BEN 1, BEN 2, BEN 3 & BEN 4

Form	Name	Companies Act, 2013 (Amended)	COMPANIES (SIGNIFICANT BENEFICIAL OWNERS) AMENDMENT RULES, 2019
BEN 1	Declaration by the beneficial owner who holds or acquires significant beneficial ownership in shares	*90 (1) Every individual, who acting alone or together, or through one or more persons or trust, including a trust and persons resident outside India, holds beneficial interests, of not less than twenty-five per cent or such other percentage as may be prescribed, in shares of a company or the right to exercise, or the actual exercising of significant influence or control as defined in clause (27) of section 2, over the company (herein referred to as "significant beneficial owner"), shall make a declaration to the company, specifying the nature of his interest and other particulars, in such manner and within such period of acquisition of the beneficial interest or rights and any change thereof, as may be prescribed:* **Provided** *that the Central Government may prescribe a class or classes of persons who shall not be required to make declaration under this sub-section.*	**Rule 2A- Duty of the reporting company.—**(1) Every reporting company shall take necessary steps to find out if there is any individual who is a significant beneficial owner, as defined in clause (h) of rule 2, in relation to that reporting company, and if so, identify him and cause such individual to make a declaration in Form No. BEN-1. (2) Without prejudice to the generality of the steps stated in sub-rule (1), every reporting company shall in all cases where its member (other than an individual), holds not less than ten per cent, of its;— (a) shares, or (b) voting rights, or (c) right to receive or participate in the dividend or any other distribution payable in a financial year, give notice to such member, seeking information in accordance with sub-section (5) of section 90, in Form No. **BEN-4** **Rule 3- Declaration of significant beneficial ownership under section 90.—(1)** On the date of commencement of the Companies (Significant Beneficial Owners) Amendment Rules, 2019, every individual who is a significant beneficial owner in a reporting company, shall file a declaration in Form No. **BEN-1** to the reporting company within ninety days from such commencement.
BEN 2	Return to the Registrar in respect of declaration	*90 (4) Every company shall file a return of significant beneficial owners of the company and changes therein with the*	4. *Return of significant beneficial owners in shares*.—Upon receipt of declaration under rule 3, the reporting company shall file a return in Form No. BEN-2 with the Registrar in

	under Section 90	*Registrar containing names, addresses and other details as may be prescribed within such time, in such form and manner as may be prescribed.*	respect of such declaration, within a period of thirty days from the date of receipt of such declaration by it, along with the fees as prescribed in Companies (Registration offices and fees) Rules, 2014." **Rule 8**- Non- applicability
BEN 3	Register of beneficial owners holding significant beneficial interest	*(2) Every company shall maintain a register of the interest declared by individuals under sub-section (1) and changes therein which shall include the name of individual, his date of birth, address, details of ownership in the company and such other details as may be prescribed.*	Rule 5(1)- The company shall maintain a register of significant beneficial owners in Form No. BEN-3.
BEN 4	Company shall give notice in the prescribed form to the persons to whom it has reason to believe to be significant beneficial owner	*(5) A company shall give notice, in the prescribed manner, to any person (whether or not a member of the company) whom the company knows or has reasonable cause to believe—* *(a) to be a significant beneficial owner of the company;* *(b) to be having knowledge of the identity of a significant beneficial owner or another person likely to have such knowledge; or* *(c) to have been a significant beneficial owner of the company at any time during the three years immediately preceding the date on which the notice is issued, and who is not registered*	Rule 2A- Duty of the reporting company (2) Without prejudice to the generality of the steps stated in sub-rule (1), every reporting company shall in all cases where its member (other than an individual), holds not less than ten per cent, of its;— (a) shares, or (b) voting rights, or (c) right to receive or participate in the dividend or any other distribution payable in a financial year, give notice to such member, seeking information in accordance with sub-section (5) of section 90, in Form No. BEN-4 **<u>Notice seeking information about significant beneficial owners</u>** Rule 6. A company shall give notice seeking information in accordance with under sub-section (5) of section 90, in Form No. BEN-4.

		as a significant beneficial owner with the company as required under this section.	**<u>Application to the Tribunal</u>** Rule 7. The company may apply to the Tribunal in accordance with sub-section (7) of section 90, for order directing that the shares in question be subject to restrictions, including— (a) restrictions on the transfer of interest attached to the shares in question; (b) suspension of the right to receive dividend in relation to the shares in question; (c) suspension of voting rights in relation to the shares in question; (d) any other restriction on all or any of the rights attached with the shares in question.