Start a Business

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| **PROPRIETORSHIP FIRM**  **Shops & Establishments Act, 1958**  A sole proprietorship, also known as the sole proprietor or simply a proprietorship, is a type of enterprise that is owned and run by one natural person and in which there is no legal distinction between the owner and the business entity. The owner is in direct control of all elements and is legally accountable for the finances of such business and this may include debts, loans, loss, etc.  A sole proprietorship can best be summed up by the phrase, "***You are the business***."  A sole proprietorship form of business is a common business structure in India. A sole proprietorship business is established and managed by a single person. This type of business form is best suitable for individuals wishing to start a business with less investment.  **To Know more Contact Us** | **PARNTERSHIP FIRM**  **Indian Partnership Act, 1932**  Partnership firm represents a business entity that is formed with a purpose of making a profit from the business. Two or more parties come together with a formal agreement which as known “Partnership Deed” to manage the business. The risk and responsibilities are shared amongst the partners that shared the burden of an individual partner. Also, when two comes together, more capital and expertise are combined that helps to reach the business goals easily.  According to section 4 of the Partnership Act of 1932,*"Partnership is defined as the relation between two or more persons who have agreed to share the profits of a business run by all or any one of them acting for all".*  **To Know more Contact Us** | **LIMITED LIABILITY PARTNERSHIP FIRM (LLP)**  **Limited Liability Partnership Act, 2008**  LLP is an alternative corporate business form that gives the benefits of limited liability of a company and the flexibility of a partnership. The LLP can continue its existence irrespective of changes in partners. It is capable of entering into contracts and holding property in its own name. The LLP is a separate legal entity, is liable to the full extent of its assets but liability of the partners is limited to their agreed contribution in the LLP.  The law define LLP as *“A corporate business vehicle that enables professional expertise and entrepreneurial initiative to combine and operate in flexible, innovative and efficient manner, providing benefits of limited liability while allowing its members the flexibility for organizing their internal structure as a partnership*  **To Know more Contact us** |
| **PRIVATE LIMITED COMPANY**  **Companies Act, 2013**  Company is a popular option to start a business in India by startups and businesses with higher growth aspirations. Private Limited Company is incorporated under the Companies Act of 2013. It is a registered corporate structure, that provides business a separate legal identity from its owners. Hence, providing key advantages like the ability to contract in its own name, and safeguard personal assets of the owners from business liabilities.  Private limited company a company which as private or personally held small business. Private limited company itself defines that these are companies which have limited liability and is very personal. The liabilities of its members / shareholders are limited to their capital/amount of shares held by them.  **To Know more Contact Us** | **PUBLIC LIMITED COMPANY**  **Companies Act, 2013**  A limited company grants limited liability to its owners and management. Being a public company allows a firm to sell shares to investors this is beneficial in raising capital. A minimum of three Directors are required for establishing a Public Limited Company and it has more stringent regulatory requirements compared to a Private Limited Company. Public Limited Companies are those types of companies where minimum number of members is seven and there is no cap on the maximum number of members. A public limited company has most of the characteristics of a private limited company. A public limited company has all the advantages of private limited company and the ability to have any number of members, ease in transfer of shareholding and more transparency. Identifying marks of a public limited company are name, number of members, shares, formation, management, directors and meetings, etc.  **To Know more Contact Us** | **ONE PERSON COMPANY**  **Companies Act, 2013**  The concept of One Person Company in India was introduced through the Companies Act, 2013 to support entrepreneurs who on their own are capable of starting a venture by allowing them to create a single person economic entity. One of the biggest advantages of a One Person Company (OPC) is that there can be only one member in a OPC, while a minimum of two members are required for incorporating and maintaining a Private Limited Company or a Limited Liability Partnership (LLP). Similar to a Company, a One Person Company is a separate legal entity from its promoter, offering limited liability protection to its sole shareholder, while having continuity of business and being easy to incorporate. The One Person Company concept holds a bright future for small traders, entrepreneurs with low risk taking capacity, artisans and other service providers..  **To Know more Contact Us** |
| **NIDHI COMPANY**  **Companies Act, 2013**  ‘Nidhi’ means a company that aims to increase the sustainability and saving habits of its members, to take deposits, and to lend only to its members for their mutual benefit. Only an individual can be a member of a Nidhi company. A corporation or limited partnership cannot become a member of a Nidhi Company. Hence it cannot take deposits from or lend money to any corporate body. A Nidhi Company also provides loans to its members at a lesser rate comparatively than Banks. The company independently still must adhere with the rules and regulations set by the Central Government for regulation of such companies.  The ministry of Corporate Affairs vides its notification dated 18th February 2020effective from 23rd February 2020 has further amended the companies(incorporation) rules, 2014 thereby substituting the old form INC-32 (SPICe) with web service SPICe+ along with certain other amendments. | **PRODUCER COMPANY**  **Companies Act, 2013**  A producer company is a legally organised body of mainly farmers and agriculturalists, which was introduced by the government to help raise the standard of living, income and profitability of Indian farmers and agriculturalists. A producer company is formed as a private company itself and is governed under the provision of Companies Act 1956. The company is incorporated with an objective as stated under the law i .e. Production, harvesting or selling as the primary production and related activities. A farmer/agriculturists can incorporate a producer company when they have 10 or more producers and 5 directors with a minimum capital of Rs. 5,00,000/-. Thereafter, there are a few objections stated by the government for producer companies, that can be read under the Section 581B of the Companies Act, 1956.  There is no particular provision for Producer Company under Companies Act, 2013, however, chapter IXA of Companies Act, 1956 administers it. | **FOREIGN COMPANY**  **Companies Act, 2013**  Under the Companies Act, 2013, a Foreign Company is an entity incorporated outside India (in a foreign country) but has a place of business i.e. a premise that indicates the visible or physical contact with a foreign company in India or carries out business activity in India in any other way.  A Foreign Company can be incorporated in India by complying with the provisions of Companies Act, 2013. A person can easily set up a Foreign Company by contacting the best firm for Foreign Company Registration in India. Following are the ways through which one can set up a Foreign Company   1. As an Indian Company registered under the Companies Act, 2013  * Wholly Owned Subsidiary * Joint Venture  1. As a Foreign Company  * Setting up a Liaison Office * Representative Office or a Project Office or * Branch Office of the foreign company |

NON PROFIT ORGANISATION

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| **SECTION 8 COMPANY**  **Companies Act, 2013**  Section 8 Company is a company registered with charitable objects such as the promotion of Arts, commerce, science, education, sports, protection of the environment, religion, charity, etc. By promoting it as a not-for-profit organization, the Act does not bar the company from profit creation but rather prohibits distributing profit among members. This says that all the income or profit from any activity of the company must be utilized towards charitable purpose for which it is registered.  The charitable company is registered under Section 8 of the Companies Act, 2013, which provides it special status due to its objects. Compared to other types of companies, Section 8 Company enjoys various exemptions and relaxations.  **Section 8 company registration is use full for the following purposes -**   * For promoting arts, commerce, science, education, research, social welfare, religion, charity, for environment protection or for any other purpose related to social welfare. * Provided that they apply their profits in promoting the object of the company.   It also prohibits the dividend payment to its members. | **SOCIETY REGISTRATION**  **Societies Registration Act, 1860**  Society is an organized group of people with an aim and objective of providing non-profitable service. Rajasthan Societies Registration Act, 1958, lays down the procedure for society registration and operation in Rajasthan. Society can be registered with the concerned Registrar in which district the Society is intended to be established. After registration, the Society will have legal recognition. In this article, we look at the procedure for Society registration in Rajasthan in detail. In case if a person requires assistance for Society Registration in Rajasthan.  Requirement for Society Registration :   1. Minimum 7 Members are Required 2. There should be person whom members should Designate 1. President 2. Manager 3. Secretary 4. Treasurer 3. Objects of Society : Like Promotion of Education, Child Development, Water Management, Housing Society Etc. 4. Name of Society 5. Initial and Annual Membership Subscription Amount from Members. 6. If Society has scope of work for all over the state of Rajasthan than 4 Members from the different District are Required 7. Category of Members (General, OBC, SC etc. | **TRUST REGISTRATION**  **The Indian trusts Act, 1882**  A Trust is an arrangement where owner or trust or of Trust transfers the property to a trustee. Such transfer of property is done for the benefit of a third party. The property is transferred to the trustee by the trust or along with a proclamation that the property should be held by the trustee for the beneficiaries of the trust.  The Indian Trust Act 1882, provides for the provisions related to Trust in India. The Trust Registration is advisable in India for obtaining the benefits.  In India, there are two types of trust which are as follows:  Private Trust: A Private trust is a trust that is created for the benefit of 1 or more individuals who are, or within a given time may be, definitely ascertained. In other words Private Trusts are constituted for the benefit of individuals rather than for the benefit of public. Private Trusts are governed under the Indian Trusts Act 1882 and may be created inter vivos or by will.  Public Trust: A Public Trust is a trust which is constituted wholly for the benefit of Public at large. The major provisions under Public Trusts are as follows: – |