

Change in Sharing Pattern- Not Involving Change in DPG

Instruction for filling-up documents related to Change in Sharing Pattern- Not Involving Change in DPG

Sr. No	Document Ref. No.	Particulars	Submitted Yes /No
(1)	CSPNIC-1	Request letter on the letterhead of the Member	
i		Is letter submitted on the letterhead of the member	
ii		Is the letter is dated	
iii		Is the letter signed under the rubber stamp of the partnership firm	
(2)	CSPNIC-2	Present sharing pattern of the firm	
i		Sharing pattern is submitted in the prescribed format of the Exchange	
ii		Sharing pattern submitted is on the letter head of the firm.	
iii		Sharing Pattern submitted is certified by the Managing Partner under the rubber stamp of the partnership firm	
iv		Sharing pattern submitted is certified by Chartered Accountant along with rubber stamp of C.A. Firm.	
v		The shareholding pattern is compared with the previous sharing patterns and there is no change	
(3)	CSPNIC-3	Present DPG details of the Partnership Firm are on the letterhead of the company duly certified by C.A.	
i		Individual have been identified as Dominant Promoter Group (Maximum 4) (51%). (Refer circular no. 150 dated April 06, 2006)	
ii		Dominant Promoter Group (Annexure DPG1) is in the prescribed format of the Exchange.	
iii		The details of the partners of Dominant Promoter Group mentioned in the DPG (Annexure DPG 1) matches with the sharing ratio mentioned in the sharing pattern.	
iv		The details of the Dominant Promoter Group are certified by the Managing Partner under the rubber stamp of the partnership firm and by the Chartered Accountant under the rubber stamp of the CA firm.	
v		The DPG (Annexure DPG 1) is compared with the previous DPG (Annexure DPG 1) and there is no change.	

Sr. No	Document Ref. No.	Particulars	Submitted Yes /No
(4)	CSPNIC-4	Certified true copy of the Rectification / Supplementary Deed to be submitted duly signed and stamped by the Managing Partner – On receiving No Objection from the Exchange.	
(5)	CSPNIC-5	Debarred Undertaking on the letterhead of the Partnership Firm.	
i		Is Debarred Undertaking is in Format	
ii		Name of the member and name of the Managing Partner mentioned in the first paragraph of the Undertaking.	
iii		Signed under the rubber stamp of the Partnership Firm by the Managing Partner.	
iv		The DPG Constituents / Shareholder / Partner mentioned in the undertaking	
v		Name of the Managing Partner is per the application form.	
vi		Date and Place should be mentioned in the Debarred Undertaking.	
(6)	CSPNIC-6	Declaration of No Change in control	
(7)	CSPNIC-7	Undertaking and copies of will, affidavits in case of Transmission	

APPLICATION FOR CHANGE IN SHARING PATTERN

(On the letterhead of the company)

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 submit application for change in sharing pattern.

We further confirm that this change in sharing pattern is as per Exchange circular no. MCX/MEM/ 132/2008 dated April 15, 2008.

For (Name of Member)

Signature of Managing Partner

Name of Managing Partner

Rubber stamp

Member ID:-

**Sharing Pattern (For Partnership Firm)
(On letterhead of the firm)**

Sr. No.	Name	Capital in the Firm	Share in Profit	Share in Losses
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
TOTAL				100%

Date:

1. _____ 2. _____
 Signature(s) Signature(s)
 of Managing Partner of Managing Partner
 with name and with name and
 rubber stamp rubber stamp

Place:

AUDITOR'S CERTIFICATE

This is to certify that the capital and sharing pattern of _____ as given above, based on my/ our scrutiny of the books of accounts, records and documents is true and correct to the best of my/our knowledge and as per information provided to my/our satisfaction.

Date:

For (Name of Accounting Firm)

Place:

Name of the Partner/Proprietor
 Chartered Accountant
 Membership Number
 Rubber stamp of firm

Annexure - DPG-1:

Details of Dominant Promoter Group as on _____ (Date)

Sr. No	Name	No of Shares*		Total Amount Paid*		% of total*		Total
		Self	Relative	Self	Relative	Self	Relative	
1								
2								
3								
4								
Total								

Date:

1. _____ 2. _____
Signature(s) Signature(s)
of Managing Partner of Managing Partner
with name and with names and
rubber stamp rubber stamp

Place:

AUDITOR'S CERTIFICATE

This is to certify that the sharing pattern in _____ as given above, based on my/ our scrutiny of the books of accounts, records and documents is true and correct to the best of my/our knowledge and as per information provided to my/our satisfaction.

Date:

For (Name of Accounting Firm)

Place:

Name of the Partner/Proprietor
Chartered Accountant
Membership Number
Rubber stamp of firm

*For arriving at the shareholding / sharing pattern of persons constituting the Dominant Promoter Group the shareholding of close relatives, namely parents, spouse, children and their descendants, brothers, sisters and associates only may also be counted provided these relatives give an irrevocable, unconditional support in writing on the prescribed format of Exchange.

**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:-

Declaration for No Change in control

(On 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,

We hereby confirm /undertake that:

1. There is no change in percentage of sharing ratio held by the Dominant Promoter Group due to change in sharing pattern of the firm
2. There is no addition or deletion of constituents of Dominant Promoter Group due to change in sharing pattern of the firm.
3. There is no change in management or change in control due to change in sharing pattern of the firm.

In case of any such change in future we undertake to intimate the Exchange immediately.

We declare that the information given above is true.

Yours faithfully,

For (Name of the Member)

Managing Partner
Name of the Managing Partner

Rubber Stamp

Place: