

The Companies (Declaration of Beneficial Interest in Shares) Rules, 1975

Note :- Provisions of section 187C have become redundant on and after the commencement of the Companies (Amendment) Act, 2000.

In exercise of the powers conferred by section 187-C, read with clause (a) of sub-section (1) of section 642, of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules, namely :-

1. Short title and commencement.-

- (1) These rules may be called The Companies (Declaration of Beneficial Interest in Shares) Rules, 1975.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-

In these rules, unless the context otherwise requires,-

- (i) "Act" means the Companies Act, 1956 (1 of 1956) ;
- (ii) "form" means a form annexed to these rules ;
- (iii) "section" means a section of the Act.

3. Form of Declaration and the particulars to be contained therein.-

- (1) The declaration required to be made by a person referred to in sub-section (1) of section 187-C shall-within thirty days from the commencement of these rules, or within thirty days after his name is entered in the register of members of a company as the holder of a share in that company, whichever is later, be made to the company in Form I in duplicate.
- (2) The declarations required to be made by a person who holds a beneficial interest in the shares of a company under sub-section (2) or sub-section (3) of section 187-C shall be made to the company in Form II in duplicate.
- (3) The return required to be filed by the company with the Registrar under sub-section (4) of section 187-C shall be in Form III and shall be accompanied by a copy each of all the declarations made to the company under sub-rules (1) and (2).
- (4) The period of thirty days will start from the date on which complete declarations are received by the company (Departmental Circular dated 5.8.1976).

FORM I

[See Rule 3 (1)]

Declaration by the person referred to in section 187-C (1) of the Companies Act,

1956 (1 of 1956)

TO

.....
(Name of the Company)

.....
(Address of the registered office)

In pursuance of sub-section (1) of section 187-C of the Companies Act, 1956 (1 of 1956), I hereby declare that..... holds the beneficial interest in (number)..... (kind)..... shares bearing Nos. which are entered in my name in the register of members of the company as the holder of such shares. The particulars of such persons who hold the beneficial interest in the said shares are given below :

1.	Sl. No.	Name	Father's/husband's Age name	Occupation	Address
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2. Nature of the beneficial interest.
3. Date of acquisition of the beneficial interest.
4. Reasons why the shares have not been registered in the name of the person holding the beneficial interest in the register of the company.
5. Paid-up value of such share(s).

Signature of the person making the declaration.

Name and address :

Place :

Date :

FORM II

[See Rule 3 (2)]

Declaration to be made by a person referred to in sub-section (2) or sub-section (3) of section 187-C of the Companies Act, 1956 (1 of 1956)

To

.....
(Name of the Company)

.....
(Address of the registered office)

In pursuance of sub-section (2), sub-section (3) of section 187-C of the Companies Act, 1956 (1 of 1956), I hereby declare that I hold/have obtained the beneficial interest in

(number). (kind) shares bearing Nos..... and specify the following particulars, namely :-

1.	Sl. No.	Name	Father's/husband's Age name	Occupation	Address
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2. Date of allotment/transfer of the shares in the name of the person or persons referred to above.
3. Date of acquisition of the beneficial interest.
4. Particulars of the person from whom the beneficial interest is acquired. If the transferor of the beneficial interest is also a person who held only a beneficial interest, state whether any declaration under sub-section (2) of section 187-C had been made by him to the company. If so, the date of the declaration (s) made by him
5. Nature of the beneficial interest.
6. Circumstances under which the shares were not registered in my name.

Signature of the person making the declaration.

Name and address :

Place :

Date :

CERTIFICATE

I hereby certify that the beneficial interest in the shares mentioned above has been transferred by me on

(Date)

Signature of the person who has transferred the beneficial interest in the shares.

Form III

Form of return to be filed with the Registrar pursuant to sub-section (4) of section 187-C of the Companies Act, 1956 (1 of 1956)

Name of the Company

Registration No. of Company :

Address of its registered office.....

Nominal Capital :

Sl. No.	Particulars of the person whose name is entered in the register of members of the company as a holder thereof does not hold the beneficial interest in such shares	Particulars of persons whose names have been registered as holders in the beneficial interest register of members	Particulars of persons who hold a beneficial interest in such shares	Nature of the beneficial interest	Dates of declarations under section (1),(2)&(3) by the received in respect of the said shares together with names of declarants	Dates of receipt of the said declarations
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(1)	(2)	(3)	(4)	(5)	(6)	(7)
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No. of shares	Distinctive nos. of shares	Kind of shares	Face value of shares	Paid up value of shares	Name and Nationality	Address	Father's/ husband's name	Date of entry of name in register	Name and Nationality	Address	Occupation
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Date.....

Signature of person signing on behalf of the company