

Amendment to section 217(2A) of companies Act, 1956, under amendment rules 2011

The Ministry of Corporate Affairs has vide notification dated 31st March 2011 enhanced the limits for the purpose of disclosure of particulars of employees in Directors report as requisite under Section 217 (2A) read with Companies (Particulars of Employees) Rules, 1975 from the existing limit of Rs. 24 lakh/ year/ Rs. 2 lakh per month to Rs. 60 lakh per year/ Rs. 5 lakh per month and by such notification also covers Government Companies for such disclosures.

The effect of the notification shall require the Companies including Government Companies to include a statement showing the name of every specified employee of the Company in their Board Report pursuant to Section 217 (2A) of the Companies Act 1956 read with Companies (Particulars of Employees) Amendment Rules, 2011 which provides:

- (i) If employed throughout the financial year, was in receipt of remuneration for that year which, in aggregate, was not less than Rs. Sixty Lakh for the year: or
- (ii) if employed for a part of the financial year, was in receipt of remuneration for any part, of that year, at a rate which, in the aggregate was not less Rs. Five Lakh per month.



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EXTRAORDINARY

भाग II—खण्ड 3—उप-खण्ड (i)

PART II—Section 3—Sub-section (i)

प्राधिकार से प्रकाशित

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कॉर्पोरेट कार्य मंत्रालय

अधिसूचना

नई दिल्ली, 31 मार्च, 2011

सा.का.नि. 289(अ).—केन्द्रीय सरकार, कम्पनी अधिनियम, 1956 (1956 का 1) की धारा 217 की उप-धारा (2क) के साथ पठित धारा 642 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, कम्पनी (कर्मियों का विवरण) नियमावली, 1975 का संशोधन करने के लिए निम्नलिखित नियम बनाती है, अर्थात् :—

1. (1) इन नियमों को कम्पनी (कर्मियों का विवरण) संशोधन नियमावली, 1975 कहा जाएगा।

(2) ये नियम राजपत्र में प्रकाशन की तिथि से प्रवृत्त होंगे।

2. कम्पनी (कर्मियों का विवरण) नियमावली, 1975 (जिसे यहां इसके पश्चात् प्रधान नियम कहा जाएगा) में नियम 1क में,—

(iii) खंड (क) में “चौबीस लाख रुपए” शब्दों को “साठ लाख रुपए” शब्दों द्वारा प्रतिस्थापित किया जाएगा;

(iv) खंड (ख) में “दो लाख रुपए” शब्दों को “पांच लाख रुपए” शब्दों द्वारा प्रतिस्थापित किया जाएगा।

3. उपरोक्त नियमावली के नियम 2 के प्रथम परंतुक में,—

(क) “कम्पनियों के कर्मियों का विवरण” शब्दों को “सरकारी कम्पनियों एवं कम्पनियों का विवरण” शब्दों द्वारा प्रतिस्थापित किया जाएगा;

(ख) “चौबीस लाख रुपए प्रति वित्त वर्ष या दो लाख रुपए प्रति माह” शब्दों को “साठ लाख रुपए प्रति वित्त वर्ष या पांच लाख रुपए प्रति माह” शब्दों द्वारा प्रतिस्थापित किया जाएगा।

[फा. सं. 2/29/1998-सीएल-V]

रेणका कमार मंडवत मन्त्रि

टिप्पण.—प्रधान नियम, भारत के राजपत्र में सा.का.नि. 695(अ), दिनांक 10 जून, 1998 द्वारा प्रकाशित हुए थे एवं सा.का.नि. 288(अ), दिनांक 17 अप्रैल, 2002 एवं सा.का.नि. 212(अ), दिनांक 24 मार्च, 2004 द्वारा उसमें पश्चात्पूर्वी संशोधन किए गए थे।

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 31st March, 2011

G.S.R. 289(E).—In exercise of the powers conferred by sub-section (2A) of Section 217 read with clause (a) of sub-section (1) of Section 642 of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules further to amend the Companies (Particulars of Employees) Rules, 1975, namely :—

1. (1) These rules may be called the Companies (Particulars of Employees) Amendment Rules, 2011.

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

2. In the Companies (Particulars of Employees) Rules, 1975 (hereinafter referred to as the said rules), in rule 1A,—

(i) in clause (a), for the words “rupees twenty-four lakhs”, the words “sixty lakh rupees” shall be substituted;

(ii) in clause (b), for the words “rupees two lakhs”, the words “five lakh rupees” shall be substituted.

3. In the first proviso to rule 2 of the said rules,—

(a) for the words “particulars of employees of companies”, the words “particulars of Government Companies and companies” shall

- (b) for the words "rupees twenty-four lakhs per financial year or rupees two lakhs per month", the words "sixty lakh rupees per financial year or five lakh rupees per month" shall be substituted.

[F.No.2/29/1998-CL-V]
RENUKA KUMAR, Jt. Secy.

Note.—The principal rules were published in the Gazette of India *vide* notification number G.S.R. 695(E), dated the 10th June, 1988 and subsequently amended *vide* notification numbers G.S.R. 288(E), dated the 17th April, 2002 and G.S.R. 212(E), dated the 24th March, 2004.