

## **NDA Update on application for removal of name of company**

Presently, as provided under Rule (4) of the Companies (Removal of Names of Companies from the Register of Companies) Rules, 2016, an application for removal of name of the company under Section 248(2) of the Companies Act 2013 is required to be made **to the concerned RoC** in Form STK-2 along with the fee of Rs. 10,000.

These Rules have been amended by way of a notification dated 17-04-2023.

As per the amendment, **with effect from 01-05-2023**, an application for removal of name of the company under Section 248(2) of the Companies Act 2013 shall be made in Form STK-2 along with the fee of Rs. 10,000 to the **Registrar, Centre for Processing Accelerated Corporate Exit (C-PACE)**. C-PACE shall be the RoC for the purpose of exercising jurisdiction over processing and disposal of applications made in Form STK-2 under Section 248(2) and shall have jurisdiction all over India.

Existing Form STK-2, Form STK-6 and Form STK-7 have been substituted by new forms.

Further, the requirement of enclosing a copy of the special resolution duly certified by each of the directors of the company or consent of seventy five per cent of the members of the company in terms of paid up share capital as on the date of application with Form STK-2 has been removed.

Thus the process of removal of name under Section 248(2) is likely to be streamlined under this centralized authority.

<https://www.mca.gov.in/bin/dms/getdocument?mds=ab6Q0qvTuxNB7D4Ij6zO7Q%253D%253D&type=open>