

MINISTRY OF CORPORATE AFFAIRS
RECEIPT
G.A.R.7

SRN : T65711731

Service Request Date : 21/12/2021

Payment made into : ICICI Bank

Received From :

Name : SURENDER DHILLON

Address : 446, UDYOG VIHAR, PHASE V,

GURGAON, Haryana

India - 122016

Entity on whose behalf money is paid

CIN: L74899DL1989PLC036849

Name : PEARL GLOBAL INDUSTRIES LIMITED

Address : C-17/1

Paschimi Marg, Vasant Vihar

New Delhi, Delhi

India - 110057

Full Particulars of Remittance

Service Type: eFiling

Service Description	Type of Fee	Amount(Rs.)
Fee for Form MGT-7 for the financial year ending on 2021	Normal	600.00
Total		600.00

Mode of Payment: Credit Card- ICICI Bank

Received Payment Rupees: Six Hundred Only

Note –The Registrar may examine this eForm any time after the same is processed by the system under Straight Through Process (STP). In case any defects or incompleteness in any respect is noticed by the Registrar , then this eForm shall be treated and labeled as defective and the eForm shall have to be filed afresh with the fee and additional fee, as applicable. (Please refer Rule 10 of the Companies (Registration offices and Fees) Rules, 2014)

FORM NO. MGT-7

[Pursuant to sub-Section(1) of section 92 of the Companies Act, 2013 and sub-rule (1) of rule 11of the Companies (Management and Administration) Rules, 2014]



सत्यमेव जयते

Annual Return (other than OPCs and Small Companies)

Form language ☒ English ☐ Hindi

Refer the instruction kit for filing the form.

I. REGISTRATION AND OTHER DETAILS

(i) * Corporate Identification Number (CIN) of the company

L74899DL1989PLC036849

Pre-fill

Global Location Number (GLN) of the company

* Permanent Account Number (PAN) of the company

AAACM0175F

(ii) (a) Name of the company

PEARL GLOBAL INDUSTRIES LI

(b) Registered office address

C-17/1
Paschimi Marg, Vasant Vihar
New Delhi
South West Delhi
Delhi
110057

(c) *e-mail ID of the company

company.secretary@pearlgl

(d) *Telephone number with STD code

01244651000

(e) Website

www.pearlglobal.com

(iii) Date of Incorporation

05/07/1989

(iv)	Type of the Company	Category of the Company	Sub-category of the Company
	Public Company	Company limited by shares	Indian Non-Government company

(v) Whether company is having share capital

☒ Yes

☐ No

(vi) *Whether shares listed on recognized Stock Exchange(s)

☒ Yes

☐ No

(a) Details of stock exchanges where shares are listed

S. No.	Stock Exchange Name	Code
1	BSE Limited	1
2	National Stock Exchange of India Limited	1,024

(b) CIN of the Registrar and Transfer Agent

U67190MH1999PTC118368

Pre-fill

Name of the Registrar and Transfer Agent

LINK INTIME INDIA PRIVATE LIMITED

Registered office address of the Registrar and Transfer Agents

C-101, 1st Floor, 247 Park,
Lal Bahadur Shastri Marg, Vikhroli (West)

(vii) *Financial year From date 01/04/2020 (DD/MM/YYYY) To date 31/03/2021 (DD/MM/YYYY)

(viii) *Whether Annual general meeting (AGM) held ☒ Yes ☐ No

(a) If yes, date of AGM 24/09/2021

(b) Due date of AGM 30/09/2021

(c) Whether any extension for AGM granted ☐ Yes ☒ No

II. PRINCIPAL BUSINESS ACTIVITIES OF THE COMPANY

*Number of business activities 1

S.No	Main Activity group code	Description of Main Activity group	Business Activity Code	Description of Business Activity	% of turnover of the company
1	C	Manufacturing	C2	Textile, leather and other apparel products	100

III. PARTICULARS OF HOLDING, SUBSIDIARY AND ASSOCIATE COMPANIES (INCLUDING JOINT VENTURES)

*No. of Companies for which information is to be given 16

Pre-fill All

S.No	Name of the company	CIN / FCRN	Holding/ Subsidiary/Associate/ Joint Venture	% of shares held
1	PEARL APPAREL FASHIONS LIM	U74900DL2007PLC161396	Subsidiary	100
2	PEARL GLOBAL KAUSHAL VIKA	U74110TN2014PLC096204	Subsidiary	100

3	SBUYS E-COMMERCE LIMITED	U52100DL2019PLC355345	Subsidiary	100
4	Norp Knit Industries Limited		Subsidiary	99.99
5	Pearl Global Fareast Limited		Subsidiary	100
6	Pearl Global (HK) Limited		Subsidiary	100
7	PGIC Investment Limited		Subsidiary	100
8	Pearl Global F.Z.E.		Subsidiary	100
9	Prudent Fashions Limited		Subsidiary	99.95
10	Pearl Global (Chang Zhou) Tex		Subsidiary	100
11	Vin Pearl Global Vietnam Limit		Subsidiary	100
12	Pearl Global Vietnam Company		Subsidiary	100
13	Pearl Grass Creations Limited		Subsidiary	80
14	A&B Investment Limited		Subsidiary	100
15	DSSP Global Limited		Subsidiary	100
16	PT Pinnacle Apparels		Subsidiary	69.91

IV. SHARE CAPITAL, DEBENTURES AND OTHER SECURITIES OF THE COMPANY

(i) *SHARE CAPITAL

(a) Equity share capital

Particulars	Authorised capital	Issued capital	Subscribed capital	Paid up capital
Total number of equity shares	51,440,000	21,663,937	21,663,937	21,663,937
Total amount of equity shares (in Rupees)	514,400,000	216,639,370	216,639,370	216,639,370

Number of classes

1

Class of Shares	Authorised capital	Issued capital	Subscribed capital	Paid up capital
Equity Shares				
Number of equity shares	51,440,000	21,663,937	21,663,937	21,663,937
Nominal value per share (in rupees)	10	10	10	10
Total amount of equity shares (in rupees)	514,400,000	216,639,370	216,639,370	216,639,370

(b) Preference share capital

Particulars	Authorised capital	Issued capital	Subscribed capital	Paid-up capital
Total number of preference shares	3,266,000	0	0	0
Total amount of preference shares (in rupees)	325,700,000	0	0	0

Number of classes

2

Class of shares	Authorised capital	Issued capital	Subscribed capital	Paid up capital
4% Non-cumulative Redeemable Preference Shares				
Number of preference shares	10,000	0	0	0
Nominal value per share (in rupees)	10	10	10	10
Total amount of preference shares (in rupees)	100,000	0	0	0
Class of shares	Authorised capital	Issued capital	Subscribed capital	Paid up capital
10.5% Non-cumulative Redeemable Preference Shares				
Number of preference shares	3,256,000	0	0	0
Nominal value per share (in rupees)	100	100	100	100
Total amount of preference shares (in rupees)	325,600,000	0	0	0

(c) Unclassified share capital

Particulars	Authorised Capital
Total amount of unclassified shares	0

(d) Break-up of paid-up share capital

Class of shares	Number of shares			Total nominal amount	Total Paid-up amount	Total premium
Equity shares	Physical	DEMAT	Total			
At the beginning of the year	140,580	21,523,357	21663937	216,639,370	216,639,370	
Increase during the year	0	65,690	65690	656,900	656,900	0
i. Public Issues	0	0	0	0	0	0
ii. Rights issue	0	0	0	0	0	0
iii. Bonus issue	0	0	0	0	0	0
iv. Private Placement/ Preferential allotment	0	0	0	0	0	0
v. ESOPs	0	0	0	0	0	0

vi. Sweat equity shares allotted	0	0	0	0	0	0
vii. Conversion of Preference share	0	0	0	0	0	0
viii. Conversion of Debentures	0	0	0	0	0	0
ix. GDRs/ADRs	0	0	0	0	0	0
x. Others, specify Transmission, Dematerialisation and Transfer into IEP	0	65,690	65690	656,900	656,900	
Decrease during the year	65,690	0	65690	656,900	656,900	0
i. Buy-back of shares	0	0	0	0	0	0
ii. Shares forfeited	0	0	0	0	0	0
iii. Reduction of share capital	0	0	0	0	0	0
iv. Others, specify Transmission, Dematerialisation and Transfer into IEP	65,690	0	65690	656,900	656,900	
At the end of the year	74,890	21,589,047	21663937	216,639,370	216,639,370	
Preference shares						
At the beginning of the year	0	0	0	0	0	
Increase during the year	0	0	0	0	0	0
i. Issues of shares	0	0	0	0	0	0
ii. Re-issue of forfeited shares	0	0	0	0	0	0
iii. Others, specify 						
Decrease during the year	0	0	0	0	0	0
i. Redemption of shares	0	0	0	0	0	0
ii. Shares forfeited	0	0	0	0	0	0
iii. Reduction of share capital	0	0	0	0	0	0
iv. Others, specify 						
At the end of the year	0	0	0	0	0	

ISIN of the equity shares of the company

INE940H01014

(ii) Details of stock split/consolidation during the year (for each class of shares)

0

Class of shares		(i)	(ii)	(iii)
Before split / Consolidation	Number of shares			
	Face value per share			
After split / Consolidation	Number of shares			
	Face value per share			

(iii) Details of shares/Debentures Transfers since closure date of last financial year (or in the case of the first return at any time since the incorporation of the company) *

☒ Nil

[Details being provided in a CD/Digital Media]

☐

Yes

☐

No

☐

Not Applicable

Separate sheet attached for details of transfers

☐

Yes

☐

No

Note: In case list of transfer exceeds 10, option for submission as a separate sheet attachment or submission in a CD/Digital Media may be shown.

Date of the previous annual general meeting			
Date of registration of transfer (Date Month Year)			
Type of transfer		1 - Equity, 2- Preference Shares,3 - Debentures, 4 - Stock	
Number of Shares/ Debentures/ Units Transferred		Amount per Share/ Debenture/Unit (in Rs.)	
Ledger Folio of Transferor			
Transferor's Name			
	Surname	middle name	first name
Ledger Folio of Transferee			

Transferee's Name			
	Surname	middle name	first name

Date of registration of transfer (Date Month Year)	
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Type of transfer		1 - Equity, 2- Preference Shares,3 - Debentures, 4 - Stock
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Number of Shares/ Debentures/ Units Transferred		Amount per Share/ Debenture/Unit (in Rs.)	
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Ledger Folio of Transferor	
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Transferor's Name			
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	Surname	middle name	first name
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Ledger Folio of Transferee	
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Transferee's Name			
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	Surname	middle name	first name
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(iv) *Debentures (Outstanding as at the end of financial year)

Particulars	Number of units	Nominal value per unit	Total value
Non-convertible debentures	0	0	0
Partly convertible debentures	0	0	0
Fully convertible debentures	0	0	0
Total			0

Details of debentures

Class of debentures	Outstanding as at the beginning of the year	Increase during the year	Decrease during the year	Outstanding as at the end of the year
Non-convertible debentures	0	0	0	0
Partly convertible debentures	0	0	0	0
Fully convertible debentures	0	0	0	0

(v) Securities (other than shares and debentures)

0

Type of Securities	Number of Securities	Nominal Value of each Unit	Total Nominal Value	Paid up Value of each Unit	Total Paid up Value
Total					

V. *Turnover and net worth of the company (as defined in the Companies Act, 2013)

(i) Turnover

7,714,003,694.87

(ii) Net worth of the Company

3,063,910,800

VI. (a) *SHARE HOLDING PATTERN - Promoters

S. No.	Category	Equity		Preference	
		Number of shares	Percentage	Number of shares	Percentage
1.	Individual/Hindu Undivided Family				
	(i) Indian	11,562,734	53.37	0	
	(ii) Non-resident Indian (NRI)	2,862,145	13.21	0	
	(iii) Foreign national (other than NRI)	0	0	0	
2.	Government				
	(i) Central Government	0	0	0	
	(ii) State Government	0	0	0	
	(iii) Government companies	0	0	0	
3.	Insurance companies	0	0	0	
4.	Banks	0	0	0	
5.	Financial institutions	0	0	0	

6.	Foreign institutional investors	0	0	0	
7.	Mutual funds	0	0	0	
8.	Venture capital	0	0	0	
9.	Body corporate (not mentioned above)	30	0	0	
10.	Others	0	0	0	
	Total	14,424,909	66.58	0	0

Total number of shareholders (promoters)

5

(b) *SHARE HOLDING PATTERN - Public/Other than promoters

S. No.	Category	Equity		Preference	
		Number of shares	Percentage	Number of shares	Percentage
1.	Individual/Hindu Undivided Family				
	(i) Indian	4,705,784	21.72	0	
	(ii) Non-resident Indian (NRI)	219,607	1.01	0	
	(iii) Foreign national (other than NRI)	0	0	0	
2.	Government				
	(i) Central Government	0	0	0	
	(ii) State Government	0	0	0	
	(iii) Government companies	0	0	0	
3.	Insurance companies	0	0	0	
4.	Banks	66	0	0	
5.	Financial institutions	483,958	2.23	0	
6.	Foreign institutional investors	1,384,147	6.39	0	
7.	Mutual funds	0	0	0	
8.	Venture capital	0	0	0	
9.	Body corporate (not mentioned above)	363,693	1.68	0	
10.	Others IEPF, Trusts, Clearing Membr	81,773	0.38	0	

	Total	7,239,028	33.41	0	0
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Total number of shareholders (other than promoters)

13,086

**Total number of shareholders (Promoters+Public/
Other than promoters)**

13,091

(c) *Details of Foreign institutional investors' (FIIs) holding shares of the company

2

Name of the FII	Address	Date of Incorporation	Country of Incorporation	Number of shares held	% of shares held
Premier Investment Fund	KOTAK MAHINDRA BANK,INFINITY			1,051,231	4.85
LTS Investment Fund I	SCB,C-38/39 G-Block, BKC Bandra (			332,916	1.54

VII. *NUMBER OF PROMOTERS, MEMBERS, DEBENTURE HOLDERS (Details, Promoters, Members (other than promoters), Debenture holders)

Details	At the beginning of the year	At the end of the year
Promoters	5	5
Members (other than promoters)	16,307	13,086
Debenture holders	0	0

VIII. DETAILS OF DIRECTORS AND KEY MANAGERIAL PERSONNEL

(A) *Composition of Board of Directors

Category	Number of directors at the beginning of the year		Number of directors at the end of the year		Percentage of shares held by directors as at the end of year	
	Executive	Non-executive	Executive	Non-executive	Executive	Non-executive
A. Promoter	2	1	2	1	33	13.21
B. Non-Promoter	1	5	2	5	0	0
(i) Non-Independent	1	0	2	0	0	0
(ii) Independent	0	5	0	5	0	0
C. Nominee Directors representing	0	0	0	0	0	0
(i) Banks & FIs	0	0	0	0	0	0
(ii) Investing institutions	0	0	0	0	0	0
(iii) Government	0	0	0	0	0	0

(iv) Small share holders	0	0	0	0	0	0
(v) Others	0	0	0	0	0	0
Total	3	6	4	6	33	13.21

Number of Directors and Key managerial personnel (who is not director) as on the financial year end date

11

(B) (i) *Details of directors and Key managerial personnel as on the closure of financial year

Name	DIN/PAN	Designation	Number of equity share(s) held	Date of cessation (after closure of financial year : If any)
Mr. Deepak Seth	00003021	Director	2,862,145	
Mr. Pulkit Seth	00003044	Managing Director	6,947,621	
Mrs. Shifalli Seth	01388430	Whole-time director	201,478	
Mr. Chittranjan Dua	00036080	Director	0	
Mr. Anil Nayar	01390190	Director	0	
Mr. Rajendra Kumar An	00731956	Director	0	
Mr. Abhishek Goyal	01928855	Director	0	
Mrs. Madhulika Bhupatk	08712718	Director	0	
Mr. Uma Shankar Kausl	06867819	Whole-time director	0	
Mr. Shailesh Kumar	08897225	Whole-time director	0	
Mr. Kashmir Singh Rath	AELPR3665K	CFO	0	20/04/2021

(ii) Particulars of change in director(s) and Key managerial personnel during the year

6

Name	DIN/PAN	Designation at the beginning / during the financial year	Date of appointment/ change in designation/ cessation	Nature of change (Appointment/ Change in designation/ Cessation)
Mr. Vinod Vaish	01945795	Whole-time director	30/04/2020	Cessation
Mr. Uma Shankar Kausl	06867819	Whole-time director	28/07/2020	Appointment
Mr. Shailesh Kumar	08897225	Whole-time director	07/10/2020	Appointment
Mr. Raghav Garg	AKOPR3478H	CFO	30/06/2020	Cessation
Mr. Kashmir Singh Rath	AELPR3665K	CFO	28/07/2020	Appointment
Mr. Sandeep Sabharwa	ACDPS3791D	Company Secretar	15/02/2021	Cessation

IX. MEETINGS OF MEMBERS/CLASS OF MEMBERS/BOARD/COMMITTEES OF THE BOARD OF DIRECTORS

A. MEMBERS/CLASS /REQUISITIONED/NCLT/COURT CONVENED MEETINGS

Number of meetings held

1

Type of meeting	Date of meeting	Total Number of Members entitled to attend meeting	Attendance	
			Number of members attended	% of total shareholding
Annual General Meeting	26/11/2020	15,586	104	70.72

B. BOARD MEETINGS

*Number of meetings held

5

S. No.	Date of meeting	Total Number of directors associated as on the date of meeting	Attendance	
			Number of directors attended	% of attendance
1	28/07/2020	9	9	100
2	14/09/2020	9	9	100
3	07/10/2020	10	9	90
4	12/11/2020	10	9	90
5	12/02/2021	10	9	90

C. COMMITTEE MEETINGS

Number of meetings held

21

S. No.	Type of meeting	Date of meeting	Total Number of Members as on the date of the meeting	Attendance	
				Number of members attended	% of attendance
1	Audit Committee	28/07/2020	4	4	100
2	Audit Committee	14/09/2020	4	4	100
3	Audit Committee	12/11/2020	4	4	100
4	Audit Committee	12/02/2021	4	4	100
5	Nomination and Remuneration Committee	28/07/2020	4	4	100
6	Nomination and Remuneration Committee	24/09/2020	4	4	100
7	Nomination and Remuneration Committee	12/11/2020	4	4	100

S. No.	Type of meeting	Date of meeting	Total Number of Members as on the date of the meeting	Attendance	
				Number of members attended	% of attendance
8	Stakeholders F	28/10/2020	3	3	100
9	Stakeholders F	09/12/2020	3	3	100
10	Stakeholders F	21/12/2020	3	3	100

D. *ATTENDANCE OF DIRECTORS

S. No.	Name of the director	Board Meetings			Committee Meetings			Whether attended AGM held on
		Number of Meetings which director was entitled to attend	Number of Meetings attended	% of attendance	Number of Meetings which director was entitled to attend	Number of Meetings attended	% of attendance	24/09/2021
								(Y/N/NA)
1	Mr. Deepak S	5	5	100	3	3	100	Yes
2	Mr. Pulkit Seth	5	5	100	14	14	100	Yes
3	Mrs. Shifalli S	5	2	40	10	10	100	No
4	Mr. Chittranjar	5	5	100	0	0	0	Yes
5	Mr. Anil Nayar	5	5	100	11	11	100	Yes
6	Mr. Rajendra k	5	5	100	10	10	100	Yes
7	Mr. Abhishek C	5	5	100	16	16	100	Yes
8	Mrs. Madhulik	5	5	100	5	5	100	Yes
9	Mr. Uma Shar	5	5	100	0	0	0	Yes
10	Mr. Shailesh k	3	3	100	0	0	0	Yes

X. *REMUNERATION OF DIRECTORS AND KEY MANAGERIAL PERSONNEL

☐ Nil

Number of Managing Director, Whole-time Directors and/or Manager whose remuneration details to be entered

4

S. No.	Name	Designation	Gross Salary	Commission	Stock Option/ Sweat equity	Others	Total Amount
1	Mr. Pulkit Seth	Managing Director	8,340,000	0	0	10,800	8,350,800
2	Mrs. Shifalli Seth	Whole-Time Director	3,475,000	0	0	10,800	3,485,800
3	Mr. Uma Shankar K	Whole-Time Director	1,495,000	0	0	0	1,495,000
4	Mr. Shailesh Kumar	Whole-Time Director	750,000	0	0	0	750,000
	Total		14,060,000	0	0	21,600	14,081,600

Number of CEO, CFO and Company secretary whose remuneration details to be entered

2

S. No.	Name	Designation	Gross Salary	Commission	Stock Option/ Sweat equity	Others	Total Amount
1	Mr. Kashmir Singh	CFO	2,034,099	0	0	16,000	2,050,099
2	Mr. Sandeep Sabharwal	Company Secretary	926,000	0	0	14,000	940,000
	Total		2,960,099	0	0	30,000	2,990,099

Number of other directors whose remuneration details to be entered

6

S. No.	Name	Designation	Gross Salary	Commission	Stock Option/ Sweat equity	Others	Total Amount
1	Mr. Deepak Seth	Director	0	0	0	50,000	50,000
2	Mr. Chittranjan Dua	Director	0	0	0	60,000	60,000
3	Mr. Anil Nayar	Director	0	0	0	60,000	60,000
4	Mr. Rajendra Kumar	Director	0	0	0	60,000	60,000
5	Mr. Abhishek Goyal	Director	0	0	0	60,000	60,000
6	Mrs. Madhulika Bhunia	Director	0	0	0	60,000	60,000
	Total		0	0	0	350,000	350,000

XI. MATTERS RELATED TO CERTIFICATION OF COMPLIANCES AND DISCLOSURES

* A. Whether the company has made compliances and disclosures in respect of applicable provisions of the Companies Act, 2013 during the year ☒ Yes ☐ No

B. If No, give reasons/observations

XII. PENALTY AND PUNISHMENT - DETAILS THEREOF

(A) DETAILS OF PENALTIES / PUNISHMENT IMPOSED ON COMPANY/DIRECTORS /OFFICERS ☒ Nil

Name of the company/ directors/ officers	Name of the court/ concerned Authority	Date of Order	Name of the Act and section under which penalised / punished	Details of penalty/ punishment	Details of appeal (if any) including present status

(B) DETAILS OF COMPOUNDING OF OFFENCES ☒ Nil

Name of the company/ directors/ officers	Name of the court/ concerned Authority	Date of Order	Name of the Act and section under which offence committed	Particulars of offence	Amount of compounding (in Rupees)

XIII. Whether complete list of shareholders, debenture holders has been enclosed as an attachment

☒ Yes ☐ No

XIV. COMPLIANCE OF SUB-SECTION (2) OF SECTION 92, IN CASE OF LISTED COMPANIES

In case of a listed company or a company having paid up share capital of Ten Crore rupees or more or turnover of Fifty Crore rupees or more, details of company secretary in whole time practice certifying the annual return in Form MGT-8.

Name

CS Jayant Sood

Whether associate or fellow

☐ Associate ☒ Fellow

Certificate of practice number

22410

I/We certify that:

- (a) The return states the facts, as they stood on the date of the closure of the financial year aforesaid correctly and adequately.
 (b) Unless otherwise expressly stated to the contrary elsewhere in this Return, the Company has complied with all the provisions of the Act during the financial year.

Declaration

I am Authorised by the Board of Directors of the company vide resolution no. ...

13

dated

21/06/2021

(DD/MM/YYYY) to sign this form and declare that all the requirements of the Companies Act, 2013 and the rules made thereunder in respect of the subject matter of this form and matters incidental thereto have been complied with. I further declare that:

- Whatever is stated in this form and in the attachments thereto is true, correct and complete and no information material to the subject matter of this form has been suppressed or concealed and is as per the original records maintained by the company.
- All the required attachments have been completely and legibly attached to this form.

Note: Attention is also drawn to the provisions of Section 447, section 448 and 449 of the Companies Act, 2013 which provide for punishment for fraud, punishment for false statement and punishment for false evidence respectively.

To be digitally signed by

Director

UMA
SHANKAR
KAUSHIK

Digitally signed by
UMA SHANKAR
KAUSHIK
Date: 2021.12.16
17:48:42 +05'30'

DIN of the director

06867819

To be digitally signed by

JAYANT
SOOD

Digitally signed by
JAYANT SOOD
Date: 2021.12.16
17:48:42 +05'30'

- ☐ Company Secretary
- ☒ Company secretary in practice

Membership number

4482

Certificate of practice number

22410

Attachments

1. List of share holders, debenture holders
2. Approval letter for extension of AGM;
3. Copy of MGT-8;
4. Optional Attachement(s), if any

Attach

Attach

Attach

Attach

List of attachments

List of Shareholders.pdf

Details of Committee Meetings.pdf

Details of Transmission and Dematerilisation

MGT-8.pdf

Remove attachment

Modify

Check Form

Prescrutiny

Submit

This eForm has been taken on file maintained by the Registrar of Companies through electronic mode and on the basis of statement of correctness given by the company