

GENERAL CIRCULAR NO. 42/2011

35/6/2011-Insolvency
Government of India
Ministry of Corporate Affairs

5th Floor, A Wing, Shastri Bhavan,
Dr. R.P. Road, New Delhi-110001
Dated: 7th July 2011

To

All Regional Directors
All ROCs
All Official Liquidators

Subject: Payment of fees to CAs in cases where funds are not permitted from
Common Pool Fund.

Sir,

It has been noticed that certain Courts have not allowed fees to be paid to the Chartered Accountants from Common Pool Fund in cases where petitions are filed in respect of companies under liquidation having no assets. The matter has been considered and it has been decided that in all such cases following steps be taken.

- (i) Official Liquidator will take permission of Court to appoint a Chartered Accountant.
- (ii) Official Liquidators will appoint Chartered Accountants for issuing necessary certificate.
- (iii) The terms and conditions of payment of fees to the CAs in such cases will be decided by a Committee consisting of concerned OL and ROC, chaired by the RD.
- (iv) All the fees will be approved by the Committee by following GFR.
- (v) Each OL will maintain a list of local CAs/CA firms and selection should be done from them only.

2. The payment of fees to CAs in this respect will be made out of the Budget Head "Office Expenses".

(Jaikant Singh)
Director
07-07-2011