The Offices Of The Regional Directors (Destruction Of Records) Rules, 1976

In exercise of the power conferred by section 3 of the Destruction of Records Act, 1917 (5 of 1917), the Central Government hereby makes the following rules namely:-

1. Short title and commencement-

- (1) These rules may be called **The offices of The Regional Directors (Destruction of Records) Rules, 1976**
- (2) They shall come into force on the date of their publication in the Official Gazette.
- 2. **Definitions-**In these rules, unless the context otherwise requires-
 - (a) "Act" means the Companies Act, 1956 (1 of 1956);
 - (b) "Company" has the same meaning assigned to it in the Act and includes a foreign company within the meaning of section 591 of the Act.
- **3. Preservation of records-**The records specified in columns 3 to 7 of the Table below in relation to the subject-matter specified in the corresponding entry in column 2 of the said Table shall be preserved for the specified in the said columns 3 to 7.

Sl. No.	Particulars of records	To be preserved for				
		Permanently	30 Yrs.	21 Yrs.	10 Yrs.	5 Yrs.
1	2	3	4	5	6	7
1.	Papers regarding application under section 21 of the Act for change in the name of the company.	letter	-	-	Other Papers.	-
2	Papers regarding application under section 22 of the Act for rectification of the name of the company.	approval letter	-	-	Other Papers.	-
3.	Papers regarding application under section 25 of the Act for granting licence under the section.	papers filed for the grant		-	-	Other Papers.
4.	Papers regarding application under the proviso to sub-section (1) of section 31 of the	approval letter	-	-	Other Papers.	-

	Act for the conversion of a public company into a private company.					
5.	Papers regarding application under the sub-section (4) of section 43A of the Act for reconversion of a public company.	approval letter	-	-	Other Papers.	-
6.	Application under section 108(1D) of the Act.		-	-	-	All Papers.
7.	Papers regarding application under section 167 of the Act for calling annual general meeting.	the Central		-	-	Other Papers.
8.	appointment of auditors and their remuneration under sub-sections (3)	letter and		-	_	Other Papers.
9.	Petition to wind-up a company under section 243 of the Act (section 439 of the Act).		-	-	All Papers	-
10.	Notice regarding compromise, arrangement, amalgation, arbitration etc. (Section 349 of the Act).		-	-	All Papers	-
11.	Extension of time to liquidators to call general meeting of the creditors (Section 496 and 508 of the Act).		-	-	-	All Papers
12.	Papers in respect of exemption granted to the liquidators from filing the statement of accounts (Section 551 of the Act).		-	-	-	All Papers

13.	Papers regarding the payment of money from companies liquidation account (Section 555(7) and (9) of the Act).	-	All Papers	-	-
14.	Papers regarding Inspection of records connected with prospectus (Section 610 of the Act)	-	-	-	All Papers
15.	Application to Court regarding offences in connection with the management of the company's affairs (Section 627 of the Act).	All Papers	-	-	-

- **4. Destruction of records-**The records referred to in rule 3 may be destroyed after the expiry of the periods of their preservation as specified in that rule and no such record shall be destroyed except after obtaining the previous orders in writing of the Regional Director.
- **5. Record of documents destroyed to be maintained-**The Regional Director shall maintain a register in two parts in the form set out in the Appendix annexed hereto, wherein he shall enter brief particulars of the records destroyed and shall certify under his own hand therein the date and mode of destruction.
- **6. Application of other rules not barred-**The provision of these rules shall be in addition to, and not in derogation of the rules for the destruction of office records connected with accounts (contained in Appendix 17 to the Compilation of General Financial Rules).

APPENDIX

PART-I

Particulars of documents relating to companies

Name of t	he Act under which	Date on which	Description of	Date and mode
Company	registered	finally dissolved	documents	of destruction
		or wound-up or	destroyed	with initials of
		struck off		Regional
				Directors
1	2	3	4	5

PART-II

Particulars of documents other than those specified in Part-I

No. of the file or document destroyed	Subject to which the documents refer	documents destroyed	
1			initials of Regional Director
1	2	3	4