

### **UDIN Amnesty Scheme, 2023**

1. ICSI Unique Document Identification Number (UDIN) Guidelines, 2019 (hereinafter referred to as 'the UDIN Guidelines' were approved and issued by the Council of the Institute of Company Secretaries of India (hereinafter referred to as 'the Council') in its 261<sup>st</sup> (Special) Meeting held on 27<sup>th</sup> June, 2019.
2. The UDIN Guidelines were amended by the Council in its 263<sup>rd</sup> Meeting held on 23<sup>rd</sup> September, 2019 at New Delhi and have been further amended by the Council in its 269<sup>th</sup> (Adjourned) Meeting held on 13<sup>th</sup> July, 2020, and further amended by the Council in its 278<sup>th</sup> Meeting held on 26<sup>th</sup> July, 2021, and further amended by the Council in its 279<sup>th</sup> (Special) Meeting held on 31<sup>st</sup> August, 2021.
3. A copy of the latest amended UDIN guidelines is available at UDIN portal (<https://stimulate.icsi.edu/udin/>) of the Institute.
4. As per Para 5(viii) of the UDIN Guidelines, every Company Secretary in Practice shall generate UDIN at the time of signing of Certificate / Report / Form / Other Documents or seven days in advance to the date of such signing as above. This is the affirmation of the UDIN mechanism introduced by the ICSI.
5. Para 3(b) of the UDIN Guidelines provides the list of professional services in respect of which generation of UDIN is mandatory. The Institute has received queries from the members on account of failure to generate the UDIN at the time of signing of Certificate / Report / Form / Other Documents or for inadvertently mentioning some wrong particulars due to typographical errors or otherwise. Similarly, few members fail to revoke the UDIN generated within 7 days of such generation as per para 5(ix) of the Guidelines and have raised query for the same.
6. In accordance with Para 8 of the Guidelines, any non-compliance of the UDIN Guidelines makes the defaulting Company Secretary in Practice liable for action under the Company Secretaries Act, 1980 read with First Schedule and Second Schedule to the Company Secretaries Act, 1980.
7. As per proviso to Para 5(x) of the UDIN Guidelines, the PCS Committee of the Institute is authorised to frame standard operating procedures and modalities or any scheme due to any specific circumstances to condone the delay on such terms and conditions as it may deem fit and proper and in case of such condonation, the Company Secretary in Practice shall not be liable for consequences of violation as mentioned in paragraph 8 of the UDIN Guidelines.
8. Accordingly, the Practicing Company Secretaries Committee of the Council of the Institute in its 102<sup>nd</sup> meeting held on 28<sup>th</sup> February, 2023, considered various technical reasons leading to hampering of smooth functioning of UDIN generation and with a view to comfort the stakeholders, the Committee has approved the launching of UDIN Amnesty Scheme-2023 wherein a Company Secretary in Practice may:

- i. Generate the UDINs missed earlier,
  - ii. Rectify the UDIN details recorded at the time of generation,
  - iii. Revoke the UDINs not used.
9. In case(s) where the UDIN has not been generated earlier, it will be mandatory to generate the UDIN before filing the request under this Scheme.
10. The online request window will open on 16<sup>th</sup> March, 2023 and shall remain active upto 31<sup>st</sup> March, 2023.
11. All UDINs generated from 1<sup>st</sup> April, 2022 upto the closure of the Scheme i.e. 31<sup>st</sup> March, 2023, shall be eligible for under the Amnesty.
12. It is a Scheme which has been introduced considering the various reasons and does not in any way create a precedent for future.
13. A Company Secretary in Practice may revoke or modify a particular UDIN only once. Only active UDIN is eligible for rectification under the UDIN Amnesty Scheme. UDIN once revoked shall not be reactivated.
14. Upon successfully submitting request, an auto confirmation email shall be sent to the Company Secretary in Practice for record and future communication.
15. The modified details will henceforth be shown in the master data / Register of UDINs available after login on the UDIN website or through any other designated website.
16. The Company Secretary in Practice applying under UDIN Amnesty Scheme - 2023 shall be granted immunity from the applicability of the provisions of Para 8 of the UDIN Guidelines in respect of the UDINs for which request under this Amnesty Scheme has been made and disciplinary proceedings shall not be initiated or entertained in this respect. However, the immunity under this Scheme shall not be granted to members against whom any disciplinary proceeding for non-adherence to UDIN Guidelines is pending at any stage before the Disciplinary Directorate of the ICSI.
17. No fees shall be charged for applying under Amnesty. The process of application is completely online and in straight through process mode at the UDIN website (<https://stimulate.icsi.edu/udin/>) or member may visit through any other designated website of the Institute.
18. On the conclusion of the Scheme, the Institute may initiate necessary disciplinary action under the Company Secretaries Act, 1980 read with First Schedule and Second Schedule to the Company Secretaries Act, 1980 against the Company Secretary in Practice who has not availed this Scheme and has failed to comply with the provisions of the UDIN Guidelines.

19. The details uploaded by the Company Secretary in Practice under this Amnesty Scheme shall remain confidential and not be construed as “information” under the Right to Information Act, 2005.