

[PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
NOTIFICATION

New Delhi, 23rd December, 2008.

G.S.R. 872 (E). – In exercise of the powers conferred by sub-section (1) of section 642 read with section 610B of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules to amend the Companies (Central Government's) General Rules and Forms, 1956, namely: –

1. (1) These rules may be called the Companies (Central Government's) General Rules and Forms (Sixth Amendment) Rules 2008.
(2) These rules shall come into force from 15th February, 2009.
2. In the Companies (Central Government's) General Rules and Forms, 1956, in the Annexure 'A', -

(a) for Form 21, the following Form shall be substituted, namely:-

FORM 21

[Pursuant to section 17(1), 17A, 79, 81(2), 81(4), 94A(2), 102(1), 107(3), 111(5), 141, 155, 167, 186, 391(2), 394(1), 397, 398, 445, 466, 481, 559 and 621A of the Companies Act, 1956]

Notice of the court or the company law board order or any other competent authority

Note - All fields marked in * are to be mandatorily filled.

1.(a) *Corporate identity number (CIN) or foreign company registration number (FCRN) of the company

(b) Global location number (GLN) of company

2.(a) Name of the company

(b) Address of the registered office or of the principal place of business in India of the company

(c) *e-mail ID of the company

3.(a) *Order passed by

(b) *Name of the court or company law board (CLB) or any other competent authority

(c) *Location

(d) *Petition or application number

(e) *Order number

4. *Date of passing the order (DD/MM/YYYY)

5.(a) *Section of the Companies Act under which order passed

(b) If others, mention

6. *Number of days within which order is to be filed with Registrar (To be entered pursuant to aforesaid sections or in terms of court order or CLB order or order of the competent authority, as the case may be)

7. *Date of application to court or CLB or the competent authority for issue of certified copy of order (DD/MM/YYYY)

8. *Date of issue of certified copy of order (DD/MM/YYYY)

9. Due date by which order is to be filed with Registrar (DD/MM/YYYY)

10. In case of compounding of offence, enter Service request number (SRN)(s) of Form 61

11. In case of amalgamation, mention whether company filing the form is transferor or transferee Transferor Transferee

(a) Details of transferee company

CIN	<input type="text"/>	<input type="button" value="Pre-fill"/>
Name	<input type="text"/>	
Appointed date of amalgamation	<input type="text"/>	(DD/MM/YYYY)

(b) Details of transferor company(s)

Number of transferor company(s)

I.

Category of the transferor company	<input type="text"/>	
CIN or FCRN or any other registration number	<input type="text"/>	<input type="button" value="Pre-fill"/>
Name	<input type="text"/>	
Appointed date of amalgamation	<input type="text"/>	(DD/MM/YYYY)
SRN of Form 21	<input type="text"/>	

II.

Category of the transferor company	<input type="text"/>	
CIN or FCRN or any other registration number	<input type="text"/>	<input type="button" value="Pre-fill"/>
Name	<input type="text"/>	
Appointed date of amalgamation	<input type="text"/>	(DD/MM/YYYY)
SRN of Form 21	<input type="text"/>	

III.

Category of the transferor company	<input type="text"/>	
CIN or FCRN or any other registration number	<input type="text"/>	<input type="button" value="Pre-fill"/>
Name	<input type="text"/>	
Appointed date of amalgamation	<input type="text"/>	(DD/MM/YYYY)
SRN of Form 21	<input type="text"/>	

IV.

Category of the transferor company	<input type="text"/>	
CIN or FCRN or any other registration number	<input type="text"/>	<input type="button" value="Pre-fill"/>
Name	<input type="text"/>	
Appointed date of amalgamation	<input type="text"/>	(DD/MM/YYYY)
SRN of Form 21	<input type="text"/>	

V.

Category of the transferor company	<input type="text"/>	
CIN or FCRN or any other registration number	<input type="text"/>	<input type="button" value="Pre-fill"/>
Name	<input type="text"/>	
Appointed date of amalgamation	<input type="text"/>	(DD/MM/YYYY)
SRN of Form 21	<input type="text"/>	

12. In case of winding up, provide the following details

(a) (i) Date of commencement of winding up under section 445

(DD/MM/YYYY)

(ii) Income-tax permanent account number (Income-tax PAN)

(iii) Name of liquidator

(iv) Address of liquidator

Line I

Line II

City

State

Country

Pin code

(b) Date with effect from which winding up proceedings have been stayed under section 466

(DD/MM/YYYY)

(c) Date of dissolution under section 481

(DD/MM/YYYY)

(d)(i) Date with effect from which dissolution has been declared as void under section 559

(DD/MM/YYYY)

(ii) Whether the order is in respect of company dissolved under section 394 Yes No

(iii) If yes, provide details of the transferor company whose dissolution has been declared as void

CIN or FCRN

Pre-fill

Name

Date of amalgamation

(DD/MM/YYYY)

13.(a) SRN of relevant form

(Mention the SRN of relevant Form 8, 10, 17, 18, 21, 23 or any other form; if applicable)

(b) Date of special resolution under section 102(1)

(DD/MM/YYYY)

14. *Whether penalty involved or not Yes No

If yes, SRN of payment of penalty

Attachments

1. *Copy of court order or company law board order or order by any other competent authority

Attach

2. Optional attachment(s) - if any

Attach

List of attachments

Remove attachment

Verification

To the best of my knowledge and belief, the information given in this form and its attachments is correct and complete.

I have been authorised by the Board of directors' resolution number dated
to sign and submit this form. (DD/MM/YYYY)

I further confirm that the due balance sheets and annual returns for the last five years in respect of the transferror company have been filed with the office of the Registrar of Companies (RoC)

To be digitally signed by

Particulars of the person signing and submitting the form

*Name

Capacity

*Designation

Director identification number of the director or Managing Director; or
Income-tax PAN of the manager or liquidator; or
Membership number, if applicable or income-tax PAN of the secretary (secretary of a
company who is not a member of ICSI, may quote his/ her income-tax PAN)

Certificate

It is hereby certified that I have verified the above particulars (including attachment(s)) from the records of

and found them to be true and correct. I further certify that all required attachment(s) have been completely attached to this form.

Chartered accountant (in whole-time practice) or Cost accountant (in whole-time practice) or

Company secretary (in whole-time practice)

*Whether associate or fellow Associate Fellow

*Membership number or certificate of practice number

For office use only:

This e-Form is hereby registered

Digital signature of the authorising officer

»

(b) for Form 23, the following Form shall be substituted, namely:-

FORM 23

Registration of resolution(s) and agreement(s)

[Pursuant to section 192 of the Companies Act, 1956]

Note - All fields marked in * are to be mandatorily filled.

1.(a)*Corporate identity number (CIN) of company

Pre-fill

(b) Global location number (GLN) of company

2.(a) Name of the company

(b) Address of the registered office of the company

(c) *e-mail ID of the company

3. *Registration of Resolution(s) Agreement Postal ballot resolution(s) under section 192A

4. Date of dispatch of notice for passing of

(a) Resolution(s)

 (DD/MM/YYYY)

(b) Postal ballot resolution(s)

 (DD/MM/YYYY)

5. Date of passing of

(a) Resolution(s)

 (DD/MM/YYYY)

(b) Postal ballot resolution(s)

 (DD/MM/YYYY)

6. Number of resolution(s) for which the form is being filed

Details of the resolution

I. (a) Section of the Companies Act, 1956 under which passed

(b) Purpose of passing the resolution

If others, mention the section and purpose

(c) Subject matter of the resolution

(d) In case of listed company, mention whether resolution passed by postal ballot Yes No

(e) Indicate the authority passing or agreeing to the resolution

Board of directors Shareholders Class of shareholders Creditors

(f) Whether ordinary or special resolution or with requisite majority

Ordinary resolution Special resolution Requisite majority

7.(a) In case of alteration in object clause, whether there is any change in industrial activity of the company Yes No

(b) If yes, provide the main division of new industrial activity of the company

Description of the main division

8. In case of voluntary winding up under section 484, provide the following details

(a) Mode of winding up Members' Creditors'

(b) Date of commencement of winding up (DD/MM/YYYY)

(c) Number of liquidator(s)

Details of liquidator(s)

I.

Income-tax permanent account number (Income-tax PAN)	<input type="text"/>
Name	<input type="text"/>
Address	<input type="text"/>
Line I	<input type="text"/>
Line II	<input type="text"/>
City	<input type="text"/>
State	<input type="text"/>
Country	<input type="text"/>
Pin code	<input type="text"/>

II.

Income-tax PAN	<input type="text"/>
Name	<input type="text"/>
Address	<input type="text"/>
Line I	<input type="text"/>
Line II	<input type="text"/>
City	<input type="text"/>
State	<input type="text"/>
Country	<input type="text"/>
Pin code	<input type="text"/>

9. Details of the agreement

(a) Date of the agreement	<input type="text"/>	(DD/MM/YYYY)
(b) Section of the Companies Act, 1956 under which agreement made	<input type="text"/>	
(c) Purpose of entering into the agreement	<input type="text"/>	
If others, mention the section and purpose	<input type="text"/>	
(d) Subject matter of the agreement	<input type="text"/>	
(e) Indicate the authority adopting the agreement	<input type="radio"/> Board of directors <input type="radio"/> Shareholders <input type="radio"/> Class of shareholders <input type="radio"/> Creditors	

10. Service request number (SRN) of Form 21 (in case of alteration in object clause)

Attachments

1. Copy(s) of resolution(s) along with copy of explanatory statement under section 173
2. Altered memorandum of association
3. Altered articles of association
4. Copy of agreement
5. Optional attachment(s) - if any

Attach

Attach

Attach

Attach

Attach

List of attachments

Remove attachment

Verification

To the best of my knowledge and belief, the information given in this form and its attachments is correct and complete. It is also certified that copy of the resolution(s) or agreement(s) filed herewith is or are a true copy(s) of the original.

I have been authorised by the Board of directors' resolution number dated
(DD/MM/YYYY)

To be digitally signed by

Managing Director or director or manager or secretary or liquidator of the company

*Designation

Name of liquidator

*Director identification number of the director or Managing Director; or Income-tax PAN of the manager or liquidator; or Membership number, if applicable or income-tax PAN of the secretary (secretary of a company who is not a member of ICSI, may quote his/ her income-tax PAN)

Certificate

It is hereby certified that I have verified the above particulars (including attachment(s)) from the records of

and found them to be true and correct. I further certify that all required attachment(s) have been completely attached to this form.

Chartered accountant (in whole-time practice) or Cost accountant (in whole-time practice) or

Company secretary (in whole-time practice)

*Whether associate or fellow Associate Fellow

*Membership number or certificate of practice number

For office use only:

This e-Form is hereby registered

Digital signature of the authorising officer

[F. No. 1/9/2008 CL.V]

Jitesh Khosla,
Joint Secretary.

Note: The Principal rules were published in the Gazette of India Part II, Section 3, sub-section (i) vide G.S.R. 432 dated the 18th January, 1956 and subsequently amended vide the following notifications:-

Serial Number	Notification Number	Notification Date
1.	SRO 2535	1.11.1956
2.	SRO 3135	21.12.1956
3.	SRO 237	19.1.1957
4.	SRO 2105	29.1.1957
5.	SRO 3038	28.9.1957
6.	SRO 3867	7.12.1957
7.	GSR 48	22.2.1958
8.	GSR 723	23.8.1958
9.	GSR 750	30.8.1958
10.	GSR 1026	1.11.1958
11.	GSR 14	3.1.1959
12.	GSR 548	9.5.1959
13.	GSR 1140	17.10.1959
14.	GSR 1224	7.11.1959
15.	GSR 1364	12.12.1959
16.	GSR 220	27.2.1960
17.	GSR 595	28.5.1960
18.	GSR 195	18.2.1961
19.	GSR 814	24.6.1961
20.	GSR 1105	9.9.1961
21.	GSR 1408	25.11.1961
22.	GSR 653	12.5.1962
23.	GSR 344	2.3.1963
24.	GSR 628	13.4.1963
25.	GSR 97	16.1.1965
26.	GSR 822	12.6.1965

27.	GSR 1570	30.10.1965
28.	GSR 368	19.3.1966
29.	GSR 421	18.3.1966
30.	GSR 499	9.4.1966
31.	GSR 743	21.5.1966
32.	GSR 847	4.6.1966
33.	GSR 1266	13.8.1966
34.	GSR 130	20.1.1968
35.	GSR 667	30.6.1973
36.	GSR 327(E)	10.6.1975
37.	GSR 414(E)	16.7.1975
38.	GSR 2596	1.11.1975
39.	GSR 2828	13.12.1975
40.	GSR 154	31.1.1976
41.	GSR 248(E)	24.3.1976
42.	GSR 627	14.5.1977
43.	GSR 24(E)	9.1.1979
44.	GSR 1256	6.10.1979
45.	GSR 555(E)	4.9.1982
46.	GSR 479(E)	22.4.1988
47.	GSR 694(E)	10.6.1988
48.	GSR 782(E)	13.7.1988
49.	GSR 908(E)	7.9.1988
50.	GSR 1032(E)	26.10.1988
51.	GSR 449 (E)	17.4.1989
52.	GSR 510(E)	24.5.1990
53.	GSR 795(E)	18.9.1990
54.	GSR 289(E)	31.5.1991
55.	GSR 614(E)	3.10.1991
56.	GSR 754(E)	26.12.1991
57.	GSR 312(E)	6.3.1992
58.	GSR 353(E)	26.3.1992
59.	GSR 484(E)	11.5.1992
60.	GSR 581 (E)	27.8.1993
61.	GSR 621 (E)	24.9.1993
62.	GSR 286(E)	1.3.1994
63.	GSR 598(E)	28.7.1994
64.	GSR 697(E)	20.9.1994

65.	GSR 283(E)	21.3.1995
66.	GSR 424(E)	26.5.1995
67.	GSR 251(E)	21.6.1996
68.	GSR 97(E)	28.2.1997
69.	GSR 126(E)	1.3.1997
70.	GSR 16(E)	6.1.1999
71.	GSR 23(E)	12.1.1999
72.	GSR 130(E)	23.2.1999
73.	GSR 788(E)	29.11.1999
74.	GSR 58(E)	17.1.2000
75.	GSR 363 (E)	27.4.2000
76.	GSR 638(E)	26.7.2000
77.	GSR 836(E)	24.10.2000
78.	GSR 24(E)	15.01.2001
79.	GSR 35(E)	24.01.2001
80.	GSR 51(E)	31.01.2001
81.	GSR 96(E)	14.02.2001
82.	GSR 330(E)	07.05.2002
83.	GSR 5(E)	03.01.2003
84.	GSR 479(E)	12.06.2003
85.	GSR 580(E)	24.07.2003
86.	GSR 56(E)	10-02-2006
87.	GSR 555(E)	14-09-2006
88.	GSR 399 (E)	30-05-2007
89.	GSR 500 (E)	24-07-2007
90.	GSR 720(E)	16-11-2007
91.	GSR 655(E)	12-09-2008
92.	GSR 788(E)	14-11-2008
93.	GSR 824 (E)	28-11-2008
94.	GSR 835(E)	04-12-2008
95.	GSR 868(E)	22 -12-2008