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STUDENT COMPANY SECRETARY

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**THE INSTITUTE OF
Company Secretaries of India**
IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament

10

GUIDELINES FOR SEEKING EXTENSION OF REGISTRATION

EXECUTIVE PROGRAMME EXAMINATION

No extension of registration will be allowed to any student if he/she has not passed/completed the Executive Programme (Inter) examination during the validity of registration period. All such students will have to seek registration *de novo* only.

PROFESSIONAL PROGRAMME EXAMINATION

- Students whose registration expires between 28th/29th February and 31st May and between 31st August and 30th November will be allowed extension of time without payment of extension of registration fee for the limited purpose of appearing in the ensuing June or December examination, respectively, as the case may be.
- Registration of a student may be extended beyond a period of five years on year-to-year basis for appearing in the Professional Programme (Final) examination:
 - if he/she has completed postal/oral coaching and has been issued with coaching completion certificate for all **modules** (groups) of the Professional Programme examination (Final) under new syllabus during the validity of the previous registration period or has passed at least **one module** (group) of the Professional Programme (Final) examination under the New Syllabus during the validity of the previous registration period as the case may be; and
 - makes an application for extension of registration period along with requisite fee within six months from the date of expiry of registration or within six weeks of the declaration of results of the last examination in which he/she appeared, whichever is later.
- Extension of registration shall be granted for one year at a time on payment of extension of registration fee of Rs. 500 per annum, arrears of fee, if any, under the previous registration and service charges @ Rs. 150 per module (group) for which the student has not been issued with the coaching completion certificate for the Professional Programme (Final).
- On the student's application for extension of registration being accepted by the Institute, the extended period will be counted in continuation of his previous registration. He/she will also continue to bear the same registration number.
- No candidate will be allowed more than two extensions including the extension, if any, already availed under old/new syllabus for completing Professional Programme (Final) examination under the new syllabus.
- A student who completes the Professional Programme (Final) examination (of the Institute) during the extended period of registration will be required to comply with the practical experience and practical training requirements as stipulated under Company Secretaries Regulations, 1982 and guidelines framed there under in this regard.
- Study material will not again be supplied on seeking extension of registration. However, it can be had on payment of Rs. 160 per subject.
- A student, on being granted extension of registration, shall be eligible to get the 'Student Company Secretary' from the month next to the month in which his application for extension of registration is accepted by the Institute.
- The Secretary - on being satisfied that application of any of the guidelines cause undue hardship to a candidate - may relax any of the said guidelines by recording reasons in writing.

GUIDELINES FOR REGISTRATION DE NOVO

(Registration *de novo* pursuant to regulation 22 read with sub-regulation (2) of regulation 24.)

(A) Guidelines for candidates seeking registration *de novo* within two years of the expiry of previous registration.

- A person whose registration has been cancelled on expiry of five-years period or otherwise may within two years of cancellation of former registration seek registration *de novo* on payment of the following fees:
 - Registration fee: Rs.1500 (**w.e.f. 1.4.2008**)
 - (a) Where a student has not completed coaching for both modules (Group) of Executive Programme (Intermediate) all modules (Group) of Professional Programme (Final), balance of Rs.5,000 of the postal tuition fee if enrolled for Executive Programme (Intermediate) or balance of Rs. 7,500, if enrolled for Professional Programme (Final), as the case may be, after adjusting the amount paid on this

account earlier. However, credit for having completed coaching in a particular module (Group) may be given if the coaching completion certificate has not been issued due to invalid registration or any other reason.

- Postal tuition fee of Rs **5,000** in the case of students who have passed the Executive Programme (Intermediate) examination but not enrolled for the Professional Programme (Final).
 - Arrears of postal tuition fee, if due, under former registration where the students have been issued with coaching completion certificate(s) for both modules (Group) of Executive Programme (Intermediate) all modules (Group) of Professional Programme (Final) as the case may be.
- On the student being registered *de novo* he will be given credit for the oral or postal tuition completed during the validity of his previous registration in the corresponding paper(s) of the new syllabus. Such a student shall not be supplied with the study material afresh. Study material can however be obtained on payment of Rs. **160** per subject. Student Company Secretary will be sent free of cost during the validity period of registration *de novo* from the month subsequent to the month in which the student was registered *de novo*.

(B) Guidelines for candidates seeking registration *de novo* after two years of the expiry of previous registration.

- A person whose registration has been cancelled or has terminated on expiry of five-year period and has not sought registration *de novo* within two years of the expiry of former registration may seek registration *de novo* within 5 years of the cancellation/termination of his former registration on payment of the following fees:
 - Registration fee Rs. **1500**
 - Exemption fee for
 - Foundation Programme Rs. **500**
 - Executive Programme (Inter) Examination (if already passed) Rs. **500**
 - Paperwise exemption fee
 - Executive Programme (Inter) Rs. **100** per paper
 - Professional Programme (Final) Rs. **100** per paper
 - Where a student has not completed coaching for both modules (Groups) of Executive Programme (Inter) all modules of Professional Programme (Final), balance of Rs. **5,000** of the postal tuition fee, if enrolled for Executive Programme (Inter) or balance of Rs. **7,500** if enrolled for Professional Programme (Final), as the case may be. However, credit for having completed the coaching in a particular module may be given if the coaching completion certificate has not been issued due to invalid registration or any other reason.
 - Rs. **7,500** in the case of students who have passed the Executive Programme (Inter) but not enrolled for the Professional Programme (Final).
 - Arrears of postal tuition fee, if due, under former registration where the students have been issued with coaching completion certificates for both modules (Group) of Executive Programme (Inter) all modules (Group) of Professional Programme (Final).
- On the student being registered *de novo*, he will be given credit for the oral or postal tuition completed during the validity of his previous registration in the corresponding paper(s) at the new syllabus. Such a student shall not be supplied with the study material afresh. Study material can however be obtained on payment @ Rs. 160 per subject. Student Company Secretary will be sent free of cost during the validity period of registration *de novo* from the month subsequent to the month in which the student was registered *de novo*.
- The registration *de novo* will be valid for a period of five years from the month in which the student has been registered *de novo*.

(C) No candidate shall be registered as a student *de novo* if he applies after five years of the expiry of the former registration. He may seek fresh registration as a student and no credit for the fees paid or examination passed under the former registration will be admissible on his registration as a fresh student under any circumstances.

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**THE INSTITUTE OF
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ATTENTION STUDENTS

SCHEDULE OF FEES

PARTICULARS	FEES (RS.)	REMARKS
FOUNDATION PROGRAMME		
Admission Fee	1200	
Postal Tuition Fee	2400	Total Fees → 3600
EXECUTIVE PROGRAMME		
Registration Fee	1500	Total Fees → 7000 (For commerce graduates)
Foundation Examination Exemption Fee	500	
Postal Tuition Fee for Executive Programme	5000	
Postal Tuition Fee for Foundation Programme (payable by Non-Commerce Graduates who are seeking exemption from passing the Foundation Programme Examination under clause (iii) of Regulation 38)	750	Total Fees → 7750 (For others)
PROFESSIONAL PROGRAMME		
Postal Tuition Fee	7500	
Registration <i>De-Novo</i> Fee	1500	
Exemption from Foundation Examination Fee	500	
Exemption from Executive Programme Examination Fee	500	
EXTENSION OF REGISTRATION		
Extension of Registration Fee	500	
Service Charges for Extension of Registration	150	
EXAMINATION FEE		
Foundation Programme	875	
Executive Programme	900 (Per Module)	
Professional Programme	750 (Per Module)	
Late Fee for receipt of Examination Application	100	
Change of Examination Center/Module/Medium	100	
OTHER FEES		
Paper-wise Exemption Fee	100	
Issue of Duplicate Identity Card Fee	50	
Issue of Duplicate Pass Certificate Fee	50	
Verification of Marks Fee	100 (Per Subject)	

From The President



Even the greatest fool can accomplish a task if it were after his or her heart. But the intelligent ones are those who can convert every work into one that suits their taste.

...Vivekananda

Dear Students,

At the outset, accept my season's greetings and best wishes for the festival of lights. May the festivals stir up within you the unconquerable desire to excel in the pursuit you are engaged in. Being the students of this professional Institute, you should have a sense of pride aiming at achieving excellence in what ever work you undertake. It must be your endeavour to throw your heart and soul into it and try to achieve high standards of excellence.

Mahatma Gandhi has said that "There are seven things that will destroy us: Wealth without work; Pleasure without conscience; Knowledge without character; Religion without sacrifice; Politics without principle; Science without humanity; and Business without ethics." One of the most important attributes for a company's success is the distinguishing quality of practicing admirable business ethics. Business ethics, practiced throughout the deepest layers of a company, become the heart and soul of the company's culture. In the wake of extraordinary events in the world of business, stakeholders are becoming extremely active in forcing companies to comply with the stringent levels of regulations governing business activities. Ethics is important not only in business but in all aspects of life. It is the vital part and the foundation on which the society is built. A business/society that lacks ethical principles is bound to fail sooner or later. According to International Ethical Business Registry, "there has been a dramatic increase in the ethical expectation of businesses and professionals over the past 10 years. Increasingly, customers, clients and employees are deliberately seeking out those who define the basic ground rules of their operations"

The high standards of honesty and integrity are vital to the success of a business organization. Performance by integrity should be the principle which companies should aim and work at. Professionals like Company Secretaries playing an increasingly visible role in enabling the businesses to meet their global aspirations and to achieve the distinction of true corporate citizens, need to remember that leading by example is the first step in fostering the culture of ethical behavior in the companies. Being more closely associated with the decision making process in the companies, they are more frequently called upon to guide the corporate boards on various strategic, governance and compliance issues. They are the ones most responsible for delivering on the moral agenda of the corporations that includes three broad imperatives: orienting, institutionalising and sustaining ethical values within the corporate culture. They need to manage the challenges associated with pursuing profit while maintaining integrity.

My dear students, you must have started preparing for the forthcoming December examinations. The need of the hour is to stay calm and focused. As stated above, while pursuing your CS Course, your endeavour should be to aim for excellence. This requires diligence, in-depth study followed by constant updation of your knowledge. While preparing for the examination, apart from reading Study Material, Bare Acts and References, you are also advised to read Chartered Secretary, Student Company Secretary Bulletin, Economic dailies, other Professional Journals and various related websites to supplement and update your knowledge. Reference to questions asked in the previous examinations would also be beneficial. Guideline Answers and Suggested Answers published by the Institute will certainly help you to have an idea as to how the answers are to be presented to the questions.

As you are aware, the Institute has set up Oral Coaching Centers at almost all important cities /towns to provide classroom teaching facilities. I advise you to join Oral Coaching Classes to supplement your home study programme. Attending Oral Coaching Classes will provide you an opportunity to interact with the expert faculty and help you to improve your communication skills through interactive learning. Furthermore, you should also avail the library facilities provided at the Regional Councils and Chapters.

SMTF is being organized by the Regional Councils and A Grade Chapters from time to time for the students who have passed their Professional Programme and completed all other training requirements. You must complete the SMTF and have the privilege of becoming a Member of the Institute.

From The President

I would also like to put emphasis on training. Training enhances the knowledge and skills of the students so that they can effectively handle various organizational positions in their professional career. The compulsory Training Orientation Programme (TOP) based on **Guru Shishya Parampara** has been devised with an objective to aid the students in the methodology of training. Constantly sharpened skills and updated knowledge will help you in both quality and quantity of output.

Chartered Secretary as you all are aware is a prestigious journal of the Institute. It is rated as one of the best professional journals containing information, which is extremely useful both for professionals as well as the students. You may consider subscribing Chartered Secretary, which is made available to students at a concessional rate of Rs. 300 for twelve issues. Developing the habit of regularly reading Chartered Secretary would provide you useful information that would enhance your knowledge as well as keep you abreast of latest developments that would also help you while preparing for the examination.

The process is now in full swing for the organization of 37th National Convention of Company Secretaries being held on November 5-6-7, 2009 at Marriott Hotel & Convention Centre, Hyderabad. I am sure you must have registered for the National Convention as student delegate.

To conclude, R. Holland, the business executive has written that "it is perfectly possible to make a decent living without compromising the integrity of the company or the individual." If an organization is to generate trust and sustain a culture of integrity, its most senior management has to give a lead. They have to show by example that the way the firm does business matters. Many organizations now have an ethics policy; how well it works, especially in times of pressure, is the responsibility of the leadership team. There are ways to make the policy live. But it will only work if the 'ethical tone from the top' is clearly expressed and lived.

With best wishes,

Yours sincerely,



(CS DATLA HANUMANTA RAJU)

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Hyderabad

October 14, 2009

ACADEMIC GUIDANCE

TAXATION¹

DIRECT TAX

AMENDMENTS MADE BY FINANCE ACT, 2008

- 1. Agricultural Income: Section 2(1A)** has been amended w.e.f. A.Y.09-10 so as to provide that any income derived from saplings or seeding grown in a nursery shall be deemed to be agricultural income and accordingly it will be exempt from income under section 10(1).
- 2. Exemption of Commodity Boards and Authorities from Income Tax (Section 10(29A))**
Section 10(29A) provides that any income of a specified commodity board and export development shall be exempt from income tax. A similar exemption has been extended w.e.f. A.Y.02-03 in respect of any income accruing or arising to the **coir board**.
- 3. Section 2 (15):** the definition of "charitable purpose" under section 2(15) has been modified w.e.f. A.Y. 2009-10. So as to provide that the "advancement of any other object of general public utility" shall not be a charitable purpose if it involves the carrying on of:
 1. Any activity in the nature of trade, commerce, or business, or
 2. Any activity of rendering of any services in relation to any trade, commerce, or business

For a fee or cess or any other consideration, irrespective of the nature of use or application of the income from such activity, or retention of such income by the entity.

4. Section 10A & 10B -Extension of exemption

Exemption under section 10A and 10B: Exemption available under section 10A and 10B has been extended for one more year. Consequently these exemptions will be available up to A.Y.10-11.

5. Transactions which do not constitute transfer, Section 47(xvi): Reverse Mortgage of property

A clause (xvi) has been inserted in section 47 w.e.f A.Y 2008-09, to provide that any transfer of capital asset under reverse mortgage under a scheme notified by the central government shall not be regarded as transfer and shall not attract capital gain tax.

6. Section 10(43): Periodical instalments or lump sum to the borrower under reverse mortgage

A clause 43 has been inserted to section 10 w.e.f 2008-09 to provide that any income received by an individual as a loan, or in installment in a transaction of reverse mortgage shall be exempt.

7. Section 35 (1) (iia) - Clause (iia) has been inserted w.e.f 2009 -10

Weighted deduction for a sum paid to a company to be used by such company for scientific research-

This clause is applicable only if the following conditions are satisfied-

1. The taxpayer is any person (may be individual, HUF, Firm, company or any other person)
2. The taxpayer has paid any sum to a company (hereinafter referred as payee- company) to be used by payee for scientific research.
3. The scientific research may or may not be related to the business of taxpayer.
4. The payee company is registered in India.
5. The payee company has as its main object the scientific research and development.
6. The payee company is for the time being approved by the prescribed authority.

7. The payee company fulfills such other conditions as may be prescribed.

If the above conditions are satisfied, then the taxpayer can claim a weighted deduction of 125% of the amount paid by him to Payee Company.

Payee company cannot claim weighted deduction under section 35(2AB) - with a view to avoid multiple claims for deduction, it has been provided that the payee company approved under the provisions of section 35(2)(iia) will not be entitled to claim weighted deduction of 150% under section 35(2AB). However deduction to the extent of 100% of the sum spent as revenue expenditure or capital expenditure on scientific research which is available under section 35(1) will continue to be allowed.

8. Section 35D - Extension of deduction to service sector for preliminary expenditure

Section 35D provides for deduction of certain specified preliminary expenses. The deduction is allowed on an amount equal to one fifth of such expenditure for five successive previous years. The preliminary expenses relate either to the period before the commencement of the business or after. However if preliminary expenses relate to a period after the commencement of business, such expenses are allowed if they are in relation to the extension of an industrial undertaking or the setting up of a new industrial unit.

With a view to provide a level playing field to the service sector, the benefit of amortization of specified post commencement preliminary expenses which is available to the manufacturing sector for the extension of an industrial undertaking or setting up of a new industrial unit has been extended to cover the extension of any undertaking or setting up of any new unit w.e.f. A.Y.09-10.

9. Section 36(l) (xv) - Securities transaction tax to be deductible as expenses

Before amendment of this section, the amount of securities transaction tax paid is allowed as rebate under section 88E. This rebate is allowed when the income from taxable securities transactions is included under the head "Profit and gains from business or profession".

The rebate available to such assessee under section 88E will be discontinued from assessment year 09-10. However any amount of Securities transaction tax paid by the assessee during the previous year in respect of taxable securities transactions entered into the course of business shall be allowed as deduction under Section 36(l)(xv) with effect from assessment year 09-10 subject to the condition that such income from taxable securities transactions is included under the head "Profit and gains from business or profession". Consequently, clause (ib) in section 40(a) has been omitted.

10. Section 36(1) (xvi) – Deduction of commodities transaction tax as expenses

Commodities transaction tax has been levied and it will be applicable from a date to be notified by the central government, it shall apply to the taxable commodities transactions entered on or after the notified date.

If the following conditions are satisfied, commodities transaction tax will be deductible under Section 36(l) (xvi):

1. The taxpayer has paid the commodities transaction tax.
2. It is paid in respect of taxable commodities transactions.
3. These transactions have been entered into in the course of his business during the previous year.
4. Income arising from such commodities transactions are included the head profit and gains from business or profession.

11. Section 40 (a)(ia) : TDS Default

Interest, Commission, Brokerage, Rent, Royalty, Fees for technical or professional services payable to a resident or amounts payable (for carrying out any work contract) to a resident contractor or sub-contractor are subject to tax deduction under different sections of chapter XVII-B.

1. Prepared by Aparna Chauhan, Assistant Education Officer, The ICSI.

If tax is to be deductible but not deducted or if tax is deducted but not deposited (or deposited late) with the Govt., then these expenses are not allowed as deduction according to the provision of section 40(a)(ia).

But now this section has been amended and it provides that if tax is to be deducted but not deducted then these expenses will be deductible in the year in which the tax is deposited to the Government by the assessee.

12. Section 40 A (3): Cash payment exceeding Rs.20000

Any expenditure incurred in respect of which payment is made in a sum exceeding Rs. 20000 otherwise than by an account payee cheque or account payee draft, shall not be allowed as a deduction. Section 40A(3)(b) also provides that for deeming a payment as profit and gains of business or profession if the expenditure is incurred in a particular year but the payment is made in any subsequent year in a sum exceeding Rs. 20000 otherwise than by an account payee cheque or draft. The provisions of this section are, however, subject to the exception provided in Rule 6DD. Section 40A(3) is an anti- evasion measure. The provision of Section 40A(3) are being circumvented by splitting a particular high value payment to a person into several cash payments, each below Rs 20000. This splitting is also resorted to for payments made in the course of a single day. Courts have also held that the statutory limit of section 40A(3) applies to payment made to a party at one time and not to the aggregate of the payments made to a party in the course of the day as recorded in the cash book.

To overcome this splitting of payments to same person made during a day as referred above, section 40A(3) has been substituted to provide that where a payment or aggregate of payments made to a person in a day, otherwise than by an account payee cheque or draft, exceeds Rs. 20000 the disallowance of such expenditure shall be made.

13. Section 43(6): Insertion of Explanation 6

Explanation 6 has been inserted to section 43(6), which is applicable if the following conditions are satisfied:

1. The assessee was not required to compute his total income for the purposes of this Act for any previous year or years preceding the previous year relevant to the assessment year under consideration.
2. The assessee maintains books of account in respect of such preceding previous years.
3. The assessee provides depreciation in the books of account pertaining to such preceding previous years.

If the above conditions are satisfied, then

- (a) The actual cost of an asset shall be adjusted by the amount attributable to the revaluation of such asset, if any, in the books of account;
- (b) The total amount of depreciation on such asset, provided in the books of account of the assessee in respect of such previous year or years preceding the previous year relevant to the assessment year under consideration shall be deemed to be the depreciation actually allowed under this Act for the purposes of this clause; and
- (c) The depreciation actually allowed under clause (b) shall be adjusted by the amount of depreciation attributable to such revaluation of the asset.

14. Section 44AB: Tax Audit Report

From Assessment year 2008-09 audit report under section 44AB should be obtained on or before 30th September of the assessment year.

15. Section 47: Definition of transfer

The following amendments have been made in section 47 with effect from assessment year 2008-09.

A new clause (xa) has been inserted in section 47 to provide that any transfer by way of conversion of Bonds referred to in section 115AC(1)(a) into shares or debentures of any company shall not be considered as transfer.

Another new clause (xvi) has been inserted in section 47 so as to provide that any transfer of a capital asset in a transaction of reverse mortgage under a notified scheme shall not be regarded as transfer.

16. Section 80C: Deduction on life insurance premium, contribution to provident fund etc.

With a view to encourage small savings, the scope of eligible saving instruments has been enlarged by inserting two new clauses in section 80C(2) w.e.f. A.Y. 2008-09. The following investments made by assessee during previous year shall be eligible for deduction under section 80C within overall ceiling of Rs. 1 lakh.

1. Five year deposit in an account under Post Office Time Deposit Rules 1981; and
2. Deposit in an account under the Senior Citizens Saving Scheme Rules, 2004.

Further, it is provided that where any amount is withdrawn by the assessee from such account before expiry of a period of five years from the date of its deposit, the amount so withdrawn, accordingly, shall be liable to tax in the assessment year relevant to the previous year. The amount liable to tax shall also include that part of the amount withdrawn, which represents interest accrued on the deposit. However if any part of the amount so received or withdrawn (including the amount relating to interest) has suffered taxation in any of the earlier years, such amount shall not be taxed again.

17. Section 80D: Additional deduction for health insurance premium paid for parents

An additional deduction upto Rs. 15000 will be allowed to an individual assessee on any payment made to effect or keep in force the insurance on the health of his parent or parents whether dependent upon him or not. This deduction shall be in addition to the existing deduction available to the individual assessee on medical insurance for himself, his spouse, and dependent children. Further it is provided that if either of the individual assessee parents, who has been medically insured is a senior citizen (that is a resident and 65 years or more at any time during the previous year), the deduction would be allowed upto Rs. 20000.

18. Section 80IB(9): Deduction for Refining of mineral oil

Existing provision provides that the complete tax holiday in respect of the profits and gains derived from commercial production or refining of mineral oil. The deduction is available to an undertaking for a period of seven consecutive assessment years including the initial assessment year-

1. In which the commercial production under a production sharing contract has first started; or
2. In which the refining of mineral oil has begun

The above provision has been amended so as to provide that if an undertaking begins refining of mineral oil on or after 1st April 2009, the deduction will be allowed to such undertaking only if following conditions are satisfied-

1. It is wholly owned by a public sector company or any other company in which a public sector company or companies hold at least 49% of the voting rights.
2. It is notified by the Central Government before 1st June 2008.
3. It begins refining during 1st April 2009 and 31st march 2012.

19. Section 80IB (11C): Five year tax holiday to hospitals located in certain area

Sub section (11c) has been inserted in section 80IB w.e.f. A.Y.2009-10 in order to encourage investments in **hospitals** in non metros cities. The benefit of deduction will be available only if the following conditions are satisfied.

1. **Location:** The hospital located any where in India, other than excluded area. The excluded area mean the hospital should not located in an area comprising the urban of Mumbai, Delhi, Kolkata, Chennai, Hyderabad ,Bangalore and Ahmadabad

,the district of Faridabad ,Gurgoan, Ghaziabad, Gautam Budh Nagar and Gandhinagar and city of Secunderabad.

2. **Construction:** The hospital constructed at any time during 1st April 2009 and 31st March 2013. For this purpose, a hospital shall be deemed to have been constructed on the date on which a completion certificate in respect of such construction is issued by the local authority.
3. **Commencement:** The hospital should start functioning at any time during 1st April 2008 and 31st March 2013.
4. **No of beds:** The hospital has at least 100 beds for patients.
5. **Municipal bye laws:** the construction of hospital is in accordance with the regular or by laws of the local authority.
6. **Audit report:** The tax payer should submit an audit report in a prescribed form certifying that deduction has been correctly claimed.
7. **Return of Income:** Return of income should be submitted on or the due date of submission of return of income given by section 139 (1). If return is not submitted or the return is submitted belatedly, deduction under this section will not be available.

Deduction : If the above condition are satisfied, 100% of the profits and gains derived from the business of hospital shall be deductible for a period of five assessment years, beginning with the initial assessment year (i.e., the assessment year relevant to the previous year in which the business of hospital start functioning).

20. Section 80ID: Five years tax holiday for hotels located in specific districts having a world heritage site

With a view to promoting tourism and to attract tourists to certain World Heritage Sites in India, the scope of section 80ID has been extended w.e.f. A.Y 2009-10

The following condition should be satisfied:

1. **Location:** The tax payer should be engaged in the business of hotels, located in the specified districts having a world heritage site.
2. **Hotel rating:** Hotel for this purpose means a hotel of two star, three star or four star category as classified by the central government.
3. **Construction:** The hotel should be constructed any time during 1st April 2008 and 31st March 2013.
4. **Commencement:** The hotel has started or starts functioning at any time during 1st April 2008 and 31st march 2013.
5. **Formation:** The aforesaid business is not formed by splitting up or reconstruction of a business already in existence.
6. **New plant and machinery:** the aforesaid business is not formed by the transfer to a new business of plant or machinery previously used.
7. **Audit report:** Audit report should be submitted along with return of income.
8. **Return of Income:** Return of Income should be submitted on or before the due date of submission of return of Income under section 139(1).

If the above conditions are satisfied, 100% of the profit and gains derived from the aforesaid business is deductible for five consecutive assessment years beginning from the assessment year relevant to the previous year in which the aforesaid hotel starts functioning.

21. Section 139: Due date for return of income

Due date of submission of return of income has been revised in some cases as shown below:

1. If the assessee is a company then the return of income has to be filled upto 30th September of the assessment year from the assessment year 2008-09 onwards.

2. If the assessee is a person other a company other than a company whose accounts are required to be audited under any provision of the law- has to file the return of income upto 30th September of the assessment year from the assessment year 2008-09 onwards.
3. If the assessee is a working partner of a firm whose accounts are required to be audited under any provision of the law- has to file return of income upto 30th September of the assessment year from the assessment year 2008-09 onwards.
4. If the assessee is any other person- has to file the return of income upto 31st July of the assessment year from the assessment year 2008-09 onwards.

22. Section 139(9): Defective return of income

A return shall be regarded as defective if it is not accompanied by the proof of tax claimed to have been deducted or collected at source before 1st April 2008. The reference to the said date has been omitted so as to bring the provisions relating to proof of tax claimed to have been deducted or collected at source on par with the provision relating to proof of payment of advance tax.

23. Section 143(2): Time limit for sending notice

Time limit for service of notice for scrutiny assessment- Notice for scrutiny assessment shall be served on the assessee within a period of 6 months from the end of the financial year in which the return is furnished.

24. Section 151

Section 151 requires an assessing officer to seek the approval of the joint commissioner, in a case, where no assessment under section 143(3) or section 147 has been made for the relevant assessment year, and the notice is to be issued after the expiry of four years, from the end of the relevant assessment year. It has been provided that notice in such a case shall be issued by the assessing officer only when a joint commissioner is satisfied, on the reason recorded by the assessing officer, that it is fit case for the issue of notice. In some cases, it has been observed that notice under section 148, in such a situation to be issued by joint commissioner. In such a situation joint commissioner is only required to be satisfied with the reasons recorded by assessing officer, there is no further requirement for him to issue the notice himself.

Section 151 has been amended with effect from 1st October 1998 to provide that joint commissioner, the commissioner or the chief commissioner, as the case may be, being satisfied on the reasons recorded by the assessing officer about fitness of a case for the issue of notice under section 148, need not to issue notice himself.

25. Section 153: Time limit for completion of the assessment

A new sub-section (4) has been inserted with effect from 1st June 2003 to provide that notwithstanding anything contained in section 153, 153A(2) and 153B(1), the order of assessment or reassessment, relating to any assessment year which stands revived under section 153(2), shall be made with in one year from the end of the month of such revival or with in the period specified in section 153 or section 153B(1), whichever is later.

Where, however, after exclusion of the time or period given in explanation 1 to section 153(3), the above period of limitation available to the assessing officer for making assessment is less than sixty days, such period shall be extended by sixty days.

26. Amendment in tax rates: Tax rate for the assessment year 2009-10 has been changed in the case of an individual, HUF, BOI or AOP. The new rates are as given below.

If the assessee is Resident Women

Taxable Income	Tax Rates
0-180000	Nil
180001-300000	10%

300001-500000	20%
Above 500000	30%
If the assessee is Senior Citizen	
Taxable Income	Tax Rates
0-225000	Nil
225001-300000	10%
300001-500000	20%
Above 500000	30%
If the assessee is any other individual, HUF, BOI, or AOP	
Taxable Income	Tax Rates
0-150000	Nil
150001-300000	10%
300001-500000	20%
Above 500000	30%

Surcharge: Surcharge @ 10% on income tax is applicable in the case of an individual, HUF, AOP or BOI only if the taxable income exceeds INR 1000000.

Education cess/Secondary higher education cess: there is no change, education cess will be 2% of the income tax and surcharge, and Secondary and higher education cess will be 1% of the income tax and surcharge.

Increase in tax rate for short term capital gain under section 111A:

Short term capital gain in respect of securities transactions (subject to securities transaction tax) will be taxable from the assessment year 2009-10 at the rate of 15%.

Increase in tax rate for short term capital gain under section 115AD

Short term capital gain under section 115AD will be taxable from the assessment year 2009-10 at the rate of 15%.

27. Section 254(2A): Stay of demand by Appellate Tribunal

The third proviso to section 254(2A) has been substituted w.e.f 1st Oct. 2008 to provide that the order of stay shall be vacated after the expiry of 365 days, even if the delay in disposing of the appeal is not attributable to the assessee.

28. Section 273AA: Power of commissioner to grant immunity form penalty

After section 273A of the Income-tax Act, the section 273AA has been inserted form 1st April 2008;

(1) A person may make an application to the Commissioner for granting immunity from penalty, if

(a) he has made an application for settlement under section 245C and the proceedings for settlement have abated under section 245HA; and

(b) the penalty proceedings have been initiated under this Act.

(2) The application to the Commissioner under sub-section (1) shall not be made after the imposition of penalty after abatement.

(3) The Commissioner may, subject to such conditions as he may think fit to impose, grant to the person immunity from the imposition of any penalty under this Act, if he is satisfied that the person has, after the abatement, co-operated with the income-tax authority in the proceedings before him and has made a full and true disclosure of his income and the manner in which such income has been derived.

(4) The immunity granted to a person under sub-section (3) shall stand withdrawn, if such person fails to comply with any condition subject to which the immunity was granted and thereupon the provisions of this Act shall apply as if such immunity had not been granted.

(5) The immunity granted to a person under sub-section (3) may, at any time, be withdrawn by the Commissioner, if he is satisfied that such person had, in the course of any proceedings, after abatement, concealed any particulars

material to the assessment from the income-tax authority or had given false evidence, and thereupon such person shall become liable to the imposition of any penalty under this Act to which such person would have been liable, had not such immunity been granted.

29. Power of commissioner to grant immunity from prosecution

After section 278A of the Income-tax Act, the section 278 AB has been inserted w.e.f 1st April 2008;

(1) A person may make an application to the Commissioner for granting immunity from prosecution, if he has made an application for settlement under section 245C and the proceedings for settlement have abated under section 245HA.

(2) The application to the Commissioner under sub-section (1) shall not be made after institution of the prosecution proceedings after abatement.

(3) The Commissioner may, subject to such conditions as he may think fit to impose, grant to the person immunity from prosecution for any offence under this Act, if he is satisfied that the person has, after the abatement, co-operated with the income-tax authority in the proceedings before him and has made a full and true disclosure of his income and the manner in which such income has been derived:

Provided that where the application for settlement under section 245C had been made before the 1st day of June, 2007, the Commissioner may grant immunity from prosecution for any offence under this Act or under the Indian Penal Code or under any other Central Act for the time being in force.

(4) The immunity granted to a person under sub-section (3) shall stand withdrawn, if such person fails to comply with any condition subject to which the immunity was granted and thereupon the provisions of this Act shall apply as if such immunity had not been granted.

(5) The immunity granted to a person under sub-section (3) may, at any time, be withdrawn by the Commissioner, if he is satisfied that such person had, in the course of any proceedings, after abatement, concealed any particulars material to the assessment from the income-tax authority or had given false evidence, and thereupon such person may be tried for the offence with respect to which the immunity was granted or for any other offence of which he appears to have been guilty in connection with the proceedings.

INDIRECT TAXES

AMENDMENTS MADE BY FINANCE ACT, 2009

Central Excise Act, 1944

1. Section 9A

Section 9A has been amended with a view to provide the manner of compounding of offences and further provided that in certain offences and circumstances wherein the offences shall not be compounded. Hence, the following amendments been made:

(i) For the words "such compounding amount", the words "such compounding amount and in such manner of compounding" shall be substituted.

(ii) Certain offences and circumstances wherein the offences shall not be compounded:

(a) A person who has been allowed to compound once in respect of any of the offences under the provisions of clause (a), (b), (bb), (bbb), (bbbb) or (c) of sub-section (1) of section 9.

(b) A person who has been accused of committing an offence under this Act which is also an offence under the Narcotic Drugs and Psychotropic Substances Act, 1985.

(c) A person who has been allowed to compound once in respect of any offence under this Chapter for goods of value exceeding rupees one crore.

(d) A person who has been convicted by the court under this Act on or after the 30th day of December, 2005.

2. Section 14A

Section 14A has been amended to empower the Chief Commissioner of Central Excise to nominate chartered accountant or cost accountant for special audit under this section.

For the words "cost accountant," the words "cost accountant or chartered accountant" shall be substituted.

3. Section 14AA

Section 14A has been amended to empower the Chief Commissioner of Central Excise to nominate chartered accountant or cost accountant for special audit under this section.

For the words "cost accountant", the words "cost accountant or chartered accountant" shall be substituted.

4. Section 23A

To authorise the Authority for Advance ruling constituted under the Income Tax Act, 1962 to act as authority under this section. Hence, for clause (e), the following clause shall be substituted:

'(e) "Authority" means the Authority for Advance Rulings, constituted under sub-section (1), or authorised by the Central Government under sub-section (2A), of section 28F of the Customs Act, 1962.

5. Section 35G

By amending the said section the High Court has been empowered retrospectively to condone the delay in filing of appeals beyond the specified period of 180 days.

The following sub-section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of July, 2003,

"(2A) The High Court may admit an appeal after the expiry of the period of one hundred and eighty days referred to in clause (a) of sub-section (2), if it is satisfied that there was sufficient cause for not filing the same within that period.

6. Section 35H

By amending the said section the High Court has been empowered retrospectively to condone the delay in filing of application or memorandum of cross objections beyond the specified period of 180 days.

The following sub-section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of July, 1999

(3A) The High Court may admit an application or permit the filing of a memorandum of cross objections after the expiry of the relevant period referred to in sub-section (1) or sub-section (3), if it is satisfied that there was sufficient cause for not filing the same within that period.

Customs Act, 1962

1. Section 26A- Refund of import duty in certain case

Insert a new section 26A in the Customs Act to provide for refund of import duty paid at the time of clearance for home consumption on imported goods capable of being easily identified if, the goods have been found to be defective or otherwise not in conformity with the specifications agreed upon between the importer and the supplier of goods, the goods are identified to the satisfaction of the officer of customs, the goods have been exported or the importer has relinquished his title to the goods, etc., so as to comply with the standards under the International Convention on the Simplification and Harmonisation of Customs Procedure (Revised Kyoto Convention).

(1) Where on the importation of any goods capable of being easily identified as such imported goods, any duty has been paid on clearance of such goods for home consumption, such duty shall be refunded to the person by whom or on whose behalf it was paid, if

(a) The goods are found to be defective or otherwise not in conformity with the specifications agreed upon between the importer and the supplier of goods:

Provided that the goods have not been worked, repaired or used after importation except where such use was indispensable to discover the defects or non-conformity with the specifications;

(b) The goods are identified to the satisfaction of the Assistant Commissioner of Customs or Deputy Commissioner of Customs as the goods which were imported;

(c) The importer does not claim drawback under any other provisions of this Act; and

(d) (i) The goods are exported; or

(ii) The importer relinquishes his title to the goods and abandons them to customs; or

(iii) Such goods are destroyed or rendered commercially valueless in the presence proper officer, in such manner as may be prescribed and within a period not exceeding thirty days from the date on which the proper officer makes an order for the clearance of imported goods for home consumption under section 47.

Provided that the period of thirty days may, on sufficient cause being shown, be extended by the Commissioner of Customs for a period not exceeding three months:

Provided further that nothing contained in this section shall apply to the goods regarding which an offence appears to have been committed under this Act or any other law for the time being in force.

(2) An application for refund of duty shall be made before the expiry of six months from the relevant date in such form and in such manner as may be prescribed.

Explanation: "relevant date" means

(a) In cases where the goods are exported out of India, the date on which the proper officer makes an order permitting clearance and loading of goods for exportation under section 51;

(b) In cases where the title to the goods is relinquished, the date of such relinquishment; (c) in cases where the goods are destroyed or rendered commercially valueless, the date of such destruction or rendering of goods commercially valueless.

(3) No refund under sub-section (1) shall be allowed in respect of perishable goods and goods which have exceeded their shelf life or their recommended storage-before-use period.

(4) The Board may, by notification in the Official Gazette, specify any other condition subject to which the refund under sub-section (1) may be allowed.

2. Section 28F

Amended with a view to provide that the Central Government may, by notification, authorise the Authority for Advance Ruling constituted under section 245-O of the Income-tax Act to act as an Authority under the said Act.

After sub-section (2), the following sub-sections shall be inserted with effect from such date as the Central Government may, by notification in the Official Gazette, appoint:

'(2A) Notwithstanding anything contained in sub-sections (1) and (2), or any other law for the time being in force, the Central Government may, by notification in the Official Gazette, authorise an Authority constituted under section 245-O of the Income-tax Act, 1961, to act as an Authority under this Chapter.

(2B) On and from the date of publication of notification under sub-section (2A), the Authority constituted under sub-section (1) shall not exercise jurisdiction under this Chapter.

(2C) For the purposes of sub-section (2A), the reference to “an officer of the Indian Revenue Service who is qualified to be a Member of Central Board of Direct Taxes” in clause (b) of sub-section (2) of section 245-O of the Income-tax Act, 1961 shall be construed as reference to “an officer of the Indian Customs and Central Excise Service who is qualified to be a Member of the Board”.

(2D) On and from the date of the authorisation of Authority under sub-section (2A), every application and proceeding pending before the Authority constituted under sub-section (1) shall stand transferred to the Authority so authorised from the stage at which such proceedings stood before the date of such authorisation.

3. Section 130

By amending the said section the High Court has been empowered retrospectively to condone the delay in filing of appeals beyond the specified period of 180 days.

The following sub-section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of July, 2003:

“(2A) The High Court may admit an appeal after the expiry of the period of one hundred and eighty days referred to in clause (a) of sub-section (2), if it is satisfied that there was sufficient cause for not filing the same within that period.

4. Section 130A

By amending the said section the High Court has been empowered retrospectively to condone the delay in filing of application or memorandum of cross objections beyond the specified period of 180 days.

The following sub-section shall be inserted and shall be deemed to have been inserted with effect from the 1st day of July, 1999:

“(3A) The High Court may admit an application or permit the filing of a memorandum of cross objections after the expiry of the relevant period referred to in sub-section (1) or sub-section (3), if it is satisfied that there was sufficient cause for not filing the same within that period.

SERVICE TAX

1. The following amendments have been made under Section 65 of the Finance Act, 1994

- Redefining “Business Auxiliary Service” so as to provide that only those processes which result in the manufacture of excisable goods as defined in Central Excise Act shall be excluded from the purview of “Business Auxiliary Service”.
- Exclude sub-brokers from the purview of taxable service.
- Include imposition of service tax on transportation of goods by railways.
- For the purpose of fixing liability to pay service tax only on “provider” and not the “acquirer” of the right to use information technology software and therefore, it is proposed to substitute the word “acquiring” with the word “providing” with retrospective effect from 16th May, 2008.
- To impose service tax on services provided or to be provided to any person, by any person, in relation to cosmetic surgery or plastic surgery other than the surgery undertaken to restore or reconstruct anatomy or functions of body affected due to congenital defects, developmental abnormalities, degenerative diseases, injury or trauma.
- To impose service tax on services provided or to be provided to any person, by any person, in relation to transport of coastal goods and goods through inland water.
- To impose service tax on services provided or to be provided to any business entity, by any business entity, in relation to advice, consultancy or assistance in any branch of law excluding appearance before any court, tribunal or authority and the term ‘business entity’ has been defined to include association of persons, body of individuals, company or firm but not to include an individual.

Notifications

1. Notification No. 8/2009 – Service Tax dated the 24th February, 2009

In exercise of the powers conferred by sub-section (1) of section 93 of the Finance Act, 1994 (32 of 1994) (hereinafter referred to as the Finance Act), the Central Government, on being satisfied that it is necessary in the public interest so to do, hereby exempts all the taxable services specified in sub-section 105 of section 65 of the Finance Act from so much of service tax leviable there on under section 66 of the Finance Act, as is in excess of the rate of 10% of the value of taxable services.

2. Notification No. 7/2009-ST 3rd February, 2009

In exercise of the powers conferred by sub-section (1) of section 71 of the Finance Act, 1994 (32 of 1994), the Central Board of Excise and Customs hereby frames the following scheme:

1. Short title, commencement and application (1) This scheme may be called the Service Tax Return Preparer Scheme, 2009.

- (a) It shall come into force from the date of its publication in the Official Gazette.
- (b) Save as otherwise provided in the Scheme, it shall be applicable to all assesses.

2. Definitions

- (a) “Act” means the Finance Act, 1994 (32 of 1994);
- (b) “Board” means the Central Board of Excise and Customs constituted under the Central Boards of Revenue Act, 1963 (54 of 1963);
- (c) “Partner Organisation” means an organisation or agency selected by the Board and with whom an agreement has been entered into by the Board or the Resource Centre authorising it to act as Partner Organisation under this Scheme;
- (d) “Resource Centre” means the Directorate General of Service Tax or any other Directorate, as the case may be, designated by the Board to act as the Resource Centre under this Scheme;
- (e) “Return” means the return required to be furnished by any person under section 70 of the Act;
- (f) “Rules” means the Service Tax Rules, 1994;
- (g) “Service Tax Return Preparer” means any individual who has been issued a Service Tax Return Preparer Certificate and a unique identification number under clause (9) of paragraph 4 of this Scheme by the Partner Organisation to carry on the profession of preparing the return in accordance with the provisions of said Scheme;

3. Educational qualification for Service Tax Return Preparers

Any individual who has successfully completed education upto senior secondary level, under 10+2 education system, shall be eligible to become a Service Tax Return Preparer.

4. Enrolment, training and certification to persons to act as Service Tax Return Preparers

(1) For the purpose of enrolment, training and certification to a person to act as Service Tax Return Preparer the Partner Organization shall invite applications from-

- (a) any person who has been issued Tax Return Preparer Certificate under the Tax Return Preparer Scheme, 2006, framed under sub-section (1) of section 139B of the Income-tax Act, 1961 (43 of 1961); or
- (b) Any other Indian citizen having educational qualification referred to in paragraph 3 and desires to act as Service Tax Return Preparer:

Provided that a person who is aged more than thirty-five years on the first day of October immediately preceding the day on which applications are invited shall not be eligible to apply;

- (2) Notwithstanding anything contained in this paragraph, the age restriction shall not apply to any person who has superannuated/retired from the Department of Customs and Central Excise;
- (3) The person applying to act as Service Tax Return Preparer shall indicate in the application form the preferences for centers where at training may be imparted to him;
- (4) The Partner Organisation shall, in accordance with the criteria and conditions laid down by the Resource Centre with the prior approval of the Board, carry out the screening of the applications so received and select the persons to appear in a test for their enrollment;
- (5) The Partner Organisation shall carry out a test, if required, for enrollment of persons who have been selected on screening;
- (6) The Partner Organisation shall enroll the persons who qualify for enrollment separately for each centre;
- (7) The Partner Organisation shall train the persons so enrolled in accordance with the curriculum provided by the Resource Centre;
- (8) The Partner Organisation shall, after completion of training, conduct an examination of the enrolled persons in accordance with the procedure as laid down by the Resource Centre;
- (9) The Partner Organisation shall issue a Service Tax Return Preparer Certificate and a unique identification number to the persons who are declared as successful in the examination so conducted;

5. Preparation of and furnishing the service tax return by the Service Tax Return Preparer

- (1) Any assessee may at his option furnish his return after getting it prepared through a Service Tax Return Preparer:

Provided that an assessee shall not furnish a revised service tax return under rule 7B of the rules through a Service Tax Return Preparer unless he has furnished the original return through such or any other Service Tax Return Preparer:

- (2) The Service Tax Return Preparer shall prepare and furnish the return to the Superintendent of Central Excise having jurisdiction over the assessee, or to such other person as may be directed by the Resource Centre with the approval of the Board and hand over the acknowledgement of having furnished the return to the concerned eligible person.

6. Duties and obligations of assessee - An assessee opting to furnish his return under this Scheme shall-

- (a) Give his consent to any Service Tax Return Preparer to prepare and furnish his return;
- (b) Before verifying and signing the return, ensure that the facts mentioned in the return are true and correct;

7. Duties and obligations of the Service Tax Return Preparer- The Service Tax Return Preparer shall-

- (a) Prepare the return with due diligence;
- (b) Affix his signature on the return prepared by him;
- (c) Furnish the return as specified in sub-paragraph (2) of paragraph 5;
- (d) Hand over a copy of the return to the person whose return is prepared and furnished by him;
- (e) Retain a copy of the acknowledgment of having furnished the return;
- (f) In respect of returns prepared and furnished by him maintain record of the following, namely:-
 - (i) The name of assesses whose returns have been prepared and furnished by him during that month;
 - (ii) The Service Tax Code (STC) number and premises code of such assesses;
 - (iii) Period for which return is filed;

- (iv) Date of furnishing the return;
- (v) Authority with whom return is filed;
- (vi) Amount of tax payable;
- (vii) Amount of tax paid;
- (viii) The fee charged and received by him

- (g) Furnish a statement of particulars mentioned in item (vi) for every month on or before the seventh day of the immediately following month to the Resource Centre.

8. Selection and responsibilities of the Partner Organisation

- (1) The Board shall select a Partner Organisation to partner with the Resource Centre for implementation of the Scheme.
- (2) The Partner Organisation shall function under the overall guidance and control of the Resource Centre and follow the instructions issued to it by the Resource Centre from time to time about implementation of the scheme.
- (3) The Partner Organisation shall be responsible to carry out the activities which it is required to carry out under paragraph 4 of this Scheme.
- (4) The Partner Organisation shall maintain the profile of the Service Tax Return Preparers during their training and monitor their performance as Service Tax Return Preparers.
- (5) The Partner Organisation shall perform its functions to the satisfaction of the Resource Centre.
- (6) The Board may, on the recommendation of the Resource Centre, terminate the agreement with the Partner Organisation and may
 - (a) Enter into an agreement with any other Partner Organisation; or
 - (b) assign its functions to the Resource Centre, if in its opinion, the Partner Organisation has failed to perform its functions properly.

9. **Incentive to Service Tax Return Preparers:** An assessee shall pay a fee as may be mutually agreed upon between an assessee and the Service Tax Return Preparer. The Board recommends, as a yardstick, a fee of rupees one thousand rupees per return prepared by the Service Tax Return Preparer.

AMENDMENT MADE BY THE FINANCE ACT, 2008

Central Excise Act, 1944

1. Section 2

In section 2 of the Central Excise Act, 1944 after clause (d), the following *Explanation* shall be inserted;

Explanation: For the purposes of this clause, "goods" includes any article, material or substance which is capable of being bought and sold for a consideration and such goods shall be deemed to be marketable.

2. Insertion of new section 3A

After section 3 of the Central Excise Act, the following section shall be inserted;

Section 3A

- (1) Notwithstanding anything contained in section 3, where the Central Government, having regard to the nature of the process of manufacture or production of excisable goods of any specified description, the extent of evasion of duty in regard to such goods or such other factors as may be relevant, is of the opinion that it is necessary to safeguard the interest of revenue, specify, by notification in the Official Gazette, such goods as notified goods and there shall be levied and collected duty of excise on such goods in accordance with the provisions of this section.
- (2) Where a notification is issued under sub-section (1), the Central Government may, by rules (a) provide the manner for determination of the annual capacity of production of the factory,

in which such goods are produced, by an officer not below the rank of Assistant Commissioner of Central Excise and such annual capacity shall be deemed to be the annual production of such goods by such factory; or (b) (i) specify the factor relevant to the production of such goods and the quantity that is deemed to be produced by use of a unit of such factor; and

- (ii) provide for the determination of the annual capacity of production of the factory in which such goods are produced on the basis of such factor by an officer not below the rank of Assistant Commissioner of Central Excise and such annual capacity of production shall be deemed to be the annual production of such goods by such factory:

Provided that where a factory producing notified goods is in operation during a part of the year only, the annual production thereof shall be calculated on proportionate basis of the annual capacity of production:

Provided further that in a case where the factor relevant to the production is altered or modified at any time during the year, the annual production shall be re-determined on a proportionate basis having regard to such alteration or modification.

- (3) The duty of excise on notified goods shall be levied, at such rate, on the unit of production or, as the case may be, on such factor relevant to the production, as the Central Government may, by notification in the Official Gazette, specify, and collected in such manner as may be prescribed:

Provided that where a factory producing notified goods did not produce the notified goods during any continuous period of fifteen days or more, the duty calculated on a proportionate basis shall be abated in respect of such period if the manufacturer of such goods fulfils such conditions as may be prescribed.

- (4) The provisions of this section shall not apply to goods produced or manufactured by a hundred per cent export-oriented undertaking and brought to any other place in India.

Explanation 1.—For the removal of doubts, it is hereby clarified that for the purposes of section 3 of the Customs Tariff Act, 1975, the duty of excise leviable on the notified goods shall be deemed to be the duty of excise leviable on such goods under the First Schedule and the Second Schedule to the Central Excise Tariff Act, 1985, read with any notification for the time being in force.

Explanation 2.—for the purposes of this section, the expression “hundred per cent” export-oriented undertaking” shall have the meaning assigned to it in section 3.

3. Central Excise (Determination of Retail Sale Price of Excisable Goods) Rules, 2008

- (1) These rules may be called the Central Excise (Determination of Retail Sale Price of Excisable Goods) Rules, 2008.
- (2) Definition:
- (a) ‘Act’ means the Central Excise Act, 1944.
- (b) ‘retail sale price’ means the retail sale price as defined in section 4A of the Act
- (3) The retail sale price of any excisable goods under section 4A(4) of the Act shall be determined in accordance with these rules.
- (4) Where a manufacturer removes the excisable goods specified under section 4A (1) of the Act
- (a) without declaring the retail sale price on the packages of such goods; or
- (b) by declaring the retail sale price, which is not the retail sale price as required to be declared under the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) or rules made thereunder or any other law for the time being in force; or
- (c) by declaring the retail sale price but obliterates the same after their removal from the place of manufacture, then, the

retail sale price of such goods shall be ascertained in the following manner:

- (i) if the manufacturer has manufactured and removed identical goods, within a period of one month, before or after removal of such goods, by declaring the retail sale price, then, the said declared retail sale price shall be taken as the retail sale price of such goods :
- (ii) if the retail sale price cannot be ascertained in terms of clause (i), the retail sale price of such goods shall be ascertained by conducting the enquiries in the retail market where such goods have normally been sold at or about the same time of the removal of such goods from the place of manufacture :

Provided that if more than one retail sale price is ascertained under clause (i) or clause (ii), then, the highest of the retail sale price, so ascertained, shall be taken as the retail sale price of all such goods.

Explanation - when retail sale price is required to be ascertained based on market inquiries, the said inquiries shall be carried out on sample basis.

- (5) Where a manufacturer alters or tampers the retail sale price declared on the package of goods after their removal from the place of manufacture, resulting into increase in the retail sale price, then such increased retail sale price shall be taken as the retail sale price of all goods removed during a period of one month before and after the date of removal of such goods.

Provided that where the manufacturer alters or tampers the declared retail sale price resulting into more than one retail sale price available on such goods, then, the highest of such retail sale price shall be taken as the retail sale price of all such goods.

- (6) **Residual method:** If the retail sale price of any excisable goods cannot be ascertained under these rules, the retail sale price shall be ascertained in accordance with the principles and the provisions of section 4A of the Act and the rules aforesaid.

4. Section 35B

In section 35B of the Central Excise Act, in sub-section (2), the following proviso and *Explanation* shall be inserted at the end;

Provided that where the Committee of Commissioners of Central Excise differs in its opinion regarding the appeal against the order of the Commissioner (Appeals), it shall state the point or points on which it differs and make a reference to the jurisdictional Chief Commissioner of Central Excise who shall, after considering the facts of the order, if is of the opinion that the order passed by the Commissioner (Appeals) is not legal or proper, direct any Central Excise Officer to appeal to the Appellate Tribunal against such order.

Explanation: For the purposes of this sub-section, “jurisdictional Chief Commissioner” means the Chief Commissioner of Central Excise having jurisdiction over the adjudicating authority in the matter.

5. Section 35E

In section 35E of the Central Excise Act

- (i) Sub-section (1) - the following proviso shall be inserted at the end;

Provided that where the Committee of Chief Commissioners of Central Excise differs in its opinion as to the legality or propriety of the decision or order of the Commissioner of Central Excise, it shall state the point or points on which it differs and make a reference to the Board which, after considering the facts of the decision or order, if is of the opinion that the decision or order passed by the Commissioner of Central Excise is not legal or proper, may, by order, direct such Commissioner or any other Commissioner to apply to the Appellate Tribunal for the determination of such points arising out of the decision or order, as may be specified in its order.

- (ii) For Sub-section (3), the following sub-section shall be substituted
- (3) Every order under sub-section (1) or sub-section (2), as the case may be, shall be made within a period of three months from the

date of communication of the decision or order of the adjudicating authority.

6. Insertion of new section 35FF

Section 35FF: Interest on delayed refund of amount deposited:

After section 35F of the Central Excise Act, the following section shall be inserted:

35FF. Where an amount deposited by the appellant in pursuance of an order passed by the Commissioner (Appeals) or the Appellate Tribunal (hereinafter referred to as the appellate authority), under the first proviso to section 35F, is required to be refunded consequent upon the order of the appellate authority and such amount is not refunded within three months from the date of communication of such order to the adjudicating authority, unless the operation of the order of the appellate authority is stayed by a superior court or tribunal, there shall be paid to the appellant interest at the rate specified in section 11BB after the expiry of three months from the date of communication of the order of the appellate authority, till the date of refund of such amount.

Customs Act, 1962

1. Section 28B

In section 28B of the Customs Act, 1962, after sub-section (1), the following sub-section shall be inserted:

Subsection (1A); Every person who has collected any amount in excess of the duty assessed or determined or paid on any goods or has collected any amount as representing duty of customs on any goods which are wholly exempt or are chargeable to *nil* rate of duty from any person in any manner, shall forthwith pay the amount so collected to the credit of the Central Government.

In sub-section (2), for the words “sub-section (1)”, the words “sub-section (1) or sub-section (1A), as the case may be,” shall be substituted

In sub-section (4), for the words, “sub-section (1) or sub-section (3)”, the words “sub-section (1) or sub-section (1A) or sub-section (3), as the case may be, shall be substituted;

(b) for the word “sub-section (1)”, the words, “sub-section (1) and sub-section (1A)” shall be substituted.

2. Section 108

In section 108 of the Customs Act, in sub-section (1), the words “duly empowered by the Central Government in this behalf,” shall be omitted and shall be deemed to have been omitted with effect from the 13th July, 2006.

3. Section 117

In section 117 of the Customs Act, for the words “ten thousand rupees”, the words “one lakh rupees” shall be substituted.

4. Section 129A

In section 129A of the Customs Act, in sub-section (2), the following proviso and *Explanation* shall be inserted at the end;

Provided that where the Committee of Commissioners of Customs differs in its opinion regarding the appeal against the order of the Commissioner (Appeals), it shall state the point or points on which it differs and make a reference to the jurisdictional Chief Commissioner of Customs who shall, after considering the facts of the order, if it is of the opinion that the order passed by the Commissioner (Appeals) is not legal or proper, direct the proper officer to appeal to the Appellate Tribunal against such order.

Explanation— for the purposes of this sub-section, “jurisdictional Chief Commissioner” means the Chief Commissioner of Customs having jurisdiction over the adjudicating authority in the matter.

5. Section 129D

In section 129D of the Customs Act, in sub-section (1); the following proviso shall be inserted at the end;

Provided that where the Committee of Chief Commissioners of Customs differs in its opinion as to the legality or propriety of the

decision or order of the Commissioner of Customs, it shall state the point or points on which it differs and make a reference to the Board which, after considering the facts of the decision or order passed by the Commissioner of Customs, if it is of the opinion that the decision or order passed by the Commissioner of Customs is not legal or proper may, by order, direct such Commissioner or any other Commissioner to apply to the Appellate Tribunal for the determination of such points arising out of the decision or order, as may be specified in its order.

For sub-section (3), the following sub-section shall be substituted (3) every order under sub-section (1) or sub-section (2), as the case may be, shall be made within a period of three months from the date of communication of the decision or order of the adjudicating authority.

6. Insertion of new section 129EE: Interest on delayed refund of amount deposited under the proviso to section 129E

After section 129E of the Customs Act, the following section shall be inserted;

Section 129EE

Where an amount deposited by the appellant in pursuance of an order passed by the Commissioner (Appeals) or the Appellate Tribunal (hereinafter referred to as appellate authority), under the first proviso to section 129E, is required to be refunded consequent upon the order of the appellate authority and such amount is not refunded within three months from the date of communication of such order to the adjudicating authority, unless the operation of the order of the appellate authority is stayed by a superior court or tribunal, there shall be paid to the appellant interest at the rate specified in section 27A after the expiry of three months from the date of communication of the order of the appellate authority, till the date of refund of such amount.

GENERAL & COMMERCIAL LAWS

FAQs ON REGISTRATION ACT, 1908²

What is Registration?

Registration means recording of the contents of a document with a Registering Officer and preservation of copies of the original document.

Q.2. Why documents are registered?

The documents are registered for the purpose of conservation of evidence, assurance of title, publicity of documents and prevention of fraud. Also, registration helps an intending purchaser to know if the title deeds of a particular property have been deposited with any person or a financial institution for the purpose of obtaining an advance against the security of that property.

Q.3. Which documents require to be compulsorily registered?

Section 17 of the Registration Act, 1908 lays down different categories of documents for which registration is compulsory. The documents relating to the following transactions of immovable properties are required to be compulsorily registered:

- Instruments of gift of immovable property.
- Lease of immovable property from year to year or for any term exceeding one year or reserving a yearly rent.
- Instruments which create or extinguish any right or title to or in an immovable property of a value of more than one hundred rupees.

Under section 2(6) of the Registration Act, 1908 the term “Immovable property” includes: “Land, buildings, hereditary allowances, rights to ways, lights, fisheries or any other benefit to arise out of land, and things attached to the earth, or permanently fastened to any thing which is attached to the earth, but not standing timber, growing crops nor grass.”

2. Downloaded from the website of Department of Registration and Stamps, Government of Maharashtra.

Q.4. Whose document has to be registered?

Section 28 of the Registration Act, 1908 states that all documents of which registration is compulsory if it relates to an immovable property as well as a few documents of which registration is optional should normally be presented for registration in the office of Sub-Registrar within whose sub-district the whole or some portion of the property to which the document relates is situated.

Q.5. Is it possible to register a document at a person's private residence?

Under Sections 31 of the Act, a provision has been made authorising the Registering Officer, on special cause being shown (for instance if the person is physically handicapped) to attend at the residence of any person desiring to present a document for registration and accept for registration such a document or a "Will", provided Registering Officer is satisfied about the special cause shown is sufficient.

Q.6. What procedure is followed at the time of lodging a document for registration?

For registration of any instrument, the original document which should be typed/printed on one side only along with two photocopies of the original have to be submitted to the Registering Officer. The copies are required to be photocopied only on one side of the paper and there has to be a butter paper between the two photocopies papers. This is done so as to prevent the typed matter from getting spoilt.

The registration procedure also requires the presence of two witnesses and the payment of the appropriate registration fees. On completion of the procedure, a receipt bearing a distinct serial number is issued. The following requirements are completing the registration are usually stated on the receipt:

- Market Value of the property;
- Income-Tax clearance, i.e. NOC. under Section 269 YL (3) issued by the Appropriate Authority constituted under Chapter XX-C of the Income Tax Act, 1961 if the same is applicable;
- Certificate under section 230-A of the Income Tax Act, 1961 granted to the Transferor by the assessing officer of the Transferor;
- Urban Land Ceiling declarations of the transferor/s and the transferee/s.

Q.7. Who can present the document for registration?

Section 32 of the Registration Act, 1908 deals with the provisions relating to the presenting of documents for registration by a person. Subject to certain exceptions, every document which is to be registered under the provisions of the Act should be presented at the proper registration office by: (a) the concerned person himself/herself, or (b) the representative or the agent of such a person duly authorised in manner as is stated in Section 33 of the Registration Act, 1908.

Q.8. What should be the language of the document?

The language of a document presented for registration should be in a language commonly used in the district existing in the State. Under section 19 of the Act, the Registering Officer is empowered to refuse to register a document if it is presented for registration in a language which is not commonly used in the district unless the document is accompanied by a true translation into a language commonly used in the district and also by a true copy.

Q.9. Is a description of an immovable property, which is the subject matter of the document to be registered necessary to be set out in the Schedule attached to the agreement? Is it necessary to annex maps or plans of the immovable property?

Section 21 of the Act deals with the provisions relating to the description of an immovable property along with maps or plans. It is always necessary, with a view to identify the property involved in a document, that the description of the property is mentioned in a separate schedule, preferable with maps or plans, so as to enable the Registering Authority to make notes in the books to be preserved. The description should mentioned the area of the property, the number of the property,

the boundaries of the property, the streets on which it is situated, along with the name of the village, Taluka, district. The city Survey Number, with Hissa Number if any, should also be mentioned. It is the discretion of the registering officer to refuse to accept a document if the description of the immovable property is not sufficient to identify the property correctly.

Q.10. What are those documents, of which registration is optional?

Section 18 of the Act lays down the instruments of which registration is optional. Some of these instruments are listed as under :-

- Instruments (other than instruments of gifts and wills) relating to the transfer of an immovable property, the value of which is less than one hundred rupees.
- Instruments acknowledging the receipt or payment of any consideration.
- Lease of an immovable property for a term not exceeding one year.
- Instruments transferring any decree or order of a court where the subject matter of such decree or order is an immovable property, the value of which is less that one hundred rupees.
- Wills.

Q.11. What are the consequences of non-registration of a document which are compulsorily registrable?

According to Section 49(c) of the Act, if a document, of which registration is compulsory under Section 17 of Registration Act, has not been registered, it cannot be produced as an evidence in a court of law.

Q.12. What is the time frame prescribed for registration of a document?

Under Section 23 of the Act, subject to certain exceptions, any document other than a will has to be presented for registration Within Four Months from the date of its execution. The term "execution" means signing of the agreement. Under the present rules and regulations, all agreements in respect of a transfer of a premise or an immovable property have to be duly stamped, under the provisions of the Bombay Stamp Act, 1958 before the document is presented for registration.

Q.13. What is the remedy, if document is not registered within a prescribed period of four months?

As per the provisions of Section 25 of the Indian Registration Act, 1908 if a document is not presented for registration within the prescribed time period of four months, and if in such a case the delay in presentation of the document does not exceed a subsequent period of four months, then the parties to the agreement can apply to the Registrar, who may direct that on payment of a fine not exceeding ten times the proper registration fees, such a document should be admitted for registration.

Q.14. Can a document relating to an immovable property in India be executed out of India? If so, can it then be registered in India?

Yes, a document relating to an immovable property can be executed out of India and later it can be presented for registration in India. As per Section 26 of The Registration Act, 1908 if a document purporting to have been executed by all or any of the parties out of India is presented for registration within the prescribed time, the Registering Officer may, on payment of proper registration fee, accept such document for registration if he is satisfied that:

- the instrument was executed out of India.
- the instrument has been presented for registration within four months after its arrival in India.

Q.15. Does a Deed of Rectification rectifying the mistakes in the names of the parties, the figures, the description etc. in the duly registered main document require registration?

If the main document/agreement is registered, then in that event it is always necessary to register the Deed of Rectification too.

Q.16. Is the Registering Officer empowered to make any enquiry about any person purporting to have executed the document?

The Registering Officer is empowered under Section 34(3) of The Registration Act, to enquire whether or not such a document was executed by the person by whom it purports to have been executed. In order to satisfy himself, the Registering Officer may ask the person appearing before him to prove his identity. In the case of any person appearing as a representative or agent, the Registrar may ask for relevant documents which show that he has the right to appear on behalf of his Principal. After carrying out such an enquiry, the Registering Officer is entitled to refuse the registration of a document if he is not satisfied with his findings.

Q.17. What is the recourse available to a person wishing to register a document which has been refused by the Registrar?

Where the refusal order/direction of the Registrar/Sub-Registrar is on the ground other than that of denial of execution, the appeal lies to the Registrar under Section 72 of the Act. On such a refusal to admit a document for registration, any person wishing to register the same should, within 30 days from the date of refusal, appeal to the Registrar to whom such Sub-Registrar is subordinate, in order to establish his right to have the document registered.

In such an event, under Section 74 of the Act, the Registrar may enquire whether the document has been executed and whether the requirements of the law currently in force have been complied with on the part of the applicant or the person presenting the document for registration, as the case may be, so as to admit the document for registration.

For the purpose of an enquiry, as per Section 74(4) of the Act, the Registrar is empowered to issue summons to enforce the attendance of witnesses and compel them to give evidence as if he were a Civil Court. As per Section 75(1) of the Act, if the Registrar finds that the document has been executed and that the said requirement had been complied with he can order for registration of the document. As per Section 77 of the Act, when the Registrar refuses to order the document to be registered, any person claiming under such a document or his representative, assignee or agent may within 30 days after making the order of refusal institute a suit in the proper Civil Court for a decree directing the document to be registered.

Q.18. What is the procedure on admitting a document to registration?

If all the persons executing the document appear personally before the officer and/or are personally known to him or if he is otherwise satisfied that they are the persons they represent themselves to be and if they all admit the execution of the document, the Registering Officer should register the document as required under Section 58 of the said Act.

He should endorse the following particulars, namely:

- The signature and admission of every person admitting the execution of the document in person or by his representative, assign or agent;
- The signature and admission of every person examined in reference to such a document;
- Any payment of money or delivery of goods made in the presence of the Registering Officer in reference to the execution of the document and any admission or receipt of consideration made in his presence in reference to such execution.

If any person admitting the execution of a document refuses to endorse the same, the Registering Officer nevertheless is empowered to register such a document but he should endorse a note of such a refusal and as required under Section 59 of the Act, as he should affix the date and his signature to all endorsements made under Sections 52 and 58 of the Act which is relating to the same document.

After completion of all formalities related to registration, the Registering Officer shall endorse on the document a certificate containing the word "Registered" together with the number and page of the book in

which the document has been copied. Later, the endorsements and certificate shall thereupon be copied into the margin of the Register book. The copy of maps on plans of any, shall be filed in Book No.1. The registration of the document is then deemed to be completed and the document is returned to the person who presented the same for registration or to such other person if any, who has been nominated in writing in that behalf on the receipt mentioned in Section 52 of the Act. However, such original documents are returned by post or by hand delivery only after the proper procedure for the preservation of the original document has been completed by the Registration Authorities.

Q.19. What is a Power of Attorney?

A Power of Attorney is a document which empowers a specific person to act on behalf of the person who is executing the same. It also includes any document by which a person is authorised to appear and act on behalf of a person who is executing the power of attorney. A power of attorney may also be given by a person to another to appear before any Court, Tribunal or Authority or before a Co-operative Society or any Body or Association.

Q.20. In what circumstances income tax clearance certificate of the seller required while registering the document?

Income Tax Clearance Certificate of the seller is required if the apparent consideration exceeds Rs. Five Lacs.

Q.21. What other documents are required while registering a document?

The parties should as far as possible:-

- Obtain an Income Tax Clearance Certificate of the seller for all properties above Rs. Five Lacs and the NOC from the Appropriate Authority if applicable (if the consideration exceeds Rs. Seventy Five Lacs for the city of Mumbai then the permission from the Appropriate Authority will be required).
- Get the documents adjudicated from the Collector of the Stamps and duly certified that the proper stamp duty has been paid.
- Comply with the formalities of Urban Land Ceiling and Registration Act, 1975 (if applicable) if the area exceeds 500 sq.mts.

If the above formalities are not complied then the original agreement will not be received by the parties after registration.

Q.22. Where the registration of document is done?

As per Section 28 and 29 of the Registration Act the document should be presented for registration at the office of the Sub-Registrar of Assurances within whose sub district the whole or some portion of the property to which such document relates is situated or in the office of the Sub-Registrar situated at Mumbai, Delhi, Madras or Calcutta.

Q.23. Under what circumstances the registration of document is refused?

The normal grounds for non-registration of document/s are:-

- Document is opposed to public policy.
- Parties have not complied with the formalities as laid by the Registration Act and by any reasons by which registering authority is not satisfied.
- The Survey No. Of the property is not mentioned in the document/s.
- The language in which the document is executed is not in the language that is normally prevalent in the area where the office of the registering authority is situated.

Q.24. How is the title of the property verified?

Normally the person purchasing the property has to ensure that the seller has a good and marketable title. In order to find out if the title of the seller is clear and marketable, one has to take search of the property. The search of the property has to be taken at the offices of the relevant Sub-Registrars, normally 30 years search has to be taken.

The purchaser can also ask copies of the documents lodged with the office of the Sub-Registrar to the seller. The objections pertaining to the title of the property can be easily verified after taking the search, for example: if the party has mortgaged and registered the documents with the Sub Registrar of Assurances then it can be known only after taking the search of the property. After satisfying the title of the property the party should proceed with the transaction.

COMPANY LAW/COMPANY SECRETARIAL PRACTICE/ADVANCE COMPANY LAW AND PRACTICE/ CORPORATE RESTRUCTURING & INSOLVENCY (OS/NS)

STUDY UPDATES³

(1) New e-forms

- **Substitution of Forms 20B, 21A, 23AC, 23ACA of the Companies (Central Government's) General Rules and Forms (Amendment) Rules 2008 :**

The Central Government has substituted forms 20B, 21A, 23AC and 23ACA vide the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2008. [MCA Notification No. GSR 655(E) dated 12.09.2008]. The revised forms are given in the website of MCA i.e., www.mca.gov.in as well as in the October 2008 issue of Chartered Secretary.

- **Substitution of Form 1 of the Investor Education and Protection Fund (Awareness and Protection of Investors) (Amendment) Rules, 2008 :**

The Central Government has substituted form 1 vide the Investor Education and Protection Fund (Awareness and Protection of Investors)(Amendment) rules, 2008, [MCA Notification No.GSR 787(E) dated 14.11.2008]. The revised forms are given in the website of MCA i.e., www.mca.gov.in as well as in the December 2008 issue of Chartered Secretary.

- **Substitution of Forms 1B, 4, 4C, 18, 22 and 32 of the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2008 :**

The Central Government has substituted forms 1B, 4, 4C, 8, 22 and 32 vide the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2008. [MCA Notification No.GSR 788(E) dated 14.11.2008]. The revised forms are given in the website of MCA i.e., www.mca.gov.in as well as in the December 2008 issue of Chartered Secretary.

- **Substitution of Form 23B of the Companies (Central Government's) General Rules and Forms (Third Amendment) Rules, 2008**

The Central Government has Substituted Forms 23B vide Companies (Central Government's) General Rules and Forms (Third Amendment) Rules, 2008 [MCA Notification No.GSR 824 (E) dated 28.11.2008]. The revised forms are given in the website of the MCA i.e., www.mca.gov.in.

- **Substitution of Form 67 of the Companies (Central Government's) General Rules and Forms (Seventh Amendment) Rules, 2008.** The Central Government has substituted form 67 vide the Companies (Central Government's) General Rules and Forms (Seventh Amendment) Rules 2008. [MCA Notification No.GSR 876(E) dated 24.12.2008]. The revised forms are given in the website of the MCA i.e., www.mca.gov.in.

- **Substitution of Form 1, 1A, 2 and 5 of the Companies (Central Government's) General Rules and Forms (Fifth Amendment) Rules, 2008**

The Central Government has substituted Form 1, 1A, 2 and 5 vide the Companies (Central Government) General Rules and Forms (Fifth Amendment) Rules, 2008. [MCA Notification No.GSR 868(E) dated 22.12.2008]. The revised forms are given in the website of the MCA i.e., www.mca.gov.in.

- **Substitution of Form 1AA, 1AD, 23C and 24 of the Companies (Central Government's) General Rules and Forms (Fifth Amendment) Rules, 2009**

The Central Government has substituted Form IAA, IAD, 23C and 24 vide the Companies (Central Government) General Rules and Forms (Fifth Amendment) Rules, 2009 [MCA Notification No. GSR 183(E) dated 20.3.2009]. The revised forms are given in the website of the MCA i.e., www.mca.gov.in.

- **Substitution of Form 8, 10, 17 and 61 of the Companies (Central Government's) General Rules and Forms (Third Amendment) Rules, 2009**

The Central Government has substituted forms 8, 10, 17, 61 vide Companies (Central Government's) General Rules and Forms (Third Amendment) Rules, 2009. [MCA Notification No.GSR 284 (E) dated 24.4.2009]. The revised forms are given in the website of the MCA i.e., www.mca.gov.in.

- **Substitution of Form 19, 20, 20A, 44 & 49 of the Companies (Central Government's) General Rules and Forms (Second Amendment) Rules, 2009**

The Central Government has substituted Forms 19, 20, 20A, 44 & 49 vide Companies (Central Government's) General Rules and Forms (Second Amendment) Rules, 2009. [MCA Notification No.GSR 257 (E) dated 17.4.2009]. The revised forms are given in the website of the MCA i.e., www.mca.gov.in.

- (2) **The Companies (Appointment and Qualifications of Secretary) Amendment Rules, 2009.**

The Central Government has amended the Companies (Appointment and Qualifications of Secretary) Amendment Rules, 1988 by notifying the Companies (Appointment and Qualifications of Secretary) Amendment Rules, 2009 [Vide MCA Notification No.GSR 11(E) dated 5.1.2009]. The salient features of the amendment are as follows:

- (i) Every company having paid-up share capital of not less than rupees five crores shall have a whole-time secretary. This limit has been enhanced from Rs. two crore to Rs. five crore.
- (ii) Company having a paid-up share capital of two crore rupees or more but less than five crore rupees may appoint any individual who possesses the qualification of membership of the Institute of Company Secretaries of India constituted under the Company Secretaries Act, 1980 (56 of 1980), as a whole-time secretary to perform the duties of a secretary under the Companies Act, 1956
- (iii) However, where a company has appointed a whole-time company secretary, possessing the qualification of membership of the Institute of Company Secretaries of India, such a company is not required to obtain a certificate from a secretary in whole- time practice under Rule 3 of the Companies (Compliance Certificate) Rules, 2001.

- (3) **Modifications in Sections 220, 303 and 594 of the Companies Act, 1956.**

The Central Government vide Notification No. GSR No. 70(E) dated 3.2.2009 makes the following amendments :

- (i) In Section 220(1) (a), the word 'a copy' shall be substituted in place of the words 'three copies'. In other words, only one copy of balance sheet and profit and loss account shall be filed with the Registrar of Companies. In the first proviso, the word 'copy' shall be substituted in place of the word 'copies'. In sub-section (2), the words 'and to the copies thereof' shall be omitted.
- (ii) In Section 303(2), the words 'in duplicate' shall be omitted. In other words, only one copy of Form 32 is required to be filed with the Registrar of Companies.

3. Prepared by Vivek Banerjee, Assistant Education Officer, The ICSEI.

- (iii) In section 594(1) (b) the words 'a copy' shall be substituted in place of 'three copies'. In other words, a foreign company is required to send only one copy of the list of all the place of business established in India to the Registrar.

(4) Clarification regarding status of a holder of Global Depository Receipts (GDRs) :

It is clarified by the Ministry of Corporate Affairs, vide Circular No.1/2009 No.17/67/2009 CL-V dated 16/6/2009 that :

- (a) As per section 41(1) and (2) of the Companies Act, a person is a member of the company, (i) who is a subscriber to the Memorandum or (ii) whose name has been entered in the register of members. Since, holder of Global Depository Receipts is neither the subscriber to the Memorandum nor a holder of the shares, his name cannot be entered in the Register of Members. Therefore, a holder of Global Depository Receipts cannot be called a member of the company.
- (b) As per Section 41(3) of the Companies Act, 1956, a person holding a share capital of the company and whose name is entered as beneficial owner in the records of the depository, is deemed to be a member of the company. Since the Overseas Depository Bank as referred in the 'Scheme' is neither the Depository as defined in the Companies Act, 1956 and the Depository Act, 1996 nor holding the share capital, therefore, it cannot be deemed to be a member of the company.
- (c) A holder of Global Depository Receipts may become a member of the company only on transfer/redemption of the GDR into underlying equity shares after following the procedure provided in the "Scheme"/provisions of the Companies Act, 1956.
- (d) Since the underlying shares are allotted in the name of Overseas Depository Bank, the name of such Overseas Depository Bank is to be entered in the Register of Members of the issuing company. However, until transfer/redemption of such GDR's into underlying shares, Overseas Depository Bank cannot be considered a nominee of the holder of GDR for the purpose of Section 42 read with Section 41 of the Companies Act, 1956.

(5) LLP UPDATES

- **Alteration in various Schedules to the Limited Liability Partnership Act, 2008** : Ministry of Corporate Affairs vide GSR 386(E) dated 4.6.2009 makes the following alternations in the Second Schedule, the Third Schedule and the Fourth Schedule to the said Act, namely :

- (i) In the Second Schedule, in sub-paragraph (1) of paragraph 6, after the proviso, the following proviso shall be inserted, namely: "Provided further that until the Tribunal is constituted under the Companies Act, 1956, the appeal under this sub-paragraph may be made before the Company Law Board".
- (ii) In the Third schedule, in sub-paragraph (1) of paragraph 5, after the proviso, the following proviso shall be inserted, namely: "Provided further that until the Tribunal is constituted under the Companies Act, 1956, the appeal under this sub-paragraph may be made before the Company Law Board".
- (iii) In the Fourth Schedule, in sub-paragraph (1) of paragraph 6, after the proviso, the following proviso shall be inserted, namely :
Provided further that until the Tribunal is constituted under the Companies Act, 1956, the appeal under this sub-paragraph may be made before the Company Law Board".

- MCA vide notification no. SO 1324 (E) dated 22/5/2009 appoints 31st May as the date on which rule 32 and rule 33 and rule 38 to rule 40 of Limited Liability Partnership Rules, 2009 shall come into force.
- MCA vide notification no. SO 1323 (E) dated 22/5/2009 appoints 31st May as the date on which the provisions of sections 55 to 58,

second schedule, third schedule and fourth schedule of the Limited Liability Partnership Rules, 2009 shall come into force.

- **Limited Liability Partnership (Amendment) Rules, 2009:**

Ministry of Corporate Affairs vide its notification No. GSR 385(E) dated 4.6.2009 inserted in the Limited Liability Partnership Rules, 2009, after rule 32(2), the following proviso, namely:-

"Provided that until the Tribunal is constituted under the Companies Act, 1956, the application under this sub-rule may be made to the Company Law Board".

ANNOUNCEMENT

PAPER-WISE EXEMPTIONS ON RECIPROCAL BASIS TO ICSI AND ICWAI STUDENTS

The Council of the Institute has given approval that the final passed students of ICWAI can avail exemptions in the following papers of Foundation Programme, Executive Programme and Professional Programme of the Company Secretaryship Course under the New Syllabus effective from 1st November, 2007, 1st February, 2008 and 1st August, 2008 respectively.

Scheme of Exemptions

Exemption to CS passed candidates in papers of ICWAI.	Exemption to CWA passed candidates in Papers of ICSI.
Foundation Course (4 papers) - Complete exemption	Complete exemption Foundation Programme (4 papers) -
Intermediate Course 1. Financial Accounting (Paper 5) 2. Applied Direct Taxation (Paper 7)	Executive Programme 1. Company Accounts, Cost & Management Accounting (Module I, Paper 2) 2. Tax Laws (Module I, Paper 3)
Final Course 3. Financial Management & International Finance (Paper 12) 4. Indirect & Direct Tax Management (Paper 14)	Professional Programme 3. Financial, Treasury and Forex Management (Module II, Paper 3) 4. Advanced Tax Laws & Practice (Module III, Paper 6)

Students enrolled to Company Secretary-ship Course and wish to seek above said paper-wise exemption(s) - on the strength of having passed the final examination of ICWAI - may make their request in writing to Director (Students Services) at C-37, Sector-62, NOIDA-201 309 (U.P) together with the requisite exemption fee @Rs.100 per paper by way of Demand Draft drawn in favor of 'The Institute of Company Secretaries of India' payable at New Delhi and the valid document in support of having passed the Final examination of the Institute of Cost & Works Accountants of India on or before the last date of submission of enrolment application for the CS Examination.

The above exemption scheme is effective from December, 2008/ June, 2009 for Foundation/Executive Programme and CS Professional Programme exami-nation(s) respectively.

LEGAL WORLD

Compiled by T.K.A. Padmanabhan, FCS, Advocate, New Delhi.

CORPORATE LAWS

LW(S) 46.10.2009

SEQUENT SCIENTIFIC LTD. IN RE, [2009] 151 Comp Cas 1 (BOM), Khanwilkar A. M. J [Decided on 16-6-2009]

Companies Act, 1956 – Sections 391 and 394 – Scheme of amalgamation – Objection by intervener having supply agreement with transferor company that scheme in breach of agreement – Whether objection tenable – Held, No.

Brief Facts: The entire undertaking of a company was sought to be transferred and vested in another company through a scheme of amalgamation and sanction of the court was sought in two petitions under section 394 of the Companies Act, 1956. The scheme was objected to by an intervener. It was contended, *inter alia*, that the transferor company had entered into a supply agreement with the intervener and the transferor company could not assign in whole or in part, its rights and obligations under the agreement without the prior written consent of the intervener; that the transferor company had not approached the intervener seeking such consent nor did the intervener give its consent to the transferor company; that transfer under the scheme was not an involuntary transfer effected by the court and that if the proposed scheme was sanctioned, it would indirectly transfer the technology belonging to the intervener to the transferee company which was prohibited under the supply agreement.

Decision: Objection overruled and scheme sanctioned.

Reason: Under section 391 of the Companies Act, 1956, it was only the creditors and shareholders who were expected to consider the proposed scheme of amalgamation. The intervener was neither a shareholder nor a creditor of the transferor company and could not raise any objection with regard to the scheme. The objection raised was in the nature of grievance about breach of or likelihood of breach of conditions of the supply agreement operating between the intervener and the transferor company and the possibility of breach of some contractual obligation as a consequence of approving the scheme of amalgamation could not be the basis to consider the efficacy and the justification for sanctioning the scheme of amalgamation. The argument of the intervener that the transfer would result in breach of conditions of the supply agreement was of no avail. Even if it resulted in a transfer and such a transfer was in breach of contractual terms under the supply agreement, that was a matter which would have to be addressed at the appropriate stage. The intervener was free to invoke the terms of contract and terminate the agreement, as also claim relief of damages or any other civil or criminal action permissible by law. The question whether the scheme of amalgamation resulted in transfer of the rights and liabilities under the supply agreement in favour of the transferee company in violation of the agreement would have to be addressed in such a proceeding.

LW(S) 47.10.2009

KOTHARI INDUSTRIAL CORPORATION LTD. v. KOTAK MAHINDRA BANK LTD. [2009] 151 C-C 44 (MAD)], Raviraja Pandian. K & Janarthana Raja. P.P.S, JJ [Decided on 10-7-2009]

Section 443(2) of the Companies Act, 1956 read with rules 96 and 99 of the Companies (Court) Rules, 1959, -Winding up order passed without admitting petition – Mandatory statutory provisions not followed – Whether correct – Held, No.

Admission of the company petition and advertisement of the petition as provided in the Companies (Court) Rules, 1959, are a must and in the absence of advertisement and its admission, the company petition is bound to be rejected.

Brief Facts: The appellant-company was ordered to be wound up on pre-admission notice and upon hearing the appellant-company. On appeal, the appellant-company, *inter alia*, contended that none of

the mandatory statutory provisions for ordering winding up of a company had been followed and that the winding up order had been passed without admitting the company petition which was against the requirements of rules 96 and 99 of the Companies (Court) Rules, 1959 and section 443(2) of the Companies Act, 1956.

Decision: Appeal allowed.

Reasons: The order of winding up was contrary to the statutory requirements and amounted to an illegal order not supported by the statute. An illegal order could not be severed by keeping the finding alone in tact and setting aside that portion of the conclusion and remitting back the matter to the court to cure the defects. An appellate court could not do the exercise of the company court, when the court had come to the conclusion that the order impugned was against the statutory provisions. The order impugned was to be set aside and the matter was to be remitted to the company court to pass orders on the petition in accordance with the statutory provisions.

LW(S) 48.10.2009

SUNAIR HOTELS LTD. v. REGISTRAR OF COMPANIES [[2009] 151 Comp Cas 92(DEL)], Vipin Sanghi, J [Decided on 2-7-2008]

Companies Act, 1956-Sections 397, 398 and 399 – Death of shareholder – Petition by legal heir and minority shareholder – Transmission of shares in favour of another person on basis of nomination – Registered will of deceased shareholder bequeathing shares in favour of legal heir undisputed – Shares registered in favour of another person on basis of nomination Whether nominee is entitled to the shares – Held, No.

Company Law Board – Powers – Preliminary issue – Whether CLB has discretionary power to decide preliminary issues at final hearing – Held, Yes.

Brief Facts: The first respondent was the legal heir of the deceased majority shareholder and the second respondent was a minority shareholder in the appellant-company. On the allegations of refusal to transfer the deceased shareholder's shares in the name of the first respondent in terms of the registered will of the deceased shareholder and further allotment of shares to outsiders who were not lineal descendants of the deceased shareholder thereby reducing the first and second respondents to a minority, the first and second respondents filed a petition under sections 397 and 398 of the Companies Act, 1956. The appellants filed an application challenging the maintainability of the petition on the ground that they did not satisfy the requirements of section 399 of the Act to file a petition under sections 397 and 398 of the Act and seriously disputed their title to the shares on the ground that the deceased shareholder had pledged his shares with respondent No. 3 and a nomination was made in favour of respondent No. 3 thereby entitling him to all the rights in respect of the shares in question. The Company Law Board declined to dismiss the petition concluding that the maintainability of the petition in terms of section 399 of the Act could not be examined at the threshold but could be determined only after completion of the pleadings. Appellants challenged the order of the CLB before the High Court.

Decision: Appeal dismissed.

Reasons: The CLB had discretionary power to decide the preliminary issue at the final hearing. The first respondent as a legal heir of the deceased shareholder and the second respondent a minority shareholder having no outstanding amount payable to the company were entitled to maintain the petition. The petition could not be dismissed on the ground of the principle of demurrer. The allegations of transmission of shares in favour of respondent No. 3 on the basis of nomination and further allotment of shares to various entities who were not direct lineal descendants of the deceased shareholder in violation of the articles of association were directly concerned with the conduct of the directors of the company and were within the realm of sections 397 and 398 of the Act to be decided by the Board. These actions of the appellant-company could be challenged as being oppressive to the company and its members in a petition under sections 397 and 398 of the Act and it would be for the company to defend the allegations made in the petition. The disputes could not be dismissed as mere

private disputes between two persons who were claiming interest in the same shares since the company had chosen to accept and act on the claim laid by respondent No. 3 on the basis of nomination.

The registration of shares in favour of respondent No. 3 was founded upon nomination and not upon the pledge claimed to have been created in his favour since no notices had been issued to the pledger, the deceased shareholder during his life time, before the foreclosure of the pledge nor to his legal heirs to redeem the pledge. Further, no legal proceedings had been initiated to foreclose the pledge and a pledgee could not appropriate to himself the pledged goods unilaterally. The appellant-company had accepted and acted upon the nomination. Neither the fact that the first respondent was a class-I heir in respect of the estate of the deceased shareholder nor the registered will which bequeathed the shares in favour of the first respondent was disputed. The first respondent would be the successor-in-interest since the third respondent was neither a class-I heir nor had he set up a claim by way of testamentary succession in respect of the deceased shareholder's shares but only on the basis of nomination. The Board merely observed that the execution and validity of the nomination were issues which required consideration. The issue regarding nomination set up by the third respondent was a purely legal issue involving the interpretation of section 109A of the Act. The purported nomination made by the deceased shareholder had not been attested by any witness. Consequently, the nomination was invalid and would not have the effect of overriding the normal law of succession. [The Board was directed to decide the petition along with the application.]

LW(S) 49.10.2009

MODI FIBRES LTD. v. MODI RUBBER LTD. [[2009] 151 Comp Cas 181 (BOM)], Khanwilkar A. M. J [Decided on 3-7-2009]

Companies Act, 1956 – Sections 111, 111A, 397 and 398 – Oppression and mismanagement – Admission of composite petition in part – Whether correct – Held, Yes.

Member filing winding up petition in the capacity of creditor- Later files petition under section 399 as member- Whether proper- Held, No.

Brief Facts: The Company Law Board, by its order dated April 16, 2009, *inter alia*, admitted a composite petition filed by the respondents under sections 111A, 235(2), 250(3), 397 and 398 read with sections 402, 403 and 408 of the Companies Act, 1956, in part. The petition had been admitted despite the various objections raised by the appellant. In an appeal against the order, it was, *inter alia*, contended that when a party consciously and under legal advice had invoked the remedy of winding up of the company under section 433 on the assertion that he was a creditor of the company on account of a certain transaction, it was not open to that party to later on institute another substantive proceeding under section 397/398 or under section 111A of the 1956 Act relying on the same transaction to assert that he was a member/shareholder of the company. It was also contended by the appellants that the scope of authority of the Board to grant interim relief was restricted by section 111A(4) of the Act and the ad interim reliefs granted were in excess of jurisdiction of the Board. The respondents submitted that the petition filed against the appellant under section 433 of the Act be treated as one filed under section 433(f) of the Act or in the alternative it be allowed to be withdrawn.

Decision: Appeal allowed.

Reasons: The Company Law Board may be generally right in observing that the person could avail of more than one remedy in a given situation and would not, therefore, be deprived from resorting to another substantive remedy at a later point of time. A member/shareholder could not be a creditor of the company at the same time in relation to the same transaction. It was the efficacy of this dichotomy that was required to be addressed by the Board. These aspects could not be examined for the first time in the appeal especially when the order in appeal was one admitting the petition filed by the respondent in part under section 111A. The order was to be set aside and the parties were to be relegated before the Board for reconsideration of the matter afresh as the issue raised by the appellant went to the root of the matter and the Board had failed to address it. The issue involving

grant of ad interim reliefs was also to be relegated before the Board, which was to consider the question on the merits.

LW(S) 50.10.2009

A. MALLIKARJUNAPPA v. STANDARD INDUSTRIAL ENGINEERING COMPANY [[2009] 151 Comp Cas 199 (KAR)], Shylendra Kumar D.V & Aravind Kumar, JJ . [Decided on 9-7-2009]

Companies Act, 1956 – Winding up order – Winding up order affirmed in appeal – Winding up order merging with appellate order – Recall of winding up – Whether recall is permissible – Held, No.

Brief Facts: The order of winding up (see *Standard Industrial Engineering Company v. Bellary Power (India) P. Ltd.* [2006] 133 Comp Cas 787 (Kar)) had been affirmed in appeal by the second respondent-company (see *Bellary Power (India) P. Ltd. v. Standard Industrial Engineering Company* [2009] 151 Comp Cas 195 (Kar)). In its recall application the appellant contended that he was not aware of the winding up proceedings and that he was prepared to discharge the liability of the company and therefore sought to set aside the winding up order.

Decision: Application dismissed.

Reasons: The order passed by the single judge for winding up the company had been appealed against and had been affirmed in the appeal, therefore, the order did not survive independently for examination. The application as sought for by the appellant was not provided for in law. The order passed by the single judge had merged with the appeal and there could not be any retracing of steps.

TAX LAWS

LW(S) 51.10.2009

ROXY ENGG. P. LTD. v. COMMISSIONER OF INCOME-TAX [[2009] 316 ITR 247(P&H)], Hemant Gupta & Rajesh Bindal JJ [Decided on 14-8-2008]

Income-tax Act, 1961- Section 260A- Appeal to High Court— Substantial question of law-Tribunal merely remanding case to Commissioner (Appeals)—No decision in favour or against any of parties-Whether involves any substantial question of law – Held, No.

The High Court can interfere only when there is a substantial question of law arising out of the order of the Tribunal. When the case is remanded by the Tribunal to the Commissioner (Appeals) for consideration on the merits after affording an opportunity of hearing to the parties, no issue is decided finally in favour or against any of the parties. In such a situation, no substantial question of law would arise out of an order passed by the Tribunal merely remanding the case to the Commissioner (Appeals) for deciding afresh. The Commissioner (Appeals) is bound by law while considering the case in remand.

LW(S) 52.10.2009

COMMISSIONER OF INCOME-TAX V. LAXMI PD. & SONS [[2009] 316 ITR 330(ALL)], Sushil Harkauli & Sudhir Agarwal JJ [Decided on 25-2-2008]

Income-tax Act, 1961 – Section 2(31)(v) – Association of persons – Association must be voluntary – Forced association of persons by inheritance under will- Whether constitutes an association of persons – Held, No.

The assessee could not be said to be an association of persons because of the terms of the will under which the two legatees had inherited the assets of the testator jointly, and the shares of each legatees were not specified. Therefore, association of persons was never constituted by the will.

An association of persons is a voluntary association of two or more persons who joined together for a particular purpose which may not necessarily be with the object of deriving of income or profits or gains. Whatever the object of associating, the association has to be voluntary on the part of the persons forming association. Forced association of persons because of inheriting joint property under a will or such other circumstances not being voluntary would not constitute such joint legatees an association of persons.

STUDENT SERVICES

REGISTRATION AND POSTAL TUITION

1. Cancellation of Registration

Registration of students registered upto and including November, 2004 stands terminated on expiry of five-year period on 31st October 2009 leading to the following immediate consequences :-

- (a) Supply of 'Student Company Secretary' bulletin will be discontinued from November, 2009 onwards.
- (b) Response sheets will not be accepted even if submitted and coaching completion certificates will not be issued (after the expiry of registration period)

They are advised to apply for registration de-novo/ extension of registration as per the guidelines published in this bulletin.

(Students whose registration is valid upto August, 2009 are, however, eligible to appear in December, 2009 examination without seeking extension of registration/ registration de-novo subject to fulfilling other requirements laid down in the regulations.)

2. Change of Address

Change of address, if any, should be intimated to the Institute by sending a separate letter in this regard. While intimating the change in their mailing address, the students are advised to invariably quote the PIN CODE number alongwith the student registration number, name and full postal address with city, state in capital letters.

PIN CODE is required to be mentioned for quick delivery of the mail. Students may, therefore, check up the computerised mailing address as printed on the 'Student Company Secretary' bulletin. In case, it does not carry or carry the wrong PIN CODE number, the same may be intimated immediately quoting student registration number and full postal address with Postal Index Number so that it could be incorporated in the computerised mailing list.

3. E-Mail Address of the Students

Those students who are having e-mail address may communicate the same to the Student Services Section at dss@icsi.edu, which will facilitate quick and economic communication from the Institute's side. The e-mail address may be sent in the following format.

Name :
Registration No. :
E-Mail Address :

4. Students Identity Card

All the students appearing in the examination must hold Identity Card in the manner prescribed by the Institute, if not already obtained at the time of seeking registration. For obtaining the Identity Card, students are advised to obtain a proforma from the Headquarters/ Regional Offices of the Institute and send it again to the Institute duly filled up and attested as per instructions given in the prospectus/ registration letter.

Students who have so far not obtained Identity Cards are advised to write to the Institute immediately. The students should carry their Identity Cards without fail for appearing in the Institute's examination. If the Identity Card already issued has been lost or mutilated, student should send a request for obtaining duplicate Identity Card together with the mutilated Identity Card/Identity Card proforma duly filled in and attested together with Rs. 50/- towards duplicate Identity Card fee.

5. Compulsory Enrolment for Professional Programme

Students who have passed/completed both groups/ modules of Intermediate/ Executive examination are advised to seek compulsory

enrolment for undergoing coaching for the Final / Professional Programme on payment of Rs. 7500/- towards postal tuition fee.

Professional Programme Examination

Eligibility for admission/appearing in examination

candidate will be admitted to the Professional Programme examination, if –

- (i) he/she has registered himself/herself as a student for the Professional Programme at least nine calendar months prior to the month in which the examination commences. In other words, candidates registered as students upto and including the month of February in a year are eligible to appear in all the four modules of the Professional Programme examination to be held in December of that year, and those registered between March and August during a year are eligible to appear in all the four modules of the Professional Programme examination to be held in the month of June next year subject to satisfactory completion of compulsory coaching.
- (ii) However, a candidate registered as a student at least six calendar months prior to the month in which the examination commences may be allowed to appear in any one or two module(s) of the Professional Programme examination, that is to say, a candidate registered as a student upto and including the month of May in a year will be eligible for appearing in one or to module(s) in December examination and those who are registered from June onwards and upto and including the month of November in a year will be eligible to appear in any one or two module(s) of Professional Programme examination to be held in the month of June next year.

6. Uniformity in Signatures

It has been observed that some of the enrollment applications / letters received from the students are either unsigned or bear different signatures from time to time.

All the students are, therefore, advised to maintain uniformity in their signatures on all the correspondence with the Institute including students identity card, enrollment application and attendance sheet provided in the examination hall at the time of writing examinations.

7. Clarification Regarding Paperwise Exemption

- (a) The paperwise exemption is granted only on the basis of specific request received in writing from a registered student along with the attested photocopies of marks sheets for all parts of the Degree/examination (on the basis of which the paperwise exemption is sought) and the exemption fee @ Rs. 100/- per paper. It is one time payment and not to be remitted for availing of paper wise exemption in every session of examination during the validity of registration period.
- (b) The application for claiming paperwise exemption must reach the Institute on or before the last date for submission of enrolment application i.e. 25th March and 25th September for June and December examinations respectively and with a late fee of Rs. 100/-, the application can be accepted upto 9th April and 10th October respectively.
- (c) The paperwise exemption once granted holds good during the validity of registration period or passing/completing the examination, whichever is earlier.
- (d) The paperwise exemption is cancelled only on receipt of a specific request in writing from the student concerned on or before the last date for submission of the enrolment application. If any candidate appears in the exempted paper(s) of examination without receiving the written confirmation from the Institute, but by making personal

representation, appeal, request, etc., at the Examination Centre at the last moment, his/her appearance in such paper(s) shall automatically be treated as cancelled.

- (e) It may be noted that candidates who apply for grant of paper wise exemption or seek cancellation of paper wise exemption already granted, before the last date of submission of enrolment applications for a particular examination, must see and ensure that they receive written confirmation from the Institute at least 15-20 days prior to the commencement of the examination. Candidates who would presume automatic grant or cancellation of paper wise exemption without obtaining written confirmation on time and absent themselves in any paper(s) of examination and/or appear in the exempted paper(s) would do so at their own risk and responsibility and the matter will be dealt with as per the above guidelines.
- (f) Exemption once cancelled on request in writing shall not be granted again under any circumstances.
- (g) The candidates who have passed either group of the Intermediate/Final examination under the old syllabus, may claim the paperwise exemption in the corresponding subject(s) of new syllabus indicating the basis of exemption as "APO" in the appropriate column of the enrolment application.
- (h) In case the paperwise exemption has already been granted on the basis of qualification or the candidate is eligible for grant of exemption on the basis of securing 60% or more marks, a photocopy of the letter/marks-sheet issued by the Institute should be enclosed with the enrolment application while claiming such exemption, failing which the same may not be granted for the ensuing examination.
- (i) No exemption fee is payable for availing paperwise exemption on the basis of "APO" or on the basis of securing 60% or more marks in the Institute's examination.
- (j) Paperwise exemption fee is payable only when the exemption is to be availed on the basis of qualification(s) specified for the purpose.

8. Completion of Coaching and Filling Up of Examination Forms

At times queries are received by the Institute from the students with regard to filling up of examination forms for want of issue of coaching completion certificate. It is clarified that students (i) who are undergoing oral coaching, and (ii) students who have submitted or re-submitted their response sheets and/or would be submitting or re-submitting the response sheets within the stipulated period, are eligible to fill up the examination forms for the respective session of examination. Such students need not withhold the submission of

their examination forms for want of coaching completion certificates. The students concerned are advised to make a note in the application form to the effect that they are undergoing oral coaching/ have submitted response sheets and are awaiting coaching completion certificates. Since there cannot be any change with regard to the closing date for submission of examination forms, students need not wait for the issue of coaching completion certificates for filling up their examination forms. They are advised to mention against the appropriate column in the enrolment application form that coaching completion certificates are being awaited.

Students who were issued with limited permission letters, for appearing in June, 2009 examination, are advised to submit the deficient response sheets immediately as such students, if failed, will not be allowed to appear in December, 2009 examination, unless they are issued with the regular coaching completion certificates (s) for the group (s)/module(s) for which limited permission letter was issued.

Students who secure 35% or more marks in aggregate and 30% marks in individual paper in a group in June, 2009 examination, are advised to submit photocopy of the marks sheet for the issue of Coaching Completion Certificate, if eligible.

9. Exemption from Computer Training

A student can be exempted from undergoing the course on the basis of his existing qualification/degree in the computer field and qualifies the need of 'Course Contents Syllabus' as scheduled by NIIT for C.S. Students, subject to the condition that he or she enrolls himself/herself for an online exemption test (to be conducted by NIIT) from any of the NIIT Center on all India basis and successfully clears the test

10. IMPORTANT

While making any correspondence regarding examination, the students are advised to quote the following particulars for taking prompt action :

i) Name in full (ii) Student Registration number (iii) Stage of examination (Intermediate/Executive/Final/Professional) (iv) Group/Module opted (v) Centre opted (vi) Particulars of fee remitted, i.e. Demand Draft (printed) number, date, amount, name of the bank and its branch (vii) Date and mode of despatch of enrolment application and their complete address with PIN code, telephone number, mobile number or e-mail address.

In case of any specific problem/complaint regarding registration, post-registration, students services and postal/oral coaching, students may contact personally or write to **Sohan Lal**, Director and for academic guidance and suggestions, if any, students may write to Sutanu Sinha, Director at the Institute's address.

SCHEDULE OF ACADEMIC DEVELOPMENT PROGRAMMES (ADP)

Every student of the Institute, who has been sponsored for 15 months training either in a company or under a Company Secretary in Practice is compulsorily required to attend and complete 25 Hours Academic Development Programme (ADP). The duration of each ADP would be eight hours and those who have attended three such programmes would be deemed to have attended 25 Hours ADP.

The Schedule of ADP proposed to be organized by various Regional Councils/Chapter :-

Organised by	Duration of the Programme	Venue of the Programme	Contact Address
NIRC of the ICSI	21.11.2009	Office Premises	The Executive Officer, NIRC of the ICSI, ICSI-NIRC Building, Plot No. 4, Prasad Nagar, Institutional Area, New Delhi-110005 ☐ Tel.: 25763090/25767190, 25816593 ☐ Fax: 25722662 (STD CODE: 011) ☐ E-mail: niro@icsi.edu/icsi@eth.net

ATTENTION STUDENTS!

ICSI STUDENTS EDUCATION FUND TRUST

With a view to encourage and motivate economically backward and academically bright students to pursue the Company Secretaryship Course, the Institute has created a Trust viz. ICSI Students Education Fund Trust.

STAGE	CATEGORIES OF STUDENTS / ELIGIBILITY CRITERIA	
	For Students with Family Income upto Rs. 1,00,000 per annum	For Academically Bright Students without any limit on their Family Income
Foundation Programme	75% Marks in both Matriculation & Senior Secondary Stages	90% Marks in both Matriculation & Senior Secondary Stages
Executive Programme	75% Marks in both Matriculation & Senior Secondary Stages and 60% Marks in Bachelor's Degree Stage	90% Marks in both Matriculation & Senior Secondary Stages and 85% Marks in Bachelor's Degree Stage

NATURE AND EXTENT OF FINANCIAL ASSISTANCE

Eligible students shall be fully exempted from paying the Registration/ Admission Fee, Postal Tuition Fee, Exemption Fee and other fees usually payable at the time of admission to Foundation/ Executive Programmes. Depending upon their performance in the CS Examinations, the students may also be exempted from payment of Examination Fee and also the fees payable at the time of admission to Executive Programme and Professional Programme (for students admitted to Foundation Programme) and Professional Programme (for students admitted to Executive Programme) .

For detailed guidelines, application form, etc. please visit www.icsi.edu

Students desirous of availing the financial assistance may submit their application in the prescribed format along with all supporting documents to **Director (Student Services), The Institute of Company Secretaries of India, C-37, Sector – 62, Noida – 201 309.**

GUIDELINES FOR PROVIDING FINANCIAL ASSISTANCE FROM 'ICSI STUDENTS EDUCATION FUND TRUST'

The Council of the Institute in its 182nd meeting held on 31.08.2008 has approved creation of 'ICSI Students Education Fund Trust' with the following objectives : -

OBJECTIVES

- To financially assist the economically backward students as part of its social responsibility.
- To promote/ encourage academically bright students to attract the best available talent to the profession.

CRITERIA FOR FINANCIAL ASSISTANCE

All Registered Students of the Institute fulfilling the relevant

criteria given below are eligible to apply for financial assistance under the Scheme. The applications are required to be lodged in the prescribed application form placed at www.icsi.edu.

1. ECONOMICALLY BACKWARD STUDENTS WITH GOOD ACADEMIC RECORD

- Students seeking financial grant/ assistance, should have obtained atleast 75% Marks in aggregate or equivalent grade in their Matriculation(10th) and Senior Secondary(12th) Stage (For Foundation Students) and atleast 60% Marks in their Bachelor's Degree Examinations in the aggregate (For Students of Regular Stage) to get eligible for consideration of such financial grant. The percentage of marks are to be achieved in each and every qualifying stage separately.
- Provided further that the annual income from all sources of the student on his/ her own/ Parents/ Spouse/ Guardian of the Student should not exceed Rupees One Lac.
- Provided further that the Income Certificate issued by the competent authority of the State / Central Government should be submitted.

The benefits would be as under : -

- Eligible Students shall be fully exempted from paying the Registration/ Admission Fee, Postal Tuition Fee, Exemption Fee and other fees normally required to be paid by the students at the time of admission.
- Eligible Students shall also be exempted from payment of Examination Fees only for the first attempt. Such exemption would be further subject to the condition that the student should seek enrollment to the Examination at the first available opportunity vis-à-vis their admission date.
- Out of the eligible students under the guidelines of this Scheme, the Foundation Programme students passing the CS Examinations at their first attempt and first available opportunity would be further exempted from payment of Registration Fee, Postal Tuition Fee, Exemption Fee and other fees required for admission to the Executive Programme.
- Similar criteria would be followed for students passing the Executive Programme at the first attempt and first available opportunity and would be further exempted from payment of Registration Fee, Postal Tuition Fee, Exemption Fee and other fees required for registration to the Professional Programme.

2. ACADEMICALLY BRIGHT STUDENTS

The Institute would promote the best talents available by recognizing the academic achievements of the students so that the profession is further strengthened by attracting very bright students.

- Students seeking financial grant/ assistance, should have obtained atleast 90% Marks in aggregate or equivalent grade in their Senior Secondary(12th) Stage (For

Foundation Students) and atleast 85% Marks in their Bachelor's Degree Examinations in the aggregate (For Students of Regular Stage) to get eligible for consideration of such financial grant. The percentage of marks are to be achieved in each and every qualifying stage separately.

- (ii) Under this Criteria, there would not be any income limit for the Parent/ Guardian of the students and the applications would be considered purely on academic merit.

The benefits under Criteria-2 would be as under :-

- (i) Eligible Students shall be fully exempted from paying the Postal Tuition Fee, Exemption Fee, and other fees except Registration/ Admission Fee normally required to be paid by the students at the time of admission.
- (ii) Eligible Students shall also be exempted from payment of Examination Fees only for the first attempt. Such exemption would be further subject to the condition that the student should seek enrollment to the Examination at the first available opportunity vis-à-vis their admission date.
- (iii) Out of the eligible students under the guidelines of this Scheme, the Foundation Programme students passing the CS Examinations at their first attempt and first available opportunity would be further exempted from payment of Registration Fee, Postal Coaching Fee, Exemption Fee and other fees required for admission to the Executive Programme.
- (iv) Similar criteria would be followed for students passing the Executive Programme at the first attempt and first available opportunity and would be further exempted from payment of Registration Fee, Postal Tuition Fee, Exemption Fee and other fees required for admission to the Professional Programme.

EXCLUSIONS/ DISCRETION OF THE INSTITUTE

- (i) The eligibility of financial assistance/ grant to any student would be subject to the absolute discretion of the Institute subject to availability of funds and other various factors and fulfilling the criteria laid down under these guidelines do not give the students any automatic right to get such assistance.
- (ii) The students who have been granted any other Scholarship / Assistance by the Institute through other Schemes of the Institute like Merit Scholarship, Merit-cum-Means Assistance Scheme or any other Scheme, would only be eligible for the shortfall in the total financial assistance, if any, under this Scheme.
- (iii) Any conditions contained under these guidelines may be relaxed by the Executive Committee of the Council of the Institute, if needed.
- (iv) The financial assistance/ grant will be considered on receiving specific request from the concerned students and the students will have to pay the full fees pending consideration of their eligibility under the Scheme.

ATTENTION STUDENTS

INTENDING TO APPEAR IN COMPANY SECRETARIES EXAMINATIONS DECEMBER, 2009

1. (a) Last date for receipt of Examination 25.09.2009 application in the Institute
(b) With a late fee of Rs. 100 12.10.2009 (10th & 11th being holiday)
2. Examination Fees
 - i. Foundation/Foundation Programme Rs.875 (Lumpsum)
 - ii. Intermediate/Executive Programme Rs.900 (Per group)/Module
 - iii. Final/Professional Programme Rs.750 (Per group)/Module
3. Last date for seeking paperwise exemption 25.09.2009
4. Last date for seeking extension of registration/registration *de-novo* 25.09.2009

Notes :

- I. Examination fee is payable on groupwise and not on paperwise basis for intermediate/Executive/Final/Professional examinations.
- II. All students appearing in the Intermediate examination are required to complete successfully the Computer Training before filling up the examination form 'EXA'
- III. The students who have submitted/ would be submitting all the response sheets within the stipulated time, may submit their enrolment applications for appearing in the examination pending issue/receipt of the coaching completion certificates. But coaching completion certificate would be issued only when they have successfully completed the coaching for the group(s) concerned.
- IV. Please note that unsigned, incomplete and applications not filled in their own handwriting by the students will not be accepted.
- V. No change of group(s)/Module(s) will be allowed after submission of the enrolment application.
- VI. No request for change of medium for writing the examination will be entertained after submission of the enrolment application.
- VII. No cutting and over writing is to be done in the examination form.
- VIII. No request for grant/cancellation of paperwise exemption shall be entertained after the last date i.e. 25th March/ 25th September for June/December examination respectively.
- IX. No request/correspondence for withdrawal of application from appearing in the examination or adjustment of amount for the next examination shall be entertained after submission of the examination form under any circumstances.**

Students are, therefore, once again advised to fill in the enrolment applications/examination forms 'EXA' carefully to avoid last moment problem for themselves as well as for the Institute.

- X **Mode of Payment** : Students who intend to pay the fees by demand draft may please ensure that it should be crossed and drawn in favour of "The Institute of Company Secretaries of India", payable at New Delhi.
- XI **Students Identity Card** : All the candidates appearing in the Company Secretaries Examination are advised to timely complete necessary formalities for obtaining their identity cards duly countersigned by the issuing authority of the Institute as per instructions published in the prospectus **Career in Company Secretaryship – A Handbook**".

Student Services

LIST OF INSTITUTES EMPANELLED IN IMPARTING THE ORAL COACHING FACILITIES TO THE CS STUDENTS UNDER PUBLIC/ PRIVATE PARTNERSHIP SCHEME

S. No.	Name & Address of Empanelled Institutions	Validity for CS Session of Examination
EASTERN INDIA REGIONAL COUNCIL		
1.	M/s Jain Classes First Floor, Dey Complex Outer Circle Road, Bistupur, Jamshedpur-831 001	June'09 & December'09 Session of CS Examinations.
2.	M/s Happy Coaching Institute Fatak, P.O. Budharaja Sambalpur-768 004 Orissa	December'09 & June'10 Session of CS Examinations.
3.	M/s Jain Tutorials Ganges Garden BL: A-1 3 rd Floor 106, K.C.S Road Shibpur – HOWRAH-711 102 Telephone No. 033-2638 5571 Mobile No. 0-98312 55762	June'09 & December'09 Session of CS Examinations.
4.	The Director M/s Institute for Inspiration & Self Development 1-B/200/1, Sector-III Salt Lake City, Kolkata-700 106	June'10 & December'10 Session of CS Examinations.
5.	The Director M/s Ambedkar Institute of Higher Education Boring Road (Dadji Lane) Patna-800 001 (Bihar)	June'09 & December'09 Session of CS Examinations.
6.	The Principal M/s Haldia Law College HIT Campus, Haldia – Purba Medinipur 721 657 (W.B)	December'09 & June'10 Session of CS Examinations.
NORTHERN INDIA REGIONAL COUNCIL		
1.	M/s G.G.D.S.D. College Rajpur (Palampur) Distt. Kangra Himachal Pradesh	December'09 & June'10 Session of CS Examinations.
2.	M/s Springdale College of Management Studies Madhotanda Road Pilibhit-262 001 (U.P)	December'09 & June'10 Session of CS Examinations.
3.	M/s Delhi Institute of Professional Studies 54, First Floor, Sukhdev Nagar Civil Hospital Road Panipat-132 103 (Haryana)	December'09 & June'10 Session of CS Examinations.
4.	M/s Sainath Commerce Classes C-20, Talwandi, Kota-324 005	December'09 & June'10 Session of CS Examinations.
5.	M/s Lucknow Commerce Academy S-72/17, Old 'C' Block Chauraha Rajajipuram (Near Lekhraj) Lucknow-226 017	December'09 & June'10 Session of CS Examinations.
6.	The Director M/s 1360, Staffing & Training Solutions Private Limited 46, First Floor, Karanpur Dehradun (U.P)	June'09 & December'09 Session of CS Examinations.

7.	M/s NGPA Taxation & Professional Services Pvt. Ltd. C-7/188, Sector-7, Rohini Delhi-110 085	June'10 & December'10 Session of CS Examinations.
WESTERN INDIA REGIONAL COUNCIL		
1.	M/s Career Classes 303, Shalimar Corporate Center 8, South Tukoganj, Near Hotel Balwas Indore (M.P)	December'09 & June'10 Session of CS Examinations.
2.	M/s Institute of Management Training & Research Artha Complex, 2 nd Floor Near IMA House and Tapdiya Terrace, Off. Adalat Road Aurangabad-431 001 (M.S)	December'08 & June'09 Session of CS Examinations.
3.	M/s Career Consultant 3018, Trade House, Ring Road Surat-395 002	December'08 & June'09 Session of CS Examination.
4.	M/s Madhu Jas Promotions Pvt. Ltd. 12/1, Dr. Sarju Prasad Marg Behind Kanchan Hotel Near Gokuldas Hospital Indore-452 001	June'09 & December'09 Session of CS Examination.
5.	M/s Tolani Commerce College P.O. Box No.27 Adipur (Kachchh) 370 205	June'09 & December'09 Session of CS Examination.
6.	M/s Muley Classes Shop No.14, Ashoka Gardens B-Wing, M.P. Road Panvel-410 206	December'08 & June'09 Session of CS Examination.
7.	M/s AEC India Commerce (Lawork) 208-209, Gopal Madhav Extension Place Above Shan Shoukat Shinde Ki Chhawani Gwalior-474 001 (M.P)	December'09 & June'10 Session of CS Examination.
8.	The Principal M/s D.M.'s College of Arts, Science & Commerce Assagao, Bardez, Goa-403 507	June'10 & December'10 Session of CS Examination
9.	M/s Navkar Institution 7, Pallavi Row House Opp. Memnagar Fire Station Navrangpura Ahmedabad-380 009	December'09 & June'10 Session of CS Examinations.
10.	M/s Bhide Classes [Division of Bhide Education Pvt. Ltd.] 305, Shuamkamal, A Building Vile Parle (East), Mumbai-400 057 [Branch: Dadar (West)]	December'09 & June'10 Session of CS Examinations.
11.	M/s Bhide Classes [Division of Bhide Education Pvt. Ltd.] 305, Shuamkamal, A Building Vile Parle (East), Mumbai-400 057 [Branch: Charni Road]	December'09 & June'10 Session of CS Examinations.

Student Services

12.	M/s Bhide Classes [Division of Bhide Education Pvt. Ltd.] 305, Shuamkamal, A Building Vile Parle (East), Mumbai-400 057 [Branch: Vile Parle (East)]	December'09 & June'10 Session of CS Examinations.
13.	M/s Bhide Classes [Division of Bhide Education Pvt. Ltd.] 305, Shuamkamal, A Building Vile Parle (East), Mumbai-400 057 [Branch: Borivali]	December'09 & June'10 Session of CS Examinations.
14.	M/s Bhide Classes [Division of Bhide Education Pvt. Ltd.] 305, Shuamkamal, A Building Vile Parle (East), Mumbai-400 057 [Branch: Andheri]	December'09 & June'10 Session of CS Examinations.
15.	The Director M/s Geetanjali College of Computer Sciene & Commerce, Indian Redcross Building Suchak Road, Opp. Shastri Maidan, Rajkot-360 001	June'10 & December'10 session of CS Examinations.
16.	The Director M/s Sukh Sagor Institute 205, Sukh Sagar, Hughes Road Chowpatty, Mumbai-400 007 (M.S)	June'10 & December'10 session of CS Examinations.
17.	The Principal M/s Dhananjayrao Gadgil College of Commerce Distt. Satara Maharashtra-415 001	June'10 & December'10 session of CS Examinations.
18.	The Managing Director M/s IDEAL Classes Private Limited 44/375, Unnat Nagar-II Opp. Patkar College S.V. Rpad, Goregaon (West) Mumbai-40 062 [Branch: Borivali (West)]	June'10 & December'10 Session of CS Examinations.
19.	The Managing Director M/s IDEAL Classes Private Limited 44/375, Unnat Nagar-II Opp. Patkar College S.V. Rpad, Goregaon (West) Mumbai-40 062 [Branch: Vile Parle (East)]	June'10 & December'10 Session of CS Examinations
20.	The Managing Director M/s IDEAL Classes Private Limited 44/375, Unnat Nagar-II Opp. Patkar College S.V. Rpad, Goregaon (West) Mumbai-40 062 [Branch: Bhayander]	June'10 & December'10 Session of CS Examinations

21.	M/s Professional Career & Computers 106, Zonal Market, Sector-10 Bhlai (Durg)-490 006 (C.G)	June'10 & December'10 Session of CS Examinations.
22.	M/s MATS College MATS Tower, Pandri Raipur-492 002 (C.G)	June'10 & December'10 Session of CS Examinations.
23.	The Director M/s Toppers Classes Opp. MCMIT College Near Blue Diamond Hotel T.P. Nagar, Korba-495 677 (C.G.)	June'10 & December'10 Session of CS Examinations.

SOUTHERN INDIA REGIONAL COUNCIL

1.	M/s Mohans Institute Sreyas, Chettiparambil Lane Thekkumbhagam, Tripunithura Ernakulam (Distt.), Kerala-682 301	December'09 & June'10 Session of CS Examinations.
2.	M/s St. John Foundation Little Kingdom Montessori School Compound, 338/3, West of Medical College Nagercoil, Kanyakumari Dt. Asaripallam-629 201	June'08 & December'08 Session of CS Examinations.
3.	M/s Dr. G.G. Shetty Educational Society ® Jnana Degula, Near K.M.F. Dharwad-580 004	June' 09 & December' 09 Session of CS Examination.
4.	M/s Bright Academy of Excellence Baba Foundation, Plot No.46 Door No.102, Flat No.6, 1 st Floor, South West Boag Road, T. Nagar Chennai-600 017	December'09 & June'10 Session of CS Examination.
5.	M/s Prize Academy No.2, Teachers Colony (Off V.M. Street) Royapettah Chennai-600 014	December'09 & June'10 Session of CS Examination.
6.	M/s Sree Saraswathi Thyagaraja College Palani Road, Thippampatti Coimbatore Distt. Pollachi-642 107	December'09 & June'10 Session of CS Examination.
7.	M/s Nallamuthu Gounder Mahalingam College 91, Palghat Road Coimbatore Distt. Pollachi-642 001	June'09 & December'09 Session of CS Examinations.
8.	The Principal M/s Alpha Educational Trust 41/13-A, Poonthamalli Street (Old Bus Stand Backside) Villupuram-605 602 (T.N)	June'09 & December'09 Session of CS Examinations.
9.	The Principal M/s National College Dindigul Road, Karumandapam Tiruchirapalli-620 001 (T.N)	June'09 & December'09 Session of CS Examinations.

Student Services

10.	The Principal M/s S.R. Institute of Professional Studies Near Govt. Higher Secondary School, Karpaga Ganapathi Nagar Perundurai Road, Distt. Erode Thudupathi-638 057	December'09 & June'10 Session of CS Examinations.
11.	M/s Sharda P.G. College Haricharan Complex Besides APSRTC Bus Stand 1st Floor, Shop No.9, 10, 11 Nizamabad-503 001 (A.P)	December'09 & June'10 Session of CS Examinations.
12.	The Principal M/s P.S.G.R. Krishnammal College For Women Peelamedu, Coimbatore-641 004	December'09 & June'10 Session of CS Examinations.
13.	The Chairman M/s Dr. G.R. Damodaran College of Science, Civil Aerodrome Post, Avanashi Road, Coimbatore-641 014	June'10 & December'10 Session of CS Examinations
14.	The Principal M/s PSG College of Arts & Science, Avinashi Road, Civil Aerodrome Post Coimbatore-641 014	June'10 & December'10 Session of CS Examinations.
15.	Secretary M/s Park's College Chinnakkarai, Tirupur-641 605	June'10 & December'10 Session of CS Examinations.

ATTENTION STUDENTS !

Applicability of the latest Finance Act and other changes for Company Secretaries December, 2009 Examination.

DIRECT TAXES

All students may note that for the December 2009 Examination Session in respect of Direct Taxes the applicable Assessment Year shall be 2009-10 (Previous Year 2008-09).

Thus, they will have to study Finance Act, 2008 for December 2009 Examination. Further as per the Syllabus (for both Intermediate or Executive Programme and Final or Professional Programme) students are required to update themselves about all the Circulars, Clarifications, Notifications, etc., issued by the CBDT & Central Government, which come into effect on or before six months prior to the date of the respective examinations.

Gift Tax Act has been excluded from the scope of the examination from June 1999 session onwards unless otherwise informed.

INDIRECT TAXES

Students appearing in the 'Tax Laws' (Indirect Tax Portion to the extent of topics covered in the syllabus, for both 'Intermediate' or 'Executive Programme') and Direct and Indirect Taxation—Law and Practice (Final Course) or Advanced Tax Law and Practice (Professional Programme) respectively may take note of the following changes applicable for December 2009 Examination.

1. All changes made by the Finance Act, 2009.
2. All Circulars, Clarifications/Notifications issued by CBE&C/Central Government which became effective six months prior to the date of examination.

SMTF ORGANISED BY H.Q./REGIONAL COUNCILS/CHAPTERS

ELIGIBILITY OF PARTICIPANTS : ICSI final passed candidates and have completed at least 12 months training or exempted therefrom.
SMTF COURSE CONTENTS : Module I – MCA21, Module II – Practical & Procedural Aspects of Convening and Conducting Board Meetings & Annual General Meetings and Related Aspects, Module III – Managing Public Issues, Module IV – Loan Documentation, Joint Ventures & Foreign Collaborations, Raising Finance through EURO Issues & Export and Import Procedures and Documentation, Module V – Practical and Procedural Aspects relating to Appearance before CLB/Under SICA, Consumer Protection Act and Case Studies in RTP/UTP. In addition, the participants would be exposed to case studies and mock board/general meeting, etc.

Organised by	Duration of the Programme	Venue of the Programme	Contact
SIRC of the ICSI	02.12.2009 to 18.12.2009	Office Premises	Deputy Director, SIRO of the ICSI, ICSI-SIRC Building, New No. 9, Wheat Crofts Road, Nungambakkam, Chennai-600034 ☐ Tel. : 044- 28279898/ 28222212 ☐ E-mail : siro@icsi.edu/ icsisirc@md3.vsnl.net.in.
EIRC of the ICSI	10.11.2009 to 26.11.2009	Office Premises	Deputy Director, EIRC of the ICSI, ICSI-EIRC Building, 3-A, Ahiripukur 1 st Lane, Kolkata-700019 ☐ Tel. No.22832973/22901065, Fax:033-22816542, ☐ E.Mail: eiro@icsi.edu
CCRT of the ICSI	21.11.2009 to 06.12.2009 (Residential SMTF)	CCRT Premises	Asst. Director and Programme Co-ordinator, ICSI-CCRT, Plot No. 101, Sector-15, Institutional Area, CBD Belapur, Navi Mumbai-400614 ☐ Tel. : 022-41021515, 27577815/16, ☐ Fax No.: 022-27574384 ☐ E-mail : ccrt@vsnl.com
NIRC of the ICSI	03.11.2009 to 20.11.2009	Office Premises	The Executive Officer, NIRC of the ICSI, ICSI-NIRC Building, Plot No. 4, Prasad Nagar, Institutional Area, New Delhi-110005 ☐ Tel.: 25763090/ 25767190, 25816593 ☐ Fax: 25722662 (STD CODE: 011) ☐ E-mail: niro@icsi.edu/icsi@eth.net
Pune Chapter of the ICSI	22.10.2009 to 07.11.2009	Chapter Premises	The Executive Officer, Pune Chapter of WIRC of ICSI, 23, Mukund Nagar, Corner of Lane No. 1 Above Dr. Joshi Hospital, Pune-411037 ☐ Tel.: 020-24263228/2460341 ☐ Fax: 2460341 ☐ E-mail: pune@icsi-edu, eopune@icsi.edu.

The schedule of other SMTF proposed to be conducted by NIRC is as under: **NIRC :** (i) 01.12.2009 to 18.12.2009.

EXAMINATION

1. DECEMBER, 2009 EXAMINATION

The next Intermediate and Final examinations (under Old Syllabus) and, also the Foundation Programme, Executive Programme and Professional Programme examinations (under New Syllabus) will be held from Saturday, the 26th December, 2009 to Sunday, the 3rd January, 2010, at 68 examination centres, viz., 1. Agra, 2. Ahmedabad, 3. *Ajmer**, 4. Allahabad, 5. Ambala, 6. Aurangabad, 7. Bangalore, 8. Bareilly, 9. Bhillwara, 10. Bhopal, 11. Bhubaneswar, 12. *Calicut**, 13. Chandigarh, 14. Chennai (West), 15. Chennai (South), 16. Coimbatore, 17. Dehradun, 18. Delhi (East), 19. Delhi (North), 20. Delhi (South), 21. Delhi (West), 22. Ernakulam, 23. Faridabad, 24. Ghaziabad, 25. Gurgaon 26. Guwahati, 27. Hubli-Dharwad 28. Hyderabad, 29. Indore, 30. Jaipur, 31. Jammu, 32. Jamshedpur, 33. Jodhpur, 34. Kanpur, 35. Kolhapur 36. Kolkata (North), 37. Kolkata (South-1), 38. Lucknow, 39. Ludhiana, 40. Madurai, 41. Mangalore, 42. Meerut, 43. Mumbai (CG), 44. Mumbai (GTK), 45. Mumbai (JOG), 46. Mysore, 47. Nagpur, 48. Nasik, 49. Noida, 50. Panaji, 51. Patna, 52. Puducherry, 53. Pune, 54. Raipur, 55. Rajkot, 56. Ranchi, 57. Shimla, 58. *Srinagar*, 59. Surat, 60. Thane, 61. Thiruvananthapuram, 62. Tiruchirapalli, 63. Udaipur, 64. Vadodra, 65. Varanasi, 66. Vijayawada, 67. Visakhapatnam, 68. Yamuna Nagar (Haryana) and one **Overseas Centre — Dubai** as per the Time-Table and Programme published on the last page of this issue. The last date for receipt of enrolment applications for December, 2009 examinations in the Institute together with the requisite examination fee is 25th September, 2009 and with late fee of Rs.100/- upto 12th October, 2009 (10th and 11th October, 2009 being holidays).

NOTE:

1. **Ajmer and Calicut Centres on experimental basis.*
2. The Institute reserves the right to withdraw any centre at any stage without assigning any reason.
3. Candidates should note that non-receipt/delayed receipt of result-cum-marks statement, response to result queries, requests for verification of marks, etc., will not be accepted as valid and sufficient reason for seeking any relaxation or not complying with the requirements of regulations and/or last dates for submission of enrolment applications for the next examinations. Therefore, the candidates in their own interest are timely advised to keep track of important announcements, last dates and observe the time schedule.

2. PROCEDURE FOR ISSUING DUPLICATE MARK-SHEETS

As informed earlier, the mark-sheets of Foundation Programme, Executive Programme, Professional Programme Examinations (New Syllabus) and Foundation, Intermediate and Final examinations (old Syllabus) held in June, 2009 have been despatched to all the candidates by 5th September, 2009. Any candidate who has not received his/her mark-sheet within a reasonable time of 2 - 3 weeks is required to submit a duly signed written request addressed to Sr. Director (Exams.) of the Institute, for issuing duplicate mark sheet within three months of the declaration of results giving relevant particulars, i.e., (i) His/Her name; (ii) Student Registration No.; (iii) Stage of Examination and Roll No.; (iv) Month and Year of Examination (v) Complete Postal Address alongwith Pin Code; and (vi) Contact Tel. No./ Fax No./Mobile No. etc. No fee is charged for issuing duplicate mark sheet in respect of immediate examinations if the request for issue of duplicate marks sheet is received in the Institute within three months of the declaration of results of an examination.

For obtaining duplicate mark sheets of earlier examination(s), a candidate is required to send a duly signed written request giving his/her relevant particulars, as stated in the preceding paragraph, alongwith requisite fee @ Rs.50/- per duplicate mark sheet for each previous

exam., by way of a Demand draft drawn in favour of the "The Institute of Company Secretary of India", payable at New Delhi and a self-addressed envelope. The duplicate mark sheet would normally be sent within 2-3 weeks of the receipt of a request complete in all respects. **E-mails are not entertained for issuing duplicate mark sheets.**

3. USE OF CALCULATORS IN EXAMINATIONS

Candidates are allowed to bring and use their own battery operated, noiseless and cordless pocket calculators with not more than 6 functions, 12 digits and 2 memories. Exchange or lending/borrowing of calculators among students is forbidden in the examination hall.

4. HINDI AS OPTIONAL MEDIUM FOR WRITING THE FOUNDATION PROGRAMME, INTERMEDIATE/ EXECUTIVE PROGRAMME AND FINAL/ PROFESSIONAL PROGRAMME EXAMINATIONS

Candidates are allowed to use Hindi as an optional medium for writing all papers of the Foundation Programme (New Syllabus) (**except the 'English & Business Communication' paper**), Intermediate (Old Syllabus), Executive Programme (New Syllabus) Final (Old Syllabus) and Professional Programme (New Syllabus) examinations on the following conditions:

- (i) option of Hindi Medium for writing the examination is to be exercised for all papers of an examination OR a particular group of examination, and not for any individual paper(s) in the enrolment application form each time for appearing in the examination;
- (ii) option of medium for writing examination once exercised is irrevocable for that particular session of examination;
- (iii) answer books of candidates who write part of papers/answers in Hindi medium and the remaining part in English medium are liable to be cancelled without any notice;
- (iv) candidates who have exercised option of Hindi Medium in their examination enrolment form for writing Foundation Programme, Group-I of Intermediate and Module-I of Executive Programme Examinations will be provided Question Papers printed both in English and Hindi version (**except for 'English & Business Communication' paper of Foundation Programme, which will be printed/required to be answered in English only**). The Question Papers for Group-II of the Intermediate, Module-II of Executive Programme, all papers of Final and Professional Programme examinations will be printed in English version only;
- (v) if a candidate writes his/her answers in Hindi medium without exercising such an option in the enrolment application form, he/she may not be given credit for his/her answers;
- (vi) candidates opting Hindi Medium for the examination must write **HINDI MEDIUM** in bold letters on the top of the cover page of **Answer Book No.1, 1B**, as the case may be; and
- (vii) candidates opting Hindi Medium for examination may write answers to practical questions, headings, quotations, technical and legal terms, sections, rules, etc., in English, if they so desire.

5. IMPORTANT INSTRUCTIONS TO EXAMINEES

Candidates enrolled for appearing in December, 2009 examinations are advised to carefully read and observe the "Instructions to Examinees" printed on the Admission Certificate (Roll Number) and enclosures thereto, and also on the Question Papers and Answer Books. However, attention of candidates is especially invited to the following instructions:

- (i) on receipt of Admission Certificate (Roll No.), first of all, the candidates must verify carefully the entries appearing therein. Discrepancy/error, if any, in the Admission Certificate concerning — (i) Spellings of his/her Name, (ii) Stage or

- Group/Module of Examination; (iii) Examination Centre; (iv) Medium of writing the answers; and (v) Subject(s) of examination in which exemption was sought/shown, etc., should, at once, be brought to the notice of Shri Sohan Lal, Director (Students Services), in writing, well on time before commencement of the examination;
- (ii) candidates are required to bring daily to the Examination Hall their Admission Certificates and Student Identity Cards failing which they may not be allowed admission to the Examination Hall and/or to appear in the examination;
 - (iii) **before attempting to write answers in the answer book, each candidate must write his/her Roll Number on the special slip affixed to Answer Book Nos. 1, 1-B and 1-C, as the case may be, date of examination, stage of examination, name of the paper, etc. against the relevant columns on the first page of the main answer book and also on the top of Question Paper;**
 - (iv) candidates must verify correctness and completeness of Question Paper and shall attempt questions in accordance with the directions given on each Question Paper. If the questions are attempted in excess of the prescribed number, only the questions attempted first upto the required numbers will be valued and awarded marks and the remaining questions will be ignored;
 - (v) Questions relating to graph/précis should be attempted only on graph/précis sheets appended as last page to the Answer Book wherever required. Do not write your roll number on the Graph/Précis Sheets and additional Answer Book No. 2. The additional answer book(s) used, if any, should be fastened along with the main answer book. Candidates who fail to observe this instruction will be penalised;
 - (vi) **each question should start on a fresh page and sub-question(s) be attempted consecutively;**
 - (vii) while attempting a fresh question/sub-question, candidates should distinctly mention respective question number against the answer in bold capital letters and underline the same **[[e.g. ANS. TO Q. NO. 3(A)]]** on the left-hand side margin of the answer book and also simultaneously mark (X) in the table provided on the cover page against the respective question number;
 - (viii) candidates must not, for any reason whatsoever, tear out any page(s) from the Answer Book or leave any blank page or unused spaces in between the pages. If such spaces are left, score them out. If a candidate uses more than one answer book, he/she should, indicate on the cover page of main answer book, the total number of answer books used by him/her;
 - (ix) **candidates are expected to write precise and to the point answers to questions set in for the examinations in neat and legible handwriting citing relevant provisions of the Act/rules, quoting case laws, etc., in support of the answers wherever applicable;**
 - (x) **no candidate shall leave/be allowed to leave the Examination Hall; (i) within first one hour of commencement of examination (ii) during last 15 minutes of examination timing; (iii) without signing the attendance sheet; and (iv) without properly handing over his/her answer books to the Invigilator on duty;**
 - (xi) **a few minutes prior to the time of conclusion of examination or before handing over the answer books to the supervisory staff, candidates must re-check and ensure that they have filled up relevant particulars on the cover page of Answer Book Nos. 1, 1-B and 1-C, as the case may be, and properly tied up all the additional answer book(s) No.2 along with the main answer book;**
 - (xii) **candidates are strictly forbidden to carry with them into the Examination Hall any book or printed/handwritten material, notes, pager, mobile phone, etc., OR to talk or converse *inter se* with other candidates in the Examination Hall;**
 - (xiii) candidates are strictly warned against any attempt to copy from the answer papers of any other candidate nor allow their answers to be copied nor give nor attempt to give nor obtain nor attempt to obtain irregular assistance of any description. It will be the responsibility of each and every candidate to ensure that his/her answers are not copied by another candidates. Failure to do so will invite stern disciplinary action and penalty for adoption of unfair means;
 - (xiv) **no candidate shall, leave his/her seat in the examination hall during the course of examination without the specific permission of the Invigilator on duty for any reason whatsoever;**
 - (xv) **on completion of examination or expiry of the prescribed examination timing, the answer book(s) must be handed over immediately to the Invigilator on duty and Invigilator's signature be obtained in the relevant column of acknowledgement printed on the Admission Certificate in token of handing over the answer books.**
 - (xvi) **it shall be the personal responsibility of the candidate concerned to properly hand over his/her answer book(s) to the Invigilator on duty in the Examination Hall and obtain acknowledgement therefor. Any representation regarding omission to handover the written answer book(s) or not obtaining the acknowledgement from the Invigilator at the time of handing over his/her answer book(s) for any reason whatsoever will not be entertained after the conclusion of that particular session of examination;**
 - (xvii) candidates are warned that any attempt to misbehave in any manner or create disorderly scene in and around the examination hall or harass or bodily harm the staff deployed for the conduct of examination will be viewed seriously and severely punished; and
 - (xviii) any attempt or act of violation of "Instructions to Examinees" shall be viewed seriously and entail disciplinary action under the "Company Secretaries Regulations, 1982".

6. AVAILING OF CONCESSION BY PHYSICALLY DISABLED CANDIDATES FOR WRITING EXAMINATIONS

Any physically disabled student who wishes to seek some concession/assistance for the purpose of appearing or writing the examination should make a separate written request therefor to the Sr. Director (Exams.) each time while submitting his/her application for enrolment to the examination together with the following supporting documents :

- (i) Disability Certificate issued by the competent Medical Board/ Head of Deptt. or Sr. Medical Officer (Specialists) of a Central or State Govt. Hospital certifying the nature (permanent or temporary) and percentage of disability, and its duration affecting the normal physical functions; and
- (ii) Letter of Permission issued to him/her by Sr. Secondary Board/University and/or any other professional/educational/examining body established by law, such as – UPSC, SSC, State Public Service Commission, ICAI, ICWAI, etc., granting him/her such assistance for appearing or writing the examinations.

NOTIFICATION

ICSI/CS/6/2009

MERIT-CUM-MEANS ASSISTANCE SCHEME, 1983

In pursuance of para 13 of the "Merit-cum-Means Assistance (Company Secretaryship Course) Scheme, 1983", as amended upto 18th August, 2009, applications are invited to reach the Institute in the prescribed form on or before **25th November, 2009** for award of 25 numbers of financial assistance each for pursuing Intermediate/Executive Programme and Final Course/Professional Programme of the "company secretaryship" from students who fulfil the eligibility criteria laid down under the said scheme.

According to the scheme, a candidate applying for assistance should have passed Foundation/Foundation Programme or Both Groups/Both Modules of the Intermediate/Executive Programme examination without exemption in any paper, at one sitting, in the first attempt in June, 2009 examination. The income of such an applicant, if employed or is having an independent source of income, should not be more than Rs.1,50,000/- per annum and if he/she is dependent on his/her parents/guardian/spouse whether partially or wholly, the combined income from all sources should not be more than Rs.2,50,000/- per annum.

Prescribed application form together with a copy of the Merit-cum-Means Assistance (Company Secretaryship Course) Scheme, 1983 can be downloaded from the Institute's

Website link: <http://www.icsi.edu/Student/MeritScholarship/tabid/1768/Default.aspx>

or obtained by post from the Institute free of cost **by sending a self-addressed envelope of 23 cms. x 11 cms. size duly affixed with postage stamp worth Rs.10/-**. Applications not made on the prescribed forms and/or **without supporting documents**, incomplete applications, applications not fulfilling the eligibility criteria laid down under the scheme or applications not reaching the Institute on or before **25th November, 2009** are liable to be rejected.

BY ORDER OF THE COUNCIL

File No.207:Exams:2009

New Delhi – 110 003.

(CS N. K. JAIN)

Dated, the 27th August, 2009

Secretary & CEO

ATTENTION STUDENTS !

NEW EXAM. CENTRE AT AJMER AND CALICUT (FROM DECEMBER, 2009 EXAMS.)

The Institute is pleased to announce opening of two new Examination Centres at Ajmer and Calicut for conduct of 'Company Secretaries' examinations, on an experimental basis, beginning from December, 2009 examinations onwards.

Accordingly, students are welcome to opt for new examination centres Ajmer (Centre Code 228) and Calicut (Centre Code 316) in their Examination Forms for December, 2009 examinations, if they so desire. Such of those students who have already submitted their Examination Forms for December, 2009 examinations, but now wish to appear in the aforesaid examination from Ajmer or Calicut Centres, may send their written requests on a plain paper to the Director (Students Services) of the Institute for allowing change of Examination Centre to Ajmer/Calicut latest by 20th October, 2009 giving reference of his/her earlier Examination Enrolment Form, Student Name; Registration No.; Stage of Examination; Details of Examination Fee remitted; and Examination Centre opted earlier.

ATTENTION STUDENTS !

GRANT OF TOTAL EXEMPTION IN UNDERGOING COMPULSORY COMPUTER TRAINING PROGRAM TO PHYSICALLY HANDICAPPED STUDENTS

The Institute has decided to grant total exemption in undergoing the compulsory Computer Training Program to the students belonging to the following based handicapped categories on scrutinizing and conducting assessment/evaluation of the documents submitted in this regard.

1. Physically Handicapped Students :
 - permanent physical disability of more than 50% in one limb; or
 - permanent physical disability of more than 60% in two or more limbs.
2. Visually Disabled Students :
 - 6/60 to 1/60 or field of vision 110-2;
 - 3/60 to 1/60 or field of vision 100;
 - FC at 1 foot to Nil or field of vision 100;
 - Total absence of sight.

The above said categories shall be regarded as permanent physical/visual disability in order to be eligible for concessions/benefits in granting total exemption from undergoing the Compulsory Computer Training Program.

For availing the aforesaid benefit, such applicants/students will be required to submit a certificate issued by the Medical Superintendent of a State/Central Government Hospital to this effect.

For further details please visit Institute's website : www.icsi.edu

SCHEDULE OF TRAINING ORIENTATION PROGRAMMES (TOP)

Organised by	Duration of the Programme	Venue of the Programme	Contact
NIRC of the ICSI	26.10.2009 to 30.10.2009	Office Premises	The Executive Officer, NIRC of the ICSI, ICSI-NIRC Building, Plot No. 4, Prasad Nagar, Institutional Area, New Delhi-110005 ☐ Tel. : 25763090/25767190, 25816593 ☐ Fax : 25722662 (STD CODE : 011) ☐ E-mail : niro@icsi.edu / icsi@eth.net
EIRC of the ICSI	23.10.2009 to 31.10.2009	Office Premises	Deputy Director, EIRC of the ICSI, ICSI-EIRC Building, 3-A, Ahiripukur 1 st Lane, Kolkata-700019 ☐ Tel. No.22832973/22901065, Fax:033-22816542, ☐ E.Mail: eiro@icsi.edu

The schedule of other TOP proposed to be organised by NIRC is as under : (i) 23.11.2009 to 27.11.2009 .

ICSI INTRODUCES 24 X 7 STUDY THROUGH E-LEARNING (<http://elearning.icsi.edu>)

In order to facilitate students with on-line education/study, the Institute has launched e-learning portal for the Company Secretaryship Foundation Programme and Executive Programme and it will also be extended to Professional Programme. All students from rural, urban areas at national level and also from other countries can avail this 24x7 on-line study facility as the portal has global reach.

Under e-learning, students can have continuous access to studies and guidance of faculties on-line. The e-learning module will enable the students to have access to learning and faculty support at any time as per their convenience. Interactivity will be established by modules such as Discussion Boards and Online Chat. Through virtual classroom, students will be able to interact live with the faculty. This will take the study of CS Programme virtually into the space age.

Undergoing e-learning is in addition and not in substitution to compulsory postal tuition. E-learning is designed to provide a virtual contact between the teacher and the taught. Students intended to join e-learning are therefore, required to pay additional fees as determined by the Institute from time to time.

To access the E-learning Portal of ICSI and to know more information, candidates may log on to: <http://elearning.icsi.edu>

PROHIBITION ON CARRYING MOBILE PHONES TO EXAMINATION VENUE

Candidates intending to appear in the 'Company Secretaries' examinations may note that carrying of Mobile phones, pagers or any other communication devices are strictly prohibited inside the premises where "Company Secretaries" examinations are conducted. Candidates are, therefore, advised not to bring any such prohibited items to the examination venue, as the Institute and/or the Examination Centre Staff shall not be responsible for safekeeping of any such item(s). Infringement of these instructions shall tantamount to adoption of unfair means and entail disciplinary action.

ATTENTION : NIRC LIBRARY MEMBERS

All NIRC library members who were having their valid membership during the period from 01.04.2006 to 31.03.2007 and have not renewed their Library Membership till date, may either apply for renewal of Membership or request for refund of security deposit. All such request should reach to the Executive Officer (NIRC) on or before **15.03.2010**. All deposits on account of Library Security will be forfeited and no request for refund will be considered/ entertained after the stipulated date.

ATTENTION STUDENTS !!!

Rationalization of the system for issue of Coaching Completion Certificate under Postal Coaching Scheme

The Training & Educational Facilities Committee (TEFC) of the Council in its 93rd meeting held on 11th July 2009 had a detailed discussion on the matter of issue of Coaching Completion Certificates to the students to make them eligible for appearing in the CS Examinations to keep in tune with the changing times.

It has been decided to rationalize the criteria for issue of Coaching Completion Certificates *vis-à-vis* submission of Response Sheets with immediate effect which is as follows : -

Stage	No. of response sheets required to be submitted for each subject	
	Existing Criteria	Revised Criteria
Foundation Programme	Only one Response Sheet for each subject	No Change
Intermediate Course/ Executive Programme	Three Response Sheets for each subject	Only one Response Sheet for each subject
Final Course/Professional Programme	Three Response Sheets for each subject	Only one Response Sheet for each subject

Keeping in view the above decision, the students are advised to send atleast one Response Sheet for each subject to make him/ her eligible for issue of Coaching Completion Certificate. It is further to clarify that he/ she has to secure minimum 40% marks in each subject for issue of Coaching Completion Certificate.

The students who have already sent atleast one Response Sheet in each subject will also be guided by the same criteria and the Coaching Completion Certificates will be issued whoever meets the said criteria.

However, students will be at liberty to send maximum response sheets to the Institute and all such response sheets will be evaluated and returned to them for their reference/ guidance.

For any further information / clarification on the subject, please contact Shri Vinod Jetly, Assistant Director (Student Services) at E-Mail id ss_coach@icsi.edu or at telephone nos. 0120-423993 to 99 Extn. : 2122.

Guidelines for Switch Over to New Syllabus

GUIDELINES FOR SWITCH OVER TO NEW SYLLABUS

The Council in exercise of the powers vested under clause (a) of Sub-section (2) of section 15 of the Company Secretaries Act, 1980 as amended by the Company Secretaries (Amendment) Act, 2006- has approved the New Syllabus and decided as under :-

1. The last Intermediate Examination under the existing syllabus as specified in Part II of Schedule CCB shall be held in December, 2009 and the syllabus specified in the said Part II of Schedule CCB shall cease to operate after the said examination.
2. The last Final Examination under the existing syllabus as specified in Part III of Schedule CCB shall be held in December 2010 and the syllabus specified in the said Part III of Schedule CCB shall cease to operate after the said examination.
3. All students who are not able to complete the Foundation/ Intermediate/Final Examination under the existing syllabus as specified in Part-I, Part- II and Part-III of Schedule CCB shall compulsorily be required to appear under the New Syllabus effective from December 2009, June 2010 and June 2011 sessions of CS Examination(s) respectively.
4. **Subjects under the New Syllabus are :-**

CS FOUNDATION PROGRAMME

1. English & Business Communication
2. Economics and Statistics
3. Financial Accounting
4. Elements of Business Laws and Management.

CS EXECUTIVE PROGRAMME

Module-I

1. General and Commercial Laws
2. Company Accounts, Cost and Management Accounting
3. Tax Laws

Module-II

4. Company Law
5. Economic and Labour Laws
6. Securities Laws and Compliances

CS PROFESSIONAL PROGRAMME

Module-I

1. Company Secretarial Practice
2. Drafting, Appearances and Pleadings

Module-II

3. Financial, Treasury and Forex Management
4. Corporate Restructuring and Insolvency

Module-III

5. Strategic Management, Alliances and International Trade
6. Advanced Tax Laws and Practice

Module-IV

7. Due Diligence and Corporate Compliance Management
8. Governance, Business Ethics and Sustainability

TABLE OF CORRESPONDING EXEMPTIONS (PAPERWISE)

Intermediate Course	CS Executive Programme
Group-I	Module-I
General and Commercial Laws	General and Commercial Laws
Company Accounts & Cost & Mgt. Accounting	Company Accounts, Cost & Mgt. Accounting
Tax Laws	Tax Laws
Management Information Sys & Corporate Commn.	NIL
Group-II	Module-II
Company Law	Company Law
Company Secretarial Practice	Company Law
Economic, Labour and Industrial Laws	Economic and Labour Laws
Securities Laws and Regulation of Financial Markets	Securities Laws and Compliances
Final Course	CS Professional Programme
Group-I	Module-I
Advanced Company Law & Practice	Company Secretarial Practice
Secretarial Practice Relating to Economic Laws & Drafting & Conveyancing	Drafting, Appearances and Pleadings
Secretarial Management & Systems Audit	Due Diligence & Corporate Compliance Mgt. (Module-IV)
Group-II	Module-II
Financial, Treasury & Forex Management	Financial, Treasury & Forex Management
Corporate Restructuring Law and Practice	Corporate Restructuring & Insolvency
Banking & Insurance Law and Practice	Governance, Business Ethics & Sustainability (Module-IV)
Group-III	Module-III
World Trade Organisation, International Trade, Joint Ventures and Foreign Collaboration	Strategic Management, Alliances and International Trade
Direct and Indirect Taxation Law and Practice	Advanced Tax Laws and Practice
Human Resources Management and Industrial Relations	Governance, Business Ethics and Sustainability (Module-IV)

Students switching over to the New Syllabus shall be eligible to seek exemption in the corresponding subject(s) of the New Syllabus on the basis of having passed/secured exemption in any individual subject/group under the Old Syllabus as per table of corresponding exemptions noted above.

Similarly, students who have partially completed coaching, shall be exempted on their switchover from undergoing coaching in the corresponding subject(s) of the New Syllabus on the basis of their having completed coaching in the individual subject(s)/ group(s) under the Old

Guidelines for Switch Over to New Syllabus

Syllabus as per the table of corresponding exemptions given in para-5 above. They shall, however, be required to undergo and complete coaching in the remaining subjects in order to become eligible to appear in a particular module under the New Syllabus. Due credit for the response sheets already submitted under the Old Syllabus for any subject shall be available where there is a corresponding subject under the New Syllabus. Such students are required to submit response sheets for the remaining subjects under the New Syllabus. Students having successfully completed the coaching for any particular group(s) under the Old Syllabus; shall be deemed to have completed the coaching for the respective module(s) under the New Syllabus.

While purchase of Study Materials under the New Syllabus is not compulsory on the part of the students who switechover to the New Syllabus - those students who require the same may obtain it by remitting Rs. 120/- per study material by hand and Rs. 160 per study material by post by way of Demand Draft drawn in favour of the institute of Company Secretaries of India, payable at New Delhi.

Please note that once a candidate has been switched over to the New Syllabus, he/she shall not be allowed to revert to the Old Syllabus under any circumstances.

Note : In case interested to switch over to the New Syllabus for CS Executive Program, you are advised to opt for the same on declaration of the results for June 2009 of CS Examination *vis-à-vis* while seeking enrolment to appear in December 2009 session of CS Executive Program examination; and

Note : Similarly if interested to switch over to the New Syllabus for CS Professional Program, you are advised to opt for the same on declaration of the results for June 2009 of CS Examination *vis-à-vis* while seeking to appear in December 2009 session of CS Professional Program examination.

ATTENTION STUDENTS!

For prompt response students are advised to address/forward their queries to the following depending upon the nature of the query.

S. No.	Nature of Query	Contact Person, Telephone Number, E-Mail id
1.	Registration of Companies for 15 Months/3 Months and 15 days (for imparting training.) Issue of Bio-Data/Sponsorship letters in companies and to the students. Queries regarding vacancy in a company)/Data of Companies where vacancy of trainees exists and data of students intend to undergo training etc.	Suman Kumar, 25781672, 25781674 Ext.36 training@icsi.edu
2.	Query related to claiming Exemption from undergoing training. Query related to Admission as an Associate Member, General Query	Amit Sircar 25781672 25781674 Ext.32 training1@icsi.edu
3.	Registration of Company Secretaries in Practice for imparting 15 months apprenticeship training Issue of Sponsorship letters to Company Secretaries in Practice/ ROC and Stock Exchange for 15 months and 15 days training etc.	Anita Mehra 25781672 25781674 Ext.33 training2@icsi.edu

EMANELMENT OF PRIVATE COACHING CENTRES FOR CONDUCTING ORAL COACHING CLASSES FOR CS STUDENTS ON BEHALF OF THE INSTITUTE

In a path-breaking initiative, the Council of The Institute of Company Secretaries of India has decided to empanel Private Coaching Centres for conducting the Oral Coaching Classes for the students undergoing CS Course on behalf of the Institute. At present, the Institute is conducting the Oral Coaching Classes on its own through its Regional Councils/ Chapters.

This landmark decision will undoubtedly have a far reaching impact on the entire Oral Coaching System under the Company Secretaryship Course and it provides a golden opportunity to reputed Coaching Centres in the private sector to get associated with one of the premier professional institutes in India constituted under Company Secretaries Act, 1980, functioning under the administrative jurisdiction of Ministry of Corporate Affairs, Government of India.

The Institute invites applications from interested institutions for conducting Oral Coaching Classes for CS Students under the aforesaid Scheme. The Regional Councils/ Chapters of the Institute scattered all over India have been authorized to scrutinize and forward the applications to Headquarters after preliminary assessment of infrastructure, etc. in the respective areas along with their recommendations. For format of application, comprehensive guidelines and *modus operandi* of the Scheme, please visit the Institute's website www.icsi.edu OR send an application directly to:-

**Shri Sohan Lal, Director
(Student Services)**

**The Institute of Company Secretaries of India
C-37, Sector-62, NOIDA-201309**

ATTENTION ALL STUDENTS APPEARING IN THE CS INTERMEDIATE (EXECUTIVE PROGRAM) EXAMINATIONS

COMPULSORY COMPUTER TRAINING SCHEME

In the Company Secretaries Regulations, 1982, for regulation 40, the following regulation shall be substituted, as published in the Gazette of India(Extra Ordinary) vide Notification No. ICSI/710/1(M)/1 dated 3rd May, 2006.

“40 Admission to the Intermediate (Executive Program) Examinations —

No candidate shall be admitted to the Intermediate (Executive Program) examination unless he/she :-

- (a) is a registered student and produces a certificate from the head of the coaching administration (by whichever name designated) to the effect that he has undergone satisfactorily a course of postal or oral tuition for the Intermediate examination; and
- (b) has successfully completed computer training program as may be specified from time to time by the Council and in the manner so specified or exempted there from;
- (c) applies with such examination fee as may be determined by the council from time to time so as to reach the Secretary, in accordance with the directions given by the Council.”

In terms of the aforesaid amendment in the Company Secretaries Regulations, 1982, all students are required to successfully undergo a Compulsory Computer Training Programme for becoming eligible for appearing in the CS Intermediate Examinations from June, 2007 examinations onwards.

The Institute, in compliance of the aforesaid amendments, has tied up with M/s NIIT through which 70 hours of computer training shall be provided to the students/members of the Institute in all Centres of NIIT all over the country. To undergo this course, a student/member has to approach any NIIT Centre on all India basis. To take admission, he/she has to deposit the requisite fees at the respective NIIT Centre and fulfill the formalities as per the requirements of the Computer Training Centre.

The list of NIIT Centres including detailed course contents, module details and topic-wise time duration etc. have been published on the website of the ICSI i.e. www.icsi.edu under FAQ.

Salient features of the course in brief : -

Title of the Course	“Understanding Information Technology in Corporate Environment”.
Duration of the Course	70 Hours
Fee	Rs.3000 per participant for General Category & Rs.2500 per participant for SC/ST Category Note : Service Tax as per the GOI rules applicable from time to time shall be paid in actual by the participant

Students having exposure to computer during their education or have undergone similar course, may apply for on-line exemption to NIIT at the nearest center available to them and successfully clears the test.

Students placed at far reaching places and are not having NIIT center nearest to their place may, however, undergo the computer course of at least 3 months duration - with maximum coverage of the ICSI-NIIT course contents - from any computer training Institute and then enroll for on-line exemption test at any of the NIIT Center on all India basis and successfully clears the test.

A fee of Rs. 450 plus Service Tax etc. per student is payable for online exemption test (to be conducted by NIIT) which is applicable for a maximum of TWO attempts within a period of one month.

Note : Students having passed/completed the Intermediate Course on/or before December '06 session of CS Examination; are - however - not required to comply with the requirements of the Compulsory Computer Training program.

The students declared passed in Dec.' 2008 session of Intermediate/Executive Programme examination but have not completed the compulsory computer training, are also required to successfully undergo the computer training for becoming eligible for appearing in the final stage of CS examination.

NEWS AND ANNOUNCEMENTS

Broadcast on Career as a Company Secretary on BBC

On 12.9.2009 a 15 minutes programme on Career as a Company Secretary was broadcast on the Hindi News Service of BBC at 8.15 P.M. An interview with N.K. Jain, Secretary & CEO, the ICSI on the career prospects for company secretaries was broadcast during the Career Show. The show was also available online during the programme "aajkal" on the website bbcindia.com. The programme was coordinated by Dr. Amita Ahuja, Senior Director (Public Relations & Corporate Communication).

EASTERN INDIA REGIONAL COUNCIL

New Batch of Oral Coaching Classes for June 2010 Examinations

From 3.11.2009 the EIRC of the ICSI proposes to commence new batch of Oral Coaching Classes at ICSI-EIRC Building, 3A, Ahiripukur 1st Lane, Kolkata 700 019 for students appearing in CS Examination June 2010. The Schedule and Fees for the Programmes are as under:

Programme	Timing	Consolidated Fee (Rs.)
Foundation	1.00 PM to 4.00 P.M (4 days a week)	2,600/-
Executive Module-I	7.30 A.M. to 10.30 A.M (Mon, Wed & Fri)	2,500/-
Executive Module II	7.30 A.M to 10.30 A.M (Tue, Thurs & Sat)	2,500/-

Fifty-eighth Secretarial Modular Training Programme

From 1.9.2009 to 17.9.2009 the ICSI-EIRC organised its 58th Secretarial Modular Training Programme at ICSI-EIRC Auditorium, Kolkata. Fifty participants enrolled and successfully completed the said Training Programme.

Inaugural Session: Amitava Bhattacharya, Director, Bangla Natak.com was the Chief Guest and inaugurated the programme. He in his address congratulated the participants for successful completion of the CS course and stressed on time management. Sighting an example of two companies having equal resources he showed how time changes the value of an organization which had effective time management tools. He also explained the qualities of an ideal professional. He suggested the participants to accept challenges to become a better professional from good and advised the participants to be innovative in their ideas.

Mamta Binani, Chairperson, TEFC in her welcome address advised the participants on different aspects which are necessary in order to be a good professional. She told the participants to prefix the term CS with their name after getting membership which will create a separate identity among other professionals. She also explained the core objectives of the SMTP and requested to use the 15 days to their best possible extent.

Ashok Pareek, Chairman, ICSI-EIRC in his address stated the areas where the tasks of the company secretaries are mainly consummated along with the different examples and mentioned that the CS professionals would not only be a compliance officer in future but should have expertise of other professional works apart from secretarial activities. He told the participants to acquire versatile knowledge and keep their eyes on changes taking place in the corporate world. He also advised the participants to make the best use of the sessions in the training programme as the faculties bring their wide experiences of 15 to 30 years and share the same within the three hours duration. He expressed best wishes to the participants for their personal and professional life.

Valedictory Session: The Valedictory session of the SMTP was held on 17.9.2009 where Subrata Sarkar, Senior Vice President & Regional Head, SBI Capital Markets Limited, Kolkata graced the occasion by his presence. Subrata Sarkar in his address explained, as a model before the participants the success story of his organization. He briefed them about the rapid changes that took place during the last ten years in the banking sector and how systematically the same were adopted by State Bank of India-Capital Market Division. Mentioning the mission and vision of the Institute, he affirmed the success of the ICSI as a pure professional Institution. Sarkar handed over the training completion certificates to all the participants and the best participants awards too.

Earlier, Mamta Binani congratulated the participants for the successful completion of the training. She advised the participants to keep in touch with the Institute and attend the professional development programmes which will help them to update their knowledge base and to sharpen their skills. She also announced the names of the Best Participants of the 58th SMTP.

Ashok Pareek took feedback from the participants about the Programme and requested the participants to provide suggestions about any aspect of the training. He depicted expectations from the budding professionals to become dynamic so as to solve all types of problems which arise in their work place. He advised the participants to make themselves flexible to adopt to any kind of situation.

Anjan Kumar Roy, Secretary and Treasurer, ICSI-EIRC mentioned about the expectations of the industry from professionals and said that to be in the corporate race, one has to be intellectually rich.

Best Participant Award: On the concluding day there was the presentation of the projects prepared by the participants where Anjan Kr Roy was present as Jury followed by "IMPACT SESSION" where the subjective knowledge/ communication skill of participants was assessed by Amar Agarwal. The participants were asked to speak on any topic selected by them by picking up slips kept in a box for this purpose. Every participant was asked to cast vote also in favour of the candidate in his opinion who is fit to be awarded the Best Participant Award.

On the basis of individual performances at project presentation, impact session and number of votes received, following participants as a whole was finally chosen in the order mentioned herein below:

Pintu Kumar Saw, Rahul Mukherjee and Amit Mall were selected as the first, second and third best participants of the 58th SMTP. They were awarded with the certificate and mementoes by Ashok Pareek, Subrata Sarkar and Anjan Kumar Roy respectively at the valedictory session of the programme. The programme concluded after rendition of National Anthem.

Half Day Workshop on NBFCs

On 13.9.2009 a Half-Day Workshop on Non- Banking Financial Companies was organized by Corpwiz, the youth wing of ICSI-EIRC, under the complete guidance and support of ICSI-EIRC at the ICSI-EIRC Auditorium, Kolkata. The event witnessed enthusiastic participation of a large number of students. Mohit Bhuteria, Practising Chartered Accountant, Partner, A.C. Bhuteria & Co. was the Guest Speaker for the day. Mamta Binani, Chairperson, TEFC addressed the gathering and explained the virtues of attending such workshops regularly to enhance one's knowledge. Ashok Pareek, Chairman, EIRC encouraged the students to keep in regular touch with the Institute and said that such workshops are one way of doing so.

Bhuteria through power point presentation, explained the steps involved in the formation of NBFCs, the qualifications and disqualifications of Directors, the Statutory requirements as per R.B.I guidelines, documents to be submitted at regular periods, etc. and other relevant points for smooth functioning of NBFCs while following all the applicable regulations. Materials provided by the speaker and the NBFC issue of ICSI-EIRC newsletter (July edition) were provided to the participants beforehand for a better understanding of the subject.

The session was followed by a question- answer session. The

News and Announcements

participants raised a number of queries which were ably clarified by the speaker. The session was wrapped up after presentation of Certificates to the participants by Ashok Pareek and Mamta Binani.

NORTH EASTERN CHAPTER

Career Awareness Programmes

The Chapter organized a series of Career Awareness Programmes as under:

On 19.8.2009 & 20.8.2009 the Career Awareness Programmes were held at Gauhati Commerce College, Guwahati as under: On 19.8.2009 from 10.00 A.M. to 11 A.M. for H.S.(2nd year) students; From 11.15 A.M. to 12.15 P.M. for B.Com 1st year (Section A) students and From 12.30 P.M. to 01.30 P.M for B.Com 1st year (Section C) students. On 20.8.2009 from 10.00 A.M. to 11.00 A.M. for B.Com 3rd year (Section C & D) students; From 11.15 A.M. to 12.15 P.M. for B.Com 3rd year (Section A & B) students and from 12.30 P.M. to 01.30 P.M. for B.Com 1st year (Section B) students. On 26.8.2009 the Career Awareness programme was held at K.C. Das Commerce College, Guwahati from 11.15 A.M. to 12.00 Noon for B.Com 3rd year (Management Major) students and from 12.00 Noon to 12.45 P.M. for B.Com 1st year (Section A) students. The programmes were addressed by one or the other of the following: Anjan Talukdar, Chapter Chairman, Ashok Kumar Agarwala, Purshotam Gaggar Former Chapter Chairmen, Sanjay Kumar Baid, FCS, Rakesh Agarwala, ACS, Chiranjeeb Sarma Roy, Chapter In Charge, Vivek Sharma, CS Student.

Departmental Heads of the respective colleges also participated in the said career awareness programmes. During the career awareness programmes in the above institutions the students were apprised about the mode of registration in the course, syllabus, structure of the course and also the avenues available after completion of the Company Secretary ship Course both in employment as well as in practice. Pamphlets explaining career in Company Secretary ship Course were distributed to the students. Around 800 students taken together attended these Career Awareness Programmes.

NORTHERN INDIA REGIONAL COUNCIL

Regular classes through Interactive Learning for June, 2010 Examination

Date of commencement of classes: 27th October, 2009
Venue: NIRC-ICSI, 4, Prasad Nagar Institutional Area, New Delhi-110005

Course	Timings	No. of Lectures	Fee (Rs.)	Days
PROFESSIONAL PROGRAMME				
Module I	7.30 A.M.- 9.30 A.M	60 (in each Module)	3,500/-	Alternate Days
Module II	7.30 A.M.- 9.30 A.M		3,500/-	
Module III	5.30 PM - 7.30 PM		3,500/-	
Module IV	5.30 PM - 7.30 PM		3,500/-	
EXECUTIVE PROGRAMME				
Module I	7.30 A.M.- 9.30 A.M 12.30 P.M.- 2.30 P.M 3.00 P.M. - 5.00 P.M. 5.30 PM - 7.30 PM	100	4,500/-	Daily one lecture

Module II	7.30 A.M.- 9.30 A.M. 10.00 A.M.- 12.00 Noon 3.00 P.M. - 5.00 P.M 5.30 PM - 7.30 PM	90	4,000/-	Daily one lecture
FOUNDATION PROGRAMME				
	7.30 A.M.- 9.30 A.M. 12.30 P.M.- 2.30 P.M 3.00 P.M. - 5.00 P.M 5.30 PM - 7.30 PM	120	4,000/-	Daily one lecture

NOTE: ● Each Lecture is of two hours duration. ● Admissions on first come first served basis. ● Commencement of classes is subject to availability of sufficient number of students in each batch. ● The students undergoing Oral Coaching and passing the required eligibility tests need not to submit the response sheets under postal tuition scheme.

Interested students may deposit the fee at NIRC of ICSI, 4, Prasad Nagar Institutional Area, New Delhi-110005 by way of Demand Draft in favour of the NIRC of ICSI payable at New Delhi.

FOR FURTHER DETAILS CONTACT: NIRC OF ICSI.

Tel.: 011-25769352, 25816593, 25763090, 25767190

Tele fax: 011-25722662, Email: niro@icsi.edu

ADMISSION OPEN

Inauguration of 130th Secretarial Modular Training Programme

On 1.9.2009 the ICSI-NIRC organized the Inaugural function of 130th Secretarial Modular Training Programme at New Delhi. S.P. Arora, Chief General Manager, IFCI Limited was the Chief Guest on the occasion. S.P. Arora while addressing the participants congratulated them for having passed their final examination and reaching that stage. He emphasized the role of Company Secretary as conscience keeper of the company. He said initially fresh CS pass outs are appointed at a junior post and gradually advanced to senior posts. Considering the diverse nature of CS job, he advised the participants to build up their knowledge in the field of Finance, Accountancy, Merger and Amalgamations, Taxation, Law, etc. He informed that CS deals with top management which takes policy decisions. He emphasized that building relations among colleagues is also very important for professional success. According to him; cost cutting always assumes importance in private sector, so a CS can also guide companies for it. Considering the current global slowdown in the economy he advised the participants to remain updated in the knowledge on the pretext of survival of the fittest and gave his best wishes to all the participants of 130th batch of SMTP.

7th All India Moot Court Competition (Regional Round North)

The 7th All India Moot Court Competition Regional Round (North) was conducted at NIRC-ICSI Building, New Delhi on 21, 22 and 23.8.2009 to select the team to represent NIRC at the National Level round at SIRC-ICSI, Chennai. 12 teams participated in the competition.

Four teams were selected to represent NIRC at the National Round. The Competition was conducted in association with Surana & Surana, International Attorneys, Chennai. Atul Mittal, Chairman, NIRC-ICSI and Vinod Surana, founder, Surana & Surana addressed the participants. Senior Members of the ICSI & Advocates volunteered to act as judges at the Preliminary and Semi Final rounds of the competition.

The final round was conducted on 23.8.2009 which was followed by valedictory session and prize distribution ceremony. S Koley, Satwinder Singh, J.K. Bareja, Sanjay Maria and Jeetender Kapoor acted as judges at final round of the event. Rakesh Munjal, Senior Advocate was the Chief Guest at the valedictory session. S Ravichandaran of Surana & Surana was also present on the occasion. The team consisting of Dharmendra Singh Mohta, Shilpi Shivangi and Amit Laddha was adjudged as the "winner" and the team consisting of P. Singh, Manjeet Singh, Shekhar and Parul Rastogi was adjudged as the "runner up". Rakesh Munjal and Atul Mittal distributed the Cash Awards, Plaques and Certificates to the winners.

Academic Development Programmes for Students

On 12.8.2009 & 31.8.2009, the 39th and 40th Academic Development Programmes were organised at ICSI-NIRC Building, New Delhi.

Training Orientation Programmes for Students

The Regional Council organised 54th and 55th Training Orientation Programmes for students from 03.08.2009 to 7.8.2009 and from 17.8.2009 to 21.8.2009 at ICSI-NIRC Building, New Delhi.

ICSI-MOTHER TERESA INSTITUTE OF MANAGEMENT AND VOCATIONAL STUDIES ORAL TUITION CENTRE

Oral Coaching Classes for Foundation and Executive Modules - I & II (Intermediate Groups I&II)*- June 2010 session

Oral Coaching classes for Foundation and Executive Modules-I & II (Intermediate Groups I&II)* are likely to commence from 29.10.2009 and 12.11.2009 respectively.

Course Fee :

- Foundation RS.4,000
- Executive Module-I (Inter Group-1) Rs.4,500
- Executive Module-II*(Inter Group-II)* Rs.4,000

Timings : 4.30 to 6.00 P.M. (Monday to Saturday)

Registration open on all working days between 9.30 A.M. and 5:30 P.M.

Admission on first-come-first-served basis.

(* Provided sufficient number of students are registered for Group-II)

For further details, contact:

J.K.Chawla

Mother Teresa Institute of Management & Vocational Studies

C- Block, Preet Vihar, Delhi-110092

Phones: 22057200,42420552,42420553, Fax : 22509200

Email : mtim@vsnl.net

GURGAON CHAPTER

Second SMTP

Inaugural Session: On 11.09.2009 the 2nd SMTP conducted by Gurgaon Chapter of NIRC of the ICSI was inaugurated at Chapter office at Gurgaon. Chief Guest T. Narsimhan, Executive Director, Delhi Assam Roadways Corporation Limited, Gurgaon inaugurated the programme. In his welcome address Dhananjay Shukla, Chairman-Gurgaon Chapter, congratulated the participants for completing their Final Course and briefly explained the various activities and endeavors of Gurgaon Chapter. He said that organizing 2nd SMTP at Gurgaon Chapter in a row this year is a very significant development in its history since its inception. He said that SMTP is meant for honing and sharpening the skills so that it could be applied in a professional manner

at the workplace. He stressed that SMTP is the great platform to interact with senior members of the profession who visit as faculties and thereby learning the insights of the practical experience. He also suggested that constant updation is the need of the hour and alongwith the development of soft skills the focus should also be on the various events taking around in the corporate world. He suggested the participants to be highly participative during the SMTP and create a batch hood concept among themselves. He emphasized that there are immense scope for company secretaries.

K.K.Singh, Member-NIRC, while addressing the participants said that SMTP being the last leg of training, hence the same is very important for the participants. He suggested the participants to be interactive with faculties during the SMTP and emphasized on the practical application of the academic knowledge.

T. Narsimhan, the Chief Guest, while addressing the participants said that training is very important in the life of a professional. He stated that the Corporate sector has always banked upon the capabilities of the Company secretaries and with the evolvement of WTO and in the era globalization and liberalization the responsibilities of Company Secretaries have increased manifold. He said that now a days the company secretary is looked upon as a professional, who has solution of all the problems. He shows the path to the management whereas he also represents the organization before various quasi judicial authorities in successful manner. He complemented the Institute, ICSI for devising the great course of company Secretary ship which produces capable professionals. He also complemented the Gurgaon Chapter for organizing the programmes like ADP, TOP and SMTP to cater to the need of local students. He also advised the participants to be participative, interactive during the SMTP days and also thereafter. He said that the participants should always have a quest for the excellence in terms of delivery. He offered his good wishes to the participants for their career ahead.

Valedictory Session: On 28.09.2009 at the valedictory session of the SMTP Dhananjay Shukla, Chairman, congratulated the participants for completing their SMTP and for being highly disciplined during the entire SMTP. He emphasized that with completion of SMTP the participants will become member in couple of days and he wished them a great career ahead as company secretary. He emphasized that whether they are in employment or in practice, the quality of the service delivered should always be of very high standard and they should always strive for excellence in whatever they do. But he cautioned that excellence doesn't come on its own. It always comes with consistent updation, high commitment to the goal and perseverance in the professional pursuit. He also said that while striving for success, you may get setbacks but never get afraid of it as it may create the opportunity to correct the mistakes and may show you a new path of doing the things. He also invited the participants to participate in professional development programmes of the Chapter.

K.K.Singh, Member-NIRC suggested the students to explore various opportunities available in the market. He emphasized that the position of the company secretary is very reliable and dependable given the nature of responsibility he handles. He opined that this trust would be carried on by the participants being the torch bearer of the profession.

Hitender Mehta, Immediate past Chairman-NIRC, in his address also congratulated the participants for completing their SMTP. He said that a determined approach in life always yield satisfying result. He said that the goal should be fixed and means to attain that goal should be identified by the aspirants. He suggested the participants to be innovative in their professional pursuits and discussed the various opportunities available for company secretaries and towards this emphasized legislation like LLP, SEZ. He emphasized that the quality of service should never be compromised.

Atul Mittal, Chairman-NIRC, expressed his happiness with the growth of the chapter over the years and congratulated the managing committee for its endeavors. He said that during SMTP a bond is created among the participants which are ever lasting. He also said

News and Announcements

that grooming is a constant process and they should groom themselves in a manner so that they can take the full advantage of all the emerging opportunities. He wished all the participants a great career ahead.

Ujjwal Jain and Viparna Bhardwaj were adjudged as the best Male and Female Participants respectively.

Second Academic Development Programme (ADP)

On 22.8.2009, Gurgaon Chapter of NIRC of the ICSI organized its 2nd Academic Development Programme at its premises on Limited Liability Partnership. Tarun Chaurasia Company Secretary, Rabo Equity Advisory, New Delhi was the faculty on the topic. In the inaugural session, while welcoming the Guest faculty and participants, Dhananjay Shukla, Chairman, Gurgaon Chapter said that the idea behind organizing the ADP for the students undergoing Management Training /Apprenticeship Training was to update them with latest developments on the relevant topics of Professional Interest. Deliberating on the LLP he said that with the Limited Liability Partnership which came into force on 1.4.2009, now the stakeholders will enjoy the running of limited liability firm with lesser compliances as compared to companies. He further said that with the passing of LLP Act, the only concern was the taxation of LLP but Finance Act, 2009 has also addressed that and now its amply clear that the taxation of LLP will be same as of partnership.

At the valedictory session the certificates were distributed by Dhananjay Shukla and Tarun Chaurasia among the participants. The ADP was attended by 43 students.

Third Academic Development Programme (ADP)

On 29.8.2009, Gurgaon Chapter of NIRC of the ICSI organized its 3rd Academic Development Programme at Alpine Convent School, Gurgaon. The theme of first half of the session was "Public Deposits and Dividend". The theme of the second half was "Due Diligence Review". Apoorva Kumar, FCS, Company Secretary and Head – Finance, Delhi Assam Roadways Corporation Ltd., Gurgaon was the faculty of first half session while K.K.Singh, Practising Company Secretary and Member-NIRC dealt with the topic of the second half of the session. At the valedictory session, the completion certificates were distributed by Dhananjay Shukla, Chairman, Gurgaon Chapter. The ADP was attended by 70 students.

Third Training Orientation Programme (TOP)

On 31.8.2009 the 3rd Training Orientation Programme was inaugurated at the Chapter premises by Nesar Ahmad, Company Secretary in Practice, New Delhi and Central Council Member, the ICSI. Dhananjay Shukla, Chairman, Gurgaon Chapter, in his address emphasized the importance of TOP and said that to excel in professional pursuits soft skills are equally important along with academic knowledge. He suggested the participants to be positive, confident and highly proactive during training. He also advised the participants to have a positive attitude while approaching the Corporates for training. K.K.Singh, Regional Council Member-NIRC, speaking on the occasion advised the participants to make most of the TOP session and be participative and interactive during the sessions.

The Chief Guest, Nesar Ahmad, stressed that the Management Training or Apprenticeship Training is the stepping stone for the career as a company secretary. He stressed that there should be burning desire among the participants to learn various skills during the training and thereby applying them the same at work place. He advised the participants to update themselves regularly for a qualitative delivery in their professional pursuits.

Punit Handa, Secretary & Treasurer, Gurgaon Chapter was also present on the occasion who anchored the session. He also wished the participants a great career ahead.

Valedictory Session : On 4.9.2009 at the valedictory session held at Chapter premises, Chief Guest K.K.Singh, in his address appreciated the efforts of the managing committee of the Chapter for focusing on student services. He advised them to have a keen learning desire during their management /apprenticeship training. He also gave some practical tips. He advised them to be always positive/innovative to learning at workplace.

Punit Handa, Secretary and Treasurer, Gurgaon Chapter, in his address congratulated the participants for completing their TOP. He advised them to regularly update with the new changes taking place in corporate world. For that he stressed that they should regularly attend the professional development programmes being organized by the institute/ Chapter.

Punit Handa and K.K.Singh distributed the training completion certificates among the participants. The TOP was attended by 26 students.

Fourth Academic Development Programme (ADP)

On 27.9.2009 Gurgaon Chapter of NIRC of the ICSI organized its 4th Academic Development Programme at its premises on Joint Ventures and Venture Capital Funds. Rajiv Virmani, Company Secretary and Sr. Manager-Legal, Unitech Realty Investors (India) Pvt. Ltd., Gurgaon, was the faculty on the topic.

Dhananjay Shukla, Chairman, Gurgaon Chapter in his address said that the topic had high practical utility for the company secretaries and then he outlined the topics Joint Ventures and Venture Capital funds.

Rajiv Virmani deliberated on the theme with the help of power point presentation which was appreciated and enjoyed by all the participants.

At the valedictory session the certificates were distributed by Rajiv Virmani, Punit Handa and Dhananjay Shukla among the participants. The ADP was attended by 75 students.

LUCKNOW CHAPTER

Career Awareness Programme

On 21.8.2009 Lucknow Chapter of NIRC of the ICSI organized a Career Awareness Programme in Ratan Sen Inter College, Bansi Siddhartha Nagar. Pamphlets and brochures of the Institute explaining the CS programme were distributed among the students of the college. Anuj Srivastava, Vice Chairman & Secretary of the Chapter addressed the students about the company secretary ship programme up to their contentment. Srivastava also informed how to join the CS Programme and what are the benefits of doing the Programme (course).

SOUTHERN INDIA REGIONAL COUNCIL

Oral Coaching Classes for Foundation and Executive Programmes for June 2010 CS Examinations

EXECUTIVE PROGRAMME (BOTH MODULES)

Date of Commencement of Classes: From 16.11.2009 (Module I, morning and Module II, evening). **Last date for receipt of Applications:** 9.11.2009. **fees:** Rs.3350/- per Module.

FOUNDATION PROGRAMME

Date of Commencement of classes: From 14.12.2009. **Last date for receipt of application:** 07.12.2009. **Fees:** Rs.3000.

For further details contact:

SIRC OF THE ICSI

New No.9, Wheat Crofts Road, Nungambakkam,
Chennai – 600 034, Phone: (044) 28279898, 28268685
E-mail: siro@icsi.edu

Crash Course on Financial Management

SIRC OF THE ICSI is conducting Crash Course on Financial Management as per the details below:

Day and Dates : Saturday and Sunday, the 21st and 22nd November 2009

Timings : 10.00 A.M to 1.00 P.M and 2.00 P.M to 5.00 P.M

Venue : ICSI-SIRC Office, No.9 Wheat Crofts Road Nungambakkam, Chennai 600 034

Objective: This course is mainly intended for the Professional Programme Students appearing in the December 2009

examination. The paper on *Financial, Treasury and Forex Management* has twelve chapters, of which ten chapters deal with Financial Management and therefore, students require proper exposure to the subject and in particular to the tools and techniques employed therein. The course would be highly focused to deal with the subject strictly from the examination point of view.

Methodology: The course will be a combination of lecture and class room exercise, so as to give the students required level of confidence to face the examination boldly.

Fee: The fee for the course is Rs. 500/- which is to be paid at the SIRC of the ICSI, "ICSI-SIRC House", No.9 Wheat Crofts Road, Nungambakkam, Chennai 600 034. E-mail: siro@icsi.edu Phone: 044-28279898/28268685.

The fee can be remitted by way of cash or Demand Draft favouring "SIRC of the ICSI", payable at Chennai. The last date for Registration is 14th November, 2009.

In order to ensure higher level of participation from the students, the admission is restricted to 40 students on first come first served basis.

Crash Course On Tax Laws

SIRC OF THE ICSI is conducting Crash Course on Tax Laws as per the details given below:

Day and Dates : Saturday and Sunday, the 14th and 15th November 2009

Timings : 10.00 A.M to 1.00 P.M and 2.00 P.M to 5.00 P.M

Venue : ICSI-SIRC Office, No.9 Wheat Crofts Road, Nungambakkam, Chennai 600 034

Objective: This course is mainly intended for the Executive Programme Students appearing in the December 2009 examination. The paper on *Tax Laws* has eighteen chapters, of which twelve chapters deal with Tax Laws and therefore, students require proper exposure to the subject and in particular to the tools and techniques employed therein. The course would be highly focused to deal with the subject strictly from the examination point of view.

Methodology: The course will be a combination of lecture and class room exercise, so as to give the students required level of confidence to face the examination boldly.

Fee: The fee for the course is Rs. 500/- which is to be paid at the SIRC of the ICSI, "ICSI-SIRC House", No.9 Wheat Crofts Road, Nungambakkam, Chennai 600 034. E-mail: siro@icsi.edu Phone: 044-28279898/28268685.

The fee can be remitted by way of cash or Demand Draft favouring "SIRC of the ICSI", payable at Chennai. The last date for Registration is 7th November, 2009.

In order to ensure higher level of participation from the students, the admission is restricted to 40 students on first come first served basis.

Model Examination For December 2009 Examination

The SIRC of the ICSI is organizing model examination for December 2009 examinations for Foundation, Executive and Professional Programme from November 23, 2009 to November 30, 2009 at SIRC of the ICSI, No.9, Wheat Crofts Road, Nungambakkam, Chennai – 600 034. The Model Examination will be an exercise to the students to confidently face the Institute's main examination and also to have a model of what is expected from the students in the Institute's examination. The Model Examination fee is Rs.200/- per Module. The fee can be remitted by way of cash or Demand Draft favouring

"SIRC of the ICSI" payable at Chennai. The last date for Registration is November, 16, 2009. Interested Students may contact SIRC of the ICSI through phone (044) 28279898 / 28268685; E-mail: siro@icsi.edu

TIME TABLE & PROGRAMME MORNING – 10.00 AM TO 01.00 PM

DATE & DAY	FOUNDATION PROGRAMME
23.11.2009 Monday	English and Business Communication
24.11.2009 Tuesday	Economics and Statistics
25.11.2009 Wednesday	Financial Accounting
26.11.2009 Thursday	Elements of Business Laws and Management

DATE & DAY	MORNING – 10.00 AM TO 01.00 PM EXECUTIVE PROGRAMME - MODULE-I
23.11.2009 Monday	General and Commercial Laws
24.11.2009 Tuesday	Company Accounts & Cost and Management Accounting
25.11.2009 Wednesday	Tax Laws

DATE & DAY	MORNING – 10.00 AM TO 01.00 PM EXECUTIVE PROGRAMME - MODULE-II
26.11.2009 Thursday	Company Law
27.11.2009 Friday	Economic and Labour Laws
28.11.2009 Saturday	Securities Laws and Compliances

DATE & DAY	MORNING – 10.00 AM TO 01.00 PM PROFESSIONAL PROGRAMME - MODULE-I
23.11.2009 Monday	Company Secretarial Practice
24.11.2009 Tuesday	Drafting, Appearances and Pleadings

DATE & DAY	PROFESSIONAL PROGRAMME - MODULE-II
25.11.2009 Wednesday	Financial, Treasury and Forex Management
26.11.2009 Thursday	Corporate Restructuring and Insolvency

DATE & DAY	PROFESSIONAL PROGRAMME - MODULE-III
27.11.2009 Friday	Strategic Management, Alliances and International Trade
28.11.2009 Saturday	Advanced Tax Laws and Practice

DATE & DAY	PROFESSIONAL PROGRAMME - MODULE-IV
29.11.2009 Sunday	Due Diligence and Corporate Compliance Management
30.11.2009 Monday	Governance, Business Ethics and Sustainability

ABOVE MODEL EXAMINATION WILL BE CONDUCTED SUBJECT TO

REGISTRATION OF SUFFICIENT NUMBER OF CANDIDATES.

Management Skills Orientation Programme

Inaugural Session: The ICSI-SIRC organized the inaugural session of its 01st Management Skills Orientation Programme on 9.9.2009 at ICSI – SIRC House, Chennai. V C Davey, Registrar of Companies, Tamil Nadu, Chennai was the Chief Guest and delivered the inaugural address.

R Sridharan, Council Member, the ICSI wished the participants a great future and explained the activities of the ICSI in the growth of the profession of CS. Davey, said that Company Secretary, being principal officer of the company, plays a vital role in decision making of

the company and advises the board of directors on various aspects which are taking place in the corporate world. Dave assured that more importance is given to service delivery and regulatory functions. He advised the participants to go through the master data of the companies while taking up the employment. Davey urged the participants to continuously update their knowledge on the matters relating to the profession and wished the participants a very good career as a Company Secretary.

Earlier Sarah Arokiaswamy, Joint Director, ICSI-SIRO detailed the participants about the training programme and its importance and also briefed about the general guidelines to be observed by them.

Valedictory Session: On 25.9.2009 at the Valedictory Session of 01st Management Skills Orientation Programme, S Srinivasan, Group General Counsel, Aircel [MAXIS Group], Chennai was the Chief Guest of the session. Earlier, R Sridharan in his address congratulated the participants and advised them to adhere to the professional ethics and to observe the code of conduct. Srinivasan, in his address commented that the topics of the MSOP are above the standards of the syllabus of IIMs. Srinivasan advised the participants to be more dedicated to the profession and be focused. He advised the participants to understand the business of the Company in which they wish to join and to have a complete knowledge about that particular industry. Srinivasan also advised the participants to read the Chartered Secretary journal regularly. He then distributed Training Completion certificates to the participants.

Sixteenth Academic Development Programme

On 19.9.2009 the ICSI – SIRC organized its 16th Academic Development Programme which was attended by 97 participants. 101 students enrolled for the programme and 97 students attended the programme. The programme was divided into two sessions on Winning Strategies For CS Examinations and An Overview Of FEMA which was addressed by Gopal Krishna Raju, Chartered Accountant, Chennai and K Ramesh, Advocate, Chennai respectively.

Necessary material was provided and arrangements were made for the participants of 16th ADP. Feed-back on faculty of each session was also obtained.

Nineteenth Training Orientation Programme

From 31.8.2009 to 4.9.2009 the Regional Council conducted its 19th Training Orientation Programme. Fifty-seven students registered for undergoing the Training programme and 51 of them successfully completed the five days training.

Commencement of Oral Coaching Classes

On 27.7.2009 the SIRC of the ICSI commenced Oral Coaching Classes for Executive Programme Module II (Morning) and Module I (Evening) for December 2009 Examinations at ICSI-SIRC House, Chennai.

BANGALORE CHAPTER

Ninth All India Company Law Quiz

The Chapter held the Chapter Level Competition of the 9th All India Company Law Quiz on 1.8.2009 at the Chapter premises to choose the team to represent the Bangalore Chapter at the Regional Level Competition.

S Kannan, Treasurer, Bangalore Chapter of the ICSI and the Chairman of the Sub-committee for Training & Educational Facilities and Oral Coaching & Students Facilities was the quiz master.

Two teams participated in the Chapter Level Competition. It was a closely fought competition and the team comprising Srinath T and Deepa Nayak won the preliminary round and were chosen to represent the Bangalore Chapter at the Regional Level Competition.

Annual Day Celebration 2009 – Indoor and Outdoor Games

The Bangalore Chapter of the ICSI, to commemorate its Annual Day celebrations organised various programmes for the Members and the Students.

In this regard, on 2.8.2009 the Chapter organised the following competitions: Shuttle & Table Tennis at Karnataka Badminton Association and Chess & Carrom at Chapter Premises for students and members. Around 20 students, 10 members and their families participated in the competitions.

Again on 10.8.2009 the Chapter organised Cricket Match at St. Joseph Indian High School ground, Bangalore for students. Two teams of students participated in the cricket match. Around 20 students and 10 members and their families were present.

Final Rounds of Ninth All India Company Law Quiz Competition

On 22.8.2009 the Bangalore Chapter of the ICSI conducted the Final Round of the 9th All India Company Law Quiz Competition. CS MR Gopinath, Practising Company Secretary, Bangalore was the Chief Guest and Quiz Master. 75 students participated in the get-together. CS Gopinath addressed the students and shared some of his experiences from his student days and also some tips on being successful in life. The Final Round of the Quiz Competition saw three teams representing the Northern, Eastern and Southern Region battling it out in a closely fought contest to bag the first place. The Quiz Master CS M.R. Gopinath conducted the Competition in his peerless style. CS Manjunath Reddy, Member, Managing Committee of the Bangalore Chapter then announced the scores and that the winners were the team from SIRC comprising A.M. Chinmaya and Veena Bhat. The runners up were the team from EIRC comprising Ayush Agarwal and Harsh Kumar Dhanuka. The students who witnessed the competition also participated in a management game.

During the Valedictory Session the Committee Members present and the Office Bearers of the Bangalore Chapter distributed the participation certificates and prizes to the three teams.

Students' Study Circle Meeting on Private Limited Company & Unlisted Public Limited Company – Buy Back of Shares

On 29.8.2009 the Bangalore Chapter of the ICSI organised a Students' Study Circle Meeting on Private Limited Company & Unlisted Public Limited Company - Buy Back of Shares at its premises. Vighneshwar M. Bhat, CS Student, Bangalore was the Speaker who made a detailed presentation on Private Limited Company & Unlisted Public Limited Company - Buy Back Of Shares covering the applicable provisions, the intent behind the same, the issues to be prepared for, the procedure to be followed, and the dos and don'ts. There was very lively interaction from the 20 students present.

Career Awareness Programmes

The Chapter conducted eight Career Awareness Programmes during the month of August 2009 which were as under: On 8.8.2009 the Career Awareness Programme on "Career as a Company Secretary" was held at Anjuman Commerce College, Dharwad for B.Com III year students; on 16.8.2009 at Mrutyunjaya Commerce College, Dharwad for B.Com II & III Year students;

On 22.8.2009 at PC Jabin College, Vidyanaagar, Hubli for PU II students; on 26.8.2009 at Udaya PU College, Bangalore. On 26.8.2009 at NMKRV College for Women, Bangalore; on 28.8.2009 at JG College of Commerce, Dharwad for B Com III Year students; on 28.8.2009 the Career Awareness Programme on "Career as a Company Secretary was held at Women's College, JC Nagar, Hubli for B.Com III Year & BBA III Year students; on 28.8.2009 at Nehru Commerce College, Hubli for PU II Commerce students. The speakers of the above programmes were one or the other of the following: CS Nagendra D. Rao, Chapter Chairman, CS C. Dwarakanath, immediate Past Chairman of the Chapter, CS S.M. Pramod, Vice Chairman of the Chapter, Prof. S.M. Salimath, ICSI Dharwad Counsellor, Sangeetha Flora, EO, Bangalore Chapter. Around 2000 students taken together participated in the said programmes.

The speakers explained in detail the course offered by the Institute and the criteria for eligibility for the course, examination, requirements

of training etc, the role of a Company Secretary and importance of the profession of Company Secretary in the changing economic scenario. They then highlighted the opportunities available to those who complete the Company Secretary ship course. Further they enumerated the emerging areas of practice and the changing role of Company Secretary. They also focused on what would be the mindset and preparation required from a student who wanted to pursue the Company Secretary ship Course. Brochures explaining brief details of the Company Secretary ship Course were distributed to the students and the film on Career as a Company Secretary was also screened during the programmes.

COIMBATORE CHAPTER

Mock Annual General Meeting

On 27.8.2009 a Mock Practical Annual General Meeting was arranged for students of CS Course at Hotel Residency, Coimbatore to know the first hand knowledge about the Annual General Meeting such as reception arrangements, stage arrangements, hall arrangements, separate seating arrangements for members and proxies, food arrangements, Inspection of records by members at AGM etc. Chairman of the Chapter C. Thirumurthy, explained the students about various aspects of organizing Annual General Meeting of the Company and explained the students various aspects in Annual Report of the Company and the students present gained practical exposure and benefited from the programme. In the Programme Agenda an Annual Report was circulated to them. After having practical exposure, a Mock Annual General Meeting was organized in the afternoon to develop the skills of the students.

Motivational Talk for the Students

On 10.9.2009 the Chapter organized a Motivational Talk for students at its premises. B. Mohan, IAS, Coimbatore motivated the students and shared his experiences. He also explained how to develop laser concentration. Nearly 35 students attended the programme.

S. Venugopalan Memorial Award Function

On 10.9.2009 S. Venugopalan Memorial Award function was organized by the Chapter. In this programme students from Coimbatore Chapter, who secured highest marks in the Company Law paper in the June 2009 Session - C.T. Annam, from Executive Programme who secured the highest Marks in the Executive Programme in Company Law Paper in Coimbatore Region was Awarded a Cash Prize of Rs. 1500/-. Aiswarya and Shridha both secured highest Marks in Professional Programme in the June 2009 Session from the Coimbatore Region. The Prize money was distributed jointly to them. B. Mohan granted the prize money to the Awardees. Nearly 35 students attended the programme.

3rd Batch of Training Orientation Programme

From 16.9.2009 to 20.9.2009 the Chapter organized its 3rd Batch of Training Orientation Programme. The Programme was inaugurated by the Chairman of the Chapter C. Thirumurthy. V.S. Subash, Treasurer, SIRC, G. Vasudevan, Secretary, K. Muthusamy and A.R. Ramasubramaniam, Past Chairman and Committee Members were present on the Occasion. Members and Faculties from different streams conducted the classes for participants. The Valedictory Session was held on 20.09.2009. P.S. Muthusamy, First Chairman of the Coimbatore Chapter was the Chief Guest and presented his views about the profession in old era and in the present era. He also presented Certificates to the Participants. 33 Students participated in the Training Session.

Mock Board Meeting

On 20.9.2009 a Mock Board Meeting was organised for the benefit of Executive and Professional Programme Students of the Chapter. G. Balasubramaniam, Vice-Chairman and Vidhya Shankar, Company Secretary, Bimetal Bearings Ltd., were the moderators for the Programme. The Students were guided to convene an Accounts meeting and to act as Chairman and Directors of the Company. Provisions relating to Directors Report, Auditors Report, Accounting Standards and its practical implications were explained to the students

and the students also shared their views on these areas. The Students found the programme very much interesting and useful. Around 15 Students participated in the Session.

Saraswati Pooja Celebrations

On 27.9.2009 the Chapter celebrated Saraswathi Pooja. The Traditional Pooja was organised amidst colourful atmosphere. Around 15 persons participated in the celebrations.

HYDERABAD CHAPTER

Students Seminar on Personality Development

On 4.8.2009 the Chapter organized a Personality Development Programme at its premises. Gampa Nageshwar Rao, Motivational Speaker & Self Management Trainer was the speaker who explained the theme – An overview on Personality Development, Enhancing the Personal Qualities & Effective Communication Skills. He emphasized on various aspects of rejuvenating life with positive energy and in enhancing one's core competencies. Life, he said, is to Express; to express one's core competencies and core talents. He also emphasized that *Best pictures are developed by negatives in a dark room*. If you think your life is dark, then it means that god is making a beautiful picture of your life. He also explained about Realizing the power of dreams, and Dreams leading you to the destination. It's not hard work, but it is heart work that makes you successful. His sense of humour added spice to the whole lecture. The anecdotes, stories, jokes and quotes of famous personalities stated by him threw light on various issues which students usually take for granted but are most loved and treasured.

Special Lecture for Students on Information Technology

On 5.8.2009 the Chapter organized a special Lecture for students on Information Technology at its premises. I.L. Narasimha Rao, Head Deptt. of I.T., Aurora Degree College, made an impressive Power Point Presentation on Information Technology which was appreciated and well received by the students. He explained the MS Word, Excel and Power Point presentations with a practical approach.

Academic Development Programme for Students and Trainees

The 19th Academic Development Programme was organized on Managerial Ethics. Dr. KV Achalapathi, Professor of Commerce & Convener FS-CET, 2009 was the speaker who explained the concepts of Ethics and Stakeholders, Social Ethics, Legal rules, customs, Organization's, Code of Ethics, Professional Ethics, Values in workplace, Individual Ethics, Family influence, Ethical Decisions, Why Behave Ethically, Social Responsibility, Levels of Responsibility, The Social Audit, Promoting Ethics, Managing Diverse Workforces, Types of Diversity, Manage Diversity, Diversity Makes Business Sense, How to Manage Diversity, etc. Earlier CS A. Visweswara Rao, Chairman of the Chapter briefed the participants about the Managerial Ethics.

Yoga for Students

On 7.8.2009 the Chapter organized Yoga for students. Dr. PG Krishna Murthy, Director, Jeevan Tatva Yoga Samstha was the speaker who while addressing those present explained the complex structure of Human Body, Science v. Yoga, Biological Rhythm, Fundamental Aspects/Ashtaanga Yoga of Patanjali, Pre-requisites for Yoga practice, Yoga Asanas for Physical Fitness, Sequence of Asanas, Jeevantatva Yoga, Praanaayaama etc.

Indoor Games for Students

On 8.8.2009 the Chapter organized Indoor Games & Fun Games for students at the Chapter premises. Students played Caroms, Chess, one minute games, counting the colour balloons, thread into the needle and enjoyed in testing their skills. The main purpose to organize the programme was to refresh the minds of the students to develop more concentration towards their studies. VS Raju Chapter Official coordinated the games.

MADURAI CHAPTER

Career Awareness programme

On 29.7.2009 Madurai Chapter conducted a career awareness

programme at Kodaikonal Christian College, Dindugal District. V.S.Krishnamurthy, Chapter Chairman explained about the institute, services and CS course details to the students. R.R.Gnanasekaran, Chapter Secretary explained the syllabus, fees structure of the course. R.K.Bapupal, Chapter Treasurer in his address explained the opportunities available in the practising side of the profession of CS. D.Sivasubramanian, Vice-chairman explained the examination pattern, employment opportunities etc. Dr.Balu, Head of the Department of Commerce and college lecturers also participated in the programme. Institute course brochures were distributed to all the students. Around 150 students of all UG course participated in the programme.

On 10.8.2009 another career awareness programme was held in Kovipatti at G.V.N.College. V.S.Krishnamurthy, Chairman inaugurated the programme and explained about the institute, service, course, syllabus, and examination pattern of the Institute to the students. D.Sivasubramanian, Vice-Chairman in his address explained about opportunities available after completion of the CS course in employment as well as in practice. Nirmala, Head of the Department of Commerce and Commerce lecturers also participated in the programme. Nearly 500 students of all UG course participated in the programme. T.Raja Chapter office in charge distributed the course brochures and explained the services offered by the Madurai Chapter.

Yet again on 10.8.2009 the Chapter conducted an awareness programme at Tuticorin VOC College. V.S.Krishnamurthy, Chairman delivered the ideas for joining the course and getting employment from the companies. He also explained the syllabus and examination pattern of the course. D.Sivasubramanian, Vice-chairman informed the students about whole time employment opportunities and practising areas of company secretaries. Rameshkumar, Head of the Department of Commerce and other lecturers also participated in the programme.

Another Career Awareness Programme was held on 15.9.2009 at Dindugal, G.T.N College. V.S.Krishnamurthy Chapter Chairman explained about the Institute, course, syllabus, fees structure, examination pattern to the students. Commerce Department H.O.D .Balasubramanian and other college lecturers also participated in the programme.

MANGALORE CHAPTER

Career Awareness Programmes

The Mangalore Chapter of the SIRC of the ICSI conducted 5 career awareness programmes on 10.09.2009, 14.09.2009, 16.09.2009, 17.09.2009 and 29.09.2009 in and around Mangalore. The first programme was conducted at Shree Gokarnatheshwara College, Mangalore, attended by 200 I, II & III Year B. Com. students. The second programme was conducted at St. Aloysius Degree College, Mangalore, attended by 100 I, II & III Year B. Com. students. The third programme was conducted at Ganapathy Pre-University College, Mangalore, attended by 250 I & II Year PU (Pre-University) Students. The fourth programme was conducted at Government College, Kavor, Mangalore, attended by 134 III Year B. Com. and B. B. M. students and the fifth programme was conducted at St. Aloysius Pre-University College, Mangalore and was attended by 30 I Year PU Students. The programmes were addressed by CS Ullas Kumar Melinamogaru, Chairman, Mangalore Chapter of the SIRC of the ICSI.

Again the Chapter conducted 3 career awareness programmes on 05.08.2009, 12.08.2009 and 26.08.2009 in and around Mangalore. The first programme was conducted at Besant Girls' P. U. (i.e. Pre-University) College, Mangalore, attended by 160 students. The second one at Canara Pre-University College, Mangalore, attended by 100 Students and the third one was conducted at Besant Women's College, Mangalore and was attended by 200 B. Com. Final Students.

The programmes were addressed by CS Ullas Kumar Melinamogaru, Chapter Chairman SIRC of the ICSI. During the career awareness programmes in the above institutions, the students were apprised about the Company Secretary Course, mode of registration, syllabus, structure of the course and opportunities and avenues in

employment and practice on successful completion of the Course. Pamphlets explaining the Company Secretary Course were distributed among the students. The response in all the above programmes was very encouraging and many queries asked by the students were satisfactorily replied by the Chairman of the Mangalore Chapter.

WESTERN INDIA REGIONAL COUNCIL

Career Awareness Programmes

The WIRC of the ICSI organized Career Awareness Programmes as under:

On 1.8.2009 the Career Awareness Programme was held at Kendriya Vidyalaya, Antop Hill, Mumbai; on 3.8.2009 at Kendriya Vidyalaya No. 2, Coloba, Mumbai; on 4.8.2009 at Kendriya Vidyalaya at Malad (W), Mumbai; on 12.8.2009 the Career Awareness Programmes were held at Kendriya Vidyalaya, No.3 & No.1 at Colaba, Mumbai; on 27.8.2009 the Career Awareness Programmes were held at Shree Narayana Guru College of Commerce, Kum.U.R. Shah Women's College of Commerce, Mumbai. On 28.8.2009 the Career Awareness Programme was held at RBK International Academy, Chembur (E) Express Highway. The Career Awareness Programmes were addressed by the following members/officials of WIRC of the ICSI jointly and severally. Atul Gandhi, PCS, Snehal Shah, PCS, Kaushik Jhaveri, PCS, Bharat Upadhaya, PCS, Lachmi Bhatt, Desk Officer, Bharat, Official of the Regional Office.

PUNE CHAPTER

Programme in Honour of Successful Students of June 2009 Examinations

On 26.8.2009 the Pune Chapter organized a function in honour of all those students who successfully cleared examinations conducted by ICSI in June 2009. Amongst those who completed the CS Examination, it was found that there was an inclination towards appearing for all the Groups at the Final Level in one attempt. The students present at the function shared their experiences and tips for studies with the gathering.

18th Training Orientation Programme (TOP)

From 1.9.2009 to 5.9.2009 the 18th Training Orientation Programme was conducted by the Pune Chapter. CS Brinda S. Adhiya and CS Vikas Vohra were the coordinators for the said programme. In all 50 students attended the TOP.

Campus Interview

On 9.9.2009 a campus Interview for CS Final / Intermediate/ Executive Programme passed students attending the 18th Training Orientation Programme (TOP) was organized at the Chapter premises. Practising Company Secretaries (PCS) and Companies, requiring Apprentice Trainees / Management Trainees were invited to participate in the said Campus Interview. This facility of Campus Interview was free of cost to all the Companies and PCS.

30th Secretarial Modular Training Programme (SMTP)

From 11.9.2009 to 29.9.2009 the Chapter conducted its 30th Secretarial Modular Training Programme. In all 50 students attended the 30th SMTP. CS Brinda S. Adhiya and CS Vikas Vohra were the coordinators for the said programme.

RAIPUR CHAPTER

Study Circle Meeting on Direct Taxes Code Bill 2009

On 6.9.2009 the Chapter conducted a Study Circle Meeting on Direct Taxes Code Bill 2009. Ten papers were presented by students and members on the above topic. After the paper presentation, CS P.K. Jain, FCS concluded the session with questions and answers from the audience. CS Y.C. Rao, FCS gave useful tips on the skill of paper presentation and CS S.K. Batra, FCS chaired the session.

ICSI-CCGRT

28th Residential Secretarial Modular Training Programme/ Management Skills Orientation Programme

From 11.9.2009 to 26.9.2009 the ICSI – Centre for Corporate Governance, Research & Training (CCGRT), organized its 28th Residential Secretarial Modular Training Programme (RSMTMP) / 1st Management Skills Orientation Programme (MSOP) at its premises, at Navi Mumbai. D.K. Gupta, Registrar of Companies, Mumbai, Ministry of Corporate Affairs was the Chief Guest at the inaugural session while V R Narasimhan, Chief Compliance Officer, Kotak Mahindra Asset Management Co. Ltd was the Guest of Honour. S N Ananthasubramanian, Member, Central Council & Chairman, ICSI-CCGRT Management Committee gave the introductory remarks.

A group of expert professionals, company secretaries from different core areas belonging to industry and practice, firms, Stock Exchanges, Banks etc. took sessions on Corporate Governance, Capital Markets, Competition Law, Service Tax, Diligence Report for Banks, Understanding Accounting Standards & International Financial Reporting Standards (IFRS), IPO, Loan Documentation, Appearing before Company Law Board & other Quasi judicial Bodies, Overview of Foreign Trade & Foreign Exchange Business in India, E-filing process and Registration of Companies by Indian / Foreign promoters with case studies, What every Company Secretary should know about the Technology Law, Consent Orders Under SEBI & Compounding under FEMA, Business Ethics, Mergers & Acquisitions, Compliance of Listing Agreement.

A *Special Session* was also arranged during the RSMTMP on Corporate Finesse for Professional Excellence where Sabira Merchant covered various soft skill aspects such as making self assessment, building self confidence and self image, fine dining, corporate role play, how to eat various foods, travel etiquette, developing professional and personal image which was of immense benefit to the participants.

The participants were also exposed to the procedural aspects of working of the company secretary like Mock Board and convening and conducting Board meetings with the help of an exercise to familiarize the participants. During the course of RSMTMP a visit was also organized to Stock Exchange wherein the participants had an overview on working of the Stock Exchange. Topics like Building up of Portfolio, Stress Management, Leveraging for Success etc. were covered during the pre-dinner talks while Yoga Sessions were held in the mornings.

During the RSMTMP the participants were divided into 7 groups for their projects and presentations to build their capabilities and put them to test in an environment they would find hard to come across again. The participants made presentations on the various topics viz., Compliances under Labour Laws, Role of private Liquidator in case of voluntary Winding up under Companies Act, 1956, Mergers & Amalgamation, Recent Changes in Takeover code, Convergence to IFRS, Key Managerial Personnel, Compliance of Debt Listing Agreement.

K Subharaman, Head – Legal & Company Secretary, Unichem Laboratories Ltd, Surendra Kanstiya, Practising Company Secretary, Dr. Paras Jain, Reader in Accountancy, MD College and Prof. Kavita Venkatachari, Assistant Professor in Management, IBS – Mumbai were the panelists to judge the presentations. This was followed by an assessment of the presentations by the panel of judges.

To give the participants an insight as to how they should prepare for and make project presentations, a brief note prepared by Uday Thakurdesai, Former COO, DSP Merrill Lynch Securities Ltd. was earlier circulated to the participants in advance which contained how to go about with the introduction and conclusion in the project report, classification of the content in the main body of the project report, the importance of taking a view in the matter after expressing all sides of the argument, the manner of preparing bibliography, aesthetics in the project report, the relevance of visual aids, how to use them, the extent

to and the context in which presentations could be made interactive, the need to tune the presentation and its content to the requirements of the audience, smooth splitting up of the topic between the team participants, seamless handover from one speaker to the next, time management during presentation, getting over nervousness etc.

The project entitled “Recent Changes in Takeover Code” was declared as the Best Project and the group members were Shrvan Kumar P Kulkarni from Karnataka, Kapil Manocha from New Delhi, Pranay Patel from Mumbai, Vinita Rathod from Thane, Priyanka Patwardhan from Navi Mumbai. Rushabh N Doshi of Mumbai was declared as the Best Presenter in the Project Presentations while Raju Dubey from Vadodara received special prize for zeal, spontaneous participation, demonstration of good communication skills and team work in the process of project presentations. Rachana Agarwal from Nagpur was adjudged as the Best Participant of the programme.

On 26.9.2009 at the valedictory function R G K Pillai, General Manager, Reserve Bank of India, Navi Mumbai was the Guest of Honour who in his address acknowledged the efforts made by the participants as well as CCGRT to make the programme a success. He complimented the participants for having completed the Company Secretary ship course successfully and appealed all to make themselves competent to the changing professional trends. He opined that course completion is the first parameter of professional development and one has to cross various humps to climb the ladder of success. He reminded the significance of taking first step of professional life with a quotation that every journey thousand steps starts with the very first step. He also focused on the significance of ethics and ethical behaviour and asked the participants to strongly uphold ethical values both in professional and personal life.

The Guest of Honour along with S N Ananthasubramanian distributed the Course Completion Certificates to the participants, the Best Presenter Certificate, Best Project Certificates and the Best Participant Certificate.

STUDENTS QUIZ



PRIZE QUERY

A person purchased a land from another and paid consideration for the same on the basis of an agreement which was not stamped. The seller did not convey the land to the purchaser. The purchaser filed a suit on the basis of the unstamped agreement. The Court dismissed the suit. Is the action of the Court correct in law?

CONDITIONS

1. Answer should not exceed one page typed in double space. The answer sheet should contain the name, registration number and address of the student.
2. Last date for receipt of answer is **16th November, 2009**.
3. Two prizes (a first and a second) in kind will be awarded to the best answers and the names of the contributors will be published in the Bulletin.
4. The envelope should be superscribed **Students Query, October 2009** and addressed by name to **N.K. Jain, Secretary & Chief Executive Officer, The Institute of Company Secretaries of India, 'ICSI House', 22, Institutional Area, Lodi Road, New Delhi-110003**.

Companies/Practising Members Registered for Imparting Training

LIST OF COMPANIES REGISTERED FOR IMPARTING TRAINING DURING THE MONTH OF AUGUST, 2009

Region	Training period	Stipend (Rs.)
NORTHERN		
NHPC Limited (A Govt. of India Enterprises) NHPC Office Complex, Sector-33 Faridabad-121003	15 Months Training	Suitable
A2Z Maintenance & Engineering Services Pvt. Ltd. 5 th Floor, Enkay Square 448-A, Udyog Vihar, Phase-V Gurgaon-122002	15 Months Training	Suitable
HPL Socomec Pvt. Ltd. 1/21, Asaf Ali Road, New Delhi-110002	15 Months Training	4000/-
Bhilwara Energy Limited Bhilwara Towers A-12, Sector-1, Noida-201301	15 Months Training	Suitable
Reckitt Benckiser (India) Limited Enkay Centre, IInd Floor Vanijya Nikunj, Udyog Vihar, Phase-V Gurgaon-122016	03 Months Practical Training	Suitable
IKF Technologies Limited IKF House, A-56, Sector-16, Noida-201301	15 Months Training	Suitable
Worlds Window Infrastructure and Logistics Pvt.Ltd. 75, Khirki Village, Malviya Nagar New Delhi-110017	15 Months Training	Suitable
Krishana Phoschem Limited 5-O-2, R C Vyas Colony, Bhilwara-311001	15 Months Training	Suitable
National Backward Classes Finance & Development Crporation (A Govt. of India Undertaking, Ministry of Social Justice & Empowerment) 5 th Floor, N.C.U.I Building 3, Siri Institutional Area, August Kranti Marg Post Box No. 4617, New Delhi-110016	15 Months Training	Suitable
Eagle Hunter Solutions Limited B-211, Okhla Industrial Area Phase-I, New Delhi-110020	15 Months Training	4000- 6000
Caparo Engineering India Pvt. Ltd. 7, Maruti J.V. Complex Delhi-Gurgaon Road, Gurgaon-122015	15 Months Training	Suitable
CanvasM Technologies Ltd. A-20, Sector 60, Noida- 201301	15 Months Training	Suitable
Almondz Global Securities Limited Formerly Alliance Securities Limited 2 nd Floor, 3 Scindia House Janpath, New Delhi-110001	03 Months Practical Training	Suitable
Ambuja Agro Industries Ltd. 11-B, First Floor, DDA Flats,Shahpurjat New Delhi- 110049.	15 Months Training	Suitable
Kohinoor Foods Limited 201, Vipps Centre, Masjid Moth Greater Kailash-II, New Delhi	15 Months Training	Suitable
South India Edible Pvt Ltd 36, New Mandakini Enclave (NRI Complex), New Delhi - 110019.	15 Months Training	Suitable
PKF Finance Ltd 'Balbir Tower' PKF- Nammdev Chowk G.T. Road, Jalandhar	15 Months Training	Suitable
Indiabulls Power Ltd "Indiabulls House" 448-451 Udyog Vihar, Ph-V, Gurgaon-122001	15 Months Training	Suitable

WESTERN

Envair Electrodyne Limited 117, 'S' Block, M.I.D.C.Bhosari Pune-411026	15 Months Training	6000
Swadhaar FinServe Pvt. Ltd. 5/39, Shree Om Co-Operative Housing Society, Anand Nagar, LIG Nehru Road, Santacruz (East) Mumbai-400055	15 Months Training	Suitable
Shree Global Tradefin Limited 35, Ashok Chambers Broach Street, Devji Ratansey Marg Masjit Bunder, Mumbai-400009	15 Months Training	Suitable
Aurangabad Electricals Limited Gut No. 65, Village: Chitegaon Tq. Paithan, Distt. Aurangabad-431105	15 and 03 Months Practical Training	Suitable
Gujarat State Petronet Limited GSPC Bhavan, 5 th Floor Sector-11, Gandhinagar-382011	15 Months Training	Suitable
Paranjape Schemes (Constructions) Limited PSC House, Dr. Ketkar Road Off.Prabhat Road Erandave, Pune-411004	15 Months Training	6000
Soni Ispat Ltd. 2 nd Floor, "Janak", 11-New Palasia Indore-452001	15 Months Training	Suitable
Indo Count Industries Limited 301, 'ARCADIA', 3 rd Floor Nariman Point, Mumbai - 400021	15 and 03 Months Practical Training	Suitable
Blue Dart Express Ltd. Blue Dart Centre, Sahar Airport Road Andheri (East), Mumbai	15 Months Training	Suitable
Nirmal Bang Securities B-2, 301-302,3 rd Floor Mairathan Innova Office Ganpatrao Kadam Marg, Lower Parel (W) Mumbai -400013	15 Months Training	3000
SOUTHERN		
NSC Pearson India Pvt. Ltd. Pearson Clinical and Talent Assessment 3 rd Floor, Alfa Centre, Unit B #20, Koramangala Inner Ring Road Bangalore-560047	15 Months Training	8000
Malayalam Communications Ltd. Vadakkekkottaram Padmavilasam Road, Fort P.O. Thiruvananthapuram-695023	15 Months Training	Suitable
White Field Paper Mills Limited Door No. 15-1-23 Peddadavari Street, Bapuji Nagar, Kovvur West Godavari Distt, AP—534350	15 and 03 Months Practical Training	Suitable
Sulaxmi Finance Pvt.Ltd. 14/17, K.M.N.Street, R.A.Puram Chennai-600028	15 Months Training	Suitable
KSK Energy Ventures Limited 8-2-293/82/A/431/A, Road No.22 Jubilee Hills, Hyderabad-500033	15 Months Training	Suitable
Rain CII Carbon (India) Ltd Rain Centre, 34, SriNagar Colony Hyderabad	15 Months Training	5000
EASTERN		
Krishna Ferro Product Limited Rajgangpur-770017 Distt. Sundargarh, Orissa	15 Months Training	Suitable
Vesuvius India Ltd P-104, Taratolla Road, Kolkata- 700088	03 Months Practical Training	Suitable

Companies/Practising Members Registered for Imparting Training

Shyam Dri Power Limited "Viswakarma", 86C Topsia Road, 1 st Floor, Kolkata-700046	15 Months Training	Suitable	PADHEY NANDAN SADANAND Company Secretary in Practice C/O Millind Kulkarni & Associates 522, 7-b, B Wing, Subhadra CHS Narayan Peeth, Pune- 411030	PCSA – 2003
Ramsarup Industries Limited 7/C, Kiran Shankar Roy Road Hastings Chambers, 1 st Floor Kolkata-700001	15 Months Training	Suitable	AJIT KUMAR Company Secretary in Practice 8112, South Patel Nagar, New Delhi	PCSA – 2004
LIST OF PRACTISING MEMBERS REGISTERED FOR THE PURPOSE OF IMPARTING TRAINING DURING THE MONTH OF AUGUST, 2009				
A.N.S. VIJAY Company Secretary in Practice 132 A, Palaniandavar Colony, Behind Tneb Sivakasi – 626189			SUBRAMANIAM R Company Secretary in Practice 182, II Cross, Roopa Nagar, Mysore-570026	PCSA – 1989
S. SUNDARAM Company Secretary in Practice 44, Gk Flats, South Boag Road T. Nagar, Chennai – 600017			DIVYA MITTAL Company Secretary In Practice 777 Mosqhe Street, Mylapore, Chennai-600004	PCSA – 1990
AKASH AGARWAL Company Secretary in Practice 5-O-6, Mahaveer Nagar – 111 Kota (Rajasthan)- 324005			NEHA SHARMA Company Secretary in Practice 181 DDA Flats(RPS), Mansarovar Park Shahdra, Delhi-110032	PCSA – 1991
MANOJ KUMAR JOSHI Company Secretary in Practice D-240, Gali No. 1A, Sangam Vihar New Delhi – 110 063			SWATI NERURKAR Company Secretary in Practice 502, Gorai Sumit, Plot No. 8 Sector-IB, Gorai Borivali (West), Mumbai-400092	PCSA – 1992
MANISH KUMAR SINGHANIA Company Secretary in Practice Flat No. 4A, Sampathji Apts 6-3-855/10/A, Saadat Manzil Nr. Niraj Public School, Ameerpet Hyderabad – 500 016			NEELU KAPOOR Company Secretary in Practice 308, Arunachal Building, 19, Barakhamba Road New Delhi – 110001	PCSA – 1993
RUCHI GUPTA Company Secretary in Practice C66D, Gangotri Enclave, Alakananda New Delhi - 110019			AVINASH KUMAR Company Secretary in Practice S-470, Khushmanda House School Block, Near DDA Park Shakarapur, Delhi - 110092	PCSA – 1994
ANANT R. PALANDE Company Secretary in Practice B-25, Soba Angan, Mangalddham Society S.No.- 52, Near Eklauya College Kothrud, Pune - 411038			PRADIP KUMAR MUDULI Company Secretary in Practice 203, Kusal Bazar, 32-33, Nehru Place New Delhi - 110019	PCSA – 1995
C. SRIDHARAN Company Secretary in Practice 17/9, Kakshniporam Main Street Lyods Road, Royapettah, Chennai - 600014			BALAMURUGAN T. NADAR Company Secretary in Practice 401/402, 4 th Floor, Vidhyadhar Heights 243, Narayan Peth, Laxmi Road, Pune - 411030	PCSA – 1996
MUKTI AGARWAL Company Secretary in Practice 307, Chartered House, Op. C.H. Street Nr. Marine Lines Church Marine Lines, Mumbai – 400002			ANURADHA BISANI Company Secretary in Practice 3-6-386, 3 rd Floor, 303, Fairview Plaza Himayat Nagar, Main Road, Hyderabad - 500029	PCSA – 1997
PARAG DASARWAR Company Secretary in Practice 106, Hakim Arcade, Dharampeth, Nagpur – 440010			VASA SUBRAHMANYA Company Secretary in Practice 1 st Floor, 7-1-59/7, Lane Beside Monster.Com Buidling, Dhazam Karan Road, Ameerpet Hyderabad (Andhra Pradesh) – 500016	PCSA – 1998
SHANJITA JAIN Company Secretary in Practice 1085-h, Sch-114(i), Rajeev Awas Vihar, Indore			SURESH KUMAR YADAV Company Secretary in Practice 1078/31, Gali No.-1, Phase-1, Laxman Vihar Gurgaon – 122001	PCSA – 1999
MONIKA ROHIT KAMAR Company Secretary In Practice 111, Om Tower, 89, S.V. Road Behind Bank of Baroda, Kandivali (West) Mumbai-400067			V.H. VENNILA Company Secretary in Practice A3, Thasami Enclave, 28, Kulatheri Main Road Uppilipalayam, Coimbatore - 641015	PCSA – 2000
VIJAY GOVIND OGANIYA Company Secretary In Practice 94/95, Shivanand Udyog, Sankul Near Makhmali Talao, Thane (W)- 400602			MANISH GUPTA Company Secretary in Practice WZ- 991, Rani Bagh, Delhi - 110034	PCSA – 2001
LOVELEEN GUPTA Company Secretary in Practice F-87, Phase-I Ashok Vihar, Delhi-110052			ALOK KUMAR Company Secretary in Practice B-8/158, Sector – 3, Rohini, Delhi -110085	PCSA – 2002
			RITESH NARENDRABHAI KAMDAR Company Secretary in Practice 23, Pushpang Chawl, G.V. Road Opp. Anand Ashram, Kandivli (West) Mumbai- 400067	PCSA – 2018
				PCSA – 2019



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Company Secretaries of India

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Statutory body under an Act of Parliament

ICSI House, 22 Institutional Area, Lodi Road, New Delhi-110 003
Ph. : 41504444, 24617321-24 and 24644431-32
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SHIFTING OF STUDENT SERVICES SECTION

the Directorate of Student Services in order to provide Single Window Services to the students - in close co-ordination with the Directorate of Information Technology, Directorate of Examinations and Directorate of Finance & Accounts is operating from a more spacious building located at Noida; which is one of the fully developed townships in the periphery of Delhi and also home to some of the big names in the field of Information Technology / IT Enabled Services. In view of the above, for all queries and services, students are advised to contact the following address: -

Director (Student Services)
The Institute of Company Secretaries of India
C-37, Sector-62, NOIDA – 201 309

Further, the contact numbers and E-Mail ids of the contact persons for various queries and services are furnished below. Students may please note that, it is in their own interest to address the query to the right person for prompt response.

S. No.	Nature of Query	Contact Person	Telephone Number (STD Code :120; From Delhi : 95120)	E-Mail id
1.	Registration Status/ Issue of Study Material, etc. for			
	(a) Intermediate Course/Executive Programme	Ms. Anju Gupta	4239993-98	ss_reg@icsi.edu
	(b) Foundation Programme	Mr. D P Dagar/ Mr. Rajesh Sharma	Extension 2022 & 2023	ss_fond@icsi.edu
	(c) Denovo/Extn./Final Enrolment	Ms. Archana Goel/ Ms. Harvinder Kaur	4239993-98 Extension 2126	ss_post@icsi.edu
2.	Paper-wise Exemption Non-receipt of Registration Letter/ Identity Card/ Student Company Secretary Bulletin/CS Foundation Course Bulletin	Mr. B S Chopra Mr. V.K. Ratra	4239993-98 Extn. 2124 4239993-98 Extn. 2131	ss_enrol@icsi.edu ss_misc@icsi.edu
3.	Coaching Completion Certificates/ Suggested Answers and Response Sheet Status / Compulsory Computer Training	Mr. Vinod Jetly/ Ms. Neelam Wadhwa	4239993-98 Extension 2122/2128	ss_coaching@icsi.edu
4.	Issue of Admission Certificate for Examinations	Mr. T.P. Balasubramanian/ Ms. Geetanjali S. Rathore	4239993-98 Extension 2123/2125	ss_lic@icsi.edu
5.	Duplicate Pass Certificate			
	(a) Intermediate/Executive Programme	Mr. Siya Ram	4239993-98 Extension 2125	e0395@icsi.edu
	(b) Foundation/ Final/Professional	Ms. Geetanjali S. Rathore/ Mr. Vivekanand Jha	4239993-98 Extension 2125	ss_lic@icsi.edu
6.	Transcripts/ Verification of Qualifications (only for students)	Ms. Geetanjali S. Rathore	4239993-98 Extension 2123/2125	ss_lic@icsi.edu

In case of any difficulty, Shri Sohan Lal, Director(Student Services) may be contacted at Tel. No. 4239999.

COMPANY SECRETARIES EXAMINATIONS – DECEMBER, 2009

TIME TABLE & PROGRAMME

DATE AND DAY	MORNING SESSION 9.30 AM TO 12.30 PM			AFTER-NOON SESSION 1.30 PM TO 4.30 PM								
	FINAL (OLD SYLLABUS)	EXECUTIVE PROGRAMME (NEW SYLLABUS)	INTERMEDIATE (OLD SYLLABUS)	FOUNDATION PROGRAMME (NEW SYLLABUS)	PROFESSIONAL PROGRAMME (NEW SYLLABUS)							
26.12.2009 Saturday	GROUP-I Advanced Company Law and Practice	MODULE-I General and Commercial Laws	GROUP-I General and Commercial Laws	GROUP-I General and Commercial Laws	MODULE-I	Company Secretarial Practice						
27.12.2009 Sunday								Secretarial Practice relating to Economic Laws and Drafting & Conveyancing	Company Accounts, Cost & Management Accounting	Company Accounts and Cost & Management Accounting	Drafting, Appearances and Pleadings	
28.12.2009 Monday								Secretarial, Management and Systems Audit	Tax Laws	Tax Laws	Financial, Treasury and Forex Management	
29.12.2009 Tuesday	GROUP-II Financial, Treasury and Forex Management	MODULE-II Company Law	GROUP-II Company Law	GROUP-II Management Information Systems & Corporate Communication	MODULE-II	Corporate Restructuring and Insolvency						
30.12.2009 Wednesday								Corporate Restructuring – Law and Practice	Economic and Labour Laws	Company Law	English and Business Communication	Strategic Management, Alliances and International Trade
31.12.2009 Thursday	GROUP-III Banking and Insurance – Law & Practice	MODULE-III Securities Laws and Compliances	GROUP-II Securities Laws and Compliances	GROUP-II Company Secretarial Practice	MODULE-III	Advanced Tax Laws and Practice						
01.01.2010 Friday								World Trade Organisation – International Trade, Joint Ventures and Foreign Collaborations	Economic, Labour and Industrial Laws	Economic, Labour and Industrial Laws	Financial Accounting	Due Diligence and Corporate Compliance Management
02.01.2010 Saturday								Direct and Indirect Taxation – Law and Practice	Securities Laws and Regulation of Financial Markets	Securities Laws and Regulation of Financial Markets	Elements of Business Laws and Management	Governance, Business Ethics and Sustainability
03.01.2010 Sunday	Human Resources Management and Industrial Relations											



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