

(033)2287-3156

(033)2287-3404

(033)2287-7390



Telegram: COMPANYREG
Fax : (033)2290-3795
Website: www.mca.gov.in
E-Mail: kolkata@mca.gov.in

भारत सरकार / GOVERNMENT OF INDIA

कारपोरेट कार्य मंत्रालय / Ministry of Corporate Affairs

कम्पनी रजिस्ट्रार कार्यालय (प.बंगाल) / Office of the Registrar of Companies (West Bengal)
निजाम पैलेस, दूसरा एम एस ओ बिल्डिंग, द्वितीय तल / Nizam Palace, 2nd M. S. O. Building, 2nd Floor
आचार्य जगदीश चन्द्र बोस रोड 234/4, Acharya Jagadish Chandra Bose Road
कोलकाता / KOLKATA - 700 020

संख्या/No.ROC/WB/Admn./2020/2717

दिनांक: / Dated: 08-09-2020

08 SEP 2020

OFFICE ORDER

Sub : Extension of time for holding of Annual General Meeting (AGM) for the financial year ended on 31.03.2020.

1. Whereas sub-section (1) of Section 96 of the Companies Act, 2013 (the Act) provides, inter-alia, that every company, other than One Person Company, shall in each year hold in addition to any other meetings, a general meeting as its annual general meeting (AGM) and shall specify the meeting as such in the notices calling it, and not more than fifteen months shall elapse between the date of one AGM of a company and that of the next;
2. And whereas, the first proviso to sub-section (1) of section 96 of the Act provides that in case of the first AGM, it shall be held within a period of nine months from the date of closing of the first financial year of the company and in any other case, within a period of six months, from the date of closing of the financial year;
3. And whereas, the third proviso to Section 96(1) of the Act provides that the Registrar may, for any special reason, extend the time within which any annual general meeting, other than the first annual general meeting, shall be held, by a period not exceeding three months;
4. And whereas, various representations have been received from the companies, Industries bodies and Professional Institutes pointing out that several companies are finding it difficult to hold their AGM for the financial year ended on 31.03.2020 due to the difficulties faced in view of the COVID-19 Pandemic;
5. And whereas, the representations have been considered and the undersigned is of the considered opinion that due to such unprecedented special reasons, the time within which the AGM for the financial year ended on 31.03.2020 is required to be held as per provisions of sub-section (1) of Section 96 ought to be extended in terms of third proviso to section 96(1);

6. Now, therefore, in terms of power vested with the undersigned under the third proviso to sub-section (1) of section 96 of the Act, I hereby extend the time to hold the AGM, other than the first AGM, for the financial year ended on 31.03.2020 for companies within the jurisdiction of this office, which are unable to hold their AGM for such period within the due date of holding the AGM by a period of three months from the due date by which the AGM ought to have been held in accordance with the provisions of sub-section (1) to section 96 of the Act, without requiring the companies to file applications for seeking such extension by filing the prescribed Form No. GNL-1.

Explanation: It is hereby clarified that the extension granted under this Order shall also cover the:

- (i) Pending applications filed Form No. GNL-1 for the extension of AGM for the financial year ended on 31.03.2020, which are yet to be approved;
- (ii) Applications filed in Form No. GNL-1 for the extension of AGM for the financial year ended on 31.03.2020, which were rejected;

Where the approval for extension of AGM up to 3 months from the due date of the AGM shall be deemed to have been granted by the undersigned without any further action on the part of the company.



(U. K. Sahoo)

Registrar of companies, West Bengal.

यू. के. साहू, आई.सी.एल.एस. / U. K. Sahoo, I.C.L.S
कम्पनी रजिस्ट्रार / Registrar of Companies
भारत सरकार / GOVERNMENT OF INDIA
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कम्पनी रजिस्ट्रार कार्यालय (प. बंगाल)
Office of the Registrar of Companies (West Bengal)
कोलकाता / KOLKATA-700020