



APAC & ASSOCIATES LLP
Company Secretaries

ONE CONCEPT ONE SLIDE

Web Series – April 2020/25
Topic: E-adjudication Mechanism

604-605, PP City Centre Road No. 44, Pitampura, New Delhi – 110 034



011 4905 8720, 4905 8721



+91 98181 88855

info@apacandassociates.com

www.apacandassociates.com





Ministry of Corporate Affairs – Compliance Monitoring System (MCA-CMS)

WHAT?

An online facility for digital hearings, appointments and processing of adjudication matters

WHY REQUIRED?

1. De-clogging of NCLT
2. Ease of doing business
3. Boost investor sentiments
4. Increase inflow of FDI
5. Encourage start-ups

HOW?

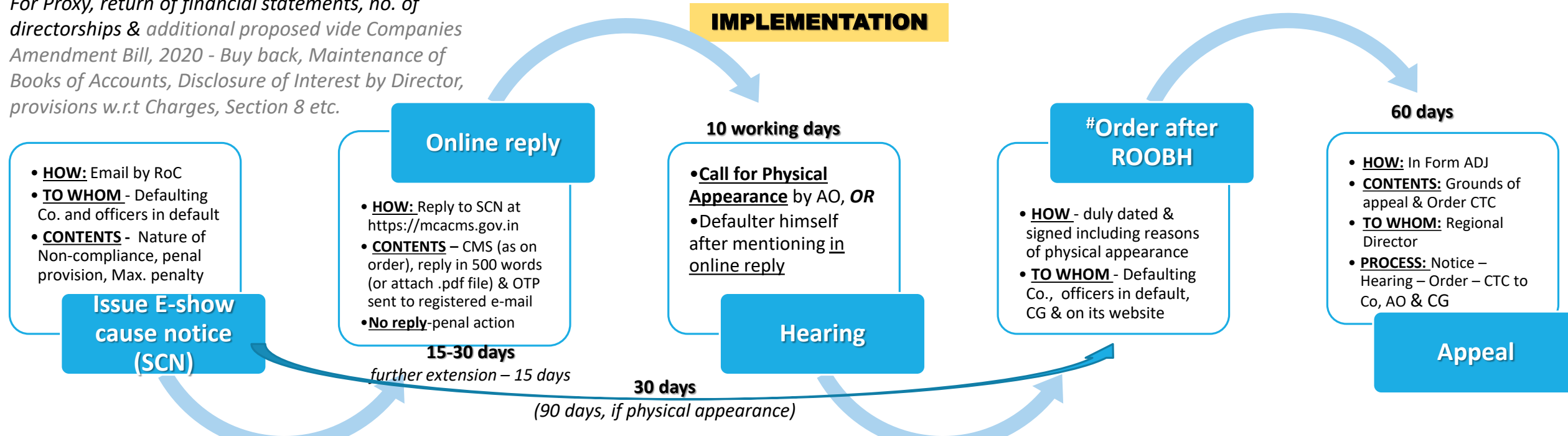
*By decriminalisation of offences, fixing & reducing fines and transferring powers to the Adjudicating officers (AO) {Registrar of Companies ("RoC") as notified}

WHEN?

It was notified vide the Companies (Adjudication of Penalties) Amendment Rules, 2019 on February 19, 2019

For Proxy, return of financial statements, no. of directorships & additional proposed vide Companies Amendment Bill, 2020 - Buy back, Maintenance of Books of Accounts, Disclosure of Interest by Director, provisions w.r.t Charges, Section 8 etc.

IMPLEMENTATION



Important Points:

1. Penalty by RoC – at least min. penalty prescribed / fixed sum as mentioned in relevant section
2. Online penalty through MCA portal and thereby credited to Consolidated Fund of India

#FACTORS REGARDED FOR ORDER:

Size & nature of business of Co., injury to public interest, nature and repetition of default, amount of disproportionate gain or unfair advantage, wherever quantifiable, amount of loss caused to investors or creditors



OTHER VIDEOS - APAC



1. IEPF (Aug'19)



**2. Board Governance
(Sep'19)**



3. SBO (Sep'19)



4. #startup (Sep'19)



**5. Secretarial Standard –
1 (Sep'19)**



**6. Secretarial Standard –
2 (Sep'19)**



**7. Board's Report
(Oct'19)**



8. TReDS (Oct'19)



**9. Corporate Social
Responsibility (Oct'19)**



**10. Related Party
Transactions (RPT)
(Oct'19)**



**11. Statutory Registers
(Nov'19)**



**12. Incorporation of
Companies (Nov.' 19)**



**13. Secretarial Audit
(Nov.'19)**



**14. Labour Code
(Dec.'19)**



15. LEI (Dec.'19)



**16. Independent
Directors' Proficiency
Test (Dec.'19)**



**17. Conversion of
LLP/Partnership Firm to
Company (Jan.' 20)**



**18. Methodology-
Secretarial Audit for
Private Companies (Jan.'
20)**



**19. One Person Company
(OPC) (Jan.' 20)**



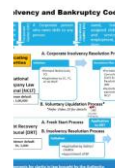
**20. Voluntary liquidation
of Company/LLP
(Feb.'20)**



**21. Single Master Form-
Companies (Direct
Investment)
(Feb.' 20)**



**22. Insider Trading
Regulations
(Feb.'20)**



**23. IBC Overview
(Mar.'20)**



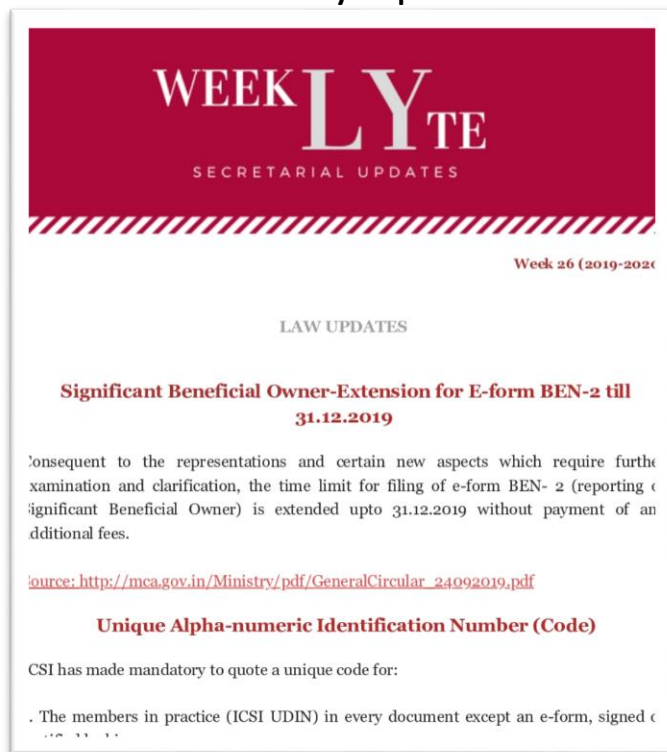
**24. IBC-Initiation of CIRP
(Mar.'20)**



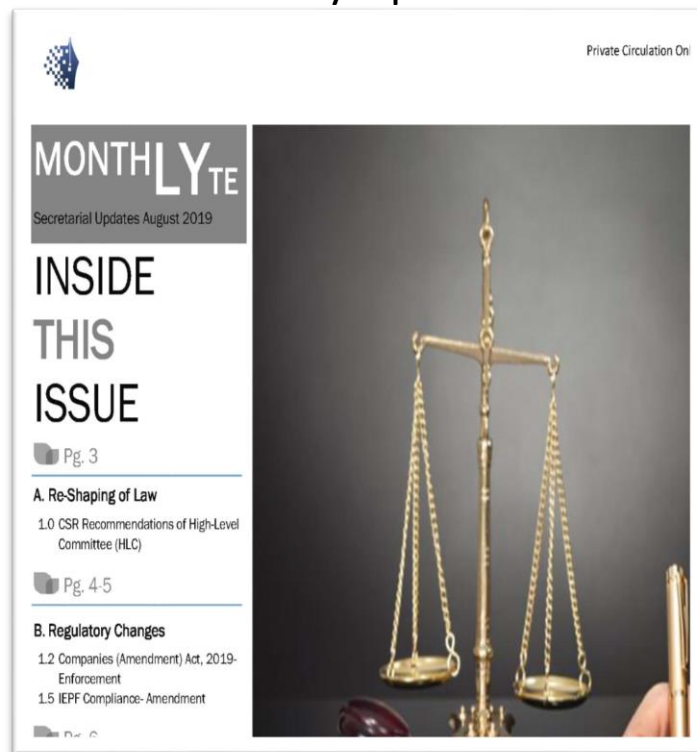
APAC & ASSOCIATES LLP
Company Secretaries

PUBLICATIONS - APAC

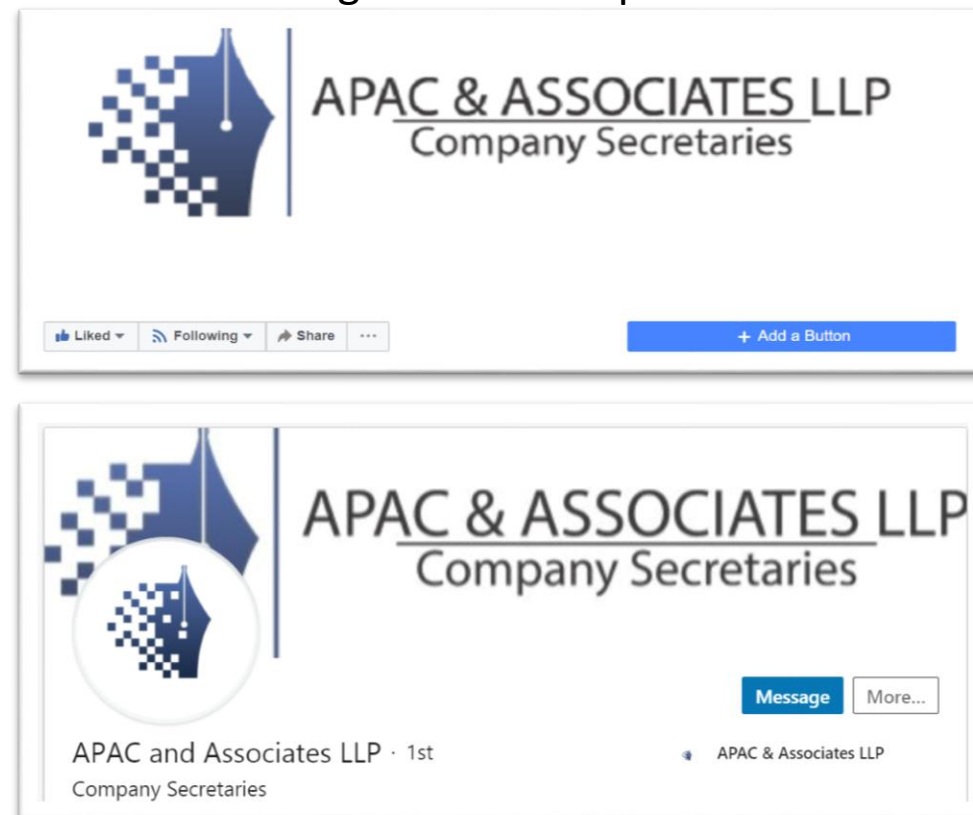
Weekly Updates:



Monthly Updates:



Regular Online Updates



For WeekLyte and MonthLyte newsletters:

- Join our mailing list at our website www.apacandassociates.com
- Mail us at info@apacandassociates.com

For Daily updates:

- Follow us on    

THANK
YOU!

604-605, PP City Centre Road No. 44, Pitampura, New Delhi – 110 034



011 4905 8720, 4905 8721



+91 98181 88855

info@apacandassociates.com

www.apacandassociates.com



Disclaimer: This presentation is the property of APAC & Associates LLP. This information is for educational purpose only and the same is not intended to be a professional advice. APAC & Associates LLP does not intend to advertise its services through this write-up. APAC & Associates LLP is not responsible for any error or omission in this write-up or for any action taken based on its contents.