

Form No. INC-33

e-MOA (e-Memorandum of Association)

[Pursuant to Schedule I (see Sections 4 and 5) to the Companies Act, 2013]



Form language

☒ English

☐ Hindi

Refer instruction kit for filing the form

All fields marked in * are mandatory

* Table applicable to company as notified under schedule I of the Companies Act, 2013

(A - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY SHARES

B - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

C - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE AND HAVING A SHARE CAPITAL

D - MEMORANDUM OF ASSOCIATION OF AN UNLIMITED COMPANY AND NOT HAVING SHARE CAPITAL

E - MEMORANDUM OF ASSOCIATION OF AN UNLIMITED COMPANY AND HAVING SHARE CAPITAL)

A - MEMORANDUM OF
ASSOCIATION OF A COMPANY
LIMITED BY SHARES

Table A/B/C/D/E

1 The name of the company is

MSPIT PRIVATE LIMITED

2 The registered office of the company will be situated in the State of

Uttar Pradesh

3 (a) The objects to be pursued by the company on its incorporation are:

Other information technology and computer service activities n.e.c
1. To carry on the business of Software designing, development, customisation, implementation, maintenance, testing and benchmarking, designing, developing and dealing in computer software and solutions, and to import, export, sell, purchase, distribute, host (in data centers or over the web) or otherwise deal in own and third party computer software packages, programs and solutions, and to provide internet / web based applications, services and solutions, provide or take up Information technology related assignments on subcontracting basis, offering services on-site/ offsite or through development centers using owned /hired or third party infrastructure and equipment, providing solutions/ Packages/ services through applications services provider mode via internet or otherwise, to undertake IT enabled services like call Centre Management,

Medical and legal transcription, data processing, Back office processing, data warehousing and database management.

2. To carry on the business of dealing and maintenance of computer hardware, computer systems and assemble data processors, program designs and to buy, sell or otherwise deal in such hardware and software packages and all types of tabulating machine, accounting machines, calculators, computerized telecommunication systems and network, their components, spare parts, equipments and devices and to carry on the business of establishing, running and managing institutions, school, and academics for imparting education in computer technology, offering equipment, solutions and services for networking and network management, data centre management and in providing consultancy services in all above mentioned areas.

3. To develop, provide, undertake, design, import, export, distribute and deal in Systems and application software for microprocessor based information systems, off shore software development projects, internet service provider, and solutions in all areas of application including those in Emerging niche segments like Internet and Intranet website applications solutions software enterprise, resource planning, e- commerce, value added products and other business applications either for its own use for sale in India or for export outside India and to design and develop such systems and application software for and on behalf of manufacturers owners and users of computer, telecom, digital, electronic equipments in India or elsewhere in the world.

4. To carry on the business of providing outsourcing services for all processes, sub Processes, transactions, activities and all

other work performed by business in various industries within India and across the world. This includes those process or sub processes that are enabled by information technology. It also includes data, voice or video collection and processing, call centre services including in bound and out bound calling services of all kinds, technical support, managed data centre, managed technical centre, training centre, web support back office, business or financial analysis, scientific analysis, research work and analysis, storage, disaster recovery, accounting, pay roll, inventory management, customer relationship management, enterprises resources planning and to develop software, provide consultancy, software solution and services that are normally offered by the outsourcing business and information technology services providers, the software development houses and application services providers.

(b) *Matters which are necessary for furtherance of the objects specified in clause 3(a) are

1. To acquire, store, purchase, sell, distribute export, import, any kind of merchandise, machinery, appliances, goods, or articles which may directly or indirectly be dealt with in or pertain to the business as may conveniently be carried on with the aforementioned business of the company.
2. To enter into contracts, agreements and arrangements with any other company, firm, trust, Government or Local authority, society, organization, institution, authority, Body Corporate, concern, association of persons or individual that may be required for or conducive for the attainment of the objects of the Company for the purchase, sale and supply of goods, merchandise, stocks, shares securities, movable articles and things or otherwise and to

provide consultancy services of all types to them on such terms and conditions as the Board of Directors deem fit from time to time and to take or otherwise acquire shares and securities of any such company and to sell, hold, re-issue, with or without guarantee or otherwise deal with the same.

3. To apply, approach, purchase, tender, auction, hold, protect, prolong, work, use or to otherwise acquire, renew or dispose of in any part of the world any patents, copyrights, trade secrets, secret processes, information, know-how, formulas, inventions, trademarks, monos, licenses, concessions and the like, conferring any absolute exclusive, non-exclusive, limited, temporary or permanent right to use or work the same or any secret or other information as to any invention which may seem capable of being used for any of the purposes of the company or the acquisition of which may seem beneficial to the company and to use, exercise, develop or grant licenses in respect of, or otherwise turn to account, the property, rights, or information so acquired, and to expand money in experimenting upon, testing or improving or seeking to improve any such patents, inventions, rights or information as aforesaid which the company may acquire or propose to acquire.

4. To advance money with or without securities to such companies, firms or persons, and on such terms as may seem expedient and in particular to the clients and others having dealings with the Company and to guarantee the performance of contracts by any persons, firms or companies, provided that, the Company shall not carry on the Banking business as defined under the Banking Regulation Act, 1949.

5. To establish, settle, promote, form, undertake or to execute any public charitable or welfare trust for the benefit of employees,

employees, directors, their dependants and general public or for the development and advancement of any activity in the field of education, healthcare, public welfare, science for their benefit.

6. To amalgamate, merge, compromise and collaborate with and to takeover any Company, Partnership Firm whether registered or not, Association of Person, Society, Trust, Undertaking, Body Corporate having similar objects or to enter into Partnership, Joint Venture or other arrangement, reciprocal concession with any person or company, firm or other organization and undertaking whether registered under any Act such as Companies Act, 2013, LLP Act, Partnership Act, Societies Registration Act or any other act or not.

7. To apply for, promote, obtain, and protect the intellectual property of the company and to deal in any patent, patent right, copyright, trademark, formulas, designs, licenses and concessions conferring any right.

8. To enter into technical collaboration agreement with the foreign companies having same or relative object as that of the company and to obtain or render technical support through the respective expertise in the field of construction, enter into knowhow, patent agreements with the foreign companies.

9. To incorporate, float, form, constitute and promote any company or companies for the purpose of acquiring all or any of the properties, rights and liabilities of this company, or for carrying on any business which this company is authorised to carry on or for any other purpose which may seem directly or indirectly calculated to benefit this company and to incur, pay or reimburse the expenses in connection therewith, including preliminary expenses, brokerage or commissions.

10. For the purpose of investment, to acquire by

purchase, lease, exchange, rent, auction or otherwise lands, buildings and hereditaments of any size, tenure or description and any estate or interest therein and any rights connected with lands so situated and to turn the same to account as may be deemed expedient and in particular by laying out, developing or assisting in developing and preparing land by constructing, decorating, furnishing and maintaining office, flats, services, flats, houses, hotels, restaurants, guest houses, bungalows, chwals, factories, warehouses, shops cinema houses, buildings, works and conveniences and by consolidating or connecting or subdividing properties for leasing, letting or renting, selling outright or by installments on ownership, hire purchase basis or otherwise and /or disposing of the same on any other terms and conditions.

11. To purchase, sell, subscribe, underwrite, acquire, invest, exchange, take up, hold, or otherwise to deal in shares, stocks, bonds, debentures, warrants, entitlements, premium notes, obligations or securities issued or guaranteed by the companies, corporations, mutual funds, government undertakings, government authorities, banks, financial institutions, foreign institutional investors, foreign companies, or by any other body or authority in India or abroad either by original subscription, tender, conversion, offer, renunciation, purchase or otherwise and to subscribe for the same either conditionally or unconditionally and to guarantee the subscription thereof and to exercise, enforce and enjoy all rights and powers conferred by or incidental to the ownership thereof.

12. To invest and deal with surplus money of the company in shares, securities, fixed deposits or in deposit with banks or otherwise in such manner as the board of Directors may think fit

and from time vary, transfer and realize such investments.

13. Subject to the provisions of Companies Act, 2013 and its Rules, RBI Act and its rules, SEBI Act, Rules and its Guidelines, as the case may be, to borrow, raise, secure, invite, promote undertake and accept the payment of moneys as deposit, loan or advance with or without interest, secured or unsecured, conditional or unconditional or in such other manner as the directors may, in their absolute discretion, deem fit, and in particular by the issue of debentures, bonds, debenture stocks, commercial papers or other securities whether convertible or non convertible, on mortgage, pledge or charge on the whole or any part of the property, assets, revenue and profits of the company, including its uncalled capital, by special assignment or otherwise, and to purchase, redeem, pay off or discharge any such securities.

14. To accept, invite, promote, raise, secure, borrow, undertake, otherwise to negotiate loans, underwriting contracts, mortgages, leases, equity participations, cash credits, letters of credit, guarantees, obligations, commitments, overdrafts and other financial facilities from banks, financial institutions, leasing companies, government or semi-government bodies, companies, firms, individuals, societies, associations, bodies corporate, and other entities.

15. To sell, transfer, lease, let on hire, dispose of or exchange any undertaking, division, branch, property, right, claim, or other beneficial interest of the company or any part thereof for such consideration as the company may think fit and to take or hold mortgages, liens, sureties or secure payment of the sale price, or any unpaid balance of the sale price of any part of the companys property of any kind sold by the company, or any money due to the company form

the buyers.

16. To acquire or issue and use, deal in, and pledge, mortgage, transfer, assign, sell or negotiate mercantile documents of every kind and description, and without prejudice to this generality, to draw, make, accept, endorse, discount, execute, issue and assign cheques, drafts, bills of exchange, promissory notes, hundies, debentures, bonds, bills of lading, railway receipts and other negotiable or transferable instruments or securities and to purchase, sell, endorse and surrender for renewal any government promissory notes or government war loan bonds or other securities of the Government of India or any other government.

17. To adopt such means for making known the business and / or products of this company or any company in which the company is interested as its principal agents, representatives or in any other way by advertisements and publicity in press, periodicals, magazines; through corner slides and films; by issue of circulars, posters, calendars, show cards, playing cards, gifts, complementaries, hoardings; by radio programmes and TV programmes; by exhibitions, sponsorship of games, sports activities, cultural or other programmes; by publications of books & periodicals; by purchase and exhibition of works of art or interest by granting prizes, rewards and donations or in any other manner as the Board of Directors may think fit.

18. To apply for, approach, obtain, hold, renew, protect, defend, prolong, procure and manage any recognition in India or abroad in any establishments, authorities, Chamber of Commerce, institutions, organizations, trusts, associations, councils, chapters, clubs or other entities whether belonging to government, semi government, local authorities, public bodies,

private persons or otherwise for the purpose of standardization of quality, know how, formulas, exports, imports, quotas, rights, entitlements and other benefits as are conducive for the attainment of the objects of the company.

19. To pay for any property, rights, services or benefits acquired by the company either in cash or by the allotment of fully or partly paid up shares of the company with or without preferential rights in respect of dividend or repayment of capital or otherwise, or by any securities which the company has power to issue or partly in one mode and partly in another on such terms and conditions as the company may determine from time to time.

20. To create any type of mortgage or charge on the whole or any part of the undertaking, properties, stocks / investments / rights, titles of the company, both present and future and on any uncalled share capital of the company, both present and future and on any uncalled share capital of the company, and to create, issue, make and give debentures, debenture, stocks, bonds or other securities and obligations, perpetual or otherwise, with or without any mortgage or charge on all or any part of the items aforesaid.

4 The liability of the member(s) is limited, and this liability is limited to the amount unpaid if any, on the shares held by them.

The liability of the member(s) is limited

The liability of the member(s) is Unlimited

5 Every member of the company undertakes to contribute:

(i) to the assets of the company in the event of its being wound up while he is a member, or within one year after he ceases to be a member, for payment of the debts and liabilities of the company or of such debts and liabilities as may have been contracted before he ceases to be a member; and

(ii) to the costs, charges and expenses of winding up (and for the adjustment of the rights of the contributories among

themselves), such amount as may be required, not exceeding * rupees.

(iii) The share capital of the company is rupees, divided into

Equity Share	Shares of	10	Rupees each		100000
--------------	-----------	----	-------------	--	--------

6

- ☒ We, the several persons, whose names and address are subscribed, are desirous of being formed into a company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the company set against our respective names:
- ☐ I, whose name and address is given below, am desirous of forming a company in pursuance of this memorandum of association and agree to take all the shares in the capital of the company:
- ☐ We, the several persons, whose names and addresses are subscribed, are desirous of being formed into a company in pursuance of this memorandum of association:

Subscriber Details					
S. No.	*Name, Address, Description and Occupation	DIN / PAN / Passport number	No. of shares taken	DSC	Dated
1	HARI OM SHARMA A-22, GALI NO. 4 OM NAGAR MOHAN NAGAR Ghaziabad Uttar Pradesh 201007 Ghaziabad India	NBRPS0979B	500 Equity,0 Preference		11/08/2023
2	ANITA SHARMA 22, Gali No.4, Om Nagar Sahibabad Mohan Nagar Ghaziabad Uttar Pradesh 201007 Mohan Nagar (Ghaziabad) Ghaziabad India	NBRPS0896B	4500 Equity,0 Preference		11/08/2023
Total shares taken			5000 Equity,0 Preference		

Signed before me

Membership type of the witness (ACA/FCA/ACS/FCS/ACMA/FCMA)	*Name of the witness	*Address, Description and Occupation	DIN / PAN / Passport number / Membership number	DSC	Dated
ACS	NEHA GUPTA	OFFICE NO. -205, LOTUS TOWER, F-06, VIJAY BLOCK, LAXMI NAGAR, DELHI-110092 (PRACTISING COMPANY SECRETARY)	42443		11/08/2023

7 Shri / Smt Of resident of
 aged years shall be the nominee in the event of death of the sole member.