
[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, dated 21st February, 2019

G.S.R.(E)._ In exercise of the powers conferred by sub-section (9) of section 12 and sub-sections (1) and (2) of section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Incorporation) Rules, 2014, namely: -

1. (1) These rules may be called the Companies (Incorporation) Amendment Rules, 2019.

(2) They shall come into force with effect from **25th February, 2019**

2. In the Companies (Incorporation) Rules, 2014 (hereinafter referred to as the said rules), after rule 25, the following shall be inserted, namely:-

“25A. Active Company Tagging Identities and Verification (ACTIVE).-(1) Every company incorporated on or before the 31st December, 2017 shall file the particulars of the company and its registered office, in e-Form ACTIVE (Active Company Tagging Identities and Verification) **on or before 25.04.2019.**

Provided that any company which has not filed its due financial statements under section 137 or due annual returns under section 92 or both with the Registrar shall be restricted from filing e-Form-ACTIVE, unless such company is under management dispute and the Registrar has recorded the same on the register:

Provided further that companies which have been struck off or are under process of striking off or under liquidation or amalgamated or dissolved, as recorded in the register, shall not be required to file e-Form ACTIVE:

Provided also that in case a company does not intimate the said particulars, the Company shall be marked as "ACTIVE-non-compliant" on or after 26th April, 2019 and shall be liable for action under sub-section (9) of section 12 of the Act:

Provided also that no request for recording the following event based information or changes shall be accepted by the Registrar from such companies marked as "ACTIVE-non-compliant", unless " e-Form ACTIVE" is filed -

- (i) SH-07 (Change in Authorized Capital);
- (ii) PAS-03 (Change in Paid-up Capital);
- (iii) DIR-12 (Changes in Director except cessation);
- (iv) INC-22 (Change in Registered Office);
- (v) INC-28 (Amalgamation, de-merger)

(2) Where a company files "e-Form ACTIVE", **on or after 26th April, 2019**, the company shall be marked as "ACTIVE Compliant", on payment of fee of ten thousand rupees".

3. in the said Rules, after Form INC-22, the e-form ACTIVE (INC-22A) shall be inserted, namely:-

"FORM NO. INC-22A
[Rule 25A of The Companies
(Incorporation) Rules, 2014]



**ACTIVE (Active Company Tagging
Identities and Verification)**

Form language English Hindi

Refer the instruction kit for filing the form.

1. *(a) Corporate Identity Number (CIN) of the company

Prefill

* (b) Name of the Company

*(c) Address of registered office(Photo of the Registered Office also showing therein atleast one Director(s)/KMP who has affixed his/her Digital Signature to this form is mandatory)

<input type="text"/>	
Latitude	Longitude
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

(d) *email ID of the company

Send OTP

(e) *Enter OTP for email ID of the company

Verify OTP

(f) *Whether the company is listed Yes No

2. *(a) Number of Directors

Prefill

(b) The Maximum Number of Directors are beyond limits prescribed in Companies Act, 2013 based on resolution dated

RN of Form No. MGT-14

*(c) List of Directors as on date of filing.

Sr. No.	DIN	Name of Director	Status of DIN
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

(Before filing Active Company Tagging Identities and Verification (ACTIVE) eform, please ensure that the DINs of all Directors are in 'approved' status and are neither 'De-activated due to non-filing of DIR-3 KYC' nor 'Disqualified u/s 164(2)')

3. *Details of statutory auditor(s).

*Number of auditor(s) appointed

I. *Category of Auditor

Individual

Auditor's Firm

*Income Tax permanent account number of auditor or auditor's firm

*Name of the auditor or auditor's firm

*Membership Number of auditor or auditor's firm's registration number

*Period of account for which appointed From

4. Whether the company is required to appoint Cost Auditor

Yes

No

Prefill

Number of cost auditor(s)

I. Category of Auditor

Individual

Partnership firm

Limited liability partnership

Membership number of the Cost Auditor/ member representing the Cost Auditor's Firm/LLP

Name of the cost auditor or member representing the firm/LLP

Firm Registration Number(FRN) of the Cost Auditor/Cost Auditor's firm/LLP

Name of the Cost auditor's firm/LLP

Financial year to be covered by the cost auditor(s) From

5. Details of the Managing director or Chief Executive Officer (CEO) or Manager or Whole-time Director of the company

Number of roles

DIN/PAN

Name

Designation

Whether the company has Managing Director or CEO

Yes

No

6. Details of Company Secretary of the company, if applicable.

PAN

Name

Membership Number

7. Details of the Chief Financial Officer (CFO) of the company, if applicable.