

**Company Law | Extension of time for holding AGM for FY ended 31 March 2021**

In view of COVID-19 pandemic, the Ministry of Corporate Affairs (MCA) has extended the period of holding the annual general meeting (AGM) of the companies by 2 months.

Under section 96 of the Companies Act, 2013 (the Act), a company is required to hold its AGM as follows:

1. AGM shall be held for every financial year (FY).
2. Every notice calling such a meeting must specify it as an 'AGM,' i.e. the words 'Annual General Meeting' must be expressly provided in all the notices calling the meeting.
3. The time period between two AGMs should not exceed 15 months.
4. AGM should be held within 6 months from the close of the FY.
5. The first AGM (applicable for a newly incorporated company) can be held within 9 months from the close of the FY.
6. The registrar of companies (ROC), for any special reason, is empowered to extend the time limit of holding the AGM (other than the first AGM) by a maximum period of 3 months.

Various industry bodies and professional institutes have made representations to the ROC, about the difficulties in holding the AGM by the companies in view of the current pandemic. Accordingly, the ROC has granted an extension of 2 months to the companies for holding the AGM. Following points need to be noted:

- a. Filing of form GNL-1 (application for seeking extension in time limit) is no more required.
- b. The aforesaid order will also cover:
  - i. Pending applications in form GNL-1 for FY ended 31 March 2021.
  - ii. Applications filed in form GNL-1 for the FY ended 31 March 2021, which were rejected.
  - iii. Applications filed in form GNL-1 for the FY ended 31 March 2021, where the extension approved was for a period of less than 2 months. However, this order is not applicable to the companies where an extension of more than 2 months period is already granted by ROC.
- c. ROCs of various jurisdictions have uploaded their respective extension orders on the MCA portal.

**Weblink** [https://mca.gov.in/bin/dms/getdocument?  
mids=qzTu111LgZljWuK94mbrbQ%253D%253D&type=open](https://mca.gov.in/bin/dms/getdocument?mids=qzTu111LgZljWuK94mbrbQ%253D%253D&type=open)

**Therefore**

In order to grant relief to the companies for holding AGM for FY ended 31 March 2021, MCA has extended the timeline by a period of 2 months. However, in case a company to whom an extension of more than 2 months is already granted can avail such higher extension period. This aforesaid extension is not applicable to the first AGM.