

The Institute of

Company Secretaries of India

N PURSUIT OF PROFESSIONAL EXCELLENCE

Statutory body under an Act of Parliament

SOUTHERN INDIA REGIONAL COUNCIL

May, 2004

eNewsletter

Dear Professional Colleagues,

#3

CHAIRMAN



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`ROLE AND RESPONSIBILITIES OF DIRECTORS IN THE EMERGING SCENARIO' Saturday, the 26th June 2004 HOTEL CHOLA SHERATON, 10 Cathedral Road, Chennai

List & Gist

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HOW TO ADVERTISE WITH eNew sletter The response to the eNewsletter of our SIRC from the members is encouraging and with this inspiration we are brining out the third issue. The National seminar on NCLT organized by Bangalore Chapter on 30th April and 1st May, 2004 was grand success in terms of the members participation and the quality content of the seminar. The moot court session conducted by the students of National Law School of India, Bangalore was the highlight of the seminar.

The activities at the various chapters are geared-up during my recent visit to Calicut, Thrissur and Mysore chapters. I am happy to inform you that the Calicut chapter with limited resources had successfully organized a seminar on "Recent Trends in Capital Markets and CARO -2003" on 17th April, 2004. Thrissur chapter is attracting lot of students and it surpassed the targets of student registrations last year. The chapter is confident to get more number of students this year and to achieve the revised targets with the dedicated team of members. The President of ICSI was the Chief Guest at the Foundation Day celebrations of Mysore Chapter held on 29th April, 2004 and well attended by the members and students of Mysore Chapter. During his visit the President had also inaugurated the collaborative oral coaching center of ICSI with Mahajana Educational Society at Mysore. I am sure that this arrangement will enlarge our presence and attract more number of students in and around Mysore.

SIRC is proposing to organize a one-day seminar on 26th June, 2004 at Chennai jointly with The Southern India Chamber of Commerce & Industry. The topic for the seminar is "Role and Responsibilities of the Directors in the emerging scenario" and will include various sessions on Corporate Governance & Independent Directors, Qualification and Disqualifications of Directors and Liabilities of Directors. The panel of speakers will be drawn from eminent corporate heads and practicing professionals.

I wish to remind you the Annual Membership subscription payable to our Institute for the year 2004-05 is due and the last date for payment is 30th June, 2004. Members from southern region can remit the fees by cash/local cheque at Southern India Regional Office, Chennai or Chapters at Bangalore and Hyderabad. The fee may also be remitted by Demand Draft/pay-order in favour of ICSI payable at New Delhi.

With best wishes

Yours sincerely

C SUDHIR BABU

sudhirinc@yahoo.com

FREQUENTLY ASKED QUESTIONS

What is eNEWSLETTER and why ICSI-SIRC introduced it?

This is to maintain a quick communication approach by The Institute of Company Secretaries of India – Southern Region Council to disseminate News, Reports and Announcements from SIRC-Chennai and Chapters in Southern India to our Members and Students. The eNewsletter has been created to provide more information with visuals and distribute the same quickly to browse on the users' Personal Computer. It is also an attempt to encourage eDocuments creation and usage culture.

What are the technical features of this eNewsletter?

In order to use this eNewsletter, you need a computer with Microsoft Windows 95, 98, NT4, Me, 2000 or XP, and Internet Explorer 5 or later installed. This eNewsletter has been created in the Portable Document Folder [popularly known as pdf file] which works offline. Your computer need not be connected to Internet while you wanted to browse the contents. The eNewsletter has been created in pdf file to enable you to download onto your PC quickly as the file size is always compressed. You need to have a pdf reader to open this file. Generally every PC is loaded with a pdf reader other wise you can download the Acrobat reader free and install on your PC easily.

How do I get copy of the eNewsletter & use the same?

You can enter the following web-link into the address line of your PC webbrowser when you are connected to Internet:

http://www.icsi.edu/SIRC/eNewsletter3.pdf

or

Log on to ICSI website www.icsi.edu > Programmes > Forthcoming Programmes > RO/Chapters>SIRC and in the Announcement captioned **eNewsletter3 of Southern India Regional Council** click the end words <u>Read on</u>

You can browse eNewsletter when you are on line or you can save the eNewsletter file in any folder of your PC to browse later. It will take 3 Minutes to 10 Minutes to download the pdf file to view on the screen depending on the speed of your PC. If your PC is not having a pdf reader, you can download & install a free software by using the following link:

http://www.adobe.com/products/acrobat/readstep2.html

You are asked to choose your language and platform (Windows98 or Windows 2000) based on which you will be guided to download a suitable version of the Adobe Reader.

I am not computer savvy. How do I get my eNewsletter?

You can visit any Chapter under the jurisdiction of ICSI-Southern India Regional Council for guidance. You can also get in touch with Newsletter committee Members or Net-Members whose info is given alongside.

How can I have printed copy of eNewsletter?

The eNewsletter first two pages in printed format is being sent to Members belonging to ICSI-SIRC jurisdiction. An email is also sent to Members & Students about info on eNewsletter. You can download complete eNewsletter for your use on your PC and take print-out of any page(s) of your choice. You can also visit nearest Chapter of ICSI-SIRC and request for printed eNewsletter on payment basis.

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Chairman

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Working Days: Monday to Saturday(except 2nd & 4th Saturdays)10-00 AM to 5-45 PM Lunch Break: 1-00 PM to 1-30 PM

Seminar on `Information Technology Governance – Challenges & Opportunities' –16th April,.2004

This Seminar has been jointly organised with Information Systems & Audit Control Association, Chennai Chapter at Dr. A C Muthiah Conference Hall, ICSI-SIRC HOUSE, Chennai.

Inaugural Session:

In his welcome address, C Sudhir Babu, Chairman, SIRC of The ICSI briefly outlined the emerging importance of technology governance and the Challenges the professionals have to face to bring-in necessary synchronization with corporate governance in general. He has also mentioned that the professionals have to understand & appreciate the technological changes & related security risks.

While introducing the theme, R Vittal Raj, President, ISACA, USA Chennai Chapter has brought in conceptional framework of IT Governance vis-à-vis challenges and opportunities. IT Governance should be perceived not as a technical issue from a limited perspective, rather it should be seen as a management strategy to evolve necessary processes leading to right management decision making.

R Ravi, Vice-President, The ICSI in his address punctuated with real life examples of interaction with IT environment by non IT professionals. He said it is necessary for the IT professionals to share their knowledge while dealing with an IT solution with non IT professionals also. In short, he has requested the IT professionals to explain the intricacies of the IT problem with a non IT professionals with cause and effect approach. In his highly educative inaugural address S Venkatesan, Executive Director (Finance) & Secretary, Sundaram Finance Limited brought-in kaleidoscope perspective the whole issue relating to Information Technology and its related security risks. He said that the technology is the backbone for the corporate management irrespective of the size. Therefore, it is necessary for the top management of the Company to involve themselves fully for bringing out necessary policy changes for the adoption, updation of information technology and also the related risks factors. Earlier, R Sridharan, Vice-Chairman, SIRC of The ICSI introduced the Speakers and later, S Diraviam, Treasurer, SIRC of The ICSI proposed vote of thanks.

I Technical Session : Corporate Governance

T V Padmanabhan, Advocate, Chennai in his opening remarks as the Chairman of the technical session said that the Information Technology has given rise to new dimension to corporate governance. He observed that in UK, Company Law is being amended to bring-in necessary provisions relating to operational and financial risk management. Padmanabhan winded up his introductory remarks by making a candid observation that previously knowledge was considered to be a power, now it is the information considered to be power. V Srinivasan, Secretary, Chennai Petroleum Corporation Limited said that the Corporate Governance revolves around four basic tenets – fairness, transparency, accountability and responsibility. These tenets are applicable to all form of organization/association throughout the world despite various political hues and governing system. Srinivasan observed that the Cadbury Committee was set up by the Financial Reporting Council of London Stock Exchange essentially to study as to how to correct the low level of confidence of stakeholders in corporates. The first Report published in May 1992 suggested constitution of Audit and Remuneration Committee, Appointment of Independent Directors and other disclosure norms in the annual report of the Companies.

II Technical Session : Integrating IT Governance into Corporate Governance

Dr M Revathy Sriram, Director, Tejas Brainware Systems Private Limited, Chennai observed that the confidentiality and integrity are the basic principles of IT Governance. The involvement of Corporate Boards are necessary in integrating the IT Governance into Corporate Governance and the Board should own up its responsibilities and evolve necessary policy framework in this regard. While surveying the concept of Systems Audit, Dr Revathy opined that the implementation of IT and its associated risks are different.



Seminar on `Information Technology Governance – Challenges & Opportunities' –16th April,.2004 Continued..

III Technical Session : Responsibilities of the Board in IT Governance

While emphasizing the role and responsibilities of Directors in IT Governance, Vinay Disley, Sr. IT Consultant, WIPRO Consulting observed that it is necessary for the Board to involve during the process orientation of IT implementation. Support of the Board of Directors is absolutely critical to achieve the long term objective of IT Governance. The speaker surveyed briefly the frontiers of IT and concluded that it is now clearly apparent in the Corporate World that the strategic business models revolve around the IT.

IV Technical Session : Achieving Integrity and Confidentiality In an Electronic Environment

S Nagendran, Regional Manager, Safe Scrypt Limited, Chennai said that typical flow of information is from a computer to computer or to an internet. While dealing with the security threats, Nagendran viewed the same could be classified as Group-I and Group-II. While the former deals with security which are common like virus threat and the fire walls. Whereas, the latter deals with specific threats – authenticity of the person; when the data is being transferred no one should have access except the receiver. While the offline documents are often bearing the signature of the parties connected in a transaction, whereas, in the online transaction, it is limited to password of the parties, however, in order to avoid pit falls it would be advisable to adopt electronic signature in online transactions which will provide enhanced security. He has also mentioned that in the IT Act, a Section is dealing with the Electronic Signature and it is a welcome sign. While concluding he observed that the elements of Ecommerce rests on four pillars viz. authentication, identity, legality and payment part.

AIR Broadcast -16th April,.2004

The All India Radio, Chennai has broadcast the inaugural session of the Seminar on `Information Technology Governance – Challenges and Opportunities' under the FM Gold News Update at 7.45 PM on 16.4.2004 for about 12 minutes,. The excerpts of the speeches delivered by S Venkatesan, Executive Director (F) & Secretary, Sundaram Finance Ltd, Chennai & R Ravi, Vice-President, ICSI were covered.

Professional Development Meeting – "SERVICE TAX" 16th April 2004

K Vaitheeswaran, Advocate & Tax Consultant, Chennai who was the Speaker. C Sudhir Babu, Chairman, SIRC of The ICSI welcomed the Speaker and R Sridharan, Vice-Chairman, SIRC of The ICSI introduced the guest speaker. Vaitheeswaran in his address touched upon the nuances of service tax in India and detailed the various services brought under the service tax net. He cited a few case laws to clarify the view of the Department with regard to Service Tax. B Ravi, Member, SIRC of The ICSI proposed vote of thanks.

Professional Development Meeting - 7th May, 2004

This Professional Development Meeting on Companies (Auditor's Report) Order, 2003 [CARO] & the Role of Company Secretaries' on 7.5.2004. was addressed by S Srikanth, Chartered Accountant. C Sudhir Babu, Chairman, SIRC of The ICSI welcomed and introduced the Speaker.

Srikanth gave a detailed and exhaustive multimedia presentation on CARO 2003 and informed that Companies (Auditor's Report) Order, 2003 [CARO] came into effect from 1st July 2003. He listed out the companies not covered by CARO and those that came under the purview of CARO.



He made analysis of specific clauses in CARO like fixed assets, investments, loans etc. He also observed that the CARO was silent on matters relating to service companies and trading companies. R Sridharan, Vice-Chairman, SIRC of The ICSI proposed vote of thanks.

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Seminar on `Recent Changes in IPR (Trade Marks & Patents) and SEBI Updates' 8th May, 2004



The first technical session of this seminar was addressed by Rajesh Ramanathan, Advocate, Lal & Sethi, Bangalore on ` Recent Changes in IPR'. Rajesh in his address brought out in detail the recent changes in Trade Marks Law by listing of the various changes to provide for registration and better protection of trade marks for goods and services and for the prevention of the use of fraudulent marks. He elaborated on the procedure also for registration and the mode of transmission of trade marks and protection of trade marks. Rajesh also listed out the defenses in an infringement action and passing of actions. B Ravi, Member of SIRC, The ICSI proposed vote of thanks.

Second technical session on SEBI Updates was addressed by T K Bhaskar, Advocate, Chennai. in his address brought forth various guidelines issued by SEBI and dealt in detail about each of them. P Sampath Kumar, Senior Officer (Listing), Madras Stock Exchange Limited interacted with the delegates and clarified various queries on the listing agreement.

This Seminar was co-ordinated by B Ravi, Chairman, Practising Company Secretaries Advisory Committee and Member, SIRC of The ICSI. Earlier, B Ravi, welcomed and introduced the Speaker and at the end proposed vote of thanks. C Sudhir Babu, Chairman, SIRC of The ICSI and Datla Hanumanta Raju, Member, Central Council, The ICSI were present during this programme.

INFORMEX 2004 – Career Fair - 26th April – 2nd May 2004

The SIRC of The ICSI participated in a Career Fair organised by the University of Madras at the University Campus. The SIRC has put up a stall where in a number of students, teachers and parents visited the stall. Brochures on the Company Secretaryship course were distributed. Various queries raised by the visitors were clarified by the officials of SIRC of The ICSI.

ANNOUNCEMENTS:

ORAL COACHING CLASSES AT ICSI-SIRC HOUSE, CHENNAI INTERMEDIATE

GROUP I - MORNING Batch - from 14.06.2004 6.30 am to 8.30 am

GROUP II - EVENING Batch - from 14.06.2004 6.00 pm to 8.00 pm

Fees: Rs.1835/- PER GROUP (Rs.1600 + Rs.25 Newsletter Subscription + Rs.10 Admn.Fee + Rs.200 Students Seminar)

5TH TRAINING ORIENTATION PROGRAMME (TOP) will be held for Company Secretaryship course Intermediate or Final examination passed students from 21st June, 2004 to 25th June, 2004 10.00 am to 05.00 pm - Fee : Rs.400/-LAST DATE : 15.06.2004 Venue: ICSI-SIRC HOUSE, CHENNAI

51ST SECRETARIAL MODULAR TRAINING PROGRAMME (SMTP) will be organised for Company Secretaryship course Final examination passed students from 27th July, 2004 to 12th August, 2004 (10.00 am to 05.00 pm) Fee: Rs.2,500 LAST DATE :20.07.2004 Venue: ICSI-SIRC HOUSE, CHENNAI

BOOKS FOR SALE:

It has been decided by the SIRC Library Committee to weed out books which are obsolete and outdated. The books which are weeded out will be sold to the students of the Institute @ Rs. 15/- per book. The weeded out books are on display in the SIRC library from 6.5.2004 to 25.5.2004. Students after remitting requisite amount in the cash counter of SIRC can produce the cash receipt at the library and collect the books.



THE INSTITUTE OF COMPANY SECRETARIES OF INDIA SOUTHERN INDIA REGIONAL COUNCIL CHENNAL

THE SOUTHERN INDIA **CHAMBER OF COMMERCE & INDUSTRY** CHENNAL

JOINTLY ORGANISES ONE DAY SEMINAR ON

`ROLE AND RESPONSIBILITIES OF DIRECTORS IN THE EMERGING SCENARIO'

Day & Date:

Saturday, the 26th June 2004

Venue:

HOTEL CHOLA SHERATON, 10 Cathedral Road, Chennai 600 086

Delegate Fee:

Members in Practice and Employment - Rs.1000 " Students of The ICSI - Rs. 750 (The fee will cover organisational expenses including seminar kit, tea and lunch).

The theme of the Joint Seminar will be deliberated in following four technical sessions:

I Technical Session : Corporate Governance & Independent Directors

II Technical Session : Qualification & Disgualification of Directors

III Technical Session : Responsibilities & Liabilities of Directors

IV Technical Session : Global Scenario vis-à-vis the Directors

Registration:

Application for registration along with details of participants and registration fee paid through cheque or demand draft favouring SIRC OF THE ICSI payable at Chennai be sent on or before 20th June, 2004 to: The Joint Director

Southern India Regional Office, The Institute of Company Secretaries of India ICSI-SIRC HOUSE, No.9 Wheat Crofts Road, Nungambakkam, Chennai 600 034 Phones : 044-28279898:28268685 Fax : 044-28268685, E-Mail: icsisirc@md3.vsnl.net.in

OR

The Secretary The Southern India Chamber of Commerce & Industry Indian Chamber Buildings, Esplanade, Chennai 600 108 Phone: 044-25342228-29, 25342055, Fax : 044-25341876; E-Mail:sicci@md3.vsnl.net.in

Participants will be entitled for Four Programme Credit Hours.

PAYMENT OF ANNUAL FEE FOR THE YEAR 2004 - 2005

The annual fee for the year 2004-2005 has become due for payment w.e.f. 1st April, 2004 as under: Rs.225/-

1. Associate Annual Membership fee

2. Fellow Annual Membership fee

Rs.300/-

3. Annual Certificate of Practice fee Rs.200/-

Members are requested to remit their annual fee so as to reach the Institute latest by 30th June 2004 being the last date specified in the Regulations.

To facilitate the members to pay the fee and also to bring about saving in the cost of collection of fee, an arrangement was made with the ICICI Bank last year for the collection of fee but the arrangement has not worked to the desired level, hence the system of payment through ICICI Bank has been discontinued w.e.f. 1st April, 2004. In case any member has already deposited the fee with ICICI Bank he may kindly send the details of payment made to the Institute for proper accounting.

The fees can now be remitted by:

1. Cash/local cheques drawn in favour of the Institute of Company Secretaries of India', payable at New Delhi at the counter of the Institute's Head Quarter or Regional and Chapter Offices located at Mumbai, Kolkata, New Delhi, Chennai and Ahmedabad, Bangalore, Chandigarh, Hyderabad, Jaipur, Pune respectively, Outstation cheques will not be accepted.

2. Demand draft/Pay order drawn in favour of the Institute of Company Secretaries of India, payable at New Delhi.

The declaration form required to be sent by the Members in practice for renewal of their Certificate of Practice has been published in Page 735 in the May, 2004 issue of Chartered Secretary. The copies of the revised declaration forms are also available with the ICSI Southern India Regional and Chapter Offices.



SOUTHERN INDIA REGIONAL COUNCIL BANGALORE CHAPTER

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"KNOW THYSELF" 2nd April, 2004

This Study Circle Meeting on the topic "Know Thyself" was organised on April 2, 2004 at 6.30 PM at the Chapter Premises. The Guest speaker was Ms. Uma Sreedhar, Head, HR Department, Alliance Business Academy, Bangalore.Dattatraya Joshi, Secretary, SIRC of the ICSI & Ex-Officio Members of Managing Committee of the Bangalore Chapter of the ICSI welcomed all present and introduced the speaker

Ms. Uma Sreedhar in her illuminating and thought provoking talk gave an insight into the knowledge and personal traits of each individual and how important each aspect was in ensuring success in life. She then stated that if one concentrated on acquiring the right KASH (Knowledge enhancement, Attitude, Skills & Habits) the CASH would automatically follow.

She then expounded the Theory of Image by Carl Rogers wherein she explained the concepts of self image, looking glass self, real self and ideal self, the conflicts between these concepts and the results of the same. Her whole address was interspersed with live examples and anecdotes. She concluded her address by stating "If you think you can win, you will".

There was lively interaction from the 13 members present. G.V. Srinivasa Murthy, Managing Committee Member, Bangalore Chapter of the ICSI proposed the vote of thanks and also presented the memento to the speaker.

1ST Training Orientation Programme (TOP) *12TH April, 2004 - 16TH April, 2004*

This 1st Training Orientation Programme (TOP) organised at the Chapter premises was Inaugurated by Dattatraya Joshi, Secretary, SIRC of the ICSI. Subramanyam S, Chairman of the Chapter welcomed all present and introduced the Chief Guest. Ms. Sunu Maunel, Student presented a bouquet to the Chief Guest. The participants then briefly introduced themselves.

Dattatraya Joshi then inaugurated the First Training Orientation Programme by lighting the lamp. In his address Dattatraya Joshi enumerated the need for the many training requirements of the Company Secretaryship Course and stated that they were all essential in inculcating communication skills and learning how to effectively present oneself in one's professional career. He also stated that the Institute of Company Secretaries of India was the pioneer in introducing various innovative ideas in its curriculum. He also explained the objective of Training Orientation Programme and how the students can gain maximum benefit out of the sessions and the experts who would be handling the same.

The inaugural session concluded with the vote of thanks proposed by the Subramanyam S, Chairman of the Bangalore Chapter.

The Valedictory Function was held on 16th April, 2004 at the Chapter premises. V. Sreedharan, Member, Central Council, The ICSI was the Chief Guest.Subramanyam S, Chairman of the Chapter welcomed all present. Mr. V. Sreedharan, Member, Central Council, The ICSI then distributed the Course Completion certificates to the participants and wished them all the very best in their future endeavours.

12 Students were enrolled and participated for this first Training Orientation Programme. Ms. Sangeetha Flora, Assistant Education Officer of the Chapter was the Programme Co-ordinator



President's meet with Members - 30th April. 2004

This meeting was organised on April 30, 2004 at 6.30 PM at HAL Auditorium, Bangalore. Subramanyam S, Chairman of the Bangalore Chapter welcomed all present and introduced the president Mahesh Anant Athavale, D.K. Prahlada Rao, Past President of the ICSI presented bouquet to the President. K. Narayana Swamy Past Chairman of the SIRC of the ICSI presented bouquet to C. Sudhir Babu, Chairman, SIRC and Chandrappa Past Chairman of the SIRC of the ICSI presented a bouquet to V.K. Aggarwal, Senior Director of the Institute.

The President in his address briefly outlined certain issues such as the Co-ordination meeting between the ICSI, ICAI and ICWA Institutes for the implementation of the MOU that was entered into by the 3 Institutes in the year 2000, among other issues; whether Section 383A of the Companies Act is required; Pre-certification of forms by Practising Company Secretaries; Peer Review; Training Requirements; Advertisements by Company Secretaries etc. and requested members to frankly state their views on the same.

Many members shared their views on the issues put forth by the President. There was lively interaction by the 69 members present at the meeting. M.R. Gopinath, Practising Company Secretary, presented a memento on behalf of the Bangalore Chapter to the president. J. Sundharesan, Secretary, Bangalore Chapter of the ICSI proposed the vote of thanks.

President's Meet with Students of Bangalore Chapter – 30th April, 2004

The Bangalore Chapter of the ICSI organised students a meeting with President of the ICSI on April 30, 2004 at 4.30 PM at HAL Auditorium, Bangalore. Subramanyam S, Chairman of the Bangalore Chapter welcomed all present and introduced the president Mahesh Anant Athavale. Biswajit Gosh, a final student presented a bouquet to the President. Sagar, a Foundation Course student presented a bouquet to C. Sudhir Babu, Chairman, SIRC of the ICSI. Sandeep an Intermediate student presented a bouquet to Dattatraya Joshi, Secretary, SIRC of the ICSI and Ms. Smitha, a Foundation Course students presented a bouquet to V.K. Aggarwal, Senior Director, The ICSI.

V.K. Aggarwal in his address stated his desire to have more interactions with the students and welcomed feedback so as to enable the Institute in rendering better and prompt service to students. He gave the formula that would ensure 100% success as having a positive attitude and discipline. He gave tips on how to adequately prepare one self in the practical and law papers for the examination. He also stressed on the importance of training and acquiring communication skills by constant practice.

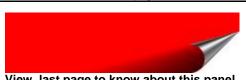
Sudhir Babu, in his address stressed on the importance of interaction with students as they are the backbone and future of the Institute. He highlighted the fact that the Company Secretaryship Course was very inexpensive when compared to the other management courses being offered and stated that hard work would definitely ensure success.

Mahesh Anant Athavale, in his address stated that though the syllabus was vast the present day students have better facilities to help them in their studies. He also emphasised the importance of interpreting law in the proper sense by giving practical examples. He highlighted the benefits of the Chartered Secretary journal for students and urged them to subscribe for the same.

He also recommended that the students may form study groups to focus on particular subjects / topics and then share the same with other groups regularly. He also advised the students to give mock exams and get the same evaluated by faculty to test their preparedness for examinations. He concluded by stating that the membership to the Institute is only an entry ticket and it is upto each of the students how they grow.

There was lively interaction by the 11 students present, who stated certain problems faced by them, clarified certain doubts and also gave same valuable suggestions.

J. Sundharesan, Secretary, Bangalore Chapter of the ICSI proposed the vote of thanks.



View last page to know about this panel



SOUTHERN INDIA REGIONAL COUNCIL HYDERABAD CHAPTER

NEWS & ANNOUNCEMENTS

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ICSI President's Meet with Members & Practising Company Secretaries - 9 April, 2004

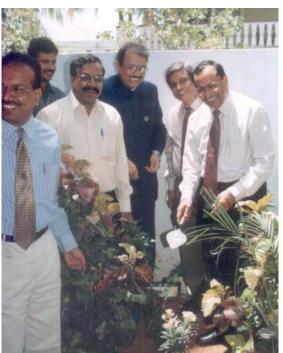


Mahesh Anant Athavale, President, The ICSI while addressing the Members , discussed the issue, whether the Company Secretaries should concentrate on their Core Competency areas i.e, Corporate Laws or to diversify in to other areas. He responded to Members gueries. NK Jain, Secretary his address impressed the Members to be in vigilant about the fast changes and to gear up themselves to meet such changes. The Managing Committee Members of the Chapter and other members also spoke on the occasion. Mahesh Anant Athavale. President The ICSI in his address explained about the proposed Peer Review of Professional services rendered by Practising Company Secretaries by another Practising Company Secretary.

He spoke on code of conduct of practising professionals, mega firm concept and tie-up with the ICAI and the ICWAI. He informed the practising members that there are suggestions from members relating to issue of Certificate of Practice to newly admitted members after five years of getting the membership.

There is a mixed opinion amongst the practising members in giving concession in delegate fee for practising members in various paid programmes organized by the Institute or Regional Councils or Chapters. President, The ICSI also informed that there is a request from some of the members that the designation of Company Secretary may be renamed as Chartered Secretary or Corporate Secretary. The ICSI is thinking to implement Dress Code for Practising Company Secretaries. He stressed the need to provide better training for trainees undergoing Apprenticeship training. He solicited views and suggestions of Practising Company Secretaries on the these issues. The following are some of the suggestions from Practising Members during the meeting:

- 1. The ICSI must educate Promoters regarding profession of Company Secretary & bring more visibility to the profession.
- 2. There is no need to change designation of Company Secretary
- 3. No concession need to be given for Practising Members in various paid programmes.
- 4. In view of unemployment, the ICSI should not change entry norms for taking-up practice by newly admitted members.
- 5. Mega firm concept is a good idea.
- 6. The Institute must take strict action on members violating code of conduct.
- 7. There is a mixed response from members on peer review.
- 8. Fee for signing Compliance Certificate must be on gradation system
- 9. ICSI may tie-up with financial institutions for Practising Members for acquiring infrastructure for their office.
- 10. Institute should try with Bank authorities in getting the work related to Search Reports exclusively by Practising Company Secretaries.
- 11. The Institute may conduct certificate courses for members on Laws relating to other countries.
- 12. Institute may conduct PDC Activities through Video conferencing.
- 13. Members wanted feed back on constitution of resource panel to work under Securitization Act.





SOUTHERN INDIA REGIONAL COUNCIL HYDERABAD CHAPTER

NEWS & ANNOUNCEMENTS

Seminar on "National Company Law Tribunal – Opportunities and Challenges" – 10 April, 2004

The seminar was inaugurated by Hon'ble Justice K. Ramaswamy, Hon'ble Judge (retd.), Supreme Court of India. While inaugurating the seminar Hon'ble Justice Ramaswamy felt that the topic is very useful. He touched upon critically the eligibility criteria to become President of NCLT, opportunities for various professionals in the Tribunal. Mahesh Anant Athavale, President, NK Jain, Secretary, The ICSI, C. Sudhir Babu, Chairman, SIRC, P. Jagannatham, Chairman, Hyderabad Chapter, Dr. Ranbir Singh, Director, Nalsar University of Law also spoke during the Inaugural Session. The Inaugural session concluded with a vote of thanks proposed by Prof. A. Lakshmipathy, Registrar, Nalsar University of Law.



First Technical Session on "Constitution and Jurisdiction of NCLT, Scope for Professionals" was addressed by LVV lyer, Corporate Lawyer, Y. Ratnakar, Advocate and Dr. P. Bhaskar Mohan, Advocate, High Court of Andhra Pradesh. Dr. S. Chakravarthy, IAS(Retd.) Chaired the session. Iyer in his address felt that the constitution of NCLT will have remarkable impact and tribunalisation of justice may not be so effective. He discussed the Central Governments powers in establishing NCLT. He spoke on qualifications for appointment of President and wished that the NCLT should not become a heaven for Government and Bureaucracy and it should not go in BIFR way. Ratnakar addressed on "Jurisdiction of NCLT" and said that certain provisions of NCLT need to be streamlined. He also spoke on constitution powers of NCLT. Dr. P. Bhaskar Mohan who spoke on "Scope for Professionals in NCLT" narrated a list of areas giving scope for professionals to render various services under NCLT.

Second Technical Session on "Drafting and Advocacy Skills" was Chaired by Hon'ble I. Venkatanarayana, Former Judge, High Court of Andhra Pradesh. S. Ravi, Advocate, High Court of Andhra Pradesh spoke on "Advocacy Skills" while Prof. Ghanshyam Singh, Faculty, Nalsar University of Law spoke on "Drafting Skills" Ravi in his address spoke on the art of Advocacy, Lawyer's duty to client and court. He suggested that one should have in-depth knowledge on various areas to become a successful lawyer. Collection of information, accessibility of relevant information, case analysis and presentation of case are very important to succeed in profession. Advocate should also have compassion towards client. An Advocate must be able to communicate the strengths and weaknesses of a case to the client. He also said that command over language and punctuality to Court are also essential to succeed in the profession. Prof. Ghanshyam Singh in his address on "Drafting Skills" said that material facts and statement of facts are important to effectively plead a case. He explained how to draft and the structure of Plaint.



25th Secretarial Modular Training Programme Valedictory Session - 9 April. 2004

Mahesh Anant Athavale, President and NK Jain, Secretary, The ICSI graced the Valedictory Session of 25th SMTP organized by the Hyderabad Chapter on 9th April, 2004 at the Chapter premises.

Mahesh Anant Athavale, President in his address advised the participants to take-up research activities for which the Institute is providing guidance and help through The ICSI-CCRT and to come forward to contribute for the development of the Institute. He impressed the SMTP participants the importance of providing guilative service, adherence to professional code of conduct and bringing visibility to the profession. He also explained the mega firm concept recently approved by the Institute.

NK Jain, Secretary in his address to the participants advised to have forward looking and positive mind-set for succeeding in life. He shared the feeling that respect can be commanded by providing quality and courteous service. He said that by the year 2005 WTO regime will dominate the corporate world through which 145 member countries are eligible to compete with each other in providing various services and provide opportunity to all members. He stressed the importance of having good interpersonal relations and updating knowledge including latest technological changes. He advised the participants to keep in touch with respective Chapters/Regional Councils and the Institute. During the interaction the participants shared the following thoughts: (1) LCD projector may be made available for faculty (2) More Interactive sessions be included (3) No. of sessions be reduced (4) More sessions on Personality Development and communication skills be included. President and Secretary, the ICSI distributed Training Completion Certificates and awards to the participants. S V Suryanarayana, Member-SIRC and Faculty of the session on 'Communication Skills' announced the names of the participants *Best Speaker:* V. Vijaya Sarathi ; *Better Speakers:* Ms. Susan Sujatha Rao & T Vamsi Krishna ; *Good Speakers:* Ms. K Swathi & Ms. P Jyothirmayee. The Managing Committee Members, Faculty for SMTP and Programme Coordinator were present during the session.

President's Meet with Students - 9 April, 2004

Mahesh Anant Athavale, President, the ICSI in his address to students said that the present generation students are very well equipped with infrastructure facilities. Students must believe in destiny and should not fear about failures. Students should put-in dedication and hard work for successful completion of the course. He advised the students to take-up research activities and the services of the Institute and CCRT are available for the benefit of students interested in research activities.

NK Jain during his address congratulated the students for choosing the Company Secretaryship course. Members of the Institute are getting opportunities to work with top-brass in the initial stages of their career on joining service. Updation of knowledge and perfection in performing the given job are very important. He advised the students to improve inter-personal relations and to follow ethics. He also advised the students to read Student Company Secretary Bulletin for latest developments and academic guidance. Students also sought clarification regarding Assessment year for June, 2004 examinations. Prizes were distributed to winners and runners-up students of Quiz Programme organized by the Hyderabad Chapter. This programme was co-ordinated by E N Viswanath, Chairman-Oral Coaching Committee of the Chapter while the other Managing Committee Members of the Chapter were also present on the occasion.



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SOUTHERN INDIA REGIONAL COUNCIL HYDERABAD CHAPTER

NEWS & ANNOUNCEMENTS

23rd Annual General Meeting - 30th April, 2004

P. Jagannatham, Chairman welcomed the Members to the 23rd Annual General Meeting of the Chapter. In his opening address, he has informed the Members about the important events that have taken place during year 2003-2004 and also during the current financial year till date. The Chairman has also mentioned about the proposed activities to be conducted during the current year. The Chairman then advised G Raghu Babu, Treasurer of the Chapter to read the Auditors' Report. When the Members decided that that the Auditors' Report could be taken as read, Shri Raghu Babu, informed the Members that the Auditors' Report has no qualifications.

On a request by the Chairman, Lalit Mohan Chandna, Former Chairman of the Chapter gave an overview presentation on Company Secretaries Benevolent Fund and urged the members to become Members of this Benevolent Fund. S V Suryanarayana, Former Chairman of the Chapter has also explained the features of Benevolent Fund and appealed the Members to become Members of the Fund and also voluntarily send their contribution to strengthen the corpus of the Fund

The Chairman then invited the members to express their views on Annual Accounts and provide suggestions. Paras Kumar Jain sought some clarifications on the Annual Accounts, A G Ravindranatha Reddy complimented the Managing Committee for several disclosures made in the Annual Report and K S Ramesh [FCS3260] has enquired about the Development Grant.The Chairman has replied to the observations and clarified the matters brought before the Meeting. The Chairman then proceeded with the Agenda of the 23re Annual General Meeting of the Hyderabad Chapter of ICSI. The Audited Balance Sheet as at 31st March, 2004 and the reports of the Auditors and the Managing Committee of Hyderabad Chapter of ICSI thereon as placed before the meeting were adopted by the members. 66 members have attended this AGM while the following Members have spoken on this occasion:



- a) Dr. PVS Jagan Mohan Rao, Past President, The ICSI has informed his views on the importance of becoming a Member of the Company Secretaries Benevolent Fund.
- b) Datla Hanumanta Raju, Council Member, The ICSI informed the Members about the construction of New Building for the Hyderabad Chapter at the existing premises.
- c) PS Shastry, Past Chairman of the Chapter informed the Members about the contribution of Managing Committee Members (2003) in obtaining the ISO Certification for the Chapter
- d) P S Rao, offered his services to the activities of the Hyderabad Chapter.
- e) SV Suryanarayana, Member of ICSI-SIRC & Chairman of SIRC Newsletter Committee informed the members about features of the eNewsletter which has been brought out by the ICSI-SIRC.

The Annual General Meeting concluded with a vote of thanks proposed by V. Ahalada Rao, Secretary of the Chapter

ANNOUNCEMENTS:

54 TH BATCH OF ORAL COACHING CLASSES

<u>FOUNDATION</u> - May, 2004 ONWARDS FOR DECEMBER, 2004 EXAMINATION *Evening Batch* (06.30 pm to 08.30 pm) Fee : Rs.2,000 Venue: University College for women, Koti, Hyderabad

INTERMEDIATE - May, 2004 ONWARDS FOR DECEMBER, 2004 EXAMINATION

GROUP - 1(Evening Batch) 06.30 pm - 08.30 pm Fee : Rs.2,000 Venue: University College for women, Koti, Hyderabad

GROUP - 2 (Evening Batch) 07.00 am - 09.30 am Fee : Rs.2,000 Venue: Hyderabad Chapter

5TH TRAINING ORIENTATION PROGRAMME (TOP) will be held from 13 June 2004 to 17 June 2004 to 10.00 am to 05.00 pm – for Intermediate/Final passed students of ICSI Fee : Rs.500/- Venue: Hyderabad Chapter.



SOUTHERN INDIA REGIONAL COUNCIL COIMBATORE CHAPTER

NEWS & ANNOUNCEMENTS

OFFICE:

No 217, New Scheme Road Near Mani Higher Sec.School, COIMBATORE 641 037 *Telephones:* 0422-212617 icsicbe@eth.net Working Days & Hours : Monday to Saturday 10-00 AM to 7-00 PM

Special General Meeting - 10 April, 2004

A Special General Meeting was convened by the Chapter to consider proposal of acquiring land and building for housing the Chapter office, library and class rooms for oral coaching. Members during the occasion were taken to the proposed premises for their views and comments. A.R. Ramasubramania Raja, the Chairman of the Chapter outlined details of the building project and emphasized the necessity of having this particular premises, which has all the advantages and scope for expansion for future needs. Members participated in the deliberations, approved the proposal unanimously and extended their wholehearted support both moral and financial for the building project. V. Selvaraj, ROC, DCA, Tamilnadu, Coimbatore appreciated the efforts of the Chapter and assured all his help to this project.

Study Circle Meeting - 21 April, 2004

V.Rajan, Company Secretary in Practice, Coimbatore gave a lecture on "SECRETARIAL AUDIT". In his lecture he detailed the necessity of the Secretarial Audit in the emerging scenario of Corporate Governance. He also explained in depth the role of Practicing Members and the areas where it requires concentrated effort by the professionals for effectively conducting the Audit.



Professional Development Meeting - 28 April, 2004



Govind M. Joshi, Company Secretary gave a lecture on "Delisting of Securities". In his speech he dealt on the procedural aspects of delisting as provided under SEBI (Delisting of Securities) Guidelines 2003 and the Delisting Norms prescribed by Stock Exchanges in overseas countries like U.K., USA (NASDAQ), NYSE, Singapore, Korea, Hong Kong and Japan Stock Exchanges. Members and students participated in large numbers in this programme.



C3, III Floor, A R Plaza, 16/17 North Veli Street, MADURAI 625 001 *Telephones:* 0452-2340797 *email:* icsimdu@eth.net Working Days & Hours : Monday to Saturday 10 00 AM to 8 00 PM

Joint Meeting with ICAI and ICWAI 12 April, 2004

Madurai Chapter of ICSI in association with Madurai Chapters of ICAI and ICWAI conducted a special meeting on the topic, "Recent trends in Capital Market" at Madurai. R.Ravi, Vice-President, The ICSI and T.M.Nagarajan, Whole time member, Securities and Exchange Board of India, Mumbai were the Chief Guests. Around 75 members attended the programme including the Members from Madurai Investors Association, Madurai. B.Balakrishan, Chairman, Madurai Chapter of ICSI welcomed the gathering. G.Jeyaseelan, Chairman, Madurai Chapter of ICAI introduced the Chief Guests.

R.RAVI, Vice-President, The ICSI, in his speech, elaborately narrated the gathering about the Institute and the Company Secretary study and various activities brought out by the Institute for the benefit of Members and Students including the initiative of the Institute to form partnership with the other professional bodies and also the steps taken to form the International Federation of Company Secretaries. He appreciated the role and importance of SEBI on Corporate Governance. He also informed that the memorandum was submitted to SEBI insisting to implement the independent secretarial audit to be conducted once in 6 months which will be helpful to the Board of Directors and Shareholders, etc.,

T.M.NAGARAJAN, Whole time member, SEBI, gave a brief lecture on the topic, "Recent trends in Capital Market". He appreciated the role of ICSI in creating awareness in the field of Investors protection. He informed that the memorandum submitted by the ICSI would be positively considered by the SEBI. The vanishing companies killed the investors' confidence and so the secondary market slipped into slumber. The position has been changed. The IPO is at an increase. The capital market witnessed a tremendous transformation due to electronic nationwide screen based trade in which speed and efficiency, multitude of market participation and transparency are there. The world is marveling at the development of dematerialization of the scrips. Investors need not wait for a longer time for a transaction since trading cycle is short on. In respect of Corporate Governance he informed that India is keeping an important status in the world. He also informed that the Indian capital market has won the confidence of Investors of local and global. SEBI assured the protection of small investors. The manipulation, if any, will be dealt with severely. He also elaborately discussed the marginal trading, central listing authority and RTGS (Real Time Gross Settlement), etc.,

The members raised many questions which were duly answered by him. .Ashok, Secretary, Madurai Chapter of ICWAI proposed vote of thanks.

Career Awareness Programme - 19 April, 2004

A Career Awareness Programme at Sermathai Vasan College for Women, Madurai for B.Com, B.B.A., and B.Com (Computer Application) students. M.Govindarajan, Secretary of the Chapter conducted the programme. C.Pandian, M.A., President and S.E.V.Sundara Moorthy, B.A., B.L., Adviser to the College have arranged the programme in a grand manner.

In his speech he elaborately explained about the Institute, the importance of Company Secretary and his role, position of the company secretary in the changing business environment. He also narrated about the course contents, fee structure, eligibility to join the course, admission procedure, and employment opportunities available in employment and wide areas in practice etc., and also said the various services being offered by the Madurai Chapter to the students and members.

Nearly 70 students attended the programme. On the occasion Institute's brochures on 'Career in Company Secretaryship' were distributed among the students.



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Service Tax - 23 April, 2004

On 23.4.2004 Madurai Chapter of ICSI organized a joint meeting with Madurai Chapter of ICWAI on the topic 'Service Tax' at Madurai. Smt. Minu Pramod, I.R.S., Dy. Commissioner of Central Excise, Madurai I Division, Madurai was the chief guest. V.S.Krishnamoorthy, Vice-Chairman of Madurai Chapter of ICSI welcomed the participants. M.Govindarajan, Secretary, Madurai Chapter of ICSI introduced the chief guest.

She, in her nice speech, said that the Government of India introduced Service Tax in the year 1994 and it is an indirect tax levied on services provided by certain categories of persons. She elaborately discussed about the concept of service tax, services and service sector, role of service sector in the economy, need for the taxation on services, service taxation in India. At present there are 60 services on which service tax is levied at a rate of 8% of the valued of the taxable service, she observed. She appreciated the efforts taken for organizing such programmes, which would create awareness of the service tax among the public, and she informed that the department could able to succeed in this regard by bringing the service tax providers in the regime.

The person is liable to pay service tax to the Government for the taxable services provided by him. She explained the various types of services, which are to be covered under the Service Tax Rules.

She also gave a vivid picture on registration procedures, payment of service tax, self assessment filing of returns, grievance redressal mechanism, etc., She also pointed out the role of company secretaries and cost accountants as service providers and their bounden duty in complying with the provisions of service tax which is also one of the areas for practicing for professionals. She also narrated the powers of department under section 82 in searching the premises, seizing documents, articles etc., She also narrated the adjustment of tax liability, penal provisions and procedure for appeals, etc., She hoped that the growth of service tax regime will lead to form a separate department for service tax in near future.

Nearly 65 members/students attended the meeting. Officers from BSNL, LIC, public limited companies, private companies also attended the meeting. In the interaction session many queries were raised and they were duly replied by the chief guest and also by Smt. Malar Kodi, Superintendent of Central Excice, Madurai I division. Registration forms, ST-3 forms etc., were distributed by the department at the request.

Sri I.Ashok, Secretary, Madurai Chapter of ICWAI proposed vote of thanks.

Forthcoming event

15 May, 2004 28th Foundation Day of the Chapter.



Behind Swami Vivekanand Hall, Mahajana P U College Campus, Jayalakshmipuram, MYSORE 570 012 *Telephones:* 0821-516065 **mysore@icsi.edu** Working Days & Hours : Monday to Saturday 10 00 AM to 06 00 PM

Collaborative Oral Coaching Center in Mysore –29 April, 2004



On 29th April 2004, Mysore Chapter of the ICSI launched a Collaborative Oral Coaching Center. with а prestigious educational Institution run by "SBRR Mahajana Education Society" to provide quality coaching for students at Mysore, who want to pursue the foundation course of our Institute.

Mahesh Ananth Athavale, the President of ICSI formally inaugurated the Oral Coaching Center at a function held at the Vivekananda Hall of the Mahajana P.U. College in the august presence of Vasudeva Murthy, the President of the Mahajana Education Society, as the chief Guest. Sudhir Babu, Chairman SIRC and D. Joshi Secretary of SIRC, graced the occassion Vasudeva Murthy reassured the

commitment of MES to improving the quality of education, particularly professional education, in Mysore. Appreciating the activities of the Institute and the Mysore Chapter he assured his complete support to the success of the proposed oral coaching center. Mahesh Athavale, stressed on the importance of quality in education in achieving professional competence, particularly in present era of globalised business environment. The foreign



companies investing in India, he said, can bring technology and money, but only the Indian professional can help them in building business here. He highlighted the role of Company Secretaries, in the emerging context and expressed confidence on unfolding professional opportunities. Sudhir Babu addressing the gathering appreciated the commitment of the Mahajana Education society for their initiations.

V S Kumar, Vice Chairman of the Mysore Chapter rendered vote of thanks.



SOUTHERN INDIA REGIONAL COUNCIL VISAKHAPATNAM CHAPTER

OFFICE:

Door No 48-3-3, Opp Street of BVK College, Srinagar, VISAKHAPATNAM 530 016 *Telephones:* 0891-2533516 *email:* icsivigzag@sancharnet.in Working Days & Hours : Monday to Saturday 06 00 PM to 08 00 PM

Career Counselling Programme – 26 April, 2004

A Career Counselling Programme was conducted at the Delhi Public School, Visakhapatnam Steel Plant Premises, on Tuesday the 26th April, 2004 which was quite well attended, K.M.A. Narayana Swami, Former Company Secretary, Visakhapatnam Steel Plant, conducted the Counselling Programme and assisted by P.Vithal Kumar, Secretary, Visakhapatnam Chapter.

The School Principal, Ms. Anita Dua in consultation with the Institute has organised this programme to bring it to the notice of the students that the future courses of education for students after 10 + 2 are not Engineering, Medicine only and there are so many courses which will give good career and prestige in the Country. The Students were shown the Institute's Power Point Presentation on the screen with LCD Projector. It has given a very good impact on the students and they have raised many queries about the institute and its educational programme.

The Programme was quite well attended by a large number of 10+2/Intermediate level students who evinced keen interest in the Foundation Course. There was an interactive session with the students after the programme. Principal thanked the Managing Committee of the Visakhapatnam Chapter of SIRC of ICSI for arranging such a programme to their students.

Visit by Former Chairman of Hyderabad Chapter of ICSI – 6 May, 2004

The Chapter has organised a get together with Lalit Mohan Chandan, Former Chairman of Hyderabad Chapter of ICSI. He has explained the members about the necessisity of contributing to the Institute' s Benevolent Fund. The programme was well attended by the Members of the Chapter.

Managing Committee 2004
Chairman: Chakrapani M
Company Secretary, East India Petrolium Ltd. chakri_melpadi@hotmail.com
<i>Vice-Chairman:</i> Parathpara Rao V
Finance Head and Company Secretary South Asia LPG Company Ltd. vprao@salpg.com
Secretary & Treasure: Vithal Kumar P
Asst. Company Secretary APEDDCL vithalacs@rediffmail.com
Member: Narasinga Rao P
Company Secretary in Practice pnrao56_cs@rediffmail.com
Member: Mohan Rao
Addl. Chief Finance Manager Rashtriya Ispat Nigam Ltd.
Member: Sreekanth Aswini K
Asst. Manager(S&S), Dredging Corporation of India Ltd. aswinikadiyala@hotmail.com
Member: Sivaprasada Rao P
Company Secretary, ARDEE Business Services Pvt Ltd . siva_patnala@hotmail.com



SOUTHERN INDIA REGIONAL COUNCIL CHAPTERS

NEWS & ANNOUNCEMENTS

CALICUT CHAPTER

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I Floor, Shanti, Wayanad Road, CALICUT 673 001 *Telephones:* 0495-2762338 & 0495-2762239

HUBLI - DHARWAD CHAPTER

OFFICE:

C/o D N Shetty Educational Society, 25/B-4 Lakshmanahalli, Industrial Area, Near KMP, DHARWAD 580 004

Telephone: 0836-462611

KOCHI CHAPTER

OFFICE:

Door No 25 (Opp North Railway Station), KOCHI 682 018 Telephones: 0484-2392950 email: icsicochin@rediffmail.com

Working Days & Hours : Monday to Saturday 10 00 AM to 08 00 PM

KOTTAYAM CHAPTER

OFFICE:

Building No XI/333, Pattaseril, Eranjal Road, KOTTAYAM 686004 *Telephone:* 0481-2572107

MANGALORE CHAPTER

OFFICE:

Grace Towers, II Floor, Bejai, MANGALORE 575 004 *Telephones:* 0824-216482 Working Days & Hours : Monday to Saturday 09 00 AM to 05 00 PM

PONDICHERRY CHAPTER

OFFICE:

No 5, II Main Road, 5th Cross Rajaji Nagar, Lawspet, PONDICHERRY 605 008 *Telephones:* 0413-2250347 Working Days & Hours : Monday to Friday 09 00 AM to 06 00 PM

SALEM CHAPTER

OFFICE:

[Old Address: No 30 Sugarvaneswara, Road, Balaji Nagar, SALEM 636 004] No.62 Vaniga Valagam, Salem Corporation, Salem 636 001 *Telephones*: 0427-2331879 0427-2331951 *email*: <u>sncm@eth.net</u>

TIRUCHIRAPALLI

OFFICE:

34-A Promenade Road, Cantonment, TIRUCHIRAPALLI - 620 001 *Telephones:* 0431-2461662 Working Days & Hours : Monday to Saturday 06 30 PM to 08 30 PM



SOUTHERN INDIA REGIONAL COUNCIL CHAPTERS

THRISSUR CHAPTER

OFFICE:

XXVIII/603-14, Soorya Garden Apts, Paliyam Road, THRISSUR 680 001 *Telephone:* 0487-2331112

THIRUVANANTHAPURAM CHAPTER

OFFICE:

Utsavamadom Building, Fort, THIRUVANANTHAPURAM 695 023 *Telephones:* 0471-2451915 Working Days & Hours : Monday to Saturday 02 00 PM to 08 00 PM

VIJAYAWADA CHAPTER

OFFICE:

ICWAI Bhawan, D No. 58-6-14, Karnamgari Street, Patamata, VIJAYAWADA 520 010 *Telephone:* 0866-2470514



eNewsletter3

FEATURE

Notifications & Circulars issued by the Central Government [*The Department of Company Affairs, Ministry of Law, Justice & Company Affairs, Government of India*] to carry out the purposes of the provisions in the Companies Act, 1956. An attempt has been made here to provide a list of such Notifications / Circulars issued from January, 2003 till April, 2004 along with gist of the notification for easy identification of the topic and its substance. A <u>hyperlink</u> is also provided to copy and paste in web browser to view online [when PC is connected to Internet] the text of the Notification / Circular.

- Compiled by: G Raghu Babu, FCS-4448 raghu@randaassociates.com or raacompsec@hotmail.com Net Member – Hyderabad - Newsletter Committee of Southern India Regional Council of ICSI

Notification or Circular *Effective date if different from Notification Date	Gist of Notifications / Circulars issued by Department of Company Affairs & <u>Hyperlink</u> to view content on line if connected to internet			
GSR No 5(E) 3.01.2003	Companies (Central Government's) General Rules and Forms (Amendment) Rules, 2003 New Form 25A [Form of Application to the Central Government for approval of appointment/ re-appointment and remuneration payable to managing / whole-time director(s) or manager.] has been substituted in place of existing one. http://www.dca.nic.in/noti/not-5E2k3.htm			
General Circular No. 2/2003 Dated 09.01.2003	Participation of Cost Auditor in the meetings of Audit Committee to be constituted under Section 292A of the Companies Act, 1956: The Cost Auditor wherever appointed shall also attend and participate at the meetings of the Audit Committee but shall not have the right to Vote. <u>http://dca.nic.in/cir/gcir2-2k3.htm</u>			
General Circular No. 1/2003 Dated 13.01.2003	Reopening/revision of annual accounts after their adoption in the annual general meeting. A Company could reopen and revise its accounts even after their adoption in the Annual General meeting and filing with the ROC in order to comply with technical requirements of any other law to achieve the object of exhibiting true and fair view. <u>http://dca.nic.in/cir/gcir1-2k3.htm</u>			
General Circular No. 5/2003 Dated 14.01.2003	Disqualification of Directors under Section 274(1)(g) of the Companies Act,1956: Default of privately placed bonds/debentured/debt instruments by public financial instruments will not be considered as default under Section 274(1)(g) of Companies Act <u>http://dca.nic.in/cir/gcir5-2k3.htm</u>			
General Circular No. 4/2003 Dated 16.01.2003	Debenture Redemption Reserve (DRR): In Housing Finance Companies registered with National Housing Bank under NHB Directions, 2001, the adequacy of DRR will be 50% of the value of debentures issued through public issues and no DRR is required in case of privately placed debentures. <u>http://dca.nic.in/cir/gcir4-2k3.htm</u>			
General Circular No. 7/2003 Dated 17.01.2003	Refund of excess Registration Fees deposited by Companies for Form 5: The department decided to refund the excess registration fee paid on or after 12 th July, 2000 due to anomaly that had crept in the Notification No. S O 419 dated 27 th April, 2000 and further rectified by further notification no.658(E) dated 12 th July,2000. http://dca.nic.in/cir/gcir-72k3.htm			
GSR No 89(E) 05.02.2003	Director' s Relatives (Office or Place of Profit)Rules 2003 Procedure for taking approval from the Central Government and examination of applications have been provided in these rules. <u>http://www.dca.nic.in/noti/not-89E2k3.htm</u>			



eNewsletter3

AO BTUTITEMI					
List & Gist of D	CA Notifications / Circulars continued				
Notification or Circular *Effective date if different from	Gist of Notifications / Circulars issued by Department of Company Affairs & <u>Hyperlink</u> to view content on line if connected to internet				
Notification Date GSR No 135(E) 05.02.2003	The Companies (Amendment) Act, 2002 - notifying 6-2-2003 as effective date. http://www.dca.nic.in/noti/not-135E2k3.htm				
General Circular No. 10/2003 Dated 13.02.2003	Printing of format of TDS on reverse side of Counterfoil of Dividend warrant The TDS format may be printed on the reverse side of the Counterfoil of the Dividend warrant duly signed by the persons responsible for deduction of Tax. <u>http://dca.nic.in/cir/gcir10-2k3.htm</u>				
General Circular No. 12/2003 Dated 14.02.2003	Alternative Basis for providing Depreciation under Section 205(2)(c) of the Companies Act,1956: The Companies may depreciate the assets on Straight Line method or Written down Value method but not to follow Unit of Production method. http://dca.nic.in/cir/gcir12-2k3.htm				
General Circular No. 13/2003 Dated 25.03.2003	Simplification of Procedure for removal of Name of Defunct Companies: A new simplified procedure has been introduced by which a Defunct Company can get its name removed from Register of Registrar of Companies. <u>http://dca.nic.in/cir/gcir13-2k3.htm</u>				
S O No 322(E) 25.03.2003	Risk Capital & Technology Finance Corporation Limited has been substituted with IFCI Venture Capital Funds Limited by amending the earlier notification SO 1329 dated 8 th May, 1978.which gives a list of institutions prescribed for the purpose of Section 4A . <u>http://www.dca.nic.in/noti/not-322E2k3.htm</u>				
SO No 344(E) 31.03.2003	Companies (Second Amendment Act,2002) – notifying effective date as 1.04.2003 for the Sections 2 & 6 of Amendment Act. http://www.dca.nic.in/noti/not-344E2k3.htm				
SO No 275(E) 01.04.2003	Public Companies (Terms of Issue of Debentures and Raising of Loans with Option to Convert such Debentures or Loans into Shares) Amendment Rules, 2003 These Rules have been made to further amend the Rules issued in 1978. http://www.dca.nic.in/noti/not-275E2k3.htm				
GSR No 300(E) 03.04.2003	Amendment in Companies (Acceptance of Deposit) Rules 2003 Any amount received as loan from the National Dairy Development Board by the companies owned by it directly or through its subsidiary companies will be excluded from the definition of the Deposits. <u>http://dca.nic.in/noti/not-300E2k3.htm</u>				
GSR No 303(E) 04.04.2003	The Competition Commission Of India (Selection of Chairperson and other Members of the Commission) Rules,2003: These rules provides for the details of constitution of the Committee, functions of Committee etc under Competition Act, 2002. http://dca.nic.in/noti/not-303E2k3.htm				
General Circular No. 15/2003 Dated 09.04.2003	Simplification of Procedure for Removal of Name of Defunct Companies (Simplified Exit Scheme) – Corrigendum to General Circular No: 13/2003 dated 25.3.2003 Annexure-C has been replaced with new Annexure-C which relates to Indemnity Bond. http://dca.nic.in/cir/gcir152k3.htm				



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List & Gist of DCA Notifications / Circulars continued					
Notification or Circular *Effective date if different from Notification Date	Gist of Notifications / Circulars issued by Department of Company Affairs & <u>Hyperlink</u> to view content on line if connected to internet				
GSR No 323(E) 09.04.2003	Amendment in Companies (Acceptance of Deposit) Rules 2003 Return of Deposits has been amended http://dca.nic.in/noti/not-323E2k3.htm				
GSR No 324(E) 09.04.2003	Disposal of Records (in the Offices of the Registrars of Companies) Rules, 2003. News rules issued replacing the existing Rules, 1984. <u>http://dca.nic.in/noti/not-324E2k3.htm</u>				
General Circular No. 16/2003 Dated 17.04.2003	Clarifications on some issues of Simplified Exit Scheme http://dca.nic.in/cir/gcir16-2k3.htm				
GSR No 348(E) 23.04.2003	Private Limited Company and Unlisted Public Company (Buy back of Securities) Amendment Rules, 2003: New clause which says that the debt equity of the Housing Finance Companies will be specified by the National Housing Bank in consultation with the Central Government is inserted in existing 1999 rules. http://dca.nic.in/noti/not-348E2k3.htm				
General Circular No. 19/2003 Dated 25.04.2003	Name Availability Guidelines The Registrar of Companies may permit change of name of existing companies on their changing the objects to undertake the business of insurance brokers also. <u>http://dca.nic.in/cir/gcir19-2k3.htm</u>				
General Circular No. 20/2003 Dated 25.04.2003	Rounding off figures in Profit and Loss Account Rounding off figures in the Balance Sheet to the nearest hundreds, thousands, lakhs, millions, or crores, or decimals thereof is also applicable to figures in P & L Account. <u>http://dca.nic.in/cir/gcir20-2k3.htm</u>				
GSR No 518(E) 09.05.2003	Declaration of National Co-operative Development Corporation (NCDC) as Public Financial Institution under section 4A of the Companies Act, 1956: A new entry was made to the earlier notification SO 1329 dated 8 th May, 1978.which gives a list of institutions prescribed for the purpose of Section 4A of the Companies Act, http://dca.nic.in/noti/not-518E2k3.htm				
GSR No 479(E) 12.06.2003	Amendment of the Companies (Central Government's) General Rules and Forms : The amendment provides that The debt equity ratio for listed Housing Finance Companies for the purposes of clause (d) of sub-section (2) of section 77A shall be in consultation with the Central Government <u>http://dca.nic.in/noti/noti-479E2k3.htm</u>				
GSR No 480(E) 12.06.2003 *01.07.2003	Companies (Auditor's Report) Order, 2003: New rules i.e. CARO have been introduced replacing the existing MAOCARO http://dca.nic.in/noti/not-300E2k3.htm				
SO No 715(E) 19.06.2003	Twenty six new / amended Sections of the Competition Act, 2002 came into force http://dca.nic.in/noti/noti-715E2k3.htm				



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Notification or Circular *Effective date if different from Notification Date	Gist of Notifications / Circulars issued by Department of Company Affairs & <u>Hyperlink</u> to view content on line if connected to internet				
S O No 815(E) 17.07.2003	<i>The position of Additional Secretary and Financial Advisor</i> as constituted under the earlier notification S O 1280(E) dated 28.12.2001 has been substituted by the position of Joint Secretary and financial advisor. <u>http://dca.nic.in/noti/noti-815E2K3.htm</u>				
GSR No 580(E) 24.07.2003	Companies (Central Government's) General Rules and forms (third amendment) Rules, 2003: For Rule 10-B substituted for the purposes of the first proviso to Section 310, the amount of remuneration by way of fee for each meeting of the Board of directors or a committee thereof, shall be as per the slab fixed in these Rules: http://dca.nic.in/noti/noti-580E2K3.htm				
GSR No 641(E) 07.08.2003	<i>The Producer Companies (General Reserves) Rules, 2003:</i> These rules are applicable to all Companies which are formed and registered under Section 581C of the Companies Act, 1956. <u>http://dca.nic.in/noti/noti-641E2K3.htm</u>				
SO No 674(E) 12.09.2003	The words "National Co operative Department Corporation" as contained in GSR No 518(E) 09.05.2003 shall be read as "National Co operative Development Corporation." http://dca.nic.in/noti/noti-674E2K3.htm				
SO No 1073(E) 18.09.2003	Constitution of the National Advisory committee on Accounting Standards u/s. 210A of the Companies Act, 1956. http://dca.nic.in/noti/noti-1073E2K3.htm				
GSR No 757(E) 23.09.2003	The Competition Commission of India (Oath of Office and Secrecy for Chairperson and other members) Rules, 2003 Every person to be appointed as the Chairperson or as a member for the Competition commission, established under the Competition Act, 2002 shall, before entering upon their office, make and subscribe to an oath of office and of secrecy http://dca.nic.in/noti/noti-757E2K3.htm				
GSR No1098(E) 24.09.2003	Corrigendum to the Notification No. 715(E) dated 19.6.03 regarding effective date of some sections of the Competition Act, 2002. http://dca.nic.in/noti/noti-1098E2K3.htm				
GSR No 774(E) 29.09.2003	<i>The Companies (Acceptance of Deposits) (Third Amendment) Rules, 2003:</i> The rate of interest on Deposits payable by the Companies shall not exceed the maximum rate of interest prescribed by the Reserve Bank of India for Non Banking Financial Companies <u>http://dca.nic.in/noti/noti-774E2k3.htm</u>				
GSR No 775(E) 29.09.2003	Substitution of paragraph in the earlier notification G.S.R. 555 (E) dated the 26 th July, 2001 which now provides that the rate of interest offered by every Nidhi or Mutual Benefit Society shall not exceed maximum rate of interest prescribed by RBI for NBFC's http://dca.nic.in/noti/noti-775E2k3.htm http://www.dca.nic.in/noti/not-555E2k1.htm				



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Notification or Circular *Effective date if different from Notification Date	Gist of Notifications / Circulars issued by Department of Company Affairs & <u>Hyperlink</u> to view content on line if connected to internet		
S O No 1136(E) 30.09.2003 *01.10.2003	The company Law Settlement (Jammu and Kashmir) Scheme, 2003: This scheme is framed for granting immunity from prosecution and compounding the period of delay involving in filing certain documents under the Companies Act, 1956 <u>http://dca.nic.in/noti/noti-1136E2k3.htm</u>		
General Circular No. 27/2003 Dated 07.10.2003	Clarifications on some issues of Simplified Exit Scheme. http://dca.nic.in/cir/gcir27-2k3.htm		
GSR No 784(E) 08.10.2003	The Competition Commission of India (Salary ,Allowances and other Terms and Conditions of Service of Chairperson and other Members) Rule, 2003 The payments to be made to the Chairperson and other members as salary/ allowances such DA,CCA,TA etc are prescribed in the Rules. http://dca.nic.in/noti/noti-784E2K3.htm		
GSR No 785(E) 08.10.2003	Central Government declared 11 more Companies which are specified below as Nidhi Companies by amending earlier notifications. The names of the companies which have been included now in the Nidhi Companies are: 193. M/s Chepauk Benefit Fund Limited, Chennai 194. M/s Baggyalakshmi Benefit Fund Limited, Chennai 195 M/s Samayapuram Mariamman Benefit Fund Limited, Trichy, Tamilnadu 196.M/s Lakshmipuram Benefit Fund Limited, Tiruninravur, Chennai 197.M/s Sri Devigayathri Benefit Fund Limited, Chennai 198 M/s Eravi Vinayagar Benefit Fund Limited, Kanyakumari District, Tamilnadu 199. M/s Bhavsar Maratah Benefit Fund Limited, Chennai 200.M/s Minjur Benefit Fund Limited, Minjur, Tamilnadu 201.M/s. Sakthi Benefit Fund Limited, Chennai 202.M/s Kulitalai Benefit Funds Limited, Kulitalai, Tamilnadu 203.M/s Kudumba Vilakku Benefit Fund Limited, Thanjavur, Tamilnadu" http://dca.nic.in/noti/noti-785E2K3.htm		
GSR No 1198(E) 14.10.2003	<i>Establishment of Competition Commission of India (CCI):</i> Competition Commission of India has been constituted under the Competition act, 2002 with its head office at New Delhi. <u>http://dca.nic.in/noti/noti-1198E2K3.htm</u>		
SO No 1199(E) 14.10.2003	<i>Mr</i> Vinod K. Dhall has been appointed as Member of Competition Commission of India. <u>http://dca.nic.in/noti/noti-1199E2K3.htm</u>		
SO No 1199(E) 14.10.2003	<i>Mr Dipak Chatterji has been appointed as Member of Competition Commission of India</i> <u>http://dca.nic.in/noti/noti-1200E2k3.htm</u>		
GSR No 804(E) 14.10.2003	The Companies (Appointment and Qualifications of Secretary) (Amendment) Rules, 2003 – A company with its registered office and corporate office and works situated in towns with a population of less than one lakh in accordance with census of India 2001 report and having a paid-up share capital of rupees two crores or more but less than rupees five crores, may appoint any individual, who possess any one or more of the qualifications specified in clauses (i) to (x) of sub-rule (4) as its whole-time secretary. <u>http://dca.nic.in/noti/noti-804E2K3.htm</u>		



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GSR No 829(E) 21.10.2003	Section 274(1)(g) of the Companies Act, 1956: The disqualifications of Directors as specified under Sec 274(1)(g) are not applicable to Government Company. http://dca.nic.in/noti/noti-829E2K3.htm				
GSR No 830(E) 21.10.2003	 The Companies (Disqualification of Directors under Section 274(1)(g) of the Companies Act, 1956) Rules, 2003: These rules are applicable to all Public Companies registered under Companies Act, 1956. 1) Every Company to which Section 274 (1) (g) became applicable shall file Form 'DD-B' with ROC immediately 2) Every director in public company before his appointment shall file with the Company Form 'DD-A' http://dca.nic.in/noti/noti-830E2K3.htm 				
General Circular No. 32/2003 Dated 10.11.2003	Compliance of Companies (Auditor's Report) Order, 2003 effective from 1 st July, 2003 <u>http://dca.nic.in/cir/gcir32-2k3.htm</u>				
General Circular No. 33/2003 Dated 14.11.2003	Clarification on Simplified Exit Scheme It is clarified that companies incorporated after the Companies (Amendment) Act, 2000, who have not contributed toward the paid-up capital as per the requirements of Section 3 (1)(iii) and 3 (1)(iv) can also avail Scheme if other requirements are fulfilled. http://dca.nic.in/cir/gcir33-2k3.htm				
GSR No 923(E) 04.12.2003	The Unlisted Companies (Issue of Sweat Equity Shares) Rules, 2003: These Rules are applicable to all unlisted companies for issue of Sweat Equity Shares http://dca.nic.in/noti/noti-923E2k3.htm				
GSR No 922(E) 04.12.2003	The Unlisted Public Companies (Preferential Allotment) Rules, 2003: Applicable to all unlisted public companies in respect of preferential issue of equity shares, fully convertible debentures, partly convertible debentures or any other financial instruments, which would be convertible into / exchanged with equity shares at later date. http://dca.nic.in/noti/noti-922E2k3.htm				
General Circular No. 35/2003 Dated 11.12.2003	Compliance Certificate – Clarification. Companies which are not required to appoint a whole-time company secretary but has voluntarily appointed a whole-time secretary, such Companies are not required to obtain compliance certificate from Company Secretary in practice				
	http://dca.nic.in/cir/gcir35-2k3.htm				
General Circular No. 36/2003 Dated 29.12.2003	Cost Accounting Records(Milk Food) Rules,2001 – revision of Applicability clause These revised rules which were made applicable to the Companies engaged in the "Milk Food" have been now restricted only to the companies engaged in the Production, Processing or manufacture of (i) Infant Milk Foods as defined in the erstwhile Rule 2 and Rule 3 of Cost Accounting Records (Infant Milk Foods) Rules, 1974, or (ii) Milk Food as defined under erstwhile Rule 2(1) and Rule 2(3) of Cost Accounting Records (Milk Food) Rules, 1986 <u>http://dca.nic.in/cir/gcir36-2k3.htm</u>				



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Notification or Circular *Effective date if different from Notification Date	Gist of Notifications / Circulars issued by Department of Company Affairs & <u>Hyperlink</u> to view content on line if connected to internet			
General Circular No. 37/2003 Dated 31.12.2003	The Department of Company Affairs has decided to extend the scheme for a further period of three months with effect from 1.1.2004. http://dca.nic.in/cir/gcir37-2k3.htm			
SO No 219(E) 23.02.2004	Six more institutions have been specified to be public financial institutions under Section 4A of the Companies Act, 1956 http://www.dca.nic.in/noti/noti-219E2K4.htm			
G.S.R. 130(E) 23.02.2004	Prohibition of appointment of sole selling agents in certain cases vide powers given to Central Government under Section 294AA of the Companies Act, 1956 Central Government declared that sole selling agents shall not be appointed by Companies of every category of "Bulk drugs", "drugs" and "formulations" as defined in the Drugs (Prices Control) Order, 1995 for the sale of such goods in India for a period o three years from the date of publication of this notification in the Official Gazette. http://www.dca.nic.in/noti/noti-130E2K4.htm			
G.S.R 131(E) 23.02.2004	Companies (Issue of Indian Depository Receipts) Rules, 2004: These rules shall apply only to those companies incorporated outside India, whether they have or have not established any place of business in India. http://www.dca.nic.in/noti/noti-131E2k4.htm			
G.S.R 189(E) 12.03.2004	 The Companies (Acceptance of Deposits) Amendment Rules, 2004: The following deposits are exempted for the purpose of Section 58A of the Companies Act, 1956. Deposit received from a Director (whether Public or Private Company) Deposit received from a relative of a Director or its member by a Private Company Provided that the director, relative of a director or member, as the case may be, from whom money is received, furnishes to the company at the time of giving the money, a declaration in writing to the effect that the amount is not being given out of funds acquired by him by borrowing or accepting from others 			
	http://www.dca.nic.in/noti/noti-189E2k4.htm			
G.S.R 212(E) 24.03.2004	Amendment of Companies (Particulars of Employees) Rules, 1975: Particulars of employees of companies engaged in "Information Technology" sector, posted and working in a country outside India, not being directors or their relatives, drawing more than Rs. 24 Lakhs p. a. or Rs. 2 lakhs p. m shall not be included in the statement of the Board's report but such particulars shall be furnished to the Registrar of Companies: Provided further that such particulars shall be made available to any shareholder on a specific request made by him during the course of annual general meeting in which the same is considered http://www.dca.nic.in/noti/noti-212E2k4.htm			

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