

DIRECTOR IDENTIFICATION NUMBER - NEW ACT – NEW RULES



Director Identification Number

As per the provisions of **Section 153** of the Companies Act, 2014 & **Rule 9(1)** of the Companies (Appointment and Qualification of Directors) Rules, 2014, every individual intending to be appointed as director of an Indian company or designated partner of a limited liability partnership or the existing director/ designated partner who has not taken a DIN is required to make an application for allotment of Director Identification Number (DIN) in e-form DIR – 3.



Section 153:

Every individual intending to be appointed as director of a company shall make an application for allotment of Director Identification Number to the Central Government in such form and manner and along with such fees as may be prescribed.

Rule 9(1):

Every individual, who is to be appointed as director of a company shall make an application electronically in Form No. DIR-3, to the Central Government for the allotment of a Director Identification Number (DIN) along with such fees as provided in the Companies (Registration Offices and Fees) Rules, 2014.

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WHAT IS NEW?

- a. The applicant must have a Digital Signature Certificate and the e-form to be Digitally Certified by the applicant along with the practicing professional/ Practicing CS/ CA/ CWA/ CS in employment/ Director.
- b. The Government fees is enhanced from INR 100 to INR 500/-
- c. Verification by the applicant to be provided in Form DIR -4.

Present requirements to obtain DIN

1	Digital Signature Certificate	This is a Mandatory requirement for the applicant to obtain the DIN.
2	Photograph	One Photograph of the applicant in JPEG format to be obtained.
3	Proof of Identity	<u>In case of Indian nationals</u>, Income-tax PAN is a mandatory requirement for proof of identity. <u>In case of foreign nationals</u>, passport is a mandatory requirement for proof of identity. (Proof of identify should also contain the date of birth of the applicant and the same should match the date of birth filled in the application form. In case the proof of identify does not indicate the Date of Birth then additional proof of Date of Birth, duly certified/ attested, should be attached)
4	Proof of Address	Address proofs like passport, election (voter identity) card, and ration card, driving license, electricity bill, telephone bill or aadhaar shall be attached and should be in the name of applicant only. <u>In case of Indian applicant</u>, documents should not be older than 2 months from the date of filing of the eForm. <u>In case of foreign applicant</u>, address proof should not be older than 1 year from the date of filing of the eForm.

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5	Verification by the applicant in Form No. DIR-4.	Format for Form DIR -4 annexed herewith. This needs to be on non-judicial stamp paper (Value assigned by the respective State) and required notarization from a notary public.
Note: <u>In the case of applicant residing in India,</u> the supporting documents attached shall be either self-attested by the applicant or duly attested by either Public Notary or a Gazette Officer of a Government. The attesting authority must indicate the following while attesting the documents:- (i) Signatures; (ii) Name in full in Capitals; (iii) Registration No.; and (iv) Seal/ Stamp. <u>In case, the applicant is residing outside India,</u> then the attached supporting documents should be attested by the Consulate of the Indian Embassy, Foreign public notary. In case of director, supporting documents can also be attested by Company secretary in full time employment /CEO / Managing director of the Indian company in which he / she proposed to be a director - In case of proofs which are in languages other than Hindi / English, the proofs should be translated in Hindi / English from professional translator carrying his details (name, signature, address) and seal. In the case of foreign nationals, translation done by the notary of home country is also acceptable.		

E- form Requirements:-

1	Applicant's name	For Indians – As per PAN Details For others – Full Name as per ID Proof
2	Father's name (Even Married women must also give father's name)	For Indians – As per PAN Details For others – Full Name as per ID Proof
3	Photograph	Latest photograph of the applicant in JPEG format only should be attached.
4	Nationality	Foreign nationals shall select the nationality as declared in the passport.
5	Occupation and Educational qualification	Mandatory Field
6	Date of Birth	Proof is mandatory and should be valid, clearly visible and duly attested.

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		Person should be minimum 18 years of age while applying for this application.
7	Income-tax permanent account number:	Income tax PAN is mandatory for Indian nationals.
8	Passport number	Passport number is mandatory for foreign nationals
9	Driving license number & Aadhaar Number	Not – Mandatory
10	Permanent residential address	Enter the details matching exactly with the residence proof. In case, the country selected is other than India, and you do not have PIN Code, enter 'NA'. In case of foreign nationals, state can be mentioned in address/ city. Enter your valid email ID.
11	Certification	eForm is digitally signed by the same person i.e. applicant who is filing the application and by either of the following: a) chartered accountant (in whole-time practice) or cost accountant (in whole-time practice) or company secretary (in whole-time practice) b) company secretary in full time employment or director of the company in which the applicant is to be appointed as a director

- Professionals are requested to give their feedback, in case any irregularities with the Law/ rules found.

Form DIR-4

Verification of applicant for application for DIN

(To be in the form of Affidavit)

[Pursuant to section 153 and rule 9(3)(a)(iv) of Companies (Appointment and Qualification of Directors) Rules, 2014]

I,, Son*/ Daughter* of, born on, resident of hereby confirm and verify that the particulars given in the Form DIR-3 are true and also are in agreement with the documents being attached to the Form DIR-3.

I hereby confirm and declare that

1. The photograph and documents being attached to the Form DIR-3 belong to me. I further confirm that all required documents have been duly certified by the respective government authority and are being attached to the Form DIR-3, and
2. I am not restrained, disqualified, removed of, for being appointed as director of a company under the provisions of the Companies Act, 2013 including sections 164 and 169, and
3. I have not been declared as proclaimed offender by any Economic Offence Court or Judicial Magistrate Court or High Court or any other Court, and
4. I have not been already allotted a Director Identification Number (DIN) under section 154 of the Companies Act, 2013, and
5. I shall be liable under section 448 of the Act and under the relevant provisions of the Indian Penal Code, 1860 and any other law as applicable, if any statement in this application is found to be false or any material fact is found to have been omitted.

*Note: strike out whichever is not applicable.

Signature:

(Name)

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