

Company Law

Recent Circulars

1. MCA vide notification (File no.1/1/2019-CL.1) dated 30th January, 2019 has repealed The Companies Act, 1956 from the date of the notification.
2. PAS-3 revised version will be available from 31st January 2019 for filing purposes.
3. e- Form INC.20A (Declaration for commencement of business) is available on MCA21 Company Forms Download page for filing purposes
4. New version of e-forms available for INC-12, INC-22, INC-23, GNL-1, Spice, FLLIP and Form 15 effective Jan 19th.
5. MCA vide its Notification No. G.S.R. 43(E) dated 22nd January,2019 has notified Companies (Prospectus and Allotment of Securities) Amendment Rules, 2019 to amend the Companies (Prospectus and Allotment of Securities) Rules, 2014
 - In the Companies (Prospectus and Allotment of Securities) Rules, 2014, in rule 9A, sub-rule (11) shall be inserted, "This rule shall not apply to an unlisted public company which is: — (a) a Nidhi; (b) a Government company or (c) a wholly owned subsidiary."
6. MCA vide its Notification No S.O. 368(E) dated 22nd January, 2019 has notified Specified Companies (Furnishing of information about payment to micro and small enterprise suppliers) Order, 2019 where every specified company shall file in MSME Form I details of all outstanding dues to Micro or small enterprises suppliers existing on the date of notification of this order within thirty days from the date of publication of this notification.
Also every specified company shall file a return as per MSME Form I annexed to the Order, by 31st October for the period from April to September and by 30th April for the period from October to March.
7. MCA vide its Notification No G.S.R. 42(E) dated 22nd January, 2019 has notified Companies (Acceptance of Deposits) Amendment Rules, 2019 to amend the Companies (Acceptance of Deposits) Rules, 2014
 - In the 2014 rules, in rule 16, the following Explanation shall be inserted, namely:- "Explanation.- It is hereby clarified that Form DPT-3 shall be used for filing return of deposit or particulars of transaction not considered as deposit or both by every company other than Government company."
 - In rule 2, in sub-rule (1), in clause (c), in sub-clause (xviii), after the words "Infrastructure Investment Trusts," the words "Real Estate Investment Trusts" shall be inserted.
 - In the said rules, in rule 16(A), after sub-rule (2), the following sub-rule shall be inserted, namely:- "(3) Every company other than Government company shall file a onetime return of outstanding receipt of money or loan by a company but not considered as deposits, in terms of clause (c) of sub-rule 1 of rule 2 from the 01st April, 2014 to the date of publication of this notification in the Official Gazette, as specified in Form DPT-3 within ninety days from the date of said publication of this notification along with fee as provided in the Companies (Registration Offices and Fees) Rules, 2014."

8. MCA vide its Notification No G.S.R. 42(E) dated 15th January, 2019 has notified National Company Law Tribunal (Amendment) Rules, 2019 to amend the National Company Law Tribunal Rules, 2016
In the National Company Law Tribunal Rules, 2016, in rule 71:- (i) In sub-rule (3), in clause (b) for the words "Central Government" the words "Regional Director" shall be substituted. (ii) In sub-rule (4), for the words "Central Government" the words "Regional Director" shall be substituted.
9. Ministry Of Law And Justice (Legislative Department) on New Delhi, the 12th January, 2019 has notified The Companies (Amendment) Ordinance, 2019 promulgated by the President in the Sixty-ninth Year of the Republic of India to replace Companies (Amendment) Ordinance, 2018, further amending the Companies Act, 2013.
10. MCA vide its Order No. 11/02/2018-CSR dated 07th January, 2019 has notified reconstitution of Steering Committee of National Foundation for Corporate Social Responsibility (NFCSR) to prepare a roadmap, oversee the functioning and steer the activities of NFCSR for providing policy inputs and policy advocacy in the area of Corporate Social Responsibility (CSR).
11. MCA vide its Order No. 11/02/2018-CSR dated 07th January, 2019 has notified Re-Constitution and Re-naming of Advisory Group of National Foundation for Corporate Social Responsibility (NFCSR) as "Governing Council, NFCSR". It is reconstituted to make NFCSR, a vibrant body of a National Stature Level providing policy inputs and policy advocacy in the areas of Corporate Social Responsibility (CSR).