a general exemption provided certain conditions are fulfilled.

The Central Government hereby directs that provisions of Section 212 shall not apply in relation to subsidiaries of those companies which fulfil the following conditions:-

(i) The Board of Directors of the Company has by resolution given consent for not attaching the balance sheet of the subsidiary concerned;

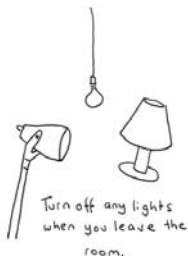
(ii) The company shall present in the annual report, the consolidated financial statements of holding company and all subsidiaries duly audited by its statutory auditors;

(iii) The consolidated financial statement shall be prepared in strict compliance with applicable Accounting Standards and, where applicable, Listing Agreement as prescribed by the Security and Exchange Board of India;

(iv) The company shall disclose in the consolidated balance sheet the following information in aggregate for each subsidiary including subsidiaries of subsidiaries:-
(a) capital (b) reserves (c) total assets (d) total liabilities (e) details of investment (except in case of investment in the subsidiaries) (f) turnover (g) profit before taxation (h) provision for taxation (i) profit after taxation (j) proposed dividend;

(v) The holding company shall undertake in its annual report that annual accounts of the subsidiary companies and the related detailed information shall be made available to shareholders of the holding and subsidiary companies seeking such information at any point of time. The annual accounts of the subsidiary companies shall also be kept for inspection by any shareholders in the head office of the holding company and of the subsidiary companies concerned and a note to the above effect will be included in the annual report of the holding company. The holding company shall furnish a hard copy of details of accounts of subsidiaries to any shareholder on demand;

(vi) The holding as well as subsidiary companies in question shall regularly file such data to the various regulatory and Government authorities as may be required by them;



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(vii) The company shall give Indian rupee equivalent of the figures given in foreign currency appearing in the accounts of the subsidiary companies along with exchange rate as on closing day of the financial year;

Yours faithfully

(Jaikant Singh)

Director



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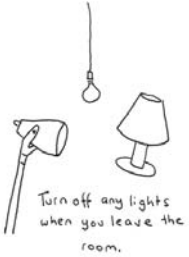


NEW FEATURE INCLUDED IN E-FORMS ON THE LLP PORTAL.

The new feature of downloadable e-forms has been made available on the LLP Portal. Users may now download the e-forms required to be filed and upload the same once filled at their end.

Users are requested to download [Acrobat PDF reader ver. 9.0](#) and above, so as to continue filing forms in the LLP System. Users are also advised to go through the instructions kit for each form before filing any e-form. Any user, who wishes to do any modifications in the e-form once signed before uploading the same in the LLP Portal, is requested to clear the signatures and then make the required modifications and later re-sign the e-form before upload. Users may save the uploaded e-form at their end for future needs like resubmission etc. The same e-form needs to be modified in case of resubmission requested by the LLP Office, for any missing information or change in any information in the uploaded e-form. For more information please contact LLP Helpdesk on 66336666 or mail us at llpsupport-mca@nic.in

SOURCE: www.llp.gov.in/22/02/2011



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CS Update

March 18, 2011

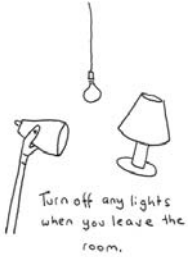
LLP SHALL MANDATORILY FILE FORM 3 AND FORM 4 WITHIN 30 DAYS OF INCORPORATION & FORM 7 SHALL BE DIGITALLY SIGNED BY APPLICANT'S OWN DSC.

1) Every LLP shall mandatorily file Form 3 and Form 4 within 30 days of incorporation failing which Rs.100/- per day will be charged as additional fees on each Form.

2) Form 7 shall be digitally signed by applicant's own DSC. The DSC of other partners and professionals should not be used while applying Form 7.

SOURCE: www.llp.gov.in /22/02/2011





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MCA NOTIFICATIONS ON GENERAL EXEMPTIONS U/S 211 AND APPLICABILITY OF SCH. XIII IN CASE OF UNLISTED COMPANIES

The Ministry of Corporate Affairs has issued notifications on. "General Exemptions under Section 211" and "Applicability of Schedule XIII in regard to Managerial Remuneration in case of unlisted companies". The Ministry has also given directions under Section 212 of the Companies Act, 1956 vide its general circular no. 1/2011. The gist of the same is produced below for your information and reference:

(i) General Exemption under Section 211 of the Companies Act, 1956

Section 211 of the Companies Act, 1956 requires that the balance sheet and profit and loss account of a company shall be in the form set out in Part I of Schedule VI or in such other form as may be approved by the Central Government either generally or in any particular case. So far, these exemptions were being given on a case-by-case basis with certain conditions. The MCA has decided to give general exemption specifying the categories of companies that will be exempted from certain disclosures. Details under PIB Report dated 8th February, 2011 available at the link <http://pib.nic.in/newsite/erelease.aspx?relid=69672>

(ii) Directions under Section 212 of the Companies Act, 1956

Section 212 of the Companies Act, 1956 requires holding companies to attach with their balance sheet a copy of the balance sheet, profit and loss account etc. of each of its subsidiaries. The Ministry has been granting permission not to attach the account of subsidiaries on case-by-case basis on the basis of certain conditions which are



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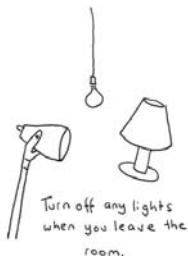
CS Update

March 18, 2011

intended to protect the interests of investors. The Ministry has vide its general circular no. 1/2011 decided that the permission may be granted on a general basis wherever the Board of Directors of the holding company gives its consent and the conditions prescribed by the Ministry are complied with.. Details are available at the link http://mca.gov.in/Ministry/pdf/Circular_08feb2011.pdf

(iii) Schedule XIII of the Companies Act, 1956 being amended – Unlisted companies shall not require Government approval for managerial remuneration where they have no profits

Schedule XIII of the Companies Act is being amended to provide that unlisted companies (which are not subsidiaries of listed companies) shall not require Government approval for managerial remuneration in cases where they have no profits/inadequate profits, provided they meet the other conditions stipulated in the Schedule. Details available at the link <http://pib.nic.in/newsite/erelease.aspx?relid=69674>



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EXEMPTION UNDER SECTION 211 OF COMPANIES ACT 1956 [MCA NOTIFICATION/DATE: 08/02, 2011]

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB SECTION (ii) of dated the 8th February, 2011]

Government of India
Ministry of Corporate Affairs
NOTIFICATION

New Delhi; the 8th February, 2011

S.O. 300 (E). – In exercise of the powers conferred by sub-section (3) of section 211 of the Companies Act, 1956 (1 of 1956), the Central Government, being of the opinion that it is necessary to grant exemption in the public interest, hereby exempts Public Financial Institutions as specified under section 4A of the Companies Act, 1956 from disclosing Investments as required under paragraph (1) of Note (1) of Part-I of Schedule VI in their balance sheet subject to fulfillment of the following conditions, namely:-

- (i) the Public Financial Institutions shall make the complete disclosures about investments in the balance sheet in respect of the following, namely: -
- (a) immovable property;
 - (b) capital of Partnership firms;
 - (c) all unquoted investments and;
 - (d) investments in subsidiary companies.
- (ii) the Public Financial Institutions shall disclose the total value of quoted investments in each of the following respective categories, namely:-
- (a) Government and trusts securities;
 - (b) shares;
 - (c) debentures;
 - (d) bonds; and
 - (e) other securities.



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(iii) in each of the above categories referred to in sub-paragraphs (i) and (ii), investments where value exceeds two percent of total value in each category or one crore rupees, whichever is lower, shall be disclosed fully provided that where disclosures do not result in disclosure of at least fifty percent of total value of investment in a particular category, additional disclosure of investments in descending order of value shall be made so that specific disclosures account for at least fifty percent of the total value of investments in that category;

(iv) the Public Financial Institutions shall also give an undertaking to the effect that as and when any of the shareholders ask for specific particulars the same shall be provided;

(v) all unquoted investments shall be separately shown;

(vi) the company shall undertake to file with any other authorities, whenever necessary, all the relevant particulars as may be required by the Government or other regulatory bodies;

(vii) the Investments in subsidiary companies or in any company such that it becomes a subsidiary, shall be fully disclosed.

2. This notification shall be applicable in respect of balance sheet and profit and loss accounts prepared in respect of the financial year ending on or after the 31st March, 2011.

[F. No. 51/12/2007-CL.III]
(Dr. T.V. Somanathan)
Joint Secretary



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EASY EXIT SCHEME, 2011

February 7, 2011

Dear Professional Colleagues,

The Ministry of Corporate Affairs had introduced the Easy Exit Scheme, 2011 under Section 560 of the Companies Act, 1956 to give an opportunity to defunct companies, for getting their names struck off the Register of Companies. The scheme was originally in operation from 1st January, 2011 to 31st January, 2011

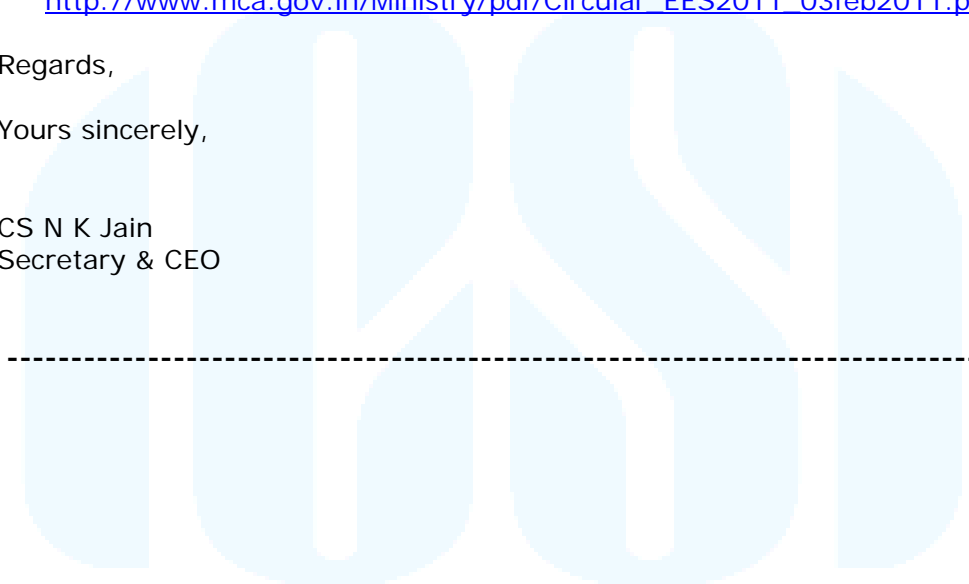
The MCA has vide its General Circular No. 1/2011 dated 3rd Feb, 2011 extended the Scheme for a further period of three months i.e. upto 30th April, 2011.

Copy of the General Circular No. 1/2011 dated 03.02.2011 is appended below for your ready reference. The same may be downloaded from the MCA website at the link http://www.mca.gov.in/Ministry/pdf/Circular_EES2011_03feb2011.pdf

Regards,

Yours sincerely,

CS N K Jain
Secretary & CEO





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General Circular No. 1/2011

F. No. 2/7/2010-CL V
Government of India
Ministry of Corporate Affairs

th
5 Floor, 'A' Wing, Shastri Bhavan,
Dr. R.P. Road , New Delhi
_{rd}

Dated the 3 Feb, 2011

To
All Regional Director,
All Registrar of Companies.

Subject: Easy Exit Scheme , 2011

Sir,

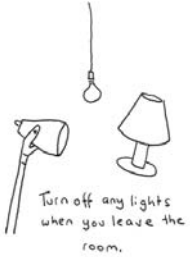
In continuation to this Ministry's earlier circular no. 6/2010 dated 03.12.2010 on the subject cited above, it has been decided to extend th the Scheme for another three months i.e. upto 30 April, 2011.

2. All the terms of circular no. 6/2010 dated 03.12.2010 will remain the same.

Yours faithfully,

(Monika Gupta)
Assistant Director





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SEBI UPDATE



LISTING AGREEMENT FOR SECURITIZED DEBT INSTRUMENTS

CIRCULAR

Cir. /IMD/DF/5/2011
2011

March 16,

All Recognized Stock Exchanges

Dear Sir/ Madam,

Sub: Listing Agreement for Securitized Debt Instruments

1. In order to develop the primary market for securitized debt instruments in India, SEBI has notified the Securities and Exchange Board of India (Public offer and Listing of Securitised Debt Instruments) Regulations, 2008. The regulations provide for a framework for issuance and listing of securitized debt instruments by a special purpose distinct entity (SPDE).

2. Listing of securitized debt instruments would help improve the secondary market liquidity for such instruments. With a view to enhance information available in the public domain on performance of asset pools on which securitized debt instruments are issued, it has been decided to put in place a Listing Agreement for securitized debt instruments. The Listing Agreement provides for disclosure of pool level, tranche level and select loan level information.

3. The Listing Agreement for securitized debt instruments as set out at **Annexure** shall come into force with immediate effect for all 'securitised debt instruments, as defined under regulation 2(1)(s) of the Securities and Exchange Board of India (Public Offer and Listing of Securitised Debt Instruments) Regulations, 2008, seeking listing on the Stock Exchange.

4. In respect of listed securitized debt instruments, it is clarified that SPDEs which make frequent issues of securitized debt instruments are permitted to file umbrella offer documents on the lines of a 'shelf prospectus'.

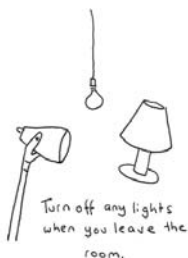
5. In order to ensure uniform market convention for secondary market trades of securitized debt instruments, Actual/ Actual day count convention, shall be mandatory for all listed securitized debt instruments.

6. All the recognized Stock Exchanges are directed to:

a. Give effect to the abovementioned policies and put in place the Listing Agreement for securitized debt instruments as set out at **Annexure**.

b. Make consequential changes, if any, to the bye-laws of the Exchange, as may be applicable and necessary.

7. This circular is issued in exercise of powers conferred under Section 11(1) of the Securities and Exchange Board of India Act, 1992 read with S.17A of Securities Contract (Regulation) Act, 1956, to protect the interests of investors in securities and to promote the development of, and to regulate the securities market.



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March 18, 2011

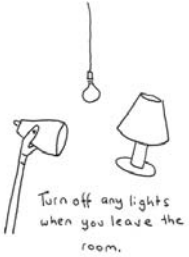
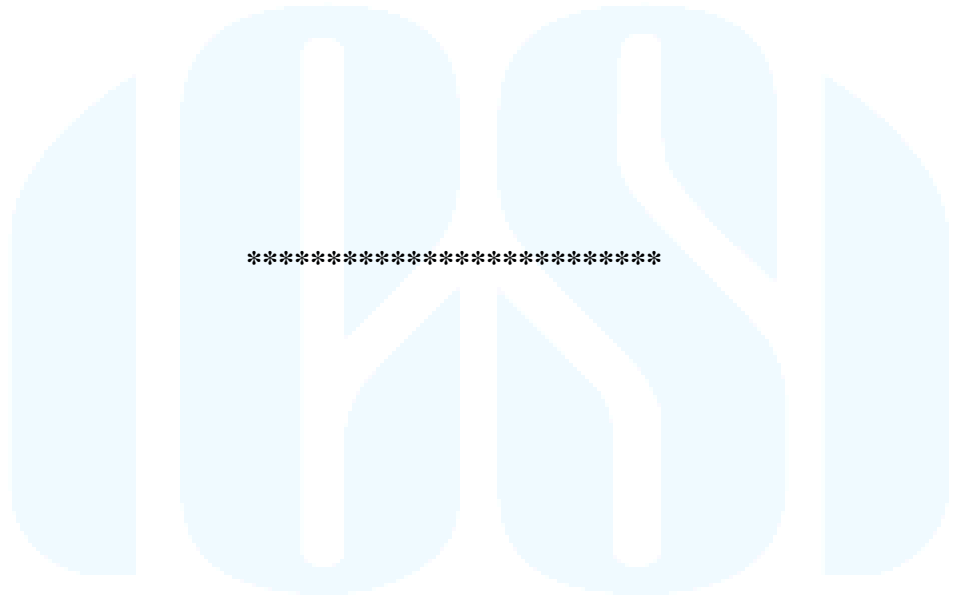
8. This circular is available on SEBI website at www.sebi.gov.in under the category "Legal Framework" and under the drop down "Corp Debt Market".

Yours faithfully,

Maninder Cheema

Deputy General Manager
maninderc@sebi.gov.in

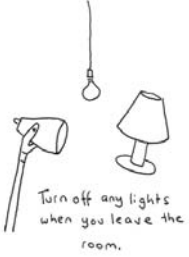
Attached: Listing Agreement for Securitized Debt Instruments



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RBI UPDATE





LIQUIDITY ADJUSTMENT FACILITY – REPO AND REVERSE REPO RATES

RBI/2010-2011/431
FMD.MOAG. No.57/01.01.01/2010-11

March 17, 2011

All Scheduled Commercial Banks (excluding RRBs) and Primary Dealers

Dear Sir,

Liquidity Adjustment Facility – Repo and Reverse Repo Rates

As announced today in the [Mid-Quarter Monetary Policy Review](#), it has been decided to increase the repo rate under the Liquidity Adjustment Facility (LAF) by 25 basis points from 6.50 per cent to 6.75 per cent and the reverse repo rate by 25 basis points from 5.50 per cent to 5.75 per cent with immediate effect.

2. All other terms and conditions of the current LAF Scheme will remain unchanged.

3. Please acknowledge receipt.

Yours sincerely

(Nishita Raje)
Director



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AMENDMENT TO DEFINITION OF INFRASTRUCTURE LOAN

RBI/2010-11/432
DNBS (PD) CC. No.213/03.10.001/2010-2011

March 16, 2011

All NBFCs

Dear Sir

Amendment to Definition of Infrastructure Loan

The term "Infrastructure Loan" has been defined in Para 2(viii) of Non-Banking Financial (Deposit Accepting or Holding) Companies Prudential Norms (Reserve Bank) Directions, 2007 and Non-Banking Financial (Non - Deposit Accepting or Holding) Companies Prudential Norms (Reserve Bank) Directions, 2007, respectively. It has now been decided to include "Telecom Towers" also as an infrastructure facility for availing credit facility.

2. It may further be clarified that only Credit Rating Agencies(CRAs) approved by the Reserve Bank can give the rating to Infrastructure Finance Companies(IFCs) in terms of DNBS.PD.CC.No.168/03.02.089/2009-10 dated February 12, 2010. Accordingly it has been decided to substitute "credit rating agency accredited by RBI" in place of "accredited CRAs" in Paragraph19A (iii) of the Non-Banking Financial (Non- Deposit Accepting or Holding) Companies Prudential Norms (Reserve Bank) Directions, 2007, issued vide Notification No. DNBS.193/DG (VL)-2007 dated February 22, 2007 and amended from time to time.

3. Amending [Notifications No.DNBS\(PD\)226/CGM\(US\)2011](#) amending Non-Banking Financial (Deposit Accepting or Holding) Companies Prudential Norms (Reserve Bank) Directions, 2007 and [No.DNBS\(PD\)225/CGM\(US\)2011](#) amending Non-Banking Financial (Non- Deposit Accepting or Holding) Companies

Prudential Norms (Reserve Bank) Directions, 2007 are enclosed for meticulous compliance.

Yours faithfully

(Uma Subramaniam)
Chief General Manager-In-Charge

RESERVE BANK OF INDIA
DEPARTMENT OF NON-BANKING SUPERVISION
CENTRAL OFFICE
CENTRE I, WORLD TRADE CENTRE,
CUFFE PARADE, COLABA,
MUMBAI 400 005.



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The Reserve Bank of India, having considered it necessary in public interest and being satisfied that, for the purpose of enabling the Bank to regulate the credit system to the advantage of the country, it is necessary to amend the Non-Banking Financial (Non-Deposit Accepting or Holding) Companies Prudential Norms (Reserve Bank) Directions, 2007 (hereinafter referred to as the said Directions), contained in Notification No. DNBS. 193/DG(VL)-2007 dated February 22, 2007, in exercise of the powers conferred by section 45JA of the Reserve Bank of India Act, 1934 (2 of 1934) and of all the powers enabling it in this behalf, hereby directs that the said Directions shall be amended with immediate effect as follows, namely -

1. Amendment of paragraph 2 –

In sub-clause (e) of clause (viii) in sub-paragraph (1) of the said Directions, the term "Telecom Towers" shall be inserted before the term "network of trunking".

2. Amendment of paragraph 19A –

The existing clause (iii) shall be substituted with the following viz.,

" (iii) have obtained a minimum credit rating 'A' or equivalent of CRISIL, FITCH, CARE, ICRA or equivalent rating by any other credit rating agency accredited by RBI "

(Uma Subramaniam)
Chief General Manager-in-Charge

RESERVE BANK OF INDIA
DEPARTMENT OF NON-BANKING SUPERVISION
CENTRAL OFFICE
CENTRE I, WORLD TRADE CENTRE,
CUFFE PARADE, COLABA,
MUMBAI 400 005.

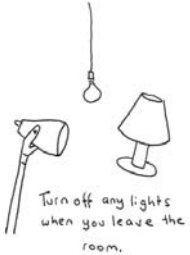
Notification No. DNBS(PD).226/ CGM(US)-2011 dated March 16, 2011

The Reserve Bank of India, having considered it necessary in public interest and being satisfied that, for the purpose of enabling the Bank to regulate the credit system to the advantage of the country, it is necessary to amend the Non-Banking Financial (Deposit Accepting or Holding) Companies Prudential Norms (Reserve Bank) Directions, 2007 (here in after referred to as the said Directions), contained in Notification No. DNBS.192/DG(VL)-2007 dated February 22, 2007, in exercise of the powers conferred by sections 45JA of the Reserve Bank of India Act, 1934 (2 of 1934) and of all the powers enabling it in this behalf, hereby directs that the said Directions shall be amended with immediate effect as follows, namely -

1. Amendment of paragraph 2 –

i) In sub-clause (e) of clause (viii) in sub-paragraph (1) of the said Directions, the term "Telecom Towers" shall be inserted before the term "network of trunking".

ii) The sub-clause (k) of clause (viii) in sub-paragraph (1) of the said Directions viz; 'construction of educational institutions and hospitals" shall be omitted.

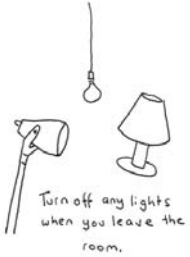


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LABOUR LAW UPDATE



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VARIATION OF MINIMUM WAGE RATES IN STATES

**Press Information Bureau
Government of India
Ministry of Labour & Employment**

16-March-2011 17:11 IST

Variation of Minimum Wage Rates in States

A statement giving the minimum rates of wages fixed for unskilled workers engaged in different scheduled employments by different State Governments/Union Territory Administrations is as under:

(Rs. Per day)

Sl. No	State / Union Territory	Unskilled
1	2	3
1	Andhra Pradesh	68.96
2	Arunachal Pradesh	134.62
3	Assam	100.00
4	Bihar	109.12
5	Chhattisgarh	134.15
6	Goa	150.00
7	Gujarat	100.00
8	Haryana	167.23
9	Himachal Pradesh	110.00
10	Jammu and Kashmir	110.00
11	Jharkhand	111.00
12	Karnataka	111.83
13	Kerala	110.00
14	Madhya Pradesh	138.16
15	Maharashtra	95.65
16	Manipur	81.40
17	Meghalaya	100.00
18	Mizoram	132.00
19	Nagaland	80.00
20	Orissa	90.00
21	Punjab	141.98
22	Rajasthan	135.00
23	Sikkim	100.00
24	Tamil Nadu	92.54
25	Tripura	81.54
26	Uttar Pradesh	100.00
27	Uttarakhand	91.98
28	West Bengal	108.07
29	Andaman and Nicobar Islands	190.00
30	Chandigarh	176.98



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CS Update

March 18, 2011

31	Dadra and Nagar Haveli	136.60
32	Daman and Diu	132.60
33	Delhi	203.00
34	Lakshadweep	152.20
35	Puducherry	100.00

The disparity of minimum rates of wages in various States is due to differences in socio-economic conditions, prices of essential commodities, paying capacity, productivity and other local conditions influencing the wage rate.

In order to have a uniform wage structure and to reduce the disparity in minimum wages across the country, the concept of National Floor Level Minimum Wage (NFLMW) was mooted. The NFLMW per day has been revised from time to time primarily taking into account the increase in the Consumer Price Index Number for Industrial Workers. With effect from 01.11.2009 the NFLMW was raised to Rs.100/- per day. Since the NFLMW is a non-statutory measure, the State Governments are persuaded to fix/revise minimum wages in such a way that in none of the scheduled employments, the minimum wage is less than NFLMW.

This information was given by Shri Mallikarjun Kharge, Minister for Labour and Employment in a written reply to a question in the Rajya Sabha today.

YSK: PM



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