

Instruction Kit for Form No. DIR-9 (Report by the company to Registrar for 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 webform. This document provides references to law(s) governing the webform, guidelines to access the application, instructions to fill the webform at field level and important check points while filling up the webform along with other instructions to fill the webform.

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

This document is divided into following sections:



Part I – Law(s) governing the webform



Part II– Accessing Form No. DIR-9 application



Part III – Instructions to fill the webform



Part IV – Key points for successful submission

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

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1 PART I – LAW(S) GOVERNING THE WEBFORM

Pursuant to Section [164](#) of the Companies Act, 2013 and Rule [14\(2\)](#) of the Companies (Appointment and Qualification of Directors) Rules, 2014

1.1 Purpose of the webform

Form No. DIR-9 aims to simplify the process for filing the report by the company to ROC about disqualification of a director.

The ROC has to be informed about disqualification of a director of a company by filing this webform for any of the reasons as specified under Section 164.

1.2 Important Check Points while filling up the webform

- ✓ Please read instructions and guidelines carefully before filling online application webforms.
- ✓ Please attach the required mandatory supporting documents in the specified format only.
- ✓ Please ensure that applicant is registered as a business user on the MCA portal.
- ✓ Please ensure company is registered with MCA and has a valid CIN/FCRN.
- ✓ Please note that the signing authority of the webform has a valid and non-expired/non-revoked DSC.
- ✓ Please ensure signatory of the webform is associated with the CIN/FCRN of the company.
- ✓ Please ensure DIN is an approved DIN.
- ✓ Please ensure DIN/PAN/Membership number as entered in the signatory field is associated with the CIN under the selected designation.
- ✓ Please ensure that the DSC of the signatory attached in the webform is registered on MCA portal against the DIN/PAN/membership number as provided in the webform.
- ✓ 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.
- ✓ Please ensure that the webform is not signed by disqualified Director.
- ✓ Please ensure that the webform is not signed by a director / Manager/ Company Secretary / CEO / CFO of the company in respect of whom webform DIR-12/ 32 is pending for payment/approval.

2 PART II – ACCESSING FORM NO. DIR-9 APPLICATION

2.1 Application Process for Form No. DIR-9

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 “Report by the company to Registrar for disqualification of Directors (Form No. DIR-9)”

STEP 7: Enter CIN information²

STEP 8: Search CIN using the search option (optional)³

STEP 9: Select CIN from the dropdown option (optional)⁴

STEP 10: Fill up the application

STEP 11: Save the webform as a draft (optional)⁵

STEP 12: Submit the webform

STEP 13: SRN is generated upon submission of webform (The SRN can be used by the user for any future correspondence with MCA)

STEP 14: Affix the DSC

STEP 15: Upload the DSC affixed pdf document on MCA portal

STEP 16: 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 webform + 2 days, whichever is earlier, the SRN will be cancelled)

STEP 17: Acknowledgement is generated

2.1.1.2 Option 2

STEP 1: Access MCA homepage

STEP 2: Access Form No. DIR-9 through search bar on MCA homepage (website search)⁶

STEP 3: Login to MCA portal with valid credentials

STEP 4: Enter CIN information²

STEP 5: Search CIN using the search option (optional)³

STEP 6: Select CIN from the dropdown option (optional)⁴

STEP 7: Fill up the application

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 “Report by the company to Registrar for disqualification of Directors” in case the user is not already logged in.

² In case the user filling the webform is a company user then, CIN and company name will be auto populated based on the user id from which the user logs in.

³ In case the user filling the webform is a Professional user, a search option will be provided on the page allowing the user to search for CIN basis name of company.

⁴ In case the user filling the webform is any other business user, a dropdown option containing a list of all the CINs and corresponding company name for company's where the user is associated shall be displayed.

⁵ The option to save the webform as a draft shall be enabled once the user enters the CIN.

⁶ 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 8: Save the webform as a draft (optional)⁵

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 webform + 2 days, whichever is earlier, the SRN will be cancelled)

STEP 14: Acknowledgement is generated

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3 PART III – INSTRUCTIONS TO FILL THE WEBFORM

3.1 Specific Instructions to fill ‘Form No. DIR-9’ at Field Level

Instructions to fill ‘Form No. DIR-9’ 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
2 (a)	Corporate Identity Number (CIN)	i. In case of company users, CIN of the company shall be pre-filled based on the company information entered by the user post accessing the “DIR-9” webform. ii. CIN entered in this field shall be valid. iii. In all the other cases wherein, the details are not being prefilled then, the user shall have to manually enter CIN of the company.
2 (b)	Name of the company	i. These fields shall be pre-filled based on the CIN provided in field number 2 (a) i.e. ‘Corporate identity number (CIN)’.
2 (c)	Address of its registered office	ii. The user shall not be allowed to edit these fields.
2 (d)	Email ID	
3 (b)	Disqualification details Reason for Disqualification	i. User shall be able to select reason for disqualification from the checkbox. ii. Selection of one checkbox is mandatory for this field. iii. Multiple check box can be selected in this field.
4	Particulars of directors during the relevant financial years Director identification number (DIN)	DIN entered in this field shall be valid DIN.
4	Name of the Director (in full, without abbreviations)	i. This field shall be prefilled based on DIN entered in field number 4 i.e. ‘Director Identification number (DIN)’. ii. The user shall not be allowed to edit this field.
4	Father’s name (Even married women must enter details of father’s name)	
4	Permanent residential address	
4	Present residential address	

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Field No.	Field Name	Instructions
4	Position held by the Director in the last five years (prior to disqualification)	The user can enter maximum 500 character .
	Attachments	All the attachments shall be either in pdf or jpg format. The size of each individual attachment can be up to 2MB.
(a)	Copy of court order	This attachment shall be enabled and mandatory in case reason selected in field number 3 (b) i.e., 'Reason of Disqualification's either of following: • he is of unsound mind and stands so declared by a competent court • he is an undischarged insolvent • 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)	Optional attachment(s), (if any)	i. This field can be used to provide any other information. ii. Please note that the user has an option to upload up to five optional attachments.
	To be digitally signed by Designation	Kindly ensure that the webform is digitally signed by Director / Manager / Company Secretary / CEO / CFO of the company.
	DIN of the director OR DIN or PAN of the manager or CEO or CFO OR membership number of the company secretary	i. In case the person digitally signing the webform is a Director - Enter the approved DIN ii. In case the person digitally signing the webform is Manager, Chief Executive Officer (CEO) or Chief Financial Officer (CFO) - Enter approved DIN or valid income-tax PAN. iii. In case the person digitally signing the webform is Company Secretary - Enter valid membership number of Company Secretary.

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3.2 Other instructions to fill 'Form No. DIR-9'

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-9. 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 webform. ii. The “Save” option will be enabled only after entering the CIN. 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.

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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	Form No. DIR-9 (Report by the company to Registrar for disqualification of Directors)	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 filing fee

In case of company having share capital

S#	Contribution Amount (INR)	Normal Fee applicable (INR)
1	Less than 1,00,000	200
2	1,00,000 to 4,99,999	300
3	5,00,000 to 24,99,999	400
4	25,00,000 to 99,99,999	500
5	1,00,00,000 or more	600

In case of company not having share capital

Normal Fee applicable (INR)

200

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4.2 Processing Type

Form No. DIR-9 shall be processed in STP mode and shall be taken on record through electronic mode without any further processing. Ensure that all particulars in the webform are correct. There is no provision for resubmission of this webform.

4.3 Useful links

1. Link to access Form No. DIR-9: <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>