

Form 61

INSTRUCTIONS FOR FILLING OF EFORM -61 (Form for filing an application with Registrar of Companies)

S No.		Detailed Instruction
		Note: Instructions are not provided for the fields which are self explanatory
		If it is required to file eform 23 in relation to the resolution passed for filing this application; ensure that filing of eform 23 precedes filing of this 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	(a)	Enter the 'Corporate Identity Number' (CIN) of the company <ul style="list-style-type: none"> You may find CIN by entering your existing registration number in the Find CIN/GLN service at the portal. www.mca.gov.in
2	(a), (b)	Click the "pre-fill" button System will automatically display the name and registered office address of the company
Fields 4,5,6 are applicable if the application is filed for "Compounding of Offences" Separate application has to be filed by each person even for compounding of the same offence		
5		Enter Director Identification Number in case application is made by director and Income Tax Permanent Account Number if application is made by any manager or secretary and others.
7		If "Others" option is selected in field 3 as purpose of filing then specify in detail the reasons of making an application
8		Enter details for the eform 23 filed and resolution passed in relation to the application being filed with RoC if applicable in case of Others option Note: In case the existing company does not have the service request number (SRN) of eform 23, enter "Z99999999" as SRN of eform 23 and attach the resolution passed as an optional attachment
Attachments		<ul style="list-style-type: none"> Board resolution passed for the purpose of making an application for any of the documents as applicable Amalgamation, Extension of financial year, Exemption from holding annual general meeting at registered office, Extension of period of annual general meeting Power of attorney for memorandum of appearance as per Form 5 of Company Law Board Regulations, 1991 if the application is filed for compounding of offense Affidavit verifying the content of application if the application is filed for compounding of offense Scheme of amalgamation if application is filed for amalgamation Copy of petition mentioning the date of service of petition if the application is filed for amalgamation Nil Balance sheet if the application is filed for declaring as a defunct company Indemnity bond Affidavit verifying the content of the application Detailed application is required to be attached in all the cases of filing. Any other information can be provided as an optional attachment.
		In case of compounding of offence, the detailed application should contain the following

	<p>details:</p> <ul style="list-style-type: none"> • The detailed application will be as per Company Law Board Regulations, 1991 • General profile and history of the company containing details such as name, date of incorporation, main objects of the company • Facts of the case mentioning nature of offence and period of default • Whether the offence is made good, if yes then how and when (i.e. the date where applicable) • Prayer to compounding authority for compounding of offence
	<p>In case of extension of annual general meeting, the detailed application should contain the following details:</p> <ul style="list-style-type: none"> • Reasons of extension • Period for which extension is required (Note: It should not exceed three months)
	<p>In case of extension of financial year, the detailed application should contain the following details:</p> <ul style="list-style-type: none"> • Reasons for extension of financial year • Period for which extension is required (Note: It should not exceed three months)
	<p>In case of exemption from holding annual general meeting, the detailed application should contain the following details:</p> <ul style="list-style-type: none"> • Reasons for exemption • Location where proposed to be held
Declaration	Enter the date of board resolution authorizing the signatory to sign & submit the eform.
Signatures	<p>The eform should be digitally signed by managing director or director or manager or secretary of the company duly authorized by the board of directors.</p> <p style="text-align: center;">OR</p> <p>If the application is filed for compounding of offence by an individual who does not have a digital signature the eform can be digitally signed by the chartered accountant or cost accountant or company secretary (in whole-time practice) authorized by the board of directors</p>

Buttons	Particulars
Pre Fill	<p>When the user clicks the pre fill button after entering the corporate identity number in eform (excepting eform 1A), the name and address is displayed by the system.</p> <p>This button may appear more than once in a 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.</p>
Remove attachment	<p>You can view the attachments added to eform in the rectangle box provided next to the list of attachment. If the user wants 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. The user is 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 the user is 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</p>

	connected to the internet.
Modify	“Modify” button gets enabled after the check form is done. By pressing this button the user can make the changes in the filled in form. If the user makes any change in the form again the user is required to press the “Check Form” button.
Pre scrutiny	<p>Once the check form is done the user is required to Pre scrutinize the eform. This requires being connected to the MCA21 site for uploading the form. On pre-scrutiny the system level check is performed and if there are any errors it is displayed to the user and once the error is corrected and again on Pre scrutiny if the message displayed is “No errors found. Click on the button below to “Get Form” Press the Get Form button and make the required corrections.</p> <p>Note: before pressing Submit button attach the digital signature by clicking on the box appearing on the signature field <input type="text"/></p>
Submit	<p>After pre scrutiny is done the user is required to submit the form. This requires being connected to the MCA21 site for uploading the form.</p> <p>In case of online filing the user can submit the form by pressing the “Submit” button</p> <p>Once the form is submitted the fee is displayed to the user. When the user press the “Pay” button the mode of payment option is displayed. On challan payment option, a challan is generated displaying the amount of fee to be paid. The user is required to take the print out of three copies of challan and submit the payment at authorized bank branch. The user has to submit three copies at bank and user shall receive one copy with bank acknowledgment for user’s record.</p>

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