

Instruction Kit for Form No. DIR-10 (Application for removal of Disqualification of Directors)

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ABOUT THIS DOCUMENT

This Instruction Kit is designed as a step-by-step guide to assist the user in filling up the web form. This document provides references to law(s) governing the web form, guidelines to access the application, instructions to fill the web form at field level and important check points while filling up the web form along with other instructions to fill the web form.

User is advised to refer to the respective instruction kit for filing of each web form.

This document is divided into following sections:



Part I – Law(s) governing the webform



Part II– Accessing Form No. DIR-10 application



Part III – Instructions to fill the web form



Part IV – Key points for successful submission

Click on any section link to refer to the particular section.

1 PART I – LAW(S) GOVERNING THE WEBFORM

Pursuant to Section [164](#) of the Companies Act, 2013 & Rule [14\(5\)](#) of the Companies (Appointment and Qualification of Directors) Rules, 2014.

1.1 Purpose of the webform

Form No. DIR-10 aims to simplify the process for filing the application to Regional Director (North) to remove disqualification of directors.

An individual can apply to Regional Director (North) to remove disqualification (under Section 164(1) and 164(2)(b)) through this webform.

1.2 Important Check Points while filling up the webform

- ✓ Please read instructions and guidelines carefully before filling online application forms.
- ✓ Please attach the required mandatory supporting documents in the specified format only.
- ✓ Please ensure that applicant is registered as a business/registered user on the MCA portal before filing the webform.
- ✓ Please note that the signing authority of the webform shall have valid and non-expired/non-revoked DSC.
- ✓ Please ensure that the affixed DSC is registered against the DIN/PAN entered.
- ✓ Please ensure that the signatory of the webform is associated with the CIN of the company.
- ✓ Please ensure that the webform is filed for disqualified directors.
- ✓ Please note that SRN number of webform DIR-9 is required in Form No. DIR-10.
- ✓ If the space within any of the fields is not sufficient to provide all the information, then additional details can be provided as an optional attachment to the webform.

2 PART II – ACCESSING FORM NO. DIR-10 APPLICATION

2.1 Application Process for Form No. DIR-10

2.1.1 Initial Submission

2.1.1.1 Option 1

STEP 1: Access MCA homepage

STEP 2: Login to MCA portal with valid credentials¹

STEP 3: Select “MCA services” and further select “E-Filing”

STEP 4: Select “Company Forms Download” module

STEP 5: Navigate to the header “DIN related filings”

STEP 6: Access “Application for removal of Disqualification of Directors (Form No. DIR-10)”

STEP 7: Fill up the application

STEP 8: Save the webform as a draft (optional)²

STEP 9: Submit the webform

STEP 10: SRN is generated upon submission of webform (The SRN can be used by the user for any future correspondence with MCA)

STEP 11: Affix the DSC

STEP 12: Upload the DSC affixed pdf document on MCA portal

STEP 13: Pay Fees (In case the user does not successfully upload the DSC affixed PDF within 15 days of SRN generation and complete the payment within 7 days of successful upload of DSC affixed document or due date of filing of the form + 2 days, whichever is earlier, the SRN will be cancelled)

STEP 14: Acknowledgement is generated

STEP 15: Once the webform is processed an intimation mail for approval/rejection is sent to the registered Email ID of the user

2.1.1.2 Option 2

STEP 1: Access MCA homepage

STEP 2: Access Form No. DIR-10 through search bar on MCA homepage (website search)³

STEP 3: Login to MCA portal with valid credentials

STEP 4: Fill up the application

STEP 5: Save the webform as a draft (optional)²

STEP 6: Submit the webform

STEP 7: SRN is generated upon submission of webform (The SRN can be used by the user for any future correspondence with MCA)

STEP 8: Affix the DSC

STEP 9: Upload the DSC affixed pdf document on MCA portal

¹ In case Option 1 is selected, the user will have an option to either login immediately after accessing the MCA homepage, or login after selecting “Application for removal of Disqualification of Directors” in case the user is not already logged in.

² The option to save the webform as a draft shall be enabled once the user enters the DIN.

³ In case Option 2 is selected, the user will have an option to either login immediately after accessing the MCA homepage or login after performing the website search.

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STEP 10: Pay Fees (In case the user does not successfully upload the DSC affixed PDF within 15 days of SRN generation and complete the payment within 7 days of successful upload of DSC affixed document or due date of filing of the form + 2 days, whichever is earlier, the SRN will be cancelled)

STEP 11: Acknowledgement is generated

STEP 12: Once the webform is processed an intimation mail for approval/rejection is sent to the registered Email ID of the user

2.1.2 Resubmission

2.1.2.1 Option 1

STEP 1: Access MCA homepage

STEP 2: Login to MCA portal with valid credentials

STEP 3: Access application history through user dashboard

STEP 4: Select Form No. DIR-10 application with status as 'Resubmission required'

STEP 5: Fill up the application

STEP 6: Save the webform as a draft (optional)²

STEP 7: Submit the webform

STEP 8: SRN is updated

STEP 9: Affix the DSC

STEP 10: Upload the DSC affixed pdf document on MCA portal⁴

STEP 11: Resubmission of webform (In case the user does not complete re-submission of the form and upload the DSC affixed pdf document within 24 hours of the SRN update, a SMS and email reminder will be sent to the user daily for 15 days OR till the time this is submitted, whichever is earlier)

STEP 12: Acknowledgement is generated

STEP 13: Once the webform is processed an intimation mail for approval/rejection is sent to the registered Email ID of the user

2.1.2.2 Option 2

STEP 1: Click on the link provided in the notification email sent (received for resubmission)

STEP 2: Login to MCA portal with valid credentials

STEP 3: Fill up the application

STEP 4: Save the webform as a draft (optional)²

STEP 5: Submit the webform

STEP 6: SRN is updated

STEP 7: Affix the DSC

STEP 8: Upload the DSC affixed pdf document on MCA portal⁴

STEP 9: Resubmission of webform (In case the user does not complete re-submission of the form and upload the DSC affixed pdf document within 24 hours of the SRN update, a SMS and email reminder will be sent to the user daily for 15 days OR till the time this is submitted, whichever is earlier)

⁴ For the SRN's that are marked 'Resubmission required', the user is required to update the details in the webform and complete submission (including the upload of DSC affixed pdf) within 15 days from the date the BO user has sent the SRN back for resubmission.

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STEP 10: Acknowledgement is generated

STEP 11: Once the webform is processed an intimation mail for approval/rejection is sent to the registered Email ID of the user

3 PART III – INSTRUCTIONS TO FILL THE WEB FORM

3.1 Specific Instructions to fill 'Form No. DIR-10' at Field Level

Instructions to fill 'Form No. DIR-10' are tabulated below at field level. Only important fields that require detailed instructions are explained. Self-explanatory fields are not explained.

Field No.	Field Name	Instructions
1	SRN of Form DIR-9	Please ensure to enter valid SRN of Form No. DIR-9.
2 (a)	Director identification number (DIN)	i. DIN entered shall be valid and unique DIN. ii. Kindly ensure that DIN entered is not marked as disqualified DIN.
2 (b)	Name of the Director (in full, without abbreviations)	i. These fields shall be pre-filled based on the DIN provided in field number 2(a) i.e. 'Director identification number (DIN)'.
2 (c)	Father's name (Even married women must enter details of father's name)	ii. The user shall not be allowed to edit these fields.
3	Section under which disqualification is marked	
4	Grounds under which director is disqualified:	
5	Date of disqualification	
6 (a)	Company details Corporate Identity Number (CIN)	i. CIN entered shall be valid CIN. ii. These fields shall be pre-filled based on the DIN provided in field number 2(a) i.e. 'Director identification number (DIN)'.
6 (b)	Name of Company	iii. The user shall not be allowed to edit these fields.
6 (c)	Address of registered office	
6 (d)	Email ID	
7	Details of the violations / offences being compounded by NCLT / Court	It is mandatory for the user to provide details in one of the fields 'Details of the violations / offences being compounded by NCLT / Court' or 'Other'.
8	Other details	
	Attachments	All the attachments shall be either in pdf or jpg format. The size of each individual attachment can be up to 2MB.
(a)	Proof of violations / offences being compounded by NCLT / Court	This attachment shall be enabled and mandatory in case reason selected in field number 4 i.e. 'Grounds under which director is disqualified' is either of the following: - he is of unsound mind and stands so declared by a competent court - he is an undischarged insolvent

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Field No.	Field Name	Instructions
		- he has applied to be adjudicated as an insolvent and his application is pending - he has been convicted by a court of any offence, whether involving moral turpitude or otherwise, and sentenced in respect thereof to imprisonment for not less than six months and a period of five years has not elapsed from the date of expiry of the sentence - an order disqualifying him for appointment as a director has been passed by a court or Tribunal and the order is in force - he has been convicted of the offence dealing with related party transactions under section 188 at any time during the last preceding five years
(b)	Proof of violations in which default has been made good	This attachment shall be enabled and mandatory in case reason selected in field number 4 i.e. 'Grounds under which director is disqualified' is either of the following: - he has not paid any calls in respect of any shares of the company held by him, whether alone or jointly with others, and six months have elapsed from the last day fixed for the payment of the call - he has not complied with sub-section (3) of section 152. - he has not complied with the provisions of sub-section (1) of section 165. - has failed to repay deposits accepted or pay interest thereon on the due date being <Due date of payment> and period of one year expired on <date of one year of expiry> - has failed to redeem any debentures or pay interest thereon on the due date being <Due date of payment> and period of one year expired on <date of one year of expiry> - has failed to pay dividend declared by the company since <Due date of payment> and period of one year expired on <date of one year of expiry>
(c)	Optional attachment(s), (if any)	- This field can be used to provide any other information. - Please note that the user has an option to upload up to five optional attachments.
	To be digitally signed by Name of Director	- Kindly ensure that the webform is digitally signed by Director. - Name of director shall be prefilled based on DIN entered in field number 2(a) i.e. 'Director identification number (DIN)'.

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3.2 Other instructions to fill 'Form No. DIR-10'

Buttons	Particulars
Choose File	i. Click the “Choose File” button to browse and select a document that is required to be attached as a supporting to Form No. DIR-10. ii. All attachments should be uploaded in pdf or .jpg format. The total size of the document being submitted can be up to 10 MB. iii. The user has an option to attach multiple files as attachments within the webform.
Remove	The user has an option to remove files from the attachment section using the “Remove” option provided against each attachment.
Download	The user has an option to download the attached file(s) using the “Download” option provided against each attachment.
Save	i. Click on “Save” button for saving the application in a draft form at any given point in time prior to submitting the web form. ii. The “Save” option will be enabled only after entering the DIN. iii. This is an optional field. iv. On saving the webform, all the information filled in the webform will be saved and can be edited/updated till the time webform is submitted. v. The previously saved drafts can also be accessed (at a later point in time) using the application history functionality.
Submit	i. This is a mandatory field. ii. When the user clicks on the “submit” button the details filled in the webform are auto saved and the system verifies the webform. Incase errors are detected the user will be taken back to webform and all the relevant error messages shall be displayed. iii. In case at the submission of webform no errors are detected by the system the submission will be successful.

4 PART IV – KEY POINTS FOR SUCCESSFUL SUBMISSION

4.1 Fee rules

S#	Purpose of webform	Normal Fee	Additional (Delay Fee)	Logic for Additional Fees	
				Event Date	Time limit (days) for filing
1	Application for removal of disqualification of director	The Companies (Registration of Offices and Fees) Rules, 2014 (Refer Table 1 below)	NA	NA	NA

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

4.1.1 The Companies (Registration Offices and Fees) Rules, 2014

Table 1

Normal fees

By a company having authorised share capital

S#	Authorised capital (INR)	Other than OPC & Small company (INR)	OPC & Small company (INR)
1	Up to 25,00,000	2000	1000
2	Above 25,00,000 but up to 50,00,000	5000	2500
3	Above 50,00,000 but up to 5,00,00,000	10,000	10,000
4	Above 5,00,00,000 but up to 10,00,00,000	15,000	15,000
5	Above 10,00,00,000	20,000	20,000

By a company limited by guarantee but not having a share capital

Other than OPC & Small company (INR)	OPC & Small company (INR)
2000	NA

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By a company having a valid license issued under section 8 of the Act (Section 8 Company)

Other than OPC & Small company (INR)

OPC & Small company (INR)

2000

NA

4.2 Processing Type

‘Form No. DIR-10’ shall be processed in non-STP mode.

4.3 Useful links

1. Link to access Form No. DIR-10: : <https://www.mca.gov.in/content/mca/global/en/mca/e-filing/company-forms-download.html>
2. FAQ’s related to e-filing: <https://www.mca.gov.in/MinistryV2/efiling.html>
3. Payment and Fee related services: <https://www.mca.gov.in/MinistryV2/paymentservices.html>