

PRACTICAL ASPECTS OF INCORPORATION OF PRIVATE LIMITED COMPANY

Form Spice+ A

1. Obtain name approval through Form Spice+ A.

Form Spice+ A can be accessed by Signing in to MCA portal.

<https://mca.gov.in/mcafoportal/login.do>

File the main objects through an Annexure so that the length of the same is not restricted.

SPICE+ Part A

Name Reservation

Type of Company * New Company (Others) ▾

Class of Company * Private ▾

Category of Company * Company limited by shares ▾

Sub-Category of Company * Non-government company ▾

Main division of industrial activity of the Company * 24

Description of the main division Manufacture of chemicals and chemical products

Summary of the objects to be pursued by the company on its incorporation *
As per Annexure

You may include a document that supports your name reservation below.

Particulars of the proposed or approved name *

i. You can fill any two names here

ii.

Choose File
Annexure.pdf

You have an option to file any two names.

You can check if your name is registered under trademark at <https://ipindiaonline.gov.in/tmrpublicsearch/frmmain.aspx>

If the name is trademarked, you need to obtain No-Objection Certificate from the owner of Trademark.

Once the Form Spice+ A is filed, RoC approves the same in fast track mode. Filing fees for the same is Rs. 1000.

Post approval, the name is valid for 20 days and within those 20 days, Form Spice+ B needs to be filed.

This is just an advisory document. It does not assure any process for incorporation. The facts can vary from case to case. This is only for reference purpose. It may or may not be useful to all.

MEHTA & MEHTA

Company Secretaries

You can get it extended for maximum 60 days including the initial 20 days. The charge for first extension is Rs. 1000 and for another 20 days, it is Rs. 2000.

Validity of Name Approval Letter	Days	Charges (Rs.)
	20	1000
	20	1000
	20	2000

Form Spice+ B:

SPICE+ Part B

Structure of the company

1. Whether Articles of Association is entrenched * Yes No

2. Company is * Having share capital Not having share capital

3. Capital structure of the company *

Total authorized share capital (in Rupees)

Authorized share capital	Equity	Preference	Unclassified
Number of shares	<input type="text"/>		
Nominal amount per share (in Rupees)			
Total amount (in Rupees)			

Total subscribed share capital (in Rupees)

Subscribed share capital	Equity	Preference
Number of shares	<input type="text"/>	
Nominal amount per share (in Rupees)		
Total amount (in Rupees)		

Save & Continue

SPICE+ Part B

Address of the Company

Correspondence address *

Line I *

Line II

City *

State/Union Territory * Pin code *

District *

Phone (with STD code) * -

Fax

Email ID of the company *

Whether the address for correspondence is the address of registered office of the company * Yes No

Name of the office of the Registrar of Companies in which the proposed company is to be registered *

Prev

Save & Continue

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SPICe+ Part B

Subscriber and Directors Details

Number of first subscriber(s) to MOA and directors of the company *

	Having valid DIN	Not having valid DIN
Total number of first subscribers (non-individual + individual)	<input type="text" value="0"/>	<input type="text" value="2"/>
Number of non-individual first subscriber(s)	<input type="text" value=""/>	<input type="text" value="0"/>
Number of individual first subscriber(s) cum director(s)	<input type="text" value="0"/>	<input type="text" value="2"/>
Total number of directors (director(s) who is/are not subscriber(s) + subscriber(s) cum director(s) as mentioned in above Row no. 3)	<input type="text" value="0"/>	<input type="text" value="2"/>

SPICe+ Part B

Subscriber and Directors Details

b. Particulars of non-individual first subscriber(s)

c. Particulars of individual first subscriber(s) (other than subscriber cum director)

d. Particulars of individual first subscriber(s) cum directors

II	Add/Edit
II	Add/Edit

e. Particulars of directors (other than first subscribers)

Fill in the details of b/c/d/e as per table given below.

Here if there is a Foreign Director involved in the company and he is a citizen of India, then it is advisable to have PAN. Because Form Spice+ B does not accept Passport, if we select citizen of India. It has to be mandatorily PAN in case of foreign director. If it is PAN, then same needs to be verified as given below.

MEHTA & MEHTA
Company Secretaries

First Name *					
Middle Name					
Surname *					
Father's First Name *					
Father's Middle Name					
Father's Surname *					
Gender *		Date of Birth *		Nationality *	
Place of birth (District and State) *					
Whether citizen of India *				Whether resident in India *	
Occupation type * (Any one)	Self Employed	Professional	Homemaker	Student	Serviceman
Area of Occupation * (Any one)	Government				
	Teaching				
	Others				
If 'Others' selected, please specify					
Educational Qualification * (Any one)	SSC/X/Junior/Equivalent				
	XII/SSC/High/Equivalent				
	Graduation/Bachelor				
	PG/Master				
	Professional				
	Executive Program				
	Doctorate				
	Diploma				
	Others				
PAN		Passport	Verify (if PAN)		
Designation (Any one)	Director			Category (Any one)	Promoter
	WTD				Professional
	MD				Independent
	ND				Nominee
Whether (Any One)		Chairman	ED	NED	

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MEHTA & MEHTA
Company Secretaries

Name of the company or institution whose nominee the appointee is				
Email ID *				
Permanent address				
Line I				
Line II				
City		State/Union Territory *		Pin code *
ISO Country code *		Country *		
Phone (with STD code) *				
Duration of stay at present address *				
If Duration of stay at present address is less than one year then address of previous residence *				
Proof of identity *	Voter ID/Passport/DL	Residential Proof *	Bank Statement/Utility Bill	
Voter's identity card number				
Driving license number				
Aadhaar Number				
Kind of shares subscribed	Number of subscribed shares		Amount of shares subscribed	
Equity shares				
Preference shares				
Number of entities in which director have interest				
Registration Number				
Name				
Address				
Designation				
Nature of Interest	Percentage of share holding		Amount	
	Others (specify)			

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The screenshot shows the 'Stamp Duty' section of the SPICe+ Part B form. It includes a dropdown for 'State or Union territory in which stamp duty is paid or to be paid' set to 'Telangana'. There are radio buttons for 'Whether stamp duty is to be paid electronically through MCA21 system' with 'Yes' selected. A table titled 'Details of stamp duty to be paid' has columns for 'Type of Documents/Paticulars', 'Form', 'Memorandum of Association', and 'Articles of Association', with values 20, 500, and 1000 respectively. Below this is a text box for 'others' containing 'NA', a 'Total amount of stamp duty paid' field with '0', and a 'Mode of payment of stamp duty' dropdown.

If the Stamp duty is to be paid through offline mode, the Form needs to be filed accordingly.

The screenshot shows the 'PAN/TAN Information' section of the SPICe+ Part B form. It has two tables for 'Information specific to PAN' and 'Information specific to TAN', each with columns for 'Area Code', 'AO Type', 'Range Code', and 'AO No.'. Below these are checkboxes for 'Source of Income' with 'Income from business/profession' checked. At the bottom, there are 'Business/Professional Code' fields with '2' and '0' entered, and 'Prev' and 'Save & Continue' buttons.

Information for PAN/TAN can be accessed from NSDL's website for different states. It is available as per the alphabets involved in the name of the Company. If the same is not available, you may opt for information available for the nearest alphabet.

For eg., if the name of the company starts with E,F and G & have its Registered Office in Hyderabad, then information for such alphabet is not available with NSDL. Then you may opt for information available for I, J & K.

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SPICE+ Part B

Attachments

1. Memorandum of association
2. Articles of Association
5. Copy of the utility bills (not older than two months)
10. Proof of identity & residential address of subscribers
12. Proof of identity and address of Applicant I
13. Proof of identity and address of Applicant II
18. Optional attachment(s), (if any)

[Empty Box for Attachments]

Prev Save & Continue

In case of attachments, MOA and AOA needs to be filed physically with Spice+ B, if there is a foreign director.

If the premise is rented, then along with Utility Bills, Rent Agreement & NOC needs to be attached.

Mandatory Attachments-

DIR-2

Declaration for Deposit

INC-9

Form for verification of Signature

Proof of Identity

Proof of Address

Post submission of attachments, details of Practicing Company Secretary (PCS) need to be filled in.

Once the same is filed, Prescrutiny is done and then the form can be downloaded for affixing DSC of Director and PCS.

Along with Form Spice+ B, other linked Forms AGILE PRO, INC-9, MOA & AOA are also filed.

They are available by signing in to MCA portal under Spice+ section.

In AGILE PRO, you can register for GST, ESIC, EPFO, Professional Tax and Bank Account.

All the linked forms with Spice+ B can be then uploaded on MCA portal.

Post uploading, RoC will approve the same and you will receive Certificate of Incorporation.

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