

CHANGE IN DESIGNATED DIRECTOR

Instruction for filling-up documents related to Change in Designated Director

Sr. No	Document Ref. No.	Particulars	Compliance (Yes /No/N.A)
(1)	CDD-1	Application for change in designated director of the company due to Resignation and Appointment of new Designated Director	
i.		Application form is on the letterhead of the Member	
ii.		Application form is signed by one of the remaining designated director	
iii.		Application form has the date	
iv.		Application form is addressed to the Exchange	
(2)	CDD-2	An instruction from the member to debit the Charges alongwith Service Tax @ 10.30% to the Settlement Account of the member, as per Circular No. 476 dated November 9, 2006	
(3)		Certified copy of Board Resolutions for the following:	
i.	CDD-3	1. Resignation of Existing Designated Director / Authorised Signatory.	
ii.	CDD-4	2. Appointment of New Director, Appointment of New Director as "Designated Director", specimen signature of newly appointed Designated Director with attestation from any other Designated Director	
(4)	CDD-5	Proof of Address of new Designated Director	
i.		Applicant is Indian National	
ii.		The copy of address proof submitted is self certified / duly certified under the Rubber Stamp of the Corporate	
iii.		The Address Proof submitted is Valid (i.e. the Validity of the documents should not be expire)	
iv.		Utility Bill submitted as address proof and are within 3 months	
v.		The Address mentioned in the Proof matches with the Undertaking	
(5)	CDD-6	Proof of Experience of new Designated Director	
i.		Experience Certificate submitted is on the Letterhead of the Issuing Entity	
ii.		The Name of the Person mentioned in the Proof matches with the Undertaking.	
iii.		Period of Experience, field of experience and type of Experience is mentioned.	
iv.		Is the experience certificate self certified / duly certified under the rubber stamp of the company	

Sr. No	Document Ref. No.	Particulars	Compliance (Yes /No/N.A)
(6)	CDD-7	Undertaking for not being Debarred /Suspended/Defaulter Undertaking (format enclosed)	
i.		Debarred Undertaking is on the letterhead of the firm/company	
ii.		Is the Debarred Undertaking in Format	
iii.		Name of the member and name of the Designated Directors mentioned in the first paragraph of the Undertaking	
iv.		The undertaking is signed under the rubber stamp of the company/authorised signatories by the Designated Director whose name appears in the undertaking	
v.		Name of the Designated director is per the Undertaking	
vi.		Signed by all the Designated Directors.	
vii.		Date and Place should is mentioned	
(7)	CDD-8	List of director (Existing and After change)	
i.		All the columns filled and NA mentioned wherever Not Applicable	
ii.		The details submitted are in the prescribed format of the Exchange.	
iii.		Date of the certification should be mentioned.	
iv.		Certified by the Designated Director of the firm/company under the rubber stamp of company/authorized signatories.	
(8)	CDD-9	Undertaking (format enclosed)	
i.		Undertaking should be on the letterhead of the Member	
ii.		Each page of Undertaking shall be signed by one of the remaining designated director and by the newly appointed designated director	
iii.		Undertaking is dated	
iv.		Undertaking is addressed to the Exchange	
v.		All details are mentioned in the undertaking are complete in all respects and no columns are left blank/ unanswered	
vi.		Answers to Point No. 10 are given. All answered are mentioned as NO.	
vii.		If any YES is mentioned, a separate sheet submitted giving details, duly signed by the respective designated director	
viii.		Place is mentioned at last in the undertaking	

Sr. No	Document Ref. No.	Particulars	Compliance (Yes /No/N.A)
(9)	CDD-10	Undertaking (format enclosed)	
i.		Undertaking should be on the letterhead of the Member	
ii.		Each page of Undertaking shall be signed by one of the remaining designated director and by the newly appointed designated director	
iii.		All the contents of undertaking mentioned and submitted as per the prescribed format of the Exchange	
(10)	CDD-11	Details of PAN card of company and directors as per format prescribed in Circular No. 478 dated November 10, 2006 (PAN details)	
i.		Covering letter on the letterhead of the Corporate submitted in the prescribed format of the Exchange	
ii.		Certified copies of PAN card (front & back side) submitted for all the Directors under the rubber stamp of the company/authorised signatories.	
iii.		Details submitted are in the format prescribed in circular no.478	
iv.		PAN Number mentioned in the letter matches with the PAN Card copies submitted	
(11)	CDD-12	Undertaking for not being Director/Partner/Proprietor/HUF in any other MCX membership	
i.		Undertaking should be on the letterhead of the firm/company.	
ii.		Undertaking is in Format	
iii.		<u>Separate undertaking submitted.</u> Each Designated Directors in case of Corporate members.	
iv.		Name of the Designated director is per the Undertaking	
v.		<u>Common undertaking submitted.</u> Name of all the Designated Director mentioned and signed by all the Designated Directors under the rubber stamp of the company/authorised signatories.	

APPLICATION FOR CHANGE IN DESIGNATED DIRECTOR

(On the letterhead of the Member)

Date:

To,
 Membership Department
 Multi Commodity Exchange of India Ltd.,
 Exchange Square, CTS no 255,
 Gundavali village, Suren Road
 Chakala, Andheri (East),
 Mumbai- 400 093.

Dear Sir / Madam,

We, _____, the member of the Exchange hereby seek your approval for change in designated director as per the details given below:

Further, we confirm that:

1. The Incoming director is not a sub-broker / Authorised Person of any other member of the Exchange.
2. The incoming designated director is not a designated director of another member of Multi Commodity Exchange of India Limited
3. There will be atleast two designated directors after the proposed changes.
4. Change in directors is not accompanied with change in shareholding and control.
5. There is no change in the designated directors with respect to last approved by the Exchange vide its approval letter no. _____ dated _____.

The following documents are submitted by us in regard to this application:

Sr.	Particulars of Document	Submitted (Yes/No)
1	Application for change in designated director of the company due to Resignation and Appointment of new Designated Director	
2	Certified copy of Board Resolutions for the following; 1. Resignation of Existing Designated Director (with the signature of Resigned Director). 2. Appointment of New Director, Appointment of New Director as "Designated Director", specimen signature of newly appointed Designated Director with attestation from any other Designated Director	
3	Proof of Address of new Designated Director is self certified / duly certified under the Rubber Stamp of the Corporate	
4	Proof of Experience of new Designated Director	
5	Undertaking for not being Debarred /Suspended/Defaulter (format enclosed)	

Sr.	Particulars of Document	Submitted (Yes/No)
6	List of director (Existing and After change)	
7	Undertaking CDD-9 (format enclosed)	
8	Undertaking CDD-10 (format enclosed)	
9	An instruction from the member to debit the Charges, to the Settlement Account of the member, as per Circular No. 476 dated November 9, 2006	
10	Undertaking for not being Director/Partner/Proprietor/HUF in any other MCX membership (format enclosed)	

For any further communication in this regard, please contact the undersigned or Mr./ Ms. / Mrs. _____ (name of the contact person) on _____ (contact numbers) or e-mail _____.

For **(Name of Member)**

Signature of Existing Designated Director

DEBIT INSTRUCTION FOR CHARGES OF CHANGE IN DESIGNATED DIRECTOR
(On the letterhead of the company)

Date:

To,
Membership Department,
Multi Commodity Exchange of India Ltd.,
Exchange Square, CTS no.255,
Gundavali, Suren Road,
Chakala, Andheri – East,
Mumbai – 400 093

Dear Sir / Madam,

Subject: **Debit Instruction**

This has reference to your circular no. 476 dated November 9, 2006.

We have applied for change in designated director(s) of the company for which we authorize you to debit our settlement account no. _____ in _____ (Name of Bank) by Rs. _____ along with Service Tax @ 10.30% as processing charges for change in designated director(s) of the company.

For **(Name of Member)**

Signature of Designated Director

Name of the Signatory

Rubber stamp

Suggested format of Board Resolution for Resignation of the designated director

(On the letterhead of the Member)

Certified True Copy of the Extracts of the Minutes of the Meeting of the Board of Directors of _____ (name of the company), which was duly convened and where proper quorum was present, held on _____ (dated _____ of _____ meeting), at _____ (address where the meeting was held).

“RESOLVED THAT the resignation of Mr. / Ms. / Mrs. _____ as designated director of the company be and hereby accepted.”

“RESOLVED FURTHER THAT Mr. / Ms./ Mrs. _____, Designated Director (name of the continuing designated director) of the Company be and is hereby authorized severally to sign and file all necessary forms, returns and documents as may be required statutorily in connection with the above matter and to take all such actions and do all such things from time to time in this regard.”

FOR _____ (name of the company)

(Signature of the existing designated director)

Suggested format of Board Resolution for Appointment of the designated director

(On the letterhead of the Member)

Certified True Copy of the Extracts of the Minutes of the Meeting of the Board of Directors of _____ (name of the company), which was duly convened and where proper quorum was present, held on _____ (dated of meeting), at _____ (address where the meeting was held).

“RESOVED THAT in accordance with the requirement of Multi Commodity Exchange of India Ltd. (MCX) Mr. / Ms. / Mrs. _____ be and are hereby appointed as Designated Director of the Company.”

“RESOVED FURTHER THAT Mr. / Ms. / Mrs. _____ (name of the continuing designated directors) and Mr. / Ms. / Mrs. _____ (name of the new designated director) whose signatures are appended below be and are hereby authorized to sign jointly or severally all documents / agreements on behalf of the company.

“RESOVED FURTHER THAT Mr. / Ms. / Mrs. _____, Designated Director (name of the continuing designated director) of the Company, be and is hereby authorized severally to sign and file all necessary forms, returns and documents as may be required statutorily in connection with the above matter and to take all such actions and do all such things as may be necessary from time to time in this regard.”

FOR _____ (name of the company)

(Signature of the existing designated director)

(Signature of the new designated director)

(Name of the new designated director)

Signature of the new designated director is attested by me,

(Signature of the existing designated director)

(Name of the existing designated director)

**Format of Undertaking
(On the letterhead of the Member)**

Date: _____

To,
Membership Department
Multi-Commodity Exchange of India Ltd.
Exchange Square, CTS no 255,
Gundavali village, Suren Road
Chakala, Andheri (East),
Mumbai 400 093.

Dear Sir,

"I/We hereby confirm/undertake that _____ (Trade Name of the Member) and _____ (Name of Proprietor/ Designated Directors/ Managing Partners/ Karta) _____ (Name of Proprietor/ Designated Directors/ Managing Partners/ Karta) and constituents of dominant promoter group

- a. are not debarred/suspended/expelled/ declared defaulters by SEBI/FMC/RBI/ any recognized Stock Exchange / any recognized Commodity Exchange.
- b. are not connected with any of the defaulting/debarred/expelled/suspended member of any Stock Exchange/ Commodity Exchange
- c. there are no complaints/ disciplinary action against us at SEBI/FMC/RBI/ any recognized Stock Exchange / any recognized Commodity Exchange
- d. no investigation / enquiry by SEBI/FMC/RBI/ any recognized Stock Exchange / any recognized commodity Exchange is pending against us or undertaken against us
- e. the proprietor / Karta / Partners/ Directors of the member entity are not suspended/ expelled / declared defaulter/insolvent/bankrupt by any recognized Stock Exchange/ recognized Commodity Exchange
- f. the proprietor/karta/Partners/Directors of the member entity are not involved in any type of money laundering activities.
- g. the proprietor/Karta/Partner/Director of the member entity have not committed any act and / or have not any time convicted for any act involving threat to the public/national interest.

In case of any action/complaints/investigation/enquiry by any Statutory Agency/ Regulatory Agency/ Stock Exchange/ Commodity Exchange in future, I/ We undertake to intimate the Exchange immediately.

I/We declare that the information given above is true and any misstatement or misrepresentation or suppression of facts in connection with the above undertaking may entail rejection of our application or expulsion of our membership.

Yours faithfully,
For (Name of the Member)

1. Authorised Signatory
(Name of Designated Director/ Managing Partner/ Proprietor/ Karta)

2. Authorised Signatory
(Name of Designated Director/ Managing Partner/ Proprietor/ Karta)

Rubber stamp

Place:-

On the letterhead of the firm /company

Details of Directors / Partners / Proprietor / Society Member

Name	Age	Education	PAN No.	Contact No.	Designation Since	Whether Designated Director / Managing Partner in Member Company (Yes / No)	Experience (no. of years)	Shareholding / Sharing Pattern			Directorship / Controlling shareholding in other cos / entities
								No.	Amount	% of Total	

Date:

Signature:

Name of the Proprietor / Managing Partner / Designated Director

Place:

Rubber Stamp of the entity

Format of Undertaking

(To be given by the Member on his letterhead and to be signed by existing designated director as well as by the incoming designated director under the rubber stamp of the company)

Date:

To,
Membership Department,
Multi Commodity Exchange of India Ltd.,
Exchange Square, CTS no.255,
Gundavali, Suren Road,
Chakala, Andheri – East,
Mumbai – 400 093
Dear Sir,

We hereby propose to appoint Mr. / Mrs. / Ms. _____
as a designated director of our company. The details and information with respect to said designated director is as follows:

- 1) Name
- 2) Father/Husbands name
- 3) Nationality
- 4) Residence Address & Tel. No.

Office Address & Tel. No.
- 5) Mobile No. & E-mail ID.
- 6) Date of Birth and Age
- 7) PAN Nos.
- 7) Educational Qualification
- 8) Experience (in details)

Signature of Existing Designated Director
with rubber stamp of co.

Signature of New incoming Designated
Director with rubber stamp of co.

10) Shareholding in M/s. _____ (name of the member)

11) Interests in any other company as a Director - (Yes / No).

12) Please provide following information about the proposed director

i) Has ever been declared / rendered incompetent to enter into contract under any law in force in India - (Yes / No).

ii) Has ever been declared a defaulter by any Association or Exchange recognized by the Government under any law (Yes / No).

iii) Are any court case/s pending against the proposed director (Yes / No).

iv) Has ever been / is a member of any other Commodity / Stock Exchange - (Yes / No), if yes, give details.

V) Has any disciplinary action taken by any commodity / stock exchange against him/ her or the trading member in which he/ she held the offices of a director and which had been a member of a commodity / stock exchange - (Yes / No). If yes, please give details in a separate sheet.

Vi) Has ever been adjudged bankrupt or have any receiving order been made against them or have been proved to be insolvent at any time (Yes / No).

Vii) Has ever been involved in litigations, suits or proceedings connected with Commodity Market, Capital Market and economic offences or have been involved in any financial liability of contingent or unascertained nature (Yes / No).

Viii) Has ever been at any time convicted of any offence (including economic offences) involving fraud or dishonesty or financial irregularities or any warning censor or any penalty has been imposed by Regulatory agencies such as SEBI, RBI, Department of Company Affairs nor any other such Regulatory body (Yes / No).

ix) Have ever been at any time denied / rejected for membership of any Commodity / Stock Exchange or commercial organization (Yes / No).

X) Whether held the offices of the Director in any company which had been a member of a Commodity / Stock Exchange and which has been ever been suspended / expelled / declared a defaulter on any other commodity / stock exchange or commercial organization and whether any economic offence or any warning censor or any penalty has been imposed by any Regulatory agencies such as SEBI, RBI, Department of Company affairs nor any other such Regulatory body against such company (Yes / No).

Signature of Existing Designated Director
with rubber stamp of co.

Signature of New incoming Designated
Director with rubber stamp of co.

Xi) Have ever been engaged as principal or employee in any business other than that of securities (Yes / No).

Xii) Have ever been pronounced guilty of a criminal offence involving moral turpitude (Yes / No).

Xiii) Have you ever been associated with or a trading member of or subscriber to or a shareholder or debenture holder of any other commodity / stock exchange (Yes / No).

Xiv) Have you committed any act which may render you liable to be wound up (Yes / No).

Xv) Have you ever been suspended / expelled / declared defaulter on any other commodity / stock exchange or have been declared debarred from trading in commodities / securities by any Regulatory Authorities like FMC, RBI, SEBI etc. (Yes / No).

Xvi) Have you ever been had a provisional liquidator or receiver or official liquidator appointed by a competent courts against you (Yes / No).

We hereby declare that the undertakings for Trading cum Clearing Membership, Internet based Trading and VSAT submitted by the Member will continue to remain enforceable and binding after the change in Designated Director of the Company. We also confirm that the above stated undertakings have been read and understood by us.

I/We further declare that the information given above is true.

Yours faithfully,

For (Name of the Member)

Signature of the existing
Designated director
With company stamp

Signature of the new incoming
designated director
with company stamp

Place:-

** Strike out which is not applicable*

(Please sign and stamp on end of each page)

Format of Undertaking

(To be given by the Member on his letterhead and to be signed by existing designated director as well as by the incoming designated director under the rubber stamp of the company)

Date:

To,
Membership Department,
Multi Commodity Exchange of India Ltd.,
Exchange Square, CTS no.255,
Gundavali, Suren Road,
Chakala, Andheri – East,
Mumbai – 400 093

Dear Sir,

We hereby propose to appoint Mr. / Mrs. / Ms. _____
as a designated director of our company _____ (name of the member).

We hereby certify that this change in designated director is not accompanied by / associated with a change in shareholding */ management* / control */ dominant promoter group (DPG)*.

Thanking you

Yours faithfully

Signature of Existing Designated Director
with rubber stamp of co.

Signature of New incoming Designated
Director with rubber stamp of co.

Place:

**Strike out whichever is not applicable*

(On Members Letter Head)

Date:

To,
 Membership Department,
 Multi Commodity Exchange of India Ltd.,
 Exchange Square, CTS no.255,
 Gundavali, Suren Road,
 Chakala, Andheri – East,
 Mumbai – 400 093

Dear Sir,

Subject: Submission of PAN details

This has reference to the circular no. MCX/478/2006 dated November 10, 2006. Please find the required details as under:

1. Name of the Trading Member: _____
2. Member ID: _____, Unique Member Code _____
3. PAN (Number): _____
4. Email Id: _____
- 5.

Names of Proprietor/ Partners/ Directors	Designation	PAN (Number)	Educational Qualifications	Email Id

6. If PAN details are not available, the reasons thereof: _____

_____ I / We attach herewith certified
 copies of PAN CARDS (both sides).

Yours faithfully,
 For (Name of the Member)

(Authorised Signatory)
 Name of the Authorised Signatory
 Encl: Copies of PAN Cards

Format of Undertaking – Corporate Entity

(To be given by the Member on his letterhead and to be signed by the Designated Director and put the rubber stamp of the company)

Date:

To,
Membership Department,
Multi Commodity Exchange of India Ltd.,
Exchange Square, CTS no.255,
Gundavali, Suren Road,
Chakala, Andheri – East,
Mumbai – 400 093

Dear Sir,

We have applied for the membership of the Multi Commodity Exchange of India Limited (MCX) in the name and style of “_____”.

I, _____(name of designated director), Indian national, has been appointed as designated director in the above stated membership of the MCX hereby confirms that I do not have any interests in any other membership of the MCX and I am not Proprietor / Karta / Managing Partner / Designated Director in any other membership of the MCX.

Further I / We confirm that I / We satisfies the eligibility criteria in terms of provisions of the Rules, Bye-Laws, Business Rules and Circulars issued from time to time if any of the MCX.

I / We declare that the information given above is true.

Yours faithfully,
For (Name of the Member)

Signature of the designated director(s) whose name is mentioned above.

Name:

(Rubber Stamp)

Place:-