

Form 8

INSTRUCTIONS FOR FILLING OF EFORM – 8

(Particulars for creation or modification of charges (other than those related to debentures) including particulars of modification of charge by asset reconstruction companies in terms of Securitisation Act and Securitisation and Reconstruction of Financial Assets and Enforcement of Securities Interest (SARFASI) Act, 2002)

S. No.		Detailed Instructions
		Note: 1) Instructions are not provided for the fields which are self explanatory. 2) If the space within any of the fields is not sufficient to provide all the information, then additional details can be provided the as an optional attachment to the eForm.
		Refer the relevant provisions of the Companies Act, 1956 and rules made there under with respect to the matter dealt in this eForm
1	(d)	In case the eForm is to be filed for modification of charge, Enter the charge identification number allotted at the time of registration of the charge
2	(a)	In case of an Indian company, enter 'Corporate Identity Number' (CIN). In case of a Foreign company, enter Foreign Company Registration Number of the company. <ul style="list-style-type: none"> You may find CIN by entering existing registration number of the company in the 'Find CIN/GLN' service at the portal www.mca.gov.in
3	(a), (b)	Click the 'Pre-fill' button. In case of an Indian company, system will automatically display the name and address of registered office of the company. In case of a Foreign company, system will automatically display the name and address of principal place of business in India of the company
4	(a), (b)	Select one or more option for the type of charge. If option 'others' is selected, then specify the details for the same.
5	(a), (b)	Select whether consortium finance (i.e. If there are more than one charge holders) is applicable or not. Select whether joint charge is applicable or not.
6, 7		Enter the total number of charge holders and enter details of the charge holder. In case consortium is involved, enter details of the lead charge holder only If the charge holder is an Indian company, enter the CIN of the company. In case the charge is modified in favour of the asset reconstruction company (ARC) or assignee then enter the details of the ARC or assignee. Click the "Pre-fill" button System will automatically display the name and registered office address of the charge holder. Please enter the complete address in case the displayed address is incomplete. In case the displayed address is not correct or address other than the registered office address of the charge holder is to be entered, then you can edit the address as displayed on pre-fill. If the charge holder is not an Indian company enter the name and address of the charge holder (CIN is not a mandatory field) In case of consortium finance and/ or joint charge, provide the details of the other charge holder(s) as an attachment.
9		In case of creation of charge, enter the date of creation of charge

		In case of modification of charge, enter the date of modification of charge
11		In case of modification of charge, if there is any modification in the charge amount, then enter the total amount secured by the charge after such modification. If there is no modification in the charge amount, then enter the amount secured by the charge prior to such modification.
12	(a) – (e)	In case of modification of charge, enter the particulars as applicable after such modification
14		Enter the details of the property charged including address details of the property
16, 17		These fields are applicable only in case of modification of charge
Attachments		<p>In case of acquisition of property, already subjected to charge; Instrument evidencing creation or modification of charge in case of acquisition of property which is already subject to charge is a mandatory attachment</p> <p>In case of joint charge and consortium finance; Particulars of other charge holders should be attached</p> <p>Any other information can be provided as an optional attachment.</p>
Declaration		Enter the date of board resolution authorising the signatory to sign & submit the eForm.
Digital Signature		<p>The eForm should be digitally signed by the charge holder and by the following –</p> <p>In case of an Indian company</p> <ul style="list-style-type: none"> ▪ By the Managing director or director or manager or secretary of the company authorised by the board of directors <p>In case of a foreign company</p> <ul style="list-style-type: none"> ▪ By an authorised representative. <p>In case the charge is modified in favour of the asset reconstruction company (ARC) or assignee then; the eForm should also be digitally signed by such ARC or assignee. In such case, the digital signature of the company representative is optional.</p>
Designation		<p>In case of company representative, select the designation of the person digitally signing the eForm. Enter the DIN in case the person digitally signing the eForm is a director or managing director. Enter the membership number in case the person digitally signing the eForm is a secretary (if available).</p> <p>In case of charge holder, ARC or assignee; enter the designation of the person digitally signing the eForm.</p>

Common Instruction Kit

Buttons	Particulars
Pre Fill	<p>When you click the pre fill button after entering the corporate identity number in eForm, the name and address is displayed by the system.</p> <p>This button may appear more than once in an eForm, and shall be required to be clicked for displaying the data pertaining to that field.</p> <p>You are required to be connected to the internet for pre-filling.</p>
Attach	<p>You have to click the attach button corresponding to the document you are making an attachment. In case you wish to attach any other document, please click the optional attach button. (Through Optional attachment, you can attach maximum five optional attachments).</p>
Remove attachment	<p>You can view the attachments added to eForm in the rectangle box provided next to the list of attachment. If you want to remove or delete any attachment, select the attachment to be removed and press the "Remove attachment" button.</p>
Check Form	<p>Once the form is filled up, you are required to press the Check Form button. When this button is pressed, form level validation is done such as, Whether all the mandatory fields are filled up or not. If an error is displayed after pressing the button, you are required to correct the mistake and again press the "Check Form" button. When all the form level validation is done, a message is displayed that "Form level pre scrutiny is successful". The Check Form is done without being connected to the internet.</p>
Modify	<p>"Modify" button gets enabled after the check form is done. By pressing this button you can make the changes in the filled in form. If you make any change in the form, you are again required to press the "Check Form" button.</p>
Pre scrutiny	<p>Once form is filled, you are required to get it prescrutinised.</p> <p>You are required to be login to MCA21 portal for pre scrutiny</p> <p>On pre-scrutiny the system level check is performed and if there are any errors, it is displayed to the user</p> <p>After correcting the pre scrutiny error, attach the digital signature on the eForm on the signature field.</p>
Submit	<p>Once the eForm is pre scrutinised, filled and signed, it is ready for uploading on the MCA portal. Login to the MCA21 portal with your user ID and password for uploading the eForm.</p> <p>Alternatively, you can directly upload the eForm instead of first prescrutiny and then upload.</p>
Country code	<p>The list of country code required to be mentioned in the form are as follows:</p>

Note: User is advised to refer to eForm specific instruction kit.

List of ISO Country Code

Country Name	Country Code	Country Name	Country Code
AFGHANISTAN	AF	CAPE VERDE	CV
ÅLAND ISLANDS	AX	CAYMAN ISLANDS	KY
ALBANIA	AL	CENTRAL AFRICAN REPUBLIC	CF
ALGERIA	DZ	CHAD	TD
AMERICAN SAMOA	AS	CHILE	CL
ANDORRA	AD	CHINA	CN
ANGOLA	AO	CHRISTMAS ISLAND	CX
ANGUILLA	AI	COCOS (KEELING) ISLANDS	CC
ANTARCTICA	AQ	COLOMBIA	CO
ANTIGUA AND BARBUDA	AG	COMOROS	KM
ARGENTINA	AR	CONGO	CG

Country Name	Country Code	Country Name	Country Code
ARMENIA	AM	CONGO, THE DEMOCRATIC REPUBLIC OF THE	CD
ARUBA	AW	COOK ISLANDS	CK
AUSTRALIA	AU	COSTA RICA	CR
AUSTRIA	AT	COTE D'IVOIRE	CI
AZERBAIJAN	AZ	CROATIA	HR
BAHAMAS	BS	CUBA	CU
BAHRAIN	BH	CYPRUS	CY
BANGLADESH	BD	CZECH REPUBLIC	CZ
BARBADOS	BB	DENMARK	DK
BELARUS	BY	DJIBOUTI	DJ
BELGIUM	BE	DOMINICA	DM
BELIZE	BZ	DOMINICAN REPUBLIC	DO
BENIN	BJ	ECUADOR	EC
BERMUDA	BM	EGYPT	EG
BHUTAN	BT	EL SALVADOR	SV
BOLIVIA	BO	EQUATORIAL GUINEA	GQ
BOSNIA AND HERZEGOVINA	BA	ERITREA	ER
BOTSWANA	BW	ESTONIA	EE
BOUVET ISLAND	BV	ETHIOPIA	ET
BRAZIL	BR	FALKLAND ISLANDS (MALVINAS)	FK
BRITISH INDIAN OCEAN TERRITORY	IO	FAROE ISLANDS	FO
BRUNEI DARUSSALAM	BN	FIJI	FJ
BULGARIA	BG	FINLAND	FI
BURKINA FASO	BF	FRANCE	FR
BURUNDI	BI	FRENCH GUIANA	GF
CAMBODIA	KH	FRENCH POLYNESIA	PF
CAMEROON	CM		
CANADA	CA		
GABON	GA	FRENCH SOUTHERN TERRITORIES	TF
GAMBIA	GM	LAO PEOPLE'S DEMOCRATIC REPUBLIC	LA
GEORGIA	GE	LATVIA	LV
GERMANY	DE	LEBANON	LB
GHANA	GH	LESOTHO	LS
GIBRALTAR	GI	LIBERIA	LR
GREECE	GR	LIBYAN ARAB JAMAHIRIYA	LY
GREENLAND	GL	LIECHTENSTEIN	LI
GRENADA	GD	LITHUANIA	LT
GUADELOUPE	GP	LUXEMBOURG	LU
GUAM	GU	MACAO	MO
GUATEMALA	GT	MACEDONIA, THE FORMER YUGOSLAV REPUBLIC OF	MK
GUINEA	GN	MADAGASCAR	MG
GUINEA-BISSAU	GW	MALAWI	MW
GUYANA	GY	MALAYSIA	MY

Country Name	Country Code	Country Name	Country Code
HAITI	HT	MALDIVES	MV
HEARD ISLAND AND MCDONALD ISLANDS	HM	MALI	ML
HOLY SEE (VATICAN CITY STATE)	VA	MALTA	MT
HONDURAS	HN	MARSHALL ISLANDS	MH
HONG KONG	HK	MARTINIQUE	MQ
HUNGARY	HU	MAURITANIA	MR
ICELAND	IS	MAURITIUS	MU
INDIA	IN	MAYOTTE	YT
INDONESIA	ID	MEXICO	MX
IRAN, ISLAMIC REPUBLIC OF	IR	MICRONESIA, FEDERATED STATES OF	FM
IRAQ	IQ	MOLDOVA, REPUBLIC OF	MD
IRELAND	IE	MONACO	MC
ISRAEL	IL	MONGOLIA	MN
ITALY	IT	MONTSERRAT	MS
JAMAICA	JM	MOROCCO	MA
JAPAN	JP	MOZAMBIQUE	MZ
JORDAN	JO	MYANMAR	MM
KAZAKHSTAN	KZ	NAMIBIA	NA
KENYA	KE	NAURU	NR
KIRIBATI	KI	NEPAL	NP
KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF	KP	NETHERLANDS	NL
KOREA, REPUBLIC OF	KR	NETHERLANDS ANTILLES	AN
KUWAIT	KW	NEW CALEDONIA	NC
KYRGYZSTAN	KG	NEW ZEALAND	NZ
		NICARAGUA	NI
		NIGER	NE
		NIGERIA	NG
NIUE	NU	SPAIN	ES
NORFOLK ISLAND	NF	SRI LANKA	LK
NORTHERN MARIANA ISLANDS	MP	SUDAN	SD
NORWAY	NO	SURINAME	SR
OMAN	OM	SVALBARD AND JAN MAYEN	SJ
PAKISTAN	PK	SWAZILAND	SZ
PALAU	PW	SWEDEN	SE
PALESTINIAN TERRITORY, OCCUPIED	PS	SWITZERLAND	CH
PANAMA	PA	SYRIAN ARAB REPUBLIC	SY
PAPUA NEW GUINEA	PG	TAIWAN, PROVINCE OF CHINA	TW
PARAGUAY	PY	TAJIKISTAN	TJ
PERU	PE	TANZANIA, UNITED REPUBLIC OF	TZ
PHILIPPINES	PH	THAILAND	TH
PITCAIRN	PN	TIMOR-LESTE	TL
POLAND	PL	TOGO	TG
PORTUGAL	PT	TOKELAU	TK
PUERTO RICO	PR	TONGA	TO

Country Name	Country Code	Country Name	Country Code
QATAR	QA	TRINIDAD AND TOBAGO	TT
REUNION	RE	TUNISIA	TN
ROMANIA	RO	TURKEY	TR
RUSSIAN FEDERATION	RU	TURKMENISTAN	TM
RWANDA	RW	TURKS AND CAICOS ISLANDS	TC
SAINT HELENA	SH	TUVALU	TV
SAINT KITTS AND NEVIS	KN	UGANDA	UG
SAINT LUCIA	LC	UKRAINE	UA
SAINT PIERRE AND MIQUELON	PM	UNITED ARAB EMIRATES	AE
SAINT VINCENT AND THE GRENADINES	VC	UNITED KINGDOM	GB
SAMOA	WS	UNITED STATES	US
SAN MARINO	SM	UNITED STATES MINOR OUTLYING ISLANDS	UM
SAO TOME AND PRINCIPE	ST	URUGUAY	UY
SAUDI ARABIA	SA	UZBEKISTAN	UZ
SENEGAL	SN	VANUATU	VU
SERBIA AND MONTENEGRO	CS	VENEZUELA	VE
SEYCHELLES	SC	VIET NAM	VN
SIERRA LEONE	SL	VIRGIN ISLANDS, BRITISH	VG
SINGAPORE	SG	VIRGIN ISLANDS, U.S.	VI
SLOVAKIA	SK	WALLIS AND FUTUNA	WF
SLOVENIA	SI	WESTERN SAHARA	EH
SOLOMON ISLANDS	SB	YEMEN	YE
SOMALIA	SO	ZAMBIA	ZM
SOUTH AFRICA	ZA	ZIMBABWE	ZW
SOUTH GEORGIA AND THE SOUTH SANDWICH ISLANDS	GS		