

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 12th June, 2018

G.S.R. 558(E).—In exercise of the powers conferred by section 149 and 168 of read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Appointment and Qualification of Directors) Rules, 2014, namely:-

1. (1) these rules may be called the **Companies (Appointment and Qualification of Directors) Third Amendment Rules, 2018.**
- (2) They shall come into force on the date of their publication in the Official Gazette.
2. In the Companies **Appointment and Qualification of Directors) Rules, 2014**, in the annexure,
 - (i) for form DIR-3, the following form shall be substituted:-

Form NO. DIR-3
 [Pursuant to section 153 of The Companies Act, 2013 & Rule 9(1) of The Companies (Appointment and Qualification of Directors) Rules, 2014 & Rule 10 of Limited Liability Partnership Rules, 2009]



Application for allotment of Director Identification Number before appointment in an existing company **or LLP**

- All fields marked in * are to be mandatorily filled.
- Income-tax Permanent Account Number (Income-tax PAN) is mandatory in case of Indian nationals and in such case applicant details should be as per Income-tax PAN. In case the details as per Income-tax PAN are incorrect, applicant is advised to first correct the details in Income-tax PAN. Refer instruction kit for details.
- In case of foreign nationals, Passport number is mandatory.

1. *Applicant's name (Enter full name and do not use abbreviations)

- (a) First name
- (b) Last name
- (c) Middle name

Photograph

2. *Father's name (Even Married women must also give father's name)

- (a) First name
- (b) Last name
- (c) Middle name

(Attach a latest passport size photograph by clicking on above box)

3. *Whether a citizen of India Yes No 4. Nationality 5. *Whether resident in India Yes No 6. (a) *Occupation Type Self Employed Professional Homemaker Student ServicemanArea of Occupation If 'other' selected, specify (b) *Educational qualification 7. *Date of birth (DD/MM/YYYY)8. *Gender Male Female Transgender

9. Income-tax permanent account number
 10. Voter's identity card number
 11. Passport number
 12. Driving license number
 13. Aadhaar number

14. Permanent residential address

*Line I

Line II

*City

*State *Pin code

*ISO Country code

*Country

*Phone *Mobile Fax

*E-mail ID

15. *Whether present residential address is same as permanent residential address Yes No

16. Present residential address

Line I

Line II

City

State Pin code

ISO Country code

Country

Phone Fax

Attachments

- *Proof of identity of application
- *Proof of residence of application
- Optional attachment(s)-if any

List of attachments

Verification

I Son*/Daughter* of
 born on
 resident of

hereby confirm and verify that the particulars given in this Form are true and also are in agreement with the document being attached thereto.

I hereby confirm and declare that:

1. The photograph and documents being attached to the Form DIR-3 belong to me. I further confirm that all required documents have been duly certified by the respective government authority and are being attached to the said Form DIR-3,
2. I am not restrained, disqualified, removed of, for being appointed as Director of a company under the provisions of the Companies Act, 2013 including sections 164 and 169,
3. I have not been declared as proclaimed offender by any Economic Offence Court or Judicial Magistrate Court or High Court or any other Court,
4. I have not been already allotted a Director Identification Number (DIN) under section 154 of the Companies Act, 2013,
5. I further declare that I have read and understood the provisions of Sections 154, 155, 447 and 448 read with Sections 449, 450 and 451 of the Companies Act, 2013, and
6. I solemnly declare that the declaration given herein as stated above are true to the best of my knowledge and belief and that it conceals nothing and that no part of it is false.

*To be Digitally signed by Applicant

Certification

* I declare that I have satisfied myself about the identity of the applicant based on the perusal of the original of the attached document

Note: In case where the applicant is residing outside India the particulars have to verified form the documents duly attested by the attesting authority as prescribed

* I also declare that the company/LLP intends to appoint the applicant as a director/designated partner after allotment of DIN.

* I further certify that:

* All the required attachments have been completely and legibly attached to this form;

* I have kept a copy of this form and attachments thereto in my records for further reference.

* It is understood that I shall be liable for action under Section 449 of the Companies Act, 2013 for wrong certification, if any found at any stage.

* To be digitally signed by

Category

DIN/DPIN of the Director/Designated partner or PAN of the manager or CEO or CFO; or membership number of Company Secretary

Corporate identification number (CIN) of company/LLPIN of the LLP with which

the authorized signatory is associated and in which the applicant is proposed to be a director/designated partner

Name of company/LLP

Note: Attention is also drawn to provisions of Section 448 which provides for punishment for false statement and false evidence.

For office use only:

eForm Service request number (SRN) eForm filing date (DD/MM/YYYY)

Digital Signature of the authorizing officer

This e-Form is hereby approved

(DD/MM/YYYY)

This e-Form is hereby rejected


Confirm Submission

Date of signing

OR

This eForm has been taken on file maintained by the Registrar of Companies through electronic mode and on the basis of statement of correctness given by the company

(ii) for form DIR-6, the following form shall be substituted:-

<p>Form No. DIR-6 [Pursuant to rule 12(1) of the Companies (Appointment and Qualification of Directors) Rules, 2014 & Rule 10 of Limited Liability Partnership Rules, 2009]</p>		<p>Intimation of change in particulars of Director/ Designated partner to be given to the Central Government</p>
--	--	--

Form Language English Hindi

Note-

- All fields marked in * are mandatory files

- In case of Indian nationals, Income-tax Permanent Account Number (Income-tax PAN) is mandatory in all cases even if there is no change in Income-tax PAN. In such cases, director details should be as per Income-tax PAN. In case the details as per Income-tax PAN are incorrect, director/designated partner is advised to first correct the details in Income-tax PAN. Refer instruction kit for details

1. (a) *Director Identification Number(DIN/DPIN)

Pre-fill

(b) Name

2. *Type of change:

- | | | |
|--|--|--|
| <input type="checkbox"/> Name of director/ designated partners | <input type="checkbox"/> Father's Name | <input type="checkbox"/> Nationality |
| <input type="checkbox"/> Date of Birth | <input type="checkbox"/> Gender | <input type="checkbox"/> Income-tax PAN |
| <input type="checkbox"/> Voters Identity card number | <input type="checkbox"/> Passport number | <input type="checkbox"/> Driving license number |
| <input type="checkbox"/> E-mail ID/Mobile | <input type="checkbox"/> Permanent residential address | <input type="checkbox"/> Present residential address |

- Photograph of Director/ Designated partners Residential Status
 Aadhaar number

Enter information that needs to be corrected. Enter only the relevant field(s)

3. Name of Director/designated partner (Enter full name and do not use abbreviations)

- (a) First name
 (b) Last name
 (c) Middle name

Photograph

4. Father's Name (Even married women must give father name)

- (a) First name
 (b) Last name
 (c) Middle name

(Attach a latest passport size photograph by clicking on above box) (Refer instruction kit for details)

5. Whether a citizen of India Yes No

6. Nationality

Remove Photograph

6A. Whether resident in India Yes No

7. Date of birth (DD/MM/YYYY)

8. Gender Male Female Transgender

9. Income tax PAN

Verify Income-tax PAN Details

10. Voter's Identity card number

11. Passport number

12. Driving license number

13. Aadhaar number

*14. Mobile

*15. Email ID

16. Permanent residential address

Line I

Line II

City

State Pin code

ISO country code Phone Fax

Country

17. Whether present residential address is same as permanent residential address Yes No

18. Present residential address

Line I	<input type="text"/>		
Line II	<input type="text"/>		
City	<input type="text"/>		
State	<input type="text"/>	Pin Code	<input type="text"/>
ISO country code	<input type="text"/>	Phone	<input type="text"/>
		Fax	<input type="text"/>
Country	<input type="text"/>		

Attachments:**List of Attachment**

--

1. * Proof of change in particulars;
2. Optional attachments, if any.

Verification

I, hereby confirm and verify that the particulars given in the Form herein above are true and also are in agreement with the documents being attached to this form.

- (i) The photograph and documents being attached to the Form DIR-6 belong to me. I further confirm that all required documents have been duly certified by the respective government authority and are being attached to the Form DIR-6 and
- (ii) I am not restrained, disqualified, removed of, for being appointed as director of a company under the provisions of the Companies Act, 2013 including sections 164 and 169, and
- (iii) I have not been declared as proclaimed offender by any Economic Offence Court or Judicial Magistrate Court or High Court or any other Court, and
- (iv) I have no other allotted DIN other than DIN in which changes are intimated under section 154 of the Companies Act, 2013 or a Designated Partner Identification Number under section 7 of the Limited Liability Partnership Act, 2008.
- (v) I shall be liable under section 448 of the Act and under relevant provisions of the Indian Penal Code, 1860 and any other law as applicable, if any statement in this application is found to be false or any material fact is found to be have been omitted.

*To be digitally signed by Applicant

Certification

I declare that I have been duly engaged for the purpose of certification/verification of this form. It is hereby certified that:

- * I have satisfied myself about the identity of the applicant based on the perusal of the original of the attached document.

Note: In case where the applicant is residing outside India the particulars have to be verified from the documents duly attested by the attesting authority as prescribed.

- * I have verified and attested the photograph of the applicant.
- * All required attachments have been completely attached to this application
- * I have gone through the provisions of The Companies Act, 2013 and rules thereunder for the subject matter of this form and matters incidental thereto and I have verified the above particulars (including attachment(s)) from the original records maintained by the Company/applicant which is subject matter of this form and found them to be true, correct and complete and no information material to this form has been suppressed.
- *I further certify that:
 - o * All the required attachments have been completely and legibly attached to this form;
 - o *I have kept a copy of this form and attachments thereto, in my records for further reference.
 - o *It is understood that I shall be liable for action under section 448 of The Companies Act, 2013 for wrong certifications, if any found at any stage.

*To be digitally signed by

*Category

*Whether Associate of Fellow Associate Fellow

*Membership Number

*Certificate of Practice Number

Modify

Check Form

Prescrutiny

Submit

Note: Attention is drawn to provisions of Section 448 and 449 which provide for punishment for false statement / certificate and punishment for false evidence respectively.

For office use only:

Affix filing details

eForm Service request number (S(RN)) eForm filing date (DD/MM/YYYY)

Digital signature of the authorizing officer

This e-Form is hereby approved

This e-Form is hereby rejected

Date of signing

(DD/MM/YYYY)

Confirm Submission

F.No. 01/22/2013 CL-V (Pt-III)]

K.V.R. MURTY, Jt. Sect.

Note: The principal notification was published in the Gazette of India, Part II, Section 3, Sub-section (i) vide number G.S.R. 259(E) dated 31st March, 2014 and subsequently amended vide the following notifications:-

Serial Number	Notification Number	Notification Date
1.	G.S.R. 671 (E)	18.09.2014
2.	G.S.R. 42(E)	19.01.2015

3.	G.S.R. 839 (E)	05.07.2017
4.	G.S.R.51(E)	22.01.2018
5.	G.S.R.431 (E)	07.05.2018