

Filing of various Forms Under Companies Act, 1956

Section	Form No.	Description	Time limits for filing
33(2)	1	Declaration of Compliance with the requirements of the Companies Act,1956 on application for Registration of a Company	It should be submitted before incorporation of the co. or within 6 months of the availability of the name of the Company.
20	1A	Application form for availability of names.	There is no time limit, this form can be filed at any time.
5(g)	1AA	Particulars of person(s)/ director(s) specified for the purpose of clause (f)/(g) of Section 5.	Within 30 days from the date of exercise of powers of the Board.
5(f)	1AB	Consent of the person charged by the board with the responsibility of complying with the provisions of the Act	To be filed along with Form No. 1-AA, within 30 days from the date when the Board of Directors takes the decision to make the person responsible under proviso to Section 5(f) of the Act.
5(f)/(g)	1AC	Particulars of person(s) /director(s) specified for the purpose of clause (f)/(g) of section 5.	To be submitted within 30 days of revocation or withdrawal of consent given by the person u/s 5(f).
31(1)	1B	Application for the Approval of the Central Government for conversion of a Public Company into a Private Company.	Within three months from the date when the special resolution has been passed in this regard.
75(1)	2	Return of Allotment	Return must be submitted within 30 days of allotment, or within such extended time as allowed by ROC against an application under section 75(3) made to ROC for such extension.
56(3)	2A	Memorandum containing salient features of prospectus	Every application form is to be accompanied with the Memorandum containing salient features of abridged prospectus, as and when they are issued.
58A(11) & 109A	2B	Nomination of Form	Can be filed at any time by the shareholder, debenture-holder or holder of fixed deposits.
75(2)	3	Particulars of Contract Relating to shares	The Return has to be submitted within 30 days of allotment, or within such extended time that may be allowed by the Registrar of Companies on an application made to him under section 75(3).



76	4	Statement of the Amount of Rate per cent of the Commission payable in respect of Shares/Debentures and of the number of Shares/Debentures for which person have agreed for a Commission to subscribe for absolutely or conditionally	Return should be submitted before payment of commission, at the time of delivery of prospectus or the statement in lieu of prospectus for registration.
77A(6)	4A	Declaration of solvency before buying-back of shares/other securities but after passing of the Special Resolution under section 77A(6)	Declaration should be filed any time before making buy-back of shares, but only after such buy-back has been authorised by passing a special resolution.
77A(9)	4B	Maintaining Register of Securities brought back under section 77A(9)	Immediately after buying back its securities, the details given in Form No. 4B has to be entered in the said Register by a company.
77A(10)	4C	Returns containing particulars relating to the buy back under section 77A(10)	The return is to be submitted within 30 days from the date of completion of buy-back of securities.
95/97/94A(2)/81(4)	5	Notice of Consolidation, Division under section 95.	Within 30 days of passing of the resolution in this behalf.
94	5	Notice of Increase in Share Capital under section 94.	Within 30 days of increase in share capital.
97	5	Notice of increase in number of members under section 97.	Within 30 days of increase in number of members.
108(1A)	7B	Share Transfer Form	Forms have to be submitted before execution to the prescribed authority. In case of shares dealt with or quoted on the recognised Stock Exchange, it has to be submitted at any time before the date on which register of members is closed according to the law, for the first time after the date of presentation to the prescribed authority. In other cases, it has to be submitted within two months from the date of presentation.
108(1A) and Rule 5A(2A)	7BB	Counter Receipt and Share Transfer Form. Filling of Instrument of transfer in respect of counter receipts for shares dealt with OTCEI.	Forms have to be submitted to the prescribed authority before execution. In case of shares dealt with or quoted on the recognised Stock Exchange, it may be done at any time before the date on which register of members is closed for the first time in accordance with

			the law, after the date of presentation to the prescribed authority, or within twelve months from the date of such presentation, whichever is later. In all other cases, within two months from the date of presentation.
108(1-D)	7C	Extension of time under section 108(1-D) of the Companies Act, 1956	To be submitted before or after the expiry of the periods as mentioned in section 108(1-A)(b).
108B	7E	Intimation to the Central Government of the proposal to transfer shares under section 108B	Any time before transfer of shares.
108C	7E	Application for approval of the Central Government for transfer of shares of foreign companies under section 108-C	Any time before transfer of shares.
125/127/135	8	Particulars of Charges created by a company registered in India/Subject to which property has been acquired by a company registered in India/Modification of Charges	Within 30 days after the date of its creation. If there is sufficient cause, the Registrar of Companies can condone the delay upto 30 days on payment of additional fee, not exceeding ten times the amount of fee specified in Schedule X. The Company Law Board can also condone the delay under section 141 of the Act.
128 & 129	10	Particulars of a series of debentures, containing or giving by reference to any other instrument, any charge to the benefit of which the debenture holders of the said series are entitled pari passu, created by a company registered in India and also of any issue of debentures in a series	The return has to be filed either by execution of deed or of any debentures of the series, within 30 days of creation of charge.
131	12	Chronological index of charges	To be maintained by ROC.
130, 135, 137 & 138	13	Register of Charges	It has to be submitted within 30 days of creation or modification or satisfaction of charge.
137	15	Notice of Appointment of Receiver or Manager	The return has to be submitted within 30 days from the date of the order of court, or of the making of the appointment.
137(2)	16	Notice to be given by Receiver/Manager on ceasing to the act as such	The return has to be submitted immediately after cessation.
138	17	Memorandum of Complete Satisfaction of Charge	The return must be submitted within 30 days of satisfaction or



			payment of charge. Only payment of satisfaction in full has to be registered.
146	18	Notice of Situation / Change of Situation of Registered Office	The return has to be submitted within 30 days of incorporation or change of situation of Registered office.
149(1)(d)	19	Declaration of Compliance with the provisions of section 149(1)(a), (b) and (c) of the Companies Act, 1956	The declaration should be submitted before commencing business or exercising borrowing powers.
149(2)(c)	20	Declaration of Compliance with the provisions of section 149(2)(b), of the Companies Act, 1956	The declaration must be submitted before commencing business or before borrowing powers has been exercised.
149(2A)(ii)	20A	Declaration of Compliance with the provisions of section 149(2A), or of the section 149(2B)	Before commencement of new business, the declaration has to be submitted.
17(1), 79, 81(2), 94A(2), 102(1), 107(3), 111, 141, 167, 186, 391(2), 394(1)	21	Notice of the Court's/Company Law Board's Order	The return has to be submitted within three months from the date of the order of the Company Law Board, under section 17(5) of the Act. Filing of the Orders of the Company Law Board / Court passed under other provisions of the Act, are to be filed with the Registrar of Companies within 30 days from the date of the order. In case of an order by Company Law Board u/s 17(5) of the Act, the return is to be filed within 3 months of the order. In case of other orders under other provisions of the act, the return must be submitted within the time limit specified under the relevant Section/Rules or within 30 days from the date of the order as the case may be.
160	21A	Form of Annual Return not having Share Capital	The return must be submitted within 60 days of the Annual General Meeting.
Section No.	Form No.	Description	Time limits for filing
165	22	Return of Statutory Report	The report must be submitted immediately after sending the

			same to members preferably within 7 days of the date of report.
171(2)	22A	Consent of Shareholder for shorter notice	Any time before the date that has been fixed for the meeting.
192	23	Registration of Resolution(s) and Agreement(s)	Return has to be submitted within 30 days of passing the resolution / making the agreement.
209(1)	23AA	Notice of address at which Books of Account are maintained	Notice has to be submitted within 7 days of the Board's decision.
219(1)(b)(iv)	23AB	Statement containing Salient Features of Balance-Sheet and Profit and Loss Account etc., as per section 219(1)(b)(iv)	To be sent within 21 days before the date of the Annual General Meeting to the members of Stock Exchange and to be filed with ROC.
224(1A)	23B	Notice by Auditor	Form is to be submitted within 30 days from the date of receipt of the intimation of appointment from the company.
233B(2)	23C	Form of Application to the Central Government for Appointment of Cost Auditor	After the Board Meeting at which such person has been appointed, subject to the approval of the Central Government, but before the appointment of cost auditor.
Section No.	Form No.	Description	Time limits for filing
259	24	Application to the Central Government for increasing the number of Directors of Company	Any time before the number of directors is increased.
297(1)	24A	Application to the Central Government for obtaining the previous approval for entering into contracts with the company for sale, purchase or supply of any goods, materials or services, pursuant to proviso to section 297(1)	To be submitted at any time before entering into the contract by the company.
299	24AA	Notice by the interested Directors	At the first meeting the board of directors held after the director becomes concerned or interested. This notice is to be given every year before the expiry of the financial year of the company.
314(1B)	24B	Application to the Central Government for obtaining prior consent for the holding by certain persons of any office or place of profit in a company	Any time after passing of the special resolution, but before the actual appointment.
198(4), 269, 309(3), 311, 387 &	25A	Application to the Central Government for approval of appointment/Re-appointment	To be submitted within a period of 90 days from the date of



388		and remuneration payable to Managing/Whole-time directors or manager	appointment.
268	25B	Application to the Central Government for approval to amendment of provision relating to Managing, Whole-time or non-rotational directors	Any time before making any amendment of any provision relating to the appointment or re-appointment of a managing or whole-time director or of a director not liable to retire by rotation.
269(2)	25C	Return of appointment of Managing director / Whole-time Director / manager	Within 90 days from the date of appointment of a person as a Managing or Wholetime director or a manager, according to conditions specified in Schedule XIII.
310, 311 & 388	26	Application to the Central Government for increase in remuneration of Managing director/Whole-time Director/manager	Any time after the passing of the Board or general meeting resolution, but before giving effect to the increase in remuneration.
264(2)/ 266(1)(a) & 266(1)(b)(iii)	29	Consent to act as director of a Company and/or Undertaking to take and pay for qualification shares	The return has to be submitted within 30 days of appointment, or at the time of incorporation of the company.
303(2)	32	Particulars of appointment of Directors and Manager and changes among them	The return must be submitted within 30 days of appointment or change, as the case may be.
306	34	Register of Directors, Managing Directors, Manager and Secretary, etc. to be maintained by ROC.	-
395	35	Notice to dissenting shareholders	The transferee co is required to give notice to the dissenting share holder within 2 months after the expiry of 4 months of the offer made by the transferee company.
395(4A)(a)(i)	35A	Information to be furnished in relation to any offer of a scheme or Contract involving the transfer of Shares or any Class of Shares in the transferor Company to the transferee Company	The information must be submitted before the scheme of offer is circulated to the members, since no time-limit has been prescribed.
421 & 424	36	Receiver's or Manager's Abstract of Receipt and Payments	The return must be submitted once in every half year, till the receiver remains in possession and on cessation.
565, 566 & 567	37	Application by an existing Joint Stock Company for Registration as a Limited	At the time of registration.



		Company/Private Limited/an Unlimited Company	
565 & 568	38	Application by an existing Company (not being a Joint Stock Company) for Registration as a Limited/an Unlimited Company	At the time of registration.
567(a)	39	Registration of an Existing Company	Before a joint-stock company has been registered as a limited company.
567(c)	40	Registration of an existing Company as a Limited Company (Statement specifying certain particulars)	Before a joint-stock company has been registered as a limited company.
565(1)	41	Registration of an existing Company as a Limited Company (Copy of Resolution assenting to registration with limited liability)	Before a joint-stock company has been registered as a limited company.
568(a)	42	List of the names, addresses and occupations of the directors and the manager, if any, of the existing company, not being a joint stock company	To be submitted at the time of registration.
592	44	Document Delivered for Registration by a Foreign Company	Within 30 days of the establishment of business in India by Foreign company.
593(a)/(b)/(c)	49	Return of alteration in the (a) Charter, Statutes or Memorandum and Articles of Association (b) address of the Registered or Principal Office and (c) Directors and Secretary of a foreign company	On or before 31st January of the year following the year in which the alteration has occurred or been made.
593(d)/(e), 594(3)/ 597(3)	52	Notice of (a) alteration in the names and addresses of persons resident in India Authorized to accept service on behalf of a foreign company, (b) Alteration in the address of principal place of business in India of a Foreign company, (C) List of places of business established by Foreign company in India, (D) Cessation to have a place of business in India	The form must be submitted within one month from the date of alteration and in the case of cessation of place of business, forthwith and copies of balance sheet and profit and loss account within nine months from the close of financial year.
600/125/127	55	Particulars of charge on property in India created by a Foreign Company after the 15th January,1937	The form has to be submitted within 30 days of creation of charge or acquisition of property or creating of instrument in India, as the case may be.
600, read with Sec. 127	56	Particulars of charge subject to which a property in India has been acquired by a	The form must be submitted within 30 days of acquisition of a charged



		Foreign Company after 15th January,1937	property.
600, read with Sec. 128	57	Particulars of an issue of Debentures in a series by a Foreign Company	The form must be submitted within 30 days of issue or execution of deed. If there is no such deed, to be submitted after the execution of any debentures of the series.
600, read with Secs. 128 & 129	58	Particulars of series of debentures containing or giving by reference to any other instrument any charge to the benefit of which the debenture holders of the said series are entitled pari passu created by a Foreign Company	The form has to be filed within 30 days of the execution of the deed.
600(1), read with Sec. 135	59	Particulars of Modification of charge created by a Foreign Company	The form must be submitted within 30 days of modification or receipt of instrument in India. The period of 30 days shall be counted after the date on which the original instrument, or a copy thereof has been despatched duly by post, have been received in India.
600, read with Sec. 138	60	Memorandum of complete satisfaction of charge created by a Foreign Company	The form has to be submitted within 30 days of payment or satisfaction.

