

CHECKLIST FOR INCORPORATION OF PRIVATE COMPANY

COMPANIES (INCORPORATION) RULES, 2014

Application for incorporation of a company:

Application	Form
i. SPICe+ (Simplified Proforma for Incorporation of Company Electronically Plus	INC-32
ii. E-Memorandum of association	INC-33
iii. E-Articles of association	INC-34
iv. AGILE-PRO-S for application of: 1. GSTIN 2. EPFO 3. ESIC 4. Professional tax registration 5. Opening of bank account 6. Shops and establishment registration (optional)	INC-35
v. Declaration by all Subscribers and first Directors	INC-9 (auto-generated and required to be submitted in electronic form in all cases, except where: i. Total number of subscribers and/or directors is greater than 20 and/or ii. Any such subscribers and/or directors has neither DIN or PAN)

- In case of incorporation of a company having **more than seven subscribers** or where **any of the subscriber to the MoA/AoA is signing at a place outside India**, MoA/AoA shall be filed with SPICe+ (INC-32) in the respective formats as specified in Table A to J in schedule I without filing from INC-33 and INC-34.



Submission of Parts of SPICe+

- The SPICe+ form is divided into 2 parts.
- The user may either choose to submit Part-A for reserving a name first and thereafter submit Part B for incorporation & other services or file Part A and B together at one go.
- The checks and pre-scrutiny validations (except DSC validation) happen on web-form itself. After filling SPICe+ completely, it can then be converted into a PDF format for affixing of DSCs.
- Changes can also be done to the SPICe+ form, even after affixing DSCs, by editing the same web form application, and generating an updated PDF for affixing DSCs.

Mandatory registration requirements

- Registration for EPFO and ESIC shall be mandatory for all newly incorporated companies.
- No EPFO & ESIC registration no. shall be separately issued by the respective agencies.
- Registration for Professional tax is mandatory for companies to be registered in Maharashtra, Karnataka and West Bengal.
- All new companies incorporated through SPICe+ shall mandatorily apply for opening of the company's bank account through AGILE-PRO-S linked web-form.

Shops and Establishment registration is available only for new companies incorporated in the State of Delhi only.

Steps for incorporation

Step	Process	Details
1	Apply for name approval	Details required to be mentioned in Part A of SPICe+: i. Type of company ii. Class of company iii. Category of company iv. Sub-category of company v. Main division of industrial activity of company vi. Description of the main division vii. Summary of the objects to be pursued by the company on its incorporation viii. Particulars of the proposed or approved name



		ix. CIN (required to be entered only when an existing company wishes to change its name and is using RUN to reserve a new name) x. Comment (Objects of the proposed company and any other relevant information like Trade Marks, etc.) xi. Attach relevant documents
2	Preparation of Documents for Incorporation of Company	Enclosure of documents for SPICe+ i. Memorandum of Association ii. Articles of Association iii. Declaration by the first directors and subscribers (affidavit not required) iv. Proof of office address (Conveyance/ Lease deed/ Rent agreement along with rent receipts) v. Copy of utility bills not older than 2 months vi. NOC for use of premises for registered office of proposed company from owner and person whose name mentioned in utility bill vii. Copy of certificate of incorporation of foreign body corporate viii. A resolution passed by promoter of company, if a body corporate is a promoter ix. Interest of first directors in other entities x. Consent of Nominee (INC-3) for OPC xi. Proof of identity as well as the residential address of subscribers xii. Proof of identity as well as residential address of nominee xiii. Any other attachments



3	Fill information in Part-B of SPICe+	All the above information shall be filled in the e-form INC 32. In addition, his form can be used for the following purposes: i. Application of DIN (upto 3 Directors) ii. Application for availability of name											
4	Fill details of PAN & TAN												
5	Fill details of GST, IEC in AGILE-PRO-S												
6	Preparation of MoA & AoA												
7	Submission of INC-32,33,34, AGILE-PRO-S on MCA	Sequence of uploading linked forms to SPICe+ i. E-MOA (if applicable) ii. E-AOA (if applicable) iii. URC-1 (if applicable) iv. AGILE-PRO-S (mandatory) v. INC-9											
8	Certificate of Incorporation of Company by Registrar in Form INC-11												
9	Commencement of Business	A company shall not commence any business or exercise any borrowing power unless it has filed: <table><tr><td>INC-20A, verified by Company Secretary, Chartered Accountant, or a Cost Accountant, in practice</td><td>Every subscriber to the memorandum has paid the value of the shares agreed to be taken by him on the date of making of such declaration</td><td>Filed by a director</td><td>Within 180 days of the date of incorporation of company</td></tr><tr><td>INC-22</td><td>Verification of registered office</td><td>Filed by the company</td><td></td></tr></table>				INC-20A, verified by Company Secretary, Chartered Accountant, or a Cost Accountant, in practice	Every subscriber to the memorandum has paid the value of the shares agreed to be taken by him on the date of making of such declaration	Filed by a director	Within 180 days of the date of incorporation of company	INC-22	Verification of registered office	Filed by the company	
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