

Changes made in Companies (Central Government's) General Rules and Forms (Third Amendment) Rules, 2007

Substitution of Rule 4A

SL.No.	Existing Rule	New Rule	Remarks
01	The application for Name Availability shall be in Form 1 A with a fee of Rs.500/	The Application for Name Availability shall be in Form 1 A with a fee of Rs.500/	No Change
02	The Registrar of Companies shall respond to the application within 7 (seven) days of the receipt of application.	The Registrar of Companies shall respond to the application within 3 days of the receipt of application.	The Registrar of Companies may reject or ask for re-submission or further information on application ordinarily within 3 (three) days of receipt of the application. The response time has been decreased from 7 days to 3 days.
03	The validity Period of Name Availability allowed/intimated by the ROC available for adoption for a period of 6 Months	The Validity Period of Name Availability allowed by the ROC available for adopted for a period of 60 (Sixty) days from the date it is allowed, but it can be extended for a further period of 30 (Thirty) days on payment of 50% of the prescribed fee ie. Rs.250/-.	Now the maximum time allowed for adoption of Name is restricted to 90 days as against 6 months. The name allowed shall lapse after expiry of sixty or ninety days, as the case may be, from the date it is allowed first.
04	There is no restriction on re-submission of application for Name availability if the desired name is not available to the promoter.	The re-submission is restricted to 2 (two) times after the original application is filed.	Now the promoter has given 2(two) opportunities for re-submission of their application after the original application is filed
05	There is no need to file fresh application along with prescribed fee, but the promoter has to re-submit the application at any number of times with proper explanations.	After rejection of application made by the promoter for 2 (Two) times, he can file a fresh application along with prescribed fee.	The applicant will be at liberty to file fresh application along with prescribed fee.

Note:

- 1.The new rule for availability of name shall come into force with effect from the 19 November, 2007.
- 2.The name allowed by the Registrar before 19 November, 2007, if not adopted, shall lapse after the expiry of a period of six months from the date on which the name was initially allowed or renewed.
- 3.In case the name has not been renewed earlier, the applicant on or before the date of expiry, may apply for one time extension of such name for a further period of thirty (30) days on payment of 50% of the fee (i.e.Rs.250/-) for the application at the initial stage.

(Refer : Notification No.G.S.R.720 (E), Dated 16-11-2007 – Companies (Central Government's) General Rules and Forms (Third Amendment) Rules, 2007 – Substitution of Rule 4A.)