

# COMPANY REGISTRATION

## INCORPORATION COMPANY

Instructions	Purpose
Apply for the <b>Digital Signatures Certificates</b> of Directors	To digitally sign e- forms.
Apply for <b>Director Identification Number (DIN)</b> for the proposed directors	Director Identification Number is a mandatory requirement for an individual to appoint as a director in a company. DIR-3 (KYC) form required.
Select the <b>Name</b> of the new Company. (Maximum 6 names. The name should indicate the activity of the Company. The proposed name shall not be identical with another's.	The name of the Company is the identity for the Company.
Requirement of atleast two Directors	Individuals
Requirement of atleast 2 investors. (Whether Individual or Corporate identity (If YES) Then provide Certificate of Incorporation alongwith the Board Resolution)	
Capital Contribution	How much Capital you want to invest in India - can start with INR 1,00,000
Registered office details	
Memorandum of Association	The objects are the guiding principles for the Company to do the business. The activities of the Company should coordinate with the objects.
Articles of Association	These are the internal byelaws of the Company.
Power of Attorney in the name of the consultant (Indian)	

# FOREIGN COMPANY

## 1 PRE-REQUISITES

1. TAKE DIGITAL SIGNATURES AND ALSO THE DIRECTOR IDENTIFICATION NUMBER

2. PASSPORT COPY-Notarised and Apostilled copy of the passport

3. DIRECTOR AND

SHAREHOLDER-ADDRESS

PROOF RESIDENCE PROOF

4. OBJECTS OF THE COMPANY

## 2 PROCEDURE FOR INCORPORATION

1. PROPOSED NAME- 6 NAMES CAN BE PROPOSED

2. REQUIREMENT OF ATLEAST 2 DIRECTORS

3. REQUIREMENT OF ATLEAST 2 INVESTORS (WHETHER INDIVIDUAL OR CORPORATE IDENTITY (IF YES) THEN PROVIDE CERTIFICATE OF INCORPORATION ALONGWITH THE BOARD RESOLUTION)

4. IDENTITY AND ADDRESS PROOF FOR DIRECTORS AND INVESTORS BOTH

5. OBJECTS OF THE COMPANY - Kind of Business you want to do.

6. CAPITAL CONTRIBUTION - How much Capital you want to invest in India - can start with INR 1,00,000

7. REGISTERED OFFICE DETAILS AND PROOF THEREFORE

8. MEMORANDUM AND ARTICLES OF ASSOCIATION

9. POWER OF ATTORNEY IN THE NAME OF THE CONSULTANT (INDIAN)

## 3 Can a Non-Resident Incorporate a Company in India?

Yes, a non - resident can incorporate a Company in India. But every Company shall have atleast one Resident Director.

Resident Director means a director who has stayed in India for a total period of not less than 182 days in the previous calender year.

## 4 What are the basic requirements to Incorporate a Private Company by Non-Resident?

Directors - Minimum two (One resident)

Shareholders - Minimum two (Both can be Non Resident)

Monetary Capital - NIL

Registered Office - Every Indian Company which is registered in India must have a registered office in India for all the communication purposes.

## 5 What are the First Information/Initial documents required for incorporating a Company?

### a) Directors :

A person is required to apply for **Director Identification Number (DIN)**. DIN is a unique identification number for Director for which application can be made at the time of incorporation.

Requirement of Digital Signature Certificate : It is an electronic document that is required for filing of e-forms.

Details of Directors such as director name, date of birth, nationality and E-mail ID.

### b) For Digital Signature and DIN :

Personal details, occupation details and educational qualifications.

Photo ID Proof and Address proof (e.g. Passport, driving license, PAN, Voters ID card etc.)

### c) Incorporation - if not our office

Residential Proof-Bank/Electricity Bill/Telephone Bill/Mobile Bill.

Principal documents of the Company like MOA and AOA.

For the registered office :

The registered document of the title of the premises of the registered office in the name of the company;

Copy of lease/rent agreement in the name of the company, in case the premises are occupied on the basis of lease or rental agreement;

The proof of evidence like telephone, gas, electricity bill depicting the address of the premises in the name of the owner or document, as the case may be.

Foreign identity proof, address proof and other documents of foreign origin of director.

**NOTE : The above documents are required to be notarized or apostilled in case of Non-residents.**

## 6 Directors: Indian Nationals

The following documents are mandatory for indian nationals for incorporation of company in India :

**PAN CARD:** Pan card copy of the proposed directors of the company will be required for company registration . PAN is a unique identification number issued by department of income tax of India. It is mandatory for director who are indian nationals to submit PAN during the incorporation process

**ADDRESS PROOF:** In addition to the pan card copy, the proposed director must submit an address proof, the address proof submitted must have the name of the director as mentioned in the pan card and the most current address of the Director. Further the document must also not be older than 2 months. The following documents are acceptable address proof for indian nationals.

Passport

Election card or voter identity card

Ration card

Driving license

Electricity bill

Telephone bill

Adhar card

**RESIDENTIAL PROOF :** In addition to the address proof, a residential proof must be submitted during the incorporation of the company to validate the current address of the Director. As applicable for address proof, the residential proof must also contain the name of the director as mentioned in the PAN Card and must not be older than two months.

The following documents are acceptable residential proof :

Bank Statement

Electricity Bill

Telephone Bill

Mobile Bill

## 7 **Directors: Foreign nationals**

The following documents are mandatory for foreign nationals for incorporation of company in India :

**Passport :** In case of Foreign Nationals, Passport is a mandatorily required as a proof of identity. The passport must also be Notarized and Apostilled in the country it was issued. In case the document is in foreign language, then it must be translated by an official translator to English and notarized or apostilled. further if the passport does not contain date of birth of the holder, then an additional document indicating the date of birth of the director must be provided, duly certified or attested or notarized or apostilled.

**ADDRESS PROOF:** In addition to the Notarized or Apostilled Passport copy, the proposed Director must submit an address proof which is also notarized or apostilled. The address proof submitted must have the name of the director as mentioned in the Passport and the most current address of the director. Further, the document must also not be older than 1 year for foreign nationals. The following documents are acceptable address proof for Foreign nationals.

Driving license

residence card

Bank statement

Government issued form of identity containing address.

In case the document is in a foreign language, then it must be translated by an official translator and notarized or apostilled.

**RESIDENTIAL PROOF :** In addition to the address proof, a residential proof must be submitted during the incorporation of the company to validate the current address of the Director. As applicable for address proof, the residential proof must also contain the name of the director as mentioned in the Passport and must not be older than one year.

The following documents are acceptable residential proof :

Bank Statement

Electricity Bill

Telephone Bill

Mobile Bill

In case the document is in a foreign language, then it must be translated by an official translator and notarized or apostilled.

## 8 Shareholder : Indian National or Foreign National

The identity and address proof as detailed in the article must be submitted for all the shareholders of the company (i.e., subscribers to the MOA and AOA.)

## 9 Shareholder : Corporate Entity or Artificial Judicial Person

In case one of the shareholder or subscriber to the MOA and AOA is a corporate Entity (Company, LLP, etc., ), then Certificate of Incorporation of the body Corporate must be attached along with the resolution passed by the Body Corporate to subscribe to the shares of the company under incorporation.

## 10 OPTIONS

WITH OFFICE SPACE FACILITY
WITHOUT OFFICE SPACE FACILITY

## **LLP INCORPORATION**

### **What we need :**

1. DIN
2. DSC
3. Registered Address Proof
4. LLP Agreement.

## **ONE PERSON COMPANY**

Only a natural person who is an Indian citizen and a resident in India is eligible to incorporate a One Person (OPC) Company or be a nominee member. The Director or Nominee must also be over 18 years of age. While a minimum of two members is necessary for incorporating and maintaining a Private Limited Company or a Limited Liability Partnership (LLP), One Person Company can be formed with one person only.