[To be published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i)]

GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 20th January 2018

G.S.R... (E)- In exercise of the powers conferred by sub-sections (1) and (2) of section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Incorporation) Rules, 2014, namely: -

1. (1) These rules may be called the Companies (Incorporation) Amendment Rules, 2018.

   (2) They shall come into force from the **26th day of January, 2018.**

2. In the Companies (Incorporation) Rules, 2014 (hereinafter referred to as the principal rules), for rule 9, the following rule shall be substituted, namely:-

"9. Reservation of name.- An application for reservation of name shall be made through the web service available at www.mca.gov.in by using RUN (Reserve Unique Name) along with fee as provided in the Companies (Registration offices and fees) Rules, 2014, which may either be approved or rejected, as the case may be, by the Registrar, Central Registration Centre".

3. In the Principal rules, in rule 10, the words, letters and figure "Form No.INC-7" shall be omitted.

4. In the principal rules, for rule 12, the following rule shall be substituted, namely:-

"12. Application for incorporation of companies. An application for registration of a company shall be filed, with the Registrar within whose jurisdiction the registered office of the company is proposed to be situated, in Form No.INC-32 (SPICe) along with the fee as provided under the Companies (Registration offices and fees) Rules, 2014;

Provided that in case pursuing of any of the objects of a company requires registration or approval from sectoral regulators such as the Reserve Bank of India, the Securities and Exchange Board, registration or approval, as the case may be, from such regulator shall be obtained by the proposed company before pursuing such objects and a declaration in this behalf shall be submitted at the stage of incorporation of the company".

5. In the principal rules, in sub-rule (1) of rule 38, the following proviso shall be inserted.-

(i) in sub-rule (1), after the proviso, the following proviso shall be inserted, namely:-

"provided further that in case of incorporation of a company having more than seven subscribers or where any of the subscriber to the MOA/AOA is signing at a place outside India, MOA/AOA shall be filed with INC-32 (SPICe) in the respective formats as specified in Table A to J in Schedule I without filing form INC-33 and INC-34";

(ii.) In sub-rule (2), after the proviso, the following proviso shall be inserted, namely:- 'Provided further that in case of companies incorporated, with effect from the 26th day of January, 2018, with a nominal capital of less than or equal to rupees ten lakhs or in respect of companies not having a share capital whose number of members as stated in the articles of association does not exceed twenty, fee on INC-32 (SPICe) shall not be applicable".

6. In the annexure to the principal rules,-

(i.) for Form No. INC-1, the following form shall be substituted, namely:-

[Pursuant to section 4(4) of the Companies Act, 2013 and pursuant to rule 8 & 9 of the Companies (Incorporation) Rules, 2014]

सत्यमेव जयते

RUN

Reserve Unique Name

Company Details

Entity Type

Select if you are reserving the name for a Company to be incorporated.

CIN

Enter CIN only if you are applying for change of name for an existing company.

Proposed Name

Enter your proposed name.

Auto Check

Comments

Please make sure to mention the objects of the proposed company and any other relevant comments. Please attach Sectoral Regulator approvals, NOCs or any other required documents below, if applicable.

Choose File No file chosen

Once you have submitted the name reservation request it will then be checked and, if found feasible, approved by the Central Registration Centre (CRC). You will receive an email from the CRC advising the outcome of the name reservation request.

Submit

(ii) for Form No.INC-3, the following form shall be substituted, namely:-

FORM NO. INC-3

[Pursuant to section 3(1) of the Companies Act, 2013 and pursuant to Rule 4(2), (3), (4), (5) & (6) of the Companies (Incorporation) Rules, 2014]

सत्यमेव जयते

One Person Company - Nominee Consent Form

Form language ◉ English ○ Hindi

Refer the instruction kit for filing the form.

1. (a) *SRN of **RUN** (In case of new company) or Corporate Identity Number (CIN) of the company (In case of existing company) [ ] Pre-Fill

(b) Global location number (GLN) [ ]

2. (a) Name of the One Person Company [ ]

3. * Consent

I [ ] hereby give my consent to become the member of [ ]

, in the event of death of [ ] subscriber/member of the company or his incapacity to contract.

4. Particulars of the nominee

Director Identification number(DIN) [ ] Pre-Fill

*Income-tax permanent account number (PAN) [ ] Verify Details

*First Name [ ]

Middle Name [ ]

*Surname [ ]

Family Name [ ]

* ○ Father's Name ○ Mother's Name ○ Spouse's name

[ ]

*Gender ○ Male ○ Female ○ Transgender

* Nationality IN *Date of Birth [ ]

* Place of Birth (District and State) [ ]

* Educational Qualification [ ]

*Occupation type

○ Self-employed ○ Professional ○ Homemaker ○ Student ○ Serviceman

Permanent Residential Address

*Line I

Line II

*City

*State/Union Territory

* Pin code

ISO Country Code

Country

*Phone (with STD/ISD Code) –

Mobile (with country code) –

Fax

*email id

*Whether present address is same as the permanent address Yes No

Present Address

*Line I

Line II

*City

*State/Union Territory

*Pin code

*ISO Country Code

Country

*Phone (with STD/ISD Code) –

Mobile (with country code) –

Fax

email id

*Duration of stay at the present address year(s) month(s)

If duration of stay at present address is less than one year then address of previous residence

*Proof of Identity

*Residential Proof

Declaration

I do solemnly declare that I am an Indian citizen and resident in India and I have not been convicted of any offence in connection with the promotion, formation or management of any company or LLP and have not been found guilty of any fraud or misfeasance or of any breach of duty to any company under this Act or any previous company law or LLP Act in the last five years. I further declare that I am not a nominee in any other One Person Company and I shall comply with the eligibility criteria specified in Rule 3(3) within the prescribed period. I understand that the person nominating me may withdraw my nomination without my consent.

To be physically signed by

Nominee

*Date

*Place

Enclosures

1. Copy of PAN Card
2. Proof of identity
3. Residential Proof

Modify Check Form

Note : Attention is drawn to provisions of section 7(5) and 7(6) which inter-alia, provides that furnishing of any false or incorrect particulars of any information or suppression of any material information shall attract punishment for fraud under section 447. Attention is also drawn to provisions of section 448 and 449 which provide for punishment for false statement and punishment for false evidence respectively.

This is a non e-Form. User is required to fill the form electronically and duly signed copy should be attached with eForm INC-4 or INC-6, as the case may be.

(iii) for Form No.INC-7 shall be omitted;

(iv) for Form No.INC-12, the following form shall be substituted, namely:-

FORM NO. INC-12

[Pursuant to section 8(1)and 8(5) of the Companies Act, 2013 and Rule 19 & 20 of the Companies (Incorporation) Rules, 2014]

सत्यमेव जयते

Application for grant of License under section 8

Form language o English o Hindi

Refer the instruction kit for filing the form.

1. *Application for
   - ☐ Grant of license to a new company (Part A)
   - ☐ Grant of license to an existing company (Part B)

Part A: Grant of license to a new company

2. (a) *Name of the Applicant
   (b) *Address
   (c) *Occupation Type ○ Self-employed ○ Professional ○ Homemaker ○ Student ○ Serviceman
   Area of occupation
   (d) *Phone (with STD/ISD) - (e) Fax
   (f) *email Id

3. *(a) Indicate Registrar of Companies (ROC) reference number for name approval
   (Service Request Number (SRN) of RUN) Pre-Fill

   *(b) Name of the State/Union territory in which the proposed company is to be registered

   *(c) Name of the office of the Registrar of Companies in which the proposed company is to be registered

4. (a) Name of the company
   (b) Company is (c) Type of Company
   (d) Category (e) Sub category
   *(f) Whether the company will ☐ Have share capital ☐ Not have share capital

5. I. Proposed authorized capital
   II. Proposed maximum number of members
   Proposed maximum number of members excluding proposed employees

6. *a. Main division of industrial activity of the proposed company
   Description of the main division

*b. Brief description of the work, if any already done or proposed to be done in pursuance of section 8

*c. Grounds on which application is made

7. *Enter the number of proposed promoters (first subscribers to MOA)

Particulars of Promoters (first subscribers to the MOA)

(specify information of two promoters in case the proposed company is a private company or seven promoters in case the proposed company is a public company)

I

*Category

*Director Identification number (DIN) or Income-tax permanent account number (Income-tax PAN) or passport number or corporate identity number (CIN) or foreign company registration number (FCRN) or any other registration number

Pre-fill

*Name

Name of the authorized representative

II

*Category

*Director Identification number (DIN) or Income-tax permanent account number (Income-tax PAN) or passport number or corporate identity number (CIN) or foreign company registration number (FCRN) or any other registration number

Pre-fill

*Name

Name of the authorized representative

8.*Enter the number of proposed directors

(specify information of two directors in case the proposed company is a private company or three directors in case the proposed company is a public company)

Particulars of the proposed directors (In case the proposed director(s) has been allotted DIN, then it is mandatory to enter such DIN)

I

*Proposed designation

*Director identification number (DIN) or Income tax permanent account number (PAN) or passport number

Pre-fill

Verify Details

*First Name

Middle Name

*Surname

*Father's First Name

Father's Middle Name

*Father's Surname

Nationality

*Date of birth (DD/MM/YY)

Aadhaar Number

Voter identity card numbe

Present residential address

Name of the company or institution whose nominee the appointee will be (Only in case of nominee director)

II

*Proposed designation

Pre-fill

*Director identification number (DIN) or Income tax permanent account number (PAN) or passport number

Verify Details

*First Name

Middle Name

*Surname

*Father's First Name

Father's Middle Name

*Father's Surname

Nationality

*Date of birth (DD/MM/YY)

Aadhaar Number

Voter identity card numbe

Present residential address

Name of the company or institution whose nominee the appointee will be (Only in case of nominee director)

9.*Enter the number of key managerial personnel

(specify information of up to four key managerial persons)

Particulars of the key managerial personnel

I

*Proposed designation

Pre-fill

*Director identification number (DIN) or Income-tax permanent account number (PAN)

Name of the person

Membership number (in case of Company Secretary)

II

*Proposed designation

*Director identification number (DIN) or Income-tax permanent account number (PAN)

Pre-fill

Name of the person

Membership number (in case of Company Secretary)

10.(a) *Whether the Articles will be entrenched ☐ Yes ☐ No

(If yes, entrenched Articles should be annexed thereto)

(b) Number of Articles to which provisions of entrenchment shall be applicable

Details of Articles to which provisions of entrenchment shall be applicable

Sr. No.	Article Number	Content

Part B: Grant of license to an existing company

11.*(a) Corporate identity number (CIN)

Pre fill

(b) Global location number (GLN) of company

12. (a) Name of the company

(b) Address of the company

(c) email ID of the company

13. (a) Company is

(b) Category

(c) Sub category

(d) Whether the company is having share capital ☐ Yes ☐ No

14. I. Authorized capital of the company

II. Maximum number of members

Maximum number of members excluding present and past employees

15. a. Main division of industrial activity of the company

Description of the main division

*b. Brief description of the work, if any already done or proposed to be done in pursuance of section 8

*c. Grounds on which application is made

16.*Enter the number of directors

(Specify information of two directors in case the company is a private company or three directors in case the company is a public company)

Particulars of the directors

I

*Designation

Pre-fill

*Director identification number (DIN)

Name of the person

Name of the company or institution

whose nominee the appointee is

(Only in case of nominee director)

II

*Designation

Pre-fill

*Director identification number (DIN)

Name of the person

Name of the company or institution

whose nominee the appointee is

(Only in case of nominee director)

17.*Enter the number of key managerial personnel

(Specify information of up to four key managerial persons)

Particulars of the key managerial personnel

I

*Designation

Pre-fill

*Director identification number (DIN) or

Income-tax permanent account number (PAN)

Name of the person

Membership number (in case of Company Secretary)

II

*Designation

*Director identification number (DIN) or

Pre-fill

Income-tax permanent account number (PAN)

Name of the person

Membership number (in case of Company Secretary)

18. (a) *Whether the Articles are entrenched ☐ Yes ☐ No

(If yes, entrenched Articles should be annexed thereto)

(b) Number of Articles to which provisions of entrenchment shall be applicable

Details of Articles to which provisions of entrenchment shall be applicable

Sr. No.	Article Number	Content

Attach

Attachments

1) *Draft Memorandum of association as per form no. INC-13 Attach
2) *Draft Articles of Association Attach
3) *Declaration as per Form No. INC-14 Attach
4) *Declaration as per Form No. INC-15 Attach
5) *Estimated income and expenditure for next three years Attach
6) Approval/concurrence/NOC of the concerned authority/sectoral regulator, department or Ministry of the Central or State Government(s) Attach
7) Entrenched articles of association Attach
8) Copy of resolution passed in general meeting and board meeting Attach
9) Last one/two year's financial statement(s), board's report(s) and Audit report(s) Attach
10) Assets and liabilities statements with their values as per applicable rule Attach
11) List of proposed promoters. Attach
12) List of proposed directors/ directors.
13) List of key managerial personnel.
14) Optional attachment, if any

Declaration

I *

☐ A person named in the articles as a ~~director/manager/ Company Secretary/CEO/CFO/promoter~~ of the company

☐ have been authorized by the Board of Directors of the Company vide resolution number dated

declare that all the requirements of Companies Act, 2013 and the Rules thereto made thereunder in respect of the subject matter of this form have been complied with.

☐ I am also authorized by other proposed promoters and first subscribers to the Memorandum of Association and Articles of Association to sign and submit this Form.

☐ *I also declare that all the information given herein above is true, correct and complete including the attachments to this form and nothing material has been suppressed.

☐ *It is hereby further certified that , *a* CA/ CS/ Cost Accountant having Membership number and certificate of practice number has been engaged to give declaration under section 8(1) or 8(5) and rule 19(3) (b) or rule 20(2) (b) and such declaration is attached.

DSC BOX

*To be digitally signed by

*Designation

*Director identification number of the director; or

Membership number of the company secretary; or

PAN or DIN of the manager or CEO or CFO or promoter

Note: Attention is drawn to provisions of Section 7(5) and 7(6) which, inter-alia, provides that furnishing of any false or incorrect particulars of any information or suppression of any material information shall attract punishment for fraud under Section 447. Attention is also drawn to provisions of Section 448 and 449 which provide for punishment for false statement and punishment for false evidence respectively.

Modify | Check Form | Prescrutiny | Submit

For office use only :

Affix filing details

eForm Service request number (SRN) eForm filing date (DD/MM/YYYY)

Digital signature of the authorising officer

This e-Form is hereby approved

This e-Form is hereby rejected

Confirm Submission

Date of signing (DD/MM/YYYY)

(v) for Form No.INC-22, the following form shall be substituted, namely:-

FORM NO. INC-22

[Pursuant to Section 12(2)&(4) of the Companies Act, 2013 and Rule25 & 27 of The (Incorporation) Rules, 2014]

सत्यमेव जयते

Notice of situation or change of situation of registered office

Form language o English o Hindi

Refer the instruction kit for filing the form.

1. *This form is for ◯ New Company ◯ Existing company

2.*(a) Corporate identity number (CIN) or SRN of RUN [ ] Pre-fill

(b) Global location number (GLN) of company [ ]

3. (a) Name of the company [ ]

(b) Address of the registered office of the company

[ ]

(c)Name of the office of existing Register of companies (ROC)

[ ]

(d)* Purpose of the form
- ◯ Change within local limits of city, town or village
- ◯ Change outside local limits of city, town or village,within the same RoC and state
- ◯ Change in RoC within the same state
- ◯ Change in state within the jurisdiction of same RoC
- ◯ Change in state outside the jurisdiction of existing RoC

4. Notice is hereby given that

* (a) The address of the registered office of the company with effect from

◯ [ ] (DD/MM/YYYY) is

◯ The date of incorporation of company is

*Address Line I [ ]

Line II [ ]

* City [ ]

* District [ ]

* State/Union Territory [ ]

Country [ ]

* Pin code [ ]

* email ID [ ]

(b) * Registered Office is

◯ Owned by Company ◯ Owned by director(Not taken on lease by company)

◯ Taken on lease by company ◯ Owned by any other entity/Person (Not taken on lease by company)

(c) *Name of office of proposed RoC or new RoC

[ ]

(d) Full address of the police station under whose jurisdiction the registered office is situated

* Name [ ]

* Address Line I [ ]

Address Line II [ ]

*City [ ]

State/Union Territory [ ]

* Pin code [ ]

(e) * Particulars of the Utility Services Bill depicting the address of the registered office (not older than two months) [ ]

5.(a) * SRN of Form No. MGT-14

(b)* SRN of Form Form No. INC-28

(c)* Date of order of the Central Government (DD/MM/YY)

Attachments

(1)* Proof of Registered Office address (Conveyance/Lease deed/Rent Agreement along with the rent receipts) etc.; Attach

List of attachments

(2)* Copies of the utility bills as mentioned above (not older than two months); Attach

(3)*A proof that the Company is permitted to use the address as the registered office of the Company if the same is owned by any other entity/ Person (not taken on lease by company); Attach

(4)*Copy of order of competent authority; Attach

(5) List of all the companies (specifying their CIN) having the same registered office address, if any; Attach

(6) Optional attachment, if any Attach

Remove attachment

Declaration

I *

A person named in the articles as a of the company

have been authorized by the Board of Directors of the company vide resolution number dated 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 also declare that all the information given herein above is true, correct and complete including the attachments to this form and nothing material has been suppressed.

It is hereby further certified that , a

having Membership Number and certificate of practice number

certifying this form has been duly engaged for this purpose.

* **To be digitally signed by**

* Designation

* Director Identification Number of the director ; or DIN or PAN of the manager or CEO or CFO; or Membership number of the Company secretary

Certificate by practicing professional

I declare that I have been duly engaged for the purpose of certification of this form. It is hereby certified that I have gone through the provisions of The Companies Act, 2013 and rules thereunder for the subject matter of this form and matters incidental thereto and I have verified the above particulars (including attachment(s)) from the original records maintained by the company which is subject matter of this form and found them to be true, correct and complete and no information material to this form has been suppressed. I further certify that :

1. The said records have been properly prepared, signed by the required officers of the company and maintained as per the relevant provisions of The Companies Act, 2013 and were found to be in order;

2. All the requried attachments have been completely and legibly attached to this form;

3. I further declare that I have personally visited the registered office given in the form at the address mentioned herein above and verified that the said registered office of the company is functioning for the business purposes of the company.

* **To be digitally signed by**

Chartered accountant (in whole-time practice) or Cost accountant (in whole-time practice) or

Company secretary (in whole-time practice)

*Whether associate or fellow Associate Fellow

*Membership Number

*Certificate of practice number

Note: Attention is drawn to provisions of Section 448 and 449 which provide for punishment for false statement/cerficate and punishment for false evidence respectively.

Modify | Check Form | Prescrutiny | Submit

For office use only: | Affix filing details

eForm Service request number (SRN) | eForm filing date | (DD/MM/YYYY)

Digital signature of the authorising officer

This e-Form is hereby registered | Confirm submission

Date of signing | (DD/MM/YYYY)

OR

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 filing company

(vi) for Form No.INC-24, the following form shall be substituted, namely:-

Form NO.INC-24

Application for approval of Central Government for change of name

[Pursuant to section 13(2) of The Companies Act, 2013 and* Rule 29(2) of The Companies (Incorporation) Rules 2014*]

सत्यमेव जयते

Form Language ◉ English ○ Hindi

Refer the instruction kit for filing the form.

1. * (a) Corporate identity number (CIN) of company [ ] Pre-fill

   (b) Global Location Number of the company [ ]

2. (a) Name of the Company [ ]

   (b) Address of the registered office of the company [ ]

   (c) email ID of the company [ ]

3. *(a) Service Request Number (SRN) of RUN [ ] Pre-fill

   (b) Proposed name of the company [ ]

4. * Reason(s) for change of name [ ]

5. * Particulars of filing Form No. MGT-14 with Registrar of Companies (RoC)

   (a) SRN of Form No. MGT-14 [ ]

   (b) Date of passing the special resolution [ ]

   (c) Date of filing Form No. MGT-14 [ ]

6. Name of the company at the time of incorporation (to be displayed in the certificate) [ ]

7. (a) Number of members present at the meeting where the special resolution was passed for change of name and number of shares held by them

(i) * Number of members

(ii) Number of shares held by them

(b) Number of members who voted in favour of change of name and number of shares held by them

(i) * Number of members

(ii) Number of shares held by them

(c) Number of members who voted against the change of name and number of shares held by them

(i) * Number of members

(ii) Number of shares held by them

(d) Details of members who abstained from voting and number of shares held by them

(i) * Number of members

(ii) Number of shares held by them

Attachments

List of Attachments

1. *Minutes of the members' meeting — Attach

2. Optional attachment(s) (if any) — Attach

Remove attachment

Declaration

To the best of my knowledge and belief, the information given in this application and its attachments is correct and complete and company has obtained all the mandatory approvals from the concerned authorities and departments in respect of change of name of the company.

I have been authorised by the Board of directors' resolution number * dated

* (DD/MM/YYYY) to sign and submit this application.

* **To be digitally signed by**

* Designation

* Director identification number of the director; or DIN or PAN of the manager or CEO or CFO; or Membership number of company secretary

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

Modify | Check Form | Prescrutiny | Submit

For office use only:

eForm Service request number(SRN) [ ] eForm filing date [ ] (DD/MM/YYYY)

Digital signature of the authorising officer

This e-Form is hereby approved [ ]

This e-Form is hereby rejected [ ] Confirm submission

Date of signing [ ] (DD/MM/YYYY)

(vii) for Form No.INC-32, the following form shall be substituted, namely:-

[Pursuant to sections 4, 7, 12, 152 and 153 of the Companies Act, 2013 read with rules made thereunder] –
FORM NO. INC-32

SPICe

(Simplified Proforma for Incorporating Company Electronically)

Form language o English o Hindi

Refer the instruction kit for filing the form.

***Whether name is already approved by Registrar of Companies o Yes o No**

SRN of RUN

Pre-Fill

Entity Type

1. (a) *State the type of company

   (b) *State the class of company o Public o Private o One Person Company

   (c) *State the category of company

   (d) *State the sub-category of company

   (e) *Whether proposed company is an IFSC company o Yes o No

   (f) *Company is ☐ Having share capital ☐ Not having share capital

   (g) Section 8 license number

2. (a) *Main division of industrial activity of the compa

   Description of the main division

   (b) Whether Articles of Association is entrenched o Yes o No

   Number of Articles to which provisions of entrenchment shall be applicable

   Details of such articles

Sr. No.	Article Number	Short description on entrenchment of the clause

3. (i) *Capital structure of the company

   Total authorized share capital (in Rupees)

Authorized share capital	Equity	Preference	Unclassified
Number of shares			
Nominal amount per share (in Rupees)			
Total amount (in Rupees)			

Total subscribed share capital (in Rupees)

Subscribed share capital	Equity	Preference

Number of shares		
Nominal amount per share (in Rupees)		
Total amount (in Rupees)		

(ii) *Details of number of members

(a) Enter the maximum number of members	
(b) Maximum number of members excluding proposed employees	
(c) Number of members	
(d) Number of members excluding proposed employee(s)	

4. (a) *Correspondence address

*Line I

Line II

*City

*State/Union Territory .in code

*District

*Phone (with STD code)

Fax

*email ID of the company

(b) *Whether the address for correspondence is the address of registered office of the company o Yes o No

(c) *Name of the office of the Registrar of Companies in which the proposed company is to be registered

5. *Particulars of the proposed or approved name

(a)

Proposed or approved name	
Significance of abbreviated or coined word in the proposed name	
State the name of the vernacular language(s) if used in the proposed name and meaning thereof	

(b)

(i) *Whether the proposed name includes the phrase 'Electoral trust'	o Yes o No
(ii) *Whether the proposed name(s) contain such word or expression for which the previous approval of Central Government is required	o Yes o No
(iii)*Whether approval from any sectoral regulator is required	o Yes o No
(iv) Whether the name is similar to o Existing Indian Company o Foreign body corporate [Attach the copy of No Objection Certificate by way of Board resolution (duly attested by a director/KMP of that company) or in case of foreign company, authority given through constitutional Pre-fill	

Provide CIN

Name of the Company

(c) (i) *Whether the proposed name is based on a trademark registered or is subject matter of an application pending for registration under the Trade Marks Act o Yes o No

(ii) *Specify the class(s) of trade mark (refer the instruction kit for details)

(iii) *Furnish the particulars of application and the approval of the applicant or owner of the trade mark

6. (a) *Number of first subscriber(s) to MOA and directors of the company

	Having valid DIN	Not having valid DIN
Total number of first subscribers (non-individual + individual)		
Number of non-individual first subscriber(s)		
Number of individual first subscriber(s) cum director(s)		
Total number of directors (director(s) who is/are not subscriber(s) + subscriber(s) cum director(s) as mentioned in above Row no. 3)		

(b) *Particulars of non-individual first subscriber(s)

*Category

*Corporate identity number(CIN) or foreign company registration number(FCRN) or any other registration number

Pre-Fill

*Name of the body corporate

Registered office address or Principal place of business in India or Principal place of business outside India

*Line I

Line II

*City

*State /Union Territory

*Pin code

*ISO Country code

Country

*Phone (With STD/ISD code) -

Fax

*email id

Particulars of the authorised person

*First Name

Middle Name

*Surname

*Father's First Name

Father's Middle Name

*Father's Surname

* Gender

*Date of Birth

*Nationality

□ PAN □ Passport number Verify Details

Aadhaar number

*Place of Birth (District & State)

*Occupation type

*Area of Occupation

*Educational qualification

Present Address

*Line I

Line II

*City

*State /Union Territory *Pin code

ISO Country code

Country

*Phone (With STD/ISD code) -

Mobile

Fax

*email id

Kind of shares subscribed	Number of subscribed shares	Amount of shares subscribed
Equity shares		
Preference shares		

(c) *Particulars of individual first subscriber(s) (other than subscriber cum director)

I

*Director Identification number (DIN) Pre-Fill

*Name

Kind of shares subscribed	Number of subscribed shares	Amount of shares subscribed
Equity shares		
Preference shares		

I

*First Name

Middle Name

*Surname

*Father's first name

Father's middle name

*Father's surname

*Gender *Date of Birth ationality

*Place of Birth

*Occupation type o Self Employed o Professional o Homemaker o Student o Serviceman

*Area of Occupation

If 'Others' selected, please specify

*Educational Qualification

* □ PAN □ Passport number Verify Details

Aadhaar number

*email ID

Permanent Address

*Line I

Line II

*City

* State/ Union Territory Pin code

*ISO Country code Country

*Phone (with STD/ISD code)

*Whether present residential address same as permanent residential address o Yes **o** No

Present address

*Line I

Line II

*City

*State/ Union Territory Pin code

*ISO Country code ountry

*Phone (with STD/ISD code

*Duration of stay at present address Years Months

If Duration of stay at present address is less than one year then address of previous residence

*Proof of identity *Residential Proof

Submit the proof of identity and proof of address under attachments.

Kind of shares subscribed	Number of subscribed shares	Amount of shares subscribed
Equity shares		
Preference shares		

(d) *Particulars of individual first subscriber(s) cum directors

I

*Director Identification number (DIN) **Pre-Fill**

*Name

*Gender *Date of Birth ationality

*Designation tegory

Whether ☐ Chairman ☐ Executive director ☐ Non-executive director

*Name of the company or institution whose nominee the appointee is

*email ID

Kind of shares subscribed	Number of subscribed shares	Amount of shares subscribed
Equity shares		
Preference shares		

Number of entities in which director have interest (Need not to mention if such entity is having CIN/FCRN/LLPIN)

*Registration number		
*Name		
*Address		
Nature of interest	*Designation	
	Percentage of Shareholding	Amount
	Others (specify)	

I

*First Name

Middle Name

*Surname

*Father's first name

Father's middle name

*Father's surname

*Gender *Date of Birth ationality

*Place of Birth

*Whether citizen of India o Yes o No *Whether resident in India o Yes o No

*Occupation type o Self Employed o Professional o Homemaker o Student o Serviceman

*Area of Occupation

If 'Others' selected, please specify

*Educational Qualification

* □ PAN □ Passport number Verify Details

*Designation tegory

Whether □ Chairman □ Executive director □ Non-executive director

*Name of the company or institution whose nominee the appointee is

*email ID

Permanent Address

*Line I

Line II

*City

* State/ Union Territory Pin code

*ISO Country code Country

*Phone (with STD/ISD code)

*Whether present residential address same as permanent residential address o Yes **o** No

Present address

*Line I

Line II

*City

*State/ Union Territory Pin code

*ISO Country code Country

*Phone (with STD/ISD code

*Duration of stay at present address Years Months

If Duration of stay at present address is less than one year then address of previous residence

*Proof of identity *Residential Proof

Voter's identity card number

Driving license number

Aadhaar Number

Submit the proof of identity and proof of address under attachments.

Kind of shares subscribed	Number of subscribed shares	Amount of shares subscribed
Equity shares		
Preference shares		

Number of entities in which director have interest

*Registration number

*Name

*Address

Nature of interest	*Designation
	Percentage of Shareholding Amount
	Others (specify)

(e) *Particulars of directors (other than first subscribers)

I

*Director Identification number (DIN) Pre-Fill

*Name

*Gender *Date of Birth ationality

*Designation tegory

Whether □ Chairman □ Executive director □ Non-executive director

*Name of the company or institution whose nominee the appointee is

*email ID

Number of entities in which director have interest (Need not to mention if such entity is having CIN/FCRN/LLPIN)

*Registration number	
*Name	
*Address	
Nature of interest	*Designation
	Percentage of Shareholding Amount
	Others (specify)

I

*First Name

Middle Name

*Surname

*Father's first name

Father's middle name

*Father's surname

*Gender *Date of Birth ationality

*Place of Birth

*Whether citizen of India o Yes o No *Whether resident in India o Yes o No

*Occupation type o Self Employed o Professional o Homemaker o Student o Serviceman

*Area of Occupation

If 'Others' selected, please specify

*Educational Qualification

* □ PAN □ Passport number Verify Details

*Designation tegory

Whether □ Chairman □ Executive director □ Non-executive director

*Name of the company or institution whose nominee the appointee is

*email ID

Permanent Address

*Line I

Line II

*City

* State/ Union Territory Pin code

*ISO Country code Country

*Phone (with STD/ISD code)

*Whether present residential address same as permanent residential address o Yes **o** No

Present address

*Line I

Line II

*City

*State/ Union Territory Pin code

*ISO Country code Country

*Phone (with STD/ISD code)

*Duration of stay at present address Years Months

If Duration of stay at present address is less than one year then address of previous residence

*Proof of identity *Residential Proof

Voter's identity card number

Driving license number

Aadhaar Number

Submit the proof of identity and proof of address under attachments.

Number of entities in which director have interest

*Registration number		
*Name		
*Address		
Nature of interest	*Designation	
	Percentage of Shareholding	Amount
	Others (specify)	

7. (a) ***Nomination**

I *

the subscriber to the memorandum of association of

do hereby nominate *

who shall become the member of the company in the event of my death or incapacity to contract. I declare that the nominee is eligible for nomination within the meaning of Rule 3 of the Companies (Incorporation) Rules, 2014.

(b) *Particulars of the Nominee

Director Identification number(DIN) Pre-Fill

*First Name

Middle Name

*Surname

*Father's First Name

Father's Middle Name

*Father's Surname

*Gender *Date of Birth Nationality

*Income- tax PAN Verify Details

Aadhaar number

*Place of Birth (District & State)

*Occupation type

*Area of Occupation

*Educational qualification

Permanent Address

*Line I

Line II

*City

*State /Union Territory *Pin code

*ISO Country code

Country

*Phone (With STD/ISD code)

Mobile

Fax

*email id

*Whether present address is same as the permanent address ☐ Yes ☐ No

Present Address

*Line I

Line II

*City

*State/Union Territory

*ISO Country code

Country

Phone (With STD/ISD code)

Mobile

Fax

*Duration of stay at present address Years Months

If Duration of stay at present address is less than one year then address of previous residence

*Proof of identity Residential Proof

8. Particulars of payment of stamp duty

(a) State or Union territory in respect of which stamp duty is paid or to be paid Pre-Fill

(b) *Whether stamp duty is to be paid electronically through MCA21 system ◯ Yes ◯ No ◯ Not applicable

(i) Details of stamp duty to be paid

Type of document/ Particulars	Form	Memorandum of association	Articles of association
Amount of stamp duty to be paid (in Rs.)			

(ii) Provide details of stamp duty already paid

Type of document/ Particulars	Form	Memorandum of association	Articles of association	Others
Total amount of stamp duty paid (in Rs.)				
Mode of payment of stamp duty				
Name of vendor or Treasury or Authority orany other competent agency authorised to collect stamp duty or to sell stamp papers or to emboss the documents or to dispense stamp vouchers on behalf of the Government				
Serial number of embossing or stamps or stamp paper or treasury challan number				
Registration number of vendor				
Date of purchase of stamps or stamp paper or payment of stamp duty (DD/MM/YYYY)				
Place of purchase of stamps or stamp paper or payment of stamp duty				

9. *Additional Information for applying Permanent Account Number (PAN) and Tax Deduction Account Number (TAN)

Information specific to PAN

Area code			AO type		Range code			AO No.			

Information specific to TAN

Area code			AO type		Range code			AO No.			

Source of Income

□ Income from Business/profession □ Capital Gains □ Income from house property

□ Income from other source □ No Income

Business/Profession code

10. ^Additional Information for Employer registration under Employee State Insurance Corporation (ESIC)

Type of Unit □ Factory □ Establishment

Exact nature of Work/ Business carried on

Work Sub category

11. ^Does the Employees Provident Fund and Miscellaneous Provisions Act 1952 apply to the establishment o EFP and MP Act o Voluntary Coverage

12. ^Number of employees to be covered under Employees Provident Fund Act

13. ^Number of Employees earning wages less than Rupees fifteen thousand employed directly or through contractor to be covered under Employees State Insurance Act

14. ^Do you need Importer Exporter code o Yes o No

15. ^Particulars of Investment

INVESTMENT	Proposed amount (in Rupees)
A) land (for rented premises, capitalised value of the same to be indicated	
B) building	
C) plant and machinery	
(I) indigenous	
(II) import	
(A) cif value	
(B) landed cost	
(III) TOTAL [(I) + (II) (B)]	0

^The information in Serial number 10-15 are mandatorily required for Employees State Insurance Corporation registration, Employees Provident Fund, Employees State Insurance registration, Importer Exporter Code Registration in case of applicants desirous of applying for these services at the time of incorporation of a company and this facility is available at e-Biz Portal only as per separate procedure prescribed by e-Biz Portal. These services (Serial number 10-15) will not be available for forms filed on MCA21 Portal and no cognizance will be taken of entries in those fields if the form is filed on MCA21 Portal.

Attachments **List of attachments**

1. *Memorandum of association; Attach
2. *Articles of Association; Attach
3. *Affidavit and declaration by first subscriber(s) and director(s); Attach
4. Proof of Office address (Conveyance/ Lease deed/Rent Agreement etc. along with rent receipts); Attach
5. Copy of the utility bills (not older than two months); Attach

6. Copy of approval in case the proposed name contains any word(s) or expression(s) which requires approval from central government; Attach
7. Approval of the owner of the trademark or the applicant of such application for registration of Trademark; Attach Attach
8. In principle approval from the concerned regulator; Attach
9. Copy of certificate of incorporation of the foreign body corporate and resolution passed by foreign company or authority given through constitutional document; Attach Attach
10. Resolution passed by promoter company; Attach
11. NOC from existing Indian company or foreign company; Attach
12. Interest of first director(s) in other entities; Attach
13. Consent of Nominee (INC-3); Attach
14. Proof of identity & residential address of subscribers; Attach
15. Proof of identity & residential address of nominee; Attach
16. Proof of identity and address of Applicant I; Attach
17. Proof of identity and address of Applicant II; Attach
18. Proof of identity and address of Applicant III; Attach
19. Resolution of unregistered companies in case of Chapter XXI (Part I) companies Attach
20. Optional attachment(s), (if any) Remove attachment

Declaration

- I have gone through the provisions of the Companies Act, 2013, the rules thereunder and prescribed guidelines framed thereunder in respect of reservation of name, understood the meaning thereof and the proposed name is in conformity thereof.
- I have used the search facilities available on the portal of the Ministry of Corporate Affairs (MCA) for checking the resemblance of the proposed name with the companies and Limited Liability partnerships (LLPs) respectively already registered or the names already approved. I have also used the search facility for checking the resemblances of the proposed name with registered trademarks and trade mark subject of an application under the Trade Marks Act, 1999 and other relevant search for checking the resemblance of the proposed name to satisfy myself with the compliance of the provisions of the Act for resemblance of name and Rules thereof.
- The proposed name is not in violation of the provisions of Emblems and Names (Prevention of Improper Use) Act, 1950 as amended from time to time.
- The proposed name is not offensive to any section of people, e.g. proposed name does not contain profanity or words or phrases that are generally considered a slur against an ethnic group, religion, gender or heredity.
- The proposed name is not such that its use by the company will constitute an offence under any law for the time being in force.
- I undertake to be fully responsible for the consequences in case the name is subsequently found to be in contravention of the provisions of section 4(2) and section 4(4) of the Companies Act, 2013 and rules thereto and I have also gone through and understood the provisions of section 4(5) (ii) (a) and (b) of the Companies Act, 2013 and rules thereunder and fully declare myself responsible for the consequences thereof.
- *I[ ], a person named in the articles as a director of the company has been duly authorized by the promoters of the company to sign this form and declare that all the requirements of the Companies Act, 2013 and the rules made thereunder in respect of Director Identification Number (DIN), registration of the company and matters precedent or incidental thereto have been complied with.
- I am authorized by the promoter subscribing to the Memorandum of Association and Articles of Association and the first director(s) to give this declaration and to sign and submit this Form.
- I further declare that, company shall not commence its business, unless all the required approval from the sectoral Regulators such as RBI, SEBI etc. have been obtained;
- I on behalf of the promoters and the first directors, hereby declare that the registered office is capable of receiving and acknowledging all communications and notices addressed to the proposed company on incorporation , shall be maintained at the given address at item 4 of this form;
- *I, on behalf of all the first director(s) named in the Articles of Association of the proposed company, solemnly declare, that the declaration given herein as stated above are true to the best of my knowledge and belief, the information given in this integrated application form for incorporation and attachments thereto are correct and complete, and nothing relevant to this form has been suppressed. All the required

attachments have been completely, correctly and legibly attached to this form and are as per the original records maintained by the promoters subscribing to the Memorandum of Association and Articles of Association.

☐ I, on behalf of the proposed Directors whose particulars for allotment of DIN are filled as above, hereby confirm and declare that they are not restrained, disqualified, removed for being appointed as Director of a company under the provisions of the Companies Act, 2013 including sections 164 and 169, and have not been declared as proclaimed offender by any Economic Offence Court or Judicial Magistrate Court or High Court or any other Court, and not been already allotted a Director Identification Number (DIN) under section 154 of the Companies Act, 2013, and I further declare that I have read and understood the provisions of Sections 154, 155, 447 and 448 read with Sections 449, 450 and 451 of the Companies Act, 2013.

☐ * ,

having Membership number and/or certificate of practice has been engaged to give declaration under section 7(1) (b) and such declaration is attached.

Note: Attention is drawn to the provisions of sections 7(5) and 7(6) which, *inter-alia*, provides that furnishing of any false or incorrect particulars of any information or suppression of any material information shall attract punishment for fraud under section 447. Attention is also drawn to provisions of section 448 and 449 which provide for punishment for false statement and punishment for false evidence respectively.

***To be digitally signed by director** **DSC BOX**

*DIN / PAN

Declaration and Certification by Professional

I , member of having office at *

Who is engaged in the formation of the company declare that I have been duly engaged for the purpose of certification of this form. It is hereby also certified that I have gone through the provisions of the Companies Act, 2013 and rules thereunder for the subject matter of this form and matters incidental thereto and I have verified the above particulars (including attachment(s)) from the original/certified records maintained by the applicant which is subject matter of this form and found them to be true, correct and complete and no information material to this form has been suppressed. I further certify that;

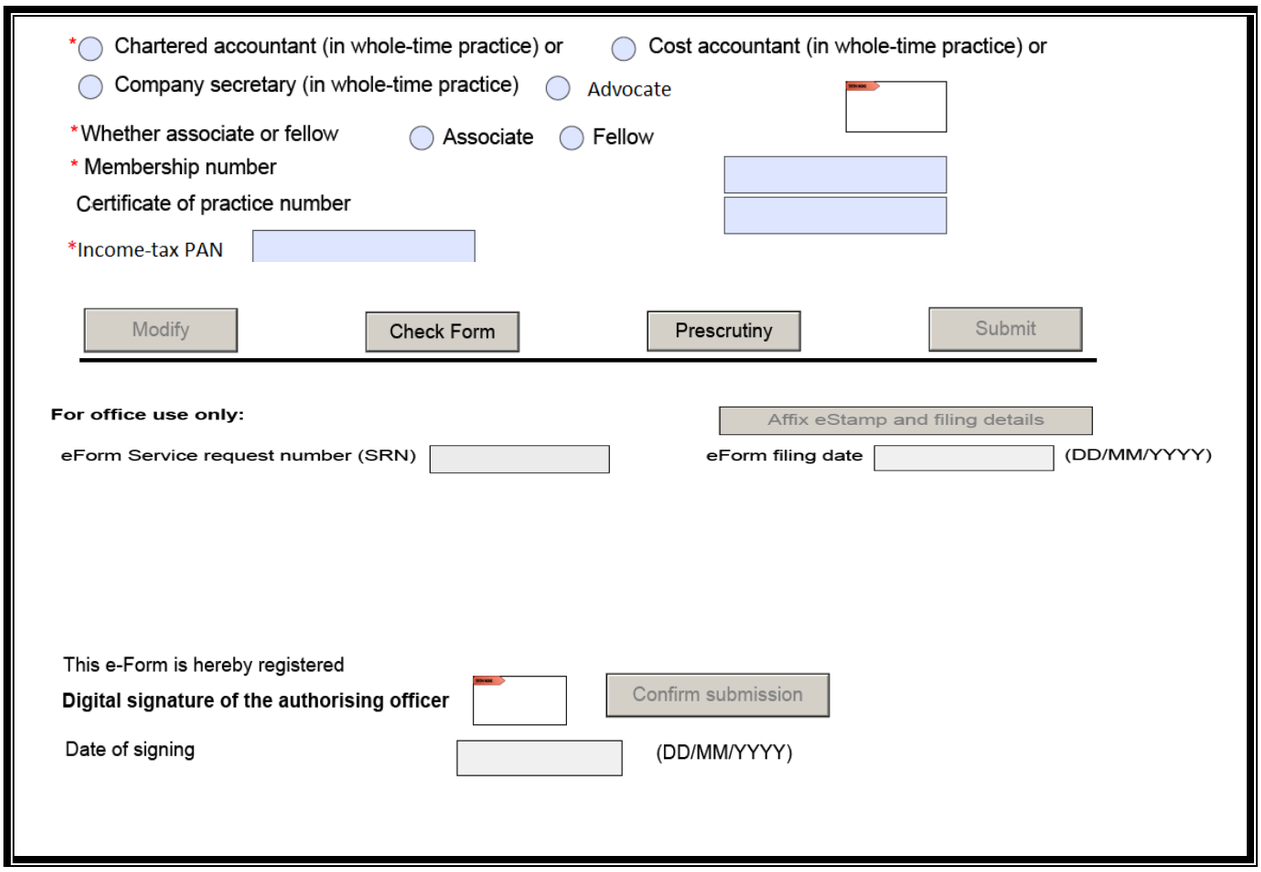
(i) the draft memorandum and articles of association have been drawn up in conformity with the provisions of sections 4 and 5 and rules made thereunder; and

(ii) all the requirements of Companies Act, 2013 and the rules made thereunder relating to registration of the company under section 7 of the Act and matters precedent or incidental thereto have been complied with. The said records have been properly prepared, signed by the required officers of the Company and maintained as per the relevant provisions of the Companies Act, 2013 and were found to be in order;

(iii) I have opened all the attachments to this form and have verified these to be as per requirements, complete and legible;

(iv) I further declare that I have personally visited the premises of the proposed registered office given in the form at the address mentioned herein above and verified that the said proposed registered office of the company will be functioning for the business purposes of the company (wherever applicable in respect of the proposed registered office has been given).

(v) It is understood that I shall be liable for action under Section 448 of the Companies Act, 2013 for wrong certification, if any found at any stage.



(viii) in form No.INC-33 and in Form no.INC-34, for the words and figures 'INC-1' the word 'RUN' shall be substituted.

[F. No. 1/13/2013 CL-V, part-I, Vol.II]

K.V.R.Murty Jt. Secy.

Note: The principal notification was published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) *vide* number G.S.R. 250(E) dated 31st March, 2014 and subsequently amended *vide* the following notifications:-

Serial Number	Notification Number	Notification Date
1.	G.S.R. 349 (E)	01-05-2015
2.	G.S.R. 442 (E)	29-05-2015
3.	G.S.R. 99 (E)	22-01-2016
4.	G.S.R.336(E)	23-03-2016
5.	G.S.R.743(E)	27-07-2016
6.	G.S.R.936(E)	01-10-2016
7.	G.S.R.1184 (E)	29-12-2016
8.	G.S.R. 70 (E)	25-01-2017
9.	G.S.R. 955 (E)	27-07-2017