



Instruction Kit for eForm SPICe MOA (INC-33) (Memorandum of Association)

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About this Document

The Instruction Kit has been prepared to help you file eForms with ease. This documents 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.



Instruction Kit for eForm SPICe MOA (INC-33) (Memorandum of Association)

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

{ Pursuant to Schedule I (see Sections 4 and 5) to the Companies Act, 2013 }

[Purpose of the eForm](#)

☐ Memorandum of Association

Part II – Instructions to fill the eForm

[Specific Instructions to fill the eForm SPICe MOA \(INC-33\) 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.

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S. No/ Section Name		Field Name	Instructions
1		SRN of RUN	Enter the same SRN of RUN as mentioned in the linked form SPICe (INC-32), if any
2		Table applicable to company as notified under schedule I of the companies Act, 2013	Select the applicable standard table as notified under Schedule I to the Companies Act, 2013. Based on selected table, relevant fields would be displayed below.
3	1	The Name of the Company is	Enter the name of the company as mentioned in e-form SPICe (INC-32). This may pre-fill based on the SRN of RUN .
4	2	The Registered office of the company will be situated in the state of	Enter the state of the company's registered office as mentioned in e-form SPICe (INC-32). This may pre-fill based on the SRN of RUN .
5	3a	The objects to be pursued by the company on its incorporation are	Give the correct details of the objects to be pursued by the company
6	3b	Matters which are necessary for furtherance of the objects specified in clause 3(a) are	Mention the matters that are necessary for furtherance of the main objects mentioned in field 3(a) above

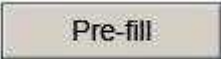


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S. No/ Section Name		Field Name	Instructions
7	Table A: 5 Table C: 6 Table E: 5	The share capital of the company is	<p>Enter total authorized share capital of the company.</p> <p>Mention the details of distinct kind of share capital having same nominal per share, in each row. In case subclasses of equity and preference are required, then use the same format in any other document and attach the scanned copy.</p> <p>For adding more rows, select “, and” option in the last column of the current row.</p>
8	Table A: 7	Particulars of nominee	Enter same particulars of nominee as mentioned in form SPICe (INC-32), in case of OPC
9		Subscriber Details table Name, address, Description and Occupation	<p>Mention the details of subscribers in the prescribed format.</p> <p>Details of the subscribers shall match with form SPICe (INC-32) hence enter same DIN or PAN or Passport number as mentioned in that form for individual subscriber and/or authorized representative of body corporate subscriber.</p> <p>Maximum details of subscribers allowed through form SPICe MoA (INC-33) is seven. In case of more subscribers, please attach MoA and AoA to SPICe(INC-32)</p> <p>Sum of subscribed share capital shall match with form SPICe (INC-32). This is applicable in case of company having share capital.</p>
10		Signed before me	Enter the details of the witness along with his/her DSC



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Common Instructions to fill 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 Prefill functionality.</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>
<p>Modify</p> 	<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.



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Part III - Important Points for Successful Submission

Fee Rules

S. No.	Purpose of the form	Fee applicable
1.	SPICe MOA (INC-33)	As per Companies (Registration offices and Fees) Rules, 2014 – Annexure 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 eForm will go as linked form with SPICe (INC-32) and will be processed in Non-STP mode

Email

Certificate of Incorporation will be sent on the mail ID of the company as specified in the application form mentioning the CIN of company.

Annexure A

Registration fee for Memorandum of Association (MOA) (in case of company having share capital)

Nominal Share capital	Other than OPCs and Small Companies		OPC and *Small Companies	
	Fixed	For every 10, 000 or part thereof	Fixed	For every 10, 000 or part thereof
Up to 1, 00, 000	N/A	N/A	N/A	N/A
More than 1,00,000 up to 5,00,000	N/A	N/A	N/A	N/A

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More than 5,00,000 up to 10,00,000	N/A	N/A	N/A	N/A
More than 10,00,000 up to 50,00,000	36,000 +	300	2,000 +	200
More than 50,00,000 up to 1,00,00,000	1,56,000 +	100	1,56,000 +	100
More than 1,00,00,000	2,06,000 +	75	2,06,000 +	75

*If fee payable on the authorized capital is exceeding Rupees two crore and fifty lakhs then the fee applicable shall be limited to **two crore and fifty lakhs only**.*

Registration fee for Memorandum of Association (MOA) (in case of company not having share capital)

Number of members	Fee applicable
Up to 20 members	N/A
More than 20 but up to 200 members	5,000
More than 200 members (If number of members not stated as unlimited in AOA)	5,000 + Rupees 10 for every member, after the first 200

The maximum fee payable to the Registrar for registration of a new company not having share capital is fixed at rupees 10,000.

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