

A close-up photograph of a hand pointing towards the bottom left. The hand is in sharp focus, with the index finger extended. The background is a blurred office setting with blue and white tones. A dark blue parallelogram-shaped overlay is positioned in the upper left quadrant, containing white text. A thin white horizontal line is located below the first line of text within the overlay.

**REGULATORY UPDATE**

**CO. LAW RULES CHANGES**

## CO. LAW RULES CHANGES

The Ministry of Corporate Affairs vide its notification dated January 20, 2023 has amended the Companies (Appointment and Qualification of Directors) Rules, 2014.

The amended rules have come into effect from January 23, 2023.

Certain key changes are as follows:

### EXPANSION OF THE SCOPE OF ELIGIBILITY DISCLOSURE BY THE PROPOSED DIRECTOR AT THE TIME OF APPOINTMENT AND RE-APPOINTMENT

Previously, the directors were required to confirm about non-applicability of such disqualifications, only related to non-filing of annual returns, financial statements; failure in repayment of deposits, declaration of dividend, redemption of debentures etc.

Now, the same declaration shall also cover the eligibility criteria under sub-section (1) of section 164 in Form DIR-8 and Company shall intimate about such disqualification if any, within 30 days of receipt of intimation in Form DIR-8 to the Registrar of Companies (ROC) declaring the requisite disqualification in the E-Form DIR-9.

**APPLICATION FOR REMOVAL OF DISQUALIFICATION  
TO THE REGIONAL DIRECTOR IN E-FORM DIR-10**

In order to remove the name from the list of disqualified Director, the Director after attaining the eligibility, shall file an application in E-Form DIR- 10 stating the grounds of his disqualification along with the company details and requisite attachments to the Regional Director.

**Conclusion:**

The MCA has streamlined the provisions governing disqualification of Directors and made those in sync with the reporting's related to disqualification.

Link of the MCA Notification is as follows:

<https://www.mca.gov.in/bin/dms/getdocument?mds=5gAUSA0m%252FLmgaQtCZdCS2Q%253D%253D&type=open>

**DISCLAIMER:**

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