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GOVERNMENT OF INDIA

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 6th February, 2020

G.S.R.....(E). In exercise of the powers conferred by sub-sections (1) and (2) of section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Incorporation) Rules, 2014, namely: -

1. Short title and commencement.- (1) These rules may be called the Companies (Incorporation) Amendment Rules, 2020.

(2) They shall come into force with effect from the 15th February, 2020.

2. In the Companies (Incorporation) Rules, 2014 (hereinafter referred to as the said rules), for rule 9, the following rule shall be substituted, namely:-

“9. Reservation of name or change of name.- An application for reservation of name shall be made through the web service available at www.mca.gov.in by using web service SPICe+ (Simplified Proforma for Incorporating Company Electronically Plus: INC-32), and for change of name by using web service RUN (Reserve Unique Name) along with fee as provided in the Companies (Registration Offices and Fees) Rules, 2014, which may either be approved or rejected, as the case may be, by the Registrar, Central Registration Centre after allowing re-submission of such web form within fifteen days for rectification of the defects, if any, with effect from the 15th February, 2020.”.

3. In the said rules, in rules 10, 12, sub-rule (1) of rule 19, sub-rules (1),(2),(3), (4), (7) and (9) of rule 38, for the words, letters, figures and brackets,, “Form No INC-32 (SPICe), wherever they occur, the letters, brackets, words and figures “SPICe+ (Simplified Proforma for Incorporating Company Electronically Plus: INC-32)” shall be substituted with effect from the 15th February, 2020

4. In the said rules, in rule 38, in the marginal heading, for the word, brackets and letters “Electronically (SPICE)”, the words, brackets and letters “Electronically Plus (SPICE+)” shall be substituted with effect from the 15th February, 2020.

5. In the said rules, in rule 38A,-

(i) in the marginal heading, for the words, brackets and letters “and Employees’ Provident Fund Organisation (EPFO) Registration”, the words, brackets and letters “,Employees’ Provident Fund Organisation (EPFO) Registration and **P**rofession Tax **R**egistration and **O**pening of Bank Account” shall be substituted;

(ii) for the letters “AGILE”, the letters “AGILE-PRO”, shall be substituted;

(iii) after clause (c), the following clauses shall be inserted, namely:-

“(c) Profession Tax Registration with effect from the 15th February, 2020

(d) Opening of Bank Account with effect from 15th February, 2020.”.

6. In the said rules, in the annexure,-

(i) for forms “RUN, e-form No INC-32 (SPICe), and e-form No.INC-35 (AGILE), the following forms shall be substituted, namely:-

"[Pursuant to sections 4, 7, 8(1), 12, 152 and 153 of the Companies Act, 2013 read with rules made thereunder] –
FORM NO. INC-32

SPICE+

(Simplified Proforma for Incorporating Company Electronically Plus)

PART – A

1. (a) Type of Company
LLPIN

- (b) Class of Company

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- (c) Category of Company

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- (d) Sub-category of Company

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2. Main division of industrial activity of the company
Description of the main division

3. Particulars of the proposed or approved name

i.	
ii	

PART - B

II. Structure of the Company

4. Whether Articles of Association is entrenched o Yes o No
Number of Articles to which provisions of entrenchment shall be applicable

Details of such articles

Sr. No.	Article Number	Short description on entrenchment of the clause

5. *Company is Having share capital Not having share capital

6. *Capital structure of the company

Total authorized share capital (in Rupees)

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Authorized share capital	Equity	Preference	Unclassified
Number of shares			
Nominal amount per share (in Rupees)			
Total amount (in Rupees)			

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