

THE DISCIPLINARY COMMITTEE
THE INSTITUTE OF COMPANY SECRETARIES OF INDIA
DC: 95/2011

IN THE MATTER OF COMPLAINT OF PROFESSIONAL OR OTHER MISCONDUCT

Shri P Balachandar

.....Complainant

Vs

Ms. Hema Vijayakumar

.....Respondent

ORDER

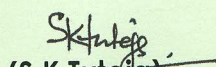
1. The Disciplinary Committee at its meeting held on 30th October, 2012 had considered the material on record and concluded that there has been some laxity on the part of the Respondent in verifying the exact amount of authorized capital and the issued, subscribed and paid up capital of M/s. Metafilms India Ltd. as there have been contrary figures in the annual returns and in the balance sheets for those years and, therefore, the Respondent is prima facie 'Guilty' of professional misconduct under Clause (7) of the Second Schedule of the Company Secretaries Act, 1980 as she did not exercise due diligence.
2. The Disciplinary Committee, in terms of sub-rule (1) of Rule 19 of the Company Secretaries (Procedure of Investigations of Professional and other misconduct and conduct of cases) Rules, 2007, had decided to afford an opportunity of being heard to the Respondent before passing an order under Section 21B(3) of the Company Secretaries Act, 1980.
3. Accordingly, a copy of the order dated 30th October, 2012 passed by the Disciplinary Committee was sent to the Respondent vide letter dated 31st October, 2012. The Respondent was called upon to appear before the Disciplinary Committee at its meeting on 10th December, 2012, vide letter dated 27th November, 2012. The Respondent did not appear before the Disciplinary Committee and instead submitted a letter dated 4th December, 2012.
4. The Disciplinary Committee at its meeting held today considered the material on record; the nature of issues involved and in the totality of the circumstances of this case; passed the following order ex-parte:

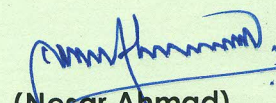
"Reprimand"

The order shall be effective after expiry of the 30 days of issue of this order.



(B Narasimhan)
Member


(S K Tuteja)
Member


(Nesar Ahmad)
Presiding Officer

New Delhi
Date: 10th December, 2012

