

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,  
SECTION 3, SUB-SECTION (i)]

**GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS  
NOTIFICATION**

New Delhi, dated the 9<sup>th</sup> June, 2022

**G.S.R.....(E).**- In exercise of the powers conferred by sub-sections (1), (2) and (4) of section 248 read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016, namely:-

**1. Short title and commencement.**- (1) These rules may be called the Companies (Removal of Names of Companies from the Register of Companies) Amendment Rules, 2022.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. In the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016, -**

(i) in rule 4, after sub-rule (3), the following sub-rule shall be inserted, namely:—

“(4) (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.”.

(ii) for Form No. STK 1, Form No. STK - 5 and Form No. STK-5A, the following Forms shall respectively, be substituted, namely:-

<p style="text-align: center;"><b>“Form No. STK-1</b></p> <p><b>Notice by Registrar for removal of name of a company from the register of companies</b></p> <p>[Pursuant to sub-section (1) of section 248 of the Companies Act, 2013 and rule 3 of the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016]</p> <p style="text-align: center;">-----</p> <p style="text-align: center;"><b>GOVERNMENT OF INDIA</b></p> <p style="text-align: center;"><b>MINISTRY OF CORPORATE AFFAIRS</b></p> <p style="text-align: center;">Office of the Registrar Of Companies, ..... (State)</p> <p style="text-align: center;">(Address of ROC)</p>
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Letter No.-----

Dated:-----

Reference:

In the matter of M/s \_\_\_\_\_ In the matter of Companies Act, 2013

To,

.....

.....

(1) Pursuant to sub-section (1) of section 248 of the Companies Act, 2013, notice is hereby given that as per available record,-

the company has failed to commence its business within one year of its incorporation;

the company is not carrying on any business or operation for a period of two immediately preceding financial years and has not made any application within such period for obtaining the status of a dormant company under section 455;

the subscribers to the memorandum have not paid the subscription which they had undertaken to pay at the time of incorporation of a company and a declaration to this effect has not been filed within one hundred and eighty days of its incorporation under sub-section (1) of section 10A.

(tick whichever is applicable)

(2) Therefore, on the basis of aforesaid ground(s), I intend to remove the name of company from the register of companies and request you to send your representation along with copies of the relevant documents, if any, within thirty days from the date of receipt of this notice.

(3) Unless a cause to the contrary is shown within the time period above mentioned, the name of the above mentioned company shall be liable to be removed from the register of companies. However, the directors of the company shall be liable for appropriate action under the Act.

Registrar of Companies

To

The Company/ All Directors

Mailing address as per record available in Registrar of Companies Office

Copy to all directors : [in case the notice issued to the company only]

**FORM No. STK - 5**

**PUBLIC NOTICE**

[Pursuant to sub-section (1) and sub-section (4) of section 248 of the Companies Act, 2013 and rule 7 of the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016]

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**GOVERNMENT OF INDIA**

**MINISTRY OF CORPORATE AFFAIRS**

**Office of the Registrar Of Companies**

**(Address of RoC)**

**Public Notice No.-----**

**Date:**

**Reference:**

In the matter of striking off of companies under section 248 (1) of the Companies Act, 2013, of M/s.\_\_\_\_\_, M/s.\_\_\_\_\_, M/s.\_\_\_\_\_

1. Notice is hereby given that the Registrar of Companies has a reasonable cause to believe that, -

(i) the following companies have not commenced business within one year of their incorporation, namely :-

M/s. \_\_\_\_\_ (indicate names of companies);

M/s. \_\_\_\_\_;

(ii) the following companies have not been carrying on any business or operation for a period of two immediately preceding financial years and have not made any application within such period for obtaining the status of dormant company under section 455, namely:-

M/s. \_\_\_\_\_ (indicate names of companies);

M/s. \_\_\_\_\_;

(iii) in the following companies, the subscribers to the memorandum have not paid the subscription which they had undertaken to pay at the time of incorporation of a company and a declaration to this effect has not been filed within one hundred and eighty days of its incorporation under sub-section (1) of section 10A, namely:-

M/s. \_\_\_\_\_ (indicate names of companies)

M/s. \_\_\_\_\_

and, therefore, proposes to remove/strike off the names of the above mentioned companies from the register of companies and dissolve them unless a cause is shown to the contrary, within thirty days from the date of this notice.

2. Any person objecting to the proposed removal/striking off of name of the companies from the register of companies may send his objection to the office address mentioned here-in-above within thirty days from the date of publication of this notice.

Registrar of Companies

**FORM No. STK - 5A**

**PUBLIC NOTICE**

[Pursuant to sub-section (1) and sub-section (4) of section 248 of the Companies Act, 2013 and second proviso to rule 7(1) of the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016]

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**GOVERNMENT OF INDIA**

**MINISTRY OF CORPORATE AFFAIRS**

**Office of the Registrar of Companies**

**(Address of RoC)**

**Public Notice No.-----**

**Date:-----**

**Reference:**

In the matter of striking off names of companies under sub-section (1) of section 248 of the Companies Act, 2013, as per details below:—

1. Notice is hereby given that the Registrar of Companies has a reasonable cause to believe that, the companies, whose names are listed on the \_\_\_\_\_ (provide web link of the page on Ministry's website where the names are listed),-

- (i) have not commenced business within one year of their incorporation;
- (ii) have not been carrying on any business or operation for a period of two immediately preceding financial years and have not made any application within such period for obtaining the status of dormant company under section 455 of the Companies Act, 2013;
- (iii) the subscribers to the memorandum have not paid the subscription which they had undertaken to pay at the time of incorporation of a company and a declaration to this effect has not been filed within one hundred and eighty days of its incorporation under sub-section (1) of section 10A;

[Strike off whichever is not applicable]

and, therefore, proposes to remove/strike off the names of the above mentioned companies from the register of companies and dissolve them unless a cause is shown to the contrary, within thirty days from the date of such notice.

2. Any person objecting to the proposed removal/striking off of name of the companies from the register of companies may send his objection to the office address mentioned hereabove within thirty days from the date of publication of this notice.

Registrar of Companies .”.

[F.No.1/28/2013-CL-V(Part)]

  
Manoj Pandey,

Joint Secretary to the Government of India

O/C



Note : The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3 of Sub-section (i) vide number G.S.R. 1174(E), dated the 26<sup>th</sup> December, 2016 and amended vide notification numbers G.S.R 355(E), dated the 12<sup>th</sup> April, 2017 , G.S.R 350(E) dated the 8<sup>th</sup> May, 2019 and G.S.R 420(E), dated the 29<sup>th</sup> June, 2020.