

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

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
NOTIFICATION

New Delhi, the 02 March, 2020

G.S.R. ____ (E). - In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) and in pursuance of sub-section (2) of section 462 of the Companies Act, 2013 (18 of 2013), the Central Government, in the public interest, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Corporate Affairs, number G.S.R. 463(E), dated the 5th June, 2015, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), dated the 5th June 2015, namely:-

In the said notification, in the Table:-

(i) for serial number 1 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:-

(1)	(2)	(3)
"1.	Chapter I, clause (45) of section 2.	In clause (45), the following <i>Explanation</i> shall be inserted, namely:- <i>Explanation.</i> - For the purposes of this clause, the "paid-up share capital" shall be construed as "total voting power", where shares with differential voting rights have been issued.
1A.	Chapter II, section 4.	In section 4, in sub-section (1), in clause (a), the words 'in the case of a public limited company, or the last words "Private Limited" in the case of a private limited company' shall be omitted.";

(ii) for serial number 26 and the entries relating thereto, the following serial number and entries shall be substituted, namely:-

(1)	(2)	(3)
"26.	Chapter XII, first and second proviso to sub-section (1) of section 188.	Shall not apply to - (a) a Government company in respect of contracts or arrangements entered into by it with any other Government company, or with Central Government or any State Government or any combination thereof; (b) a Government company, other than a listed company, in respect of contracts or arrangements other than those referred to in clause (a), in case such company obtains approval of the Ministry or Department of the Central Government which is administratively in charge of the company, or, as the case may be, the State Government before entering into such contract or arrangement."

[F. No. 1/2/2014-CL-V]


(K.V.R. Murty) 02/3/2020

Joint Secretary to the Government of India

Note:- 1. A copy of this notification has been laid in draft before both Houses of Parliament as required by sub-section (2) of section 462 of the aforesaid Act.

2. The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i) *vide* number G.S.R. 463(E), dated the 5th June, 2015 and was subsequently amended *vide* number G.S.R. 582 (E), dated the 13th June, 2017 and also *vide* number S.O. 802(E), dated the 23rd February, 2018.

भारत सरकार
कारपोरेट कार्य मंत्रालय

अधिसूचना

नई दिल्ली, तारीख: 02 मार्च, 2020

सा.का.नि..... (अ). - केंद्रीय सरकार, कंपनी अधिनियम, 2013 (2013 का 18) की धारा 462 की उपधारा (1) के खंड (क) और (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए और उक्त धारा की उपधारा (2) के अनुसरण में, भारत के राजपत्र, असाधारण, भाग-II, खंड-3, उपधारा (i) तारीख 05 जून, 2015 में प्रकाशित भारत सरकार के कारपोरेट कार्य मंत्रालय की अधिसूचना संख्याक सा.का.नि. 463 (अ) तारीख 5 जून, 2015 में लोकहित में निम्नलिखित और संशोधन करती है, अर्थात्:-

उक्त अधिसूचना की सारणी में:-

(i) क्रम संख्याक 1 और उससे संबंधित प्रविष्टियों के स्थान पर निम्नलिखित क्रम संख्याक और प्रविष्टियां रखी जाएंगी, अर्थात्:-

(1)	(2)	(3)
"1.	अध्याय 1, धारा 2 का खंड (45)	खंड (45) में, निम्नलिखित स्पष्टीकरण अंतः स्थापित किया जाएगा, अर्थात्:- स्पष्टीकरण:- इस खंड के प्रयोजनों के लिए, जहां विभेदक मतदान अधिकार वाले शेयरों का निर्गमन किया गया है वहां "समादत्त शेयर पूंजी" का अर्थान्वयन "कुल मतदान शक्ति" के रूप में किया जाएगा।
1क	अध्याय 2, धारा 4	धारा 4 की उपधारा (1) के खंड (क) में "किसी पब्लिक लिमिटेड कंपनी की दशा में "लिमिटेड" अंतिम शब्द के साथ या किसी प्राइवेट लिमिटेड कंपनी की दशा में "प्राइवेट लिमिटेड" अंतिम शब्दों के साथ" शब्दों के स्थान पर " "लिमिटेड" अंतिम शब्दों के साथ" शब्द रखे जाएंगे;"