

परंतु यह भी कि एक व्यक्ति कंपनी के मामले में, प्रत्येक शेयर प्रमाणपत्र कंपनी की मुहर, यदि कोई हो, से जारी किया जाएगा जो एक निदेशक या कंपनी के निदेशक बोर्ड द्वारा इस प्रयोजन के लिए प्राधिकृत किसी व्यक्ति और कंपनी सचिव या बोर्ड द्वारा इस प्रयोजन के लिए प्राधिकृत किसी अन्य व्यक्ति की उपस्थिति में लगाई जाएगी और उनके द्वारा उन पर हस्ताक्षर किए जाएंगे और यदि एक व्यक्ति कंपनी की सामान्य मुहर न हो तो शेयर प्रमाणपत्र पर उन व्यक्तियों द्वारा हस्ताक्षर किए जाएंगे जिनकी उपस्थिति में इस परंतुक में मुहर लगाई जानी अपेक्षित है।”।

[फा. सं. 01/04/2013-सीएल-V]

अमरदीप सिंह भाटिया, संयुक्त सचिव,

टिप्पणी:- मूल नियम भारत के राजपत्र, असाधारण, भाग-II, खंड-3, उपखंड (i) में तारीख 31 मार्च, 2014 की अधिसूचना सं. सा.का.नि. 265(अ) द्वारा प्रकाशित किए गए थे और इनमें अंतिम संशोधन 18 मार्च, 2015 की अधिसूचना सं. सा.का.नि. 210(अ) द्वारा किया गया था।

MINISTRY OF CORPORATE AFFAIRS NOTIFICATION

New Delhi, the 29th May, 2015

G.S.R. 439 (E).—In exercise of the powers conferred by 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 (Share Capital and Debentures) Rules, 2014, namely:—

1. (1) These rules may be called the Companies (Share Capital and Debentures) Second Amendment Rules, 2015.

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

2. In the Companies (Share Capital and Debentures) Rules, 2014, in rule 5, in sub-rule (3), —

(i) for the words “issued under the seal of the company”, the words “issued under the seal, if any, of the company” shall be substituted;

(ii) for clause (b), the following clause (b) shall be substituted, namely: —

“(b) the secretary or any person authorised by the Board for the purpose:

Provided that in case a company does not have a common seal, the share certificate shall be signed by two directors or by a director and the Company Secretary, wherever the company has appointed a Company Secretary:

Provided further that, if the composition of the Board permits of it, at least one of the aforesaid two directors shall be a person other than a managing director or a whole-time director:

Provided also that, in case of a One Person Company, every share certificate shall be issued under the seal, if any, of the company, which shall be affixed in the presence of and signed by one director or a person authorised by the Board of Directors of the company for the purpose and the Company Secretary, or any other person authorised by the Board for the purpose, and in case the One Person Company does not have a common seal, the share certificate shall be signed by the persons in the presence of whom the seal is required to be affixed in this proviso.”.

[F. No. 1/4/2013 CL-V]

AMARDEEP SINGH BHATIA, Jt. Secy.

Note: — The principal rules were published in the Gazette of India, Extraordinary, Part-II, Section 3, sub-section (i), *vide* number G.S.R. 265(E), dated the 31st March, 2014 and was last amended by notification *vide* number G.S.R 210 (E), dated the 18th March, 2015.