



The Secretary

ICSI

New Delhi

Dear Sir,

As you are kindly aware that in month of January, 2016 the Ministry of Corporate Affairs has taken the initiative in Government Process Re-engineering (GPR) and launched the “**Central Registration Centre**” (CRC), on the occasion of Republic Day 2016, with the specific objective of providing speedy incorporation related services within stipulated time frames which are in line with international best practices.

Since January, 2016, learned members of ICSI across India are facing technical difficulties and other approval related issue which require immediate attention of the Ministry of Corporate Affairs. Accordingly, NIRC invited innovative idea /suggestion from members to strengthen the working & functioning of CRC and the same were discussed in the last PCS Committee Meeting of NIRC held on 4th June, 2016.

The Committee discussed in detail the various suggestions received from members on CRC, the following are the main suggestions with their possible solutions:

<u>SUBJECT</u>	<u>DIFFICULTIES</u>	<u>SOLUTIONS</u>
<u>Trade mark</u>	Frequent objection on trade mark without proper verification and understanding of trade mark	Adequate training must be given to all officials dealing with the applications of name approval. They should deal with the cases with utmost care and objection should only be raised if the the same is falling under the same class.
<u>Refund</u>	In case of rejection of form INC - 7 and/or INNC 29, user find it difficulties to get refund	Reversal of Payment in case of cancellation of SRN or rejection of form should be automatic without deducting any amount and without asking for any application for refund within 48 hours, so that, the respective form can be submitted specially when the paid amount is in thousand or lakh. The said process is very much necessary for payment over and above Rs. 20,000/-.
Ground of Rejection	In many cases forms were rejected without any justification	<p>CRC, while rejecting the forms / cases must give proper reasoning and justification of rejections.</p> <p>All rejected cases should also be reviewed by the senior officer or by separate team to identify the mistakes of the junior staff.</p> <p>There should be a desk officer at CRC to deal with the public and suggest them the changes required in the forms.</p> <p>An opportunity of being heard must be given to the applicant before final rejection of the cases, because many a time the cases are being rejected just because of the different interpretation taken by the person handling the matters at ROC.</p>
Transaction status		Name of company should also be appeared while tracking transactions status at the MCA Portal. Presently only Form and its status is reflecting on the website of MCA.

Training	Training to CRC Staff	<p>Adequate training should be provided to the staff working at CRC on the practical aspects of the Rules and provisions of the Act relating to the Incorporation of the Company.</p> <p>Our Institute should take a lead in this by organising in-house training for our members who are working at CRC.</p> <p>At NIRC, we are ready to provide all support in this regard w.r.t logistics, faculty and other arrangement for the said special session.</p>
Reopening of cases	Re Opening of cases at ROC / MCA	<p>In some of the cases, Forms are rejected without assigning any reasons or because of the reasons which are not justified for the rejection.</p> <p>Respective ROC's should be allowed to reopen the cases on the application (special form may be introduced) being filed by the applicant with or without fees with in a period of 30 days of rejection. After going through the justification and reasons, the respective ROC's may allow the form to be registered.</p> <p>This will help the corporate to incorporate the company easily a opportunity of being heard will be given to the applicants.</p>
FAQ	FAQ on major rejection	<p>FAQ on the filing of Applications in Form INC - 1, INC - 7 & INC - 29 has already been released by the MCA. There are still few issues which can be added to the list of FAQ detailing the procedure & process to be followed while filing & filling the forms.</p>

I, therefore, request your goodself to take up the above suggestions suitably at Institute's level with the Ministry of Corporate Affairs and arrange to get the issues resolved at the earliest in the best interest of the stakeholders.

Regards,

CS MANISH GUPTA

Chairman