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SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
NOTIFICATION

New Delhi, 7th September , 2009.

G.S.R. 642(E) – In exercise of the powers conferred by sub-section (1) of section 642 and 610B read with sections 610A and 610E of the Companies Act, 1956, the Central Government hereby makes the following rules to amend the Companies (Electronic Filing and Authentication of Documents) Rules, 2006, namely:-

1. (1) These rules may be called the Companies (Electronic Filing and Authentication of Documents) Amendment Rules, 2009.

(2) These rules shall come into force on the 13th day of September, 2009.

2. In the Companies (Electronic Filing and Authentication of Documents) Rules, 2006, in rule 3, in sub-rule (1), after the proviso, the following proviso shall be inserted, namely :-

“ Provided further that if stamp duty on such documents is paid electronically through Ministry of Corporate Affairs portal www.mca.gov.in, in such case, the company shall not be required to make physical submission of such documents, in addition to their submission in the electronic form:

Provided also that in respect of certain documents filed under the Companies Act, 1956 which are not covered for payment of stamp duty through Ministry of Corporate Affairs portal, and stamp duty payable on such documents in respective state is equal to

or less than one hundred rupees, the company shall scan such stamped documents complete in all respects and shall file electronically for evidencing by the Registrar and shall not be required to submit such documents, except those which are required to be filed for compounding of offences under clause (a) of sub-section (4) of section 621A of the Companies Act, 1956, in the physical form separately:

Provided also that the company shall retain such documents duly stamped in original for a minimum period of three years from the date of filing of such documents and shall be required to produce the same as and when the same is required for inspection and verification by the competent authority being the Collector of Stamps of respective State or Union territory or the Registrar”.

[F No 1/04 /2009 CL.V]

Renuka Kumar,
Joint Secretary.

Note: The principal rules were published vide number G.S.R. 557(E), dated the 14th September, 2006.