

General Circular No. 41/2014

No. 2/13/2014-CL-V
Government of India
Ministry of Corporate Affairs

5th Floor, 'A' Wing, Shastri Bhawan,
Dr. R.P. Road, New Delhi.

Dated: 15.10.2014

To
All Regional Directors,
All Registrars of Companies,
All Stakeholders.

**Subject: COMPANY LAW SETTLEMENT SCHEME, 2014 (CLSS-2014) –
Clarification u/s 164(2) of the Companies Act, 2013.**

Sir,

Representations have been received from stakeholders seeking clarification as to whether immunity from disqualification of directors pursuant to clause (a) of sub-section (2) of section 164 of the Companies Act, 2013 will be applicable with respect to companies who have filed Balance Sheets and Annual Returns on or after 01/04/2014, but before coming into force of CLSS-2014 with effect from 15.08.2014 as contained in General Circular No. 34/2014 dated 12/08/2014.

2. The matter has been examined and it is hereby clarified that in case of companies, who have filed their balance sheets and annual returns on or after 01/04/2014 but prior to launch of CLSS-2014, disqualification under clause (a) of sub-section (2) of section 164 of the Companies Act, 2013 shall apply only for prospective defaults, if any, by such companies.

3. This issues with the approval of the competent authority.

Yours faithfully,



(KMS Narayanan)
Assistant Director (Policy)
23387263

Copy to: - 1. E-Governance Section and Web Contents Officer to place this circular on the Ministry's website.

2. Guard File