

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 19th January, 2023

G.S.R. 39(E).— In exercise of the powers conferred by sub-section (1) of section 164, sub-section (1) of section 466, section 367 and section 374 read with sub-sections (1) and (2) of section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Authorised to Register) Rules, 2014, namely:—

1. Short title and commencement.— (1) These rules may be called the Companies (Authorised to Register) Amendment Rules, 2023.
(2) They shall come into force with effect from 23rd January 2023.
2. In the Companies (Authorised to Register) Rules, 2014,-
 - (A) in sub-rule (2) of rule 3,-
 - (1) in clause (a),-
 - (i) for sub-clause (iv), the following sub-clause shall be substituted, namely:-
“(iv) No Objection Certificate from secured creditor along-with charge holder, if applicable;”;
 - (ii) sub-clauses (v) and (vi) shall be omitted.
 - (2) In clause (b),-
 - (i) for sub-clause (v), the following sub-clause shall be substituted, namely:-
“(v) No Objection Certificate from secured creditor along -with charge holder, if applicable;”;
 - (ii) sub-clauses (vi) and (vii) shall be omitted.
 - (3) In clause (c),-
 - (i) for sub-clause (v), the following sub-clause shall be substituted, namely:-
“(v) No Objection Certificate from secured creditor along-with charge holder, if applicable;”;
 - (ii) sub-clauses (vi), (vii) and (ix) shall be omitted.
 - (4) In clause (d),-
 - (i) for sub-clause (iv), the following sub-clause shall be substituted, namely:-
“(iv) No Objection Certificate from secured creditor along-with charge holder, if applicable;”;
 - (ii) sub-clauses (v), (vi) and (vii) shall be omitted.

3. For Form No. URC-1, the following form shall be substituted, namely:-

Form No. URC-1

Application by a company for registration under section 366

[Pursuant to rule 3(2) of the Companies (Authorised to Register) Rules, 2014 read with section 366 of the Companies Act, 2013]



Form language

English

Hindi

Refer instruction kit for filing the form.

*All fields marked in * are mandatory*

Company Information

1 *Type of company	<input type="text"/>	<input type="button" value="▼"/>
2(a) *Type of existing entity	<input type="text"/>	<input type="button" value="▼"/>
(b) *LLPIN/ Registration Number	<input type="text"/>	
(c) *Name of the existing entity	<input type="text"/>	
(d) *Address of the existing entity	<input type="text"/>	
(e) *Email Id of the existing entity	<input type="text"/>	
(f) *Number of members in the existing entity as on the date of application	<input type="text"/>	
3(a) *Name of the proposed company	<input type="text"/>	
(b) *Category of the proposed company	<input type="text"/>	<input type="button" value="▼"/>
(c) Whether liability of the members of the company is limited by any Act of Parliament other than Companies Act		<input type="radio"/> Yes <input type="radio"/> No
4(a) *Date of instrument constituting the existing entity (DD/MM/YYYY)	<input type="text"/>	
(b) *Description of the instrument	<input type="text"/>	

5(a) Date of passing resolution for declaring the amount of guarantee	<input type="text"/>
(b) Particulars of guarantee taken up by each member	<input type="text"/>
6 *Date of general meeting passing the resolution assenting to registration with limited liability	<input type="text"/>
7 *Particulars of passing special resolution and the place of general meeting	<input type="text"/>
8 *Total amount of the property (whether movable or immovable including actionable claims)	<input type="text"/>
9 *Whether any suit or legal proceeding taken by, or pending against the entity, or any public officer or member thereof	<input type="radio"/> Yes <input type="radio"/> No
If Yes, give brief details	<input type="text"/>
10(a) *Whether entity has any secured debt outstanding as on the date of application	<input type="radio"/> Yes <input type="radio"/> No
(b) Mention the total outstanding amount	<input type="text"/>
11(a) *Date of publication of advertisement in English language as per Rule 4 of Companies (Authorised to register) Rules, 2014	<input type="text"/>
(b) *Date of publication of advertisement in vernacular language as per Rule 4 of Companies (Authorised to register) Rules, 2014	<input type="text"/>
(c) *Any objection(s) has been received till date	<input type="radio"/> Yes <input type="radio"/> No

Attachments

(1) *Particulars of members/partners along with the details of shares held by them;

Max 2 MB

Choose

Remove

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(2) *Affidavit from all the members/partners for dissolution of the entity;

Max 2 MB

Choose

Remove

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(3) *Copy of the instrument constituting or regulating the entity;

Max 2 MB

Choose

Remove

Download

(4) Copy of certificate of registration of the entity, if any;	Max 2 MB	Choose	Remove	Download
(5) *Copy of Newspaper advertisement	Max 2 MB	Choose	Remove	Download
(6) *Resolution of unregistered companies in case of Chapter XXI (Part I) companies	Max 2 MB	Choose	Remove	Download
(7) Intimation from the concerned Registrar of Firms or Registrar of Companies (LLP)	Max 2 MB	Choose	Remove	Download
(8) NOC from secured creditors along with charge holder, if applicable;	Max 2 MB	Choose	Remove	Download
(9) Statement of accounts of the existing entity, prepared not later than 15 days preceding the date of application duly certified by auditor; if applicable	Max 2 MB	Choose	Remove	Download
(10) Copy of the resolution declaring the amount of guarantee	Max 2 MB	Choose	Remove	Download
(11) *A copy of latest Income Tax Return of the firm	Max 2 MB	Choose	Remove	Download
(12) Copy of objection(s) received from companies along with details of resolution(s) provided, if applicable	Max 2 MB	Choose	Remove	Download
(13) Optional attachment(s) - if any	Max 2 MB	Choose	Remove	Download

Declaration

I * , a person named in the articles as a * 

declares that all the requirements of The Companies Act, 2013 and the rules made thereunder in respect of the subject matter of this form and matters incidental thereto have been complied with. I am authorised by other promoters subscribing to the Memorandum of Association and Articles of Association and the first directors to give this declaration and to sign and submit this Form. It is further declared and verified that:

1 Whatever is stated in this form and in the attachments thereto is true, correct and complete and no information material to the subject matter of this form has been suppressed or concealed and is as per the original records maintained by the promoters subscribing to the Memorandum of Association and Articles of Association.

2 All the required attachments have been completely and legibly attached to this form.

3 I * , on behalf of majority of directors hereby declare that the list of members and directors and any other particulars relating to the company is correct and nothing relevant to this form has been suppressed.

4 I, on behalf of all the first director(s) named in the Articles of Association of the proposed company hereby confirm that compliance with the requirements of the Indian Stamp Act, 1899 (2 of 1899) as applicable would be done.

5 I hereby declare that the list of members and directors and any other particulars relating to the conversion of the company under this Part of the Act which are required to be delivered to the Registrar (either in the form or attachments) have been duly verified by me in the capacity of a proposed director as per Rule 3(5) of Companies (Authorised to Register) Rules.

*To be digitally signed by

DSC BOX

*Designation

*DIN/ DPIN or PAN of the director

Certificate by Practicing Professional

*I declare that I have been duly engaged for the purpose of certification of this form. It is hereby certified that I have gone through the provisions of the Companies Act, 2013 and Rules thereunder relevant to this form 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:

i The said records have been properly prepared, signed by the required officers of the Company and maintained as per the relevant provisions of the Companies Act, 2013 and were found to be in order;

ii All the required attachments have been completely and legibly attached to this form.

iii I further certify that the Company / applicant is fully compliant of the provisions of the Indian Stamp Act, 1899 and no non-compliance has been observed.

*To be digitally signed by:

DSC BOX

Chartered accountant (in whole-time practice) or

Cost accountant (in whole-time practice) or

Company secretary (in whole-time practice)

*Whether associate or fellow:

Associate

Fellow

Membership number

Certificate of practice number

Note: Attention is drawn to provisions of Section 448 and 449 of the Companies Act, 2013 which provide for punishment for false statement / certificate and punishment for false evidence respectively.

For office use only:

eForm Service request number (SRN)

eForm filing date (DD/MM/YYYY)

Digital signature of the authorising officer

This eForm is hereby registered

Date of signing (DD/MM/YYYY)

[F. No. 1/35/2013-CL-V]

MANOJ PANDEY, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part-II, section 3, sub-section (1) *vide* number G.S.R.257(E), dated the 31st March, 2014 and last amended, *vide* number G. S. R. 613(E), dated the 5th July, 2018.