



“INCORPORATION UNDER SPICe”

The Government of India, Ministry of Corporate Affairs, has come out with a new process of incorporation known as “**SPICe**” for the incorporation of a Company. E-Form SPICe INC-32 deals with the single application for reservation of name, incorporation of a company, allotment of Director Identification Number, application for allotment PAN and TAN. This e-Form is accompanied by the supporting documents including details of Directors, Subscribers, MoA and AoA etc. Once the Forms are processed and found complete, Company is registered and Corporate Identification Number (CIN) is allocated. Director Identification Numbers (DIN) are issued to the proposed directors not having a valid DIN upto three Directors. PAN and TAN is also issued to the Company.

Important pointes to be kept in mind while incorporating a new Company under SPICe:

1. It requires filing of e-Form ‘Spice INC-32’, e-Form ‘Spice INC-33’ & e-Form ‘Spice INC-34’.
2. An e-Form Spic INC-33 is meant for ‘e-MoA’ and e-Form Spice INC-34 is meant for ‘e-AoA’.
3. Only one name is allowed to be applied, however, the applicant may apply upto 6 names by filing e-Form INC-1 and may use the name as approved in Spice e-Form INC-32.
4. Upto maximum three directors are allowed to apply for the DIN under SPICe incorporation and for more than three directors, DIN may be obtained separately by filing e-Form DIR-3.
5. It requires the digitally signing of e-MoA & e-AoA by the subscribers.
6. Download Form 49A & Form 49B, from the MCA Portal and upload the same within two days.
7. No need of the identity proof & address proofs, if the directors possess the DIN.
8. Rent Agreement/Sale Deed/NOC/Utility Bill are required for the registered office address.
9. DIR-2 from the directors, Affidavit for non acceptance of Deposits and Affidavit in form INC-9 is required from the subscribers & directors etc.

One the e-Form ‘Spice INC-32’, ‘Spice INC-33’ & ‘Spice INC-34’ are filled up properly, then upload e-Form ‘Spice INC-32’ alongwith ‘Spice INC-33’ & ‘Spice INC-34’ as linked form in the MCA Portal & make the payment. One the e-Forms are uploaded and payment is made, download Form 49A for PAN application & Form 49B for TAN application from the MCA Portal and affix the DSC of applicant and upload the same in MCA Portal. Make sure that all the requisite formalities are made up and form for the allotment of PAN and TAN are filed in order to get the process of incorporation begun by the department. If all the credentials are completed in a proper manner and Registrar of Companies is of the view that all the requirements are complied with, the Company shall get registered and Certificate of Incorporation bearing Corporate Identification Number and PAN number, is issued. Thereafter, the e-PAN and TAN shall be provided at the e-mail of the Company and physical copy of the same shall be delivered at the registered office address of the Company.

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