



GOVERNMENT OF INDIA

MINISTRY OF COMPANY AFFAIRS

Office of the Official Liquidator,

High Court of Karnataka

IV Floor, D&F Wing, Kendriya Sadan, Koramangala, Bangalore – 560 034.

MANUAL

UNDER SECTION 4 (1) (B) OF THE RIGHT TO INFORMATION ACT, 2005



Telegram: SAMAPAK

Telephone: 25537742

Tele fax: 25527991

**GOVERNMENT OF INDIA
MINISTRY OF COMPANY AFFAIRS
Office of the Official Liquidator, High Court of Karnataka
IV Floor, D&F Wing, Kendriya Sadan, Koramangala, Bangalore – 560 034.**

Manual under Section 4(1)(b) of the Right to Information Act, 2005

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

a) Office of the Official Liquidator, High Court of Karnataka, (O/o the OL) is the office functioning at IV Floor, D&F Wing, Kendriya Sadan, Koramangala, Bangalore – 560 034.

I having jurisdiction over State of Karnataka for the purpose of Administering the winding up proceedings of those companies which are ordered to be wound up by the High Court of Karnataka.

b). The Official Liquidator, High Court of Karnataka is the officer appointed by the Central Government under section 448 of the Companies Act, 1956 for the purpose of administering the winding up proceedings.

c). 1. “Act” refers to the Companies Act, 1956.
2. “Rules” refers to the Companies (Court) Rules, 1959.

d) “Ministry” means the Ministry of Company Affairs.

e) “Regional Director” means the Regional Director appointed by the Central Government (Ministry of Company Affairs).

Cont.....2

2. PARTICULARS OF THE ORGANISATION AND ITS FUNCTIONS AND DUTIES:

The Official Liquidator is appointed by the Central Government under section 448 of the Companies Act, 1956 attached to High Court Karnataka for the purpose of conducting liquidation proceedings of those companies which are ordered to be wound up by the High Court of Karnataka. Functionally the Official Liquidator is under the supervision and control of the High Court but administratively is under the control of the Central Government through the Regional Director, Ministry of Company Affairs, Chennai.

The Primary function of the Official liquidator is to administrate the assets of companies under liquidation, sale of the assets and realization of all debts of companies in liquidation for the purpose of distributing the same among the various creditors and other shareholders of the companies and to finally dissolve such companies after the affairs are completely concluded. When a company is put to winding up by an order of the High Court, the Official Liquidator attached to the said High Court takes possession of the company's assets, books of accounts, etc. and liquidates the company as per the further orders of the High Court. The procedure of liquidation is prescribed under the Companies (Court) Rules, 1959. These rules are approved by the Honourable Supreme Court of India and notified by the Central Government.

The duties and powers of the Official Liquidator as laid down in section 457 of the Companies Act, 1956 are mainly of, filing of claims against, the debtors for realization of the debts due to the company, sale of movable and immovable assets of the company taken possession by the Official Liquidator, institute criminal complaints and misfeasance proceedings against the former Directors of the company for their acts and omissions, breach of trust etc., invitation of claims from the creditors, adjudication of claims and settlement of list of creditors, payment to creditors by way of dividend and settlement of list of contributories wherever necessary, and payment of return of capital where the company's assets exceeded its liability and finally dissolve the company under section 481 of the Companies Act, 1956.

Cont.....3

The Office of the Official Liquidator, High Court of Karnataka is headed by the Official Liquidator. The No. of staff members of the office is ten including STA,LA,OS & JTA.

II. POWERS AND DUTIES OF OFFICERS AND EMPLOYEES.

The Officers and employees are performing the duties as prescribed in the Companies Act, 1956 and the Companies (Court) Rules, 1959 subject to the supervision, control and orders of the High Court of Karnataka. The duties are assigned to the officers and employees by the Official Liquidator to take possession of the assets and liabilities of the properties of the companies in liquidation. Arrange for sale of the properties and other duties as mentioned in Para 1 above. The Official Liquidator passes appropriate orders regarding the duties of officers and employees working under him.

III. PROCEDURE FOLLOWED IN THE DECISION MAKING PROCESS, INCLUDING CHANNELS OF SUPERVISION AND ACCOUNTABILITY:

The Official Liquidator being the Head of the Office is assisted by his subordinate officers and other staff members to carry on the duties of liquidator. The Official Liquidator is accountable to the Honourable High Court of Karnataka in the matter of winding up proceedings.

IV. THE NORMS SET BY IT FOR THE DISCHARGE OF ITS FUNCTION.

The liquidation proceedings are carried on as per the provisions of Companies Act, 1956 and Companies (Court) Rules, 1959 other applicable enactments under the overall supervision, direction, orders and control of the Honourable High Courts.

Cont...4

V. THE RULES, REGULATIONS, INSTRUCITONS, MANUALS AND RECORDS, HELD BY IT OR UNDER ITS CONTROL OR USED BY ITS EMPLOYEES FOR DISCHARGING ITS FUNCTIONS.

- Companies Act, 1956;
- Companies (Court) Rules, 1959;
- Companies (Official Liquidator's Accounts) Rules, 1965;
- Judgements and orders passed by the Hon'ble Courts on winding up matters from time to time.

VI. A STATEMENT OF THE CATEGORIES OF DOCUMENTS THAT ARE HELD BY IT OR UNDER ITS CONTROL AS TAKEN POSSESSION AFTER WINDING UP:

The records, books of accounts, etc. relating to the companies under liquidation which are taken possession by the Official Liquidator pursuant to the winding up order passed thereon by the High Court are deemed to be under the custody and the control of the High Court. The various reports/applications/statements etc., filed by the Official Liquidator before Honourable Court are public documents once it is filed before the Court and copies of the same can be obtained from the High Court.

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. As the office is under Ministry of Companies Affairs, policy formulation is done by the Ministry.

Cont.....5

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.

----Nil----

IX. DIRECTORY OF ITS OFFICERS AND EMPLOYEES.

A Directory of its officers and employees is furnished

Sl. No	Name of the Officers/Employees	Designation	Telephone Number	Extension
1	Sri. P. Rama Rao	Official Liquidator	080-25521918 080-25537742	23
2	Sri. Abdul Rasheed. K.P.	Asst O.L	080-25527991 (Tele Fax) 080-25537742	22
3	Sri. E.A. Karthikeyan	STA	08025537742	24
4	Sri. M. Yadhubushan Rao	LA		25
5	Sri. V. Muralidhar	Office Suptd.		21
6	Smt. P. Suchitra	JTA		24
7	Smt. P. Jayalakshmi	Steno		27

X. THE MONTHLY REMUNARATION RECEIVED BY EACH OF ITS OFFICERS AND EMPLOYEES, INCLUDING THE SYSTEM OF COMPENSATION AS PROVIDED IN ITS REGULATIONS.

Cont.....6

The monthly remuneration received by each of its officers and employees are furnished below giving the grade and pay scale.

Sl. No.	Name of the Officers/Employees	Designation	Present Basic	Gross Salary (p.m.)
1	Sri. P. Rama Rao	Official Liquidator	12600	23213 Plus Accommodation
2	Sri. Abdul Rasheed. K.P.	Asst O.L	8550	18029
3	Sri. E.A. Karthikeyan	STA	7100	14759
4	Sri. M.Yadhubushan Rao	LA	6200	12851
5	Sri. V. Muralidhar	Office Suptd.	6500	13271
6	Smt. P. Suchitra	JTA	6650	13567
7	Smt. P. Jayalakshmi	Steno	5000	10500
8	Sri. M. Rama Murthy	UDC	4800	9904
9	Sri. J.R. Chandra Sekara Murthy	LDC	3425	7082
10	Smt. R. Sreeranjini	LDC	3275	6785
11	Sri. S. Balaji Rao	Daftry	4025	8300
12	Sri. V. Arumugam	Peon	3950	8211

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 this office for the financial year 2004-2005 under different heads is as under:

Cont.....7

PARTICULARS	AMOUNT IN RS.
Pay & Allowances	14,00,000
Travel Allowance	1,10,000
Medical Treatment	30,000
Rent, Rates & Taxes	-----
Office Expenses	1,50,000
Total	16,90,000

The budgetary allocation is only for meeting the administrative expenses like Salaries, traveling, 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 programme / scheme are available in this office for execution by this office.

XIII. PARTICULARS OF RECIPIENTS OF CONCESSIONS, PERMITS OR AUTHORISATIONS GRANTED BY IT.

----None----

XIV. DETAILS IN RESPECT OF THE INFORMATION AVAILABLE TO OR HELD BY IT REDUCED IN AN ELECTORNIC FORM.

No information is available in an electronic form.

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.

Cont.....8

Public can contact the Official Liquidator / Officers of the Official Liquidator on any working day between 10.30 a.m. 3.30 p.m. regarding the amount due to them from the companies in liquidation and the progress made in winding up proceedings.

XVI. THE NAMES, DESIGNATIONS AND OTHER PARTICULARS OF THE PUBLIC INFORMATION OFFICERS.

The following have been designated for this office as

Sl. No	Name of the Officers/Employees	Designation	Telephone Number	Extension
1	Sri.P. Rama Rao	Appellate Authority	080-25521918 - (D) 080-25537742 – (G) 080-25527991 (Tele Fax)	23
2	Sri. Abdul Rasheed. K.P.	Public Information Officer	080-25527991 (Tele Fax) 080-25537742 – (G)	22
3	Sri. E.A. Karthikeyan	Asst. Public Information Officer	08025537742	24

XVII. SUCH OTHER INFORMATION AS MAY BE PRESCRIBED.

As and when the informations is sought for by the Ministry/ Directorate the same will be provided.