Applicability of provisions of the Companies Act, 2013 on the basis of Pecuniary Limits

Sr.	Provision under	Applicability of	Non-Applicability of
No.	Companies Act, 2013	Provision	Provision
1.	XBRL filing (MCA Notification dated 9th September, 2015 these rules may be called (Filing of Documents and forms in Extensible Business Reporting Language, 2015)	 a) All companies LISTED with any Stock Exchange(s) in India; or b) Subsidiaries of any Company Listed with any Stock Exchange(s) in India; 	 a) Banking Companies b) Insurance Companies c) Power Companies d) Non - Banking Financial Companies
		Or c) All companies having paid up Capital of Rs. 5 Crore (five crore) and above; or	e) [F.No.1/19/2013-CL-V dated 4th April 2016 issued by MCA] Housing; Finance Companies
		d) All companies having Turnover of Rupees 100 Crore (one hundred crore) and above; or e) All the Companies covered under the Companies (Filing of Documents and forms in extensible Business Reporting Language) Rules, 2011	
2.	CARO (As per MCA order dated 29th March, 2016)	It shall apply to Every Company Including A Foreign Company as defined in clause (42) of Section 2 of the Companies Act, 2013 except some companies.	 A Banking Company An Insurance Company Section 8 Company; A One Person Company A Small Company A Private Limited Company with;
Sr.	Provision under	Applicability of	Non-Applicability of
No.	Companies Act, 2013	Provision	Provision
			 Not being a subsidiary or holding of public Company A Paid Up Capital and Reserves & surplus not more than Rs. 1 crore and which does not have loan o u t s t a n d i n g exceeding Rs. 1 crore from

			any bank or Financial Institution at any point of time during the financial year
			 and which does not have a total revenue as disclosed in Scheduled III to CA 2013 (including revenue from discontinuing operations) exceeding Rs. 10 crores during the FY as per the financial statements.
3.	Cash Flow Statement	As per Definition of	a) One Person Company
		Section 2(40) All Companies	b) Small company
		Except Given In Next	c) Dormant company-
		Collum required to prepare the Cash Flow	c) Domiant company-
4.	Internal Auditor	Statement. a) All Listed Companies	
4.	As per Provisions of	a) All Listed Companies	
	Section 138 of Companies Act, 2013 read with sub	b) Every unlisted PUBLIC company having:	
	rule 1 of Rule 13 Chapter	Company naving.	
	IX, Companies (Accounts) Rules, 2014.	 Paid Up Share capital of 50 Crore (Fifty) 	
	Nuies, 2014.	crore) rupees or more	
		during the preceding financial year	
		Turnover of 200 Crore	
		(two hundred crore)	
		rupees or more during the preceding	
		financial year	
Sr. No.	Provision under Companies Act, 2013	Applicability of Provision	Non-Applicability of Provision
		Outstanding loans or	
	. 0	borrowings from banks or public	
		financial institutions	
		exceeding 100 Crore (one hundred Crore)	
		rupees or more at any	
		point of time during	
		the preceding financial year; or	
		 Outstanding Deposits of 25 Crore (twenty 	
		five crore) crore	
		rupees or more at any point of time during	
		the preceding	
		financial year; and c) Every Private	
		Company having	
		Turnover of 200 Crore (turnover of 200 Crore)	
		(two hundred crore) rupees or more during	
1		the preceding	

financial year Outstanding loans or borrowings from banks or public financial institutions exceeding 100 Crore (one hundred crore) rupees or more at any point of time during the preceding	
borrowings from banks or public financial institutions exceeding 100 Crore (one hundred crore) rupees or more at any point of time during the preceding	
banks or public financial institutions exceeding 100 Crore (one hundred crore) rupees or more at any point of time during the preceding	
exceeding 100 Crore (one hundred crore) rupees or more at any point of time during the preceding	
(one hundred crore) rupees or more at any point of time during the preceding	
rupees or more at any point of time during the preceding	
point of time during the preceding	
the preceding	
financial year; or	
5. Certification of Annual a) All LISTED Companies	
Return by a Company Secretary in practice. b) Every Company having;	
As per Provisions of	
Section 92 of Companies • Paid-Up share capital of 10 Crore (Ten Cro	ore) rupees or
Act, 2013 read with more or	
sub rule 2 of Rule 11	
Chapter VII, • Turnover of 50 Crore (fifty Crore) rupees or	r more
Companies(Management	
and Administration) Rules,	
2014.	
6. Signing of Annual a) All LISTED a) One Person Co	
Return by a Company Companies b) Small company	•
Secretary in practice. b) All PUBLIC companies exempt	
As per Provisions of Companies signing of Annual F	-
Section 92 of Companies c) Private Limited Company Secretary	y.)
Act, 2013 read with Company having:	
Sr. Provision under Applicability of Non-Applicability of Provision Provision	f
Sub rule 2 of Rule 11 • Paid up share Capital	
Chapter VII, Companies Exceeding 50 lac; or	
(Management and Turnover exceeding 2	
Administration) Rules, Crore	
2014.	
7. Companies which a) All LISTED Companies	
shall appoint	
Company Secretary b) Every other company having a paid-up sh	nare capital of
As per Provisions of Rs. 5 Crore (Five crore rupees) or more:	
Section 203 of Companies	
Act, 2013 read with	
Rule 8A Chapter XIII,	
Companies (Appointment	
and Remuneration of	
Managerial Personnel)	
Rules, 2014.	
8. Secretarial Audit a) All Listed Companies	
As per Provisions of sub	
section '1' of Section 204 b) Every Public Company having;	
of Companies Act, 2013:	
As per Provisions of • Paid-Up Share Capital of Rs. 50 Cro	re (fifty crore
Section 204 of Companies rupees) or more; or	
Act, 2013 read with Rule 9	
Chapter XIII, Companies • Every Public Company having a Turnov	er of Rs. 250
(Appointment and Crore (two hundred fifty crore rupees) or	more
Remuneration of	
Managerial Personnel)	
Rules, 2014.	
9. Independent Director a) All Listed Companies	
As per Provisions of	
Section 204 of Companies b) The Public Companies having Paid Up Share	•
Act, 2013 read with Rule 4 10 Crore (ten crore rupees) or more (AT L	EAST 2 (TWO)

	Chapter XI, Companies	INDEPENDENT DIRECTOR)	
	(Appointment and Qualification of Directors)	c) The Public Companies having Turnover of Rs. 100 Cror	
	Rules, 2014:	(one hundred crore rupees) or more (AT LEAST 2 (TWO) INDEPENDENT DIRECTOR)	
		d) The Public Companies which have, in aggregate, outstanding loans, debentures and deposits, exceeding	
	10. Managing Director/	Rs. 50 Crore (fifty Crore rupees) a) All Listed Companies	
	Whole Time Director	a) All Listeu Companies	
	As per Provisions of Section 203 of Companies Act, 2013 read with	 b) Every Public Company having a Paid-Up Share Capital of Rs. 10 Crore (Ten crore rupees) or more. c) Companies which do not fall in above limits can also appoint MD and WTD by following the procedure given under Section 196 of Companies Act, 2013 	
	Rule 8 Chapter XIII, Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014:		
Sr		Applicability of	Non-Applicability of
No		Provision	Provision
	11. Key Managerial Personnel	a) All Listed Companies	
	As per Provisions of Section 203 of Companies Act, 2013 read with Rule 8	b) Every Public Company having Paid-Up Share Capital of Rs. 10 Crore (Five crore rupees) or more.	
	Chapter XIII, Companies	-	d Company having Paid-Up Share
	(Appointment and		ore (five crore rupees) or more
	Remuneration of Managerial Personnel)	required to appoint Co	ompany Secretary.
	Rules, 2014:		
	12. Audit Committee	a) All Listed Companies	
	As per Provisions of Section 177 of Companies Act, 2013 read with Rule 6	b) Every Public Company Rs. 10 Crore (Ten cror	y having Paid-Up Share Capital of e rupees) or more.
	Chapter XII, Companies (Meetings of Board and its Powers) Rules, 2014:		s having Turnover of Rs. 100 Crore upees) or more (AT LEAST 2 (TWO) TOR)
		l .	ies which have, in aggregate, bentures and deposits, exceeding
	13. Nomination Committee	a) All Listed Companies	e rupees)
	As per Provisions of	,	
	Section 178 of Companies		having Paid-Up Share Capital of
	Act, 2013 read with Rule 6 Chapter XII, Companies	Rs. 10 Crore (Ten Crore	rupees) or more.
	(Meetings of Board and its	c) The Public Companies	having Turnover of Rs. 100 Crore
	Powers) Rules, 2014:	(one hundred crore run INDEPENDENT DIRECTO	pees) or more (AT LEAST 2 (TWO) DR)
		outstanding loans, deb Rs. 50 Crore (fifty Crore	es which have, in aggregate, pentures and deposits, exceeding rupees):
	14. Women Director	a) All Listed Companies	
	As per Provisions of Section 149 of Companies	b) Every Public Company	having a Paid-Up Share Capital of
	Act, 2013 read with Rule 3		ndred crore rupees) or more; or
	Chapter XI, Companies	I	naving a Turnover of Rs. 300 Crore
	(Appointment and	(Three Hundred Crore r	upees) or more
	Qualification of Directors)		

	Rules, 2014:		
15.	Vigil Mechanism	a) All Listed Companies	
	As per Provisions of		
	Section 177 of Companies	b) The Company which ac	cept deposits from the public;
	Act, 2013 read with Rule 7		
	Chapter XII, Companies	c) The companies which	have borrowed money from banks
	(Meetings of Board and its	and public financial ins	stitutions in excess of Rs. 50 crore
	Powers) Rules, 2014:	(Rupees Fifty Crore onl	y)
Sr.	Provision under	Applicability of	Non-Applicability of
No.	Companies Act, 2013	Provision	Provision
	Related Party	Applicable on all	a) transactions on arm length
	Transactions	companies except	and
	As per Provisions	transactions on arm	GG
	of Section: 188 of	length	b) ordinary course
	Companies Act, 2013 read	and in ordinary course	b) ordinary oddrae
	with Rule - 3, of Chapter	and in ordinary oddrac	
	Xii (Meetings Of Board		
	And Its Power) Second		
	Amendment Rules, 2014:		
17	Corporate Social	a) Every company havin	l g net worth of rupees 500 Crore
17.	Responsibility	(five hundred crore) or	
	Committee	(five fluffuled crofe) of	more,
		b) Every company baying	T turneyer of runess 1000 erers
	As per Provisions of	, ,	g turnover of rupees 1000 crore
	Section 135 of Companies	(one thousand crore) o	r more,
	Act, 2013 read with Rule 3	a) Francisco company baying	not profit of rupose E evere (five
	Chapter XI, Companies		net profit of rupees 5 crore (five
	(Appointment and	Crore) or more;	
	Qualification of Directors)		
40	Rules, 2014:	-) 4111:-1-10	
18.	Appointment &	a) All Listed Companies	
	reappointment of	h)	ha ian Baidhla Ohaan Oasial af
	Auditor:		having Paid-Up Share Capital of
	Companies shall not	Rs. 10 Crore (Ten crore	e rupees) or more.
	appoint or re-appoint:		
	A individual as suditoutou	, -	Company having Paid- Up Share
	A individual as auditor for	Capital of Rs. 20 Crore	(Twenty crore rupees) or more.
	more than one term of five		
	consecutive years; and	, ,	public borrowings from Financial
	An audit firm as auditor		public deposits of Rs. 50 Crore
	for more than two terms of	(Rupees Fifty Crore onl	y) or more.
	five consecutive years.		
	A		
	As per Provisions of		
	Section 139 of Companies		
	Act, 2013 read with Rule		
	5 Chapter X, Companies		
	(Audit and Auditors)		
	Rules, 2014		

Contents of Geeta Saar, as extracted from ICSI Premier on Company Law, is as per notified law as on 30th September, 2016.