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Instruction Kit for eForm NDH-2 (Application to Regional Director and Intimation to Registrar)

About this Document

The Instruction Kit has been prepared to help you file eForms with ease. This document provides references to law(s) governing the eForms, instructions to fill the eForm at field level and common instructions to fill all 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 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 – Law(s) Governing the eForm

Rule Number(s)

eForm NDH-2 is required to be filed pursuant to rule 5(3), 10(3), 10(6)(a), 10 and 14 of Nidhi Rules, 2014 which are reproduced for your reference.

Rule 5(3):

(3) If a Nidhi is not complying with clauses (a) or (d) of sub-rule (1) above, it shall within thirty days from the close of the first financial year, apply to the Regional Director in Form NDH-2 along with fee specified in Companies (Registration Offices and Fees) Rules, 2014 for extension of time and the Regional Director may consider the application and pass orders within thirty days of receipt of the application.

Provided that the Regional Director may extend the period upto one year from the date of receipt of application.

Explanation - For the purpose of this rule “Regional Director” means the person appointed by the Central Government in the Ministry of Corporate Affairs as a Regional Director;

Rule 10(3):

(3) If a Nidhi proposes to open more than three branches within the district or any branch outside the

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district, it shall obtain the prior permission of the Regional Director by applying in Form NDH-2 along with fee specified in Companies (Registration Offices and Fees) Rules, 2014” and an intimation is to be given to the Registrar about opening of every branch within thirty days of such opening.

Rule 10(6)

(a) A Nidhi shall not close any branch unless –

(i) the proposal to close the branch along with the plan as to how the existing deposits have been or shall be paid off and how the existing loan shall be recovered is duly approved by Board at its meeting; and

(ii) the Nidhi has obtained the prior approval of the Regional Director by applying in Form NDH-2 along with fee specified in Companies(Registration Offices and Fees) Rules, 2014 at least sixty days prior to such closure.

Provided that Regional director shall consider such application and pass orders within thirty days of receipt of such application.

(b) After obtaining approval from Regional Director, the Nidhi shall-

(i) publish advertisement, as per form NDH-5, in a newspaper in vernacular language in the place where it carries on business at least thirty days prior to such closure, informing the public about such closure;

(ii) fixes a copy of such advertisement or a notice informing such closure of the branch on the notice board of Nidhi as well as the relevant Branch for a period of at least thirty days from the date on which advertisement was published

(ii) give an intimation to the Registrar within thirty days of such closure in Form NDH-2 along with fee specified in Companies (Registration Offices and Fees) Rules, 2014.”

Rule 10(7)

Any premise place, not being a registered office or a branch, where a Nidhi carries on its operation shall be closed within six months of commencement of the Nidhi (Amendment) Rules, 2022 and intimation to Regional Director and Registrar shall be sent in this regard in Form NDH-2.”

Rule 14

Every Nidhi shall invest and continue to keep invested, in unencumbered term deposits with a scheduled commercial bank (other than a co-operative bank or a regional rural bank), or post office deposits in its own name an amount which shall not be less than ten per cent. of the deposits outstanding at the close of business on the last working day of the second preceding month:

Provided that in cases of unforeseen commitments, temporary withdrawal may be permitted with the prior approval of the Regional Director by making application in Form NDH- 2 alongwith fee specified in Companies (Registration Offices and Fees) Rules, 2014 for the purpose of repayment to depositors, subject to such conditions and time limit which may be specified by the Regional Director to ensure restoration of the prescribed limit of ten per cent.

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Purpose of the eForm

eForm NDH-2 is required to be filed pursuant to rule 5(3), 10(3), 10(6)(a), 10 and rule 14 of Nidhi Rules, 2014

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 NDH-2 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.

S. No/ Section Name	Field Name	Instructions
1	Corporate Identification Number (CIN) of the company	Enter the Valid CIN of public company. You may find CIN by entering existing registration number or name of the company on the MCA website.(www.mca.gov.in) Also the Company should be in Active status. Please check the status in Master data of the company available at MCA site.
2	Pre-fill button	Click the Pre-fill button. On clicking the button, system shall automatically display the name of the Nidhi, address of the registered office address, email id, phone and date of incorporation. In case there is any change in the email ID and phone number, you can enter the new valid email ID and phone number.
3	Financial year end date /date of closure of branch/date of opening of branch/proposed date of closure of branch/date of closure of collection centres	Shall be equal to or greater than incorporation date. However in case purpose selected below is ‘for permission of Regional Director for closing of branch clause (a)of sub-rule 6 of Rule 10’, date can exceed the system date
4	Application filed -for extension of time under sub rule (3) of Rule 5	Please select relevant radio button.

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		<ul style="list-style-type: none">-for permission of Regional Director for opening of branch under sub rule (3) of Rule 10-for permission of Regional Director for closing of branch clause (a)of sub-rule 6 of Rule 10-for intimation to Registrar for opening/ closing of branch under rule 10-for intimation to Registrar for closure of collection centres under Rule 10- for permission of Regional Director for withdrawal of unencumbered deposits under Rule 14	
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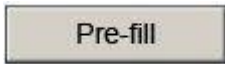



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S. No/ Section Name	Field Name	Instructions
5	Position as at the end of the previous financial year (based on audited financial statement)	Please provide the Number of members and Ratio of Net Owned Funds to Deposits
6	Reasons for not complying with the requirements of Rule 5(3) or 10(3) or 10(6)(a) or 14	Please enter the reasons for not complying with the requirements of Rule 5(3) or 10(3) or 10(6)(a) or 14
7	Details of application (in brief)	Please provide the details of application.
To be digitally signed by	Declaration	Enter the resolution number and date of board resolution authorizing the signatory to sign and submit the eForm. Date should be less than or equal to current date and Greater than or equal to date of incorporation of the company
	DSC	Ensure the eForm is digitally signed by the Director, Manager, CEO, CFO or Company Secretary. The person should have registered his DSC with MCA by using the following link (www.mca.gov.in). If not already register, then please register before signing this form. Disqualified director should not be able to sign the form.
	DIN or Income-tax PAN or Membership number	<ul style="list-style-type: none"> In case the person digitally signing the eForm is a Director - Enter the approved DIN. In case the person digitally signing the eForm is Manager, Chief Executive Officer (CEO) or Chief Financial Officer (CFO) - Enter valid income-tax PAN/Approved DIN. In case the person digitally signing the eForm is Company Secretary - Enter valid membership number.
	Certificate by practicing professional	This eform needs to be verified by a practicing professional. Enter the details of the practicing professional and attach the digital signature.

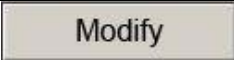

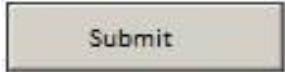
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S. No/ Section Name	Field Name	Instructions
Attachments		<ol style="list-style-type: none"> 1. Board resolution 2. Detailed application 3. Audited financial statements (last available) 4. List of all members with PAN and complete residential address 5. Amount of deposit accepted from each member 6. Reasons and justification for the application

Common Instructions to fill eForm

Buttons	Particulars
Pre-Fill 	<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>
Attach 	<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>
Remove Attachment 	<p>You can view the attachments added to the eForm in the List of attachment field.</p> <p>To remove any attachment from the eForm, select the attachment in the List of attachment field and click the Remove attachment button.</p>
Check Form 	<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>
Modify	<p>The Modify button is enabled, after you have checked the eForm using the Check Form button.</p>

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Buttons	Particulars
	<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.
<p>Pre scrutiny</p> 	<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. Please attach signatures before clicking on Prescrutiny.</p>
<p>Submit</p> 	<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	For extension of time under sub rule (3) of Rule 5	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	Financial year end date	30 days	In case of delay, condonation fee shall be payable
2	For permission of Regional Director for opening of branch under sub rule (3) of Rule 10	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	NA	NA	NA
3	For permission of Regional Director for closing of branch clause (ba) of sub-rule 6 of Rule 10	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	Proposed date of closure of branch	60 days prior to such closure	In case of delay, condonation fee shall be payable
4	For intimation to Registrar for opening/ closing of branch under rule 10	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	Date of closing of branch/Date of opening of branch	30 Days	
5	For intimation to Registrar for closure of collection centres under	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	<u>The Companies (Registration offices and Fee) Rules, 2014</u> <u>Annexure A</u>	Date of closing of collection centres	30 Days	

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	Rule 10		<u>Annexure A</u>			
6	For permission of Regional Director for withdrawal of unencumbered deposits under Rule 14	The Companies (Registration offices and Fee) Rules, 2014 Annexure A	<u>The Companies (Registration offices and Fee) Rules, 2014 Annexure A</u>	NA	NA	NA

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 in Non STP Mode.

Email

When an eForm is registered by the authority concerned, an acknowledgement of the same is sent to the user in the form of an email at the end of the day to the email id of the company.

SRN Generation

On successful submission of the eForm NDH-2, 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 NDH-2, 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.

Annexure A

The Companies (Registration offices and Fees) Rules, 2014

Fee applicable for RD flow related purposes:

	Application made	Fee applicable
(i)	By a company having an authorized share capital of:	2,000
	a) Up to Rupees 25,00,000	5,000
	b) Above Rupees 25,00,000 but up to Rupees 50,00,000	
	c) Above Rupees 50,00,000 but up to Rupees 5,00,00,000	10,000
	d) Above Rupees 5,00,00,000 but up to Rupees 10 crore or more	15,000
	e) Above Rupees 10 crore	20,000

Condonation Fees

One time of Normal Application Fees.

Fee applicable for ROC flow related purposes:

Fee (in case of company having share capital)

Nominal Share Capital	Fee applicable
Less than 1,00,000	Rupees 200
1,00,000 to 4,99,999	Rupees 300
5,00,000 to 24,99,999	Rupees 400
25,00,000 to 99,99,999	Rupees 500
1,00,00,000 or more	Rupees 600

Additional fees:

Period of delays	Fee applicable
Up to 30 days	2 times of normal fees
More than 30 days and up to 60 days	4 times of normal fees
More than 60 days and up to 90 days	6 times of normal fees
More than 90 days and up to 180 days	10 times of normal fees
More than 180 days	12 times of normal fees

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