

Table of Contents

About this Document	2
Part I – Laws Governing the eForm	2
Section and Rule Number(s)	2
Purpose of the eForm	3
eForm Number as per Companies Act, 1956	3
Part II – Instructions to fill the eForm	3
Specific Instructions to fill the eForm INC-20 at Field Level	3
Common Instructions to fill the eForm	5
Part III - Important Points for Successful Submission	6
Fee Rules	6
Processing Type	6
SRN Generation	7
Challan Generation.....	7
Email	7
Certificate	7

About this Document

The Instruction Kit has been prepared to help you file eForm with ease. This document provides references to laws governing the eForms, instructions to fill the eForm at field level, and common instructions to fill all the eForms. The document also includes important points to be noted for successful submission.

User is advised to refer Instruction Kit specifically prepared for each eForm.

This document is divided into the following sections

[Part I – Laws Governing the eForm](#)

[Part II – Instructions to Fill the eForm](#)

[Part III – Important Points for Successful Submission](#)

Click on any section link to refer to the section.

Part I – Laws Governing the eForm

Section and Rule Number(s)

eForm INC-20 is required to be filed pursuant to section 8 (4) & 8 (6) of the Companies Act, 2013 and rule 23 of Companies (Incorporation) Rules, 2014 and the same are reproduced for your reference:

Section 8(4):

- (i) A company registered under this section shall not alter the provisions of its memorandum or articles except with the previous approval of the Central Government.
- (ii) A company registered under this section may convert itself into company of any other kind only after complying with such conditions as may be prescribed.

Section 8(6):

The Central Government may, by order, revoke the license granted to a company registered under this section if the company contravenes any of the requirements of this section or any of the conditions subject to which a license is issued or the affairs of the company are conducted fraudulently or in a manner violative of the objects of the company or prejudicial to public interest, and without prejudice to any other action against the company under this Act, direct the company to convert its status and change its name to add the word “Limited” or the words “Private Limited”,

Instruction Kit for eForm INC-20

(Intimation to Registrar of revocation/surrender of license issued under section 8) as the case may be, to its name and thereupon the Registrar shall, without prejudice to any action that may be taken under sub-section (7), on application, in the prescribed form, register the company accordingly:

Provided that no such order shall be made unless the company is given a reasonable opportunity of being heard:

Provided further that a copy of every such order shall be given to the Registrar.

Rule 23:

For the purposes of sub-section (6) of section 8, where the license granted to a company registered under section 8 has been revoked, the company shall apply to the Registrar **in Form INC-20** along with the fee to convert its status and change of name accordingly.

Purpose of the eForm

License granted to a company under section 8 may be revoked by the Central Government and on such revocation or the company itself wants to surrender the license granted, an intimation of such revocation or surrender of license shall be filed with the Registrar by the company in eForm INC-20. Registrar shall enter the word(s) “Limited” or “Private Limited” as the case may be at the end of the name of the company and the company shall cease to enjoy the exemptions/privileges granted to it under section 8 of the Act.

eForm Number as per Companies Act, 1956

This eForm has been introduced in the Companies Act, 2013.

Part II – Instructions to fill the eForm

Specific Instructions to fill the eForm INC-20 at Field Level

Instructions to fill the eForm are tabulated below at field level. Only important fields that require detailed instructions to be filled in eForm are explained. Self-explanatory fields are not discussed.

User shall ensure that company filing the eForm is not defaulting in filing annual returns and financial statements for any year.

(Intimation to Registrar of revocation/surrender of license issued under section 8)

S. No/ Section Name		Field Name	Instructions
1	(a)	Corporate Identity Number (CIN) of the company	<p>Enter a valid CIN of the company.</p> <p>On clicking the Pre-Fill button, system shall automatically display the name, registered office address, type (category), email ID of company and license number issued to the company under section 8 of the Act.</p>
4		Whether application for revocation of license is made	<p>User is required to select the options whether application is being filed voluntary or on directions of Central Government.</p> <p>Ensure that eForm INC-18 for conversion of section 8 company into any other kind must have been filed and approved in case voluntary option is selected by the user.</p>
5	(a) to (d)	Details of order issued	<p>Enter the details of the order (date of issue of order and due date for filing the order) issued by the Regional Director in case of surrender and details of order (date of issue of order and due date for filing the order) issued by Central Government in case of revocation.</p> <p>Enter the details of approved SRN of eForm INC-18 in case of surrender of license.</p> <p>Enter the reason for revocation/ surrender of such license.</p>
6		Mention the name of the company in view of the order of revocation of license under section 8.	Enter the name of the company after revocation/surrender of license with the addition of the word private limited or limited as the case maybe.
Declaration			Enter the serial number and date of board resolution authorizing the person to sign and submit the eForm.
To be digitally signed by		DSC	<ul style="list-style-type: none"> Ensure the eForm is digitally signed by the same person who is either director, manager, company secretary, CEO or CFO of the company authorized by board resolution to sign the eForm.

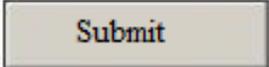
(Intimation to Registrar of revocation/surrender of license issued under section 8)

S. No/ Section Name	Field Name	Instructions
Attachments		<p>The following attachments are mandatory:</p> <ul style="list-style-type: none"> • Copy of Order of Central Government • Certified true copy of altered memorandum and articles of association • It is mandatory to attach declaration of directors for compliance of conditions in case of surrender of license <p>Any other information can be provided as an optional attachment(s).</p>

Common Instructions to fill the eForm

Buttons	Particulars
<p>Pre-Fill</p> 	<p>The Pre-fill button can appear more than once in an eForm. The button appears next to a field that can be automatically filled using the MCA database.</p> <p>Click this button to populate the field.</p> <p>Note: You are required to be connected to the Internet to use the Pre-fill functionality.</p>
<p>Attach</p> 	<p>Click this document to browse and select a document that needs to be attached to the eForm. All the attachments should be scanned in pdf format. You have to click the attach button corresponding to the document you are making an attachment.</p> <p>In case you wish to attach any other document, please click the optional attach button.</p>
<p>Check Form</p> 	<ol style="list-style-type: none"> 1. Click the Check Form button after, filling the eForm. System performs form level validation like checking if all mandatory fields are filled. System displays the errors and provides you an opportunity to correct errors. 2. Correct the highlighted errors. 3. Click the Check Form button again and. system will perform form level validation once again. On successful validations, a message is displayed “Form level pre scrutiny is successful”. <p>Note: The Check Form functionality does not require Internet connectivity.</p>

(Intimation to Registrar of revocation/surrender of license issued under section 8)

Buttons	Particulars
Modify 	<p>The Modify button is enabled, after you have checked the eForm using the Check Form button.</p> <p>To make changes to the filled and checked form:</p> <ol style="list-style-type: none"> 1. Click the Modify button. 2. Make the changes to the filled eForm. 3. Click the Check Form button to check the eForm again.
Pre scrutiny 	<ol style="list-style-type: none"> 1. After checking the eForm, click the Prescrutiny button. System performs some checks and displays errors, if any. 2. Correct the errors. 3. Click the Prescrutiny button again. If there are no errors, a message is displayed “No errors found”. <p>The Prescrutiny functionality requires Internet Connectivity.</p>
Submit 	<p>This button is disabled at present.</p>

Part III - Important Points for Successful Submission

Fee Rules

S. No	Purpose of the form	Normal Fee	Additional Fee (Delay Fee)	Logic for Additional Fees		Remarks
				Event Date	Time limit(days) for filing	
1	Voluntarily surrender/R evocation of license	Rs 2000/-	#N/A	#N/A	#N/A	

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

Processing Type

The form will be processed by the office of Registrar of Companies.

SRN Generation

On successful submission of the eForm INC-20, SRN will be generated and shown to the user which will be used for future correspondence with MCA.

Challan Generation

On successful submission of the eForm INC-20, challan will be generated depicting the details of the fees paid by the user to the Ministry. It is the acknowledgement to the user that the eForm has been filed.

Email

When an eForm is registered by the authority concerned, an acknowledgement of the same with related documents, if any is sent to the user in the form of an email to the email id of the company.

Certificate

Fresh Certificate of incorporation consequent upon conversion of company is generated and sent to the user as an attachment to the email. A new CIN shall also be generated based on the class and sub category of the company consequent upon revocation/surrender of license