



THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA
(Set up by an Act of Parliament)

**Corporate Laws & Corporate Governance Committee
The Institute of Chartered Accountants of India**

10th June, 2022

ANNOUNCEMENT

Sub: Amendment in Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016.

The Ministry of Corporate Affairs vide notification dated 9th June 2022 has amended the provision of the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016.

Pursuant to the said amendment, now the Registrar may call for further information/document if the Registrar finds that the application in Form STK-2 (Application by Company to ROC for removing its name from Register of Companies) is defective/incomplete in any aspect. The same shall be informed to the Registrar within 15 days from the date of seeking of information and further if after re-submission of the form or document still any further information/document is required the same shall be provided to the Registrar within further fifteen days' time.

It is also to be noted that any re-submission of the application in Form STK-2 made prior to the commencement of the aforesaid Amendment Rules, 2022 shall not be counted for the purposes of reckoning the maximum number of re-submissions of such Form.

Accordingly, post amendment the following insertions have been made in Rule 4 after sub rule 3 in the aforementioned Rule:

- (a) Where the Registrar, on examining the application made in Form STK-2, finds that it is necessary to call for further information or finds such application or any document annexed therewith is defective or incomplete in any respect, he shall inform to the applicant to remove the defects and re-submit the complete Form within fifteen days from the date of such information, failing which the Registrar shall treat the Form as invalid in the electronic record, and shall inform the applicant, accordingly.
- (b) After the re-submission of the Form or document, if the Registrar finds that the Form or document is defective or incomplete in any respect, he shall give further time of fifteen days to remove such defects or complete the Form, failing which the Registrar

shall treat the Form as invalid in the electronic record and shall inform the applicant, accordingly.

- (c) Any re-submission of the application in Form STK-2 made prior to the commencement of the Companies (Removal of Names of Companies from the Register of Companies) Amendment Rules, 2022 shall not be counted for the purposes of reckoning the maximum number of re-submissions of such Form.

The notification dated 09th June 2022 may be referred at the link given below:

<https://www.mca.gov.in/bin/dms/getdocument?mds=JkKchIdTtvq3RDH8WyFBuw%253D%253D&type=open>

With Kind Regards,

Chairperson and Vice- Chairperson
Corporate Laws & Corporate Governance Committee
The Institute of Chartered Accountants of India