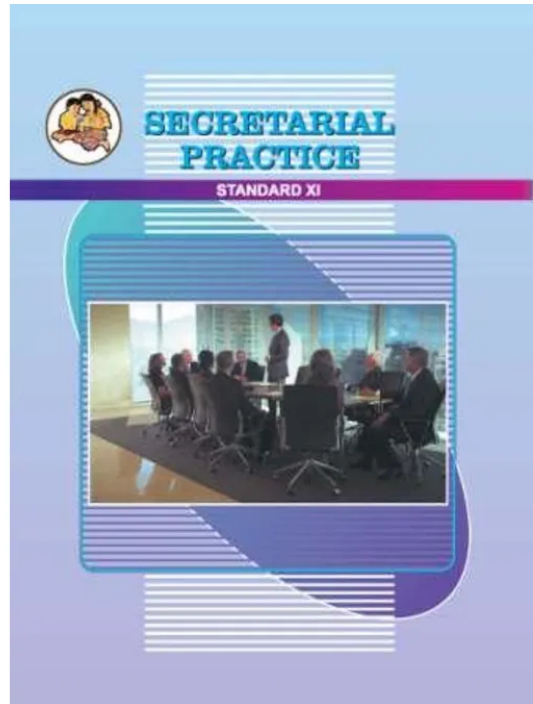


Maharashtra Board Solutions Class 11-Secretarial Practice: Chapter 12- Correspondence with Statutory Authorities

Class 11 - Chapter 12 Correspondence with Statutory Authorities



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Maharashtra Board Solutions Class 11-Secretarial Practice: Chapter 12- Correspondence with Statutory Authorities

Class 11: Secretarial Practice Chapter 12 solutions. Complete Class 11 Secretarial Practice Chapter 12 Notes.

Maharashtra Board Solutions Class 11-Secretarial Practice: Chapter 12- Correspondence with Statutory Authorities

Maharashtra Board 11th Secretarial Practice Chapter 12, Class 11 Secretarial Practice Chapter 12 solutions

1A. Select the correct answer from the options given below and rewrite the statements.

Question 1.

_____ is the main authority to regulate the administration of Companies Act, 2013 in India.

- (a) MCA
- (b) Company Secretary
- (c) Board of Directors

Answer:

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(a) MCA

Question 2.

The headquarters of MCA is at _____

(a) Mumbai

(b) New Delhi

(c) Pune

Answer:

(b) New Delhi

Question 3.

To administer the provisions of the Companies Act, 2013 is the objective of _____

(a) MCA

(b) ROC

(c) Directors

Answer:

(a) MCA

Question 4.

_____ is responsible for registering companies.

(a) ROC

(b) SEBI

(c) Auditors

Answer:

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(a) ROC

Question 5.

The Certificate of Incorporation is issued by _____

(a) ROC

(b) MCA

(c) NCLT

Answer:

(a) ROC

Question 6.

_____ can strike off or remove the name of a company from the Register of Companies.

(a) MCA

(b) ROC

(c) SEBI

Answer:

(b) ROC

Question 7.

Central Government exercises administrative control over ROCs through the _____

(a) MCA

(b) SEBI

(c) Regional Directors

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Answer:

(c) Regional Directors

Question 8.

_____ is the quasi-judicial body set up by the Central Government to grant certain approvals and decide disputes under the provisions of the Companies Act.

(a) MCA

(b) ROC

(c) NCLT

Answer:

(c) NCLT

Question 9.

_____ can hear appeals against the orders issued by NCLT.

(a) NCLAT

(b) SEBI

(c) MCA

Answer:

(a) NCLAT

Question 10.

An appeal against the order of NCLAT can be filed in the _____

(a) MCA

(b) SEBI

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(c) Supreme Court

Answer:

(c) Supreme Court

Question 11.

_____ was established as a statutory body to regulate the securities market in India.

(a) NCLT

(b) MCA

(c) SEBI

Answer:

(c) SEBI

Question 12.

_____ regulates the functioning of Stock Exchange in India.

(a) SEBI

(b) MCA

(c) ROC

Answer:

(a) SEBI

1B. Match the pairs.

Question 1.

Group 'A'

(a) Administration of Companies Act, 2013

(b) ROC

(c) NCLAT

(d) Regulator of Securities Market

(e) Quasi-judicial body

(7) Companies Act 2013

(8) Regional Director

(9) Chennai

(10) Liquidator

Group 'B'

(1) SEBI

(2) Hears appeals against orders of NCLT

(3) NCLT

(4) Incorporation of companies

(5) MCA

(6) Board of directors

Answer:

Group 'A'

(a) Administration of Companies Act, 2013

(b) ROC

(c) NCLAT

(d) Regulator of Securities Market

Group 'B'

(5) MCA

(4) Incorporation of companies

(2) Hears appeals against orders of NCLT

(1) SEBI

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(e) Quasi-judicial body

(3) NCLT

1C. Write a word or a term or a phrase that can substitute each of the following statements.

Question 1.

The main authority is concerned with the administration of the Companies Act.

Answer:

MCA

Question 2.

The organization is responsible for administering the Companies Act and regulating professional bodies like ICAI, ICSI, etc.

Answer:

MCA

Question 3.

The authority which issues Certificate of Incorporation to company.

Answer:

ROC

Question 4.

Every company has to apply for incorporation to this authority situated in the state where its head office is to be located.

Answer:

ROC

Question 5.

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The authority that handles corporate civil disputes in India.

Answer:

NCLT

Question 6.

An appeal against the orders of NCLT is heard by this authority.

Answer:

NCLAT

Question 7.

Regulator of the securities market in India.

Answer:

SEBI

Question 8.

An institution that regulates the functioning of stock exchanges and intermediaries in the securities market.

Answer:

SEBI

1D. State whether the following statements are True or False.

Question 1.

MCA regulates the functioning of the corporate sector as well as administers the Companies Act.

Answer:

True

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Question 2.

MCA has no supervisory authority over professional bodies like ICSI, ICAI, etc.

Answer:

False

Question 3.

ROC is concerned with the registration of companies.

Answer:

True

Question 4.

On payment of fees, ROC allows the public to inspect certain documents filed with it.

Answer:

True

Question 5.

NCLT has jurisdiction over proceedings on matters of disputes arising under the Companies Act.

Answer:

True

Question 6.

NCLAT can hear appeals against the order of NCLT.

Answer:

True

Question 7.

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NCLAT may confirm, modify or reject the orders passed by the NCLT.

Answer:

True

Question 8.

SEBI protects the interest of investors in the securities market.

Answer:

True

Question 9.

ROC is the regulator of the securities market.

Answer:

False

1E. Complete the sentences.

Question 1.

Administration of Companies Act and other laws related to corporate world is the responsibility of _____

Answer:

MCA (Ministry of Corporate Affairs)

Question 2.

Registration of companies is done by _____

Answer:

ROC (Registrar of Companies)

Question 3.

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The authority which handles corporate civil disputes is called as _____

Answer:

NCLT (National Company Law Tribunal)

Question 4.

The authority which hears appeals against the orders of NCLT is called as _____

Answer:

NCLAT (National Company Law Appellate Tribunal)

1F. Select the correct option from the bracket.

Question 1.

Group 'A'

Group 'B'

(1) Regulator of Securities
Market

.....

(2) MCA

.....

(3)

Hears appeals against orders of
NCLT

(NCLAT, Administers Companies Act, SEBI)

Answer:

Group 'A'

Group 'B'

(1) Regulator of Securities
Market

SEBI

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(2) MCA Administers Companies Act

(3) NCLAT Hears appeals against orders of NCLT

1G. Answer in one sentence.

Question 1.

Name the authority which administers the Companies Act and Partnership Act.

Answer:

MCA (Ministry of Corporate Affairs).

Question 2.

Name the authority attached to the High Court which helps in the winding up of companies.

Answer:

The authority attached to the High Court which helps in the winding up of Companies is the Official Liquidator.

1H. Correct the underlined word and rewrite the following sentences.

Question 1.

ROC supervises and controls the operations of stock exchanges in India.

Answer:

SEBI supervises and controls the operation of stock exchanges in India.

Question 2.

An appeal can be made against the order issued by NCLT to NCLAT within 90 days.

Answer:

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An appeal can be made against the order issued by NCLT to NCLAT within 45 days.

2. Explain the following terms/concepts.

Question 1.

Ministry of Corporate Affairs (MCA)

Answer:

- The MCA is primarily concerned with the administration of the Companies Act, 2013.
- The MCA is responsible to prevent practices from having an adverse effect on competition, to promote and sustain competition in markets.
- MCA supervises certain professional bodies like the Institute of Chartered Accountants of India. (ICAI), Institute of Company Secretaries of India (ICSI), Institute of Cost Accountants of India.
- It works with the help of Regional Directors, ROC, and Official Liquidator.

Question 2.

Registrar of Companies (ROC)

Answer:

The Registrar of Companies (ROC) is an office under the Ministry of Corporate Affairs (MCA) which deals with the administration of Companies and Limited Liability Partnerships in India.

- At present 22 Registrar of Companies is operating in all major states.
- States like Tamilnadu and Maharashtra have more than one ROC.
- ROC is a full-time field officer who has wide powers and responsibilities in administering the Companies Act.
- ROC has to examine various documents filed with it by the companies in compliance with the Companies Act, 2013.
- The ROC has to take decisions on documents filed with it and reply within 30 days from the date of filing the documents.

Question 3.

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National Company Law Tribunal (NCLT)

Answer:

- The Central Government has constituted National Company Law Tribunal in June 2016.
- It is a quasi-judicial body, which grants approvals and handles Corporate Civil Disputes.
- The Tribunal operates through 15 'Benches' consisting of 2 members i.e. a judicial member and a technical member.
- The Tribunal has to dispose of every application or petition within 3 months of receiving it.
- An appeal against the order of NCLT can be made to National Company Law Appellate Tribunal (NCLAT).

Question 4.

National Company Law Appellate Tribunal (NCLAT)

Answer:

National Company Law Appellate Tribunal was constituted for hearing appeals against the orders of the National Company Law Tribunal.

- NCLAT is also the Appellate Tribunal for hearing appeals against the order passed by the Insolvency and Bankruptcy Board of India.
- It is headed by a chairperson and has a maximum of 11 members comprising of judicial and technical members.
- An appeal can be made against the order issued by NCLT to NCLAT within 45 days.
- An appeal can be made against the orders of NCLAT to Supreme Court within 60 days.

Question 5.

Securities and Exchange Board of India (SEBI)

Answer:

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- SEBI was established in 1992 as a statutory body to regulate the Securities Market in India.
- Its head office is in Mumbai.
- It supervises and controls the operations of Stock Exchanges, Companies issuing securities, and other intermediaries like Underwriters, Merchant Bankers, Brokers, etc.
- It protects and safeguards the interest of the investors in the security market.
- The main objective is to regulate the functioning of securities markets and stock exchanges.
- It develops a code of conduct for fair practices by intermediaries.

3. Answer in brief.

Question 1.

State the powers of ROC.

Answer:

The Registrar of Companies (ROC) is an office under the Ministry of Corporate Affairs (MCA) which deals with the administration of Companies and Limited Liability Partnerships in India. At present 22 Registrar of Companies is operating in all the major states. States like Tamilnadu and Maharashtra have more than one ROC. ROC is a full-time field officer who has wide powers and responsibility in administering the Companies Act.

Following are the powers of ROC:

- To extend the time of the Annual General Meeting other than the first AGM by a period not more than 3 months.
- To inspect or call for books of account, other books, and papers.
- To seek in writing any information or explanation with regard to any document furnished to ROC.
- Seek the Special Court to issue an order for seizure of books and papers of the company, if the ROC feels that such records may be destroyed, altered, or falsified.
- To strike off the name of a company from the Registrar of Companies.

Question 2.

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State the powers of NCLT.**Answer:**

Meaning of NCLT:

The Central Government has constituted National Company Law Tribunal in June 2016. The NCLT is a quasi-judicial body, which grants approvals and handles Corporate Civil disputes.

Powers of NCLT:

- To hear and decide all proceedings related to compromise, arrangement, and reconstruction of a company.
- To hear and decide all winding up petitions on the ground of inability to pay its debts and on other grounds.
- To hear and decide petition for an extension of time for repayment of deposits.
- To hear and decide cases pertaining to oppression and mismanagement of a company.
- To call for holding AGM or EOGM of a company.
- To direct a company not to dispose of funds of a company and to freeze the assets of a company for being used against the interest of the company.
- To hear and decide grievances of rejection in transferring shares and securities.

Question 3.**What are the objectives of MCA?****Answer:**

The MCA is primarily concerned with the administration of the Companies Act, 2013.

It frames the rules and regulations for regulating the functioning of the corporate sector in accordance with the law.

Objectives of MCA:

- To administer the provisions of the Companies Act, 2013, and other allied laws.
- To quickly identify non-compliance with the Companies Act.

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- To encourage companies to improve Corporate Governance and adopt responsible business practices.
- To promote fair competition.
- To make available to the public, corporate data.
- To offer various services to the stakeholders.

4. Justify the following statements.

Question 1.

The MCA was set up by Central Government to fulfill certain objectives.

Answer:

The MCA is primarily concerned with the administration of the Companies Act, 2013.

It frames the rules and regulations for regulating the functioning of the corporate sector in accordance with the law.

Objectives of MCA:

- To administer the provisions of the Companies Act, 2013, and other allied laws.
- To quickly identify non-compliance with the Companies Act.
- To encourage companies to improve Corporate Governance and adopt responsible business practices.
- To promote fair competition.
- To make available to the public, corporate data.
- To offer various services to the stakeholders.

Question 2.

The Companies Act, 2013 has given certain Powers to ROC.

Answer:

The Registrar of Companies (ROC) is an office under the Ministry of Corporate Affairs (MCA) which deals with the administration of Companies and Limited Liability Partnerships in India. At present 22 Registrar of Companies is operating in all the major states. States like Tamilnadu and Maharashtra have more than one ROC. ROC is a

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full-time field officer who has wide powers and responsibility in administering the Companies Act.

Following are the powers of ROC:

- To extend the time of the Annual General Meeting other than the first AGM by a period not more than 3 months.
- To inspect or call for books of account, other books, and papers.
- To seek in writing any information or explanation with regard to any document furnished to ROC.
- Seek the Special Court to issue an order for seizure of books and papers of the company, if the ROC feels that such records may be destroyed, altered or falsified.
- To strike off the name of a company from the Registrar of Companies.

Question 3.

The Central Government has empowered NCLT with certain powers.

Answer:

Meaning of NCLT:

The Central Government has constituted National Company Law Tribunal in June 2016. The NCLT is a quasi-judicial body, which grants approvals and handles Corporate Civil disputes.

Powers of NCLT:

- To hear and decide all proceedings related to compromise, arrangement, and reconstruction of a company.
- To hear and decide all winding up petitions on the ground of inability to pay its debts and on other grounds.
- To hear and decide petition for an extension of time for repayment of deposits.
- To hear and decide cases pertaining to oppression and mismanagement of a company.
- To call for holding AGM or EOGM of a company.
- To direct a company not to dispose of funds of a company and to freeze the assets of a company for being used against the interest of the company.

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- To hear and decide grievances of rejection in transferring shares and securities.

5. Attempt the following.

Question 1.

Write a letter to ROC seeking an extension of time to hold the AGM.

Answer:

STARTRACK LIMITED

Registered Office: Galaxy House

Rainbow Township, Mira Road, Mumbai – 400609

CIN: L13471 MH 2012 PLC 000222 Phone: 022-22135649,

91-9910190332 Website: www.startracklimited.com

Email: startrack@limited.com Date: 30th July 2019. Ref No: ROC/AGM – 99.

The Registrar of Companies

Churchgate,

Mumbai – 400019. Sub: Extension of time for holding 6th Annual

General Meeting. Dear Sir, As per the Companies Act, 2013, our

Company must hold its 6th Annual General Meeting on or before 30th

September 2019, for the financial year ending on 31st March 2019. We

are extremely sorry to inform, that due to most of our directors are on

travel abroad during that period, we will not be able to hold the Annual

General Meeting before 30th September 2019. We, therefore, request

you to grant us an extension period of two months for holding the said

AGM i.e. up to 30th November 2019. We will be highly obliged if you

grant us the permission to extend the said meeting. Thanking you, Yours

faithfully,

for STAR TRACK LIMITED.

Sign

Company Secretary Encl: Copy of Annual Report 2017-18.

Question 2.

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Write a letter to MCA with regard to ‘Ticket Raising’.

Answer:

STARTRACK LIMITED

Registered Office: Galaxy House

Rainbow Township, Mira Road, Mumbai – 400609

CIN: L13471 MH 2012 PLC 000222 Phone: 022-22135649,

91-9910190332 Website: www.startracklimited.com

Email: startrack@limited.com Date: 1st April 2019. Ref No: MCA/ST – 19

The Manager

(Web-service Dept)

Vaibhav Apartment,

Vaibhav Nagar,

New Delhi – 110003 Sub: Difficulty in downloading e-form. Dear

Sir, This is to inform you that company is intending to download e-form

(Form SH-7) to intimate the ROC about the alteration made in the share capital of our company. However, we are not able to download the

form due to some technical error, and the message that pops up on

pressing the ‘ENTER’ button is “The file is damaged and cannot be

repaired”. In spite of our repeated effort, we are not able to download

the form. So we earnestly request you to look into the matter at your

earliest. Also, let us know the next step to resolve the above

matter. Thanking you, Yours faithfully,

for STAR TRACK LIMITED.

Sign

Company Secretary Encl: Copy of message as appearing on the website.

Question 3.

Write a reply to a complaint by the Investor.

Answer:

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STARTRACK LIMITED

Registered Office: Galaxy House

Rainbow Township, Mira Road, Mumbai – 400609

CIN: L13471 MH 2012 PLC 000222 Phone: 022-22124745,

91-9920380555 Website: www.startracklimited.com

Email: startrack@limited.com Date: 2nd June 2019. Ref No: IC/ 219.

Ms. Vaishali Rane,

Birla House,

Bhagwati Road,

Kandivli (W).

Mumbai – 400018. Sub: Non-Receipt of Annual Report. Dear Sir, We are in receipt of your letter dated 20th May 2019 regarding the non-receipt of the Annual Report. As per the Companies Act, 2019, we have sent by post to all the members, the notice of 8th AGM along with the Annual Report well in advance, as per the address provided by you in our Register of Members. It is however unfortunate to know that you have not received the Notice and the Annual report. We are once again sending you the same to the address mentioned in your letter. Yours faithfully,

for STAR TRACK LIMITED

Sign

Company Secretary Encl: Annual Report 2018-19

CC to: SEBI

Question 4.

Write a letter to NCLT seeking an extension of time to repay Public Deposits.

Answer:

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STARTRACK LIMITED

Registered Office: Galaxy House

Rainbow Township, Mira Road, Mumbai – 400609

CIN: L13471 MH 2012 PLC 000222 Phone: 022-22135649,

91-9910190332 Website: www.startracklimited.com

Email: startrack@limited.com Date: 30th July 2019. Ref No: NCLT/99

The National Company Law Tribunal Board.

‘C’ wing, 25th Floor, Priyadarshini Bhavan,

M.G. Road,

New Delhi – 110004. Sub: Extension of time to repay Public

Deposit. Sir, The company had accepted Public Deposits worth 20 lacs

on 1st April 2016 for a period of two years. The Deposits are to be repaid

on or before 31st March 2018. However, as the company is passing

through financial problems, we are unable to repay deposits on the

above-mentioned date. The board held a meeting on 29th December

2017 and passed a resolution for seeking an extension from NCLT for a

period of three months, to repay deposits. Therefore, we request you to

grant us an extension for three months to repay it. Copy of the petition is

attached in two sets. We assure you that the company will pay the

deposits on or before 30th June 2019. Yours faithfully,

for STAR TRACK LIMITED

Sign

Company Secretary Encl: Certified copy of Board Resolution. Petition for

Extension of time. Challan for fees paid.



Maharashtra Board Solutions

Class 11 Secretarial Practice

- Chapter 1- Secretary
- Chapter 2- Joint Stock Company
- Chapter 3- Formation of a Company
- Chapter 4- Documents Related to Formation of a Company
- Chapter 5- Members of a Company
- Chapter 6- Directors and Key Managerial Personnel of a Company
- Chapter 7- Company Meetings – I
- Chapter 8- Company Meetings – II
- Chapter 9- Business Communication Skills of a Secretary
- Chapter 10- Correspondence with Directors
- Chapter 11- Correspondence with Banks
- Chapter 12- Correspondence with Statutory Authorities

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The Maharashtra State Board of Secondary and Higher Secondary Education or MSBSHSE (Marathi: महाराष्ट्र राज्य माध्यमिक आणि उच्च माध्यमिक शिक्षण मंडळ), is an **autonomous and statutory body established in 1965**. The board was amended in the year 1977 under the provisions of the Maharashtra Act No. 41 of 1965.

The Maharashtra State Board of Secondary & Higher Secondary Education (MSBSHSE), Pune is an independent body of the Maharashtra Government. There are more than 1.4 million students that appear in the examination every year. The Maha State Board conducts the board examination twice a year. This board conducts the examination for SSC and HSC.

The Maharashtra government established the Maharashtra State Bureau of Textbook Production and Curriculum Research, also commonly referred to as Ebalbharati, in 1967 to take up the responsibility of providing quality textbooks to students from all classes studying under the Maharashtra State Board. MSBHSE prepares and updates the curriculum to provide holistic development for students. It is designed to tackle the difficulty in understanding the concepts with simple language with simple illustrations. Every year around 10 lakh students are enrolled in schools that are affiliated with the Maharashtra State Board.

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FAQs

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How many state boards are there in Maharashtra?

The Maharashtra State Board of Secondary & Higher Secondary Education, conducts the HSC and SSC Examinations in the state of Maharashtra through its nine Divisional Boards located at Pune, Mumbai, Aurangabad, Nasik, Kolhapur, Amravati, Latur, Nagpur and Ratnagiri.

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