

**Please note that the steps mentioned below are suggestive and are for reference purposes only.
The Ministry of Corporate Affairs regulates the process of incorporation of a company and regularly brings about changes in the laid down process. Please check the MCA website for update:*

STEP BY STEP GUIDE TO INCORPORATE A COMPANY IN INDIA

I. Check the availability of proposed Company Name:

This is to check if a similar name already exists:

1. Go to MCA Website: <http://www.mca.gov.in>
2. Go to “MCA Services”
3. Click on “Company Services”
4. Click on “Check Company Name”
5. Enter the Company/LLP Name and enter search: The website will list all the existing companies with similar names, if any
6. In case an identical company name does not exist, an error message stating so shall be shown¹.

II. Create an MCA User Login

1. Click on “My Workspace”
2. Click on “Register Now Option”
3. There are two options in the User Category:
 - a. **Registered User:** A Registered User has access to the basic e-services of MCA. All users under this category have a “Password” based login
 - b. **Business User:** A Business User has access to certain specific functionalities, in addition to all the basic e-Services of MCA which are available to a Registered User. Users under this category primarily have a ‘DSC’ based login and consist of practicing members ICSI/ICAI/ICWAI and individuals associated with companies.

To incorporate a company please select the “Registered User” Category Option.

4. Fill in the Form
5. Click on “Create My Account”

III. Reserving company name through RUN (Reserve Unique Name)

1. Log into your MCA User Account using the above credentials
2. Go to Company Services
3. Click on RUN Option (Reserve Unique Name)
4. Refer to the Company (Incorporation) Rules, 2014 before making a company name reservation through RUN to avoid rejection.
5. Fill in the Form and click on the “Auto Check” Option to do a preliminary check
6. If no error message is shown Click on the “Submit Option” to submit your form.

¹ The above check is only applicable for “Identical” Names and does not check for similar names

IV. Acquire a Digital Signature Certificate:

All filings done by a company/LLP under MCA21 e-Governance programme are required to be filed using Digital Signatures by the person authorized to sign the documents.

1. Check the [list](#) of Certifying Authorities in India²
2. Choose a certifying authority and follow the process given on its respective website.

V. Associate DSC of the authorized person with MCA:

One of the directors, who'll be signing the SPICe form will have to associate his/her DSC with the MCA before signing any of the e-forms. The steps to associate the DSC with MCA are given below:

1. Go to "MCA Services"
2. Select "Associate DSC" option
3. Select the Role:

In case a proposed director is the one associating his DSC and is a first-time director and therefore has not been allotted a valid DIN yet, he should select the option of "Authorized Representative" option from the drop down menu

4. Fill in the details and click the submit button

VI. SPICe Form

1. Click on "MCA Services"
2. Click on "Company Forms Download"
3. There are two kinds of forms available
 - a. Download E-Form with Instruction kit
 - b. Download E-Form without instruction kit³

Downloading the form with instruction kit is more helpful.

For relevant area code, please refer Annexure A of the MCA Instruction Kit.

4. In addition to the instructions in the instruction kit please consider to the following:
 - a. Declaration under attachment number 3 has to be filed in the form of INC9 form
 - b. In the option where passport is required, only the photo side of the passport is enough
 - c. Director Consent form needs to be attached in the DIR2 form format

² While purchasing the DSC, please keep in mind that The Ministry of Corporate Affairs has stipulated a Class II or above as the required class of DSC.

³ <http://www.mca.gov.in/MinistryV2/companyformsdownload.html>

VII. SPICe E-MoA

1. Click on “MCA Services”
2. Click on “Company Forms “Download” under the “E-filing” option
3. There are two kinds of forms available for download
 - a. Download E-Form MoA with Instruction kit
 - b. Download E-Form MoA without Instruction kit⁴

Downloading the form with the instruction kit is more helpful

VIII. SPICe e-AoA

1. Click on “MCA Services”
2. Click on “Company Forms Download” under the “E-filing” option
3. There are two kinds of forms available for download:
 - a. Download SPICe AoA form with Instruction kit
 - b. Download SPICe AoA without Instruction kitDownloading the form with the instruction kit is more helpful⁵
4. In addition to the instructions in the kit, please note:
 - a. In clause 1 of the form, add the name of the company and the definition of the kind of company the applicant is forming. This definition shall be as per the latest definition provided in the Companies Act, 2013

IX. Download AGiLE Form

1. Click on “MCA Services”
2. Click on “Company Forms Download” under the “E-filing” option
3. There are two kinds of forms available for download
 - a. Download AGiLE form with instruction kit
 - b. Download AGiLE form without instruction kitDownloading the form with the instruction kit is more helpful⁶
4. AGiLE form needs to be uploaded mandatorily along with the SPiCE Form on the MCA website
5. The letter of authorization should include the name of the company and signature of all the directors. The letter should explicitly state the name of the person whom the company is authorising to sign all GST related documents on behalf of the company
6. The authorized signature (DSC) in all the linked forms should be of the same director

X. Upload of Forms

⁴ <http://www.mca.gov.in/MinistryV2/companyformsdownload.html>

⁵ <http://www.mca.gov.in/MinistryV2/companyformsdownload.html>

⁶ <http://www.mca.gov.in/MinistryV2/companyformsdownload.html>

1. Click on “My Workspace”
2. Login MCA portal using your credentials
3. Click on the “Upload e-forms”
4. Check the “Normal Forms” tab
5. Check the “Linked Forms” tab
6. The forms should be uploaded in the following order
SPiCE Form> SPiCE MoA (Inc-33)> SPiCE AoA (Inc 34)> AGiLE
7. Browse and add all linked forms and then submit using the “Upload” option

XI. Follow the steps provided by MCA to make the following two payments:

1. PAN and TAN
2. Stamp Duty (amount varies as per the Authorised Share Capital)