

## Commencement notification

### **Notified sections of Companies (Amendment) Act, 2017 up to October 07, 2018**

In reference to Commencement notifications dated January 23, 2018, February 09, 2018, May 07, 2018, June 13, 2018, Notification No. S.O. 3300(E) dated: July 05, 2018, 3299(E) dated: July 05, 2018 , July 27, 2018, July 31, 2018, August 07, 2018, September 12, 2018, September 19, 2018 and the Ministry of Corporate Affairs has notified following Sections of the Companies (Amendment) Act, 2017 to amend Companies Act, 2013-

#	Section of Companies Amendment Act, 2017	Amended Sections of Companies Act, 2013	Particulars	Effective Date
1	Section 2 except Clause (i) and clause (xiii) of section 2;	Section 2 except clause (6) & 85	Definitions	February 09, 2018
2	Clause (i) and clause (xiii) of section 2;	2(6) & (85)	Definitions	May 07, 2018
3	Section 4	Section 4	Memorandum	January 26, 2018
4	Section 5	Section 7	Incorporation of Company	July 27, 2018
5	Section 6	Section 12	Registered office of Company	July 27, 2018
6	Section 7	Section 21	Authentication of documents, proceedings and contracts	February 09, 2018
7	Section 8;	Section 26	Matters to be stated in prospectus	May 07, 2018
8	Section 9	Section 35	Civil Liability for mis-statements in prospectus	February 09, 2018
9	Section 10	Section 42	Issue of shares on Private Placement basis	August 07, 2018
10	Section 11	Section 47	Voting Rights	February 09, 2018
11	Section 12	Section 53	Prohibition on issue of	February 09,

			shares at discount	2018
<b>12</b>	Section 13;	Section 54	Issue of sweat equity shares	May 07, 2018
<b>13</b>	Section 14	Section 62	Further Issue of Share Capital	February 09, 2018
<b>14</b>	Section 15	Section 73	Prohibition on acceptance of deposits from public	August 15, 2018
<b>15</b>	Section 16	Section 74	Repayment of deposits etc. Accepted before the commencement of this Act	August 15, 2018
<b>16</b>	Section 17	Section 76A	Punishment for contravention of section 73 or 76	February 09, 2018
<b>17</b>	Sections 18	Section 77	Duty to Register of charges, etc. and	May 07, 2018
<b>18</b>	Section 19	78	Application for Registration of charge	May 07, 2018
<b>19</b>	Section 20	Section 82	Company to report satisfaction of charge	July 05, 2018
<b>20</b>	Clauses (i) and (ii) of section 21;	Section 89	Declaration in respect of Beneficial Interest in any share	May 07, 2018
<b>21</b>	Clauses (iii) of section 21	Section 89(10)	Declaration in respect of Beneficial Interest in any share	June 13, 2018
<b>22</b>	Section 22	Section 90	Register of Significant beneficial Owners in a Company	June 13, 2018
<b>23</b>	Clauses (iii) and (iv) of section 23;	Section 92	Annual return	May 07, 2018
<b>24</b>	Section 24	Section 93	Return to be filed with Registrar in case of promoter stake changes	June 13, 2018
<b>25</b>	Section 25	Section 94	Place of keeping and inspection of registers and returns etc.	June 13, 2018
<b>26</b>	Section 26	Section 96	Annual General Meeting	June 13, 2018
<b>27</b>	Section 27	Section 100	Calling of EGM	February 09, 2018
<b>28</b>	Section 28	Section 101	Notice of Meeting	February 09, 2018
<b>29</b>	Section 29	Section 110	Postal Ballot	February 09,

				2018
<b>30</b>	Section 30	Section 117	Resolutions and Agreements to be filed	May 07, 2018
<b>31</b>	Section 31	Section 121	Report on Annual General meeting	May 07, 2018
<b>32</b>	Section 32	Section 123		February 09, 2018
<b>33</b>	Section 33;	129	Financial Statement	May 07, 2018
<b>34</b>	Section 34	Section 130	Reopening of Accounts on Court's order	February 09, 2018
<b>35</b>	Section 35	Section 132	Constitution of NFRA	February 09, 2018
<b>36</b>	Section 36	Section 134	Financial Statement, Board's Report	July 31, 2018
<b>37</b>	Section 37	Section 135	Corporate Social Responsibility	September 19, 2018
<b>38</b>	Section 38	Section 136	Right of member to copies of Audited Financial stmts	February 09, 2018
<b>39</b>	Section 39	Section <b>137</b>	Copy of financial statement to be filed with registrar	May 07, 2018
<b>40</b>	Section 40	Section <b>139</b>	Appointment of Auditors	May 07, 2018
<b>41</b>	Section 41	Section <b>140</b>	Removal, Resignation of Auditor and giving of special notice	February 09, 2018
<b>42</b>	Section 42	Section <b>141</b>	Eligibility, Qualification and Disqualification of Auditors	February 09, 2018
<b>43</b>	Section 43	Section <b>143</b>	Power and duties of Auditors and AS	February 09, 2018
<b>44</b>	Section 44	Section <b>147</b>	Punishment for contravention	February 09, 2018
<b>45</b>	Section 45	Section <b>148</b>	CG to specify audit of cost in respect of certain companies	February 09, 2018
<b>46</b>	Section 46;	Section 149	Company to have Board of Directors	May 07, 2018
<b>47</b>	Section 47	Section 152	Appointment of Directors	February 09, 2018
<b>48</b>	Section 48	Section 153	Application for allotment of DIN	February 09, 2018

<b>49</b>	Section 49;	Section 157	Company to inform DIN to registrar	May 07, 2018
<b>50</b>	Section 50	Section 160	Right of persons other than retiring directors to stand for directorship	February 09, 2018
<b>51</b>	Section 51	Section 161	Appointment of Additional, alternate and Nominee Director	February 09, 2018
<b>52</b>	Section 52;	Section 164	Disqualification for appointment of Directors	May 07, 2018
<b>53</b>	Section 53	Section 165	Number of Directorships	February 09, 2018
<b>54</b>	Section 54	167	Vacation of office of Directors	May 07, 2018
<b>55</b>	Section 55	168	Resignation of Director	May 07, 2018
<b>56</b>	Section 56	173	Meetings of Board	May 07, 2018
<b>57</b>	Section 57	177	Audit Committee	May 07, 2018
<b>58</b>	Section 58	Section 178	Nomination and Remuneration Committee and Stakeholders Relationship committee	May 07, 2018
<b>59</b>	Section 59	Section 180	Restrictions on Powers of Board	February 09, 2018
<b>60</b>	Section 60	Section 184	Disclosure of Interest by Director	February 09, 2018
<b>61</b>	Section 61	Section 185	Loan to Directors, etc.	May 07, 2018
<b>62</b>	Section 62	Section 186	Loan and Investment by company	May 07, 2018
<b>63</b>	Section 63	Section 188	Related Party transactions	February 09, 2018
<b>64</b>	Section 64	Section 194	Prohibition on forward dealings in securities by Directors or KMPs	February 09, 2018
<b>65</b>	Section 65	Section 195	Prohibition on insider trading of securities	February 09, 2018
<b>66</b>	Section 66	Section 196	Appointment of Managing Director, whole time director or manager	September 12, 2018
<b>67</b>	Section 67	Section 197	Overall maximum managerial remuneration	September 12, 2018
<b>68</b>	Section 68	Section 198	Calculation of profits	September 12, 2018

<b>69</b>	Section 69	Section 200	CG or Company to fix limits with regard to remuneration	September 12, 2018
<b>70</b>	Section 70	Section 201	Forms of, and procedure in relation to, certain applications	September 12, 2018
<b>71</b>	Section 71	Section 216	Investigation of ownership of Company	June 13, 2018
<b>72</b>	Section 72	Section 223	Inspector's report	February 09, 2018
<b>73</b>	Section 73	Section 236	Purchase of Minority's Shareholding	February 09, 2018
<b>74</b>	Section 74	Section 247	Valuation by registered Valuers	February 09, 2018
<b>75</b>	Section 75	Section 366	Companies capable of being registered	August 15, 2018
<b>76</b>	Section 76	Section 374	Obligations of companies registering under this part	August 15, 2018
<b>77</b>	Section 77	Section 379	Application of Act to Foreign Companies	February 09, 2018
<b>78</b>	Section 78	Section 384	Debentures, Annual return, registration of Charge, books of accounts and their inspection	February 09, 2018
<b>79</b>	Section 79	Section 391	Application of sections 34 to 36 and chapter XX	February 09, 2018
<b>80</b>	First Proviso to clause (i) of section 80 a	Section 403	Fee for filing etc.	May 07, 2018
<b>81</b>	Section 82	Section 409	Qualification of president and members of Tribunals	February 09, 2018
<b>82</b>	Section 83	Section 410	Constitution of appellate tribunal	May 07, 2018
<b>83</b>	Section 84	Section 411	Qualification of chairperson and members of Appellate tribunal	February 09, 2018
<b>84</b>	Section 85	Section 412	Selection of members of tribunal and Appellate tribunal	February 09, 2018

<b>85</b>	Section 86	Section 435	Establishments of special courts	May 07, 2018
<b>86</b>	Section 87	Section 438	Application of code to proceedings before special court	May 07, 2018
<b>87</b>	Section 88	Section 439	Offences to be non-cognizable	May 07, 2018
<b>88</b>	Section 89	Section 440	Transitional Provisions	May 07, 2018
<b>79</b>	Section 90	Section 441	Compounding of certain offences	February 09, 2018
<b>90</b>	Section 91	Section 446A,446B	Factors for determining level of punishment and lesser penalties for OPCs and Small companies	February 09, 2018
<b>91</b>	Section 92	Section 447	Punishment for fraud	February 09, 2018
<b>92</b>	Section 93	Section 458	Punishment for false statement	February 09, 2018

Hope the information will assist you in your Professional endeavours. In case of any query / information, please do not hesitate to write back to us.

**Best Regards '**

 **Chinki Singhal  
& Associates**

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