



ICSI/Training/2017/02

05/05/2017

### **Notification**

#### **Revision in existing guidelines for transfer of training from one trainer to another trainer**

In exercising its power under Section 15 of CS Act 1980, the Council of the Institute has approved the following Revision in existing guidelines for transfer of training from one trainer to another trainer w.e.f 01.06.2017

- i) Student willing to change training from one PCS/ company/other entities to another PCS/company/other entities, must submit No Objection Certificate (NOC) from earlier trainer to the Institute along with their application form (i.e. ST-10 form) for registration of balance training to Institute. Without NOC their balance training in the new entity shall not be registered in records of the Institute.
- ii) Maximum 02 (two) transfers shall be permitted during entire duration of training of 12/15/24/36 months as the case may be
- iii) A student can apply and submit his resignation to his trainer for discontinuation of training and for taking NOC, only on satisfying any one or more of the conditions as stated below :
  - a. Medical grounds requiring discontinuance of training (on production of medical certificate)
  - b. Transfer of parents to another city. (documentary evidence is to be produced )
  - c. Misconduct involving moral turpitude
  - d. Death or disability of Trainer
  - e. Marriage
  - f. Shifting of trainer to another city involving distance more than 20 kms from current professional address of trainer
  - g. Irregular payment/ non-payment of stipend
- iv) If any student wants to discontinue his training from his trainer, he has to give notice of minimum 45 working days to his trainer in writing by giving the reason for the same. Resignation letter must be handed over personally against proper acknowledgement receipt. If trainer is not ready to accept the resignation letter by hand, then it can also be sent by speed post/registered post. But student must preserve with him the proof of sending & proof of delivery/or acknowledgement of his resignation letter, which he shall be required to produce to the Institute, if demanded. It is further clarified that the NOC can be taken only on the basis of any of the 07 reasons as mentioned against Point no.3

- v) If any student has submitted his resignation letter to the trainer, the trainer shall be liable to provide NOC to the trainee within 45 working days from the date of submitting the resignation letter.
- vi) If trainer has not provided NOC to student and also not raised any objection for the same within 45 working days from the date of submitting the resignation letter due to any reason, then after expiry of 45 working days from the date of submitting the resignation letter, the Institute shall automatically allow student to get transfer of his training to another company/PCS/other entity without NOC. In this case, date of commencement of training, date of closing of training & number of leaves availed by student during the training shall be taken on record of Institute on the basis of affidavit signed by student on non judicial stamp paper of appropriate value. This affidavit should also be notarised.
- vii) If trainer has any objection/comments on the resignation letter of student, he should inform the same to HOD of Dte. of Training within 45 working days from the date of receiving the resignation letter of student, giving reasons for not providing the NOC. While sending his objection letter, he should also attach a copy of resignation letter submitted by student along with his objection letter. He should also send a copy of this objection letter to student concerned for his information
- viii) On receipt of objection letter from the trainer, the Institute will invite reply/comments on the same from the student. HOD of Dte. of Training shall be required to place the Trainer's comments and student's reply/comments on the same both before Chairman-TEFC within 30 working days from the date of receipt of reply from student. Chairman-TEFC shall be required to give his judgement on the matter, on recommendation of HOD of Dte. of Training, within 15 working days from the date of placing the note before him. Decision given by Chairman TEFC in this regard shall be final.
- ix) If due to any reason trainer is not willing to provide training to trainee anymore and wants to discontinue the contract, he may do so by giving 45 working days notice period in writing to the trainee and after expiry of 45 working days notice period he shall issue NOC to trainee so that trainee can join balance period of training at some other organization/PCS.
- x) With mutual consent of trainee & trainer both, the training can also be terminated at any time before expiry of 45 working days notice period
- xi) The trainer is liable to sign quarterly report of the trainee for the period he has undergone training under him, even if he has done the partial training.
- xii) If during the training period, trainer is expired. In such case, the date of commencement of training, date of closing of training and number of leaves availed by student during the training will be taken on record of Institute on the basis of affidavit signed by student on non judicial stamp paper of appropriate value. This affidavit should also be notarised. Student will also be required to attach the death certificate of the Trainer/PCS along with this affidavit. In such case requirement of submitting quarterly report for that period may be waived if already not submitted. Officials of Dte. of Training will take the period of training undergone by student in records of Institutes after verifying the status of member from the Dte. of Membership in view of death certificate submitted by the student
- xiii) After the student concerned has obtained the NOC from his/her earlier trainer, he/she shall apply to Institute for registration of his/her remaining period of training with another trainer in ST-10 form again, along with copy of that NOC

- xiv) Student requesting for discontinuation of training and making request for NOC from the trainer on the basis of any other ground which is not covered in the list as mentioned above against point no.\_ he will not be allowed to get transfer without NOC. In the event of non availability of NOC within 45 days From the trainer, the trainee would be allowed transfer only without getting the credit for earlier successful training period and has to commence a fresh training with new trainer for entire duration.
- xv) In case of any operational difficulty due to any unforeseen reasons or in case of any emergency situation or dispute, Secretary ICSI will be having discretionary power to deal with such cases and/or allow transfer of training without NOC, on case to case basis.

Training/02/2017

Secretary, ICSI