

PROCEDURE TO OBTAIN DIRECTOR IDENTIFICATION NUMBER (DIN)

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1. Obtain Digital Signature Certificate (DSC) before applying for Director Identification Number (DIN) and ensure that the applicant does not have any DIN allotted earlier as the Act prohibits to obtain and retain more than 1(one) DIN *{Section 155 of the Act}*.
2. (a) An application for obtaining Director Identification Number by every person, proposed/intended to be appointed as a new director in an existing company, shall be made in **e-Form DIR-3** to the Central Government through Ministry of Corporate Affairs (MCA) Portal along with documents and fees as per the Companies (Registration Offices and Fees) Rules, 2014. *{Section 153 of the Act read with rule 9(1) of the Companies (Appointment and Qualification of Directors) Rules, 2014}*.
(b) In case a person intends to be appointed as a director in proposed new company, the DIN, up to maximum 3 (three) persons, can be obtained through company incorporation **e-Form SPICe+** (INC-32) *{Section 153 of the Act read with proviso to rule 9(1) of the Companies (Appointment and Qualification of Directors) Rules, 2014}*.
3. Ensure that the prefixes/suffixes like Mr./Ms./Kumari/Shri/Late or Ji etc. shall not be used with applicant's name or applicant's father's name in **e-Form DIR-3**. Further, the particulars of the applicant shall be filed as per Permanent Account Number (PAN) card, in case of Indian national and as per passport, in case of Foreign national. The spellings of applicant's name and applicant's father's name shall be exact in all cases.
4. Ensure that if a person applying for Director Identification Number is a national of a country which shares land border with India, then such person has obtained security clearance from the Ministry of Home Affairs, Government of India. *{Rule 10(1) of the Companies (Appointment and Qualification of Directors) Rules, 2014}*.
5. Prepare a declaration in Form DIR-3A, in case the applicant has no surname after his/her name and file it along with DIR-3A by mentioning his/her father's or grandfather's surname in DIR-3.
However, in case of father's name of the applicant, if only single word name of father is written on the PAN of an Indian National, the single name can be accepted by MCA in DIR-3 in respect of father's name. Note that even married woman shall give her father's name in DIR 3. Further in case of foreign nationals, proof regarding father's name is not required. (Also ensure that the spellings of father's name are exactly same as mentioned in identity proof of the applicant *{Rule 9(4) of the Companies (Appointment and Qualification of*

Directors) Rules, 2014},.

6. Arrange a board resolution of the existing company in which the DIN applicant is proposed/intended to be appointed as a director {*Rule 9(3)(a) of the Companies (Appointment and Qualification of Directors) Rules, 2014*}.
7. Arrange the following documents which are the mandatory attachments to be filed in all cases:
 1. Identity proof of the applicant
 - In case of Indian nationals, Income-Tax PAN is mandatorily required to be filed along with proof of identity.
 - In case of foreign nationals, passport is mandatorily required as proof of identity.
 2. Residence proof of the applicant
 - Address proofs, like passport, election (voter identity) card, and ration card, driving license, electricity bill, telephone bill or Aadhaar card shall be attached and should be in the name of the applicant only.
 - In case of Indian applicant, utility bills should not be older than 2(two) months from the date of filing of the e-Form.
 - In case of foreign applicant address proof should not be older than 1(one) year from the date of filing of the e-Form.

{Rule 9(3)(a) of the Companies (Appointment and Qualification of Directors) Rules, 2014}.
8. If supporting documents are in languages other than Hindi/English, all proofs should be translated in Hindi/English by a professional translator who must indicate his details (name, signature, and address) and seal on the documents.
In case of foreign nationals, translation done by the notary of home country is also acceptable.
9. All supporting documents shall be self-attested by the applicant while in case the DIN applicant is residing outside India, all supporting documents, to be attached with the **e-Form DIR-3**, should be attested by the consulate of Indian Embassy and/or foreign public notary.
10. Fill up the **E-Form DIR-3** wherein all information shall be given about the applicant along with a declaration (Form contains the declaration) that the applicant is required to obtain security clearance from the Ministry of Home Affairs, Government of India and the same has been obtained and attached with the form **OR** the applicant is not required to obtain the security clearance from the Ministry of Home Affairs, Government of India, before applying the director identification number. {*Rule 10(1) of the Companies (Appointment and Qualification of Directors) Rules, 2014*}.
11. E-Form DIR-3 must be digitally signed by the applicant and shall be verified

by the managing director or director or Chief Financial Officer/Chief Executive Officer/Company Secretary of the company in which the applicant is proposed/intended to be appointed as director. {Rule 9(3)(b) of the Companies (Appointment and Qualification of Directors) Rules, 2014}.

12. Upload the e-Form on MCA 21 Portal and pay the filing fees of **e-Form DIR-3** as prescribed in the Companies (Registration Offices and Fees) Rules, 2014 as amended upto date.
13. (i) Note that on submission of **e-Form DIR-3** on the portal and payment of requisite fee, an application number shall be generated by the system automatically
(ii) Provided that no application number shall be generated in case of the person applying for Director Identification Number is a national of a country which shares land border with India, unless necessary security clearance from the Ministry of Home Affairs, Government of India has been attached alongwith application for Director Identification Number.
{Rule 10(1) of the Companies (Appointment and Qualification of Directors) Rules, 2014}.
14. After generation of application number, the Central Government shall process the applications received for allotment of DIN under sub-rule (2) of rule 9, and shall decide on the approval or rejection thereof and communicate the same to the applicant along with the DIN allotted in case of approval by way of a letter by post or electronically or in any other mode, within a period of one month from the receipt of such application *{Rule 10(2) of the Companies (Appointment and Qualification of Directors) Rules, 2014}.*
15. Ensure that if there is any change in the particulars filed in **e-Form DIR-3**, the applicant must submit **e-Form DIR-6** with Central Government along with the supporting documents within 30 days of such change *{Rule 12(1) of the Companies (Appointment and Qualification of Directors) Rules, 2014}.*
16. Note that the Central Government has been empowered to recognise any other identification number to be treated as DIN, like PAN or Aadhaar number, however, proper notification in this regard shall be issued by the Central Government *{Proviso to section 153 of the Act}.*
17. Every individual, who holds a DIN as on 31st March of a financial year, is mandatorily required to complete KYC either through web-based KYC or by filing e-Form DIR-3 KYC on or before 30th September of immediate next financial year *{Rule 12A of the Companies (Appointment and Qualification of Directors) Rules, 2014}.*
