

(i) दो या अधिक स्टार्ट-अप कंपनियां; अथवा

(ii) एक या अधिक छोटी कंपनियों के साथ एक या अधिक स्टार्ट-अप कंपनी।

स्पष्टीकरण- इस उप-नियम के प्रयोजन के लिए 'स्टार्ट-अप कंपनी' से अभिप्रेत कंपनी अधिनियम, 2013 अथवा कंपनी अधिनियम, 1956 के तहत निगमित और उद्योग संवर्धन और आंतरिक व्यापार विभाग द्वारा निर्गत 19 फरवरी, 2019 की अधिसूचना संख्या सा.का.नि. 127 (अ), के अनुसार इस प्रकार मान्यता प्राप्त निजी कंपनी है।”।

[फा. सं. 2/31/सीएए/2013-सीएल.V]

के. वी. आर. मूर्ति, संयुक्त सचिव

टिप्पण: मूल नियम 14 दिसंबर, 2016 की सा.का.नि. संख्या 1134(अ) के द्वारा भारत के राजपत्र, असाधारण, भाग II, खंड 3, उप-खंड (i) में प्रकाशित किए गए और इसके बाद 13 अप्रैल, 2017 की अधिसूचना संख्या सा.का.नि. 368(अ) और 3 फरवरी, 2020 की अधिसूचना संख्या सा.का.नि. 79(अ) के द्वारा संशोधित किए गए और इनमें 17 दिसंबर, 2020 की अधिसूचना संख्या सा.का.नि. 773(अ) के द्वारा अंतिम बार संशोधन किया गया।

MINISTRY OF CORPORATE AFFAIRS NOTIFICATION

New Delhi, the 1st February, 2021

G.S.R. 93(E).—In exercise of the powers conferred by sub-sections (1) and (2) of section 469 read with sections 230 to 233 and sections 235 to 240 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016 namely :-

1. Short title and commencement.— (1) These rules may be called the Companies (Compromises, Arrangements and Amalgamations) Amendment Rules, 2021.

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

2. In the Companies (Compromises, Arrangements and Amalgamations) Rules, 2016, in rule 25, after sub-rule (1) the following sub-rule shall be inserted, namely:-

“(1A) A scheme of merger or amalgamation under section 233 of the Act may be entered into between any of the following class of companies, namely:-

(i) two or more start-up companies; or

(ii) one or more start-up company with one or more small company.

Explanation.— For the purposes of this sub-rule, “start-up company” means a private company incorporated under the Companies Act, 2013 or Companies Act, 1956 and recognised as such in accordance with notification number G.S.R. 127 (E), dated the 19th February, 2019 issued by the Department for Promotion of Industry and Internal Trade.”

[F. No. 2/31/CAA/2013-CL.V]

K. V. R. MURTY, Jt. Secy.

Note: The The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 1134(E), dated the 14th December, 2016, and subsequently amended vide notification number G.S.R. 368(E), dated the 13th April 2017 and vide notification number G.S.R. 79(E), dated the 3rd February, 2020 and last amended vide notification number G.S.R. 773(E) dated 17th December, 2020.