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Presents

DO YOU HAVE A DIN ?

UPDATE YOUR DETAILS WITH MCA ?

Last Date

✓31st August, 2018

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What is DIR -3 KYC ?

As per MCA's (Ministry of Corporate Affairs) recent Announcement, It notified that it would be conducting KYC (Know Your Customer) verification for all DIN holders whether they are Directors of all companies or LLP or not through a new MCA E- Form-DIR-3 KYC

Who is required to file DIR-3 KYC form?

✓ Mandatory for all DIN holders even if he is not associated with any Company /LLP

✓ All Directors who has obtained Director Identification Number (DIN) on or before 31st of March 2018

✓ Mandatory for Disqualified Directors.

Who is required to file DIR-3 KYC form?

For Financial year 2018-19 - Any person who has been allotted "Director Identification Number (DIN/DPIN)" on or before 31st March 2018 and the status of such DIN is 'Approved', needs to file form DIR-3 KYC to update KYC details in the system on or before 31st August 2018.

For Financial year 2019-20 onwards - Every Director who has been allotted DIN on or before the end of the financial year, and whose DIN status is 'Approved', would be mandatorily required to file form DIR-3 KYC before 30th April of the immediately next financial year.

After expiry of the respective due dates, system will mark all non-compliant DINs against which DIR-3 KYC form has not been filed as 'Deactivated'.

Consequences of non-filing

- ✓ DIN deactivation (After which, a person can't start or enter in to a Company / LLP ,also cannot continue as a Director/Designated Partner)
- ✓ **After Due Date Rs.5,000 /-(Five Thousand as Penalty)**

MCA E Form- DIR-3	MCA E Form- DIR-6	MCA E Form- DIR-3 KYC
The purpose of this form is to avail DIN for a person interested in entering in to a Company / LLP as a Director / Designated Partner.	This MCA E form DIR 6 is to make any modification in the information provided in the existing DIN.	New E Form to update DIN Details in every Year on or before 30th April of immediate next financial year. But, for the current year, DIR-3 KYC is required to be filed on or before August 31, 2018

What are the Documents or Details are Required for DIR-3 KYC ?

1. Self Attested Pan card Copy
2. Self Attested Passport Proof
3. Self Attested Aadhaar Proof
4. Self Attested Address Proof (Latest Bank Statement , Telephone Bill, etc)
5. Self Attested ID Proof (Such as Driving Licence / Voters ID)
6. Latest Pass port Size Photograph
7. Personal Mobile Number to get an One Time Password(OTP)
8. Personal Email id to get an One Time Password(OTP) (Like Gmail or Yahoo etc)
9. Valid Digital Signature Certificate.
10. Certification from CA / CS / CMA

VERIFICATION BY DIN HOLDER

1. The documents being attached to the Form DIR-3KYC belong to me. I further confirm that all required documents have been duly issued by the respective government authority and are being attached to the Form DIR-3 KYC and

2. I further confirm that the Mobile No and email ID belong personally to me 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 no other allotted DIN other than DIN in which changes are intimated under section 154 of the Companies Act,2013 or a Designated Partner Identification Number under section 7 of the Limited Liability Partnership Act, 2008

5. I shall be liable under Section 448 of the Companies Act- 2013 and under relevant provisions of the Indian Penal Code, 1860 (IPC) and any other law as applicable, if any statement in this application is found to be false or any material fact is found to be have been omitted

If a person not having directorship in a company, however holding DIN (Director Identification Number). Whether such person required to file e-form DIR-3 KYC.

As per Rules, every person holding DIN have to file e-form DIR-3 KYC, irrespective whether such person is having directorship in any Company or not.

Therefore, we can opine that Directorship is not any base for filing of DIR-3 KYC; Base for the same is DIN. If person is having DIN its mandatory to file DIR-3 KYC.

If a person is Designated Partner in LLP, whether such person is required to file DIR-3 KYC ?

As we discussed in above question, that DIR-3 KYC is DIN based. Therefore, if a person is a designated partner in LLP such person must have DIN. As a person having DIN it is mandatory for him/her to file DIR-3 KYC.

What will be the consequences of not submitting E-Form DIR 3 KYC before 31st August?

The last date of filling e-form DIR 3 KYC is 31st August as at the moment.

Any delay in filing the form will be penalized with fine of not more than Rs. 5000.

DIN deactivation (After which, a person can't start or enter in to a Company / LLP, also cannot continue as a Director/Designated Partner)

I am a disqualified director, am I required to file form DIR-3 KYC?

Yes. Any person who has been allotted DIN and where the status of such DIN is 'Approved', is required to file form DIR-3 KYC. Hence, disqualified directors are also required to file form DIR-3 KYC

Whether passport is mandatory for DIR-3 KYC ?

Passport is mandatory for the Foreign National Person.

However, If an Indian person having passport, In such case it is mandatory to mention passport Number with Self attested copy of passport.

Whether foreign director, who are on the Board and visit India once in a year, need to obtain digital signature in India?

As per the MCA circular active Digital Signature Certificate is required for the approval of the form. E-Form DIR 3 KYC required to be submitted by every Director /Designated Partner on Board.

Whether personal Mobile number and E-mail id is mandatory?

The main reason behind introducing e-form DIR-3 KYC is to improve the link between the government and DIN holders, and communicating latest updations with the DIN holders directly. Hence, personal numbers & Email id of DIN holders are mandatory.

Providing false information with Registrar may lead to prosecution under relevant provisions of applicable Law.

Is it mandatory to enter a unique mobile number and email ID in form DIR-3 KYC?

Yes. It is mandatory to enter your personal mobile number and personal email ID in the form DIR-3 KYC and the same has to be verified by an OTP process.

Further, the mobile number and email ID must be unique such that it is not already linked with some other person in the DIN holders' database.

When OTP shall be generate on mobile and e-mail ?

How does the OTP functionality in DIR-3 KYC work?

Send OTP button will be enabled only after successful Pre-scrutiny of the form. After successful Pre-scrutiny, user has to click on 'Send OTP' button.

OTP not received on email. Why is it so?

You may check the Spam folder in your mailbox for the OTP received.

Whether mobile no. of foreign person is mandatory, or whether OTP will be generated on foreign contact no. ?

As per form it is mandatory to mention personal contact no. of person. Therefore, in case of foreign director his personal contact no. is mandatory to mention.

Second, in case of foreign mobile no. OTP shall be generated and it is mandatory to mention in the form.

Whether non-resident directors can provide Indian mobile numbers?

In case the DIN holder is a resident of India, the address must be an address in India and mobile number must be an Indian mobile number.

In case DIN holder is non-resident, foreign address and foreign number shall only be allowed.

Why is the 'Send OTP' button disabled?

What is the validity of OTP?

Send OTP button remains disabled till successful pre-scrutiny of the form. After successful pre-scrutiny, the form must be saved and only after saving the form, the 'Send OTP' button gets enabled.

Further, please note that, once OTP is successfully sent to the valid mobile number and email ID entered in the form, 'Send OTP' button gets disabled. OTP is valid for 15 minutes.

Whether ID proof of DIN holder is required to be attested?

Resident Individuals : All ID proof (Such as Driving License, Passport, PAN, Voters ID & Aadhaar) of the DIN holder must be self-attested

Non Resident /Foreign National : The documents being attached in case of Non Resident/foreign national Directors have to be notarized by the consulate of the country in which he is a citizen. After that it is to be self attested thereafter professionals such as CA / CS /CMA shall be certified.

If address of a Director is not updated in the DIN, then whether it is to be updated first and then need to file DIR 3 KYC with the new address or can the address be updated through DIR 3 KYC ?

Will the form accept different address from existing in the Form?

Those directors whose DIN is not updated, they have to update their information in Form DIR 6 before proceeding to file the DIR 3 KYC. After the required updation, E-Form DIR 3 KYC can be filed.

Whether multiple filing of form DIR-3 KYC is allowed?

System will not allow multiple filing of form DIR-3 KYC for an applicant. In case KYC is already filed for a DIN, and such DIN is entered again, system throws an error that the form is already filed.

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