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Contents

MCA UPDATES FOR THE MONTH OF JANUARY 2019	2
<i>Rules</i>	<i>2</i>
1. NCLT Amendment Rules, 2019	2
(January 15, 2019)	2
2. Companies (Prospectus and allotment of securities) Amendment Rules 2019	2
(January 22, 2019)	3
3. Companies (Acceptance of Deposits), Amendment Rules, 2019	2
(January 22, 2019)	2
Notifications :-	3
4. The Companies (Amendment) Ordinance, 2019	3
(January 22, 2019)	3
5. Companies (Furnishing of information about payment to micro and small enterprise suppliers) Order, 2019	4
(January 22, 2019)	4
6. Notification under section 465 of CA 2013	4
(January 30, 2019)	4

MCA UPDATES FOR THE MONTH OF JANUARY 2019

Rules

1. NCLT Amendment Rules, 2019 **(January 15, 2019)**

MCA via NCLT Amendment Rules, 2019 dated January 15, 2019 alter Rule 71 of National Company Law Tribunal Rules, 2016 which are as:-, In sub-rule (3), in clause (b) for the words "Central Government" the words "Regional Director" shall be substituted and (ii) In sub-rule (4), for the words "Central Government" the words "Regional Director" shall be substituted.

For More Information:-

http://www.mca.gov.in/Ministry/pdf/NCLTAmendmentRules_18012019.pdf

2. Companies (Acceptance of Deposits),Amendment **Rules, 2019** **(January 22, 2019)**

Mandatory Filing of Details of Loan with ROC in relation to DPT-3 with reference to Companies (Acceptance of Deposits) Amendment Rules, 2019 notified by MCA on 22.01.2019. Every Company *other than Government Company* shall file a onetime return of *outstanding* receipt of money or loan by a company but not considered as deposits, in term of clause (c) of sub-rule 1 of rule 2 from the 01st April, 2014 to the date of publication of this notification in the official Gazette (i.e. 22nd January, 2019) in e-form DPT-3 within 90 days from the date of publication i.e. 22nd April 2019

For More Information:-

http://www.mca.gov.in/Ministry/pdf/AcceptanceDepositsAmendmentRule_22012019.pdf

3. Companies (Prospectus and allotment of securities) **Amendment Rules 2019** **(January 23, 2019)**

In the Companies (Prospectus and Allotment of Securities) Rules, 2014 it is inserted that Rule 9A i.e. Issue of securities in dematerialised form by unlisted public companies shall not apply to an unlisted public company which is:— (a) a Nidhi; (b) a Government company or (c) a wholly owned subsidiary.”

For More Information:-

http://www.mca.gov.in/Ministry/pdf/CompaniesProspectusAllotmentRule_23012019.pdf

Notifications :-

4. The Companies (Amendment) Ordinance, 2019 **(January 15, 2019)**

This Ordinance may be called the Companies (Amendment) Ordinance, 2019 and it shall be deemed to have come into force on the 2nd day of November, 2018. An Ordinance further to amend the Companies Act, 2013. The Companies (Amendment) Ordinance, 2018 was promulgated by the President on the 2nd day of November, 2018 and the Companies (Amendment) Bill, 2019 to replace the Companies (Amendment) Ordinance, 2018 has been passed by the House of People on the 4th day of January, 2019 and is pending in the Council of States. Further, the Companies (Amendment) Bill, 2019 could not be taken up for consideration and passing in the Council of States and the Companies (Amendment) Ordinance, 2018 will cease to operate on the 21st day of January, 2019. It is considered necessary to give continued effect to the provisions of the Companies (Amendment) Ordinance, 2018.

For More Information:-

http://www.mca.gov.in/Ministry/pdf/NotificationCAO2019_15012019.pdf

5. Companies (Furnishing of information about payment to micro and small enterprise suppliers) Order,2019 **(January 22, 2019)**

Every specified company shall file in MSME Form I details of all outstanding dues to Micro or small enterprises suppliers existing on the date of notification of this order within thirty days from the date of publication of this notification.

For More Information:-

http://www.mca.gov.in/Ministry/pdf/MSMESpecifiedCompanies_22012019.pdf

6. Notification under section 465 of CA 2013 **(January 30, 2019)**

The MCA has notified the date as 30-01-2019 on which The Companies Act, 1956 and the Registration of Companies (Sikkim) Act, 1961 shall stand repealed. The Central Government hereby appoints the 30-01-2019 as the date on which the provisions of section 455 of the said Act in so far as they relate to the repeal of the Companies Act, 1956 that in except in so far as they relate to the repeal of the Registration of Companies (Sikkim) Act, 1961 shall come into force.

For More Information: -

http://www.mca.gov.in/Ministry/pdf/NotificationSection465_31012019.pdf

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.

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Best Regards '

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