



The Sikkim Registration of Companies Amendment Act, 1989

Act 3 of 1989

Keyword(s):

Registration of Companies, Registration of Companies Act, Sikkim, 1961

Amendment appended: 13 of 2007

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THE SIKKIM REGISTRATION OF COMPANIES AMENDMENT ACT, 1989

(ACT NO.3 OF 1989)

AN ACT

[6. 3. 1989]

to amend the Registration of Companies Act, Sikkim, 1961.

Whereas it has become necessary to comply with the provisions of the Constitution of India and limit the power of the State with regard to registration of companies in the State of Sikkim;

And whereas the provisions of the Registration of Companies Act, Sikkim, 1961 are to be confined to the entries in List II (State List) of the Seventh Schedule to the Constitution of India;

Be it enacted by the Legislature of Sikkim in the Fortieth. Year of the Republic of India as follows:

1. This Act may be called the Sikkim Registration of Companies (Amendment) Act, 1989.
2. In section 2 of the Registration of Companies Act, Sikkim, 1961, in clause (ii), after sub-clause (c), the following sub-clause shall be and shall always be deemed to have been inserted, namely:

Short title.

Amendment of section 2.

"(d) a Company which shall not be a Company set up to carryon business' in any other State except the State of Sikkim relating to acquisition and transfer of stock or shares, or investment of money or value of money or any form of trade in investments."

SIKKIM

GOVERNMENT



GAZETTE

EXTRAORDINARY
PUBLISHED BY AUTHORITY

Gangtok

Tuesday 25th September, 2007

No. 437

GOVERNMENT OF SIKKIM
LAW DEPARTMENT
GANGTOK

No. 13/LD/P/2007

Date: 25.09.2007

NOTIFICATION

The following Act of the Sikkim Legislative Assembly having received the assent of the Governor on the 13th day of September 2007 is hereby published for general information:-

REGISTRATION OF COMPANIES (AMENDMENT) ACT SIKKIM, 2007
ACT NO. 13 OF 2007

AN
ACT

Further to amend the Registration of Companies Act Sikkim, 1961

Be it enacted by the Legislature of Sikkim in the Forty-eighth Year of the Republic of India.

Short title and

1. (1) This Act may be called the Registration of Companies (Amendment) Act Sikkim, 2007

commencement

(2) It shall come into force at once.

Amendment of Section 2

2. In the Registration of Companies Act Sikkim, 1961, after clause (d) of sub Section (ii) of Section 2, the following shall be inserted, namely:-

“(e) Notwithstanding anything contained herein, any company registered under Companies Act, 1956, shall apply for enlistment/ identification under the Registration of Companies Act Sikkim, 1961 for the purpose of registration/ entry as a company under the Registration of Companies Act Sikkim, 1961.

Explanation

For all purposes, such Company will be governed under the provisions of Companies Act, 1956 and this enlistment/ identification under this Act is only for the purpose of maintaining records of Companies registered under Companies Act of 1956 operating in the State of Sikkim.

(f) The application for such registration shall be accompanied with the following information, namely,-

(a) Date of registration under Companies Act of 1956.

(b) Total capital of the company.

- (c) Copy of the last annual return.
- (d) Income Tax Clearance.
- (e) Clearance from Registrar of Companies.

For the purpose of registration, the application will have to be accompanied with the B.R./ Challan as per the existing prescribed rate.”

By Order.

R.K. PURKAYASTHA
(SSJS)
Law Department
File No. 16 (82) LD/07