

CHAPTER 1FORMATION OF COMPANY

U/s 3(i) There are three Types of Companies

- ⇒ Public Company
- ⇒ Private Company
- ⇒ One Person Company

CONFIGURATION OF COMPANIES.

- ⇒ PUBLIC COMPANY :- Minimum number of Members 7
Maximum number of Members unlimited.
- ⇒ PRIVATE COMPANY :- Minimum number of Members is 2
Maximum number of Members is 200
- ⇒ ONE PERSON COMPANY :- Minimum number of Member is 1 that is called Private company.

PROCEDURES / STEPS FOR INCORPORATION OF COMPANY

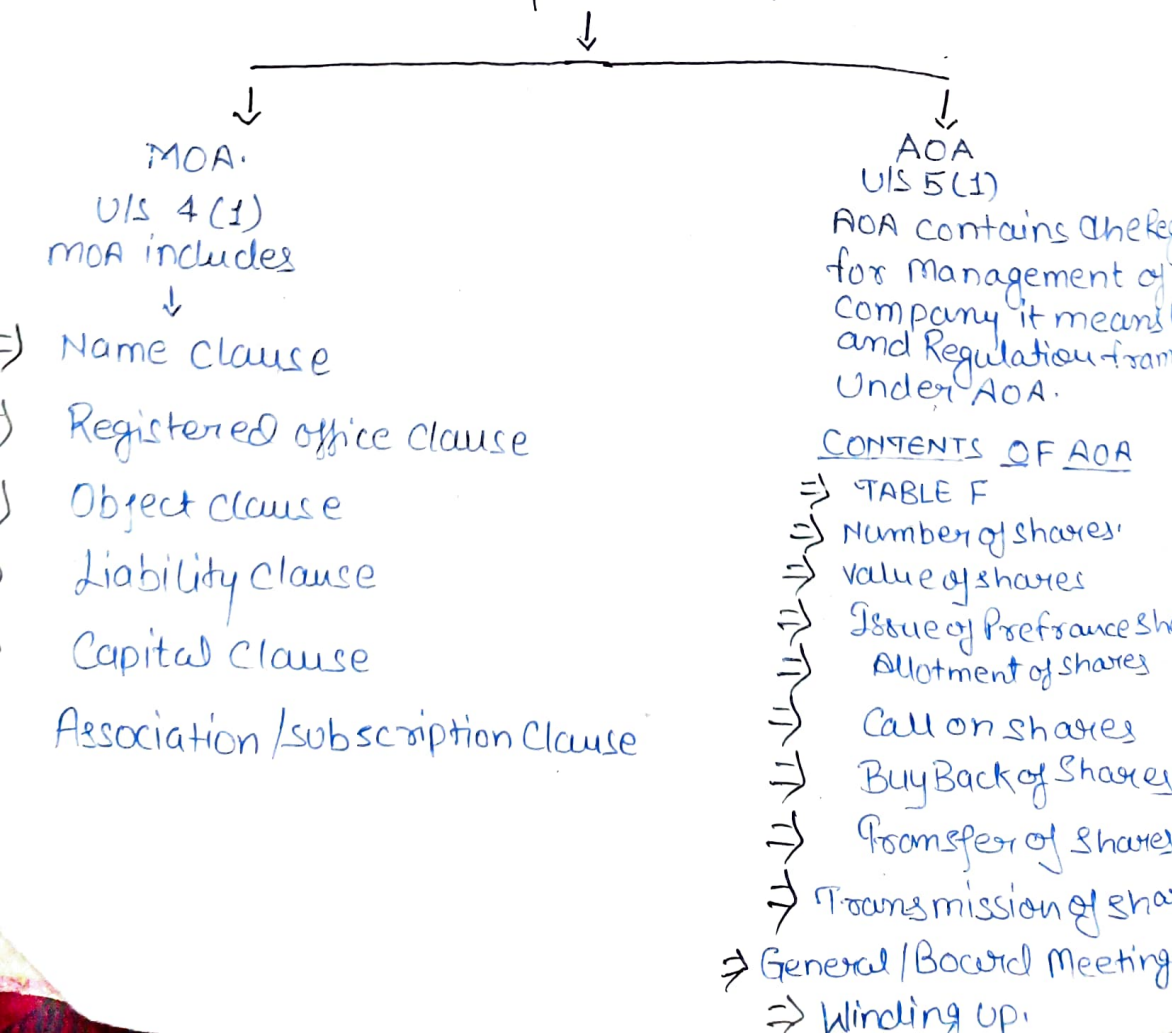
Application for Availability of Name of Company :- As Per Sec 4(4) first of all the promotor select atleast six names in order of Preference after that promotor making in form no INC1 along with prescribed fees of ₹1000. send to ROC for the purpose of selecting Name of Company.
 If the Authorised cap is more than 10 Lakhs.

Es:- As per Sec 4(2) a company cannot be registered with a name which is considered as undesirable in opinion of Central Government.

NOTE 2 :- The name should not be identical with or Resemble to nearly to the Name of existing company Registered Under this Act or any other Previous Law.

NOTE 3 :- The Registrar may available the Name for from the Date of Application If Rejection of Name ROC then within 15 Days from the Rejection company may apply for a fresh Name to at maximum two times with same filing fee of ₹ 1000

DRAFTING OF MOA / AOA



STAMPING & Signing OF MOA/AOA

The MOA/AOA of company shall be signed by each subscriber to the Memorandum who shall Add his Name, Address, Discription and Occupation.

⇒ And atleast One witness whoshall atleast Agree the Signature and Address, His Name, and occupation in form NO INC7.

DECLARATION FROM PROFESSIONAL

Statutory Declaration in form NO INC8 by an:-

- Advocate.
- C.A. in Practice.
- C.S. in Practice.
- Cost and Work Accountant in Practice.

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AFFIDAVITE FROM SUBSCRIBER TO MEMORANDUM

The affidavite shall be Submitted by Each of subscribers to Memorandum and each of first Director Name in Article in form NO INC9.

In the Article that he is not convicted of any offence in connection with the promotion, formation or management of the company and he is not found guilty of any fraud, missefence and any Breach of Duty to any other Act or under this Act or any other previous company law Or other Act.

All documents must be True & fair of his knowledge and Beliefs.

FURNISHING VERIFICATION OF REGISTERED OFFICE

UIS 12:- where the Location of Registered Office is situated is prior to incorporation of comp by Promoter. can also file along with MOA/AOA in form NO INC 22.

PARTICULARS OF SUBSCRIBERS

Every subscriber to be file with ROC in form NO INC 7 at time of Incorporation.

- ⇒ Name (including Surname).
- ⇒ father / Mother Name.
- ⇒ Nationality.
- ⇒ Date of Birth.
- ⇒ Educational Qualification.
- ⇒ occupation.
- ⇒ Email ID
- ⇒ Identity Proof
- ⇒ Place of Birth.
- ⇒ Residential Proof.

(5)

NOTE:- Specimen signator and latest Photograph duly verified by Banker, Notary shall be in form NO INC 10.

NOTE:- If subscriber to memorandum is a body corporate. Then following particulars shall be filed with ROC.

⇒ CIN NO (CORPORATE IDENTIFICATION NUMBER)

⇒ Name of Body Corporate.

⇒ Registered office of company

⇒ Email ID.

⇒ Particulars of first Director consent to act as Director in form NO DIR 12 and also file particulars of Director it means Names, Address, Occupation, Residential Address, Nationality.

NOTE:- The first Director first of all has to obtain DIN Number in form NO DIR 3.

POWER OF ATTORNEY

The Promoter may appoint attorney empowering him to carry out instruction/requirement stipulated by Registrar.

NOTE:- Execution of Power of Attorney on a Non judicial stamp paper of value Prescribed in state stamp Law.

GRANT / ISSUE OF CERTIFICATE OF INCORPORATION

If the Registrar is satisfied then Grant a Certificate of Incorporation.

ALLOTMENT OF CIN

The Registrar shall allot CIN (CORPORATE IDENTIFICATION NUMBER) which shall be distinct identification Identity for company.

DOCUMENT OF INCORPORATION PRESERVE

The company shall Maintain and Preserve at its Registered office of Company, copy of All Documents and information till dissolution under audit.