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Government of India  
Ministry of Corporate Affairs

5<sup>th</sup> Floor, A Wing, Shastri Bhavan,  
Dr. R.P. Road, New Delhi.  
Dated the 17 December, 2012

**Subject:- Monthly Summary for the Council of Ministers for the month of  
November, 2012.**

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Information on important developments relating to the Ministry of Corporate Affairs during the month of November, 2012 is as under:

**(i) Companies Bill, 2011:**

The Cabinet had, in its meeting held on 4<sup>th</sup> October, 2012, approved the proposal for moving some official amendments to the Companies Bill, 2011 largely based on the recommendations of the Parliamentary Standing Committee on Finance in its second report. Necessary notices for consideration and passing the Companies Bill, 2011 and for moving official amendments have already been given to Lok Sabha on 15.11.2012. The Bill is likely to be considered and passed at least by the Lower House in the current session.

**(ii) Successful peak filing:**

A challenge that was successfully met by the Ministry was to handle the extraordinary high load of statutory filings by the companies in the months of October and November – being the last two months set apart for the purpose. As against 15 lakh filings made last year, the corresponding figure this year turned out to be 17.40 lakhs.

**(iii) Delegation of powers to the Reserve Bank of India:**

On the request of the Department of Financial Services, approval of the competent authority has been accorded to delegate the powers of the Central Government to move the Company Law Board under Section 388B and E of the companies Act to the Reserve Bank of India (RBI) for removal of Directors and Management Persons of Companies (in this case Banking Companies) in the event of misconduct etc. to enable the RBI to finalize the guidelines for licenses to new Banks. The relevant Notification is being drafted by the Ministry of Law (Legislative Department).

**(iv) Exemption of Sick Banks from the purview of the Competition Commission of India under Section 6 of the Competition Act:**

The competent authority, in consultation with the Competition Commission of India (CCI), has approved the proposal of the Ministry of Finance (Department of Financial Service) to permit merger of sick banks with other Banks without the necessity of *ex-ante* clearance of combination under Section 6 of the Competition Act. The relevant notification is under issue.

A similar proposal was also received in respect of Sick Insurance Companies; the CCI has, however, expressed itself against granting such exemption as, in the opinion of the Commission, sickness in the Insurance Sector does not cause a 'panic situation' as in the case of Banks.

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