

SECTION 8 COMPANY REGISTRATION

Steps:

- 1) Obtaining DIN & DSC for the proposed Directors.

Documents required:

- a) ID Proof. (Self Attested PAN Card Copy mandatory)
- b) Residential Proof. (Self Attested Copy)
- c) Passport size photo.
- d) Educational Qualification of proposed Directors.
- e) Email id of proposed Directors.
- d) Mobile No. of proposed Directors.

- 2) Name Approval in Form INC-1- Application for reservation of name for section 8 company can be made to MCA.

Details Required:-

- a) Name of the proposed Company and its significance. (Maximum 6 names in order of preference.)
- b) Name of Proposed Directors.
- c) Name of Promoters/Shareholders.
- d) Proposed Authorised & Paid-up share capital.
- e) Proposed main object of the Company.

- 3) Obtaining of License by filing E-Form INC-12- A license must be obtained prior to incorporation.

Documents required:

- a) Memorandum & Articles of Association of the proposed company;
- b) A declaration confirming the application by a Company Secretary in Practice on the Non - Judicial stamp paper of prescribed value;
- c) List of names, descriptions, addresses & occupation of the promoters as well as Board Members of the proposed company;
- d) A statement showing details of assets and liabilities of the company as on date with the application;
- e) An estimate of future annual income and expenditure of the proposed company, specifying the source of income and object of expenditure;

- f) A statement giving brief description of work, if any, already done by the association;
- g) A statement specifying briefly the grounds on which the application is made;
- h) A declaration in prescribed form on non – judicial stamp paper by each person making an application.

4) Filing of Forms for Registration (Form INC-7,INC-22 & DIR-12) –

Form No. INC – 7 (declaration of compliance with the requirements of the Act on application for registration of a company);

Form No. INC – 22 (notice of situation of registered office);

Form No. DIR – 12 (appointment of directors of the company); and

A Power of Attorney to be executed by subscribers and proposed directors (authorisation by the promoters of the company to a person/s to carry out appropriate changes as suggested by the RoC in any of the incorporation papers that have been filed).

Important Points to be noted:

- Minimum two shareholders;
- Minimum two Directors (Directors and shareholders can be same person);
- At least one Director shall be resident in India;
- No Minimum capital required;
- Income-tax PAN is a mandatory requirement in case of Indian nationals;
- Any one of the Identity Proof (Voter ID/Aadhar Card/Driving License/Passport); Passport is mandatory requirement for proof of identity in case of foreign nationals;
- Any one Proof of Residence (Electricity Bill/Telephone Bill/Mobile Bill/Bank Statement);
- Registered Office address proof (rent agreement along with latest rent receipt and copy of latest utility bill in the name of landlord and a no objection certificate from the owner of the premises, in case the premises are rented);
- In case the premises are owned by a Director and Promoters, any documents establishing the ownership such as Sale Deed/House Tax receipt etc along with the no objection certificate.