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ABOUT THIS DOCUMENT

This Instruction Kit is designed as a step-by-step guide to assist the user in filling up the webform. This document provides references to law(s) governing the webform, guidelines to access the application, instructions to fill the webform at field level and important check points while filling up the webform along with other instructions to fill the webform.

User is advised to refer to the respective instruction kit for filing of webform.

This document is divided into following sections:



Part I – Law(s) governing the webform



Part II – Accessing the Form No. MSC-1



Part III – Instructions to fill the webform



Part IV – Key points for successful submission

Click on any section link to refer to the particular section.

1 PART I – LAW(S) GOVERNING THE WEBFORM

Pursuant to Section 455 of The Companies Act, 2013 read with Rule 3 of The Companies (Miscellaneous) rules, 2014.

1.1 Purpose of the webform

The webform ‘MSC-1’ aims to simplify the process of filing the application for obtaining the status of a dormant company.

A company is formed and registered for a future project or to hold an asset or intellectual property and has no significant accounting transaction, such a company or an inactive company which has not been carrying on any business or operation, or has not made any significant accounting transaction during the last two financial years, or has not filed financial statements and annual returns during the last two financial years may make an application in webform ‘MSC-1’ to the Registrar of Companies for obtaining the status of a dormant company.

1.2 Important Check Points while filling up the webform

- ✓ *Please read instructions and guidelines carefully before filling online application form.*
- ✓ *Please attach the required mandatory supporting documents in the specified format only.*
- ✓ *Please ensure that applicant of the webform is registered at the MCA portal before filing the webform.*
- ✓ *Please note that the company for which the webform is being filed shall be registered with MCA and shall have a valid and approved CIN.*
- ✓ *Please ensure that the DSC attached in the webform is registered on MCA portal against the DIN/DPIN/PAN/Membership number as provided in the form.*
- ✓ *Please note that the signing authority of the webform shall have valid and non-expired/non-revoked DSC and an approved DIN/DPIN or valid PAN/Membership Number, as applicable.*
- ✓ *Please ensure that no other ‘MSC-1’ webform is pending for approval against the company for which the webform is being filed.*
- ✓ *Please ensure that no other webform (other than webform ‘Refund’, if any) is pending for processing against the company for which the webform is being filed.*
- ✓ *Please ensure that webform ‘MGT-14’ must have been filed before for special resolution authorising for obtaining dormant status and the company must not be a listed company and:*
 - *no inspection, inquiry or investigation has been ordered or taken up or carried out against the company;*
 - *no prosecution has been initiated and pending against the company under any law;*
 - *neither having any public deposits which are outstanding nor the company is in default in payment thereof or interest thereon;*
 - *not having any outstanding loan, whether secured or unsecured and if having consent must have been obtained before filing this webform;*
 - *no dispute in the management or ownership of the company;*
 - *not having any outstanding statutory taxes, dues, duties etc. payable;*

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(Application for obtaining Dormant status)

- *not defaulted in payment of workmen's dues.*
- ✓ *Please note that in case of resubmission, application of 'MSC-1' shall be available in the application history of the user and T+15 days (where T is the date of marking the application as 'Resubmission Required') should not have elapsed.*
- ✓ *Please ensure that no other 'MSC-1' webform should have been approved against the SRN of 'MGT-14' which shall be provided while filling up this webform.*
- ✓ *If the space within any of the fields is not sufficient to provide all the information, then additional details can be provided as an optional attachment to the webform.*
- ✓ *Please check for any alerts that are generated using the "Notifications and alerts" function under the 'My Workspace' page in the FO user dashboard on the MCA website.*

1.3 eForm Number as per Companies Act, 1956

This eForm has been introduced in Companies Act, 2013.

2 PART II – ACCESSING THE FORM NO. MSC-1

2.1 Application Process for Form No. MSC-1

2.1.1 Initial Submission

2.1.1.1 Option 1

STEP 1: Access MCA homepage

STEP 2: Login to MCA portal with valid credentials¹

STEP 3: Select “MCA services” and further select “E-Filing”

STEP 4: Access “Company Forms Download”

STEP 5: Navigate to the header “Filing by Dormant Companies”

STEP 6: Access “Application for obtaining Dormant status (MSC-1)”

STEP 7: Enter CIN information²

STEP 8: Search CIN using the search option (optional)³

STEP 9: Select CIN from the dropdown option (optional)⁴

STEP 10: Fill up the application

STEP 11: Save the webform as a draft (optional)⁵

STEP 12: Submit the webform

STEP 13: SRN is generated upon submission of webform (The SRN can be used by the user for any future correspondence with MCA.)

STEP 14: Affix the DSC

STEP 15: Upload the DSC affixed pdf document on MCA portal

STEP 16: Pay Fees (In case the user does not successfully upload the DSC affixed PDF within 15 days of SRN generation and complete the payment within 7 days of successful upload of DSC affixed document or due date of filing of the form + 2 days, whichever is earlier, the SRN will be cancelled)

STEP 17: Acknowledgement is generated

2.1.1.2 Option 2

STEP 1: Access MCA homepage

STEP 2: Access Form No. MSC-1 through search bar on MCA homepage (website search)⁶

STEP 3: Login to MCA portal with valid credentials

STEP 4: Enter CIN information²

STEP 5: Search CIN using the search option (optional)³

STEP 6: Select CIN from the dropdown option (optional)⁴

STEP 7: Fill up the application

STEP 8: Save the webform as a draft (optional)⁵

¹ In case Option 1 is selected, the user will have an option to either login immediately after accessing the MCA homepage, or login after selecting “Application for obtaining Dormant status (MSC-1)” in case the user is not already logged in.

² In case the user filling the webform is a company user then, CIN and company name will be auto populated based on the user id from which the user logs in.

³ In case the user filling the webform is a Professional user, a search option will be provided on the page allowing the user to search for the CIN basis the name of the company.

⁴ In case the user filing the webform is any other business user, a dropdown option containing a list of all the CIN and corresponding company name for companies where the user is associated shall be displayed.

⁵ The option to save the webform as a draft shall be enabled once the user enters CIN.

⁶ In case Option 2 is selected, the user will have an option to either login immediately after accessing the MCA homepage or login after performing the website search.

STEP 9: Submit the webform

STEP 10: SRN is generated upon submission of webform (The SRN can be used by the user for any future correspondence with MCA.)

STEP 11: Affix the DSC

STEP 12: Upload the DSC affixed pdf document on MCA portal

STEP 13: Pay Fees (In case the user does not successfully upload the DSC affixed PDF within 15 days of SRN generation and complete the payment within 7 days of successful upload of DSC affixed document or due date of filing of the form + 2 days, whichever is earlier, the SRN will be cancelled)

STEP 14: Acknowledgement is generated

2.1.2 Resubmission

2.1.2.1 Option 1

STEP 1: Access MCA homepage

STEP 2: Login to MCA portal with valid credentials

STEP 3: Access application history through user dashboard

STEP 4: Select Form No. MSC-1 application with status as 'Resubmission required'

STEP 5: Fill up the application

STEP 6: Save the webform as a draft (optional)⁵

STEP 7: Submit the webform

STEP 8: SRN is updated

STEP 9: Affix the DSC

STEP 10: Upload the DSC affixed PDF document on MCA portal⁷

STEP 11: Resubmission of webform (In case the user does not complete re-submission of the form and upload the DSC affixed PDF document within 24 hours of the SRN update, a SMS and email reminder will be sent to the user daily for 15 days OR till the time this is submitted, whichever is earlier)

STEP 12: Acknowledgement is generated

2.1.2.2 Option 2

STEP 1: Click on the link provided in the notification email sent (received for resubmission)

STEP 2: Login to MCA portal with valid credentials

STEP 3: Fill up the application

STEP 4: Save the webform as a draft (optional)⁵

STEP 5: Submit the webform

STEP 6: SRN is updated

STEP 7: Affix the DSC

STEP 8: Upload the DSC affixed PDF document on MCA portal⁷

STEP 9: Resubmission of webform (In case the user does not complete re-submission of the form and upload the DSC affixed PDF document within 24 hours of the SRN update, a SMS and email reminder will be sent to the user daily for 15 days OR till the time this is submitted, whichever is earlier)

STEP 10: Acknowledgement is generated

⁷ For the SRN's that are marked 'Resubmission required', the user is required to update the details in the webform and complete submission including the upload of DSC affixed PDF within 15 days from the date the BO user has sent the SRN back for resubmission.

3 PART III – INSTRUCTIONS TO FILL THE WEBFORM

3.1 Specific Instructions to fill the Form No. MSC-1 at Field Level

Instructions to fill Form No. MSC-1 are tabulated below at field level. Only important fields that require detailed instructions are explained. Self-explanatory fields are not explained.

Field No.	Field Name	Instructions
2	Corporate Identity Number (CIN)	<ul style="list-style-type: none"> i. In case of company users, CIN of company shall be pre-filled based on the user id. ii. In case of professional users, a search option shall be provided to search the CIN basis the company name. Either full name of the company or partial name can be used to search the company. iii. In case of other business users, a dropdown option is provided containing the list of CIN with which the user is associated.
3 (a)	Name of the company	<ul style="list-style-type: none"> i. These fields shall be pre-filled based on CIN provided in field number 2 i.e., “Corporate Identity Number (CIN)”. ii. Please note that the user shall not be allowed to edit these fields.
3 (b)	Registered office address	
3 (c)	Email id	
8 (a)	Date of passing special resolution	The user shall enter the date of special resolution passed for authorisation of application for dormant status of the company.
8 (b)	SRN of MGT-14	The user shall enter a valid and approved SRN of webform MGT-14 associated with the CIN entered in field number 2 i.e., “Corporate Identity Number (CIN)”, filed for registration of special resolution passed for obtaining dormant status.
10 (a)	Number of directors	<ul style="list-style-type: none"> i. This field shall be pre-filled based on CIN provided in field number 2 i.e., “Corporate Identity Number (CIN)”. ii. Based on the number entered in this field, field “S. No.” to field “Category” shall be displayed as a table under the label “Particulars in respect of each director”. iii. Please note that minimum number of directors by the applicant company should be one in case of OPC, two in case of private company and three in case of public company.
11 (a)	The company is formed and registered under the Companies Act, 2013 for:	<ul style="list-style-type: none"> i. These fields shall be displayed in case value selected in field number 5 i.e. “Whether the company is incorporated under” is “Companies Act 2013”. ii. In case the company is formed and registered under the Companies Act, 2013 then please select from one of the options “any future project” or “holding as asset or intellectual property” and select the checkbox that “The company has no significant transaction since incorporation”.
11 (b)	The company has no significant transaction since incorporation	
11 (c)	The Company has not been carrying on any business or operation since	
		<ul style="list-style-type: none"> i. Date entered in this field shall be less than or equal to the system date and shall not be less than the date of incorporation.

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Field No.	Field Name	Instructions
		<p>ii. In case “Companies Act 2013” is selected in date field number 5 i.e. “Whether the company is incorporated under” and field number 11 (a) i.e. “The company is formed and registered under the Companies Act, 2013 for:” or field number 11 (b) i.e. “The company has no significant transaction since incorporation” is not selected then it is mandatory to select at least one check box from field number 11 (c) i.e. “The Company has not been carrying on any business or operation since” to field number 11 (e) i.e. “The company has not filed financial statements and annual returns during the last two or more financial years”</p> <p>iii. In case “Any previous Companies Act” is selected in field number 5 i.e. “Whether the company is incorporated under” then it is mandatory to select at least one check box from field number 11 (c) i.e. “The Company has not been carrying on any business or operation since” to field number 11 (e) i.e. “The company has not filed financial statements and annual returns during the last two or more financial years”.</p>
11 (d)	The company has not made any significant accounting transaction during the last two or more financial years	i. In case “Companies Act 2013” is selected in date field number 5 i.e. “Whether the company is incorporated under” and field number 11 (a) i.e. “The company is formed and registered under the Companies Act, 2013 for:” or field number 11 (b) i.e. “The company has no significant transaction since incorporation” is not selected then it is mandatory to select at least one check box from field number 11 (c) i.e. “The Company has not been carrying on any business or operation since” to field number 11 (e) i.e. “The company has not filed financial statements and annual returns during the last two or more financial years”
11 (e)	The company has not filed financial statements and annual returns during the last two or more financial years	<p>ii. In case “Any previous Companies Act” is selected in field number 5 i.e. “Whether the company is incorporated under” then it is mandatory to select at least one check box from field number 11 (c) i.e. “The Company has not been carrying on any business or operation since” to field number 11 (e) i.e. “The company has not filed financial statements and annual returns during the last two or more financial years”.</p> <p>iii. These checkboxes can only be selected in case the difference between system date and date of incorporation is equal to or greater than 2 years.</p>
12 (a)	Whether the company have any assets or liabilities	This field shall be prefilled as 'Yes' in case value “holding an asset or intellectual property” is selected in field number 11 (a) i.e. “The company is formed and registered under the Companies Act, 2013 for:”

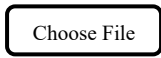


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Field No.	Field Name	Instructions
12 (b) (i)	Financial year end date to which last financial statement and annual return pertains	<ul style="list-style-type: none"> i. Please enter the date of financial year ending to which last financials belong and date of last annual filing was done. ii. Date entered in this field shall be greater than the date of incorporation and shall be less than the system date.
12 (c) (i)	Date on which last significant accounting transaction was made	<ul style="list-style-type: none"> i. This field shall be mandatory in case checkbox is selected in field number 11 (d) i.e. “The company has not made any significant accounting transaction during the last two or more financial years”. ii. Difference between the date entered and system date shall be minimum 2 years in case checkbox is selected in field number 11 (d) i.e. “The company has not made any significant accounting transaction during the last two or more financial years”. iii. Date entered in this field shall be greater than the date of incorporation and shall not be greater than the system date.
	Attachments:	All the attachments shall be either in PDF or .jpg format. The size of each individual attachment can be up to 2MB.
(a)	Copy of approval or no objection certificate (NOC) from the regulatory authority, if applicable	This attachment shall be mandatory to attach in case ‘Yes’ is selected in field number 9 (a) i.e. “Whether the objects of the company are being regulated under any special Act?”.
(b)	Optional attachment(s) - if any	<ul style="list-style-type: none"> i. This field can be used to provide any other information. ii. Please note that the user has an option to upload up to five optional attachments.
	I am authorised by the Board of Directors of the Company vide resolution number dated (DD/MM/YYYY) to sign this form 448 and 449.	<ul style="list-style-type: none"> i. Enter the number and date of the Board Resolution via which the signatory of this form is authorised. ii. Date entered in this field should be less than or equal to system date and equal to or greater than incorporation date.
	To be digitally signed by	<ul style="list-style-type: none"> i. Select one of the options from the drop-down list – Director / Manager / Company Secretary / CEO / CFO. ii. In case the person digitally signing the webform is a Director - Enter the approved DIN. iii. In case the person digitally signing the webform is Manager, Chief Executive Officer (CEO) or Chief Financial Officer (CFO) – Enter approved DIN or a valid income tax PAN. iv. In case the person digitally signing the webform is a Company Secretary – Enter a valid membership number. v. Disqualified director shall not be able to sign the form.
	Designation	
	DIN of the director; DIN or Income Tax PAN of the manager or CEO or CFO; or membership number of company secretary	

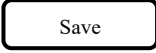

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Field No.	Field Name	Instructions
	Certificate by practicing professional Chartered Accountant (in whole-time practice) or Cost Accountant (in whole-time practice) or Company Secretary (in whole-time practice) Whether Associate or Fellow Membership number Certificate of Practice number	i. This certificate is optional in case the company for which the webform is being filed is an OPC or a small company. ii. The webform shall be certified by a chartered accountant (in whole-time practice) or cost accountant (in whole-time practice) or company secretary (in whole-time practice) by digitally signing the webform. iii. Select the relevant category of the professional and whether he/she is an associate or fellow. iv. In case the professional is a chartered accountant (in whole-time practice) or cost accountant (in whole-time practice) then enter the membership number. v. In case the practicing professional is a company secretary (in whole-time practice) then enter the certificate of practice number.
	Declaration by Statutory Auditor Statement of affairs duly certified by the Auditor(s) of the Company not older than 30 days from the date of the application	This attachment is mandatory, and it shall be uploaded in excel format. The size of the attachment can be up to 2MB.

3.2 Other instructions to fill Form No. MSC-1

Buttons	Particulars
	i. Click the ‘Choose File’ button to browse and select a document that is required to be attached as a supporting to Form No. MSC-1. ii. All the attachments should be uploaded in PDF or .jpg or excel format . The total size of the document being submitted can be up to 10 MB . iii. The user has an option to attach multiple files as attachments within the form.
	The user has an option to remove files from the attachment section using the “Remove” option provided against each attachment.
	The user has an option to download the attached file(s) using the “Download” option provided against each attachment.

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Buttons	Particulars
	<ul style="list-style-type: none"> i. Click on Save button for saving the application in a draft form at any given point in time prior to submitting the webform. ii. This is an optional field and the “Save” option will be enabled only after entering the <i>CIN</i>. iii. On saving the webform, all the information filled in the webform will be saved and can be edited/updated till the time webform is submitted. iv. The previously saved drafts can also be accessed (at a later point in time) using the application history functionality.
	<ul style="list-style-type: none"> i. This is a mandatory field. ii. When the user clicks on the submit button the details filled in the webform are auto saved and the system verifies all the webform, incase errors are detected the user will be taken back to webform and all the relevant error messages shall be displayed. iii. In case at the submission of webform no errors are detected by the system the submission will be successful.

4 PART IV – KEY POINTS FOR SUCCESSFUL SUBMISSION

4.1 Fee rules

S#	Purpose of webform	Normal Fee	Additional (Delay Fee)	Logic for Additional Fees	
				Event Date	Time limit (days) for filing
1	Application for obtaining the dormant status.	The Companies (Registration of Offices and Fees) Rules, 2014	NA	NA	NA

Fee payable is subject to changes in pursuance of the Act, or any rule or regulation made, or notification issued thereunder.

4.1.1 The Companies (Registration of Offices and Fees) Rules, 2014

Table 1

S#	Application made	Other than OPC & Small company (INR)	OPC & Small company (INR)
1	By a company having an authorised share capital of:		
	a) Up to INR 25,00,000	INR 2,000	INR 1,000
	b) Greater than INR 25,00,000 but up to INR 50,00,000	INR 5,000	INR 2,500
	c) Greater than INR 50,00,000 but up to INR 5,00,00,000	INR 10,000	INR 10,000
	d) Greater than INR 5,00,00,000 but up to INR 10 crore or more	INR 15,000	INR 15,000
	e) Greater than INR 10 crore	INR 20,000	INR 20,000
2	By a company limited by guarantee but not having a share capital	INR 2,000	NA
3	By a company having a valid license issued under section 8 of the Act (Section 8 Company)	INR 2,000	NA

4.2 Processing Type

Form No. MSC-1 shall be processed in non-STP mode.

4.3 Useful links

1. Link to access Form No. MSC-1: <https://www.mca.gov.in/MinistryV2/companyformsdownload.html>
2. FAQs related to e-filing: <https://www.mca.gov.in/MinistryV2/efiling.html>
3. Payment and Fee related Services: <https://www.mca.gov.in/MinistryV2/paymentservices.html>

4.4 Rejection codes

S#	Description
1	Information given is incorrect.
2	Mandatory filings are not done.
3	Others

5 ANNEXURES

5.1 Annexure A – Template “Statement of affairs”

Please refer the below excel template of “Statement of affairs”, while filling up the webform.



Statement of
affairs.xlsx

(Please access the attachment icon in the left-hand pane to view the attachment.)