

[3A. Declaration of [Nidhis](#) -

The Central Government, on receipt of application (in [Form NDH-4](#) along with fee thereon) of a public company for declaring it as [Nidhi](#) and on being satisfied that the company meets the requirements under these rules, shall notify the company as a [Nidhi](#) in the official Gazette:

Provided that a [Nidhi](#) incorporated under the [Act](#) on or after the commencement of the [Nidhi](#) (Amendment) Rules, 2019 shall file [Form NDH-4](#) within sixty days from the date of expiry of :-

(a) one year from the date of its incorporation or

(b) the period up to which extension of time has been granted by the Regional Director under sub-rule (3) of [rule 5](#):

Provided further that nothing in the first proviso shall prevent a [Nidhi](#) from filing [Form NDH-4](#) before the period referred therein:

Provided also that that in case a company does not comply with the requirements of this rule, it shall not be allowed to file [Form No. SH-7](#) (Notice to Registrar of any alteration of share capital) and [Form PAS-3](#) (Return of Allotment).]

²[Provided also that no company, which has not complied with the requirements of this rule, or fails to comply with such requirement on or after the commencement of the [Nidhi](#) (Amendment) Rules, 2022, or in case the application submitted by the company in [Form NDH-4](#) is or has been rejected by the Central Government, shall raise any deposit from its members or provide any loan to its members under the provisions of these rules from the date of such non-compliance, or from the date of the commencement of the above said rules, or the date of rejection of the application in [Form NDH-4](#), whichever is later.

Provided also that if any deposit raised by a company after the date of non-compliance, or the date of commencement of the above said rules, or the date of rejection of the application in [Form NDH-4](#), whichever is later as referred to in the fourth proviso shall be deemed to have been raised in pursuance of Chapter V of the [Act](#), and shall be subject to all the requirements under that Chapter, or under any other provisions of the [Act](#) or the rules made thereunder, as the case may be.

Provided also that nothing in this rule shall apply to companies incorporated as [Nidhi](#) on or after the commencement of the above said rules.]

Amendment

¹ [Inserted by Nidhi](#) (Amendment) Rules 2019 **Amendment Effective from 15th August 2019.**

² [Inserted by the Nidhi \(Amendment\) Rules, 2022.](#)