

**DRAFT FORMS I.R.O. DRAFT RULES ON CHAPTER VI OF THE COMPANIES
ACT, 2013**

Form No. 6.1

Application for registration of creation or modification of charge including particulars of modification of charge by Asset Reconstruction Company in terms of Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest Act, 2002 (SARFASI)

[Pursuant to sections 77, 78 and 79 & rule 6.1(1)]

1.(a) Corporate identity number (CIN) or foreign company registration number (FCRN) of the company:

(b) Global Location Number (GLN) of company:

2.(a) Name of the company:

(b) Address of the registered office or of the principal place of business in India of the company:

(c) E-mail ID of the company:

3. This form is for registration of:

☐ Creation of charge

☐ Modification of charge

4. Whether the applicant is:

☐ the company

☐ the charge holder

5. Whether the form is being filed:

(i) Beyond 30 days but within 300 days of the date of creation or
modification

☐ Yes

☐ No

(ii) If answer to (5)(i) is yes, give reasons for the delay and mention no of months/days of delay.

(iii) If the delay of the Form is filed beyond 300 days, the application will be required to be made to Central Government for extension of any further time.

☐ Yes

☐ No

6.(a) Whether charge is modified in favour of asset reconstruction company (ARC) or assignee

☐ Yes

☐ No

(b) Whether charge holder is authorised to assign the charge as per the charge agreement

☐ Yes

☐ No

PART A : CREATION OF CHARGE

7.(a) Type of charge:

A charge on

☐ Uncalled share capital

☐ Calls made but not paid

☐ Immovable property

☐ Any interest in immovable property

☐ Movable property (not being pledge)

☐ Floating charge

☐ Any property for securing the issue of debentures

☐ Any property for securing the issue of secured deposits

☐ Goodwill

☐ Patent

- ☐ Licence under a patent
- ☐ Trade mark
- ☐ Copyright
- ☐ Solely of Property situated outside India
- ☐ Book debts
- ☐ Ship or any share in a ship
- ☐ Others

(b) If others, please specify

(c) Address of charge particulars for which charge created

[(i)Plot No./Flat No./H.No/Godown No./ Door No./, (ii) Street No./Lane No./Sector No./Phase No.,
(iii) Area/Location (iv) Tehsil / District (v) State (vi) Country]

8. (a) Whether consortium finance is involved:

- ☐ Yes
- ☐ No

(b) Whether joint charge is involved

- ☐ Yes
- ☐ No

(c) Number of charge holder(s):

9. Particulars of the charge holder (in case charge is modified in favour of ARC or assignee, enter the particulars of ARC or assignee):

(a) Category:

(b) CIN, in case of company:

(c) Name:

(d) Address: Line I

Line II

City:

State:

ISO country code:

Country:

Pin code:

E-mail ID:

10. (a) Date of the instrument creating the charge:

(b) Nature, description and brief particulars of the instrument creating the charge:

11.(a) Whether charge is created outside India:

☐ Yes

☐ No

(b) In case the charge is created outside India on the property situated outside India, the date of receipt of instrument in India:

12.(a) Amount secured by the charge

(i) In figures:

(ii) In words:

(b) In case amount secured by the charge is in foreign currency

(i) Amount equivalent in rupees:

(ii) Other details, if any:

13. Brief particulars of the principal terms and conditions and extent and operation of the charge:

(a) Rate of interest:

(b) Terms of repayment:

(c) Margin:

(d) Extent and operation of the charge:

(e) Others:

14. Short particulars of the property or asset(s) charged (including complete address and location of the property)

(i) _____

(ii) _____

(iii) _____

(iv) _____

(v) _____

15.(a) Whether any of the property or interest therein under reference is not registered in the name of the company

☐ Yes

☐ No

(b) If yes, name of the person in whose name it is registered:

16. In case of acquisition of property, subjected to charge, furnish the details relating to the existing charge on the property so acquired.

(a) Date of instrument creating or evidencing the charge

(b) Description of the instrument creating or evidencing the charge

(c) Date of acquisition of the property (DD/MM/YY)

(d) Amount secured by the charge (in Rs.)

(e) Period of the charge

(f) Particulars of the property charged

PART B : MODIFICATION OF CHARGE

17. Charge identification (ID) number of the charge:

18.(a) Date of the instrument modifying the charge:

(b) Nature, description and brief particulars of the instrument modifying the charge

(c) Address of charge particulars for which charge modified

[(i) Plot No./Flat No./H.No./Godown No./ Door No./, (ii) Street No./Lane No./Sector No./Phase No.,
(iii) Area/Location (iv) Tehsil / District (v) State (vi) Country]

19. Brief particulars of the modification (please ensure that the correct particulars are entered as the same shall be displayed in the certificate of modification of charge):

20.(a) Whether the charge is modified outside India:

☐ Yes

☐ No

(b) In case of charge modified outside India on the property situated outside India, the date of receipt of instrument in India

21.(a) Amount secured by the charge after modification

(i) In figures

(ii) In words

(b) In case amount secured by the charge is in foreign currency,

(i) Amount equivalent in rupees

(ii) Other details, if any.

22. Date of last modification prior to the present modification:

Verification

I am authorized by the Board of Directors of the Company vide resolution no..... dated..... to sign this form and declare that all the requirements of 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 also declare that all the information given herein above is true, correct and complete including the attachments to this form and nothing material has been suppressed. It is hereby further certified that the professional (Name and Type i.e. C.A/CS/CWA/ to Given) certifying this form has been duly engaged for this purpose.

To be digitally signed by

Designation (to be given)

DIN of the person signing the form

Verification

I/we confirm that the attached charge instrument(s) or document(s) is/are true copies of the original which is/are available with the charge holder and/or assignee and all the information and particulars mentioned above are derived there from are concisely and correctly stated.

I/we am/are duly authorised to sign this form.

To be digitally signed by

Designation

Charge Holder

To be digitally signed by

Designation

ARC or assignee

Attachments:

(1) Instrument(s) of creation or modification of charge;

- (2) Instrument(s) evidencing creation or modification of charge in case of acquisition of property which is already subject to charge together with the instrument evidencing such acquisitions;
 - (3) Particulars of all joint charge holders;
 - (4) Optional attachments, if any
-

Signature

Note:

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 filing company. Attention is also drawn to provisions of Section 448 which provide for punishment for false statement and certification.

Form No. 6.2/6.3

Name and address of ROC office

Certificate of registration of charge/registration for modification of charge.

[Pursuant to sections 77(1) and 78 & rule 6.4(1)]

Corporate identity number (CIN) or foreign company registration number of the company(FCRN) of the company:

GLN:

Name of the company:

Charge Identification No.:

SRN No :

(creation of charge/

modification of charge as applicable) dated/modified on (date) between (Name of the company) (first party) and Name of the charge holder (second party)

This is to certify that pursuant to the provisions contained in Chapter VI of the Companies Act, 2013, the above mentioned charge dated the ____ day of ____ two thousand ____, created by the above named company/, on behalf of the company in favour of _____ to secure the amount of _____ rupees has been registered and assigned a Charge Identification Number as mentioned above in the Register of Charges, in accordance with the provisions contained in that behalf in Chapter VI of the said Act.

Given under my hand and seal, at(place), this ____ day of ____ two thousand ____.

ROC/DROC/AROC

.....

Office of ROC..... (name)

Note: This certificate is on the basis of the particulars of charge/modification of charge filed by the company and charge holder for creating charge on the assets of the company. This is neither a license nor a permission to the company to raise any funds from anybody. Stake holders are advised to check the latest status of the company, its Directors, subsisting charges on the assets of the company etc on the website of the Ministry www.mca.gov.in/MCA21/ in due diligence.

Mailing address of the company as per records available with ROC

Form No. 6.4

Particulars of satisfaction of charge

[Pursuant to section 82(1) and Rule 6.6.(1)]

1.(a) Corporate identity number (CIN) or foreign company registration number (FCRN) of the company:

(b) Global location number (GLN) of company:

(c) SRN No of the latest creation/modification of charge:

2. (a) Name of the company

(b) Address of the registered office or principal place of business in India of the company:

(c) E-mail ID:

3. Whether the charge is registered in favour of asset reconstruction company or assignee:

☐ Yes

☐ No

4. Charge identification number:..... (Prefill)

Particulars of the charge holder (in case charge is in favour of ARC or assignee, enter the particulars of ARC or assignee):

(i) Category:

(ii) CIN, in case of company:

(iii) Name:

(iv) Address: Line I

Line II

City:

State:

ISO country code:

Country:

Pin code:

E-mail ID:

(b) Particulars of creation of original charge and subsequent modifications:

(i) Date of creation of charge:

(ii) date of last modification:

(iii) Final amount secured by the charge

In words:

In figures:

(v) In case the amount secured by the charge is in foreign currency

Amount equivalent in rupee

Other details, if any:

5. Date of satisfaction of charge in full: (DD/MM/YY)

Verification

I am authorized by the Board of Directors of the Company vide resolution no..... dated..... to sign this form and declare that all the requirements of 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 also declare that all the information given herein above is true, correct and complete including the attachments to this form and nothing material has been suppressed.

To be digitally signed by

Designation (to be given)

DIN of the person signing the form

Verification

I/we confirm that the attached charge instrument(s) or document(s) is/are true copies of the original which is/are available with the charge holder and/or assignee and all the information and particulars mentioned above are derived there from are concisely and correctly stated.

I/we am/are duly authorised to sign this form.

To be digitally signed by

Designation

Charge Holder

To be digitally signed by

Designation

ARC or assignee

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 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;

- a. 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;
- b. All the required attachments have been completely and legibly attached to this form;

Signature

Chartered Accountant/Cost Accountant/Company Secretary in practice whether Associate or Fellow

Membership No. and also CP No.

Attachments:

- (1) Written consent of the charge holder stating that the amount has been satisfied;
- (2) Optional attachment(s), if any.

Note:

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 filing company. Attention is also drawn to provisions of Section 448 and 449 which provide for punishment for false statement and certification.

Form No. 6.5

Memorandum of satisfaction of charge

[Pursuant to rule 6.6(2)]

1 (a) Corporate identity number (CIN) or foreign company registration number (FCRN) of the company:

(b) GLN

2 (a) Name of the company:

(b) Charge Identification Number:

(c) SRN No :

(Latest charge created/modified

whichever latest as applicable)

SRN No :

(Form filed for Satisfaction of charge)

This is to certify that pursuant to the provisions contained in Chapter VI of the Companies Act 2013, the above charge for Rs. _____ only has been satisfied in full on day of two thousand in accordance with the provisions contained in that behalf in Chapter VI of the said Act.

Given under my hand and seal at _____(place), this _____ day of _____ two thousand _____.

ROC/DROC/AROC

.....

Office of ROC..... (name)

Note: This certificate is on the basis of the particulars of satisfaction of charge filed by the company and charge holder. Stake holders are advised to check the latest status of the

company, its Directors, subsisting charges on the assets of the company etc on the website of the Ministry www.mca.gov.in/MCA21/ in due diligence.

Mailing address of the company as per records available with ROC

Form No. 6.6

Notice of appointment or cessation of receiver or manager

[Pursuant to section 84(1) & rule 6.7]

1.(a) Corporate identity number (CIN) or foreign company registration number (FCRN) of the company:

(b) Global location number (GLN) of company:

2.(a) Name of the company:

(b) Address of the registered office or principal place of business in India of the company:

(c) E-mail ID:

3. This notice is being filed by

- ☐ Person appointing receiver or manager
- ☐ Person appointed as receiver or manager

4. Type of notice:

- ☐ Appointment
- ☐ Cessation

5. Particulars of receiver or manager:

(a) Income tax permanent account number (PAN):

(b) Name:

(c) Address: Line I:

Line II:

City:

State:

Country:

Pin Code:

6. Date of appointment: (DD/MM/YY)

7. Date of cessation: (DD/MM/YY)

8. Number of charges:

Particulars of appointment or cessation in respect of every charge:

9. (a) Charge identification (ID) number:..... (Prefill)

(b) SRN No :

(Latest charge created/modified

whichever latest as applicable)

(c) Particulars of the charge holder (in case charge is in favour of ARC or assignee, enter the particulars of ARC or assignee):

(i) Category:

(ii) CIN, in case of company:

(iii) Name:

(iv) Address

(v) E-mail ID:

(c) Particulars of charge:

(i) Date of creation of charge:

(ii) Amount secured by the charge

In words:

In figures:

(iii) Type of charge: (whether floating or on specific property)

(iv) Particulars of property on which charge is created:

(v) Address of charge particulars for which charge created/modified :

[(i)Plot No./Flat No./H.No/Godown No./ Door No./, (ii) Street No./Lane No./Sector No./Phase No., (iii) Area/Location (iv) Tehsil / District (v) State (vi) Country]

10. (a) Whether the appointment or cessation is:

☐ Pursuant to an order of the court

☐ Pursuant to any instrument

(b) If in pursuance to an order of court, furnish the following details:

(i) Court reference:

(ii) Date of court order: (DD/MM/YY)

(c) If in pursuance to an instrument, furnish the following details:

(i) Description of the instrument:

(ii) Date of instrument: (DD/MM/YY)

(d) State whether the appointment relates to:

☐ Whole of the property of the company

☐ Specific property of the company, if so, specify

(e) State whether the appointment relates to:

☐ Income arising from the whole of the property of the company

☐ Income arising from the specified property of the company, if so specify

Verification

I/we confirm that I/we have been appointed as receiver/Manager vide orders of (name of the competent authority) to manage the particular property of the company specified herein above. I/we declare that whatever stated above is true,

correct and complete and nothing material has been suppressed including the attachments to this form.

I/we am/are duly authorised to sign this form.

To be digitally signed by

Designation

Receiver/Manager

Attachments:

- (1) Copy of instrument appointing receiver/manager;
- (2) Copy of court order.
- (3) Optional attachment(s), if any.

Note:

Attention is also drawn to provisions of Section 448 and 449 which provide for punishment for false statement and punishment for false evidence respectively.

For office use only:

Digital signature of the authorizing officer

This e-form is hereby taken on record

Form No. 6.7**Register of charges***[Pursuant to section 85(1) & rule 6.8(1)]*

S.No	Charge ID	Date of creation of charge or date of acquisition of property subject to charge	Date of registration of creation of charge	Short description of the property charged
(1)	(2)	(3)	(4)	(5)

Period and amount secured by the charge	Names and addresses of the charge holder	Particulars of the terms and conditions of the charge	Description of the instrument creating the charge
(6)	(7)	(8)	(9)

Date of modification of charge	Date of registration of modification of charge	Description of the instrument modifying the charge	Particulars of modification

(10)	(11)	(12)	(13)

Date of satisfaction	Date of registration of satisfaction	Facts and date of condonation of delay, if any	Reasons for delay in filing for registration of creation, modification or satisfaction of the charge, if any
(14)	(15)	(16)	(17)

Note : Particulars are maintained in the MCA-21

Form No. 6.8

**Application to Central Government for extension of time for filing particulars of registration
of creation / modification / satisfaction of charge**

[Pursuant to section 87 & rule 6.10(2)]

1.(a) Corporate identity number (CIN) or foreign company registration number of the company:

(b) Global location number (GLN) of company:

(c) Charge ID :

(d) SRN No :

(Latest charge created/modified

whichever latest as applicable)

SRN No :

(if Form filed for Satisfaction of charge)

2.(a) Name of the company:

(b) Address of the registered office or of the principal place of business in India of the company:

(c) E-mail ID:

3. This form is for condonation of

☐ delay in registration of:

- Creation of Charge
- Charge subject to which property has been acquired

- Modification of Charge
- Satisfaction of Charge
- ☐ Omission or mis-statement of any particular in respect of:
 - Creation of Charge
 - Charge subject to which property has been acquired
 - Modification of Charge
 - Satisfaction of Charge

4. The application is made by:

- ☐ the company
- ☐ the person in whose favour charge is created or modified or satisfied

5.(a) Date of creation / acquisition of property subject to charge / modification / satisfaction of charge:

(b) Amount of charge created / modified / satisfied:

(c) Name(s) of the charge holder(s):

(d) Address of charge particulars for which charge created/modified/satisfied :

[(i)Plot No./Flat No./H.No/Godown No./ Door No./, (ii) Street No./Lane No./Sector No./Phase No., (iii) Area/Location (iv) Tehsil / District (v) State (vi) Country]

6. Reasons for delay/ omission/ mis-statement in filing Form No.....

7. Details of omission / mis-statement and the relief required

Declaration

(if application is made by the company)

I O son O daughter O wife of

(i) do solemnly declare that I am the Managing Director or director or manager or secretary (in case of an Indian company) or an authorised representative (in case of a foreign company); and

(ii) further declare that:

(a) the delay in filing the particulars of creation / modification / satisfaction or omission or mis-statement, was accidental or due to inadvertence or some other sufficient cause and are or is not of a nature to prejudice the position of the charge holder, shareholders or creditors of the company;

(b) no prejudice would be caused to the charge holder(s) or any other creditor(s) of the company, if the delay is condoned or omission or mis-statement is rectified;

(c) the company has not created or modified any other charge(s) whatsoever on the assets of the company, since the creation / modification of the present charge, for which the application for condonation of delay is being filed;

(d) the company is carrying on the business as on the date of filing this application and no proceedings to wind-up the company have commenced or are pending against the company.

Date:

Place:

Signature:

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 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;

a. 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;

Signature

Chartered Accountant/Cost Accountant/Company Secretary in practice whether Associate or Fellow

Membership No. and also CP No.

Attachments:

1. Instrument creating/modifying/satisfying the charge;
2. Letter of authorisation (in case of Authorised Representative of a foreign company)
3. Copy of resolution of the Board authorising the filing of the application and appointing the authorised representative, if any
4. Optional attachment, if any.

Note:

Attention is also drawn to provisions of Section 448 which provide for punishment for false statement and certification.

For office use only:

Digital signature of the authorizing officer

This e-form is hereby approved/rejected
