



INCORPORATION OF A PRIVATE LIMITED AND PUBLIC LIMITED COMPANY HAVING SHARE CAPITAL

Following is the List of Documents for the Incorporation of a Private Limited / Limited Company having Share Capital:-

Step1:- Obtaining Director's Identification Number

- a) If an Applicant who wishes to become a director in the company under incorporation or existing company also then he/she must obtain a DIN Number if he does not have the DIN.

Following is the checklist for obtaining DIN Number:-

- a) Signed Copy of PAN
- b) Signed Copy of Address Proof
- c) One Colour Photograph
- d) Area of Occupation (i.e. whether the applicant is Self Employed/Professional/Homemaker/Student/Servicemen)
- e) Educational Qualification Certificate
- f) Valid Email Address
- g) Mobile Number
- h) Form DIR 4 (Pursuant to section 153 and rule 9(3)(a)(iv) of Companies (Appointment and Qualification of Directors) Rules, 2014) on Rs. 10 stamp paper duly notarized.

Note:

- a) For Obtaining DIN the applicant must have the Digital Signature

- b) For obtaining Digital Signature following documents are required:-

- i) Signed Original Application
- ii) One Colour Photograph of the Applicant
- iii) Photograph should be crossed signed on the application
- iv) Signed Copy of PAN
- v) Signed Copy of Address Proof
- vi) Valid Email Address
- vii) Mobile Number

- b) It should also be noted that now single name has been disallowed for obtaining DIN. If the applicant does not have Last Name as Surname then the Fathers First Name shall be the Last name as the surname of the Applicant and if the father's name also does not have the last name as surname then the Applicant's Grand Fathers First name shall be the Last Name as surname of the applicant and accordingly affidavit and Proof of relation shall be required.

Step 2:- Name Availability

- a) Applicant can propose six names in the order of their preference.
- b) The proposed name shall not be identical or similar to the name already exists.
- c) The proposed name shall not be registered in the Trade Marks.



- d) If the proposed name contains name of any other person other than promoters or their close blood relatives then No objection Certificate would be required.
- e) If the proposed name includes the name of relatives then proof of relation would be required.
- f) Minimum 2 Directors in case of Private Company and 3 Directors in case of Public limited Company.
- g) State of the Proposed Registered office of the Company.
- h) Proposed Authorized Capital of the Company (Minimum Rs. 1 Lac in case of Private Limited Company and Rs. 5 Lacs in case of Public Limited Company).
- i) The applicant will get one more chance for the Re-submission of E-Form if the ROC rejects the proposed names and mark the E-form for re-submission. (Earlier the E-form can be resubmitted two times instead of one time.)

Step 3:- Filing of Various Documents after the getting Name Approval and Following is the checklist of Documents:-

- a) Memorandum and Article of Association
- b) Subscriber Sheet signed by the subscribers to the shares. (Minimum 2 Subscribers in case of Private Company and Minimum 7 Subscribers in case of public limited Company)
- c) Declaration by the Professional in Form No. INC-8 (Pursuant to section 7(1)(b) and rule 14 of Companies (Incorporation) Rules, 2014) on Rs. 20 stamp paper duly notarized.
- d) Affidavit by the Directors in Form INC-9 (Pursuant to section 7(1)(c) and rule 15 of Companies (Incorporation) Rules, 2014) on Rs. 20 stamp paper duly notarized.
- e) Verification of Signatures of Subscribers in Form INC 10 (Pursuant to section 16(1)(q) of Companies (Incorporation) Rules, 2014) on Rs. 20 Stamp paper duly notarized.
- f) Consent to act as director of a company in Form DIR2 (Pursuant to section 152(5) and rule 8 of Companies (Appointment and Qualification of Directors) Rules, 2014)
- g) Affidavit for non-acceptance of Deposits in prescribed format on Rs.20 Stamp paper duly notarized by all Directors/ Promoters.
- h) Details of all the Companies whether Indian and/or foreign in which he/she is already director and also whether he is Proprietor/Partner in any Firm/Partnership Firm or member of BOI/AOP.
- i) Proof of Registered office of the Proposed address of the Company (Latest Electricity Bill/MTNL Landline Bill/Water Bill/Registry Copy signed by the owner) which should be accompanied by NOC on Rs. 20 stamp paper duly notarized signed by the owner of the premises)
- j) One Photograph of the Premises. The Professional should visit the premises personally and take a photograph of the Premises for his record and safety.
- k) Number of the shares subscribed by each subscriber.
- l) After the Successful Incorporation of the Company, the Company has to File E- form INC 21 for obtaining Certificate of Commencement of Business from ROC.(Earlier it was only for Public Limited Company but now it is mandatory for both type of companies i.e. Private Limited and as well as Public Limited Company.