

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

Form No. 29.1

Memorandum of Appeal

[Pursuant to rule 29.2(1).]

Before the Regional Director

In the matter of the Companies Act, 2013

And

In the matter of appeal against the order made on..... by.....

1. Details of the Appellant:

- (a) Name (CIN and DIN)(rests of the fields to be prefilled):
- (b) Address of registered office:
- (c) Address for service of notices:
- (d) E-mail ID:
- (e) Telephone/fax number:

2. Details of the respondent (adjudicating officer):

- (a) Concerned Registrar:
- (b) Address and other fields to be prefilled:

3. Section under which penalty was imposed (to be selected from drop down menu):

4. Penalty imposed (amount in Rs.):

5. Synopsis:

6. Grounds of appeal:

7. Relief sought:

8. Interim relief, if any:

9. Jurisdiction of Regional Director: the appellant declares that the subject matter of appeal falls within the jurisdiction of the Regional Director.

10. Particulars of payment of fees:

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 / I am filing this form in my individual capacity as Officer in default in the captioned matter and hereby certify that all the requirements of the Companies Act, 2013 and rules made thereunder have been complied with in respect of subject matter of this form. I also certify 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 further declared that no other appeal, suit, civil revision or any other legal proceedings is pending before any authority on the similar matter.

Signature

(appellant/authorised representative)

Place:

Date:

Attachments:

1. Certified copy of the order against which appeal is sought
2. A copy of authorisation in favour of authorised representative, if any.
3. Optional enclosures.

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: E-form Service Request Number (SRN)..... E-form
filing date....

Digital signature of the authorizing officer

This e-form is hereby admitted/dismissed

Detailed order is separately issued

Date of signing

Form No. 29.2

Application to ROC for obtaining the status of dormant company

[Pursuant to sub-section (1) of section 455 read with rule 29.5]

1. Whether the company is:

- ☐ Newly incorporated company
- ☐ Existing company

2. (a) CIN/ SRN of Form No. 2.7:

(b) GLN:

3. (a) Name of the company:

(b) Registered office address:

(c) E-mail Id:

4. Whether the company is:

- ☐ Public company
- ☐ Private company
- ☐ One Person Company

5. Date of incorporation of the company:

6. Brief description of main objects of the company as per Memorandum of Association (MOA):

7. (a) Date of passing board resolution:

(b) Date of passing special resolution:

(c) SRN of Form No. 7.14:

8. (a) Whether the company is regulated under a special Act:

☐ Yes

☐ No

(b) If yes,

(i) Name of the regulatory body:

(ii) Date of obtaining the approval of regulatory body:

9. (a) Number of directors:

(b) Particulars in respect of each director:

(i) Director identification number (DIN):

(ii) Name:

(iii) Designation:

(iv) Category:

10. Grounds of application:

(a) In case of newly incorporated company:

- the company is formed and registered under the Companies Act, 2013 for
 - ☐ any future project
 - ☐ holding an asset or intellectual property and
- the company has no significant transaction since incorporation
- The company has not been carrying on any business or operation,

OR

(b) In case of existing company:

- The Company has not been carrying on any business or operation,
- The company has not made any significant accounting transaction during the last two financial years,
- The company has not filed financial statement and annual returns during the last two financial years.

11. In case of a newly incorporated company,

(a) Particulars of the future project:

(b) Assets or intellectual property held on the date of making application:

12. In case of existing company,

(a) Whether the company have any assets or liabilities:

- ☐ Yes
- ☐ No

(b) (i) Date on which last financial statement and annual return were filed:

(ii) Financial year to which such financial statement and annual return pertains:

(iii) If the financial statement and annual return is not filed for any year in the last two financial years, reasons thereof:

(Attach the latest financial statement and annual return of the company)

(c) (i) Date on which last significant accounting transaction was made:

(ii) Nature of such transaction:

VERIFICATION

I / We,, the director(s) of the company hereby confirm that:-

- i) no inspection, inquiry or investigation has been ordered or taken up or carried out against the company;
- ii) no prosecution has been initiated or pending against the company under any law;
- iii) the company is neither having any public deposits which are outstanding nor the company is in default in payment thereof or interest thereon;
- iv) the company is not having any outstanding loan or if there is any, the concurrence of the lender has been obtained and is enclosed herewith this application;
- v) there is no dispute in the management or ownership of the company;
- vi) the company does not have any outstanding statutory taxes, dues, duties etc. payable to the Central Government or any State Government or local authorities etc.;
- vii) the company has not defaulted in the payment of workmen's dues;
- viii) the securities of the company are not listed on any stock exchange within or outside India;
- ix) this application has not been made with an objective to deceive the creditors or to defraud any other person.
- x) 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

Attachments:

1. Copy of board resolution authorizing making of this application;
 2. Copy of special resolution;
 3. Copy of no objection certificate (NOC) from the regulatory authority if applicable
 4. Consent of the lender if any loan is subsisting;
 5. Latest financial statement and annual return of the company
 6. Optional attachment(s), if any.
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Note:

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

For office use only: E-form Service Request Number (SRN)..... E-form filing date....

Digital signature of the authorizing officer

This e-form is hereby approved/rejected

Date of signing

Form No. 29.3

Certificate of status of a Dormant Company

[Pursuant to sub-section (2) of section 455 read with rule 29.6]

Corporate Identity Number: -----

Date of issue of certificate of incorporation:

Name of the company:

I hereby certify that the above named company has this day been declared as Dormant Company as per the provisions of Section 455(2) of the Companies Act, 2013 on the basis of the application filed by the Company under Section 455(1).

Given under my hand at ----- this ---- day of -----two thousand---

Sd/-

ROC/DROC/AROC

State

Note: This certificate declaring the dormant status of the Company is being issued on the basis of the application filed by the Company only. The Company can get its status revived to 'Active' on compliance of the provisions of Section 455(5) of the Act. The Company can also be struck off under

Section 455(6) of the Act. The stakeholders are advised to check the latest status of the Company on www.mca.gov.in/MCA21/.

FORM No. 29.4

Return of dormant companies

[Pursuant to sub- section (5) of Section 455 read with rule 29.9]

1. (a) CIN:

(b) GLN:

2. (a) Name of the company:

(b) Registered office address:

(c) E-mail Id:

3. Whether the company is:

- Public company
- Private company
- One person company

4. (a) Date of issue of certificate of dormant company:

(b) Certificate No.:

5. Brief particulars of the principal business activities of the company:

6. Financial year or period to which this return relates:

7. Number of directors:

8. Particulars of the Board meeting(s) held:

S. No.	Date of meeting	Total No. of Directors on the Date of Meeting	Attendance [No. and name of Directors who

			attended the meeting]
1			
2			
3			

9. Change in the management of the company:

Date of change	Names of the key persons in the new Management	Reason(s) of change

10. Statement of transactions other than significant accounting transactions:

Particulars	Amount (in Rs.)
Payments for maintenance of its office and records: Payments made to fulfill the requirements of the Act:	

Payment of fees to ROC:	
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11. Particulars of allotment of shares, if any:

- (a) Date of allotting the shares:
- (b) Purpose of allotment:
- (c) Number of shares allotted:
- (d) Face value of shares allotted:
- (e) Paid up value of such shares:
- (f) Consideration received (cash/other than cash):

12. Particulars of payment of annual fee:

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 further certified that the status of the Company continues to be a Dormant Company under Section 455(1) of the Act as on date.

To be digitally signed by

Designation (to be given)

DIN of the person signing the form

Attachments:

- 1. Copy of Board resolution showing authorisation given for filing this declaration;
- 2. Optional attachment(s), if any.

Note:- Attention is also drawn to the provisions of section 448 of the Act which provides for punishment for false statements.

FORM No. 29.5

Application for seeking status of active company

[Pursuant to sub- section (5) of Section 455 read with rule 29.10]

1. (a) CIN:
(b) GLN:
2. (a) Name of the company:
(b) Registered office address:
(c) E-mail Id:
3. SRN No. of application on Form No. 29.2:
4. SRN of last declaration filed on Form No. 29.4:
5. Period for which the company remained dormant: (to be calculated by system)
6. Reasons thereof: (whether for future project or due to failure to respond to notice under sub-section (4) of section 455)

I / We, -----, Director(s) of the Company, do hereby apply for changing the status of the Company from Dormant to Active as per the provisions of sub-section (5) of section 455 of the Companies Act, 2013.

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

Attachments:

1. Copy of Board resolution authorising the filing of this application ;
2. Optional attachment(s).

Note:

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

For office use only: E-form Service Request Number (SRN)..... E-form filing date....

Digital signature of the authorizing officer

This e-form is hereby approved/rejected

Date of signing
