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January 4, 2018

Online intimation/submission

To,
The Secretary
BSE Limited
Phiroze Jeejeebhoy Towers
Dalal Street
Mumbai-400 001
Security Code: 505200

To,
The Secretary
National Stock Exchange of India Ltd
Exchange Plaza, 5th Floor
Plot No.C/1, G Block
Bandra Kurla Complex, Bandra (E)
Mumbai-400 051
Symbol: EICHERMOT

Dear Sir/Madam,

Subject: Disqualification of Director under Section 164(2) of the Companies Act, 2013

This is in continuation of our letter dated October 12, 2017 on the subject (copy enclosed).

In the matter of Srinivasan Sandilya & Ors vs. Union of India & Ors, the Ministry of Corporate Affairs had submitted before the Hon'ble High Court of Delhi that it will be introducing a Condonation of Delay Scheme, 2018 ("Scheme") allowing companies to file documents that were not filed within respective due dates and consequently for their directors' disqualification to be removed. The petitioners, including Mr. Sandilya, director of the Company, intending to avail the Scheme withdrew the petition.

A copy of the order of Hon'ble High Court of Delhi is attached. The matter has also been brought to the Notice of the Board of Directors of the Company.

You are requested to take the same on your record.

Thanking you,
For Eicher Motors Limited

Manhar Kapoor
General Counsel & Company Secretary

Encl: a.a.

Eicher Motors Limited
Corporate Office:
#96, Sector - 32
Gurgaon - 122 001
Haryana, India
Tel:+91 124 4415600

Registered Office
CIN: L34102DL1982PLC129877
3rd Floor-Select Citywalk
A-3, District Centre, Saket
New Delhi-110 017, India
Email: info@eicher.in

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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

\+ **W.P.(C) 8876/2017**

SRINIVASAN SANDILYA & ORS ..... Petitioner

Through Mr Vinay Vaish, Mr Satwinder Singh, Mr Manish Tully, Mr N.P.S. Chawla, Advocates.

versus

UNION OF INDIA & ORS ..... Respondents

Through Mr Sanjay Jain, ASG with Ms Ripu Daman Bhardwaj, CGSC with Mr T.p. Singh. Mr Dev P. B hardwaj, CGSC for UOI. Mr Sanjay Shorey, Joint Direrctor Legal Ministry of Corporate Affairs and Sh Raesh K. Tiwari, ROC, NCT of Delhi & Haryana MCA for UOI.

CORAM:
HON'BLE MR. JUSTICE VIBHU BAKHRU

O R D E R

% 19.12.2017

1. Learned counsel for the petitioner seeks to withdraw the present petition with liberty to avail of the Condonation of Delay Scheme, 2018 (CODS-2018).

2. The learned counsel further states that by virtue of taking benefit of the stay order granted by this Court, the petitioners have already filed the necessary forms pertaining to respondent no.3 company.

3. In view of the above, it is clarified that if the petitioners have already filed the annual returns and the final accounts, they are not required to do so again. However, the petitioner would file an application for condonation of delay under the CODS-2018 along with necessary fee and charges.

4. Paragraph 6 of the CODS-2018 provides that the scheme is without prejudice to any action under Section 167 (2) of the Companies Act, 2013 or any Civil or Criminal liabilities, if any, of such disqualified directors during the period they remained disqualified. Mr Sanjay Jain Learned ASG clarifies, on instructions, that this provision would be applicable only in respect of those directors who do not avail of the CODS-2018. He states that this is amply clarified by the opening sentence of paragraph 6, which expressly indicates that that the Registrar will withdraw prosecution(s) for all documents filed under the scheme. Thus, the question of instituting fresh prosecution against those disqualified directors who avail of the CODS-2018 does not arise.

5. The petition is dismissed as withdrawn with the aforesaid clarification.

6. In view of the CODS-2018, it is also directed that the DIN of the petitioners shall remain temporarily activated.

VIBHU BAKHRU, J

DECEMBER 19, 2017
pkv

www.eicher.in

October 12, 2017

Online intimation/submission

To,
The Secretary
BSE Limited
Phiroze Jeejeebhoy Towers
Dalal Street
Mumbai-400 001
Security Code: 505200

To,
The Secretary
National Stock Exchange of India Ltd
Exchange Plaza, 5th Floor
Plot No.C/1, G Block
Bandra Kurla Complex, Bandra (E)
Mumbai-400 051
Symbol: EICHERMOT

Dear Sir/Madam,

Subject: Disqualification of Director under Section 164(2) of the Companies Act, 2013

This has reference to the letter no. NSE/LIST/20663 dated September 27, 2017, received from National Stock Exchange of India Limited on the subject. We took note that one of the directors on the Board of our Company is included in the list of directors disqualified under Section 164(2) of the Companies Act, 2013, posted on the website of Ministry of Corporate Affairs.

In this regard, we submit that Hon'ble High Court of Delhi, on a Petition filed by the directors of the company that had *allegedly* defaulted in filing its annual returns leading to disqualification of its directors, has on October 10, 2017, stayed the direction of Ministry of Corporate Affairs, Governement of India, disqualifying the petitioners from acting as directors of companies, till the next date of hearing i.e. November 1, 2017. A copy of the said order of Hon'ble High Court of Delhi is attached. The matter has also been brought to the Notice of the Board of Directors of the Company.

The Company will keep the Stock Exchanges informed under Regulation 30 of SEBI (Listing Obligations and Disclosure Requirements) Regulations 2015, if required.

You are requested to take the same on your record.

Thanking you,
For Eicher Motors Limited



Manhar Kapoor
General Counsel & Company Secretary

Encl: a.a.

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