

*इस क्षतिपूर्ति बांड को प्रस्तुत करने वाले प्रशासनिक मंत्रालय/विभाग से प्राप्त प्राधिकार-पत्र इस प्ररूप के साथ संलग्न किया जाएगा।”

[फा.स.1/28/2013-सीएल.V(पार्ट)]

के.वी.आर. मूर्ति, संयुक्त सचिव

टिप्पण: मूल नियम भारत के राजपत्र, असाधारण, भाग II, खंड 3, उपखंड (i) में सं. सा.का.नि.1174(अ), तारीख 26 दिसंबर, 2016 द्वारा प्रकाशित किए गए थे और तत्पश्चात् संख्यांक सा.का.नि.355(अ), तारीख 12 अप्रैल, 2017 तथा संख्यांक सा.का.नि.350(अ), तारीख 8 मई, 2019 द्वारा संशोधित किए गए।

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 29th June, 2020

G.S.R. 420(E).—In exercise of the powers conferred by sub-sections (1), (2) and Sub-section (4) of section 248 read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016, namely:—

1. (1) These rules may be called the Companies (Removal of Names of Companies from the Register of Companies) Amendment Rules, 2020.

(2) They shall come into force with effect from their publication in the Official Gazette.

2. In the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016 (hereafter referred to as the said rules) in rule 4, in sub-rule (3), in clause (i), the following proviso shall be inserted, namely:—

“Provided that in case of a —

(a) Government company in which the entire paid up share capital is held by the Central Government, or by any State Government or Governments or by the Central Government and one or more State Governments; or

(b) subsidiary of a Government company, referred to in clause (a), in which the entire paid up share capital is held by that Government company,

a duly notarised indemnity bond in Form STK-3A shall be given by an authorised representative, not below the rank of Under Secretary or its equivalent, in the administrative Ministry or Department of the Government of India or the State Government, as the case may be, on behalf of the company;”.

3. In the said rules, in Form STK 2, in the list of attachments, in serial number 4, at the end, the words “or by an authorised representative of administrative Ministry/Department in Form No. STK – 3A” shall be inserted.

4. In the said rules, after Form STK-3, the following Form shall be inserted, namely :-

“Form No. STK – 3A

Indemnity Bond

(To be drawn on Stamp Paper of appropriate value)

(To be given by the Authorised Representative of the administrative Ministry/Department)

[Pursuant to the proviso to clause (i) of sub-rule (3) of rule 4 of the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016]

To,

The Registrar of Companies,

I, the authorised representative* of the (name of the administrative Ministry/Department) for the (mention name of the Government company), incorporated

on.....under the Companies Act, 2013 or Companies Act, 1956 having its registered office at....., do hereby declare that the Government of India/State (name of the State to be mentioned in case the administrative Ministry/Department belongs to a State) hereby undertakes to indemnify : -

- (i) the claimants for all lawful claims against the company arising in future after the striking off the name of the company;
- (ii) any person for any losses that may arise pursuant to striking off the name of the company;
- (iii) the claimants for all lawful claims and liabilities, which have not come to notice up to this stage, and if any claim arises or observed even after the name of the company has been struck off in terms of section 248 of the Companies Act, 2013.

Place:

Date:

Signature:

Official Seal:

Name, Father's name, Address and Designation:

* Authorisation received from the administrative Ministry/Department to furnish this Indemnity Bond shall be attached with this Form”.

[F.No.1/28/2013-CL-V(Part)]

K.V.R. Murty, Jt. Secy.

Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 1174(E), dated 26th December, 2016 and subsequently amended *vide* number G.S.R. 355(E), dated the 12th April, 2017 and number G.S.R. 350(E), dated the 8th May, 2019.