

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

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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Student Services

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	50	
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	
DE-NOVO REGISTRATION		
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 Charge 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



“The shortest and surest way to live with honor in the world is to be in reality what we would appear to be.”

– Socrates

Dear Students,

Excellence in the knowledge must spearhead our plans and ambitions to attain high standards in our professional carrier. Our priority must be to possess high order of professional skills and be imbued with a sense of dedication to serve the corporates in the changing global environment. Needless to mention Company Secretaries have carved out a place of vital importance for themselves in the corporate management by dint of their core competency, expertise and meritorious performance. You should feel proud that you belong to an Institute of national repute striving to achieve professional excellence in the changing global environment. We should aim at nothing less than making ICSI the best in the world by the year 2020. This is not going to be easy. But it can be done provided we make our concerted efforts jointly to fulfill our aim.

While pursuing CS Course, your endeavour should be to aim for excellence. The task is not easy. It requires diligence, in-depth study followed by constant updation of knowledge. While preparing for the examination, apart from reading Study Material, Bare Acts and References, you should also read Chartered Secretary, Student Company Secretary Bulletin, Economic dailies and other professional journals to supplement your knowledge and keep yourselves abreast of the latest developments. 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.

A detailed write-up containing observations on the examinees' performance in June 2010 examinations based on examiners' comments is published in this issue. These observations would help the examinees to understand the deficiencies and drawbacks in the previous examinations so that care could be taken not to repeat the same mistakes. You would also understand the level of knowledge expected from the students while writing answers to the questions.

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

Further, you should not ignore the importance of training. Training, I would like to emphasize, is equally important as it helps in enhancing the knowledge and skills of the students so that they can effectively handle various organizational positions in their professional career. Corporate leaders say I quote “the current educational institutions must embrace the culture of skills training so that it benefits the wider sections of society and addresses the big issue of employability... Delivering inclusive growth is possible only through the growth of our people. We need to impart skills, training and education at all levels to match the needs of a changing India. Human capital is the pivot around which the long term transformation of our economy has to be shaped.”

As you are aware new training structure has been approved for the students pursuing the CS Course. The new revised training structure is applicable to the students, who have registered for the Company Secretaryship Course on or after 1st September, 2009. The New Training Structure includes conducting 7 days Student Induction Programme (SIP), 8 days

Academic Guidance

Executive Development Programme (EDP), 25 hours compulsory attendance of Professional Development Programme (PDP), and 15 days Management Skills Orientation Programme (MSOP). The details of the new training structure are available on the website of the Institute.

The students registered prior to 1st September, 2009 will continue to be governed by the old training structure.

The Institute is organizing 5th Residential Management Skills Orientation Program (RMSOP) at CCGRT Navi Mumbai commencing from November 12,-27, 2010. All final passed candidates from anywhere in India having completed TOP and 15 months Management Training or are exempted from training, are eligible to attend.

The Institute is giving focused attention to strengthening infrastructure at Regional Councils and Chapters for providing value added services to its members and students. Taking forward this initiative, I visited Mysore Chapter and Jaipur Chapter, in connection with Shilanyasa ceremony for the construction of new building for Mysore Chapter on September 26, 2010 and Foundation Stone laying ceremony of its New Auditorium for Jaipur Chapter on September 14, 2010. During my visit I availed the opportunity of discussing matters of professional interest with members and students and as part of Institute's "Go Green" initiative planted the saplings.

We all believe that hard and honest work is the key to success. All great men rose to fame and fortune by dint of hard work. The richest and the most powerful nations in the world are the most diligent and dynamic. Let me point out that honest toil never goes unrewarded and the efforts of a man who works hard are sure to be crowned with success, sooner or later. Moreover, you should learn to love and get pleasure right in the work you are doing. This will give you happiness for a lifetime.

With best wishes,

October 12, 2010

Yours sincerely,



(CS VINAYAK S KHANVALKAR)

president@icsi.edu

ACADEMIC GUIDANCE

EXECUTIVE PROGRAMME

COMPANY ACCOUNTS

(STUDY UPDATES)

CONVERGENCE OF INDIAN ACCOUNTING STANDARDS WITH INTERNATIONAL FINANCIAL REPORTING STANDARDS (IFRS)¹

International Financial Reporting Standards are now becoming universal reporting language. In tune with the global trend the Government of India decided to facilitate the convergence of the Indian Accounting Standards with IFRS by 1st April 2011. In India, Accounting Standards are formulated by the Institute of Chartered Accountants of India. Of the 32 Accounting Standards issued by the ICAI, 29 have already been notified by the Central Government under the Companies (Accounting Standards) Rules 2006. The Government and the ICAI are fully geared to take up the challenge of the convergence of Indian Accounting Standards with IFRS being formulated by International Accounting Standards Board. In this direction all the existing Indian Accounting Standards are being revised and other Accounting Standards corresponding to International Accounting Standards/ International Financial Reporting Standards are being issued and finalized.

Manner of achieving convergence

There will be two separate sets of Accounting Standards under Section 211(3C) of the Companies Act, 1956. The first set would comprise the Indian Accounting Standards, which are converged with the IFRS and shall be applicable to the specified class of companies in a phased manner. The second set would comprise the existing Indian Accounting Standards and would be applicable to other companies, including Small and Medium Companies (SMC).

Timelines for convergence

The roadmap for applicability of Converged Accounting Standards to Indian Companies is planned in three phases as set out below:

Road Map I		
Companies other than Insurance companies, Banking companies and Non-Banking finance companies		
Will Apply to	Date of Applicability	Will not Apply to
Phase I :- (i) NSE-Nifty 50 and BSE-Sensex 30 companies (ii) Companies listed in overseas stock exchanges (iii) Companies with net worth above Rs. 1000 crore	1st April, 2011	(i) Unlisted companies having a net worth of Rs. 500 crore or less and whose securities are not listed overseas (ii) Small and medium companies (SMCs) They can voluntarily opt to follow the converged Accounting Standards
Phase II :- Companies whether listed or not having a net worth exceeding Rs. 500 crore but not above Rs. 1000 crore	1st April, 2013	
Phase III :- Listed companies having a net worth of Rs. 500 crore or less	1st April, 2014	
* When the accounting year ends on a date other than 31st March, the conversion of the opening Balance Sheet will be made in relation to the first Balance Sheet which is made on a date after 31st March.		

1. Prepared by M A Joseph, Deputy Director, The ICSI

Road Map II

Insurance companies, Banking companies and Non-Banking finance companies

Will Apply to	Date of Applicability	Will not Apply to
Phase I All insurance companies	1st April, 2012	(i) Urban co-operative banks having net worth \geq 200 crore and regional rural banks
Phase II (a) NSE-Nifty 50 or BSE-Sensex 30 NBFCs. and NBFCs, listed or not, having a net worth above Rs 1000 crore. (b) Scheduled commercial banks and urban co-operative banks with net worth net worth above Rs. 300 crore	1st April, 2013	(ii) Listed NBFCs and unlisted NBFCs, not being part of Nifty and Sensex, with net worth above Rs. 500 crore (iii) Unlisted NBFCs having a net worth of Rs. 500 crore or less.
Phase III Urban co-operative banks having a net worth in excess of Rs. 200 crore but not exceeding 300 crore	1st April, 2014	They can voluntarily opt to follow the converged accounting standards

Background of IFRS

Since 1973 the International Accounting Standards Council (IASC) has been formulating International Accounting Standards (IAS) that have been accepted by many multinational companies and endorsed by many countries as their own standards. In 2001 the IASC was restructured and renamed as the International Accounting Standards Board (IASB). This Board adopted existing IAS and assumed the responsibility of setting new standards which came to be known as International Financial Reporting Standards. The main objective of the IASB is to develop a single set of high quality, understandable and enforceable global accounting standards to help participants in various capital markets and other users of information to make economic decisions. In the past, most nations developed their own local Generally Accepted Accounting Principles (GAAP). These along with other local laws and regulations determined how accountants would prepare financial statements. The advent of IFRS has brought with it the choice of adopting a globally accepted set of standards instead of using local GAAP.

International Financial Reporting Standards (IFRSs) comprise the following:

- International Financial Reporting Standards (IFRS)-Standards issued after 2001
- International Accounting Standards (IAS)-Standards issued before 2001
- Interpretations originated from the International Financial Reporting Interpretations Committee (IFRIC)-issued after 2001
- Interpretations issued by Standing Interpretation Committee (SIC)—Issued before 2001.

Advantages of Adoption of IFRS

Adoption of IFRS by Indian corporate is going to be rewarding one. Indian companies are likely to reap significant benefits from adopting IFRS. It is expected to result in better quality of financial reporting due to consistent application of accounting principles and improvement in reliability of financial statements. This, in turn, will lead to increased trust and reliance placed by investors, analysts and other stakeholders in a company's financial statements. As the CFO of today is confronted with the challenge of multitude of reporting under different accounting frameworks, a single set of robust and well-understood standards would be far more effective in promoting high-quality financial reporting.

Academic Guidance

The convergence with IFRS would not only save companies undertaking significant reconciliation procedures, which otherwise results in additional costs and the risk of being exposed to errors in reporting under the different accounting frameworks. The convergence of accounting standards would eliminate costs of multiple sets of accounting and provide greater opportunities for professionals around the globe. Converging of entire world towards IFRS will throw open entire new area of opportunities for professionals throughout world more so for professionals in country like India.

The adoption of IFRS will enhance the credibility of the company's financial statements and will provide easy access to foreign capital. It would benefit the economy by increasing growth of its international business and at the same time would facilitate maintenance of orderly and efficient capital markets which helps to increase the capital formation leading to economic growth. As a result, it would encourage international investing which leading to more foreign direct investment in the country. The industry will be able to raise money from foreign markets provided they enjoyed confidence of foreign investors that their financial statements comply with globally accepted accounting standards.

High quality global financial reporting standards enhance the comparability of financial information. They improve the efficiency of allocation and the pricing of capital. It benefits not only those who provide debt or equity capital but also those who seek capital, because it reduces their compliance costs and removes uncertainties that affect the cost of capital.

Company Law/Company Secretarial Practice/Advanced Company Law and Practice

(Study Updates)²

(1) New e-forms

Substitution of form 32 of the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2010:

The Central Government has substituted form 32 vide the Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2010. [MCA Notification No. G.S.R. 68 (E) dated 10.02.2010]. The revised form is available on the website of MCA i.e., www.mca.gov.in. Following changes may be noted in the revised e-form 32:-

- A separate heading is added in which it is required to mention that whether the form is being filed for Managing Director, director(s) who ceased to be associated with the company on or before 31st October, 2006 and do not have DIN.
- Under **verification I**, it has to be confirmed that the appointed director has given a declaration in writing to the company that he/ she is not restrained/ disqualified/ removed of, for being appointed as director of a company under the provisions of the Companies Act, 1956 including sections 203, 274 and 388E of the said Act.
- At the end, under the head '**For office use only**', e-form service request number and e-form filing date has to be mentioned. Further, under the revised form, apart from digital signature of the authorizing officer, date of signing is also required to be given now.

Introduction of form 68 of the Companies (Central Government's) General Rules and Forms (Second Amendment), 2010:

The Central Government has introduced form 68 vide the Companies (Central Government's) General Rules and Forms (Second Amendment) Rules, 2010. [MCA Notification No. G.S.R. 177 (E) dated 5.03.2010]. The revised forms are available on the website of MCA i.e., www.mca.gov.in. The description of e-form 68 is given in the next heading.

(2) Amendment in Companies (Central Government's) General Rules and Forms, 1956:

Ministry of Corporate Affairs vide its notification No. GSR 177(E) dated 5.3.2010 amended (Central Government's) General Rules and Forms, 1956, with the introduction of Companies (Central Government's) General Rules and Forms (Second Amendment), 2010 by inserting a new rule i.e. rule 20G.

As per the new rule, an application for rectification of mistakes made while Filing Form No. 1, Form No. 1A and Form No. 44 electronically, on the Ministry's website, shall be made to the Registrar of Companies in **Form No. 68** and such application shall be accompanied by fee of rupees one thousand for rectification of mistakes in Form No. 1 and Form No. 1A and rupees ten thousand for rectification of mistakes in Form No. 44 respectively. An application in **Form No. 68** complete in all respects shall be made to the Registrar within a period of three sixty five days from the date of approval of Form No. 1, Form No. 1A and Form No. 44 respectively by the Registrar. The Registrar after approving the rectification intimate the mistakes rectified to the applicant within a period of sixty days from the date of filing of the said application. However, the rectification of mistakes shall be allowed only once in respect of one company.

(3) Section 294AA of the Companies Act, 1956—Power of Central Government to prohibit appointment of sole selling agents in certain cases

Ministry of Corporate Affairs vide its notification No. G.S.R. 601(E) dated 16.07.2010 provides that in exercise of the powers conferred by sub-section (1) of Section 294AA of the Companies Act, 1956 (1 of 1956), the Central Government, being of the opinion that the demand for the category of goods **specified in the Table below** is substantially in excess of the production or supply of such goods and that the services of the sole selling agents will not be necessary to create a market for such goods, hereby declares that sole selling agents shall not be appointed by any company for the sale of such goods in India for a period of three years from the date of publication of this notification in the Official Gazette.

TABLE

Every category of "Bulk drugs", "drugs" and "formulations" as defined in the Drugs (Prices Control) Order, 1995, not being, –

- any bona fide preparation included in the Ayurvedic (including Siddha) or Unani (Tibb) systems of medicine; or
- any preparation included in the Homeopathic system of medicine.

(4) Delegation of powers of Central Government under section 240 to Director, Serious Fraud Investigation Office

Ministry of Corporate Affairs vide its notification No. SO 1548(E) dated 25.06.2010 provides that in exercise of the powers conferred by sub-section (1) of section 637 of the Companies Act, 1956, the Central Government hereby delegates its powers under clause (a) of sub-section (1) of section 240, sub-section (1A) of section 240, clause (b) of sub-section (2) of section 240 and sub-section (3) of section 240 of the Companies Act, 1956, to the Director, Serious Fraud Investigation Office only in respect of those cases wherein the Central Government appoints officers of Serious Fraud Investigation Office as inspectors, to investigate into the affairs of a company under section 235 or section 237 of the Companies Act, 1956.

(5) Introduction of Companies (Electronic Filing and Authentication of Documents) Amendment Rules, 2009:

Ministry of Corporate Affairs vide its notification No. GSR 642(E) dated 7.9.2009 amended Companies (Electronic Filing and Authentication of Documents) Rules, 2006, with the introduction of Companies (Electronic Filing and Authentication of Documents) Amendment Rules, 2009 by inserting a proviso after the first proviso to sub-rule (1) of rule 3. It provides that if stamp duty on documents which are required to be filed on non-judicial stamp paper is paid electronically through Ministry of Corporate Affairs portal www.mca.gov.in, in such case, the company shall not be required to make physical submission of such documents, in addition

2. Prepared by Vivek Banerjee, Assistant Education Officer, The ICSI.

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to their submission in the electronic form. Further, stamp duty on certain documents

which are not required to be paid through the MCA Portal but stamp duty payable thereon is equal to or less than one hundred rupees, the company can electronically file such documents except those which are required to be filed for compounding of offences. The original duly stamped documents shall be retained by the company for a minimum period of three years from the date of filing of such documents.

(6) LLP UPDATES

Amendment in Limited Liability Partnership Rules, 2010

Ministry of Corporate Affairs vide its notification No. GSR 24(E) dated 11.01.2010 amended the Limited Liability Partnership Rules, 2009 with the introduction of Limited Liability Partnership (Amendment) Rules, 2009. Following substitution is made in rule 10:-

Every individual or nominee of a body corporate who is intending to be appointed as designated partner of a limited liability partnership shall submit an application electronically to the Central Government for allotment of Designated Partner Identification Number (DPIN) in the manner as provided in Form 7 along with fee as mentioned in Annexure 'A'. For making an application, the applicant shall attach the attested or certified copy of self photograph, date of birth, father's name and proof of residence. In case the applicant is a foreign national, a copy of the valid passport shall be proof of identity. In case the applicant is nominee of a body corporate, a copy of resolution or authorization on the letterhead of the body corporate mentioning the name and address of an individual nominated to act as Designated Partner on its behalf shall also be attached.

The documents as mentioned above shall be attested or certified by either a Gazetted Officer of the Central or State Government or a Notary Public or a Company Secretary, Chartered Accountant, Cost & Works Accountant holding a certificate of Practice.

The Central Government shall process the application for allotment of DPIN and communicate the results thereof to the applicant within thirty days from the receipt of such application.

The DPIN is valid for the lifetime of the applicant. Every Designated Partner shall, along with his consent to be a designated partner, intimate his or her DPIN to the Limited Liability Partnership in Form 9. Every Designated Partner shall intimate any changes in the particulars to the Central Government within a period of 30 days of such change(s).

The concerned designated partner, shall also intimate change(s) in the particulars to the other LLP's in which he is a designated partner within 15 days of such change(s).

Rule 12 has been substituted. The substituted rule 12 provides that where the intending partner is a body corporate, a copy of resolution or authorization of such body corporate on letterhead mentioning the name and address of an individual nominated to act as nominee or nominee & Designated Partner on its behalf shall be attached. In the case of foreign nationals residing outside India or foreign body corporate(s) registered outside India, seeking to register a LLP in India, the signature of the nominee and proof of identity is also required.

Introduction of Limited Liability Partnership (Winding up and Dissolution) Rules, 2010.

Ministry of Corporate Affairs vide its notification No. GSR 266 (E) dated 30.03.2010 introduced the Limited Liability Partnership (Winding up and Dissolution) Rules, 2010. The rules can be viewed from the website of LLP i.e. www.llp.gov.in.

Introduction of Limited Liability Partnership (Amendment) Rules, 2010.

Ministry of Corporate Affairs vide its notification No. GSR 24(E) dated 11.01.2010 amended the Limited Liability Partnership Rules, 2009 by introducing Limited Liability Partnership (Amendment) Rules, 2010. The rules can be viewed from the website of LLP i.e. www.llp.gov.in.

Economic Legislation

THE NATIONAL GREEN TRIBUNAL ACT, 2010³

The Central Government has enacted the National Green Tribunal Act, 2010 thereby repealing National Environment Tribunal Act, 1995 and National Environment Appellate Authority Act, 1997.

The National Green Tribunal Act, 2010 intend to provide for the establishment of a National Green Tribunal for the effective and expeditious disposal of cases relating to environmental protection and conservation of forests and other natural resources including enforcement of any legal right relating to environment and giving relief and compensation for damages to persons and property and for matters connected therewith or incidental thereto.

DEFINITION

Section 2 contains definitions of various terms used in the Act. Some of the important definitions are reproduced below:

"Accident"

According to clause (a) of Section 2 the term "accident" means an accident involving a fortuitous or sudden or unintended occurrence while handling any hazardous substance or equipment, or plant, or vehicle resulting in continuous or intermittent or repeated exposure to death, of, or, injury to, any person or damage to any property or environment but does not include an accident by reason only of war or civil disturbance.

"Chairperson"

According to clause (b) of Section 2 the term "Chairperson" means the Chairperson of the National Green Tribunal.

"Environment"

Clause (c) Section 2 defines "environment" to includes water, air and land and the inter-relationship, which exists among and between water, air and land and human beings, other living creatures, plants, micro-organism and property.

"Handling"

As per Section 2(e) "handling", in relation to any hazardous substance, means the manufacture, processing, treatment, package, storage, transportation, use, collection, destruction, conversion, offering for sale, transfer or the like of such hazardous substance.

"Hazardous substance"

Clause (f) Section 2 defines "hazardous substance" as to means any substance or preparation which is defined as hazardous substance in the Environment (Protection) Act, 1986, and exceeding such quantity as specified or may be specified by the Central Government under the Public Liability Insurance Act, 1991.

"Injury"

Clause (g) Section 2 defines "injury" to include permanent, partial or total disablement or sickness resulting out of an accident.

"Person"

As per Section 2(j) the term "person" includes—

- (i) an individual,
- (ii) a Hindu undivided family
- (iii) a company,
- (iv) a firm,
- (v) an association of persons or a body of individuals, whether incorporated or not,
- (vi) trustee of a trust,
- (vii) a local authority, and
- (viii) every artificial juridical person, not falling within any of the preceding sub-clauses.

"Substantial question relating to environment"

According to clause (m) of Section 2 the term "substantial question relating to environment" shall include an instance where,—

3. Compiled by Chittaranjan Pal, Asst. Education Officer under the guidance of Dr S K Dixit, Director, Academics and Professional Development, The ICSI.

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- (i) there is a direct violation of a specific statutory environmental obligation by a person by which,—
 - (A) the community at large other than an individual or group of individuals is affected or likely to be affected by the environmental consequences; or
 - (B) the gravity of damage to the environment or property is substantial; or
 - (C) the damage to public health is broadly measurable;
- (ii) the environmental consequences relate to a specific activity or a point source of pollution.

"Tribunal"

According to clause (n) of Section 2 the term "Tribunal" means the National Green Tribunal established under section 3.

ESTABLISHMENT OF THE TRIBUNAL

Section 3 of the Act empowers the Central Government, by issue of notification, to establish, a Tribunal to be known as the National Green Tribunal to exercise the jurisdiction, powers and authority conferred on such Tribunal by or under the National Green Tribunal Act, 2010.

COMPOSITION OF THE TRIBUNAL

The Tribunal shall consist of a full time Chairperson; and not less than ten but subject to maximum of twenty full time Judicial Members as the Central Government may, from time to time, notify; and not less than ten but subject to maximum of twenty full time Expert Members, as the Central Government may, from time to time, notify.

The Chairperson of the Tribunal may, if considered necessary, invite any one or more person having specialised knowledge and experience in a particular case before the Tribunal to assist the Tribunal in that case.

The Central Government may, in consultation with the Chairperson of the Tribunal, make rules regulating generally the practices and procedure of the Tribunal including—

- (a) the rules as to the persons who shall be entitled to appear before the Tribunal;
- (b) the rules as to the procedure for hearing applications and appeals and other matters [including the circuit procedure for hearing at a place other than the ordinary place of its sitting falling within the jurisdiction of the Tribunal], pertaining to the applications and appeals;
- (c) the minimum number of Members who shall hear the applications and appeals in respect of any class or classes of applications and appeals:
Provided that the number of Expert Members shall, in hearing an application or appeal, be equal to the number of Judicial Members hearing such application or appeal;
- (d) rules relating to transfer of cases by the Chairperson from one place of sitting (including the ordinary place of sitting) to other place of sitting.

JURISDICTION, POWERS AND PROCEEDINGS OF THE TRIBUNAL

Tribunal to Settle Dispute

Chapter III of the Act deals with jurisdiction, power and proceeding of the Tribunal. Sub section (1) of Section 14 provides that the Tribunal shall have the jurisdiction over all civil cases where a substantial question relating to environment (including enforcement of any legal right relating to environment), is involved and such question arises out of the implementation of the enactments specified in Schedule I to the Act.

Schedule I specifies following enactments:

- (1) The Water (Prevention and Control of Pollution) Act, 1974;
- (2) The Water (Prevention and Control of Pollution) Cess Act, 1977;
- (3) The Forest (Conservation) Act, 1980;
- (4) The Air (Prevention and Control of Pollution) Act, 1981;
- (5) The Environment (Protection) Act, 1986;
- (6) The Public Liability Insurance Act, 1991
- (7) The Biological Diversity Act, 2002,

Relief, Compensation and Reconstitution

Sub-section (1) of section 15 empower the Tribunal, by an order, to provide,—

- (a) relief and compensation to the victims of pollution and other environmental damage arising under the enactments specified in the Schedule I (including accident occurring while handling any hazardous substance);
- (b) for restitution of property damaged;
- (c) for restitution of the environment for such area or areas, as the Tribunal may think fit.

Sub-section (2) prescribes that the relief and compensation and restitution of property and environment referred to in clauses (a), (b) and (c) of sub-section (1) shall be in addition to the relief paid or payable under the Public Liability Insurance Act, 1991.

No application for grant of any compensation or relief or restitution of property or environment shall be entertained by the Tribunal unless it is made within a period of five years from the date on which the cause for such compensation or relief first arose. However, the Tribunal may, if it is satisfied that the applicant was prevented by sufficient cause from filing the application within the said period, allow it to be filed within a further period not exceeding sixty days.

The Tribunal may, having regard to the damage to public health, property and environment, divide the compensation or relief payable under separate heads specified in Schedule II so as to provide compensation or relief to the claimants and for restitution of the damaged property or environment, as it may think fit. Every claimant of the compensation or relief under the Act shall intimate to the Tribunal about the application filed to, or, as the case may be, compensation or relief received from, any other court or authority.

Heads under which Compensation or Relief for Damages may be claimed.

The Schedule II to the Act lists out the following heads under which compensation for damages may be claimed:

- (a) Death;
- (b) Permanent, temporary, total or partial disability or other injury or sickness;
- (c) Loss of wages due to total or partial disability or permanent or temporary disability;
- (d) Medical expenses incurred for treatment of injuries or sickness;
- (e) Damage to private property;
- (f) Expenses incurred by the Government or any local authority in providing relief, aid and rehabilitation to the affected persons;
- (g) Expenses incurred by Government for any administrative or legal action or to cope with any harm or damage, including compensation for environmental degradation and restoration of the quality of environment;
- (h) Loss to Government or local authority arising out of, or connected with, the activity causing any damage;
- (i) Claims on account of any harm, damage or destruction to the fauna including milch and draught animals and aquatic fauna;
- (j) Claims on account of any harm, damage or destruction to flora including aquatic flora, crops, vegetables, trees and orchards;
- (k) Claim including cost of restoration on account of any harm or damage to environment including pollution of soil, air, water, land and eco-system;
- (l) Loss and destruction of any property other than private property;
- (m) Loss of business or employment or both;
- (n) Any other claim arising out of or connected with, any activity of handling of hazardous substance.

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Tribunal to have Appellate Jurisdiction

Section 16 provides that any person aggrieved by,—

- (a) an order or decision, made, on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 28 of the Water (Prevention and Control of Pollution) Act, 1974;
- (b) an order passed, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government under section 29 of the Water (Prevention and Control of Pollution) Act, 1974;
- (c) directions issued, on or after the commencement of the National Green Tribunal Act, 2010, by a Board, under section 33A of the Water (Prevention and Control of Pollution) Act, 1974;
- (d) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the appellate authority under section 13 of the Water (Prevention and Control of Pollution) Cess Act, 1977;
- (e) an order or decision made, on or after the commencement of the National Green Tribunal Act, 2010, by the State Government or other authority under section 2 of the Forest (Conservation) Act, 1980;
- (f) an order or decision, made, on or after the commencement of the National Green Tribunal Act, 2010, by the Appellate Authority under section 31 of the Air (Prevention and Control of Pollution) Act, 1981;
- (g) any direction issued, on or after the commencement of the National Green Tribunal Act, 2010, under section 5 of the Environment (Protection) Act, 1986;
- (h) an order made, on or after the commencement of the National Green Tribunal Act, 2010, granting environmental clearance in the area in which any industries, operations or processes or class of industries, operations and processes shall not be carried out or shall be carried out subject to certain safeguards under the Environment (Protection) Act, 1986;
- (i) an order made, on or after the commencement of the National Green Tribunal Act, 2010, refusing to grant environmental clearance for carrying out any activity or operation or process under the Environment (Protection) Act, 1986;
- (j) any determination of benefit sharing or order made, on or after the commencement of the National Green Tribunal Act, 2010, by the National Biodiversity Authority or a State Biodiversity Board under the provisions of the Biological Diversity Act, 2002,

may, within a period of thirty days from the date on which the order or decision or direction or determination is communicated to him, prefer an appeal to the Tribunal. However, the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from filing the appeal within the said period, allow it to be filed within a further period not exceeding sixty days.

Liability to pay relief or compensation

Section 17 provides that where death of, or injury to, any person (other than a workman) or damage to any property or environment has resulted from an accident or the adverse impact of an activity or operation or process, under any enactment specified in Schedule I, the person responsible shall be liable to pay such relief or compensation for such death, injury or damage, under all or any of the heads specified in Schedule II, as may be determined by the Tribunal.

If the death, injury or damage caused by an accident or the adverse impact of an activity or operation or process under any enactment specified in Schedule I cannot be attributed to any single activity or operation or process but is the combined or resultant effect of several such activities, operations and processes, the Tribunal may, apportion the liability for relief or compensation amongst those responsible for such activities, operations and processes on an equitable basis. The Tribunal shall, in case of an accident, apply the principle of no fault.

Application or Appeal to the Tribunal

Section 18 states that without prejudice to the provisions contained in section 16, an application for grant of relief or compensation or settlement of dispute may be made to the Tribunal by—

- (a) the person, who has sustained the injury; or
- (b) the owner of the property to which the damage has been caused; or
- (c) where death has resulted from the environmental damage, by all or any of the legal representatives of the deceased; or
- (d) any agent duly authorised by such person or owner of such property or all or any of the legal representatives of the deceased, as the case may be; or
- (e) any person aggrieved, including any representative body or organisation; or
- (f) the Central Government or a State Government or a Union territory Administration or the Central Pollution Control Board or a State Pollution Control Board or a Pollution Control Committee or a local authority, or any environmental authority constituted or established under the Environment (Protection) Act, 1986 or any other law for the time being in force;

However, where all the legal representatives of the deceased have not joined in any such application for compensation or relief or settlement of dispute, the application shall be made on behalf of, or for the benefit of all the legal representatives of the deceased and the legal representatives who have not so joined shall be impleaded as respondents to the application. It has been classified that the person, the owner, the legal representative, agent, representative body or organisation shall not be entitled to make an application for grant of relief or compensation or settlement of dispute if such person, the owner, the Legal representative, agent, representative body or organization have preferred an appeal under section 16.

Sub section (3) prescribes that the application, or as the case may be, the appeal filed before the Tribunal shall be dealt with by it as expeditiously as possible and endeavour shall be made by it to dispose of the application, or, as the case may be, the appeal, finally within six months from the date of filing of the application, or as the case may be, the appeal, after providing the parties concerned an opportunity to be heard.

Procedure and Powers of Tribunal

Sub-section (1) of Section 19 prescribes that, the Tribunal shall not be bound by the procedure laid down in the Code of Civil Procedure, 1908 but shall be guided by the principles of natural justice. The Tribunal has been empowered to regulate its own procedure and also not bound by the rules of evidence contained in the Indian Evidence Act, 1872.

Under Sub-section (4), the Tribunal, for the purpose of discharging its functions, has been entrusted with the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters namely:

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavits;
- (d) subject to the provisions of section 123 and 124 of the Indian Evidence Act, 1872, requisitioning any public record or document or copy of such record or document from any office;
- (e) issuing summons for the examination of witnesses or documents;
- (f) reviewing its decisions;
- (g) dismissing a representation for default or deciding it *ex-parte*;
- (h) setting aside any order or dismissal of any representation for default or any order passed by it *ex parte*; and
- (i) pass an interim order (including granting an injunction or stay) after providing the parties concerned an opportunity to be heard, on any application made or appeal filed under this Act;
- (j) pass an order requiring any person to cease and desist from committing or causing any violation of any enactment specified in Schedule I;
- (k) any other matter which is required to be, or may be prescribed by the Central Government.

Sub section (5) provides that all proceedings before the Tribunal shall be deemed to be the judicial proceedings within the meaning of sections 193, 219 and 228 for the purposes of section 196 of the Indian Penal Code and the Tribunal shall be deemed to be a civil court for the purposes of section 195 and Chapter XXVI of the Code of Criminal Procedure, 1973.

Tribunal to Apply Certain Principle

Section 20 provides that the Tribunal shall, while passing any order or decision or award, apply the principles of **sustainable development, the precautionary principle and the polluter pays principle.**

Appeal to the Supreme Court

Section 22 states that any person aggrieved by any award, decision or order of the Tribunal, may, file an appeal to the Supreme Court, within ninety days from the date of communication of the award, decision or order of the Tribunal, to him, on any one or more of the grounds specified in section 100 of the Code of Civil Procedure, 1908. However, the Supreme Court may entertain any appeal after the expiry of ninety days, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal.

PENALTY

Penalty for failure to comply with order of the Tribunal

Section 26 provides that whoever, fails to comply with any order or award or decision of the Tribunal, shall be punishable with imprisonment for a term which may extend to three years, or with fine which may extend to ten crore rupees, or with both and in case the failure or contravention continues, with additional fine which may extend to twenty-five thousand rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention:

In case a company fails to comply with any order or award or a decision of the Tribunal, such company shall be punishable with fine which may extend to twenty-five crore rupees, and in case the failure or contravention continues, with additional fine which may extend to one lakh rupees for every day during which such failure or contravention continues after conviction for the first such failure or contravention.

Notwithstanding anything contained in the Code of Criminal Procedure, 1973, every offence under this Act shall be deemed to be non-cognizable within the meaning of the said Code.

Offence by Companies

Section 27 deals with Offence by Companies and provides that where any offence has been committed by a company, every person who, at the time the offence was committed, was directly in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly. However, no person liable to any punishment, if he proves that the offence was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such offence. Where an offence has been committed by the company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation to Section 27 classifies that -

- "Company" means any body corporate and includes a firm or other association of individuals; and
- "Director" in relation to a firm means a partner in the firm.

Offence by Government Department

Section 28 provides that where any Department of the Government fails to comply with any order or award or decision of the Tribunal, the Head of the Department shall be deemed to be guilty of such failure and shall be liable to be proceeded against for having committed an offence and punished accordingly. However, such Head of the Department shall not be liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Where an offence has been committed by a Department of the Government and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of any officer, other than the Head of the Department, such officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

XBRL-AN OVERVIEW ⁴

Introduction

Extensible Business Reporting Language (XBRL) is a language for the electronic communication of business and financial data revolutionizing business reporting around the world. XBRL is a member of the family of computer languages based on XML, (Extensible Markup Language), which is a standard for the electronic exchange of data between businesses and on the internet. Under XML, identifying tags are applied to items of data so that they can be processed efficiently by computer software.

It provides major benefits in the preparation, analysis and communication of business information. It offers cost savings, greater efficiency and improved accuracy and reliability to all those involved in supplying or using financial data.

Origin

XBRL is being developed by an XBRL International, an international non-profit consortium of approximately 450 major companies, organisations and government agencies working together to build the XBRL language and promote and support its adoption. This collaborative effort began in 1998 and has produced a variety of specifications and taxonomies to support the goal of providing a standard, XML-based language for digitizing business reports in accordance with the rules of accounting in each country or with other reporting regimes such as banking regulation or performance benchmarking.

Concept

As a concept, XBRL it enables various systems and software to exchange business information using common, standardized, universal terminology. Instead of treating financial information as a block of text—as in a standard internet page or a printed document—it provides an identifying tag for each individual item of data. This is computer readable.

It is a technical supply chain standard for moving financial and business reporting information into an interactive, comparable, intelligent, machine-readable information format. XBRL takes financial and business reporting frameworks developed by regulatory agencies and others financial and business reporting stakeholders and tag that data to an agreed upon XBRL taxonomies (classification) which then turns this information into intelligent information that can be consumed and understood by machines.

Meaning of Taxonomy

Taxonomies are the reporting-area specific hierarchical dictionaries used by the XBRL community. Specific tags are coined for each item and their attributes and interrelationships are defined. Different taxonomies are required for different business reporting purposes. Some national jurisdictions may need their own reporting taxonomies to reflect local accounting and other reporting regulations. Many organisations, including regulators, specific industries or even companies, may require taxonomies or taxonomy extensions to cover their own specific business reporting needs.

In the Indian context for example XBRL India has developed draft General Purpose Financial reporting XBRL taxonomy for Commercial and Industrial Companies.

Example of 'Tag' in XBRL Taxonomies

Company's net profit has its own unique tag. Computers can treat XBRL data "intelligently": they can recognise the information in a XBRL document, select it, analyse it, store it, exchange it with other computers and present it automatically in a variety of ways for users. XBRL greatly increases the speed of handling of financial data, reduces the chance of error and permits automatic checking of information.

Application of XBRL

- XBRL can be applied to a wide range of business and financial data. Among others it can handle:

4. Prepared by Lakshmi Arun, Education Officer, The ICSI.

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- Company internal and external financial reporting.
- Business reporting to all types of regulators, including tax and financial authorities, central banks and governments.
- Filing of loan reports and applications; credit risk assessments.
- Exchange of information between government departments or between other institutions, such as central banks.
- Authorative accounting literature—providing a standard way of describing accounting documents provided by authoritative bodies.
- A wide range of other financial and statistical data which needs to be stored, exchanged and analysed.

Worldwide acceptance of XBRL

XBRL is quickly spreading across the world, by way of increasing participation from individual countries and international organizations. It is now preferred as a standard for business and financial reporting worldwide. Many countries are mandating XBRL, for example, China, India, Singapore, Germany, France, Belgium, Chile, Spain and State of Nevada while in others such as Canada, Sweden it is voluntary.

XBRL-IFRS Taxonomy

International Accounting Standards Board published IFRS taxonomy 2009 which is a complete translation of IFRS into XBRL language. In February 2010, it has also published an exposure draft of IFRS taxonomy for Small and Medium sized Enterprises in XBRL for public comments.

XBRL in India

XBRL India is the Indian Jurisdiction of XBRL International. Its main objective is to promote and encourage the adoption of XBRL in India as the standard for electronic business reporting in India. Members of XBRL India among others include regulators such as Reserve Bank of India (RBI), Insurance Regulatory and Development Authority (IRDA), Securities and Exchange Board of India (SEBI), Ministry of Corporate Affairs (MCA), stock exchanges like Bombay Stock Exchange Limited (BSE) and National Stock Exchange of India Limited (NSE), and some private sector companies.

An example of XBRL application in Industry

Infosys Technologies Limited

Infosys Technologies Limited voluntarily furnished eXtensible Business Reporting Language (XBRL) data to the United States Securities and Exchange Commission electronically in a 6-k exhibit (A monthly report of foreign private issuer with SEC) way back on May 2005. It was also participating in SEC's voluntary program for Reporting Financial Information on EDGAR using XBRL.

EXAMINERS' OBSERVATIONS AND COMMENTS ON THE PERFORMANCE OF EXAMINEES IN JUNE 2010 EXAMINATION*

The June 2010 session of the Company Secretary Course Examination was held from 2nd June 2010 to 10th June 2010. The pass percentage for all papers of both Old and New Syllabus i.e., Final Course under Old and Executive Programme and Professional Programme under the New Syllabus have been compiled and presented in Table-A, B & C hereunder for the information of the candidates. Though the pass percentage showed good performance by the candidates in most of the papers, some candidates were not able to clear the examination due to various drawbacks in their answers. Therefore, it would be beneficial for these candidates to know the general weakness/drawbacks in their answers. Although, it is not possible to give comments on each and every candidate's answer scripts, some common drawbacks based on the comments and observations noted by the examiners have been culled and given paper-wise hereunder for information of the candidates so as to enable them to overcome their deficiencies and improve their performance in the forthcoming examination.

Table-A
Final Course (Old Syllabus)

	Subjects	Percentage of Candidates Secured		
		40 to 49 % marks	50 % to 59% marks	60 % and above marks
1	Advanced Company Law and Practice	42.31	34.30	4.47
2	Secretarial Practice Relating to Economic Laws and Drafting & Conveyancing	41.14	37.30	4.63
3	Secretarial, Management and Systems Audit	30.86	50.54	11.05
4	Financial, Treasury and Forex Management	40.51	28.56	7.21

*Compiled from Examiners' Report

5	Corporate Restructuring— Law and Practice	55.50	33.69	0.97
6	Banking and Insurance— Law and Practice	29.51	53.45	10.34
7	World Trade Organization— International Trade, Joint Ventures and Foreign Collaborations	38.72	39.52	5.82
8	Direct and Indirect Taxation—Law and Practice	43.92	17.67	2.25
9	Human Resource Management and Industrial Relations	27.50	56.85	10.09

Table-B
Executive Programme (New Syllabus)

	Subjects	Percentage of Candidates Secured		
		40 to 49 % marks	50 % to 59% marks	60 % and above marks
1	General and Commercial Laws	22.17	36.43	19.47
2	Company Accounts, Cost & Management Accounting	24.17	19.78	9.01
3	Tax Laws	23.61	28.68	16.20
4	Company Law	30.87	32.26	16.01
5	Economic and Labour Laws	34.19	28.78	9.73
6	Securities Laws and Compliances	32.79	21.98	7.22

Table-C
Professional Programme (New Syllabus)

	Subjects	Percentage of Candidates Secured		
		40 to 49 % marks	50 % to 59% marks	60 % and above marks
1	Company Secretarial Practice	48.33	21.73	3.24

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2	Drafting, Appearances and Pleadings	39.73	40.49	7.26
3	Financial, Treasury and Forex Management	31.67	22.94	11.52
4	Corporate Restructuring and Insolvency	41.90	35.49	6.21
5	Strategic Management, Alliances and International Trade	33.01	37.92	11.31
6	Advanced Tax Laws and Practice	38.46	22.80	6.46
7.	Due Diligence and Corporate Compliance Management	47.03	30.33	4.26
8.	Governance, Business Ethics and Sustainability	41.22	29.38	4.02

FINAL COURSE (OLD SYLLABUS)

ADVANCED COMPANY LAW AND PRACTICE

The overall performance of the candidates in this paper was just satisfactory. Drafting of resolutions is a key skill required in the day to day life of a Company Secretary. However, this skill was found lacking in most of the candidates. Further, in many cases, answers were not supported by relevant case laws and legal provisions.

Question No.1 was attempted well by most of the candidates. However, the language could have been better. In Question No.2(a), Part (ii) was not answered satisfactorily. In part (iii), many candidates did not clarify as to when first AGM is to be held. Question No. 2(b) relating to fill in the blanks was also not attempted well. Most of the candidates were not fully aware about the conducting of Annual General Meeting and Extra Ordinary General with shorter notice in Question No. 3(b). In Question No. 4(a), very few candidates knew about the mandatory items of business that are required to be placed before the Board as part of clause 49 of the listing agreement. In part (a) of Question No. 5, many candidates did not know that remuneration is linked with effective capital. Further, drafting of resolution was found to be below average in Question No. 6(b). However, Question No. 7 and Question No.8 were attempted satisfactorily by most of the candidates.

For securing good marks in this paper, candidates should read the study material thoroughly. To enrich their answers, they must explain legal provisions and support their answers with relevant case laws. The answers should commensurate with marks allotted. The candidates are also advised to update their knowledge continuously by referring to 'Chartered Secretary', 'Student Company Secretary' and visiting the website of the Ministry of Corporate Affairs i.e. www.mca.gov.in.

SECRETARIAL PRACTICE RELATING TO ECONOMIC LAWS AND DRAFTING AND CONVEYANCING

The overall performance of the candidates in this paper was found to be reasonably fair, except few questions in which candidates resorted to guess work perhaps due to lack of adequate preparation. The candidates were found very poor in drafting of legal documents.

Performance of the candidates in Question No. 1 was quite satisfactory but in Question 1(ii) candidates could not reason out and support their answers with relevant case law regarding Consumer Protection Act, 1986. The performance of the candidates in Question No.2 was average level. The answers written to Question No.2 (b) regarding environmental clearances regulated by government while issuing letter of intent to hazardous industries were not upto the mark. Overall performance of the candidates in Question No. 3 was good and most of them answered this question correctly. Question No. 4 was well attempted by majority. However, in answer to Question No. 4(b) relating to reforms/measures initiated by government for attracting investments in roads/highway the performance was poor. The overall performance of the candidates in Question No.5 was

satisfactory except Question No. 5(d) where the candidates could not explain the important matters which should be kept in view while drafting a memorandum of appeal for filing before an appellate authority/superior court. Question No.6 was answered fairly well by majority of the candidates whereas Question No. 6(b) pertaining to consortium of financial assistance was not well attempted. In Question No.7 performance was average. The candidates attempted Question No.8 satisfactorily except Question 8(a) where some candidate failed to draft the clause of events of default in lease deed.

This paper requires proper understanding of application of law. Problems based on decided cases should be supported by relevant case law for better scoring in this paper. Candidates are advised to prepare themselves in an organized manner and keep themselves abreast of the government guidelines and the new declared policies.

SECRETARIAL, MANAGEMENT AND SYSTEMS AUDIT

'Secretarial, Management and System Audit' being an analytical paper requires conceptual clarity and its' application to a given situation. Understanding of legal concepts and its implication is essential for this paper. The overall performance of the candidates in this paper was average. Though theory based questions were well attempted, the case based questions were not understood by the candidates very clearly.

Question No.1(a) being an objective type question was performed well by the candidates. The answers to question no 1(b), (c) and (d) showed poor knowledge of the candidates from the practical side. The Question No.2(a) being 'true' or 'false' statement was well attempted and performed by the candidates. Question No.2(b) based on valuation of shares and Question No.2(c) based on "Compliance Check List" was satisfactorily performed. The performance of candidates to Question No.3 was of average standard and very few candidates attempted this question. Question No.4 relating to Companies (Auditor's Report) Order, 2003 was well attempted by the candidates and the performance was also good. Only few candidates attempted Question No.5 and the performance in this question was just average. Question No. 6 was well answered by the candidates. Question No.7 pertaining to Systems Audit, being a compulsory question was attempted by most of the candidates and the overall the performance of the candidates was average.

Apart from the Study Material candidates are expected to read magazines like 'Chartered Secretary', 'Student Company Secretary' and other economic dailies to gain application oriented knowledge.

FINANCIAL, TREASURY AND FOREX MANAGEMENT

The overall performance of the candidates in this paper was average. Question No.1 being compulsory, was attempted by majority of the candidates and the performance was satisfactory. Question No.2 relating to Capital Budgeting was not attempted by majority of the candidates and even those who attempted, were not clear about the present value concept. In Question No.3(a) relating to calculation of dividend payment ratio by using Walter's Model, the performance of the candidates was not up to expectations. In Question No.3(b) relating to working capital, most of the candidates were not able to calculate the working capital requirement. In Question No. 4 regarding distinction between various concepts, the performance of the candidates on average was satisfactory except 'Real Estate Mortgage and Real Estate Lease' and 'Covered Option and Naked Option' which was not attempted by many. Question No.5(a) and (b) relating to 'Capital Asset Pricing Model' was well attempted by majority of the candidates. The overall performance of the candidates in Question No.5(c) relating to Financial, Operating, Combined leverage was good. In Question No. 6 on short notes, candidates in general, lacked conceptual clarity and the answers written were vague and irrelevant, particularly, on 'Consequences of low and high pay-out ratios' and 'Economic aspects of project appraisal'. Question No. 7 relating to External Source of finance was attempted by very few candidates and the performance was below average.

As the final course requires expert knowledge of the subject, it is expected that the candidates must be well acquainted with practical

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aspects and practice more on numerical problems. Apart from reading Study Material, candidates are advised to consult reference books and read financial dailies relating to treasury and forex management to have conceptual clarity.

CORPORATE RESTRUCTURING—LAW & PRACTICE

The overall performance of the candidates was average, however, many of the candidates could not give precise and to the point answers.

The performance of the candidates in Question No.1 was satisfactory. Part (a) of the question was answered satisfactorily and part (b) was not attempted by many of the candidates correctly. All the parts of Question No.2 were answered satisfactorily. Many candidates gave the difference between long range strategic planning and strategic planning correctly in part (a) of the question. In Question No.3 the performance of candidates was average. Many candidates did not supplement the answers with relevant case laws. Question No. 4 was answered by the candidates satisfactorily. The performance of candidates in Question No.5 was not satisfactory. Many candidates failed to explain the provisions of section 396 (5)(a) correctly. Question No. 6 was well answered by most of the candidates. All the parts of the question were answered well. Question No. 7 was attempted fairly well by most of the candidates. Overall performance of candidates in Question No. 8 was below average, drafting skills of the candidates were also not upto the mark.

To secure good marks in this paper, candidates are required to support answers with relevant case laws for which it is important that they should read the latest case laws by reading various journals, newsletters, etc. It is important that the candidates understand the question properly before answering the same. Instead of writing long answers, without quoting judicial pronouncements candidates should write to the point answers quoting the relevant case laws. Candidates are expected to refine their drafting skills through continuous practice in the light of new developments.

BANKING AND INSURANCE LAW AND PRACTICE

Candidates in general lacked knowledge of the precedents on the subject, putting irrelevant details to fill more pages of answer books. It was observed that candidates did not study the subject thoroughly to abreast themselves of the latest changes and amendments taking place in the law.

Question No.1 was answered quite well by the candidates. This being an objective type question, most of the candidates scored quite well in this question. In Question No.2 the performance of the candidates was satisfactory. Except for the question relating to legal remedies for dealing with non-performing assets by banks all other parts were very well answered by the candidates. Question No.3 was attempted quite well by the candidates. Very few candidates attempted part (iii) of the question relating to soundness and performance indicators of a bank and even those who attempted to answer this part had only a vague idea of the same. The overall performance of the candidates in Question No.4 was good, except parts (iii) & (iv) as they lacked knowledge about how banks identify problem credit and the basic approaches adopted by banks to address their risk management under Basel-II norms. Question No.5(a) and (b) were not satisfactorily answered by the candidates. All other parts were well attempted by majority of the candidates. In Part (d) the candidates had knowledge of the insurance industry and were able to present the answer to the question satisfactorily leading them to score good marks. Question No.6 was attempted satisfactorily by the candidates. Some of the candidates had difficulty in explaining the principle of indemnity in motor insurance and the code of conduct applicable to insurance surveyors. Parts (iii) & (iv) were well attempted as the candidates could comfortably present the capital requirement criteria for an Indian Insurance Company under Section 6 of the Insurance Act, 1938 and also explain the group insurance policy. Question No.7 was not attempted by majority of the candidates. Performance of the candidates in this question was poor as they could not differentiate between static and dynamic risks and failed to list the provisions of the

Customs Act, 1962 pertaining to refund of duty on loss of goods. Part (iv) relating to need for 'credit insurance' was satisfactorily answered. The answers to Question No.8 were reasonably well presented by the candidates. Part (i) of the Question relating to concept of speculative risk management was attempted only by few candidates. The examiners desired that the students give more elaborate answers to this question.

This being a dynamic subject attracting many amendment/changes in banking as well as insurance, candidates are advised to be well aware and up-to-date themselves about the latest developments taking place in this area.

WORLD TRADE ORGANISATION—INTERNATIONAL TRADE, JOINT VENTURES AND FOREIGN COLLABORATIONS

The overall performance of the candidates in this paper was found to be fairly satisfactory. However, there is still scope for improvement in some areas and a particular level of understanding of the subject is desirable.

In Question No.1 performance of the candidates was good except Question No. 1(iii) pertaining to the Uruguay Round and its outcome; where majority was unable to give answer correctly. Candidates answered Question No. 2 well. However, in some cases the consistency required was found to be missing. Question No.3 was attempted fairly well by most of the candidates. However in Question No.3 (b) on WTO complaint remedial measure and proof required, the performance of candidates was very poor. Most of the candidates performed well in Question No.4 except Question No.4 (b) regarding legally recognized right of consumers which was not well attempted by the candidates. In Question No. 5 candidates were found lacking in knowledge on copy right and trade secret. The performance in Question No. 6 was reasonably good but the candidates were found lacking in drafting skills while drafting Joint Venture Agreement. The overall performance in Question No. 7 was just satisfactory as the desired clarity and understanding of the subject on Arbitration and Conciliation was missing. Answers written to Question No. 8 were found to be very poor in quality whereas in Question No. 8(b) candidates failed to give proper reasoning to support their answers.

This paper requires continuous updation of knowledge and thus candidates are expected to be well versed with latest developments in international trade, regional developments and at WTO for scoring good marks. Candidates are advised to regularly read the financial news papers and journals and develop analytical and logical skills and improve their presentation skills.

DIRECT AND INDIRECT TAXATION—LAW AND PRACTICE

Candidates did not perform well in this paper, especially in Part-A of Direct Taxes. Many candidates were not aware about the recent case laws and the recent amendments made by the Finance Act, notifications and circulars issued from time to time by CBDT. In Part-B also, the performance of the candidates was not satisfactory. Candidates answered the question in a very general manner, not explaining the specific provisions of the Act as per the requirements of the question. A thorough understanding of various topics of Income Tax Act, 1961 Central Sales Tax Act, 1956 and Indirect Taxes was missing. The candidates fared poorly in answering numerical problems relating to indirect taxes.

Question No. 1 based on case studies was not answered citing the decided case laws. Except Question No. 1(a)(i) & (ii), other parts of the questions were answered well. In Question No.2(a), candidates did not discuss about remedial recourse as asked in the question. Hardly any candidate could answer Question No.2(b) & (c) correctly. The performance of the candidates in the Question No.3 was satisfactory. Many candidates were aware about the relevant provisions thereby score good marks. Question No. 4(a) on fill-in the blanks spaces with appropriate words was not answered correctly by many. Candidates could not distinguish between the various terms in Question No.4(b). The overall performance of the candidates in Question No.5 based on the decided case laws was average. Very few candidates were aware about the relevant case laws. In Question No.6 based on practical

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problems was answered only by few candidates correctly. Candidates were not well acquainted with the concepts of SSI, Assessable value under the Customs Act, 1962 and Service Tax liability. Many candidates attempted Question No.7 satisfactorily. However, some candidates were not aware of the relevant provisions as asked in the question. In Question No.8(a), candidates were not able to give the correct reasoning to support their answers. However, the overall performance of many candidates was good in this question as compared to rest of the questions in the question paper.

For securing good marks in this paper, candidates should read standard text books, journals, including "Chartered Secretary" and "Student Company Secretary" periodicals etc. Since the subject requires expert knowledge, it is expected that the candidates must be well acquainted with practical as well as the theoretical aspects of the subject. Further, they must keep themselves updated with the latest developments, case laws, amendments made through notifications, circulars, from time to time. Candidates should also have clear vision about the subject and there should not be any confusion about the concept.

HUMAN RESOURCE MANAGEMENT AND INDUSTRIAL RELATIONS

The overall performance of the candidates in this paper was average. The answers written lacked clarity of thought and expression. Real life examples and references of case laws were missing in most of the answers. Though the question paper was balanced, still candidates could not perform well. Most of the candidates wrote vague answers just to fill the paper and the appropriate answers at many places were missing. Lack of knowledge especially of legal provisions and systematic study was evident in their average kind of performance. It was observed that candidates did not write the paper systematically and follow proper sequencing and format even at this level.

This paper consists of two parts. Part-A consists of Human Resource Management and Part-B consists of Industrial Relations. Question No.1 being compulsory was attempted by all and the performance of the candidates was average. It was evident from the answers that most of them could not understand the question properly. The performance of the candidates in Question No.2 was extremely poor. Part (a) of this question pertaining to "limitations involved in industry-academia partnership as an innovative mechanism in campus recruitment" was attempted satisfactorily by majority, but in part (b) of the question requiring candidates to fill-in the blank spaces, most of the candidates could not answer correctly. Question No.3 on short notes, was well attempted by most of the candidates. The performance in Question No.4 was also good. However, in Question No. 4(b), the candidates could not distinguish between the terms mentioned therein correctly. Question No.5 being compulsory, was attempted by all and the performance of the candidates was average. Regarding Question No. 5(i), candidates were unable to evaluate critically whether the High court's order was in accordance with the legal provisions relating to payment of bonus. The performance in Question No.6 where candidates had to state reasons whether the statement is correct or incorrect was fairly good. However many did not attempt Question No.6(iii). Question No.7 was also well attempted and the general performance of the candidates was also good except few who wrote lengthy answers. The performance of the candidates in Question No.8 was average. Most of the candidates did not attempt Question No.8 (b) and those who attempted, wrote wrong answers.

Candidates are advised to avoid casual approach towards the examination and study seriously following a systematic approach toward their studies. They should understand the requirements of the question and answer accordingly. Write to the point answers giving relevant references and sections. Read "Chartered Secretary", "Student Company Secretary" bulletin and other professional journals to keep yourselves updated on latest legislative and judicial pronouncements on the subject. The candidates must lay emphasis on improving communication skills.

EXECUTIVE PROGRAMME

GENERAL AND COMMERCIAL LAW

The overall performance of the candidates in this paper was satisfactory. Though objective type questions, questions requiring to fill-in the blank spaces and the questions where candidates had to state reasons whether the statement is true or false were answered in a satisfactorily manner, yet majority of the candidates were found lacking in basic knowledge about the constitutional law and lack of clarity about various other enactments discussed in the subject. In problem oriented questions, many candidates did not quote relevant legal provisions. Many candidates wrote vague answers failing to understand what has been asked in the question.

The general performance of the candidates in Question No.1 was average. While answering Part (a) & (b) of Question No.1 relating to constitutional law, many candidates could not perform as per the knowledge level expected of them. Question No.2 was also answered on an average basis by the candidates. The quality of answers written by many was poor lacking in conceptual clarity. Question No.3 relating to distinction between various terms was answered satisfactorily by the candidates. Question No.4 on short notes was fairly well answered. However, some of the answers written by the candidates were based on mere guess work. The performance in Question No.5 (a) was not up to the mark. Candidates were found lacking in conceptual clarity. Question No.5(b) and 5(c) pertaining to multiple choice and fill-in-the blanks respectively was very well answered. In Question No.6 where candidates had to state reasons whether the statement is true or false was also fairly well attempted by most of the candidates. However, some candidates failed to give correct reasoning and few were not clear in their thoughts because of poor writing skills. In Question No.7 and 8, the performance of the candidates was very poor. Analysis of the legal provisions and proper interpretation was missing. Many candidates wrote vague answers displaying lack of understanding about the relevant legal provisions. Presentation skills were also poor.

Candidates are advised to read study material carefully along with the Bare Acts so to have through knowledge about the subject and legal provisions. They should consult guideline answers and suggested answers published by the Institute to have an idea as to how the answers are to be presented to the questions. Reference to questions asked in the previous examinations would also be beneficial. While dealing with practical questions, they are advised to quote relevant legal provisions and case laws to support their answers. Read Chartered Secretary, Student Company Secretary and other professional journals on daily basis to keep yourselves updated on latest legislative and judicial pronouncements on the subject.

COMPANY ACCOUNTS, COST AND MANAGEMENT ACCOUNTING

The performance in this paper was just satisfactory and candidates could have done better if they had done adequate preparation required for professional exams.

Question No.1 was a compulsory question and most of the candidates performed well in part (b) and (c) multiple choice and fill-in-the blanks questions respectively. In part (a) candidates were expected to provide proper logical reasoning for their answers while citing whether the given statements were correct or incorrect which was missing in most of the cases. In Question No.2(a) candidates were required to write short notes with precision and clarity instead of lengthy and vague answers. Though many candidates attempted Question No.2(b) related to preparation of consolidated balance sheet, they could not calculate capital reserves and minority interest correctly. In Question No.3 for preparation of final accounts, many candidates could not make proper adjustments for depreciation, managerial remuneration, proposed dividend, tax on distributed profits etc. Moreover candidates could not prepare the balance sheet as per Schedule VI of Companies Act, 1956. Question No. 4(a) was poorly attempted by majority of the candidates due to lack of conceptual understanding of the methods of valuation of shares. In part(c) candidates described provision of buyback of shares instead of writing about the misuse of buyback strategy by the corporate

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entities. Overall performance was good in Question No.5, though some candidates were not clear of fundamental concepts of cost and management accounting. It was observed that candidates could not understand Question No.6 properly, very few candidates attempted their question. Though the candidates were able to calculate ratios they were not clear in analyzing and interpreting the results. In Question No.7(a) few candidates were not clear about the concept of cash and cash equivalent. Calculation of profitability of merged plant at 80% capacity was found not familiar to most of the candidates in part (b). In Question No. 8(b) candidates were required to prepare cost sheet for the year 2008 and then calculate the required percentages to estimate cost of work order which was not done by majority of the candidates.

Company Accounts, Cost and Management Accounting being a practical paper requires clear conceptual understanding and thorough practice of practical problems to score good marks. In theory questions answers should be definite and precise. Further candidates are advised to practice exhaustively solving of practical problems from standard text books and suggested readings. Candidates should give due importance to whole syllabus and do not resort to selective study. It is also important to write answers neatly and present them properly.

TAX LAWS

The overall performance of the candidates in this paper was just average. Candidates were not aware about the latest updates. Many candidates lacked thorough understanding of various provisions of the Income Tax Act, 1961 and Wealth Tax Act, 1957. Many candidates failed to support practical based questions with working notes. They need to be exposed to case studies and latest judicial verdicts so that they can improve their decision making ability and conceptual skills.

Question No.1 being compulsory and objective type, attempted by most of the candidates and their performance was upto the mark. But in part (b) many of the candidates failed to give proper reasoning in support of their answer. The part (a) of Question No.2 on fill-in the blanks was well attempted. However in part (b) & (c), lack of knowledge about the concept Zero Coupon Bond and Rectification of Mistake was reflected. In Question No.3, the performance of the candidates was average. Most of the candidates could not compute the taxable income of the firm correctly in part (c). The performance of the candidate in Question No.4 was below average. Lack of in depth knowledge of the concept of Wealth Tax, TDS provisions and deemed dividend was evident. The performance of the candidates in Question No.5 based on practical aspects of the provisions of Income Tax Act, 1961 was not upto the mark. Candidates did not have sound knowledge of provisions of "Income under head profits and gains from business and profession". Many candidates could not answer part (b) and (c) of the question pertaining to capital gains and powers of CBDT. In Question No.6(a), majority failed to compute the interest on borrowed capital accurately under the "Income from house property". The performance of the candidates in Question No.7 relating to service tax was average. Few candidates were confused in determining the person i.e. provider or receiver, who is liable to pay service tax in Question No.7 (a). The performance of the candidates was below average in Question No.8. Most of the candidates failed to focus on phased out stage of CST with the introduction of VAT system in India in Question No.8(i). Further, many candidates wrote advantages of VAT system instead of the deficient in the direction of getting maximum benefits of VAT in Question No. 8(ii).

As the most of the questions in paper are based on practical aspects requiring thorough and deep study and understanding of the legal provisions, candidates are advised to practice more and more numerical problems giving working notes to the solution dealing with the relevant explanation. They should write precise and to the point answers quoting relevant legal provisions. Further, candidates are advised to refer the "Student's Company Secretary", "Chartered Secretary" and the upcoming notifications, circulars and case laws to keep themselves updated on the subject.

COMPANY LAW

The Overall performance of the candidates in this paper was just average. Basic knowledge about the company law was found missing in many candidates. Some answers were extremely vague indicating lack of conceptual clarity. The presentation skills were extremely poor.

In Question No. 1, the performance of the candidates was average. The concept of Red-herring prospectus were not clear to the candidates. They confused LLP with partnership. Some of them were not clear about the difference between winding up and dissolution. Part (iii) of Question No.1 was also not attempted satisfactorily. Question No.2(a) and (b) was well attempted by most of the candidates. However, Question No.2(c) was not understood by many candidates. They wrote on types of meeting instead of discussing the various methods by which a sense of a meeting is ascertained. In Question No.3, many candidates were not aware about the requirements for keeping the minute's book of general meetings. Further, they were not able to answer whether a Board meeting of a company could be held at any place. Most of the candidates were not comfortable with Question No.4. Basic clarity of the concept and in-depth knowledge of the subject matter was missing. Question No.5(a) relating to traveling allowance was explained satisfactorily by few candidates only. Most of them wrongly answered that a director can take travelling allowance from both the companies. Clarity on the subject matter was also missing in Part (b) and (c) of Question No.5. Many candidates did not know the meaning of 'corporation' in Question No.6(i). Some of the candidates confused 'stock' with 'stock in trade' in Question No.6 (iii). Question No.7 was answered fairly well by most of the candidates. In part (v) of Question No.8, the concept of 'independent director' was not clear to many candidates. Further, in Part (iv), postal ballot was confused with poll voting.

For securing good marks in this paper, candidates are advised that they should read and understand the question properly before answering. While attempting the questions, they must follow sequencing of the questions as given in the question paper. Write precise and to the point answers and improve presentation skills. The candidates are also advised to go through the study material thoroughly. Further, they should update their knowledge by reading 'Student Company Secretary', 'Chartered Secretary' and visiting the website of the Ministry of Corporate Affairs (i.e. www.mca.gov.in).

ECONOMIC AND LABOUR LAWS

The performance of the candidates in this paper was satisfactory. It was observed that the candidates were not well prepared and up-dated on relevant Acts, Rules and Regulations. While writing the answers to the questions, many candidates were found lacking in presentation skills. Lack of systematic study, basic concept and thorough knowledge of the subject were the reasons responsible for poor performance in majority of the candidates.

Performance of the candidates in Question No. 1 was quite satisfactory. However, answer to Question No.1 (v) relating to *Mens rea* under the Essential Commodities Act, 1955 was not well attempted by the candidates. In Question No.2 candidates could not give proper reasoning while answering whether the statement is correct or incorrect. Majority of candidates were found lacking in presentation skills. The performance of the candidates in Question No. 3 was quite average. Majority of candidates were found confused in Question No. 3(a)(i) regarding 'Contract of Service' and 'Contract for Service'. In Question No.4 (a) majority was found lacking knowledge about Foreign Exchange Management Act, Rules and Regulation and the Rule of Strict Liability under Environment Pollution. The overall performance of the candidates in Question No.5 was average. Majority of candidates failed to give correct answer pertaining to important grounds for opposition to the grant of patents. Question No.6 was answered fairly well by majority of the candidates except Question No. 6(vi) where theory of notional extension of employment under the Workmen Compensation Act, 1923 was not explained correctly. In Question No. 7 performance of the candidates was average. General performance of the candidates in Question No.8 was poor

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and majority of the candidates was not aware about the relevant legal provisions and case law particularly in Minimum Wages Act, 1948 and Employees State Insurance Act, 1948. Majority of the candidates wrote extraneous and irrelevant answer.

Candidates are advised to write specific answers keeping in view the marks allotted to the question. While writing the answers to the questions, relevant legal provisions and decided case law should be mentioned. Candidates need to be systematic and regular in their studies. For better result, Candidates are also advised to continuously update their knowledge by referring to Chartered Secretary, Student Company Secretary, relevant Bare Acts, financial newspapers and other corporate journals like Corporate Courier, Corporate Law Advisor, etc.

SECURITIES LAWS AND COMPLIANCES

The overall performance of the candidates in this paper was below average. It was observed that candidates did not study the subject thoroughly and did keep themselves abreast of the latest changes and amendments taking place in the area.

Question No.1(a) and 1(b) relating to true and false statements and fill in the blanks was attempted by majority of the candidates but reasons given for true and false were not appropriate. Question No.2(a) relating to short notes on different topics was attempted satisfactorily but while answering the question relating to market abuse the candidates lacked conceptual clarity. The answer to Question No.2(b) relating to expansion of abbreviated form was poorly attempted by candidates. Question No.2(c) on investment criteria for foreign venture capital fund was well attempted by most of the candidates. The candidate's attempt to Question No.3(a) and (b) related to capital and money market term was reasonably well except the term 'auction', most of them failed to explain the term. Question No.3(c) regarding market making the performance of the candidates was average. Most of them were confused between market making and broking. Question No.3(d) relating to primary market was attempted by most of the candidates. Question No.4(a) on distinction between two concepts was poorly attempted by the candidates. Most of them failed to distinguish between funds pay-out and funds pay-in. In Question No.4(b) candidates confused SRO with SEBI and answered in a very general manner. In Question No.4(c) relating to factors considered by credit rating agencies, candidates had explained about credit rating but not the factors. Question No.5(a) and (b) relating to debenture trustees and short selling was very poorly attempted by the candidates. Candidates were not updated with the capital market reforms. Question No.5(c) relating to calculation of NAV and offer price of the unit of mutual fund was calculated correctly by most of the candidates. In Question No.6(a) and (b) related to IPO grading and Fast Track issue the performance of the candidates was satisfactory. Question No.6(c) related to eligibility norms for public issue by unlisted company, though attempted by majority of candidates, most of the candidates had written answers relating to listed company's eligibility norms. Question No.6(d) related to debt market term, the answer of the candidates was below average and vague. Question No.7(a) and (b) relating to due diligence and compliances under IDR listing agreement was answered fairly well. In Question No.7(c) relating to conditions for ECB, candidates had explained the term ECB and most of them could not explain the conditions required to be fulfilled for conversion of ECB into equity. Question No.7(d) relating to SEBI Guidelines for rights issue was well attempted by most of the candidates. Though it was attempted by majority of candidates, they had written the old provisions and not the amended one. In Question No.8(a) the performance of the candidates was below average. Question No.8(b) regarding principal document required for GDR and FCCB issue was well attempted by candidates. Question No.8(c) and (d) relating to differential pricing and differentiation between book building and fixed price process were well explained by the candidates.

The candidates are advised to go through various business magazines, circulars and clarifications issued by SEBI from time to time to keep themselves updated with the developments in securities market.

PROFESSIONAL PROGRAMME

COMPANY SECRETARIAL PRACTICE

The overall performance of the candidates in this paper was just satisfactory. The candidates exhibited lack of reasonable knowledge about the subject and provisions of law. Candidates were also not aware of relevant sections and supporting latest case laws. Further, their writing skills were poor and many candidates did not follow the proper sequencing given in the question paper.

In Question No. 1, drafting of resolutions were not upto the desired level. In Part (iv) notice was required to be drafted for book closure prior to payment of final dividend and in Part (v), a compliance certificate was required to be drafted. Instead, resolutions were drafted in their place. Part (a) of Question No. 2 was attempted satisfactorily. However, in Part (b)(i), most of the candidates mentioned 'compliance certificate' instead of 'certificate of incorporation' as the conclusive evidence in case of a company that the statutory requirements have been complied with. Further, in part (b) (ii), rate of interest was incorrectly given in most of the cases. In Question No. 3, part (a) was well attempted. However, part (b) was not answered well by the candidates. Majority of the candidates wrote the procedures of postal ballot instead of commenting that postal ballot is an unmixed blessing. In Question No. 4(a), in many answers, reference was to ROC or Central Government instead of CLB. Also, Question No.4(b) and (c) was not answered well by most of the candidates. Question No.5 was answered fairly well by majority of the candidates. But, in Part (iv) of Question No.5, many were clueless as to how to tackle the situation when a person informs in writing that he is not a member of the company, yet he has received a notice for the annual general meeting as a member. In Part (a) of Question No. 6, very few candidates could calculate effective capital correctly. Question No. 7 was attempted by only few candidates. Even those who attempted it, very few answered it convincingly. On the contrary, Question No.8 was answered satisfactorily by most of the candidates.

Candidates are advised to read the Study Material thoroughly and regularly, and update their knowledge by referring to the 'Student Company Secretary' and "Chartered Secretary". Knowledge of latest case laws is a must for clarity of the subject. Drafting skills can be improved by reading and writing the resolutions in notices of the companies, which can be viewed at the EDIFAR website/company's website. Candidates are also advised to visit the website of the Ministry of Corporate Affairs (MCA) i.e. www.mca.gov.in and update themselves with the amendments posted on it.

DRAFTING APPEARANCES AND PLEADINGS

Although the overall performance of the candidates in this paper was satisfactory, yet it was evident that some candidates had prepared on selective basis as some of the answers given by them were excellent, while others were not up to the mark. At the same time, many candidates were found lacking in conceptual clarity and drafting skills. Some candidates could not cite relevant case law while answering the practical questions.

The general performance of the candidates in Question No.1 was average. In Part (a) of the Question No.1, candidates in general could not appreciate the problem. While answering Part (c), many candidates could not explain the terms correctly mentioned therein. Question No.2 was also answered on an average basis. Many candidates could not draft the legal consultant agreement properly in Question No.2 (b). Candidates displayed lack of knowledge about legal provisions while answering Question No.2(c). Question No.3 was attempted by most of the candidates and answered satisfactorily. In Question No.4 (b), the terms "rule of adverse inference" and "representative suit" were not explained correctly by many. The performance of candidates in Question No.5(b) and 5(c) was fairly up-to-the mark. However, while answering Question No.5 (a), candidates were found lacking in conceptual clarity. In Question No.6, candidates displayed an average performance. Majority was found lacking in knowledge about the drafting of foreign collaboration agreement in Question No.6 (a), and when novation takes place in Question No.6 (b). In Question No.7,

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the performance of the candidates was unsatisfactory. They had no precise knowledge of the subject and the answers written were based on mere guess work. Question No.8 was well attempted and the quality of answers written was equally good.

Candidates are advised to prepare thoroughly for the examination. They should read study material carefully so as to have basic knowledge about the subject. Apart from theory, they should practice the drafting portion so as to achieve command over drafting of legal documents. Write to the point answers and lay emphasis on improving presentation skills to score more marks.

FINANCIAL, TREASURY AND FOREX MANAGEMENT

The overall performance of the candidates in this paper was found to be reasonably fair, except few questions in which candidates resorted to guess work perhaps due to lack of conceptual knowledge and inadequate practices especially in the areas of Capital Budgeting and Portfolio Management.

Question No.1 relating to comment on various concepts was well attempted by most of the candidates and the quality of the answers was also good. In Question No.2(a) relating to capital rationing the performance of the candidates was satisfactory but the candidates need to explain the techniques of capital rationing. Question No.2(b) relating to Economic Order Quantity was correctly answered by most of the candidates. Question No.2(c) regarding portfolio management was attempted by very few candidates. In Question No.3(a) and (c) relating to derivative and future contracts the performance of the candidates was below average. Most of the candidates lacked Conceptual clarity. Question No.3(b) relating to use of Walter's Model for finding out optimal dividend pay out ratio was well attempted by most of the candidates. In Question No.4 relating to differentiation between various concepts, the performance of the candidates was satisfactory except 'Corporate Finance and Business Finance'. The performance of the candidates was average in Question No.5(a) relating to Foreign Exchange. Candidates were not able to calculate the interest rate parity correctly. Question No.5(b) relating to requirement of working capital was satisfactorily attempted by most of the candidates. In Question No.6 most of the candidates failed to calculate NPV at different rates. Question No.7 relating to short notes on various concepts was fairly attempted by candidates except 'ABC Analysis' where the question was answered in vague manner.

For better performance in this paper, the candidates are advised to work hard on practical problems. The candidates need to understand the subject conceptually and fine tune their presentation skills. They are advised to continuously refer to 'Chartered Secretary', 'Student Company Secretary', standard text materials and financial dailies etc.

CORPORATE RESTRUCTURING AND INSOLVENCY

The overall performance of the candidates in this subject was average. The general observation was that the candidates were lacking in writing skills. It is absolutely necessary that the candidates must regularly practice writing to compete well in the examination. Most of the candidates did not attempt a new question from a fresh page. Further, sub-parts of a particular question were also answered without proper indication. Sometimes, it was very difficult to evaluate the answers.

The overall performance of the candidates in Question No.1 was not good. In part (a) of Question No. 1, in-depth study of section 77A of the Companies Act, 1956 was required. Many candidates were not able to calculate the amount of buyback of share capital. Question No. 2(a) was not attempted properly. However, part (b) and (c) of the Question were attempted fairly well. Further, candidates did not perform well in part (a) of Question No.3. But part (b) of the question was attempted satisfactorily. In Question No. 4, the performance of the candidates in part (a) was average but part (b) relating to giving a note to the Board on defaults committed by the Company was attempted poorly by majority of the candidates. Majority had left the question failing to understand the requirements for compounding procedure. In Question No. 5(a), most of the candidates were not aware about the case of *CWT v. Mahadeo Jalan*. Part (b) of the Question was also not attempted well by the candidates. Question No.6 was not attempted

by majority of the candidates and those who attempted left part (b) of the Question or gave wrong answer. Question No.7 was attempted more or less satisfactorily. However, Part (c) of the Question relating to Lok Adalat was not dealt with properly by many candidates. Most of the candidates attempted Question No. 8. But, in part (a) of the Question, the difference between insolvency of an individual and winding up of a company was not meticulously presented. In part (b) (iii) of the Question, the candidates could not explain the requirement for appointment of Merchant Banker.

The candidates are advised to allocate reasonable time to study and understand the questions properly before answering. Further, the candidates should plan beforehand as to how much time they should spent on each question. This will help them in achieving proper time management while attempting the question paper. Candidates are also required to keep themselves updated with latest case laws by reading various Journals, newsletters, etc. Candidates should develop an application oriented approach and support their answers citing case laws and examples.

STRATEGIC MANAGEMENT, ALLIANCES AND INTERNATIONAL TRADE

The overall performance of the candidates in this paper was found to be fairly good. Though the conceptual understanding was clear and good in Part-A pertaining to Strategic Management, yet the candidates could not perform well in Part-B & C on Strategic Alliances and International Trade. Knowledge of case studies was found to be missing. They were found lacking in logical presentation and clarity of thoughts. The level of English used was sub-standard.

The performance of the candidates in Question No. 1 was poor. Only about 10% of the candidates attempted this question and those who attempted could not answer well. The performance of candidates in Question No. 2 was good. Part (i) and (ii) of Question No. 2 on SWOT analysis and BCG Matrix respectively were attempted satisfactorily and Part (iv) on Balanced Scorecard approach was badly performed by the candidates. The performance of the candidates in Question No. 3 was average. Question No. 3(b) on distinction between goals and objectives and mentioning features of objectives was performed exceptionally well by the candidates. Performance of the candidates in Question No. 4 was good. Though the question was attempted by few, but still those who attempted performed well. In Question No.5, performance of the candidates was good. Part (b) of Question No. 5 on types of strategic alliances and its advantages was better performed than Part (a) on the important clauses to be incorporated in a foreign collaboration agreement. The performance in Question No.6 was average. Part (a) of Question No.6 on fair trade was very poorly performed and Part (c) on NAFTA creation and its objectives achieved was not understood by most of the candidates. The attempt of the candidates in Question No. 7 was average. It was observed that none of the candidates could answer all the fill ups correctly as in Part (a) of Question No.7. The performance of the candidates in Question No. 8 was good. However, most of the candidates could not perform well in Part (iii) on export subsidy on agriculture and Part (v) on necessity of dumping for exporting countries.

At this level of professional examination, the candidates are expected to number all the questions properly and follow the format of the question paper. Candidates should take the examination seriously and follow the proper sequence of the questions. Candidates are advised to improve their communication skills. Write to the point answers giving relevant references and sections. Further, read "Chartered Secretary", "Student Company Secretary" and other professional journals to keep updated with latest developments in the Government Policy on FDI, international trade, regional developments at WTO etc. Also read the financial news papers and journals and develop analytical and logical skills and improve presentation skills.

ADVANCED TAX LAWS AND PRACTICE

The overall performance of the candidates in general was satisfactory. It was observed that in theoretical questions many candidates gave general answers and did not substantiate the answers

Academic Guidance

with decided case laws. Majority of candidates failed to conceptualize the main aspects of practical questions. The subject of professional programme requires expert knowledge but the candidates were not well versed with practical aspects of direct and indirect taxes.

The performance of candidates in part (a) and (b) of Question No.1 was good as the questions were of multiple choices. But in part (c) the concept of tax evasion and tax avoidance was not clear to many candidates. Question No.2 (a) was not well attempted by many candidates. Being a practical question, the candidates answered it in a theoretical manner. In Question No.2(b) candidates displayed lack of knowledge of the section 80-IE and Section 80-IC of the Income Tax Act, 1961. The concept of deemed dividend was not clear to many candidates in third part of the Question No.2. The answer to Question No.3 based on case studies, was not supported by the decided case laws. Question No.4 (a) and 4(b) was fairly well attempted by majority. Question No.4(c) being a practical question, answer to this question was not supported with proper working notes. Further, many candidates were not able to arrive at the correct FOB & CIF value as asked in the question. Candidates failed to support the answer with relevant case law in two parts of the Question No.5 based on case studies to be supported with relevant case laws. The Doctrine of Estoppel was not clear to many candidates as asked in Question No.5(b). In first part of Question No.5(c) the performance was satisfactory and in part second, candidates displayed lack of knowledge about the circumstances under which no custom duty is levied. The performance of the candidates in Question No.6 was average. In part (b) of Question No.6, candidates were not clear with the concept of Importer Exporter Code (IEC) number. In part (c) most of the candidates wrote 1 crore instead of 50 lakhs as the limit of turnover of e-payment. The overall performance of the candidates was average in Question No.7. Candidates displayed lack of knowledge of the concept of 'preferential rates of custom duty' and 'lower customs duty under trade agreements' and 'transit and transshipment of goods without payment of duty' in Question No.7(a). In part (b) of the Question No.7 candidates were confused between rule 8 and rule 9 of the Central Excise Valuation Rules, 2000. The performance of the candidates was fair in Question No.8. In part (i) few candidate failed to understand the meaning of specified association. Many candidates were not able to compute correctly the Arms Length Price as required in Question No.8(ii). In Question No.8(iii), candidates could not calculate the correctly income tax liability as they were not clear with income tax rates applicable for non-residents. In question No.8(v), few candidates explained the correct steps for calculating relief under double taxation treaty. Candidates failed to support their answers with proper reasons in Question No. 8(vi).

The candidates should not emphasize on the selected topics as the subject of professional programme requires expert knowledge. Moreover, the advance tax laws and practice subject requires practical knowledge covering all the aspects of tax laws namely tax planning in income tax and wealth tax, indirect taxes and international taxes. The candidates are advised to support their answers with working notes as it carries separate marks. Since the paper on advanced tax laws is based on the latest case laws and amendments, it is important that the candidates keep themselves updated by reading "Chartered Secretary" and the "Students Company Secretary" bulletin. The candidates should also practice previous year questions papers noting down the points of discrepancy, time taken and the level of accuracy that would help them to attend the question paper in time.

DUE DILIGENCE AND CORPORATE COMPLIANCE MANAGEMENT

The overall performance of the candidates in this paper was average. "Due Diligence and Corporate Compliance Management" is an area that caters the business needs of the company with respect to compliance risk

management, effective business strategies etc. Understanding the legal provisions alone is not sufficient to excel in this subject. The candidates are expected to have wider perspective in these areas.

Though Question No.1(a) relating to 'True or False' statement was answered correctly by most of the candidates, the reasoning given by them was not very clear and logical. The quality of answers written to Question No. 1(b) was just average. The candidates were lacking in conceptual clarity. Question No.2(a), being an objective type question, answers written were good. The performance of the candidates in Question No. 2(b) relating to pre/post issue due diligence, mergers etc was good. The candidates showed average performance in Question No. 3(a) and Question No. 3(b) being practically oriented was not performed well by the candidates. The performance of the candidates to Question No.4 was very poor and the candidates were lacking practical approach to the subject. Question No.5 was well attempted by majority of the candidates and their performance in this question was equally good. The answers written to Question No.6 were average. Question No.7, was satisfactorily answered by the candidates. The overall performance of the candidates in Question No. 8 was average.

The nature of 'Due Diligence and Corporate Compliance Management' paper calls for clear understanding of various business strategies, its implications, method of choosing the right strategies, tactful negotiation of business deals etc., In addition to legal compliance, other aspects such as industry background, demand level, density of competition, cultural aspects etc. are to be analysed for various business decisions. For better result candidates are advised to acquire overall knowledge that is required for due diligence decisions. They are advised to read the offer documents as well as economic dailies in addition to professional magazines like "Chartered Secretary" etc. Candidates are advised to lay emphasis on improving their written communication skills and aptitude to the subject.

GOVERNANCE, BUSINESS ETHICS AND SUSTAINABILITY

In this paper, it is expected that the candidates should have good analytical and presentation skills. This was however lacking. Candidates in general showed a lack of conceptual understanding of the subject and its practical application. The answers were in most cases were very vague and not to the point.

Question No.1 was answered satisfactorily, by the candidates. The performance of the candidates in Part (a) of the question, which required a practical approach, was poor whereas the performance in part (b) was good. The performance of the candidates in Question No. 2 was average. Question No.3 was answered rather well. While Part (a) and (c) were attempted very well, the performance in Part (b) was satisfactory. The performance of the candidates in Question No. 4 was average to poor. Candidates showed lack of understanding of the basic concepts. In Question No.5 (a) candidates showed poor art of reasoning and presentation while Part (b) was fairly well answered by majority of the candidates. The performance of the candidates in Question No. 6 was generally good and all the parts were well attempted. Question No.7, was well attempted by the candidates. However, in many cases it appeared that the candidates had memorized the answers rather than having understood the concepts. The performance of the candidates in Question No.8 was generally good. However in some cases the short notes were sketchy and non-illustrative.

The subject is a vibrant one and requires a practical approach. Candidates are required to have a clear understanding of the concepts and its applicability in different situations. The candidates are expected to widen their horizon by reading professional journals, newsletters, magazines, etc. on a regular basis to update their knowledge and to get a practical edge. Candidates are advised to improve their presentation skills, reasoning abilities and manage their time while answering the question paper by giving precise and to the point answers.

LEGAL WORLD

ENVIRONMENT LAWS

LW(S) 54.10.2010

M. VETRI SELVAN v. UNION OF INDIA & ORS [AP]

In Re: Writ Petition No.14866/2010

M.Y.Eqbal, CJ & T.S.Sivagnanam, JJ. [Decided on 22.07.2010]

Constitution of India – Articles 14, 21, 118, 212, 226; Environment Clearance Regulation, 2006 – Paris Convention, 1963 – Vienna Convention, 1997 – Public hearing for Nuclear Liability Bill – whether necessary – Held, No.

Brief facts: This writ petition has been filed as a public interest litigation by an Advocate, praying for issuance of a writ of mandamus to direct the respondents to arrange "public hearings" on the Civil Liabilities for Nuclear Damage Bill, 2010 at all State Head Quarters in the country and at all the places where the nuclear installations are in existence in the country before the introduction of the Bill in the Parliament.

According to the petitioner, "nuclear damages" as defined in clause 2 (f) of the Bill itself is incapable of defining the terms used in the Bill and since the ultimate sufferers are public, public hearings are essential. Failure to make provision for public hearings before the introduction of Bill of this nature is violative of Articles 14 and 21 of the Constitution of India. In terms of clause 5 of the bill an "operator" shall not be liable for any nuclear damage, where such damage is caused by a nuclear incident directly, due to natural disaster or act of armed conflict, civil war etc. When the Government is the "operator", the liability of the Government to compensate those affected by nuclear disaster is two fold. As the "operator" of the nuclear installation, the Government is liable. Since the liability of the Government as "operator" is limited the liability of the Government as the Central Government is added to its liability, which is always discharged by means of public funds. Therefore, in terms of clause 5, the operation of the nuclear operation will not be liable, if the nuclear incident is directly due to terrorism and this exclusion would mean absence of effective remedy for the affected public and therefore public hearing before introduction of the Bill is essential. It is further submitted that fixation of time limit for claiming compensation for any nuclear damage is arbitrary and unreasonable. That, the Bill does not provide for an appeal against the award passed by the Nuclear Damage Claims Commission and the Chairperson and members of the Commission are appointed by the Central Government, and the Government has complete control over the Commission and it is not an independent body. Further, it is submitted that the Union of India considered public hearings in matter touching environment and the Union held public hearings for introduction of genetically modified brinjal. Environment Clearance Regulation, 2006 provide for public hearing on commencement of nuclear power project and proposing of nuclear fuel. The term nuclear damage speaks about impaired environment caused by a nuclear incident, environment and nuclear incident are inter-related and therefore, public hearing prior to introduction of the Bill is essential.

Decision: Petition dismissed.

Reason: A public hearing is a type of public meeting, and much literature refers to it as such, however there are some distinctive aspects that make a hearing different. Abigail Williamson and Archon Fung define a public hearing as "an open gathering of officials and citizens, in which citizens are permitted to offer comments, but officials are not obliged to act on them or, typically, even to respond publicly." The main purpose of a public hearing is to allow citizens the chance to voice opinions and concerns over a decision facing a legislature, agency, or organization. Public hearing does not always mean public participation in a meeting held for any purposes. The main purpose of public hearing is to allow citizens the chance to voice opinions and suggestions *inter alia* on a proposed legislation. This can be done by

issuing notifications through newspapers and inviting suggestions and opinions from the citizens. If this is done, it will amount to sufficient compliance of the term "public hearing".

In our opinion a public hearing is required only when a specific statute requires one to be conducted, but it is always open to the Government to hold public hearings in other instances. In the process of law making, which are governed by a separate set of rule, the theory of public hearing as stipulated under the Environment Protection Laws cannot be incorporated into the rules of procedure of Lok Sabha, which are already codified. This Court has no jurisdiction to legislate or amend or vary the Rules of Procedure. The test which is normally required to be fulfilled in administrative or executive action is that the action should be free from arbitrariness and without discrimination, thereby, it does not violate Article 14 or 21 of the Constitution of India. Though, the tests evolved to examine executive or administrative action cannot be made applicable to legislative process, it remains to be seen in the instant case, the Standing Committee of the Rajya Sabha, based on a reference, has issued a public notice calling for objections. The notification further permits such persons submitting their memoranda could indicate that they should be given an opportunity of hearing to place material before the Standing Committee. Therefore, the opportunity provided for persons interested for submitting their objections, satisfies the test of fairness. The petitioner cannot import the theory of public hearing stipulated under a statute such as Environment laws in the matter of law making. It is not as if that the Bill which has now been drafted and on which objections/views have been called for, is to be declared a law on the expiry of the time limit in the notification. As seen above, there are various stages before which the Bill becomes an Act and therefore, in our view the opportunity afforded in the notification to submit memoranda containing objections/views with a right to seek for oral enquiry is an effective opportunity to enable the persons, who desire availing of such opportunity to submit their views. There is nothing unreasonable or arbitrary in the procedure adopted by the Standing Committee with regulated as per the Rule framed under Article 118 of the Constitution. As already noted, the petitioner herein has not sought for an opportunity to appear before the committee in person. One other ground, which has been raised in the writ petition, is that there is no appellate forum provided against the award of the Claims Commission. The Supreme Court in *M/s.Babubhai & Co and others v. State of Gujarat and others* AIR 1985 SC 613 has held that mere absence of corrective machinery by way of appeal or revision by itself would not make the power under the statute unreasonable or arbitrary, much less would render the provision invalid.

For the above reasons, we do not find any sufficient grounds to grant the prayer sought for in the writ petition as it would amount to enacting a separate set of rules of procedure, which this Court is not entitled to do. In the result, the writ petition fails and it is dismissed. However, there shall be no order as to costs.

LW(S) 55.10.2010

M. VELU v. STATE OF TAMIL NADU & ORS [MAD]

In Re: Writ Petition No.50425 Of 2006

Elipe Dharma Rao & K. K. Sasidharan, JJ. [Decided on 19.03.2010]

Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 – Section 3(2) – Acquisition of agricultural lands for industrial purpose – environment impact – environment study not made – Whether acquisition to be allowed – High court issues directions

Brief facts: The Village of Vallakottai in Kancheepuram District was gifted with several lakes and ponds which are well connected with feeding canals from the punjai lands situated on the western side of the lands which lie as a perfect slope to collect rain water. Feeding canals are up to 50 feet wide as per the revenue records itself. On the eastern side of these lakes and ponds, nanjai lands are situated, which are being cultivated by the residents of Vallakottai and

Vallamkandigai Villages within the Vallam Revenue Village. The lakes serve a dual function, that of an invaluable source of water for the domestic and agricultural requirements of the villages of Vallakottai and Vallamkandigai, where more than 500 families reside. Most of them predominantly depend on agriculture and agricultural allied activities for their livelihood. There are four major feeding canals and several smaller ones, all of them naturally formed, leading to the lake carrying rain fed water and these canals cater to the irrigation requirements of the agriculturists. Water from Andheri flows into the tank of the ancient Vallakottai Murugan temple, a much revered place of worship.

The petitioner seeks a writ of Mandamus forbearing the respondents from converting the use of lands covered by the above lakes from agricultural to industrial use and to protect the said lands covered by the lakes and ponds in the interest of general public.

Decision: Directions issued.

Reason: In the case on hand, the Government had decided to acquire 642.04.0 hectares of land by invoking the provisions of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997 and for alienation of 78.67.5 hectares of Government poramboke lands. Admittedly, no environment assessment study was made either before granting administrative sanction for acquisition or before issuing the notification under Section 3(2) of the Industrial Purposes Act. The enquiry proceedings in respect of the acquisition are now stated to be in progress. SIPCOT has also no objection in hearing the petitioner and the fifth respondent before issuing the notification under Section 3(1) of the Industrial Purposes Act.

Therefore keeping in view the direction given by the Supreme Court in the Karnataka Industrial Areas Development Board case, (cited supra) we are inclined to issue the following directions:-

The petitioner is granted liberty to make a comprehensive representation within fifteen days from the date of receipt of a copy of this order before the statutory authority constituted to hear objections relating to the land acquisition in question in pursuance to the notice issued under Section 3(2) of the Tamil Nadu Acquisition of Land for Industrial Purposes Act, 1997. Similar liberty is granted to the fifth respondent also.

The statutory authority exercising powers under the Industrial Purposes Act, simultaneous with the process of hearing the objections from the land owners, petitioner, fifth respondent and other interested persons should approach the State Level Environmental Impact Assessment Authority for prior environmental clearance before proceeding further in the matter of issuance of notice under Section 3(1) of the Act.

In case the State Environmental Impact Assessment Authority gives clearance for the project in question, it would be open to the Government to proceed further with the acquisition of property.

As undertaken by SIPCOT in their counter affidavit dated 6 February, 2007, appropriate provisions should be incorporated in the Lease Agreements mandating preservation of ecology and to maintain the ponds and other natural streams by the concerned industrial units.

LW(S) 56.10.2010

M. NIZAMUDEEN v. M/S. CHEMPLAST SANMAR LIMITED & ORS, [2010 (3) SCJ 382]

R. M. Lodha & Dr.B.S. Chauhan, JJ. [Decided on 10.03.2010]

Constitution of India – Article 32; Water (Prevention and Control of Pollution) Act, 1974; Air (Prevention and Control of Pollution) Act, 1981; Environment (Protection) Act, 1986 – Authorities approved the proposal to establish PVC project – Environment and other clearances obtained – Import and use of hazardous chemicals – environment and other clearances accorded by the authorities – Executive Engineer first granted permission and then withdrawn it – whether tenable – Held, No.

Brief facts: M/s. Chemplast Sanmar Limited (for short, 'Chemplast') proposed to set up a project for manufacturing Poly-Vinyl Chloride (PVC) at Semmankuppam village, SIPCOT Industrial Complex, Phase-II, Cuddalore District (Tamil Nadu). An Environmental Impact Assessment Report (EIA) as well as Risk Analysis Report (RA) for the proposed PVC project was obtained by Chemplast and, then, they made proposal to the concerned authorities for setting up the said project. The feasibility of the project was considered by public hearing panel and was sent by the government of Tamil Nadu with its recommendations, after accepting the conditional consent issued by Tamil Nadu Pollution Control Board (for short 'TNPCB'), to the Ministry of Environment and Forests, Government of India (for short, 'MOEF'). The MOEF examined the proposal submitted by the Chemplast and accorded environmental clearance to the project proposed by Chemplast on November 28, 2005 subject to strict compliance to the specific and general conditions laid down therein.

One of the raw-materials for manufacturing PVC is Vinyl Chloride Monomer (VCM). VCM is not available indigenously and Chemplast planned to import the said raw- material for their plant use from international suppliers. Chemplast in their proposal also proposed to install a Marine Terminal Facility (for short, 'MTF') near the seashore at Chitrapettai Village for receiving and transferring VCM from the ships to the PVC plant through underground pipeline.

The District Coastal Zone Management Committee considered the proposal of Chemplast for setting up of MTF including the conveyance mains and resolved to recommend to the Tamil Nadu State Coastal Zone Management Authority (TNSCZMA). Pursuant thereto, the Director, Department of Environment, Government of Tamil Nadu considered the resolution of the TNSCZMA and forwarded the proposal to the state government. The government of Tamil Nadu informed the National Coastal Zone Management Authority its acceptance of the recommendation made by the TNSCZMA and recommended the proposal of Chemplast seeking environmental clearance for setting up of MTF.

Chemplast submitted further application to the MOEF on November 14, 2005, The MOEF granted environmental clearance on December 19, 2005 under the provisions of Coastal Regulation Zone Notification, 1991 (for short, '1991 Notification') as amended from time to time for construction of revetment for setting up of MTF on the specific and general conditions set out therein including all the conditions stipulated by the government of Tamil Nadu in the letter dated November 9, 2005 and recommendations of the TNSCZMA.

The TNPCB in light of the environmental clearance dated December 19, 2005 granted by the MOEF accorded its consent on September 14, 2006 for the PVC plant as well as MTF and pipeline project of the Chemplast.

Chemplast made an application to the Executive Engineer, PWD, Vellar Basin Division, WRO, Vridhachalam (for short, 'Executive Engineer') seeking permission for carrying seawater and raw-materials through pipelines laid 3.50 meter below the river bed. The Executive Engineer granted permission on February 27, 2008 subject to the conditions set out therein. In less than a month on March 19, 2008, the Executive Engineer, cancelled the aforesaid permission observing that VCM may cause pollution and health hazard to the public.

The order cancelling permission was challenged by Chemplast by filing writ petition before the High Court of Judicature at Madras, which allowed writ petition. It was then that the appellant-M. Nizamudeen-filed PIL before the Madras High Court praying therein that the permission order passed by the Executive Engineer on February 27, 2008 be quashed and Chemplast be directed to forebear from laying of pipelines for drawing VCM raw-material from jetty to their plant in Semmankuppam village. The High Court, vide its Judgment dated October 31, 2008, dismissed the writ petition which is subject matter of challenge in the civil appeal.

It appears that after Petition for Special Leave to Appeal challenging the judgment of Madras High Court came to be filed by M. Nizamudeen before this Court that a writ petition under Article 32 of the Constitution has been preferred directly before this Court by A.

Bhunanenthiran praying therein that the permission granted by the MOEF on December 19, 2005 be quashed and a Writ of Mandamus be issued to the MOEF, TNSCZMA and TNPCB to ensure that no prohibited activity, viz., handling of any hazardous chemical through pipelines or otherwise takes place in CRZ areas on both sides of Uppanar river.

Decision: Petition as well as the Appeal were dismissed.

Reason: We heard learned senior counsel and counsel for the parties at considerable length.

In view of the contentions advanced by the senior counsel and counsel for the parties, the first question which we have to look to is, whether Uppanar river and its banks at the point where pipelines pass, fall in the CRZ III area. If the answer to this is in the affirmative, obviously, the pipelines crossing underneath Uppanar river would require environmental clearance. The other main question we have to consider in connection with these matters is, whether paragraph 2(ii) of 1991 Notification restricts transfer of VCM (hazardous substance) beyond port area to the PVC plant through pipelines. Other considerations would depend on answer to these two core issues.

Paragraph 3(3)(i) of 1991 Notification requires the Coastal States and UT Administrations to prepare Coastal Zone Management Plans for identification and classification of the CRZ areas within their respective territories in accordance with the guidelines given in Annexures I and II of the Notification. It further mandates Coastal States and UT Administrations to obtain approval of such plans from the Central Government. As a matter of fact, the said provision provided a period of one year for preparation of such plans from the date of the Notification, but the Coastal States and UT Administrations remained dormant for many years in this regard. However, consequent upon directions of this Court, the State of Tamil Nadu submitted its Coastal Zone Management Plan to the MOEF on August 23, 1996 which was approved on September 27, 1996 (1996 Plan) containing 31 sheets corresponding to maps for different stretches of the coastline of the State of Tamil Nadu with certain conditions/modifications/ classifications. Sheet no.10 pertains to the coastal stretch of Cuddalore District. The MOEF, based on sheet no. 10 (1996 Plan) have stated in their affidavit that the land portion of the banks of Uppanar river adjacent to the plant in Thiyagavalli village where the pipeline crosses Uppanar river does not come under the CRZ area. This position is reiterated by the TNSCZMA in their affidavit filed before this Court:

We were also shown a copy of sheet no.10 from which it did not transpire that Uppanar river and its banks where the pipelines pass have tidal influence and come under the CRZ area. That 1996 Plan does not reflect the area on both sides of the Uppanar river through which the pipelines pass as CRZ area is not in dispute.

By 1998 amendment, it has been provided in 1991 Notification that HTL shall be demarcated uniformly in all parts of the country by the demarcating authority or authorities so authorized by the Central Government in accordance with the general guidelines issued in this regard. By further amendment on May 21, 2002, sub-paragraph (ii) was inserted in the first para of 1991 Notification providing therein that the distance from the HTL shall apply to both sides in the case of rivers, creeks and backwaters. The said amendment provides that the distance up to which development along rivers, creeks and backwaters is to be regulated shall be governed by the distance up to which the tidal effects are experienced which shall be determined based on salinity concentration of 5 ppt. It further provides that salinity measurements shall be made during the driest period of the year and distance up to which tidal effects are experienced shall be clearly identified and demarcated in the Coastal Zone Management Plans. It is perfectly true that at the time of preparation and approval of 1996 Plan, the amendments of December 29, 1998 and May 21, 2002 in 1991 Notification had not seen the light of the day and the declaration made in first para that the coastal stretches of seas, bays, estuaries, creeks, rivers and backwaters which are influenced by tidal action (in the landward side) up to 500 meters from the HTL and the land between the LTL and the HTL are CRZ was kept in view but in the

absence of any modification carried out thereafter, 1996 Plan remains operative. The authorities authorized to demarcate HTL, we are afraid, cannot override the plan prepared and approved under paragraph 3(3) (i) as the said paragraph leaves no manner of doubt that Coastal Zone Management Plan prepared by the Coastal State (or for that matter State Coastal Zone Management Authority) and duly approved by the MOEF is the relevant plan for identification and classification of CRZ areas. The plan prepared by NIO, thus, cannot be said to have superseded 1996 Plan for the Cuddalore coastal stretch.

More so, while giving approval on September 27, 1996 to 1996 Plan, the MOEF appended, *inter alia*, a condition that government of Tamil Nadu would not make any change in the approved categorization of CRZ area without its prior approval. Seen thus, 1996 Plan for the purposes of demarcation and classification of CRZ area in the state of Tamil Nadu has to be treated as final and conclusive and has been rightly treated as such by the MOEF. We hold, as it must be, that the Uppanar river and its banks at the relevant place where the pipelines laid by the Chemplast pass do not fall under CRZ III area as per 1996 Plan and no environmental clearance is needed for such pipelines. The stand of the MOEF is, which seems to us to be correct, that they have granted permission to the onshore pipelines insofar as these pass through the CRZ abutting the sea, i.e. 500 meters from the HTL and no clearance has been granted as it was not required for laying of pipelines under the Uppanar river.

Now, we advert to the other main issue concerning paragraph 2(ii) of 1991 Notification. This paragraph prohibits manufacture or handling or storage or disposal of hazardous substances, as specified in the Notifications issued by MOEF (dated 28th July, 1989, 27th November, 1989 and 5th December, 1989), except transfer of hazardous substances from ships to ports, terminals and refineries and vice-versa, in the port areas. That VCM is hazardous substance notified vide notification dated November 27, 1989 is not in dispute. There is also no dispute, rather it is an admitted position, that handling of a substance includes transfer as per Section 2(d) of the Environment (Protection) Act, 1986. It was contended that transfer of VCM in CRZ area is completely prohibited and VCM cannot be carried through the CRZ except in the port area. Their argument is that VCM can be brought onshore by pipeline to the port area but not in the CRZ area. The arguments of learned senior counsel have put in issue the scope of expression, "except transfer of hazardous substances from ships to ports, terminals and refineries and vice versa in the port areas" which was added in paragraph 2(ii) on 9th July, 1997. We are called upon to ascertain the true meaning and intention of the Executive in bringing this exception. In the original 1991 Notification there was no exception clause. It appears to have been added for the purpose of enabling transfer of hazardous substances from ships to ports, ships to terminals and ships to refineries and vice versa. Is such transfer of hazardous substances confined to terminals and refineries located in the port areas? The answer in the affirmative may make the said provision unworkable and would also result in absurdity inasmuch as the hazardous substance would be brought in to the port, refinery or terminal in the port area from the ship and would remain there and could not be taken beyond the port area because of the prohibition. This surely could not have been the intention of the Executive in adding the exception clause. It is well settled that if exception has been added to remedy the mischief or defect, it should be so construed that remedies the mischief and not in a manner which frustrates the very purpose. Purposive construction has often been employed to avoid a lacuna and to suppress the mischief and advance the remedy. It is again a settled rule that if the language used is capable of bearing more than one construction and if construction is employed that results in absurdity or anomaly, such construction has to be rejected and preference should be given to such a construction that brings it into harmony with its purpose and avoids absurdity or anomaly as it may always be presumed that while employing a particular language in the provision absurdity or anomaly was never intended. Notwithstanding imperfection of expression and that exception clause is not happily worded, we are of the view that by applying purposive construction,

the expression, 'in the port areas' should be read as, 'in or through the port areas'. The exception in paragraph 2 (ii) then would achieve its objective and read, 'except transfer of hazardous substances from ships to ports, ships to terminals and ships to refineries and vice versa, in or through the port areas'. This construction will be harmonious with paragraph 3(2) (ii) which permits the activity of laying pipelines in the CRZ area. As a matter of fact, the MOEF in their affidavit before this Court have clearly stated that the permission granted to Chemplast on 19th December, 2005 is in exercise of the powers conferred under paragraph 3(2)(ii) of 1991 Notification. We do not find any infirmity in the permission granted by the MOEF on 19th December, 2005. Having held that, there is no illegality in the permission granted by the Executive Engineer on February 27, 2008 either.

By way of footnote, we may observe that the project has been established by investing huge amount of about Rs. 600 crores and has already been commissioned after obtaining necessary approvals and, therefore, it shall not be in the interest of justice nor in the public interest now to interfere with the project.

LW(S) 57.10.2010

VELLORE DISTRICT ENVIRONMENT MONITORING COMMITTEE v. THE DISTRICT COLLECTOR, VELLORE & ORS [MAD]

In Re: Writ Petitions No.8335 of 2008 and 19017 of 2009 W.P.No.8335 of 2008

Elipe Dharmarao & N.Paul Vasanthakumar, JJ. [Decided on 28.01.2010]

Environment (Protection) Act–Section 3(3) – Contempt of Courts Act – Allegation of non implementation of SC directions – Whether the authorities failed to implement the directions – Held, No.

Brief facts: Aggrieved at the manner in which the tanneries in the state of Tamil Nadu are posing threat to the ecosystem and alleging that enormous discharge of untreated effluents into the river Palar resulting in non-availability of potable water in the area, a Public Interest Litigation was filed before the Supreme Court in W.P.(C) No.914 of 1991 by Vellore Citizens Welfare Forum, praying to issue a Writ of Mandamus, directing the respondents therein viz. Union of India and the State of Tamil Nadu, to immediately pay adequate compensation to victims of pollution and to those who lost their lives, food crops, vegetation, trees, agricultural land, wells and suffered severe hardship due to irresponsible and negligent act of polluting tanneries, the amount to be paid in compensation to the affected people be recovered from the polluting tanneries and the Apex Court in its landmark judgment in *Vellore Citizens Welfare Forum v. Union of India and Others* [AIR 1996 SC 2715], dated 28.8.1996, in Para No.24, has issued directions:

Complaining that no scheme has been implemented till today for reversal of the damage caused to the ecology and environment and no compensation has been paid for the period from 31.12.1998 till date, the Vellore District Environment Monitoring Committee has filed a probono publico in W.P.No.8335 of 2008, praying to issue a Writ of Mandamus, directing the respondents to ensure that the compensation payable to all affected individuals/families as contained in the report in Award dated 7.3.2001 of the Loss of Ecology (Prevention and Payment of Compensation) Authority for the State of Tamil Nadu is paid and all industries in default being subject orders of closure and initiative proceedings under the Revenue Recovery Act, 1890 for recovery of compensation and that compensation be assessed for the further loss to individual/families from 31.12.1998 till date and implementation of appropriate scheme for reversal of damage to ecology and infrastructure be effected within a reasonable time frame and to ensure that there are no discharges from any tanneries in and around Ambur and Vaniyambadi land/water body.

Decision: Petition dismissed.

Reason: On a thorough perusal of the entire materials placed on record, we are able to see that even the third respondent/Authority

in its order dated 5.5.2009, impugned in W.P.No.19017 of 2009, at page No.8, while referring to the contention of the AISHTMA (the petitioner in W.P.No.19017 of 2009) that they have put up individual effluent treatment plants and common effluent treatment plants and spent crores of rupees to employ pollution control measures at the suggestion of NEERI and CLRI, has admitted that the industries have taken some pollution control measures, but, however, the standard upper limit of pollution in the treated effluent of 2100mg/l of TDS content has not been kept up and the same is the level of pollution in wells and other irrigating sources in the areas. But, the strong contention of the AISHTMA that the Scheme framed by the Authority to control the pollution and to reverse the damage ecology has not been implemented, though the industries have contributed a portion of the amount as per the Award, has not been denied by anybody. It is also seen from the materials placed on record that the Scheme for reversal of damage to the ecology was framed by the Loss of Ecology (Prevention and Payment of Compensation) Authority in the year 2001 and there is complete slackness on the part of the Government in implementing the said Scheme, even though the industry had deposited a sum of Rs.5 crores towards the contribution for reversal of ecology under the name of 'Environment Protection Fund', which was created pursuant to the directions of the Supreme Court in the Vellore Citizens' case.

The judgment of the Supreme Court in Vellore Citizens' case is quite clear and at Para No.24(3) of the said judgment, the Apex Court has fastened the liability to disburse the compensation amount awarded by the Authority to the affected persons/families on the District Collector/District Magistrate, once the compensation amount is paid by the polluters. Though as per Para No.24 (4) of the said judgment, the Authority is entitled to direct the closure of the industry owned/managed by a polluter in case he evades or refuses to pay the compensation awarded against him, the same has no application to the cases on hand, since, as has already been observed by us *supra*, the polluters have complied with the directions of the Supreme Court by paying the compensation amount and the same is lying as 'Environment Protection Fund'. Even though the said Fund is lying with the State Government and even after the passing of the Award by the Authority as early as in the year 2001, the compensation amounts have not been disbursed to the affected persons by the District Collector, for which we cannot find fault with AISHTMA.

In this uncontroverted factual backdrop, if we assess the case in W.P. No. 8335 of 2008 filed as probono publico, except repeatedly urging that many number of affected persons have not received the compensation amount yet, the petitioner has not taken any pains or interest to gather the details of those, who have received either only a part of the compensation amount or not at all received any compensation amount. Under the guise of the probono publico, the learned counsel appearing for the petitioner in W.P.No.8335 of 2008 has attempted to claim immunity, as if no details or particulars are necessary while filing a probono publico, which cannot be appreciated since it is the well established principle of law that the petitioner has to fall or stand on his own legs and cannot attempt to substantiate his case from the case of the other side. This W.P.No.8335 of 2008 has been filed by the petitioner under the garb of probono publico with no particulars or details necessary to decide matter. Mere allegation, however strong it may be, without any material to substantiate the same, cannot take the place of proof. Thus, this probono publico has been filed with no appreciable grounds, but only to waste the public time of not only this Court, but also that of the official respondents, which practice should not be encouraged.

Further more, from the materials placed on record, we are also able to see that Reverse Osmosis plants have been established in most of the Units and in rest of the Units steps are being taken to establish them under the supervision of the State Pollution Control Board, and therefore, we are not in a position to affix our seal of approval to the

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contention of the petitioner in W.P.No.8335 of 2009 that no step has been taken on the part of the Units to prevent pollution.

LW(S) 58.10.2010

DR. K. THIRUTHANIKACHALAM v. UNION OF INDIA & ANRMAD]

In re: W.P.No.2442 of 2010 and M.P.No.1 of 2010

H. L. Gokhale, CJ & K.K.Sasidharan, J. [Decided on 10.02.2010]

Environment (Protection) Act, 1986 – Genetically modified vegetables–Commercialization of Bt-Brinjal–Challenge under writ-whether maintainable -Held, No.

Brief facts: The petitioner is a Journalist, who is running a magazine in Tamil. He has filed this petition for declaring that the approval granted by the second respondent Genetic Engineering Approval Committee, dated 14th October 2009 regarding the release of Bt-Brinjal in India, is null and void.

Decision: Petitioner directed to appeal to the appellate authority.

Reason: The Additional Solicitor General has tendered to us the statement showing the 'Decision on Commercialization of Bt-Brinjal', dated 09th February 2010, issued by the Ministry of Environment and Forests under the signature of the Minister of State of the concerned Ministry. In paragraph 26 of this statement, it is stated as follows:-

"26. Based on all the information presented in the preceding paragraphs and when there is no clear consensus within the scientific community itself, when there is so much opposition from the state governments, when responsible civil society organizations and eminent scientists have raised many serious questions that have not been answered satisfactorily, when the public sentiment is negative and when Bt-brinjal will be the very first genetically-modified vegetable to be introduced anywhere in the world and when there is no over-riding urgency to introduce it here,

It is my duty to adopt a cautious, precautionary principle-based approach and impose a moratorium on the release of Bt-brinjal, till such time independent scientific studies establish, to the satisfaction of both the public and professionals, the safety of the product from the point of view of its long-term impact on human health and environment, including the rich genetic wealth existing in brinjal in our country.

A moratorium implies rejection of this particular case of release for the time being; it does not, in any way, mean conditional acceptance. This should be clearly understood."

It is further stated in paragraph 30 of the said statement that the Government is desirous of engaging and interacting with all those scientists, institutions and civil society groups, who have submitted written representations to the Minister. The learned Additional Solicitor General states that the petitioner is also at liberty to make whatever representation he wants to make to the Ministry concerned.

The relevant Rules, viz., The Manufacture, Use, Import, Export and Storage of Hazardous Micro-organisms and Genetically Engineered Organisms or Cells Rules, 1989, framed under the Environment (Protection) Act, 1986, were brought to our notice. It was submitted that against the decision of this Genetic Engineering Approval Committee, an appeal is available to the petitioner under Rule 19 of the said Rules before the Appellate Authority. The learned Additional Solicitor General has placed before us the name of the officer, viz., Shri Viswanath Anand, IAS (Retired), a Retired Environment and Forests Secretary, who was appointed as the Appellate Authority on 24th July 2002. The petitioner is at liberty to file an appeal to the said Appellate Authority against the decision of the Committee, in case he is so interested.

The writ petition stands disposed of accordingly.

STUDENT SERVICES

REGISTRATION AND POSTAL TUITION

1. Cancellation of Registration

Registration of students registered upto and including **November, 2005** stands terminated on expiry of five-year period on **31st October, 2010** leading to the following immediate consequences :

- Supply of 'Student Company Secretary' bulletin will be discontinued from October, 2010 onwards.
- 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, 2010 are, however, eligible to appear in December, 2010 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 Professional Programme on payment of Rs. 7500/- towards postal tuition fee as per criteria given below:

- Students registered for the Professional Programme between 01st JUNE 2010 to 31st AUGUST 2010 are eligible to appear in all the modules of the Professional Programme Examination to be held in **JUNE 2011** and those registered between 01st DECEMBER 2010 to 28th FEBRUARY 2011 are eligible to appear in all the modules of the Professional Programme Examination to be held in **DECEMBER 2011** subject to satisfactory completion of compulsory coaching.
- However, students registered for the Professional Programme between 01st MARCH 2011 to 31st MAY 2011 are eligible to appear in any two module (s) of the Professional Programme Examination to be held in **DECEMBER 2011** and those registered between 01st SEPTEMBER 2010 to 30th NOVEMBER 2010 are eligible to appear in any two module (s) of the Professional Programme Examination to be held in **JUNE 2011** subject to satisfactory completion of compulsory coaching.

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

- 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.
- 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.
- The paperwise exemption once granted holds good during the validity of registration period or passing/completing the examination, whichever is earlier.
- 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.
- 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.
- Exemption once cancelled on request in writing shall not be granted again under any circumstances.
- The candidates who have passed either group of the Intermediate/Final examination under the old syllabus, may

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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 candidates 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. Student Induction Programme (SIP)

Every candidate registered for the Executive Programme w.e.f. 01.09.2009 are required to undergo seven days Student Induction Programme (SIP) within 6 months of registration.

9. Compulsory Computer Training

In terms of Company Secretaries Regulation, 1982 (as amended) all student are required to successfully undergo compulsory Computer Training Programme for becoming eligible to seek enrolment to appear in CS Executive Programme examinations.

The Institute, in compliance of the above said requirements, has tie up with M/s APTECH Limited on providing Computer Training to the Students of the Institute at subsidized rates; through which 70 hours of computer training shall be provided to the students/members of the institute in all centre of APTECH all over the country. To undergo this course, a student/member has to approach any APTECH centre recognized for ICSI-APTECH course, a student/member has to deposit the requisite fees and fulfill the formalities as per the requirements of M/s APTECH.

The list of APTECH centers including detailed course contents, module details and topic-wise time duration etc. can be had through the option Students – ICSI APTECH Course on the Institutes website i.e. www.icsi.edu/www.icsi.in

10. Exemption from Computer Training

A student shall be exempted from undergoing the course on the basis of he/she fulfill the following criteria:

1. He/She has the requisite knowledge of the areas/topics covered in the computer training and
2. He/She enroll himself/ herself for an online exemption test (to be conducted by APTECH) at any of the APTECH Center on all India basis and successfully clears the test.

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.

ATTENTION STUDENTS !
DISCONTINUATION
OF ISSUE OF PASS CERTIFICATES
TO FOUNDATION/EXECUTIVE
PROGRAMME PASS STUDENTS

In accordance with the decision taken by the Council of the Institute recently, it is brought to the notice of the student community that henceforth (i.e. from June, 2010 Examination Session onwards), Pass Certificates will be issued only to such students who pass Final Course/Professional Programme. However, Mark Sheets will continue to be issued to students of all stages viz. Foundation, Executive and Professional Programmes as per existing practice.

EXAMINATION

1. DECEMBER, 2010 EXAMINATION

The next examinations of the Institute for Foundation Programme; Executive Programme; and Professional Programme (New Syllabus) **and** Final examination (Old Syllabus) are to be concurrently held from Sunday, the 26th December, 2010 to Monday, the 3rd January, 2011 at 70 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), 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. *Thrissur*, 63. Tiruchirapalli, 64. Udaipur, 65. Vadodra, 66. Varanasi, 67. Vijayawada, 68. Visakhapatnam, 69. Yamuna Nagar (Haryana) and 70 **Overseas Centre — Dubai** as per the Time-Table and Programme published on the last inside cover page of this issue.

NOTE:

1. ***Thrissur Centre 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. 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.

3. HINDI AS AN OPTIONAL MEDIUM FOR WRITING THE FOUNDATION PROGRAMME, EXECUTIVE PROGRAMME AND PROFESSIONAL PROGRAMME EXAMINATIONS UNDER NEW SYLLABUS AND FINAL COURSE EXAMINATION UNDER OLD SYLLABUS

Candidates are allowed to use Hindi as an optional medium for writing all papers of the Foundation Programme (**except the 'English & Business Communication' paper**), Executive Programme, Professional Programme (New Syllabus) **and** Final Course (Old 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 module/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 one medium and the remaining part in other medium are liable to be cancelled without any notice;

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- (iv) candidates who have exercised option of Hindi Medium in their examination enrolment form for writing Foundation Programme and Module-I of Executive Programme Examinations will be provided Question Papers printed both in English and Hindi versions (**except for 'English & Business Communication' paper of Foundation Programme, which will be printed/required to be answered in English only**). The Question Papers for Module-II of Executive Programme, all papers of Professional Programme and Final Course 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.

4. 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 Principal 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 of disability (permanent or temporary) and percentage of disability, and its duration affecting his/her writing ability or speed; and
- (ii) Letter of Permission issued to him/her by Sr. Secondary Board/University and/or any other professional/educational examining body, such as – UPSC, SSC, State Public Service Commission, ICAI, ICWAI, etc., granting him/her such assistance for appearing or writing the examinations.

5. HELP DESK FACILITY FOR STUDENTS' GENERAL QUERIES

Candidates should note that for queries/status relating to: (i) Admission/Registration to CS Course; (ii) Registration/Examination Forms and Fees; (iii) Grant/Cancellation of Subject-wise exemption(s); (iv) Non-receipt of Study Material and Roll No. (Admit Card); (v) Change of Examination Centre/Medium/Module/Group of Examinations; (vi) Financial Assistance under 'ICSI Student Education Fund Trust'; (vii) Coaching Completion Certificate/Response Sheets evaluation; (viii) Computer Training Certificate; and (ix) Non-receipt of Pass Certificates, etc., they should contact the concerned Helpdesk/Telephone No./Extn.No. as per details published else-where in this issue.

ATTENTION : NIRC LIBRARY MEMBERS

All NIRC library members who were having their valid membership during the period from 01-04-2007 to 31-03-2008 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 requests should reach the Executive Officer (NIRC) on or before 15-03-2011. All deposits on account of Library Security will be forfeited and no request for refund will be considered/entertained after the stipulated date.

IMPORTANT INSTRUCTIONS TO EXAMINEES

Candidates enrolled for appearing in December, 2010 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 important instructions:

- (i) **on receipt of Admission Certificate (Roll No.), first of all, the candidates must verify carefully the entries appearing therein. Discrepancy or error, if any, in the Admission Certificate concerning spellings of his/her name; examination stage and module/group of examination; examination centre; medium of writing the answers, subject(s) of examination in which exemption was sought/and has been granted, etc., should, at once, be brought to the notice of the Director (Students Services), ICSI, C-37, Institutional Area, Sector 62, NOIDA – 201 309 [e-mail id: rahul.adhikari@icsi.edu (Tel. No.(s) 0120-4522085/4522087/4522014)] for corrective action before commencement of the examination;**
- (ii) candidates are required to bring daily to the Examination Hall their Admission Certificate and Student Identity Card failing which they would 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 No. on the special colour slip affixed on the top of main Answer Book Nos. 1, 1-B and 1-C, as the case may be, and date of examination, stage of examination, name of the subject, etc., against the relevant columns on the first page of the main answer book and also on the top of Question Paper. On receipt of Question Paper candidate must verify its correctness and completeness and also write his/her Roll Number on top of the Question Paper at the specified space provided on the front page.
- (iv) candidates are forbidden to write their name, Roll No., or any other distinctive mark inside/on any part of the answer books which may lead to disclosure of personal identity of candidate and the same shall tantamount to resorting to "Unfair Means" and may entail stern disciplinary action;
- (v) candidates must 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 subsequent questions answered shall be ignored;
- (vi) Questions requiring preparation of diagram/graph or making précis should be attempted only on Graph/Précis sheets appended as last page to the Answer Book wherever required. Candidates should not write their name, roll number, etc., on the Graph/Précis Sheets and additional Answer Book No.2;
- (vii) each question should start on a fresh page and all sub-questions related to that questions must be attempted consecutively;
- (viii) while attempting a fresh question/sub-question, candidates should distinctly mention respective question number/sub-question number against the answer in bold capital letters and underline the same, [(e.g. **ANS. TO Q. NO. 3(a) or 3(a) (i), as the case be**] **on the left-hand side** margin of the answer book. **Simultaneously candidates must put a cross mark (X) in the table provided on the cover page of the main answer book against the respective question number, as demonstrated below :**

Student Services

QN No.	Question Answered (To be marked (X) By the Examinee)	Marks Awarded (TO BE FILLED IN BY THE EXAMINER)								Total
		(a) (i)	(b) (ii)	(c) (iii)	(d) (iv)	(e) (v)	(f) (vi)	(g) (vii)	(h) (viii)	
1.	X									
2.	X									
3.										
4.	X									
5.	X									
6.										
7.	X									
8.	X									
Total Marks Awarded:										

- (ix) 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 of answer book(s). If a candidate uses additional answer book, he/she should, indicate on the cover page of main answer book, the total number of answer books used by him/her. Candidates are forbidden to write invocation to God, appeal to examiner, or any other irrelevant matter in the answer books.
- (x) candidates are expected to write 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. Illegible and bad hand-writing will be penalised;
- (xi) 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;
- (xii) 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.
- (xiii) candidates are strictly forbidden to carry with them into the Examination Hall any book or printed/handwritten material, notes, pager, mobile phone, any other electronic/communication device/gadgets, OR to talk or converse *inter se* with other candidates in the Examination Hall;
- (xiv) any candidate found in possession of any banned item(s) inside the Examination Centre will be deemed to have willfully infringed the "Instructions to Examinees" amounting to misconduct
- (xv) candidates are strictly warned against any attempt to copy from the answer book of any other candidate. They shall neither 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 maintain proper decorum in the Examination Hall and to ensure that his/her answers are not copied by any other candidates. Failure to do so will invite stern disciplinary action and penalty for adoption of unfair means;
- (xvi) no candidate shall, leave his/her seat in the examination hall during the course of examination for any reason whatsoever without the specific permission of the Invigilator on duty;
- (xvii) on completion of examination or expiry of the prescribed examination timings, the answer book(s) must be immediately handed over 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.

- (xviii) 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 shall not be entertained after the conclusion of that particular session of examination;
- (xix) candidates are warned that any attempt to misbehave in any manner or create disorderly scene in and around the examination hall or to harass or bodily harm the staff deployed for the conduct of examination shall be viewed seriously and severely punished; and
- (xx) any attempt or act of violation of "Instructions to Examinees" shall be viewed seriously and entail disciplinary action under the "Company Secretaries Regulations, 1982" apart from other action under the law. Candidate's eligibility to appear in any paper(s) and/or examinations and/or exemption therefrom shall be subject to the provisions of the Company Secretaries Regulations, 1982, as in force.

NOTIFICATION

NO.ICSI/CS/06/2010

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, 2010** for award of 25 numbers of financial assistance each for pursuing Executive Programme and 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 Programme or Both Modules of the Executive Programme examination without exemption in any paper, at one sitting, in the first attempt in June, 2010 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 gross 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/Webmodules/Student/MCM_APPL_FORM.doc 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, 2010** are liable to be rejected.

Exams : 2010
dated the 1st September 2010
File No. 207

BY ORDER OF THE COUNCIL
(N K JAIN)
SECRETARY & CEO

Student Services

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.**

ATTENTION STUDENTS APPEARING IN CS DECEMBER, 2010 EXAMS !

BAN ON CARRYING MOBILE PHONES INSIDE THE EXAMINATION CENTRE

According to announcements made in the 'Student Company Secretary' and 'CS Foundation Course' bulletins from time to time, and also instructions printed in the Admission Certificates (Roll Numbers) issued to candidates enrolled for appearing in Company Secretaries December, 2010 examinations, candidates are banned from carrying mobile phones, pagers, communication devices, books, printed or handwritten materials, costly items, etc., inside the Examination Centre premises.

Candidates are, therefore, warned and advised, in their own interest, not to carry any such banned items, i.e., mobile phones, pagers, communication devices, books, printed or handwritten materials, costly items, etc., to the Examination Centre premises. The Institute or Examination Centre authorities shall not in any way be responsible for arranging safe keeping and/or loss/damage of such items nor entertain any correspondence in this regard.

Any candidate found in possession of such banned items inside the Examination Centre will be deemed to have willfully infringed the "Instructions to Examinees", and it may entail stern disciplinary action including cancellation of examination under the provisions of the Company Secretaries Regulations, 1982. as in force.

ATTENTION STUDENTS

CS EXECUTIVE EXAMINATIONS AND COMPULSORY COMPUTER TRAINING PROGRAM REG:

The Institute frequently receives communications from the students seeking guidance on various matters, particularly as to how to qualify the requirements of compulsory computer training program.

In terms of Company Secretaries Regulations, 1982 (as amended) all students are required to successfully undergo a compulsory Computer Training Program for becoming eligible to seek enrolment to appear in CS Executive Program examinations.

The Institute, in compliance of the above said requirements, has tied up with M/s APTECH Limited on providing Computer Training to the students of the Institute at subsidized rates; through which 70 hours of computer training shall be provided to the students/ members of the Institute in all Centers of APTECH all over the country. To undergo this course, a student/member has to approach any APTECH center recognized for ICSI-APTECH Course on all India bases. To take admission, the student/member has to deposit the requisite fees and fulfill the formalities as per the requirements of M/s APTECH.

The list of APTECH Centers including detailed course contents, module details and topic-wise time duration etc. can be had through the options Students ICSI Aptech Course on the Institute's website i.e. www.icsi.edu

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. [All payment will be On-line or by Credit/Debit Card or by Demand Draft (Nationalized bank and large private banks only)].

Service Tax and bank charges as per the GOI rules as Applicable from time to time shall be payable by **The student. Present rate of Service Tax @10.3%.**

A student can be exempted from undergoing the course on the basis of his existing qualification/degree in the computer field subject to the conditions that he/she enrolls him/herself for an online exemption test (to be conducted by APTECH) at any of the recognized Aptech Center for ICSI-Aptech Course on all India bases and successfully clears the test. TWO attempts will be allowed for the student to clear the online exemption test within a period of 30 (thirty) days against the fees of Rs.450/-. *Service Tax and bank charges as per the GOI rules as applicable from time to time shall be payable by the student.* Present rate of Service Tax @ 10.3 %. Student has to appear for the online exemption test from the respective Aptech Testing Center, which will be allocated to him/her. All payments will be made online or credit/debit card or by demand draft.

Student Services

ATTENTION STUDENTS !!!

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

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
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 A.K. Srivastava, Deputy Director (Student Services) at E-Mail id : ashvini.srivastava@icsi.edu or at telephone nos. 0120-4522083.

Telephone Numbers of Directorate of Student Services

To facilitate the smooth communication of students with institute, contact details of various sections of Directorate of Student Services are given below:

SI No.	Nature of Query	Telephone Numbers	E-mail IDs
1	Registration Status of Foundation Program / Executive Program, Issue of study materials	(0120) 4522061	ms.bhagawan@icsi.edu (for Foundation Programme) anju.gupta@icsi.edu (for Executive Programme)
2	De-novo / Extension / Final Enrolment	(0120) 4522072	archana.goel@icsi.edu
3	Paperwise Exemption / Switchover to New Syllabus	(0120) 4522076	bs.chopra@icsi.edu
4	Non-receipt of Registration Letter / Identity Cards / Student Company Secretary Bulletin / CS Foundation Course Bulletin / E-Mail Id Registration/ Change of Address	(0120) 4522071	vk.ratra@icsi.edu
5	Coaching Completion Certificates / Suggested Answers and Response Sheet Status, Compulsory Computer Training	(0120) 4522075	durga.shankar@icsi.edu
6	Public Private Partnership Scheme	(0120) 4522083	ashvini.srivastava@icsi.edu
7	Coaching / suggested answers / oral tuition / examiners (DPTS)	(0120) 4522074	sp.singh@icsi.edu
8	Issue of Admission Certificates for Examinations	(0120) 4522085 (0120) 4522087	rahul.adhikari@icsi.edu
9	Duplicate pass certificate of Intermediate / Executive Program	(0120) 4522081	siyaram@icsi.edu
10	Duplicate pass certificate of Final / Professional	(0120) 4522082	rajesh.sharma@icsi.edu
11	Duplicate pass certificate of Foundation	(0120) 4522084	neelam.wadhwa@icsi.edu
12	Transcript / Verification of Qualifications (only for students)	(0120) 4522081/82	siyaram@icsi.edu (For Intermediate/ Executive Programme) rajesh.sharma@icsi.edu (For Final / Professional Programme)

In case of any difficulty, students may contact Shri Sohan Lal, Director (Student Services) at 0120-4522014 or Write to The Director (Student Services), The Institute of Company Secretaries of India, C-37, Sector-62, Noida-201309

Announcements of Classes

ANNOUNCEMENTS OF CLASSES

EASTERN INDIA REGIONAL COUNCIL

ORAL COACHING CLASSES FOR JUNE 2011 EXAMINATIONS

W.e.f. 1.11.2010, Eastern India Regional Council of the ICSI proposes to conduct its next batch of Oral Coaching Classes for June 2011 examinations of the Institute as per details given below:

Programme	Timings	Duration (Approx.)
Foundation Programme	2.30 PM to 5.30 P.M.	4 months
Executive Programme Module I	7.30 A.M. to 9.30 A.M. (Monday, Wednesday, Friday)	4 months
Executive Programme Module II	7.30 A.M. to 9.30 A.M. (Tuesday, Thursday, Saturday)	4 months

Venue: Eastern India Regional Office of the Institute of Company Secretaries of India, ICSI-EIRC Building, 3A, Ahiripukur 1st Lane, Kolkata-700019.

Fees: Foundation Programme: Rs.2,600/-. Executive Programme: Rs.2500/- per Module / Rs.4800 for both Modules.

For admission and other details contact Student Services at EIRO / Asst. Education Officer, EIRO of the ICSI, 3A, Ahiripukur 1st Lane, Kolkata 700 019. Telephone No. 033-22832973/22901065/22816541/22816542/22902178-79.

NORTHERN INDIA REGIONAL COUNCIL

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

ORAL COACHING CLASSES FOR FOUNDATION AND EXECUTIVE Modules-I & II* - June 2011 session

Oral Coaching Classes for Foundation and Executive Modules-I & II* are likely to commence from 26.10.2010 and 24.11.2010 respectively for June 2011 session.

Course Fee: Foundation Rs. 4000/- Executive Module-I (Inter Group- I) Rs. 4500/- and Executive Module-II (Inter Group- II*) Rs. 4000/-

Timings: 4.00 to 5.30 P.M. (Monday to Saturday)

Registration open on all working days between 9:00 A.M. and 5:00 P.M. Admission on First-Come-First-Served basis.

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

For further details, please contact: Mr. J. K. Chawla, Mother Teresa Institute of Management & Vocational Studies, C-Block, Preet Vihar, Delhi-110092. Phones: 22057200, 42420552, 42420553. Fax: 22509200
E-mail: mtim@vsnl.net

SOUTHERN INDIA REGIONAL COUNCIL

MODEL EXAMINATION FOR DECEMBER 2010 EXAMINATION

The SIRC of the ICSI is organizing model examination for December 2010 examinations for Foundation, Executive and Professional Programme from November 22, 2010 to November 29, 2010 at SIRC of the ICSI, No.9, Wheat Crofts Road,

Nungambakkam, Chennai. 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 15, 2010. 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
22.11.2010 Monday	English and Business Communication
23.11.2010 Tuesday	Economics and Statistics
24.11.2010 Wednesday	Financial Accounting
25.11.2010 Thursday	Elements of Business Laws and Management
DATE & DAY	EXECUTIVE PROGRAMME - MODULE-I
22.11.2010 Monday	General and Commercial Laws
23.11.2010 Tuesday	Company Accounts & Cost and Management Accounting
24.11.2010 Wednesday	Tax Laws
DATE & DAY	EXECUTIVE PROGRAMME - MODULE-II
25.11.2010 Thursday	Company Law
26.11.2010 Friday	Economic and Labour Laws
27.11.2010 Saturday	Securities Laws and Compliances
DATE & DAY	PROFESSIONAL PROGRAMME - MODULE-I
22.11.2010 Monday	Company Secretarial Practice
23.11.2010 Tuesday	Drafting, Appearances and Pleadings
DATE & DAY	PROFESSIONAL PROGRAMME - MODULE-II
24.11.2010 Wednesday	Financial, Treasury and Forex Management
25.11.2010 Thursday	Corporate Restructuring and Insolvency
DATE & DAY	PROFESSIONAL PROGRAMME - MODULE-III
26.11.2010 Friday	Strategic Management, Alliances and International Trade
27.11.2010 Saturday	Advanced Tax Laws and Practice
DATE & DAY	PROFESSIONAL PROGRAMME - MODULE-IV
28.11.2010 Sunday	Due Diligence and Corporate Compliance Management
29.11.2010 Monday	Governance, Business Ethics and Sustainability

Above model examination will be conducted subject to registration of sufficient number of candidates for the Model Examination.

CRASH COURSE ON FINANCIAL MANAGEMENT- DECEMBER 2010 EXAMINATION

SIRC OF THE ICSI is conducting Crash Course on Financial Management on Saturday and Sunday, the 11th and 12th December, 2010 at ICSI-SIRC Office, No.9 Wheat Crofts Road, Nungambakkam, Chennai-600034. The details are given below:
Days and Dates : Saturday and Sunday, the 11th and 12th December, 2010

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 2010 examination.

Announcements of Classes

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 6th December, 2010.

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 – DECEMBER 2010 EXAMINATION

SIRC OF THE ICSI is conducting Crash Course on Tax Laws on Saturday and Sunday, the 4th and 5th December, 2010 at ICSI-SIRC Office, No.9 Wheat Crofts Road, Nungambakkam, Chennai – 600 034. The details are given below:

Days and Dates : Saturday and Sunday, the 4th and 5th December, 2010

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 2010 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 29th November, 2010.

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

ORAL COACHING CLASSES – JUNE 2011 EXAMINATION

The SIRC of the ICSI proposes to commence Oral Coaching Classes as per the schedule given hereunder:

Stage	Date of Com-mencement	Timings	Fee	Last date for receipt of applica-tion
EXECUTIVE PROGRAMME MODULE-I (MORNING)	22.11.2010	06.30 A.M. to 08.30 A.M.	Rs.3350/- per Module	15.11.2010
EXECUTIVE PROGRAMME MODULE-II (EVENING)	22.11.2010	06.00 P.M. to 08.00 P.M.	Rs.3350/- per Module	15.11.2010
FOUNDATION PROGRAMME (Morning)	29.11.2010	09.00 A.M. to 11.00 A.M.	Rs.3000	22.11.2010
FOUNDATION PROGRAMME (Evening)	29.11.2010	04.00 P.M. to 06.00 P.M.	Rs.3000	22.11.2010

ATTENTION STUDENTS !

Applicability of the latest Finance Act and other changes for Company Secretaries December, 2010 Examination.

DIRECT TAXES

All students may note that for the December 2010 Examination Session in respect of Direct Taxes the applicable Assessment Year shall be 2010-11 (Previous Year 2009-10). Thus, they will have to study Finance Act, 2009 for December 2010 Examination. Further as per the Syllabus (of 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, of '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 2010 Examination.

- 1 All changes made by the Finance Act, 2010.
2. All Circulars, Clarifications/Notifications issued by CBE&C/ Central Government which became effective six months prior to the date of examination.

Announcements of Classes

HYDERABAD CHAPTER

ORAL COACHING CLASSES THROUGH INTERACTIVE LEARNING

Fresh classes for Foundation Programme and Executive Programme will be conducted for June, 2011 Examination and thereafter, as per the following schedule, at The ICSI- Hyderabad Chapter , # 6-3-609/5, Anandnagar Colony, Khairatabad, Hyderabad – 500 004.

Course	Timings	Fees Rs.	Venue	No. of Lectures
Foundation Programme	6.30 P.M. to 8.30 P.M.	3000/-	Sujatha Degree College for Women, Chapel Road, Abids, Hyd.	96 lectures each of 2 hrs. duration
Executive Programme Module – I	6.30 P.M. to 8.30 P.M.	3500/-	Sujatha Degree College for Women, Chapel Road, Abids, Hyd.	72 lectures each of 2 hrs. duration
Executive Programme Module – II	07.00 A.M. to 09.00 A.M.	3500/-	The ICSI- Hyd. Chapter	72 lectures each of 2 hrs. duration
Executive Programme Module I & II	7.00 A.M. to 11.15 A.M.	6000/-	The ICSI- Hyd. Chapter	144 lectures each of 2 hrs. duration

Date of Commencement of Classes: 25th October, 2010

Interested Candidates are advised to deposit the fee by Challan at 'The ICSI Hyderabad Chapter' by 20th October, 2010

The Students who undergo Oral Coaching, pass the Eligibility Tests and get the Coaching Completion Certificates, need not to submit the response sheets under postal tuition scheme. For further details, contact the The-ICSI Hyderabad Chapter at: 040-23399541, 040- 23396494, Fax: 040- 23325458, e-mail: hyderabad@icsi.edu

WESTERN INDIA REGIONAL COUNCIL

Foundation & Executive Programmes Oral Tuition Classes – June 2011

The salient Features of Special Intensive Coaching are :-
Coaching by Professionally Qualified Members of Faculty
Continuous Interaction with Professionals
Training Programmes on Personality Development
Rich Library with Home Lending Facility
Spacious Training Hall Cum Reading Room.
New Concept of Question Bank
Personal Attention by Faculty Members
Coaching for all Subjects with an option to join any single subject
One Week Refresher Capsule Session
Interactive and participative mode of Learning & full of Question Answer Sessions
Designed the Sessions (for few subjects) of OTC with the help of Slides & Audio -Video a # Experiential Learning

Regulation :

- 1) minimum 75 % of the total lectures for each subject
- 2) 3 tests
- 3) all the applicable regulations for Oral coaching classes of the institute

Fees :

EXECUTIVE PER MODULERS.7500/- □ FOUNDATION RS.7500/-

Contact For Enrollment

ARCHANA SAWANT, # 9970320202 archana.sawant@icsi.edu
 SUDIPTO PAL , # 9223542195 sudipto.pal@icsi.edu

Coaching Classes in Mumbai

Class Name	Location and Contact Person
ICSI-MKES	N L School Campus Road No 1, Bhadran Nagar S.V. Road # 022- 28656691, Malad -W- Mumbai (Contact Person : Megha)
ICSI- P N. Doshi	P.N.Doshi Womens College Kama Lane Ghatkopar- W # 9869324665, Mumbai- 86 (Contact Person : Shailesh)
ICSI- Sydenham College	Sydenham College, B Road Churchgate Mumbai-20#8080828698/022-22871452 (Contact Person : Salve)

WIRC – ICSI Will Organize Special Batches, For The Professional Programmes (Subject Wise)

Concession in Registration Fee / Examination Fee for Physically Handicapped Students

As a social welfare measure, the Council of The Institute has decided to grant further concession in Registration Fee / Examination Fee to physically handicapped students with effect from 1st July 2010, as per details given below :

Registration Fee for Physically Handicapped Students

Stage	Registration Fee to be paid by Physically handicapped students :
Foundation Programme	Only Registration Fee will be charged (At present, Registration Fee is Rs.1200)
Executive Programme	Only Registration Fee will be charged (At present, Registration Fee is Rs.1500)
Professional Programme	Only Registration Fee will be charged (At present, Registration Fee is NIL)

Examination Fee for Physically Handicapped Students

Stage	Examination Fee to be paid by Physically handicapped students :
Foundation, Executive & Professional Programme	25% of the fee applicable to general candidates.

The above concession would be granted subject to the following guidelines: -

- The concerned students should submit a certificate issued by a Physician / Surgeon/ Oculist working in a State/ Central Government to the effect of permanent physical disability (including blindness),
- The following shall be regarded as permanent physical disability :-
 - (a) permanent physical disability of more than 50% in one limb; or
 - (b) permanent physical disability of more than 60% in two or more limbs; or
 - (c) permanent deafness with hearing impairment of 70 decibels and above; or
 - (d) permanent and total loss of voice.
- Blindness shall be regarded as permanent physical disability, if it is incurable and falls in any of the categories specified namely : -
 - 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

It is clarified that all other services shall be available **on full payment basis** as applicable to general category students.

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 Sessions of Exam.
EASTERN INDIA REGIONAL COUNCIL		
1.	M/s Happy Coaching Institute Fatak, P.O. Budharaja Sambalpur-768 004, Orissa	December`10 & June`11 Sessions of CS Examinations.
2.	M/s JAIN Tutorials, Ganges Garden, BL: A-1 3rd Floor 106, K.C.S Road, Shibpur- Howrah-711 102 Telephone No. 033-2638 5571 Mobile No. 0-98312 55762	June`09 & December`09 Sessions of CS Examinations.
3.	The Director, M/s Institute for Inspiration & Self Development 1-B/200/1, Sector-III, Salt Lake City, Kolkata-700 106	June`10 and December`10 Sessions of CS Examinations.
4.	The Director, M/s Ambedkar Institute of Higher Education, AIHE Campus House No. 21-B, Patliputra Golamber Patna-800013 (Bihar)	June`10 & December`10 Sessions of CS Examinations.
5.	The Principal, M/s Haldia Law College, HIT Campus, Haldia Purba Medinipur 721 657 (W.B)	December`09 and June`10 Sessions of CS Examinations.
6.	The Principal, M/s Saptarshi College, Gandhi Nagar, First Line (Extension), Backside of Sai Complex, Berhampur (Ganjam), Odisha-760 001	June`10 and December`10 Sessions of CS Examinations.
7.	Proprietor M/S Solution Education Centre 116, Gandhi Path, North S K Puri Patna-800013	December`10 and June`11 Sessions of CS Examinations.
8.	Proprietor M/S WISDOM Institute of Professional Learning, 3/100C, C R Colony, On Raja S C Mallick Road Kolkata-700032	December`10 and June`11 Sessions of CS Examinations.
9.	M/s Gyan Bharati Institute of Higher Studies (Unit : Gyan Bharati Society) 64A, Nimtalla Ghat Street Kolkata- 700006	June`11 and December`11 Sessions of CS Examinations
NORTHERN INDIA REGIONAL COUNCIL		
1.	M/S G.G.D.S.D. College Distt. Kangra, Rajpur (Palampur), Himachal Pradesh	December`09 and June`10 Sessions of CS Examinations.
2.	M/s Springdale College of Management Studies Madhotanda Road Pilibhit-262 001 (U.P)	December`10 and June`11 Sessions of CS Examinations.
3.	M/s Delhi Institute of Professional Studies, 54, First Floor, Sukhdev Nagar, Civil Hospital Roadm Panipat-132 103 (Haryana)	December`09 and June`10 Sessions of CS Examinations.
4.	M/s Sainath Commerce Classes, C-20, Talwandi, Kota-324 005	December`10 and June`11 Sessions of CS Examinations.
5.	M/s Lucknow Commerce Academy, S-72/17, Old `C` Block Chauraha, Rajajipuram (Near Lekhraj), Lucknow-226 017	December`10 and June`11 Sessions of CS Examinations.
6.	The Director, M/s 1360, Staffing & Training Solutions Private Limited 46, First Floor, Karanpur Dehradun (U.P)	June`10 and December`10 Sessions of CS Examinations.

7.	M/s. Institute of Systematic Studies in Commerce, Behind Maharaja Hotel, Station Road Moradabad- 244001 (UP)	June`10 and December`10 Sessions of CS Examinations.
8.	M/s Dronachariya Distance Education and Learning Centre Bhagu Road, Gali No.20 Bathinda – 151 001 (Pb)	June`10 and December`10 Sessions of CS Examinations.
9.	Sai Institute Mallu Sarai, Sambhal Near Chamunda Mandir Moradabad	December`10 and June`11 Sessions of CS Examinations.
10.	The Director M/s G. S. Institute of Professional Studies, Ahilya Bai Holkar Circle, Dampier Nagar, Mathura (U.P)	December`10 and June`11 Sessions of CS Examinations.
11.	The Director, Commerce County – Institute for Commerce Studies, 137, Red Square Market, Near Palki Hotel Hissar (Haryana)	December`10 and June`11 Sessions of CS Examinations.
12.	The Proprietor M/s Brain Solutions, ATS, Laxmi Bai Marg, Aligarh (UP)	December`10 and June`11 Sessions of CS Examinations.
13.	The Director, M/S EKKISS 1/5-B, EKKIS Road, Suratgarh, Dist Sri Ganganagar, Rajasthan	December`10 and June`11 Sessions of CS Examinations.
14.	M/s Advanced Commerce Study 14, Amar Complex, Dwarka More Uttam Nagar, New Delhi-110059	June`11 and December`11 Session of CS Examinations
15.	M/s Govindam Business School 514, Industrial Estate Patparganj, Delhi-110092	June`11 and December`11 Session of CS Examinations
WESTERN INDIA REGIONAL COUNCIL		
1.	Senior Manager M/s Career Classes, 303, Shalimar Corporate Center, 8, South Tukoganj, Near Hotel Balwas, Indore (M.P)	December`10 and June`11 Sessions of CS Examinations.
2.	M/s Institute of Management Training & Research, Artha Complex, 2nd Floor, Near IMA House and Tapdiya Terrace, Off. Adalat Road Aurangabad-431 001 (M.S)	June`10 and December`10 Sessions of CS Examinations.
3.	M/s Career Consultant 3018, Trade House, Ring Road Surat-395 002	December`08 and June`09 Sessions of CS Examinations.
4.	M/s Madhu Jas Promotions Pvt. Ltd. [Nahata Professional Academy] C-10, Poddar Plaza Patthar Godam Road, Behind Jabalpur Motors, New Siyaganj, Indore-452 001	June`10 and December`10 Sessions of CS Examinations.
5.	M/s Tolani Commerce College P.O. Box No.27, Adipur (Kachchh)- 370 205	June`10 and December`10 Sessions of CS Examinations.
6.	M/s Muley Classes Shop No.14, Ashoka Gardens B-Wing, M.P. Road, Panvel-410 206	December`09 and June`10 Sessions of CS Examinations.
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 and June`10 Sessions of CS Examinations.
8.	The Principal, M/s D.M.`s College of Arts, Science & Commerce Assagao Bardez GOA-403 507	June`11 and December`11 Sessions of CS Examinations.
9.	M/s Navkar Institution 7, Pallavi Row House, Opp. Memnagar Fire Station Navrangpura Ahmedabad-380 009	December`10 and June`11 Sessions of CS Examinations.

Student Services

10.	M/s Bhide Classes [Division of Bhide Education Pvt. Ltd.], 305, Shuamkamal, A Building, Vile Parle (East) Mumbai-400057 [Branch: Dadar (West)]	December`09 and June`10 Sessions 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 and December`10 Sessions 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 and June`10 Sessions of CS Examinations.	24.	The Director, M/s. Lex4biz 5, RajnigandhaTithal Road Valsad-396001 (GJ)	June`10 and December`10 Sessions of CS Examinations.
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 and June`10 Sessions of CS Examinations.	25.	The Director M/s Professional Excellence Academy 86, Zone-II, Third Floor, M.P. Nagar Bhopal-462011 (M.P.)	December`10 and June`11 Sessions 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 and June`10 Sessions of CS Examinations.	26.	M/S Shri Gosar Hansraj Gosrani Commerce & Shri Dharamshi Devraj Nagda BBA College, Shah Bhagwanji, Kachra Education Complex Near Octroi Post, Indira Gandhi Marg, Jamnagar-351004 (Gujarat)	December`10 and June`11 Sessions 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 and June`10 Sessions of CS Examinations.	27.	The Director Professional Academy of Competitive Excellence (PACE), B-402, 403 Silver Mall, RNT Marg, Indore-452001 (MP)	December`10 and June`11 Sessions of CS Examinations.
15.	The Director, M/s Geetanjali Education Systems Private Limited Geetanjali College of Computer Science & Commerce, Indian Red Cross Building Suchak Road, Opp. Shastri Medan Rajkot-360 001	June`10 and December`10 Sessions of CS Examinations.	28.	M/s Arihant Institute Pvt. Ltd. "Arihant House" 2, Navin Park Society, Nr Municipal School Sardar Patel Colony Road Naranpura, Ahmedabad-380013	June`11 and December`11 Sessions of CS Examinations
16.	The Director, M/s Sukh Sagar Institute 205, Sukh Sagar, Hughes Road, Chowpatty, Mumbai-400 007 (M.S)	June`10 and December`10 Sessions of CS Examinations.	29.	M/s Vrajesh Sir's Academy of Commerce, 404/B, Swapneel – V Near H L Commerce College Navrangpura Ahmedabad-380 009	June`11 and December`11 Sessions of CS Examinations
17.	The Principal, M/s Dhananjayrao Gadgil College of Commerce Distt. Satara, Maharashtra-415 001	June`10 and December`10 Sessions of CS Examinations.	SOUTHERN INDIA REGIONAL COUNCIL		
18.	The Managing Director M/s IDEAL Classes Private Limited, 44/375, Unnat Nagar-II, Opp. Patkar College, S.V. Rpad, Goregaon (West) Mumbai-400 062 [Branch: Borivali (West)]	June`10 and December`10 Sessions of CS Examinations.	1.	M/s Mohans Institute Sreyas, Chettiparambil Lane Thekkumbhagam, Tripunithura Ernakulam (Distt.), Kerala-682 301	December`10 and June`11 Sessions 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-400 062 [Branch: Vile Parle (East)]	June`10 and December`10 Sessions 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`10 and December`10 Sessions of CS Examinations.
20.	The Managing Director M/s IDEAL Classes Private Limited, 44/375, Unnat Nagar-II, Opp. Patkar College, S.V. Road, Goregaon (West) Mumbai-400 062 [Branch: Bhayander]	June`10 and December`10 Sessions of CS Examinations	3.	M/s Dr. G.G. Shetty Educational Society @, Jnana Degula, Near K.M.F., Dharwad-580 004	June`10 and December`10 Sessions of CS Examination.
21.	M/s Professional Career & Computers 106, Zonal Market, Sector-10 Bhilai (Durg)-490 006 (C.G)	June`10 and December`10 Sessions of CS Examinations.	4.	M/s Bright Academy of Excellence, Baba Foundation, Plot No.46, Door No.102, Flat No.6, 1st Floor, South West Boag Road, T. Nagar Chennai-600 017	December`09 and June`10 Sessions of CS Examinations.
22.	M/s MATS College, MATS Tower, Pandri Raipur-492 002 (C.G)	June`10 and December`10 Sessions of CS Examinations.	5.	M/s Prize Academy No.2, Teachers Colony (Off V.M. Street), Royapettah Chennai-600 014	December`10 and June`11 Sessions of CS Examinations.
			6.	M/s Sree Saraswathi Thyagaraja College, Palani Road, Thippampatti, Coimbatore Distt. Pollachi-642 107	December`10 and June`11 Sessions of CS Examinations.
			7.	M/s Nallamuthu Gounder Mahalingam College, 91, Palghat Road Coimbatore Distt. Pollachi-642 001	June`09 and December`09 Sessions of CS Examinations.

Student Services

8.	The Principal M/s Alpha Educational Trust 41/13-A, Poonthamalli Street (Old Bus Stand Backside) Villupuram-605 602 (T.N)	June`10 and December`10 Sessions of CS Examinations.
9.	The Principal, M/s National College Dindigul Road, Karumandapam Tiruchirapalli-620 001 (T.N)	June`10 and December`10 Sessions of CS Examinations.
10.	The Administrative Officer, M/s National Management College 2/16 Thudupathi, Perundurai Erode (Dist) – 638 057	December`10 and June`11 Sessions 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 and June`10 Sessions of CS Examinations.
12.	The Principal M/s P.S.G.R. Krishnammal College For men Peelamedu Coimbatore-641 004	December`10 and June`11 Sessions of CS Examinations.
13.	The Chairman, M/s Dr. G.R. Damodaran College of Science Civil Aerodrome Post Avinashi Road Coimbatore-641 014	June`10 and December`10 Sessions of CS Examinations.
14.	The Principal M/s PSG College of Arts & Science, Avinashi Road, Civil Aerodrome Post Coimbatore-641 014	June`10 and December`10 Sessions of CS Examinations.
15.	Secretary, M/s Park`s College Chinnakkarai Tirupur-641 605	June`10 and December`10 Sessions of CS Examinations.
16.	The President, M/s MPE Society`s Career Development Centre, Prabhatnagar Honnavaara-581 334	June`10 and December`10 Sessions of CS Examinations.
17.	The Principal M/s Cherraan`s Arts Science College Cherraan Nagar ThittuparaiKangayam Taluk Tirupur District 638 701	June`10 and December`10 Sessions of CS Examinations.
18.	The Director, M/s Blue Dot Academy No.4, Balaji Avenue, 1st Street T. Nagar, Chennai-600 017	December`10 and June`11 Sessions of CS Examinations.
19.	Managing Trustee M/S Centre for Human Resources Development, Thekkel Mannarakkayam PO. Ponkunnam (Via) Kanjirapally Kottayam Dist., Kerala-686506	December`10 and June`11 Sessions of CS Examinations.
20.	The President M/s Sengunthar Prudential Academy, Erode Sengunthar Engineering College (Campus) Thudupathi ERODE-638057	December`10 and June`11 Sessions of CS Examinations.
21.	M/s National Institute of Continuing Education C/o S. Srinivasan & Co. Corporate Services Pvt. Ltd. No. 40/7, Ramakrishna Street North Usman Road T Nagar, Chennai-600017	December`10 and June`11 sessions of CS examinations.
22.	M/s Angel Auditor College SF No. 37, Marakkadai Street Brindavan, Pudukkottai – 622 001	June`11 and December`11 Sessions of CS Examinations

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 examination(s) respectively.

Student Services

LIST OF THE COMPANIES REGISTERED FOR IMPARTING TRAINING DURING THE MONTH OF AUGUST - 2010

REGION	TRAINING TYPE	STIPEND (Rs).
NORTHERN		
Ahlwalia Contracts (India) Limited Plot No- 1 Okhla Ind Estate Phase III, New Delhi – 110 020	15 Months Training	Suitable
Tinna Oils & Chemicals Limited Plot No-47, Sector-32, 202 IInd Floor, U&I Business Centre Gurgaon – 122001	15 Months Training	Suitable
Honda Siel Cars India Limited Plot No- A-1, Sec 40/41, Surajpur- Kasna Road Greater Noida Industrial Development Area Gautam Budh Nagar -201 306	15 Months Training	Suitable
Marks & Spencer Reliance India Pvt .Ltd, Ground Floor, DLF Infinity Tower "C", DLF City Phase - II Gurgaon – 122 002	15 Months Training	Suitable
Energo Engineering Projects Limited, A-57/4, Okhla Industrial Area, Phase – II New Delhi -110 020	15 Months Training	Suitable
ABW Infrastructure limited 208-210, 2 nd Floor, Recrangle – 1 D-4 Saket, Distt. Centre Saket New Delhi – 110 017	15 Months Training	Suitable
Gail Gas Limited A-1, Sec-2, Noida – 201 301	15 Months Training	Suitable
Supreme Capital Services Pvt 82, Daryaganj, New Delhi – 110 002	15 Months Training	Suitable
Bharat Papers Limited 181 – Beantpura, Chandigarh Road Ludhiana, Punjab	15 Months Training	Suitable
Gaursons India Ltd. Gaur Biz Park, Plot No-1 Abhay Khand –II, Indirapuram Ghaziabad (U.P)	15 Months Training	Suitable
Compucom Software limited IT -14-17, EPIP, Sitapur Industrial Area Jaipur – 302 022	15 Months Training	Suitable
Malwa Cotton Spinning Mills Ltd. Industrial Area – A, Ludhiana Punjab – 141 003	15 Months Training	Suitable
Surya India Limited B1/H3, Mohan Co-operative Indl. Estate, Main Mathura Road New Delhi-110044	15 Months Training	4500
Surya Merchants Limited Plot No. 1, Sector-5, Vaishali Ghaziabad-201010	15 and 03 Months Practical Training	Suitable
Security and Intelligence Services (India) Limited, E-1, East of Kailash Near Lady Shri Ram College New Delhi-110065	15 Months Training	Suitable
CCL International Limited C-42, RDC, Raj Nagar, Ghaziabad	15 Months Training	Suitable

IL&FS Energy Development Company Ltd. 1 st Floor, Corporate Office Tower Ambience Mall Complex Ambience Island, NH-8 Gurgaon-122001	15 Months Training	Suitable
ASP Sealing Products Limited Ambros House, 25/31 East Patel Nagar New Delhi-110008	15 Months Training	3000-5000
Aquamall Water Solution Limited Lal Tappar Industrial Area Majri Grant, Dehradun-248140	15 Months Training	Suitable
PTC India Financial Services Limited, 2 nd Floor, NBCC Tower 15, Bhikaji Cama Place New Delhi-110066	15 Months Training	Suitable
WESTERN		
Tata International Limited Block A Shivsagar Estates , Dr. Annie Besant Road Worli Mumbai -400 018	15 and 03 Months Practical Training	Suitable
Suvidh Commodities Ecom Pvt. Ltd., 904, Tulsiani Chambers, Nariman Point Mumbai -400021	15 and 03 Months Practical Training	5000-7000
Khed Economic Infrastructure PT. Ltd., 3 rd Floor, Corporate Office Building, Kalyani Carpenter Special Steels Limited, Mundhwa Pune – 411 036, Maharashtra	15 and 03 Months Practical Training	8000
Webdunia.com (India) Pvt. Ltd. "Labh Ganga", 582 M.G. Road Indore – 452 003	15 Months Training	Suitable
Viraj Profiles Limited G-34, MIDC Tarapur Industrial Area, Boisar, Taluka-Palghar Distt.Thane-401506	15 Months Training	Suitable
SKSE Securites Limited Popatbhai Sorathia Bhavan Sadar Bazar, Rajkot – 360 001	15 Months Training	Suitable
Swan Energy Limited 6, Feltham House, 2 nd Floor 10, J.N Heredia Marg, Ballard Estate, Mumbai – 400 001	15 and 03 Months Practical Training	3000-5000
Prism Informatics Limited B-505 BSEL Tech Park 5 th Floor, Opp Vashi Railway Station, Sector 30 – A, Vashi Navi Mumbai – 400 705	15 Months Training	Suitable
KGN Industries Limited A/504, Samudra Complex Near Classic Gold Hotel Off. C.G.Road, Navrangpura Ahmedabad-380009	03 Months Practical Training	Suitable
Bajaj Allianz Life Insurance Company Ltd. GE Plaza, Airport Road Yerawada, Pune-411006	03 Months Practical Training	Suitable
KLG Capital Services Limited SKIL House, 209, Bank Street Cross Lane Fort Mumbai-400023	15 Months Training	Suitable

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Shree Nath Commercial & Finance Limited E-109, Crystal Plaza, New Link Road, Opp. Infinity Mall, Andheri (W), Mumbai-400053	15 Months Training	3500
SOUTHERN		
Daimler India Commercial Vehicles Pvt. Ltd., Unit 301 & 302 3 rd Floor, Campus 3b Rms Millennia Business Park No. 143, Dr. M.G.R.Road Perungudi, Chennai-600096	15 Months Training	Suitable
Corporation Bank Board Secretariat & Investor Service Department Head Office, Mangalore	03 Months Practical Training	3500
Primus Retail Pvt. Ltd. 7, 1st Cross, 3 rd Main Ashwani Layout, Ejipure, Bangalore-560047	03 Months Practical Training	Suitable
Harrisons Malayalam Limited 24/1624, Bristow Row Willingdon Island Cochin-682003	15 and 03 Months Practical Training	Suitable
NSL Renewable Power Pvt.Ltd. NSL ICON, 8-2-684/2/A, Plot No. 1-4, 4 th Floor, Road No. 12, Banjara Hills, Hyderabad-500034	15 Months Training	Suitable
Triviron Healthcare Pvt. Ltd #15, IV Street, Abhiramapuram, Chennai – 600 018	15 Months Training	Suitable
EASTERN		
Baljit Securities Pvt. Ltd. 7A, Pretoria Street Kolkata – 700 071	15 Months Training	Suitable
PricewaterhouseCoopers Service Delivery, Center (Kolkata) Pvt. Ltd. 7 th Floor, South City Pinnacle XI, Block EP, Sector-V, Salt Lake City, Kolkata-700091	15 Months Training	Suitable
Electrosteel Steels Limited G.K Tower, 19 CAMAC Street Kolkata – 700 017	15 Months Training	Suitable
Tata Cummins Limited Cummins Road, Telco Township Jamshedpur – 831 004	15 Months Training	Suitable
RDB Rasayans Limited Bikaner Building, 1 st Floor Room No. 11, 8/1, Lal Bazar Street Kolkata-700001	15 Months Training	5000
RDB Realty & Infrastructure Limited Bikaner Building, 1 st Floor Room No. 11, 8/1, Lal Bazar Street Kolkata-700001	15 Months Training	5000
The Indian Steel and Wire Products Limited (A Subsidiary to Tata Steel) Indranagar, Jamshedpur-831008	15 Months Training	2500-5000
Darpan Press Pvt. Ltd. 789, Chowbhaga West Kolkata-700105	15 and 03 Months Practical Training	Suitable
K I C Metaliks Limited, "Sir RNM House, 3B, Lal Bazar Street, 4 th Floor, Room No. 2, Kolkata-700001	15 Months Training	Suitable

LIST OF PRACTISING MEMBERS REGISTERED FOR THE PURPOSE OF IMPARTING TRAINING DURING THE MONTH OF AUGUST, 2010

RADHIKA VYAS Company Secretary in Practice A/3 Vijay Park Soc.lety, Nr. Gor, No Kuvo, Before Kans, Maninagar(E), Ahambad -380008	PCSA – 2292
PRIYANKA K. SOMANI Company Secretary In Practice B-209, Sai Mahal, R. N. P. Park Bhayandar (E), Thane – 401 105	PCSA – 2293
LIZA SAHNI Company Secretary In Practice M-158, Raghbir Nagar New Delh-110027	PCSA – 2294
NISHA AGARWAL Company Secretary In Practice 30/24/08varun Path, Mansarover Jaipur-302020	PCSA – 2295
SAPNA KHANDEWAL Company Secretary In Practice C-62/D,1st Floor, Sanjay Gram Sheetla Mata Road, Gurgoan	PCSA – 2296
GHANSHYAM G. DOBARIYA Company Secretary In Practice 105, Jolly Plaza Complex, Athwagate Circle Besides G.P. College, Surat-395001	PCSA – 2297
VENILAL CHUNILAL KHAMBHATA Company Secretary In Practice 14-B, Jawahar Society, Halar Road Valsad-396001	PCSA – 2298
BAHL BRIJMOHAN RAI Company Secretary In Practice 307-308, Green House, Greenst Fort Mumbai-400023	PCSA – 2299
SANTOSH KRISHNA PARDESHI Company Secretary In Practice Flat No. 7, 1st Floor, 344, Laxman Niwas Patilpada, Khar Danda, Khar (West) Mumbai - 52	PCSA – 2300
SURESH KUMAR Company Secretary In Practice Apra North Ex. Plaza G-9, H-2, Netaji Subhash Place Pitam Pura, Delhi - 110034	PCSA – 2301
RAKESH KUMAR Company Secretary In Practice F-8, Basement, Hzt. Nizamuddin West New Delhi -110013	PCSA – 2302
SEETHA S. CHANDRAN Company Secretary In Practice A-1108, Brigade Gardewia RBI Layout , 9 th Cross, JP Nagar, 8 th Floor Bangalore – 560078	PCSA – 2303
SUJATA RAJESH RAJEBHADUR Company Secretary In Practice 'Naroshankar', 199, M.G. Road Above Samarth Sahakari Bank Nashik -422001	PCSA – 2304

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ANJU VIMAL Company Secretary In Practice 31, Ganesh Chandra Avenue 1st Floor, Kolkatta - 700013	PCSA – 2305	RISHITA SHAH Company Secretary In Practice 301, Nutan Vaibhav Apts No-3, Shreyas Cinema Lane, Ghatkopar West, Mumbai-400086	PCSA – 2315
KIRTI MUKESH KUMAR GOHIL Company Secretary In Practice B-6, Matrikunj Apartment Near BMC Gas Supply Officer Alkapuri, Vadodara- 390007	PCSA – 2306	SHRIRANG PADHEY Company Secretary In Practice B-1, Manaji BLock, Tukaram Jawji Road, Mumbai-400007	PCSA – 2316
MANJAY KUMAR Company Secretary In Practice Flat No- D-1/8, Vindhyashree Apartment Opp. Shalimar Banquet Hall Main Road, Burari, New Delhi-110084	PCSA – 2307	GEETA K. SHETH Company Secretary In Practice 1b, Mulji Mistry Bid, 64B, Tespal Road Vile. Parle (E), Mumbai-400057	PCSA – 2317
VIKAS DNYAMESHWAR GAIKAWAD Company Secretary In Practice Flat No. 15, 4 th Floor, D.M. Plaza Near Bhandar Holiday Resorts Sinhgad Road, Pune- 411030	PCSA – 2308	SATYAPAL SINGH BHATI Company Secretary In Practice J-2, 1 st Floor, Pandav Nagar, New Delhi - 110092	PCSA – 2318
TEJAS RAVINDRA BAPAT Company Secretary In Practice 1527, Sadashiv Peth, Aoil Niwas, Pune-411030	PCSA – 2309	P.R. SUDHA Company Secretary In Practice Flat No. 'C' Lakshmi Appartments 171, 3 rd Cross Street, Lakshmi Nagar, Porur Chennai - 600116	PCSA – 2319
DIMPLE GULATI Company Secretary In Practice C-109, Pushpanjali Enclave Pitam Pura, Delhi-110034	PCSA – 2310	VISHAL N. MANSETA Company Secretary In Practice EC-57/B-003, Mangal Geet CHS Evershine City, Vasai (East), Thane	PCSA – 2320
NEERAJ AGRAWAL Company Secretary In Practice 40A, Prem Nagar Gwalior, M.P.-474002	PCSA – 2311	JAGAT SINGH Company Secretary In Practice E- 130, Rajeev Nagar, New Delhi – 110086	PCSA – 2321
R. DEENADAYALU Company Secretary In Practice 5/165, 3 rd Street, Venicatesware Nagar, Pozhichalur, Chennai-600074	PCSA – 2312	NANDANI WALIA Company Secretary In Practice Chamber No-320, 4 th Floor, Dakha Chamber, Gali No. 38, Naiwala Karol Bagh, New Delhi – 110005	PCSA – 2322
SADAN KUMAR Company Secretary In Practice 303, Hope Regency Nrea Bahadurpur Gumti Kankarbagh Patna-800020	PCSA – 2313	NAVIN MAHESHWARI Company Secretary In Practice 38, Aashiroad, Bonglow, Sahawas Society Karve Nagar, Pune -411052	PCSA – 2323
J. BALAKUMAR Company Secretary In Practice 665, New No.-11, Sboa School Road Annanagar West Extention Chennai-600101, Tamilnadu	PCSA – 2314	G. RAJENDRAN Company Secretary In Practice 12, Ramanuja Plaxa, 3 rd Floor 5 th Cross, Malleswaran, Bangalore- 560003	PCSA – 2324
		REEMA JAIN Company Secretary In Practice X\3368\27, Raghupura No.2 Street No. 2, Gandhi Nagar, Delhi - 110031	PCSA – 2325

Student Induction Programme (SIP)/Executive Development Programme (EDP)

Bangalore Chapter of SIRC of the ICSI	02.11.2010 to 10.11.2010 (SIP)	Chapter Premises	Assistant Director & Programme Co-ordinator Bangalore Chapter of the ICSI, Sheriff Chambers 3 rd Floor, Rear Block, 14, Cunningham Road Bangalore – 560 052 Phone: 22286574 / 22287158 Tele Fax: 22261861 (STD Code: 080), E-Mail: bangalore@icsi.edu
Chandigarh Chapter of NIRC of the ICSI	25.10.2010 to 31.10.2010 (SIP)	Chapter Premises	Chairman Chandigarh Chapter Office, GGSDS College Sector-32C, Chandigarh Tel.: 0172-2661840, E-Mail: chandigarh@icsi.edu
Kanpur Chapter of NIRC of the ICSI	14.11.2010 to 21.11.2010 (EDP)	Chapter Premises	Programme Co-ordinator Kanpur Chapter of NIRC of the ICSI 118/90, Gumti Plaza, Kaushalpur, Gumti No. 5 Kanpur-208012 Phone: 0512-2296535 Fax: 2212767 E-Mail: kanpur@icsi.edu

Student Services

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

Students Quiz ?

Prize Query

Ram and Shyam were jointly holding shares in company Wood Limited, a listed company. Ram died and Shyam applied for the deletion of Ram's name in respect of the joint holding. The Articles of Association of Wood Limited contained an Article on the lines of Regulation 25 of Table A appended to the Companies Act, 1956. The company refused to comply with the request of Shyam. Can Wood Limited do so? Support your reply with statutory requirements, if any, in this regard?.

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, 2010.
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 2010 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.

SECRETARIAL MODULAR TRAINING PROGRAMME (SMTP)/MANAGEMENT SKILLS ORIENTATION PROGRAMME (MSOP) ORGANISED BY H.Q./REGIONAL COUNCILS/CHAPTERS

ELIGIBILITY OF PARTICIPANTS: ICSI final passed candidates and have completed 15 months training or exempted there from.
SMTP 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	19.01.2011 to 05.02.2011	Office Premises	Joint Director ICSI-SIRC HOUSE No. 9, Wheat Crofts Road, Nungambakkam, Chennai-600034 Ph. 044-28279898 / 28222212, Telefax:28268685 E.Mail: siro@icsi.edu , icsisirc@md3.vsnl.net.in
ICSI-CCGRT	From 12.11.2010 onwards (Residential)	Office Premises	Dean ICSI-CCGRT Plot No. 101, Sector-15, Institutional Area CBD Belapur, Navi Mumbai-400614 022 – 41021504 / 27577814/15, Fax : 022 – 27574384 e-mail : icsiccgrrt@gmail.com
NIRC of the ICSI	26.10.2010 to 16.11.2010	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

COMPANY SECRETARIES EXAMINATIONS – DECEMBER, 2010

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
	FOUNDATION PROGRAMME (NEW SYLLABUS)	PROFESSIONAL PROGRAMME (NEW SYLLABUS)	FINAL SYLLABUS (OLD SYLLABUS)	
26.12.2010 Sunday	English and Business Communication	Company Secretarial Practice (MODULE-I)	Advanced Company Law and Practice (GROUP-I)	General and Commercial Laws (MODULE-I)
27.12.2010 Monday	Economics and Statistics	Drafting, Appearances and Pleadings (MODULE-I)	Secretarial Practice relating to Economic Laws and Drafting & Conveyancing (GROUP-I)	Company Accounts, Cost & Management Accounting (MODULE-I)
28.12.2010 Tuesday	Financial Accounting	Financial, Treasury and Forex Management (MODULE-II)	Secretarial Management and Systems Audit (GROUP-I)	Tax Laws (MODULE-I)
29.12.2010 Wednesday	Elements of Business Laws and Management	Corporate Restructuring and Insolvency (MODULE-II)	Financial, Treasury and Forex Management (GROUP-II)	Company Law (MODULE-II)
30.12.2010 Thursday		Strategic Management, Alliances and International Trade (MODULE-III)	Corporate Restructuring – Law and Practice (GROUP-II)	Economic and Labour Laws (MODULE-II)
31.12.2010 Friday		Advanced Tax Laws and Practice (MODULE-III)	Banking and Insurance – Law and Practice (GROUP-II)	Securities Laws and Compliances (MODULE-II)
01.01.2011 Saturday		Due Diligence and Corporate Compliance Management (MODULE-IV)	World Trade Organisation – International Trade, Joint Ventures and Foreign Collaborations (GROUP-III)	
02.01.2011 Sunday		Governance, Business Ethics and Sustainability (MODULE-IV)	Direct and Indirect Taxation – Law and Practice (GROUP-III)	
03.01.2011 Monday			Human Resources Management and Industrial Relations (GROUP-III)	

FOR PROMPT REPLY

Students are requested to quote their Registration Number in all correspondence for prompt reply.



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