

General Circular No. 12/2013
No 17/27/2013- CL V
Government of India
Ministry of Corporate Affairs

5th floor, 'A' Wing, Shastri Bhawan,
Dr. Rajendra Prasad Road, New Delhi-1

Dated: 28.06.2013

All the Regional Directors,
All the Registrar of Companies

Subject: NAME AVAILABILITY GUIDELINES, 2011 – Registration of Electoral Trusts as Companies under Section 25 of the Companies Act, 1956.

Sir,

In continuation to this Ministry's circulars no. 45 dated 8.7.2011, 48/2011 dated 22.07.2011 and 7/2012 dated 25.04.2012 on the subject cited above and to say that in para no.9 (iii) of General Circular No.45 dated 08.07.2011 is modified as under:-

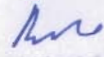
“(iii) If it includes the words indicative of a separate type of business constitution or legal person or any connotation thereof, the same shall not be allowed For e.g: Cooperative, sehkari, trust, LLP, Partnership, Society, proprietor, HUF, Firm, Inc., PLC, GmbH, SA, PTE, Sdn, AG etc

Explanation: i) Name including phrase 'Electoral Trust' may be allowed for Registration of companies to be formed under section 25 of the Companies Act, 1956 under the Electoral Trusts Scheme, 2013 as notified by the Central Board of Direct Taxes (CBDT).”

2. However, the company to be formed under section 25 of the Act, shall be the new company and such company will be required to comply with section 293-A of the Act. Further, Name application may be accompanied with an affidavit to the effect that the name to be obtained shall be only for the purpose of registration of companies under Electoral Trust Scheme as notified by the CBDT.

3. This issues with the approval of competent authority.

Yours faithfully,


(B.N.Harish)
DII (policy)

Copy to :-

- i) All concerned, ii) e-governance cell is requested to upload this circular in MCA-21 and
iii) File No. 17/90/2011 CL-V