

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
NOTIFICATION

New Delhi, the 02 March, 2020

G.S.R. ____ (E). - In exercise of the powers conferred by clauses (a) and (b) of sub-section (1) and in pursuance of sub-section (2) of section 462 of the Companies Act, 2013 (18 of 2013), the Central Government, in the public interest, hereby makes the following further amendments in the notification of the Government of India, in the Ministry of Corporate Affairs, number G.S.R. 463(E), dated the 5th June, 2015, published in the Gazette of India, Extraordinary, Part-II, Section 3, Sub-section (i), dated the 5th June 2015, namely:-

In the said notification, in the Table:-

(i) for serial number 1 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:-

(1)	(2)	(3)
"1.	Chapter I, clause (45) of section 2.	In clause (45), the following <i>Explanation</i> shall be inserted, namely:- <i>Explanation.</i> - For the purposes of this clause, the "paid-up share capital" shall be construed as "total voting power", where shares with differential voting rights have been issued.
1A.	Chapter II, section 4.	In section 4, in sub-section (1), in clause (a), the words 'in the case of a public limited company, or the last words "Private Limited" in the case of a private limited company' shall be omitted.";

(ii) for serial number 26 and the entries relating thereto, the following serial number and entries shall be substituted, namely:-

(1)	(2)	(3)
"26.	Chapter XII, first and second proviso to sub-section (1) of section 188.	Shall not apply to - (a) a Government company in respect of contracts or arrangements entered into by it with any other Government company, or with Central Government or any State Government or any combination thereof; (b) a Government company, other than a listed company, in respect of contracts or arrangements other than those referred to in clause (a), in case such company obtains approval of the Ministry or Department of the Central Government which is administratively in charge of the company, or, as the case may be, the State Government before entering into such contract or arrangement."

[F. No. 1/2/2014-CL-V]


(K.V.R. Murty)

Joint Secretary to the Government of India

Note:- 1. A copy of this notification has been laid in draft before both Houses of Parliament as required by sub-section (2) of section 462 of the aforesaid Act.

2. The principal notification was published in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i) *vide* number G.S.R. 463(E), dated the 5th June, 2015 and was subsequently amended *vide* number G.S.R. 582 (E), dated the 13th June, 2017 and also *vide* number S.O. 802(E), dated the 23rd February, 2018.