

[TO BE PUBLISHED IN THE GAZETTE OF INDIA PART II, SECTION 3,
SUB SECTION (i), EXTRAORDINARY]

GOVERNMENT OF INDIA
Ministry of Corporate Affairs

Notification

New Delhi the 02nd June 2011

G.S.R. (E). – In exercise of the powers conferred by clause (A) and (b) of sub-section (1) of section 642 read with sections 266A, 266B and 266E of the Companies Act, 1956 (1 of 1956), the Central Government hereby makes the following rules, further to amend the Companies (Director Identification Number) Rules, 2006 namely:-

1. Short title and commencement

- (1) These rules may be called the Companies Director Identification Number (Second Amendment) Rules, 2011.
- (2) They shall come into force with effect from 12th June, 2011.

2. In rule 3,-

- (i) In sub-rule (3), para (b), the word 'can' after the words 'the form', shall be substituted by the word 'shall';
- (ii) In sub-rule (3), para (b), the words 'or by the Managing Director or Director of the company in which the applicant intends to be a Director' after the words 'full time employment of the company' to be deleted;
- (iii) In sub-rule (3), para (d) to be deleted.

3. For rule 4, para (b), the following para (b) shall be substituted, namely:-

“(b) after successful payment of fee, the system after processing, shall automatically generate the approved DIN, except for cases where potential

duplicates are identified. In potential duplicate cases, the provisional DIN shall be generated by the system.”

4. In rule 7,-

(i) In sub-rule (2), para (b), the word ‘needs’ after the word the form, shall be substituted by the word ‘shall’;

(ii) In sub-rule (2), after para (b), the following para (c) shall be inserted, namely:-

“(c) the form can also be digitally signed by a Company Secretary in full time employment of the company.”

(iii) For sub-rule (4), following sub-rule shall be inserted, namely:-

“(4) after successful uploading of Form No. DIN-4, the system after processing, shall automatically incorporate the changes in the particulars of the Director in the DIN database maintained by the Ministry, except for cases where potential duplicates are identified. In potential duplicate cases, the Central Government, shall examine the application as per procedure adopted in case of provisional DIN as given in rule 3, sub-rule 6, 7 and 8.”

5. For Forms DIN-1 and DIN-4, the following Forms shall be substituted, namely:-

FORM NO. DIN-1

Application for allotment of Director Identification Number

[See Rule 3(1) of the Companies (Director Identification Number) Rules, 2006]

Note -

- All fields marked in * are to be mandatorily filled.
- Income-tax Permanent Account Name (Income-tax PAN) is mandatory in case of Indian nationals and in such case applicant details should be as per Income-tax PAN. In case the details as per Income-tax PAN are incorrect, applicant is advised to first correct the details in Income-tax PAN. Refer instruction kit for details.
- In case of foreign nationals, Passport number is mandatory.

Photograph

1. *Applicant's name (Enter full name and do not use abbreviations)

(a) First name
(b) Last name
(c) Middle name

(Attach a latest passport size photograph by clicking on above box) (Refer instruction kit for details)

2. *Father's name (Even married women must give father's name)

(a) First name
(b) Last name
(c) Middle name

3. *Whether a citizen of India Yes No

Remove Photograph

4. Nationality

5. *Date of birth (DD/MM/YYYY)

6. *Gender Male Female

7. Place of birth

8. Income-tax permanent account number

Verify Income-tax PAN details

9. Voter's identity card number

10. Passport number

11. Driving license number

12. Permanent residential address

*Line I

Line II

*City

*State *Pin code

*ISO country code

Country

Phone *Mobile Fax

*e-mail ID

13. *Whether present residential address is same as permanent residential address Yes No

14. Present residential address

Line I

Line II

City

State Pin code

ISO country code

Country

Phone Fax

Certification

- * It is hereby certified that the attached photograph and attached documents are of the applicant. It is further certified that all required attachments have been completely attached to this application.
- * It is further certified that I have verified the above particulars of the applicant from the original documents of the applicant. I found them to be true and correct and are also in agreement with the attached documents.
- * It is further certified that the applicant has given a verification in respect of the following and copy of verification by the applicant as per Annexure - 1 of the DIN Rules has been attached -
 - * the applicant is not restrained/ disqualified/ removed of, for being appointed as director of a company under the provisions of Companies Act, 1956 including Sections 203, 274, 284 and 388(E) of the said Act.
 - * the applicant has not been declared as proclaimed offender by any Economic Offence Court or Judicial Magistrate Court or High Court or any other Court.
 - * the applicant has not been allotted a Director Identification Number (DIN) under section 266B of the Companies Act, 1956.
- * I have been duly authorised by the applicant to sign and submit this application.

Attachments (Refer instruction kit for details)

List of attachments

1. * Proof of identity of applicant
2. * Proof of residence of applicant
3. * Copy of verification by the applicant as per Annexure - 1 of the DIN Rules
4. Optional attachment(s) - if any

Attach
Attach
Attach
Attach

Remove attachment

To be digitally signed by

*Category

In case of Chartered accountant or Company secretary or Cost accountant (in whole- time practice)

Membership number or certificate of practice number of Chartered accountant or Company secretary or Cost accountant (in whole- time practice)

Whether associate or fellow Associate Fellow

In case of secretary (who is member of ICSI), in wholetime employment of existing company in which the applicant is proposed to be a director

Membership number of the secretary

Whether associate or fellow Associate Fellow

Corporate identity number (CIN) of company with which secretary is associated and in which applicant is proposed to be a director

Pre-fill

Name of company

Modify

Check Form

Prescrutiny

Submit

This eForm has been taken on record by the Central Government through electronic mode and on the basis of statement of correctness given by the person filing the form

Verification of applicant in case of Form DIN-1 as per Annexure 1 of the DIN rules

I,(name of applicant), Son/Daughter* of
.....(applicant's father's name), born on(date of
birth), resident of(present
residential address of the applicant) hereby confirm and verify that the
particulars given in the Form DIN-1 are true and correct and also are in
agreement with the document being attached to the Form DIN-1.

I further confirm that

- (i) The photograph and document being attached to the Form DIN-1 belong to me. I further confirm that all required documents have been duly certified by the respective government authority and are being attached to the Form DIN-1 and
- (ii) I am not restrained/ disqualified/ removed of, for being appointed as director of a company under the provisions of Companies Act, 1956 including Section 203, 274, 284 and 388 (E) of the said Act and
- (iii) 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
- (iv) I have not been already allotted a Director Identification Number (DIN) under Section 266B of the Companies Act, 1956.
- (v) Mr/ Ms CA/ CS/ CWA in practice has been authorised to digitally sign DIN application on my behalf.

*Note: Strike out whichever is not applicable.

Signature:
(Name)

FORM NO. DIN-4

Intimation of change in particulars of Director to be given to the Central Government

[See Rule 7 of the Companies (Director Identification Number) Rules, 2006]

Note -

- All fields marked in * are to be mandatorily filled.

- In case of Indian nationals, Income-tax Permanent Account Name (Income-tax PAN) is mandatory in all cases even if there is no change in Income-tax PAN. In such cases, director details should be as per Income-tax PAN. In case the details as per Income-tax PAN are incorrect, director is advised to first correct the details in Income-tax PAN. Refer instruction kit for details.

1.(a) *Director Identification Number (DIN)

Pre-fill

(b) Name

2. * Type of change:

- | | | |
|--|--|--|
| <input type="checkbox"/> Director Name | <input type="checkbox"/> Father's name | <input type="checkbox"/> Nationality |
| <input type="checkbox"/> Date of birth | <input type="checkbox"/> Gender | <input type="checkbox"/> Income-tax PAN |
| <input type="checkbox"/> Voters Identity card number | <input type="checkbox"/> Passport number | <input type="checkbox"/> Driving license number |
| <input type="checkbox"/> e-mail ID/ Mobile | <input type="checkbox"/> Permanent residential address | <input type="checkbox"/> Present residential address |

Enter information that needs to be corrected. Enter only the relevant field(s)

3. Director's name (Enter full name and do not use abbreviations)

(a) First name

(b) Last name

(c) Middle name

4. Father's name (Even married women must give father's name)

(a) First name

(b) Last name

(c) Middle name

Photograph

(Attach a latest passport size photograph by clicking on above box) (Refer instruction kit for details)

5. Whether a citizen of India Yes No

6. Nationality

7. Date of birth

(DD/MM/YYYY)

8. Gender

 Male Female

9. Income-tax permanent account number

Verify Income-tax PAN details

10. Voter's identity card number

11. Passport number

12. Driving license number

13 *Mobile

14. * e-mail ID

15. Permanent residential address

Line I

Line II

City

State

Pin code

ISO country code

Country

Phone

Fax

16. Whether present residential address is same as permanent residential address Yes No

17. Present residential address

Line I

Line II

City

State Pin code

ISO country code

Country

Phone Fax

Certification

- It is hereby certified that the attached photograph and attached documents are of the director. It is further certified that all required attachments have been completely attached to this form.
- It is further certified that I have verified the above particulars of the director from the original documents of the director. I found them to be true and correct and are also in agreement with the attached documents.
- It is further certified that the director has given a verification in respect of the following and copy of verification by the director as per Annexure - 2 of the DIN rules has been attached -
 - the director is not restrained/ disqualified/ removed of, for being appointed as director of a company under the provisions of Companies Act,1956 including Sections 203, 274, 284 and 388(E) of the said Act.
 - the director has not been declared as proclaimed offender by any Economic Offence Court or Judicial Magistrate Court or High Court or any other Court.
 - the director has no other allotted DIN other than DIN in which changes are intimated, under section 266B of the Companies Act,1956.
- I have been duly authorised by the director to sign and submit this form.

Attachments

1. *Proof of change in particulars
2. *Copy of verification by the director as per Annexure - 2 of the DIN rules
3. Optional attachment(s) - if any

List of attachments

To be digitally signed by

*Category

In case of Chartered accountant or Company secretary or Cost accountant (in whole- time practice)

Membership number or certificate of practice number of Chartered accountant or Company secretary or Cost accountant (in whole- time practice)

Whether associate or fellow Associate Fellow

In case of secretary (who is member of ICSI) in wholtime employment of existing company with which director is associated

Membership number of the secretary in wholtime employment of existing company

Whether associate or fellow Associate Fellow

Corporate identity number (CIN) of company with which secretary and director is associated

Name of company

This eForm has been taken on record by the Central Government through electronic mode and on the basis of statement of correctness given by the person filing the form

Verification of director in case of Form DIN-4 as per Annexure- 2 of the DIN rules

I,(name of director), Son/Daughter* of(director's father's name), born on(date of birth), resident of(present residential address of the director) hereby confirm and verify that the particulars given in the Form DIN-4 are true and correct and also are in agreement with the document being attached to the Form DIN-4.

- (i) I have applied for change* of:-
- a) Director Name (along with proof and in case of change of name a copy of Notification published in the Gazette)
 - b) Father's name (along with proof)
 - c) Nationality (along with proof)
 - d) Date of Birth (along with proof and in case of change in date of birth, copy of Notification published in the Gazette)
 - e) Gender (along with proof)
 - f) Income –Tax Permanent Account Number (along with proof)
 - g) Voters Identity Card Number (along with proof)
 - h) Passport Number (along with proof)
 - i) Driving License Number (along with proof)
 - j) Email ID/ Mobile (along with declaration)
 - k) Permanent residential address (along with proof)
 - l) Present residential address (along with proof)


I further confirm that

- (i) The photograph and document being attached to the Form DIN-4 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 DIN-4 and
- (ii) I am not restrained/ disqualified/ removed of, for being appointed as director of a company under the provisions of Companies Act, 1956 including Section 203, 274, 284 and 388 (E) of the said Act and
- (iii) 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
- (iv) I have no any other allotted Director Identification Number (DIN) other than DIN in which changes are intimated under Section 266B of the Companies Act, 1956.
- (v) Mr/ Ms CA/ CS/ CWA in practice has been authorised to digitally sign DIN application on my behalf.

*Note: Strike out whichever is not applicable.

Signature:
(Name)

[F No 2/1/2011-CL.V]


J.N. Tikku,
Joint Director

Note:- The Principal notification was published vide number G.S.R. 649(E) dated the 19th October, 2006 and last amended vide G.S.R. 258 (E) dated the 26th March, 2011

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