

**GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS  
OFFICE OF THE REGISTRAR OF COMPANIES, KERALA & U.T. OF LAKSHADWEEP  
1<sup>ST</sup> FLOOR, COMPANY LAW BHAVAN,  
B.M.C. ROAD, THRIKKAKARA P.O.  
KOCHI-682 021.**

**MANUAL UNDER SECTION 4(1)(b) OF THE RIGHT TO INFORMATION ACT, 2005**

**RIGHT TO INFORMATION ACT, 2005**

“The Right to Information Act, 2005, (“RTIA”) was passed by the Parliament of India and came into effect on 15.05.2005.

This enactment enables Citizens of India to secure access to information under the control of Public Authorities, subject to the provisions of RTIA. It casts an obligation on Public Authorities to grant access to information. It lays down the machinery for the grant of access to information through the designated ‘Public Information Officers’ appointed with the Public Authority concerned.

The full text of the enactment can be browsed in [www.persmic.nic.in](http://www.persmic.nic.in).

The Office of the Registrar of Companies, Kerala and U.T. of Lakshadweep is a ‘Public authority’ within the purview of RTIA.

As a citizen of India you can have access to information about this office subject to the provisions of RTIA.

1. Special meaning - Special meaning to be attached to some of the terms used in the manual are given below:

- (a) Office of Registrar of Companies, Kerala and U.T. of Lakshadweep ( ROC Office) is the office functioning at 1<sup>st</sup> Floor, Company Law Bhavan, B.M.C. Road, Thrikkakara P.O., Kochi - 682 021 having jurisdiction over State of Kerala and U.T. of Lakshadweep for the purpose of administering the provisions of the Companies Act, 2013.
- (b) ‘Registrar of Companies, Kerala and U.T. of Lakshadweep (ROC or Registrar) is the officer appointed by the Central Government under Section 396(2) of the Companies Act, 2013 and includes Additional, Joint, Deputy and Assistant Registrars.
- (c) Companies Act means the Companies Act 2013.
- (d) LLP Act Means Limited Liability Partnership Act, 2008.
- (e) Acts means the Companies Act, 2013 and LLP Act, 2008.

**I. The particulars of organisation, functions and duties**

|                                      |   |   |
|--------------------------------------|---|---|
| Name and address of the Organization | : | O/o Registrar of Companies, Kerala & Lakshadweep,<br>1 <sup>st</sup> Floor, Company Law Bhavan,<br>B.M.C. Road, Thrikkakara P.O.,<br>Kochi – 682 021, Kerala. |
| Head of the Organization             | : | Shri G.C. Yadav<br>Registrar of Companies   |

The office of the Registrar of Companies, Kerala and U.T. of Lakshadweep functions as a Registry of records relating to the companies and Limited Liability Partnership (LLP) registered in the State of Kerala and U.T. of Lakshadweep. The Administrative Ministry is the Ministry of Corporate Affairs under the Government of India. The Registrar directly reports to the Regional Director, Southern Region (SR) Ministry of Corporate Affairs, Chennai.

The Registrar of Companies, Kerala and U.T. of Lakshadweep is a public authority appointed under Section 396(2) of the Companies Act, 2013

The Registrar of Companies, Kerala and U.T. of Lakshadweep is having territorial jurisdiction over companies and LLPs having registered office in the State of Kerala and U.T. of Lakshadweep

### **Functions and duties**

- Processing the documents, returns and the forms filed by the companies/LLPs
- Functioning as a registry of records relating to the companies/ LLP's
- Facilitating inspection of documents and returns by Public, Investors, Banks and Professionals and other public authorities and supply of certified copies of those documents.
- Dealing with change of names of companies and LLP's, conversion of status of companies from Private to Public and vice versa, striking off names of companies & LLP's, action against companies & LLPs for various violations.
- Monitoring of compliance requirements by companies/LLPs through the mechanisms envisaged under the Act.
- Inspection of books of accounts of companies
- Redressal of grievances of Investors of those companies
- Launching prosecution against companies and its Directors for violation of Acts.

The office is headed by the Registrar of Companies. There is one post of Deputy Registrar of Companies and two posts of Assistant Registrar of Companies which are manned by Group A Gazetted Officers of Indian Corporate Law Service and one post of Company Prosecutors which is a Group B Gazetted Post. The staff strength of the office is as below:-

|                                  | <b><u>Sanctioned</u></b> | <b><u>Actual</u></b> | <b><u>Vacant</u></b> |
|----------------------------------|--------------------------|----------------------|----------------------|
| Registrar of Companies           | - 1                      | 1                    | -                    |
| Deputy Registrar of Companies    | - 1                      | 1                    | -                    |
| Assistant Registrar of Companies | - 2                      | 1                    | 1                    |
| Company Prosecutor               | - 1                      | -                    | 1                    |
| Senior Technical Assistant       | - 1                      | 1                    | -                    |
| Superintendent/Assistant         | - 1                      | 1                    | -                    |
| Junior Technical Assistants      | - 5                      | 4                    | 1                    |
| Upper Division Clerks            | - 5                      | -                    | 5                    |
| Lower Division Clerks            | - 7                      | 3                    | 4                    |
| Multi Tasking staff              | - 3                      | 3                    | -                    |
|                                  | -----                    |                      |                      |
| Total:                           | 27                       | 15                   | 12                   |

The duties and functions of Registrar of Companies includes that of a regulatory authority under the Act apart from discharging his duties as a regulatory authority for administering the provisions of the Acts. The staff assist the Registrar in discharging various functions under the Acts.

## **II. Powers and duties of its officers and employees**

- (a) Registrar of Companies/Deputy Registrar of Companies/Assistant Registrar of Companies discharges their duties as empowered by the Acts including administering the provisions of the Acts and acting as a regulatory authority of corporate bodies.
- (b) Company Prosecutors are appointed for the conduct of prosecutions arising out of the Act. They have all the powers and privileges conferred by the code on Public Prosecutors appointed by the State Governments.
- (c) The staff assists the officers in discharging duties of processing the e-forms filed by companies/LLPs, inspection of books of account of companies, prosecution of defaulting companies, scrutiny of documents filed, inspection of records and maintenance of records.

### **Duties of employees**

Receipt and processing, inter alia of-

- Documents, returns and applications filed by companies/LLP's
- Investors' grievances
- Applications from shareholders for payment of unpaid dividend.
- Preparation of reports, enquiry letters, show cause notices etc.
- Facilitating inspection of documents of companies by Public
- Supplying certified copies of documents registered to the applicants
- Other works entrusted to them.

### **Duties/Powers of Registrar**

- Processing of documents, returns and applications filed by companies/LLPs
- Disposal of applications under the Companies Act
- Redressal of Investors' grievances
- Issue of enquiry letters and show cause notices to companies, its directors and Secretaries
- Communication with and reporting to the superior offices of the Ministry of Corporate Affairs and other Ministries/Departments and other offices in the Ministry of Corporate Affairs.
- Interaction with the Professional bodies and Industry Associations
- Inspection of books of account of companies
- General administration

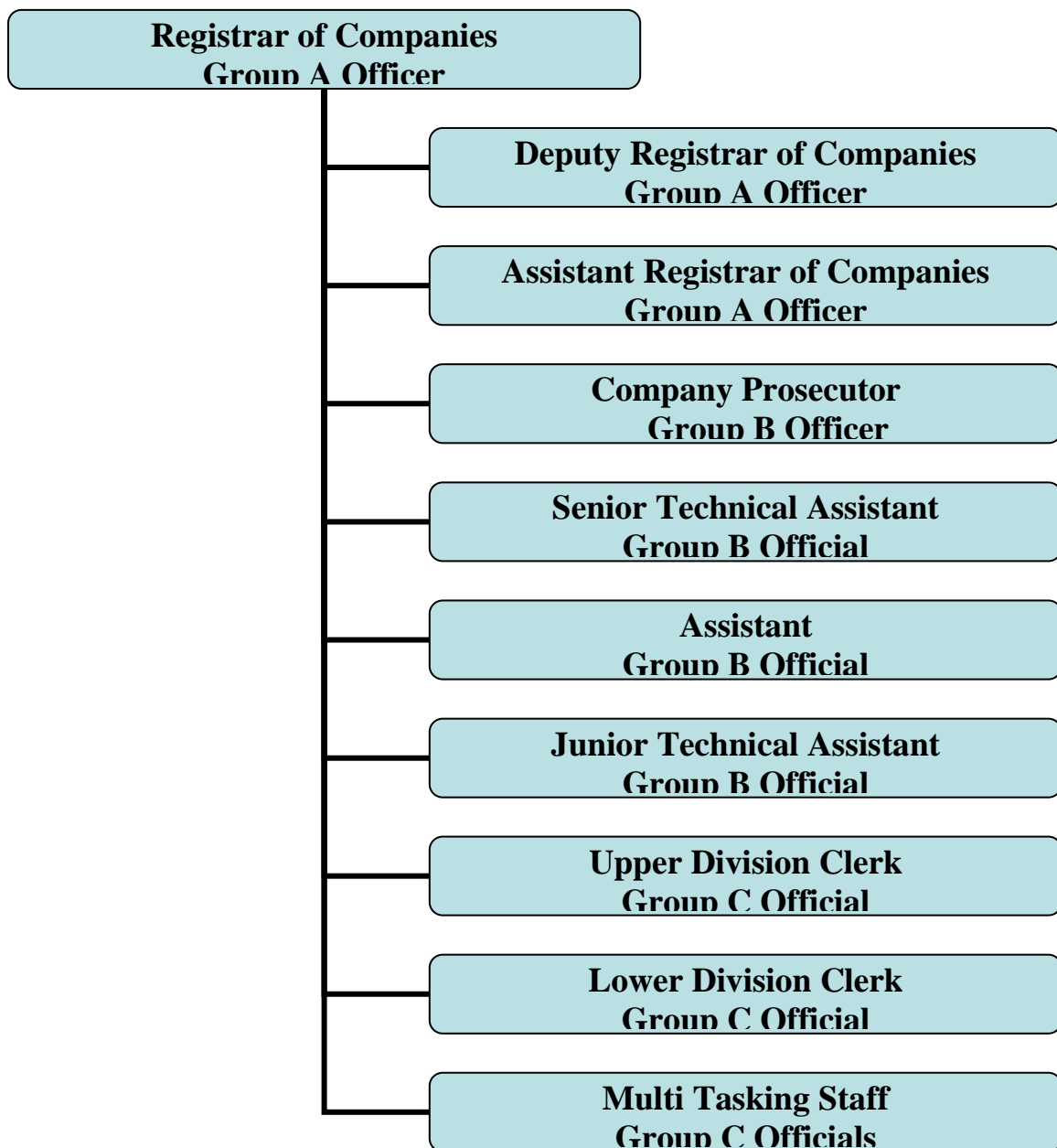
### **III Procedure followed in the decision making process, - including channels of supervision and accountability.**

- ROC is the overall in charge of all major decisions.
- DROC/AROC and the staff members report to the ROC on matters requiring his decisions.
- DROC is the Drawing and Disbursing Officer(DDO) of the Office
- The Superintendent/Assistant supervises the Establishment Section and all other administrative matters and will be reporting to DDO.
- Group 'B' and 'C' officials process all e-forms and forward to the officers for final orders/approval. They also assist the officers with respect to change of names of companies, change of status of companies, prosecution of companies and their directors and other important matters in compliance of the Companies Act/LLP Act and its Rule and Regulations there under.
- The Legal Cell is headed by Company Prosecutor/DROC under the overall supervision of ROC. Company Prosecutor attends to prosecution matters, compounding applications and other legal matters and contest the cases in the

Additional Chief Judicial Magistrate (Economic Offences) Court and liaisons with Central Government Counsels on behalf of ROC.

- The Technical Cell consists of STAs, JTAs, UDCs and LDCs. They are involved in assisting the ROC, DROC and Asst. ROC in matters relating to processing of e-forms, assisting in inspection Companies under Companies Act, registering of charges, preparing prosecutions, sending report to Government and other delegated works of the Ministry of Corporate Affairs.
- The Establishment section is headed by Superintendent/Assistant and assisted by UDCs/ LDCs. The work relates to administration of staff, preparation of all bills and house-keeping. The UDCs and LDCs are reporting to Superintendent/Assistant who in turn reports to DDO.
- The Technical cell also attends to work relating to collecting statistical data and preparation of periodical returns required by the Ministry.

**The Organization Chart of the office is as follows:**



#### **Accountability**

Officers and staff members are accountable in relation to the official responsibilities vested in them.

#### **IV. The norms set by it for the discharge of its function.**

The norms are fixed as per Act, Rules & Regulations and time limits set by the Citizen Charter of the Ministry and they are followed in the discharge of official functions.

**V. The rules, regulations, instructions, manuals and records, held by it or under its control or used by its employees for discharging its functions.**

Applicable provisions, inter alia of the following Acts, Rules & Regulations, thereunder are examined by the employees of this office for discharge of their functions while scrutinizing, processing and registering the various forms, documents, etc. filed in this office.

- Companies Act, 2013
- Companies (Specification of Definition Details) Rules, 2014
- Companies (Incorporation) Rules, 2014
- Companies (Restriction on number of layers) Rules, 2017
- Companies (Prospectus and Allotment of Securities) Rules, 2014
- Companies (Issue of Global Depository Receipts) Rules, 2014
- Companies (Share Capital and Debentures) Rules, 2014
- Companies (Acceptance of Deposits) Rules, 2014
- Companies (Registration of Charges) Rules, 2014
- Companies (Management and Administration) Rules, 2014
- Companies (Significant Beneficial Owners) Rules, 2018
- Companies (Declaration of Payment of Dividend) Rules, 2014
- IEPF Authority (Accounting, Audit, Transfer and Refund) Rules, 2016
- Companies (Accounts) Rules, 2014
- Companies (Corporate Social Responsibility) Rules, 2014
- Companies (Filing of Documents and Forms in Extensible Business Reporting Language) Rules, 2015
- Companies (Indian Accounting Standards) Rules, 2015
- Companies (Audit and Auditors) Rules, 2014
- Companies (Cost Records and Audit) Rules, 2014
- Companies (Appointment and Qualification of Directors) Rules, 2014
- Companies (Creation and Maintenance of databank of Independent Directors) Rules, 2019
- Companies (Meetings of Board and its Powers) Rules, 2014
- Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014
- Companies (Inspection, Investigation and Inquiry) Rules, 2014
- Companies (Compromises, Arrangements and Amalgamations) Rules, 2016
- Companies (Registered Valuers and Valuation) Rules, 2017
- Companies (Authorized to Registered) Rules, 2014
- Companies (Registration of Foreign Companies) Rules, 2014
- Companies (Registration Offices and Fees) Rules, 2014
- Nidhi Rules, 2014
- Companies (Transfer of Pending Proceedings) Rule, 2016
- Companies (Mediation and Conciliation) Rules, 2016
- Companies (Miscellaneous) Rules, 2014
- Companies (Adjudication of Penalties) Rules, 2014
- LLP Act 2008
- Limited Liability Partnership (Winding up and Dissolution) Rules 2012
- Limited Liability Partnership Rules 2012.

**VI. Statement of the categories of documents that are held by it or under its control.**

- This office holds the documents, returns and applications filed by companies in a suitably arranged manner after their registration in the web portal [www.mca.gov.in](http://www.mca.gov.in)
- Registered documents and returns
- Files, registers and records relating to Office General Administration

**VII. Particulars of any arrangement that exists for consultation with, or representation by the Members of the public in relation to the formulation of its policy or implementation thereof.**

No policy formulation is involved in this office. Policy formulations are done by the Ministry of Corporate Affairs, Headquarters at New Delhi.

**VIII. Statement of the Boards, Councils, Committees and other bodies consisting of two or more persons constituted as its part or for the purpose of its advice, and as to whether meetings of those boards, Councils, Committees and other bodies are open to the public, or the minutes of such meetings are accessible for public.**

A Committee for implementation of Hindi comprising of ROC, Deputy ROC, STA and JTA has been formed and it is meeting periodically. The minutes being of purely internal nature, is not made accessible to the public.

*A Committee consisting of Deputy Registrar of Companies, a Senior Technical Assistant and a Junior Technical Assistant has been formed to redress Investor complaints relating to companies registered within the territorial jurisdiction of this office.*

A Committee consisting of Assistant ROC, JTA, LDC and a Practising professional for looking into the complaints relating to harassment of women at work place has been formed.

**IX. A directory of its officers and employees is furnished:**

| Sl.No. | Name                    | Designation  | Telephone No. with Extension No. of any |
|--------|-------------------------|--|---|
| 1.     | Sri. G.C. Yadav         | ROC  | 0484 – 2423749 (Dir)<br>0484 - 2421489  |
| 2.     | Sri. V.M. Prasanth      | DROC   | 0484 - 2421489,<br>2421310              |
| 3.     | Smt. Bindu Vergis       | AROC   | -do-                                    |
| 4.     | Smt. P.Sathiabhama Nair | Assistant.   | -do-                                    |
| 5.     | Sri T. N. Girishkumar   | JTA( Pursuant to the order dated 13.12.2012 in OP CAT)in No.3703 of 2012, the Hon'ble High "Court at Kerala has permitted him to continue as JTA, till the matter is disposed off on merits) | -do-                                    |
| 6.     | Sri. R. Ravichandran    | JTA  | -do-                                    |
| 7.     | Smt. Linzy Babu         | JTA  | -do-                                    |
| 8.     | Smt. Mini.K             | JTA  | -do-                                    |
| 9.     | Sri. K. Nandakumar      | LDC  | -do-                                    |
| 10.    | Smt. V.G. Rosy          | LDC  | -do-                                    |
| 11.    | Sri. Jossi Cyriac       | LDC  | -do-                                    |
| 12.    | Sri. S. Vignesh         | MTS  | -do-                                    |
| 13.    | Sri. V.R. Jayakumar     | MTS  | -do-                                    |
| 14.    | Sri. Giby Rajappan      | MTS  | -do-                                    |

**X. The monthly remuneration received by each of its officers and employees, including the system of compensation as provided in its regulations.**

The monthly remuneration (gross) received by each of the officers and employees is furnished below giving the grade and pay scale:

| Sl.No. | Name | Designation | Pay Scale (Rs.) | Grade Pay (Rs.) | Total emoluments |
|--------|------|-------------|-----------------|-----------------|------------------|
|--------|------|-------------|-----------------|-----------------|------------------|

|     |                         |   |             |       |        |
|-----|-------------------------|---|-------------|-------|--------|
| 1.  | Sri. G.C. Yadav         | ROC   | 37400-67000 | 10000 | 211914 |
| 2.  | Sri. V.M. Prasanth      | DROC  | 15600-39100 | 6600  | 116021 |
| 3.  | Smt. Bindu Vergis       | AROC  | 15600-39100 | 5400  | 111411 |
| 4.  | Smt. P.Sathiabhama Nair | Assistant.  | 9300-34800  | 4800  | 83772  |
| 5.  | Sri T. N. Girishkumar   | JTA( Pursuant to the order dated 13.12.2012 in OP (CAT) No.3703 of 2012, the Hon'ble High "Court at Kerala has permitted him to continue as JTA, till the matter is disposed off on merits) | 9300-34800  | 4200  | 58266  |
| 6.  | Sri. R. Ravichandran    | JTA   | 9300-34800  | 4600  | 63297  |
| 7.  | Smt. Linzy Babu         | JTA   | 9300-34800  | 4600  | 70785  |
| 8.  | Smt. Mini.K             | JTA   | 9300-34800  | 4200  | 57279  |
| 9.  | Sri. K. Nandakumar      | LDC   | 9300-34800  | 4600  | 77628  |
| 10. | Smt. V.G. Rosy          | LDC   | 9300-34800  | 4200  | 73372  |
| 11. | Sri. Jossi Cyriac       | LDC   | 9300-34800  | 4200  | 79712  |
| 12. | Sri. S. Vignesh         | MTS   | 5200-20200  | 1800  | 23225  |
| 13. | Sri. V.R. Jayakumar     | MTS   | 5200-20200  | 2000  | 48102  |
| 14. | Sri. Giby Rajappan      | MTS   | 5200-20200  | 1900  | 38493  |

**XI.** The budget allocated to each of its agency, indicating the particulars of all plans, proposed expenditures and reports on disbursements made.

The budgetary allocation for the financial year 2020-21 under various heads is as follows:

|                              | Rs.           |
|------------------------------|---------------|
| Salaries                     | 1,50,00,000/- |
| Medical expenses             | 1,00,000/-    |
| Domestic Travelling Expenses | 4,00,000/-    |
| Office Expenses              | 35,00,000/-   |
| Wages                        | 80,000/-      |
| O.A.E.                       | 20,000/-      |
| Publication                  | 30,00,000/-   |
| Prof. Service                | 3,00,000/-    |
| SAP                          | 60,000/-      |
| Information Technology       | 3,00,000/-    |
|                              | -----         |
|                              | 2,27,60,000/- |
|                              | =====         |

The budgetary allocation is only for meeting the administrative expenses like salaries, travelling expenses, office rent, telephone, electricity and other office expenses

**XII. The manner of execution of subsidy programmes, including the amounts allocated and the details of beneficiaries of such programmes.**

No subsidy programmes are executed by this office. Hence no details of any beneficiaries.

**XIII. Particulars of recipients of concessions, permits or authorisations granted by it.**

Transport allowance at double the normal rate is given to the following handicapped official of this office:

Smt. Bindu Vergis, AROC  
Sri. Jossi Cyriac, LDC

**XIV. Details in respect of the information, available to or held by it, reduced in an electronic form.**

This office is accepting documents through e-filing from March 2006 and all the documents filed by companies after the said period can be viewed through Ministry's portal [www.mca.gov.in](http://www.mca.gov.in) on payment of fees prescribed under section 399 of the Act.

Public can search for the names of companies/LLPs under the jurisdiction of this office in the Ministry's portal [www.mca.gov.in](http://www.mca.gov.in)

No fee is charged to visit our above Portal or to download or print the information contained therein.

**XV. The particulars of facilities available to citizens for obtaining information, including the working hours of a library or reading room, if maintained for public use.**

- (i) All documents filed by the companies/LLPs can be viewed by the public through the Ministry's web site [www.mca.gov.in](http://www.mca.gov.in) after paying a fee of Rs.100/- for each company's documents. The said facility can be availed by logging into the web site from their individual system.
- (ii) Inspection of documents filed by any company/LLP can be done through the web-portal [www.mca.gov.in](http://www.mca.gov.in) at any time from anywhere basis at a fee of Rs.100/- Payment can be made by credit card, internet banking or such modes prescribed under the Act. If any document filed prior to March 2006 could not be viewed in the portal, public are allowed to inspect registered/filed documents, to take notes, extracts from such documents filed by companies in this office from 10.30 a.m. to 3.30 p.m. on all working days on production of challan for payment of the prescribed fee of Rs.100/- within the prescribed time. They are also allowed to get copies of documents certified by the Registrar which is acceptable in lieu of original documents as evidence before a Court of Law as provided under Section 399 of the Companies Act, 2013 on payment of prescribed fee and submission of required stamp paper as prescribed by the State Stamp Act.
- (iii) The official website of this office is as follows:  
[www.mca.gov.in](http://www.mca.gov.in)

**XVI. The names, designations and other particulars of the Public Information Officers.**

- 1) Shri V.M. Prasanth, Central Public Information Officer  
Deputy Registrar of Companies.
- 2) Smt. Bindu Vergis Assistant Central Public Information Officer  
Assistant Registrar of Companies

Phone : 0484 2421489  
Fax : 0484 2422327



Address : Office of the Registrar of Companies, Kerala,  
1<sup>st</sup> Floor, Company Law Bhavan,  
B.M.C. Road, Thrikkakara P.O., Kochi - 682 021.

XVII **Appellate authority** : Sri. G.C. Yadav,  
Registrar of Companies, Kerala,  
1<sup>st</sup> Floor, Company Law Bhavan,  
B.M.C. Road, Thrikkakara P.O.,  
Kochi - 682 021.

Phone : 04842423749

04842421489

Fax : 04842422327

### **XVIII Such other information as may be prescribed**

As provided under Section 399 of the Companies Act, 2013, all the documents kept by the office relating to companies are available for inspection by public on payment of the requisite fees. So also certified copies of such document are made available on payment of the requisite fees.

The information already available in the public domain i.e. [www.mca.gov.in](http://www.mca.gov.in) would not be treated as information held "by or under the control of public authority" pursuant to Section 2(i) of the Right to Information Act, 2005. Therefore the provisions of RTI Act 2005 for providing copies of such documents/information to the public would not be applicable to the documents of companies kept by this office under Section 399 of the Companies Act, 2013.

29.6.2020

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