FAQs

ON EMPLOYEE COMPANY SECRETARIES IDENTIFICATION NUMBER (eCSIN)

THE INSTITUTE OF Company Secretaries of India भारतीय कम्पनी सचिव संस्थान

IN PURSUIT OF PROFESSIONAL EXCELLENCE Statutory body under an Act of Parliament (Under the jurisdiction of Ministry of Corporate Affairs)

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FAQs ON EMPLOYEE COMPANY SECRETARIES IDENTIFICATION NUMBER (eCSIN)

1. What is the objective of Employee Company Secretary Identification Number (eCSIN)?

The Council of the Institute has issued the ICSI Company Secretaries (Employee Identification Number) Guidelines, 2019, for regulation of the members in employment, which provides for generation of eCSIN by the members of the Institute (working in any capacity except those exempted), thereby enabling the Institute in identifying the members in employment and facilitating maintenance of employment record of the members. The ICSI (Employee Company Secretaries Identification Number (eCSIN), Guidelines, 2019 are placed at link https://stimulate.icsi.edu/ecsin

2. When did the eCSIN Guidelines come into force?

The ICSI eCSIN Guidelines, 2019 are effective from October 1, 2019.

3. What is the structure of 18 digits in eCSIN?

The structure of the eCSIN Number is:

R/E A/F XXXXXX A YYYYYYYY

| First 1 digit is R/E: | R for Cessation / E for Employment |
|-----------------------|------------------------------------|
| Next 1 digit is A/F: | A for Associate Member (ACS)/ F |

| | for Fellow Member (FCS) |
|---------------------------------|---|
| Next 6 digits are: XXXXXX | Membership Number of the professional |
| Next 1 digit is A: | Financial Year (A equivalent to 2019- 20, B equivalent to 2020- 21, C equivalent to 2021-22) |
| Next 9 digits are: YYYYYYYYY | Running series of eCSINs generated |

4. Who is required to generate eCSIN?

Every member of the Institute who is in employment irrespective of their designation including the engagement on contractual basis, retainership in the nature of employment, whether in India or Outside India (irrespective of employers having or not having any business operations in India) is required to generate eCSIN unless exempted under Clause 8 of the Guidelines.

5. Who are exempted from the requirements of eCSIN?

In terms of Clause 8 of the eCSIN Guidelines, the requirement of eCSIN generation shall not apply in case of members who are -

- (a) Sitting Members of Parliament or of any State or UT Legislative Assembly
- (b) Serving Members of Judiciary / Tribunals and Quasi-Judicial Bodies

- (c) Serving Members of Civil Services and allied disciplines
- (d) Serving Members of Armed Forces and Paramilitary forces
- (e) Serving Diplomats
- (f) Registered with any registered Bar Council of India
- (g) Holding Certificate of Practice issued by ICSI or any other professional bodies such as ICAI, ICAI-Cost, etc. in India
- (h) Members in self-employment or in their own business as partner or proprietor.

However, members employed in Central Government, State Government(s), Regulatory Bodies, Government Organizations, Central/State PSU or with any Statutory Bodies such as ICAI, ICSI, ICAI-Cost, Institute of Insolvency Professionals Agencies, Registered Valuer Organisations, Banks, Financial Institutions, Stock Exchanges or any other autonomous body are required to generate eCSIN.

6. Whether a Company Secretary who is working in a Practising CS / CA / CMA / Law firm, etc. (Practising Firm) is required to generate eCSIN?

A Company Secretary who is not holding a certificate of practice and employed with a practising firm is also required to comply with the provisions of these guidelines, hence is required to generate eCSIN.

7. Which documents are required to be uploaded for generating eCSIN?

No document is required to be uploaded for generating eCSIN on the designated eCSIN portal.

8 Is there any fee for generation of eCSIN?

There is no fee for generation of eCSIN.

9. When should eCSIN be generated?

In case of appointment, eCSIN shall be generated at the time of issuing the consent letter /acceptance letter or date of appointment, as the case may be.

In case of cessation of employment, eCSIN shall be generated on the date of relieving from the organization.

In any case, the eCSIN shall be generated not later than 30 days from issuing the consent letter/acceptance letter or date of appointment / relieving.

10. Where should the eCSIN be quoted?

In terms of Clause 7(a) of the eCSIN Guidelines, eCSIN shall be quoted along with the membership number on the consent letter/ acceptance letter or the resignation / relieving letter, as the case may be.

Clause 7(b) of the eCSIN Guidelines further provides that incase e-form DIR-12 or such other form as may be prescribed under the Companies Act, 2013 and rules made thereunder is being filed with respect to the appointment or cessation of employment of any member, the consent letter / acceptance letter / relieving letter quoting the eCSIN shall be attached to e-form DIR-12 or such other form as may be prescribed.

11. What information is required for generating eCSIN?

Following information is required at the time of

generation of eCSIN:

- i. Membership Number
- ii. Name of Employer/Organisation
- iii. Employer CIN Number/ PAN Number
- iv. Employee Designation
- v. Professional Address (Place of Posting), website, if any, Phone Number, Mobile Number & Email id of employee
- vi. Registered Office / Head Office Address
- vii. Date of Consent Letter and Date of Appointment
- viii. Date of Notice of Resignation/ Date of Notice of Termination of Employment
- ix. Date of Cessation of Employment
- x. Total annual emoluments (Cost to Company)

12. What is the meaning of consent letter w.r.t. eCSIN?

Consent letter means the letter to be given in terms of the provisions of section 203 of the Companies Act, 2013 and Rule 8 and Rule 8A of the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014 for appointment as a Company Secretary.

In case of appointment other than as a Company Secretary under section 203 of the Companies Act, 2013, the consent letter shall mean the acceptance letter.

In case of appointment where no acceptance letter was issued, the date of appointment shall be treated as the date of consent letter / acceptance letter for the purpose of generation of eCSIN.

13. Which date needs to be mentioned as the 'date of appointment' while generating eCSIN?

The date of appointment to be mentioned while

generating eCSIN shall be the date of joining i.e., the date from which the appointment becomes effective.

14. What shall be the date of appointment for the purpose of eCSIN generation for newly admitted members who joined employment after passing the Professional Programme examinations but before receiving ICSI Membership?

The eCSIN Guidelines are applicable on members of ICSI from the date of receiving Membership of the Institute.

In terms of Clause 9(d) of the Guidelines, where the date of appointment is prior to the date of receiving membership, the date of appointment for the purpose of eCSIN generation shall be the date of receiving Membership of the Institute.

15. How to generate eCSIN in case of foreign companies or any other organisation that do not have CIN/ PAN?

Member can enter any other registration number of the organization in the CIN / PAN field.

In case the registration number is less than 10 digits, please enter ZZZZZZ before the registration number to make it as 10 digit number e.g. ZZZZZZ30.

16. How many eCSIN can be generated at one point of time?

A member can generate only one eCSIN for one employer at the time of appointment and shall generate cessation of the same only on cessation of that employment. 17. In case the appointment date is before October 1, 2019 (effective date of eCSIN Guidelines) and resignation date is after October 1, 2019, whether eCSIN generation is required?

Since resignation date is after October 1, 2019 (i.e., the effective date of eCSIN Guidelines), the member is required to generate the eCSIN for employment and also for relieving from that organisation.

18. I have generated eCSIN at the time of resignation from the post of Company Secretary. Now I am giving new consent letter for appointment in other Company. Whether new eCSIN is required to be generated? Or is it ok if I provide the previously generated eCSIN?

For every new employment, a separate eCSIN is required to be generated.

19. How to access the designated portal to generate eCSIN?

The eCSIN shall be generated by a member at the designated eCSIN portal maintained by ICSI: <u>https://stimulate.icsi.edu/ecsin</u> or through Member Portal account.

20. What is the process of accessing the eCSIN portal by New Members?

New Member can access the eCSIN portal after login to the Member portal account: https://stimulate.icsi.edu/ and clicking on the hyperlink "Update eCSIN". Alternatively, New Member can register on the eCSIN portal through Member Registration link and create login credentials for accessing the eCSIN portal directly.

21. How to register at the eCSIN Portal?

Members are required to first register themselves by clicking on the "Membership Registration" menu from the header at the eCSIN Portal at ICSI website.

| (CS) | THE INSTITUTE OF Company Secretaries of India भारतीय रुम्पनी सचिव संस्थान सम्बन्ध अप अन्य विश्वित्य: | Click for Member Registration | Users Registered: 17 Generated: 25 To change / update the email and mobile number, please Click Here |
|---------------------------------|---|--|--|
| | ICSI Home | eCSIN Home Member Registra | ation PCS Portal |
| | | Membership Registration | 1 |
| | | FIRST TIME REGISTRATION FOR | MEMBERS |
| | | | |
| | below details to register on eCSIN Porta | al. Credentials will sent on the Email ID a | as registered with ICSI |
| ACS/FCS: | below details to register on eCSIN Porta | al. Credentials will sent on the Email ID a | as registered with ICSI |
| | below details to register on eCSIN Porta | al. Credentials will sent on the Email ID : | as registered with ICSI |
| ACS/FCS: Select | below details to register on eCSIN Porta | al. Credentials will sent on the Email ID $\ensuremath{\vec{n}}$ | |
| ACS/FCS: Select Membershi | | al. Credentials will sent on the Email ID a | |

They will be prompted to enter the following details (all fields are mandatory):

• ACS/FCS — Choose ACS or FCS

Select the A/F

• Membership Number (MRN)

Enter the Membership Number

• Date of Birth

Enter the Date of birth

Once the member enters the abovementioned details as shown in the above screenshot and clicks on the Submit button, a popup window will appear with the success message and the member has to click on the OK button to create a new password.

Create Password

After the successful registration on the eCSIN portal, the member is redirected to the Create Password page.

| (CS) | Home/CreatePassword THE INSTITUTE OF Company Secretaries of India भारतीय कम्पनी सचिव संस्थान | | | To change / update the email and mobile number, please Click Here |
|------------------|---|-------------------------------|----------------------|--|
| | ICSI Home | eCSIN Home | Member Registration | PCS Portal |
| Create Pass | word | Cre | eate Password | |
| The paseword sho | uld be alphanumeric and minimum 6 characters of length 1 | t does not allow special char | actara (Ex. abc123). | |
| Confirm Pas | sword | | | |
| | | | Submit | |

Confirm Password

As a security check, member will be asked to retype the password.

Once the member enters and confirms the password and clicks on the Submit button, the member is prompted with a popup with success message with an option to click on "OK" to proceed further.



In case of insufficient details provided, the registration will not move forward.

22. How to generate eCSIN?

After login to the eCSIN portal, the member will be redirected to the eCSIN Generation page. The membership number is auto populated and there is no need to enter this value.

The Place of Posting (Professional Address) on the eCSIN Generation page will be auto populated from the Member Portal. In case of any change in the Place of Posting, member may update the details through 'View and Update' button available on the Member portal, the updated details will be saved in Membership record and will auto sync with the eCSIN portal.

After entering all the fields, the member needs to click on the "Generate eCSIN" button, the user will be shown with status message and upon the successful generation, an email will be sent to the member's registered email id.



23. How can Members search the eCSINs generated by them?

After login to their account, the members can search their eCSIN list by clicking on 'Search eCSIN' button available on the Header and entering the Start and End Date to view the eCSINs generated by them in that period.

| (CS) | | TE OF etaries of India सचिव संस्थान | lick for Search eCSIN | | To change / update the email and mobile number, please Click Here |
|-----------|----------------|---|-----------------------|--------|--|
| CSI Home | Generate eCSIN | Search eCSIN | Update Designation | LogOut | Welcome SH. SONU LAKHANI |
| | | | Search | eCSIN | |
| | | | | | |
| From Date | | | | | |
| To Date | | | | | |
| | | | Sea | irch | |
| | | | | | |

| | | | | eCSIN Deta | ills | | | |
|------|--------------------|------------------------|-------------------------------|------------------------|------------------------------------|------------------------|----------------------|-------------------------------------|
| | | | | | | | ۵ | ownload List |
| SJNo | eCSIN Number | Date of eCSIN | Date of Update Designation | CIN No. of Employer | Name of Company/Firm/Individual | Date of Appointment | Date of Cessation | Status |
| 1 | RF007411A200000140 | 16/08/2019 03:34:58 | 16/08/2019 03:48:08 | 12234567876543 | Test | 16/08/2019 | 16/08/2019 | Status:InActive |
| 2 | RF007411A000000140 | 16/08/2019 03:34:58 | 16/08/2019 03:53:02 | 12234567876543 | Test | 16/08/2019 | 16/08/2019 | Status:InActive |
| 3 | RF007411A000000151 | 16/08/2019 04:15:31 | | 123456788 | TestToday | 16/08/2019 | 17/08/2019 | Status:InActive |
| 4 | RF007411AD00000162 | 16/08/2019 04:22:28 | | 123345662 | Test2 | 16/08/2019 | 16/08/2019 | Status:InActive |
| 5 | EF007411A000000239 | 19/08/2019 11:49:38 | | 12345678 | Test My Company | 20/08/2019 | 17/08/2019 | Status:Active Cessation eCSIN |

The members also have an option to download all their eCSINs details both in Active/InActive status.

24. Which type of details can be updated under eCSIN?

A member can update any change in designation, change in date of consent letter or date of appointment, within 15 days from the date of such change. However, Particulars of employer, CIN/ PAN of employer, Registered Office address, Address of Place of Posting can be changed by obtaining approval by sending a request at ecsin@icsi.edu and submitting the supporting documents. 25. In case a member is appointed at a particular designation and after few months/ years redesignated/ elevated to another designation in the same organization, whether the member is required to generate new eCSIN for the change in designation?

No, a member shall update the change in designation for which eCSIN was generated by providing the new designation within 15 days from the date of such change.

26. What is the process to update Designation?

The employee designation will be updated using the update designation menu on the eCSIN portal. The user has to provide the details for the following fields:

- Employee's New Designation
- Date of Change in Designation (DD/MM/YYY)

| (CS) | THE INSTITU Company Secr भारतीय कम्पनी | | Click for Update Design | ation | To change / update the email and mobile number, please Click Here |
|------------|--|--------------|-------------------------|------------|--|
| I Home | Generate eCSIN | Search eCSIN | Update Designation | LogOut | Welcome SH. SONU LAKHAN |
| | | | Update De | esignation | |
| F7411T9 | | | | | |
| TestAk | | | | | |
| 122345678 | 76543 | | | | |
| TestLeadLe | ad2 | | | | |
| Current Em | nployee Designatio | on | | | |
| Noida | | | | | |
| 2019-08-2 | D | | | | |
| Date of Ch | ange Designation(| (DD/MM/YYYY) | | | |
| | | | Update | eCSIN | |

After Clicking on "Update eCSIN" button for updating the respective eCSIN, the success message will appear.

| (CS) | भारतीय कम्पनी | PESSIONAL EXCELLENCE | | | To change / update the email and mobile number, please Click Here |
|-------------|------------------|----------------------|--------------------|------------|--|
| ICSI Home | Generate eCSIN | Search eCSIN | Update Designation | LogOut | Welcome SH. SONU LAKHANI |
| | | | Update De | esignation | |
| Designation | has been updated | d successfully. | | | |
| F7411T9 | | | | | |
| TestAk | | | | | |
| 122345678 | 376543 | | | | |
| TestLeadLe | ead2 | | | | |

27. What is the procedure to update details of an Active eCSIN in case of deputation for a limited period by the Employer organisation?

In case of deputation of a member for a limited period, a request for change in place of posting for Active eCSIN linked with Employer organization shall be sent along with supporting documents to the Secretary, ICSI at <u>ecsin@icsi.edu</u>. At the same time, members are advised to update the details in Membership Record through the Member Portal account.

28. Whether updating the details at the eCSIN portal would be sufficient or ICSI Register of Members also needs updation?

Members are advised to update their details through ICSI Member Portal account in addition to updation on the eCSIN portal.

29. What is the process of registering Cessation of employment?

The Member has been provided an option to generate the resignation eCSIN through the Cessation functionality, which is provided on clicking the button 'Register of eCSIN Generation'. In order to generate eCSIN cessation, the member has to search for the active eCSIN number and click on the 'Cessation eCSIN' button available under the status and provide the following details:

- Enter Reason for Cessation provide the reason for cessation in the corresponding field
- Enter Date of Cessation/Notice of Termination Employment

| Iocalhost:65178 | /Home/CanceleCSIN | l?eCSINGenerationId=2 | 25&UserId=17&MemberNar | ne=SH.%20SON | U%20LAKHANI%20%20&eCSINGeneratedNo=EF007411A000000239&Da |
|-----------------|-------------------|-----------------------|------------------------|--------------|--|
| (BS) | भारतीय कम्पनी | ASSIGNAL EXCELLENCE | | | To change / update the email and mobile number, please Click Here |
| ICSI Home | Generate eCSIN | Search eCSIN | Update Designation | LogOut | Welcome SH. SONU LAKHAN |
| | | | Cess | ation | |
| | | | | | |
| Status Date/1 | lime: | | 19/08/2019 | | |
| eCSIN: | | | EF007411A000000239 | | |
| Members Na | me: | | SH. SONU LAKHANI | | |
| CIN Number | | | 12345678 | | |
| Employee Ad | ldress: | | Delhi NCR | | |
| Date of Signi | ng: | | 19/08/2019 | | |
| Date of Appo | ointment: | | 20/08/2019 | | |
| Status: | | | Active | | |

• Enter Date of Cessation of Employment

| Enter Reason for Cessation: | i want to Cessation of this eCSIN |
|---|-----------------------------------|
| Enter Date of Cessation/Notice of Termination Employment: | 19/08/2019 |
| Enter Date of Cessation of Employment: | 20/08/2019 |
| Cessation accepted by the Company/Board/management: | Yes 🖲 No 🔘 |
| | Submit |

After clicking on Submit button for Cessation, the user will be prompted with the updated status.

| (65) | भारतीय कम्पनी | | | | To change / update the email and mobile number, please Click Here |
|-------------|----------------|---------------|--------------------|-------------|--|
| ICSI Home C | Senerate eCSIN | Search eCSIN | Update Designation | LogOut | Welcome SH. SONU LAKHAN |
| _ | | | Cess | ation | |
| | eCSIN N | Number RF0074 | 11A000000239 is Re | voked Succe | essfully on 20/08/2019 05:08:41 |

30. How can stakeholders view the details related to eCSIN?

Prospective Employers, Regulatory Bodies and other stakeholders may at any time verify the authenticity of eCSIN by visiting eCSIN Portal <u>https://stimulate.icsi.edu/ecsin</u> and entering the eCSIN on the 'Verify eCSIN' link.

| (BS) | THE INSTITUTE OF Company Secretaries of India | | | Users Registered: 1 | |
|-----------------|--|-------------------|-------------------------|--------------------------------------|--------------------------------------|
| | भारतीय कम्पनी सचिव संस्थान | | | To change / update t number, plea | he email and mobile se Click Here |
| | ICSI Home | eCSIN Home | Member Registration | PCS Portal | |
| | | eC | SIN Verification | | |
| | VERIFY | CSIN AUTHORI | TIES/REGULATORS/BA | NKS/OTHERS | |
| | (Please prov | ide the following | g mandatory information | on to verify eCSIN) | |
| Enter Uniq | ue eCSIN | | | | |
| | | | Verify | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | DISCLAIMER | | |
| eCSin System h | as been developed by ICSI to facilitate its me es no responsibility for verification and auth | | | | shall alone be responsible thereof. |
| er, ICSI assurt | | | | | |

31. How to generate new password if member forgets the password?

Member needs to click on the 'Forgot Password' link and enter the membership number and date of birth, new password will be sent to the e-mail id registered with the ICSI.



The email id registered under Professional Address details in Membership Record is synced with the 'Forgot Password' link on the eCSIN Portal.

In case of change of registered email, members are advised to update the same through Member Portal account by clicking on 'View and Update' \rightarrow 'Click here to update Professional Address' to enable editing of respective fields.

32. In case a member is working as an employee (other than CS / KMP) in the Holding Company 'A' and thereafter appointed as 'Company Secretary' in its Subsidiary Company 'B'. Whether eCSIN is to be generated for both the appointments as the Guidelines provide that eCSIN is to be generated by members employed as Company Secretary or otherwise.

As only one eCSIN can be generated at one point of time, member should generate eCSIN for appointment in the Company in which he is designated as Company Secretary and for which e-Form DIR-12 is to be filed with the MCA.

Further, if in case member is already holding an Active eCSIN for any designation (other than CS / KMP) in the Holding Company, then he has to revoke that eCSIN and generate fresh eCSIN for the Subsidiary Company.

33 In case, the member is Company Secretary of a holding company as well as appointed as Company Secretary in one of its subsidiary company, what procedure is required to be followed to generate second eCSIN for the subsidiary company?

In terms of Clause 6 of the eCSIN Guidelines, a request in this regard addressed to Secretary, ICSI shall be sent to the email id <u>ecsin@icsi.edu</u> in the format placed at **'Annexure A'** with complete details along with a self-attested copy of the appointment letter/board resolution passed by the Subsidiary Company and shareholding pattern of the Subsidiary Company for generation of second eCSIN within 15 days of appointment in the Subsidiary Company.

34. Can eCSIN for appointment in Subsidiary Company be generated prior to generation of eCSIN for Holding Company?

No. eCSIN for appointment in the Holding Company needs to be generated prior to sending the request for the generation of Second eCSIN for appointment in the Subsidiary Company.

35. I am already appointed as a Company Secretary of Holding Company and its Subsidiaries (more than one Subsidiary Company). Do I have to resign now from Subsidiary Companies?

The provisions of Section 203 of the Companies Act, 2013 allows a KMP of Holding Company to act KMP of Subsidiary Company as well.

In terms of Clause 6(a) of the eCSIN guidelines, a member of the Institute shall hold office as a Company Secretary or KMP only in one company at a time.

Provided that member having designation as Company Secretary or KMP of a Holding Company shall only be eligible for appointment as Company Secretary or KMP in one of its Subsidiary Company which can either be an immediate subsidiary or a step down subsidiary.

Further, Clause 6(d) provides that members who are already appointed in more than one Subsidiary Company or holding appointment not in accordance with Clause 6(a) of these Guidelines shall take necessary steps for the compliance of these Guidelines within three months of the coming into effect of the revised Guidelines or such other date as may be specified by the ICSI. **36.** I am Company Secretary of a Subsidiary Company and now simultaneously I am proposed to be appointed as Company Secretary of Holding Company by virtue of my appointment in the Subsidiary Company. What should be done in such a situation?

The provisions of Section 203 of the Companies Act, 2013 allows a KMP of Holding Company to act as KMP of Subsidiary Company.

In such cases, member has to first cease appointment in the Subsidiary Company by filing the e-Form DIR-12 for cessation of employment and register the cessation of employment for the eCSIN of the Subsidiary Company. Thereafter, Member has to generate eCSIN for appointment in the Holding Company and then make a request for the generation of Second eCSIN for Subsidiary Company by following the prescribed procedure and submitting the proof of cessation of employment in the Subsidiary Company, i.e., e-Form DIR-12. Upon receipt of request along with necessary documents from the member, the ICSI after verification of documents may grant approval for generation of Second eCSIN.

37. A Member employed with A Ltd., Holding Company has generated Second eCSIN for Subsidiary Company, B Ltd. Subsequently, Member has resigned from the Holding Company, A Ltd. and is now appointed in C. Ltd. which is the Subsidiary Company of B Ltd. What procedure is required to be followed to generate Second eCSIN for the Subsidiary Company, C Ltd.? Since the Active eCSIN linked with B Ltd. was generated as a Second eCSIN, Member shall revoke the Second eCSIN to generate fresh eCSIN for B Ltd. (now Holding Company) and thereafter follow the procedure prescribed under Clause 6 by sending a request letter addressed to Secretary, ICSI at the email id <u>ecsin@icsi.edu</u> in the format placed at **'Annexure A'** with complete details along with a self-attested copy of the appointment letter/board resolution passed by the Subsidiary Company and shareholding pattern of the Subsidiary Company within 15 days of appointment in the Subsidiary Company for generation of Second eCSIN.

38. What is the procedure to be followed in case of Change in employment pursuant to NCLT Order/ Order of Regional Director?

In case of change in Employer pursuant to an order of the NCLT/ Regional Director consequent upon a scheme of Compromise, Arrangements & Amalgamation or any other restructuring by the company, a request for updating eCSIN details addressed to the Secretary, ICSI shall be sent within 30 days of effective date of Scheme as per the NCLT Order/ Order of Regional Director at ecsin@icsi.edu in the format placed at 'Annexure B' with complete details.

39. A Member of ICSI is a Company Secretary of Company A and Director of Company B. The Member gets his remuneration from Company A. Whether the Member is required to generate the eCSIN only for Company A or for both the companies? The eCSIN is required to be generated only for Company A where he is employed as Company Secretary.

40. A Member of ICSI is a Director of Company A and also a Director of Company B. He is a whole-time director of Company A and gets paid by Company A. For which Company is he required to generate eCSIN?

The eCSIN is required to be generated for employment with Company A where the Member is appointed in full time employment and receiving remuneration for holding the position of Whole Time Director.

41. A Member of ICSI is a Company Secretary of Company A and Director of various companies which pay commission/sitting fees to him. The member is in full time employment with Company A and gets his remuneration also from Company A. For which company is he required to generate eCSIN?

The eCSIN is only required for the employment with Company A.

42. Whether a Member who has defaulted in payment of membership fee can generate eCSIN?

Clause 4 of eCSIN Guidelines provides that members in employment with an Active membership can only register to generate eCSIN at the portal.

43. What are the consequences of violation of these Guidelines?

In terms of Clause 10 of the eCSIN Guidelines,

Consequences of Violation are as under:

- (a) Any non-compliance or defective compliance with these Guidelines shall render the member liable for action under the Company Secretaries Act, 1980 read with First Schedule and Second Schedule to the Company Secretaries Act, 1980.
- (b) eCSIN shall be mandatorily required at the time of renewal of membership of a member who is in employment to ensure the compliance of Regulation 3 of the Company Secretaries Regulations, 1982.

ANNEXURE 'A'

Format for approval for generation of second eCSIN

Date:

То

The Secretary ICSI

Subject: Request to allot second eCSIN with regard to appointment in subsidiary company

Sir,

In terms of Clause 6 of the ICSI (Employee Company Secretaries Identification Number (eCSIN) Guidelines), 2019, a member of the Institute, may hold office as a Company Secretary only in One Company at a time. Provided that member having designation as Company Secretary or KMP of a Holding Company shall only be eligible for appointment as Company Secretary or KMP in one of its Subsidiary Company which can either be an immediate subsidiary or a step down subsidiary.

Also, section 203(3) of the Companies Act, 2013 provides that a whole-time key managerial personnel shall not hold office in more than one company except in its subsidiary company at the same time.

Therefore, a special request is hereby being made to allot second eCSIN for appointment in the subsidiary company. The details are as under:

| S. No. | Particulars | Details w.r.t. holding company | Details w.r.t. subsidiary company |
|-----------|-------------|-----------------------------------|---|
|-----------|-------------|-----------------------------------|---|

24

| 1 | NT 1 | |
|----|----------------------|--|
| 1 | Name and | |
| | Membership | |
| | Number | |
| 2 | Name of | |
| | company | |
| 3 | CIN/ PÁN | |
| 4 | Registered | |
| | Address | |
| 5 | Email ID | |
| 6 | Employee | |
| | Designation | |
| 7 | Whether DIR- | |
| | 12 filed for | |
| | appointment | |
| 8 | Date of offer letter | |
| 9 | Date of | |
| | consent letter | |
| 10 | Date of Appointment | |
| 11 | Earlier eCSIN | |
| | generated by | |
| | Member for holding | |
| | company | |
| 12 | Date of Board | |
| | resolution passed by | |
| | holding company for | |
| | approval of | |
| | appointment in | |
| | subsidiary company | |
| | subsidiary company | |
| 13 | Date of Board | |
| | resolution passed by | |
| | subsidiary company | |
| | for appointment in | |
| | | |

| | subsidiary company |
|----|--|
| 14 | Percentage of shares held by holding company in subsidiary company |
| 15 | No. of companies wherein DIR-12 filed for appointment as Company Secretary |

I hereby declare that the information stated above is true to the best of my knowledge and belief.

With reference to Clause 6 of the ICSI (Employee Company Secretaries Identification Number (eCSIN) Guidelines), 2019, I hereby affirm that on the date of this application for second eCSIN, I am holding only one Active eCSIN for the abovementioned holding company i.e.

_____(name of holding company).

I request you to kindly allot one more eCSIN for subsidiary company, as per the abovementioned details.

Yours faithfully,

()

Name and signature of applicant

ANNEXURE 'B'

Date:

То

The Secretary ICSI

Subject: Request for generation of eCSIN in view of merger & amalgamation of the employer company pursuant to the order of the Hon'ble NCLT /Regional Director

Sir,

In terms of Clause 5 of the ICSI (Employee Company Secretaries Identification Number (eCSIN) Guidelines), 2019, eCSIN shall be generated by the member at the time of issuing the consent letter/acceptance letter or on date of appointment to the employer and on the date of relieving from the organization.

Second Proviso to Clause 5(a) provides that in case of change in Employer pursuant to an order of the NCLT/ Regional Director consequent upon a scheme of Compromise, Arrangements & Amalgamation or any other restructuring by the company, a request for updating eCSIN details addressed to the Secretary, ICSI shall be sent within 30 days of effective date of Scheme as per the order of the NCLT / Regional Director at ecsin@icsi.edu in the prescribed format with complete details.

Therefore, a special request is hereby being made to ensure compliance of the ICSI (eCSIN) Guidelines, 2019 in view of amalgamation of the employer company pursuant to the order of the Hon'ble NCLT/ Regional Director. The details are as under:

| S. No. | Particulars | Details w.r.t. | Details w.r.t. |
|-----------|-------------------------------|-----------------------|-----------------------|
| | | Transferor company | Transferee company |
| 1. | Name | | |
| 2. | Membership Number | | |
| 3. | Name of the Company | | |
| 4. | CIN | | |
| 5. | Registered Address | | |
| 6. | Email ID | | |
| 7. | Employee Designation | | |
| 8. | Date of offer letter | | |
| 9. | Date of consent letter | | |
| 10. | Date of appointment | | |
| 11. | Date of Board resolution for | | |
| | appointment | | |
| 12. | eCSIN details generated for | | |
| | transferor company | | |
| 13. | NCLT Bench /Regional | | |
| | Director which passed order | | |
| 14. | Date of NCLT / Regional | | |
| | Director Order | | |
| 15. | Appointed Date of the | | |
| | Scheme of Amalgamation | | |
| 16. | Effective date of the Scheme | | |
| | of Amalgamation | | |
| 17. | Whether appointed in | If No, | give |
| | Transferee company at same | details | |
| | position as in Transferor | | |
| 10 | company? | 37 (33 | |
| 18. | Whether Form DIR-12 filed | Yes/No | 10 |
| | for appointment in Transferee | *Attach | |
| | Company? | attested co | |
| | | Form DI | |
| | | | MCA |
| | | Challan | |

I

| 19. | No. of companies wherein DIR-12 filed for appointment | |
|-----|---|--|
| | as Company Secretary | |
| 20. | Any other relevant detail | |

I hereby declare that the information stated above is true to the best of my knowledge and belief.

I hereby affirm that on the date of this application, I am holding only one Active eCSIN for the abovementioned Transferor Company i.e. _________________________________(name of company).

I request you to kindly allow generation of eCSIN for Transferee Company in view of amalgamation of the employer company pursuant to the order of the Hon'ble NCLT/ Regional Director, as per the details given above.

Yours faithfully,

() Name and signature of applicant

NOTES

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