

**LIST OF COMPLIANCES
FOR PRIVATE COMPANIES
ON THE BASIS OF PAID-UP CAPITAL,
TURNOVER, BORROWINGS, ETC.**

R-10

A. ON THE BASIS OF PAID-UP SHARE CAPITAL

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
More than 4 Cr¹	Dematerialisation of securities	29	Rule 9B of the Companies (Prospectus and Allotment of Securities) Rules, 2014.	-A company cannot offer, issue, and buy back of security unless the securities of its promoters and directors are in demat form -A shareholder can not subscribe or transfer his security	Within 18 months from the date it is not a small company as per latest audited financial statement
5 Cr and above	Filing of Financial Statement through XBRL mode ²	137 (2)	The Companies (Filing of Documents and Forms in Extensible Business Reporting Language) Rules, 2015	—	Within 30 days of Annual General Meeting
10 Cr and above	Annual Return Certification (MGT-8)	92(2)	Rule 11(2) of the Companies (Management and Administration) Rules, 2014	To be filed with the annual return, in e-Form MGT-7, of the company	Within 60 days of Annual General Meeting
	Appointment of	203(1)	Rule 8A of the		Appoint within 6

¹ The small company is exempt from this compliance and at present the small company means whose paid up capital is up to Rs. 4 Cr

² Non-banking financial company, housing finance company and company engaged in the business of banking and insurance sectors are exempted

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
	Company Secretary		Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014		months from the applicability of provisions or such vacancy
50 Cr and above	Rotation of Auditor ¹	139(2)	Rule 5 of the Companies (Audit and Auditors) Rules, 2014	—	Individual Auditor -One term of five years Auditor's firm - Two terms of five consecutive years

1 Refer Rule 5 of the Companies (Audit and Auditors) Rules, 2014 for applicability

B. ON THE BASIS OF TURNOVER

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
More than 40 Cr¹	Dematerialisation of securities	29	Rule 9B of the Companies (Prospectus and Allotment of Securities) Rules, 2014.	-A company cannot offer, issue, and buy back of securities unless the securities of its promoters and directors are in demat form -A shareholder can not subscribe or transfer his security	Within 18 months from the date it is not a small company as per latest audited financial statement
50 Cr and above*	Annual Return Certification (MGT-8)	92(1)(k)	Rule 11(2) of the Companies (Management and Administration) Rules, 2014	To be filed with the annual return, in e-Form MGT-7, of the company	Within 60 days of Annual General Meeting
100 Cr and above	Filing of Financial Statement through XBRL mode ²	137(2)	The Companies (Filing of Documents and Forms in Extensible Business Reporting Language) Rules, 2015	—	Within 30 days of Annual General Meeting
200 Cr and above	Appointment of Internal Auditor ³	138(1)	Rule 13(1) of the Companies (Accounts) Rules, 2014	The internal auditor may or may not be an employee of the company;	Within 6 months from the date of applicability of the Act/Rules
1000 Cr and above	Constitution of Corporate Social Respon-	135(1)	Rule 3 of the Companies (Corporate Social	A company if have 2 directors on its board then can constitute its	As soon as the provisions of the Act/Rules become

¹ The small company is exempt from this compliance and at present the small company means whose turnover is up to Rs. 40 Cr

² Non-banking financial company, housing finance company and company engaged in the business of banking and insurance sectors are exempted

³ (i) Not applicable on Specified IFSC private company {Notification No. GSR 8(E) dated 04.01.2017}

(ii) Refer Rule 13(1) of the Companies (Accounts) Rules, 2014 for applicability

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
	bility Committee ¹		Responsibility Policy) Rules, 2014	CSR committee with 2 such directors	applicable

C. ON THE BASIS OF LOANS AND BORROWINGS FROM BANKS AND PFIs

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
50 Cr and above	Rotation of Auditor ²	139(2)	Rule 5 of the Companies (Audit and Auditors) Rules, 2014	—	Individual Auditor -One term of five years, while for Auditor's firm - Two terms of five consecutive years
Exceeding 50 Cr	Establishment of Vigil Mechanism ³	177(9)	Rule 7 of the Companies (Meetings of Board and its Powers) Rules, 2014	—	As soon as the provisions of the Act/ Rules become applicable
100 Cr and above	Appointment of Secretarial Auditor and Secretarial Audit ⁴	204(1)	Rule 9 of the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014	To be enclosed with board report	Before the signing of board report
Exceeding 100 Cr or more	Appointment of Internal Auditor ⁵	138(1)	Rule 13(1) of the Companies (Accounts) Rules, 2014	The internal auditor may or may not be an employee of the company;	Within 6 months from the date of applicability of the Act/Rules

- 1 (i) Not applicable on Specified IFSC private company for a period of 5 years from the commencement of business {Notification No. GSR 8(E) dated 04.01.2017}
- (ii) Refer section 135(1) of the Act for applicability
- (iii) If CSR amount to be spent is Rs. 50 lacs or less than Rs. 50 lacs, CSR Committee is not required to be constituted. However, in any case , if CSR amount is unspent in a year and transferred into CSR Unspent account, in such case the company is required to constitute CSR Committee.
- 2 Refer Rule 5 of the Companies (Audit and Auditors) Rules, 2014 for applicability
- 3 Refer Rule 7 of the Companies (Meetings of Board and its Powers) Rules, 2014 for applicability
- 4 Refer Rule 9 of the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014 for applicability
- 5 (i) Not applicable on Specified IFSC private company {Notification No. GSR 8(E) dated 04.01.2017}
- (ii) Refer Rule 13(1) of the Companies (Accounts) Rules, 2014 for applicability.

D. ON THE BASIS OF OUTSTANDING DEPOSITS

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
Accepts Deposits	Establishment of Vigil Mechanism ¹	177(9)	Rule 7 of the Companies (Meetings of Board and its Powers) Rules, 2014	—	As soon as the provisions of the Act/Rules become applicable
50 Cr and above	Rotation of Auditor ²	139(2)	Rule 5 of the Companies (Audit and Auditors) Rules, 2014	—	Individual Auditor -One term of five years, while for Auditor's firm - Two terms of five consecutive years

1 Refer Rule 7 of the Companies (Meetings of Board and its Powers) Rules, 2014 for applicability

2 Refer Rule 5 of the Companies (Audit and Auditors) Rules, 2014 for applicability

E. ON THE BASIS OF NET PROFIT

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
5 Cr and above	Constitution of Corporate Social Responsibility Committee ¹	135(1)	Rule 3 of the Companies (Corporate Social Responsibility Policy) Rules, 2014	A company if have 2 directors on its board then can constitute its CSR committee with 2 such directors	As soon as the provisions of the Act/ Rules become applicable

F. ON THE BASIS OF NET WORTH

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
250 Cr and above	Comply with Indian Accounting Standard	133	Rule 4 of the Companies (Indian Accounting Standards) Rules, 2015	Applicability:— (a) Companies whose equity or debt securities are listed/are in the process of listing on any stock exchange (other than SME Exchange) in India/abroad and having net worth of less than rupees five hundred crore, Or; (b) Unlisted companies having net worth of rupees two hundred and fifty crore or more but less than rupees five hundred crore, Or; (c) Holding,	As soon as the provisions of the Act/ Rules become applicable

- 1**
- (i) Not applicable on Specified IFSC private company for a period of 5 years from the commencement of business {Notification No. GSR 8(E) dated 04.01.2017}
 - (ii) Refer section 135(1) of the Act for applicability.
 - (iii) If CSR amount to be spent is Rs. 50 lacs or less than Rs. 50 lacs, CSR Committee is not required to be constituted. However, in any case, if CSR amount is unspent in a year and transferred into CSR Unspent account, in such case the company is required to constitute CSR Committee.

Amount (in `)	Compliances	Relevant Section	Relevant Rules	Constitution/ Notes	Time Period for Compliances
				subsidiary, joint venture or associate companies of companies as per clause (a) or (b) above.	
500 Cr and above	Constitution of Corporate Social Responsibility Committee ¹	135(1)	Rule 3 of the Companies (Corporate Social Responsibility Policy) Rules, 2014	A company if have 2 directors on its board then can constitute its CSR committee with 2 such directors	As soon as the provisions of the Act/Rules become applicable

Note that **cost record and appointment of **cost auditor** is also required on the basis of turnover and services, therefore, please refer section 148 of the Act read with rule 4 of the Companies (Cost Records and Audit) Rules, 2014 and rule 14 of the Companies (Audit and Auditors) Rules, 2014. The brief details of requirement is given in below table:*

Amount (Rs.)	Compliances	Relevant Section	Relevant Rule	Constitution/Notes	Time Period for compliances
<i>Turnover of 35 Crore or more</i>	<i>Maintenance of Cost Records</i>	<i>148(1)</i>	<i>Rule 3 of the Companies (Cost Records and Audit) Rules, 2014</i>	<i>Companies engaged in production of the goods or providing services as specified in the Table A for Regulated Sectors or in Table B for Non-regulated Sectors of Rule 3</i>	<i>As soon as the provisions of the Act/Rules become applicable</i>

- 1**
- (i) Not applicable on Specified IFSC private company for a period of 5 years from the commencement of business {Notification No. GSR 8(E) dated 04.01.2017}
 - (ii) Refer section 135(1) of the Act for applicability.
 - (iii) If CSR amount to be spent is Rs. 50 lacs or less than Rs. 50 lacs, CSR Committee is not required to be constituted. However, in any case, if CSR amount is unspent in a year and transferred into CSR Unspent account, in such case the company is required to constitute CSR Committee.

<p>Turnover of 50 Crore or more (overall annual turnover from all products and services) AND Turnover of 25 Crore or more (aggregate turnover of the individual product or products or services for which cost records are required to be maintained under rule 3)</p>	<p>Applicability for Cost Audit</p>	<p>148(2)</p>	<p>Rule 4 (1) of the Companies (Cost Records and Audit) Rules, 2014</p>	<p>For every company covered in Table (A) of Rule 3 of The Companies (Cost Records and Audit) Rules, 2014</p>	<p>As soon as the provisions of the Act/Rules become applicable</p>
<p>Turnover of 100 Crore or more (overall annual turnover from all products and services) AND Turnover of 35 Crore or more (aggregate turnover of the individual product or products)</p>	<p>Applicability for Cost Audit</p>	<p>148(2)</p>	<p>Rule 4(2) of the Companies (Cost Records and Audit) Rules, 2014</p>	<p>For every company covered in Table (B) of Rule 3 of The Companies (Cost Records and Audit) Rules, 2014</p>	<p>As soon as the provisions of the Act/Rules become applicable</p>

<i>or services for which cost records are required to be maintained under rule 3)</i>					
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