

STEPS TO BE FOLLOWED TO START A NEW COMPANY IN INDIA**I. INTRODUCTION**

When it comes to establishing a company, it is essential to first register the company with the Registrar of Companies (for short “**ROC**”). Compliance with the procedure described in the Companies Act, 2013 to register a company is mandatory. Only after the company has done the needful it is allowed to enter into contracts, make transactions, and carry on day-to-day business. Having said that, it will now be seen what steps should be followed to start a new company in India.

II. STEP TO BE FOLLOWED

1. The application to register the name of the company has to be made in Form INC-1. After that depending upon the proposed company type file required incorporation forms listed below:
2. Form INC-7 or Form INC-2: Form INC-7 for application for incorporation of a company other than One Person Company (for short “**OPC**”) or Form INC-2 for application for Incorporation of OPC.
3. Form INC-22: Notice of situation or change of address of registered office of company based on the option chosen in Form INC-7.
4. Form DIR-12: Particulars of appointment of directors and the key managerial personnel and the changes among them.
5. Acquire Director Identification Number (DIN): Each director of the company should obtain their identification number. As per the amendment act 2006, acquiring a DIN is compulsory for every director i.e. as such every existing and intending directors have to obtain their DIN. To get DIN one needs to file a e-Form DIN-1.
6. Acquire Digital Signature Certificate (DSC): In order to ensure the security or authenticity of documents filed electronically The Information Act 2000 demands a valid digital signature on the documents submitted electronically. This is the only and the safest way through which one can submit their documents electronically. The Digital Signature Certificate should be acquired by only those agencies, which are appointed by the Controller of Certification Agencies. One should not use DSC given by any other agency, which is not approved, and its illegal to use others DSC as yours or the false one.
7. Create an account on MCA Portal – New user registration: This is about having a registered user account on MCA Portal for filing a eForm, for online fee payment, for different transactions as registered and business user.
8. Memorandum of Association and Articles of Association: The Memorandum of Association and Articles of Association are the most important documents to be submitted to the ROC for the purpose of incorporation of a company. The ROC will give the certificate of incorporation after the required documents are presented along with

the requisite registration fee, which is scaled according to the share capital of the company, as stated in its Memorandum.

9. Tax Registration: Businesses liable for income tax must obtain a tax identification card and number [known as Permanent Account Number (PAN)] from the Revenue Department. In addition to this, businesses liable to withhold tax must necessarily obtain a Tax Deduction Account Number (TAN). Both the PAN and the TAN must be indicated on all the returns, documents and correspondence filed with the Revenue Department. The PAN is also required to be stated in various other documents such as the documents pertaining to sale or purchase of any immovable property (exceeding Rs. five lakh), sale or purchase of a motor vehicle, time deposit (exceeding Rs. 5 lakh), contract for sale or purchase of securities (exceeding Rs. 10 lakh), to name a few.