

Instruction Kit for eForm MGT-6

(Return to the Registrar in respect of declaration under section 89 received by the company)

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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.

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

Section and Rule Number(s) eForm MGT-6 is required to be filed pursuant to section 89(6) of the Companies Act, 2013 which is reproduced for your reference.

Section 89(6):

Where any declaration under this section is made to a company, the company shall make a note of such declaration in the register concerned and shall file, within thirty days from the date of receipt of declaration by it, a return in the prescribed form with the Registrar in respect of such declaration with such fees or additional fees as may be prescribed, within the time specified under section 403.

Purpose of the eForm

A company makes a declaration to the Registrar regarding persons whose name is in the register of members as a shareholder but they do not hold any beneficial interest in such shares. This form of return is filed within 30 days of receipt of declaration by the company by filing eForm MGT-6.

eForm Number as per Companies Act, 1956

Form 22B as per Companies Act, 1956.

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Part II – Instructions to fill the eForm

Specific Instructions to fill the eForm MGT-6 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.

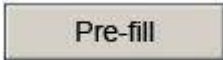
S. No/ Section Name		Field Name	Instructions
1	(a)	Corporate ident of number (CIN) compan	Enter the Corporate identity number (CIN) of the company. You may find CIN by entering existing registration number or name of the company in the 'Find CIN' service under the menu MCA services on the MCA website.
2	(a) & (b)	Pre-fill button	Click the Pre-fill button. On clicking the button, system shall automatically display the name and registered office address of the company.
I to VI		Particulars of shares in respect of which the person whose name is entered in the register of members of the company as a holder of shares does not hold the beneficial interest in such shares	It is mandatory to enter details regarding the beneficial interest and the registered and beneficial holder of such shares in Section I. Section II to VI are optional.
To be digitally signed by		Declaration	Enter the date of board resolution where signatory has been authorized to sign and submit the eForm.

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S. No/ Section Name	Field Name	Instructions
	DSC	<p>Ensure the eForm is digitally signed by the Director, Manager, CEO, CFO or Company Secretary of the company. In case the form is signed by a director, DIN shall be entered.</p> <p>In case the form is signed by a manager/ CEO/ CFO, PAN or DIN shall be entered.</p> <p>In case the form is signed by a Company Secretary,</p>
		<p>Membership number shall be entered in case of other than Section 8 company.</p> <p>In case of Section 8 company and if designation selected as 'Company Secretary', either membership number/ PAN shall be entered.</p>
Attachments		<ul style="list-style-type: none"> • Declaration by person referred to in section 89(1) • Declaration by person referred to in section 89(2) or 89(3) • Any other information can be provided as an optional attachment(s).

Common Instructions to fill eForm

Buttons	Particulars
Pre-Fill 	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.


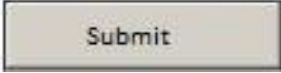
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Buttons	Particulars
	<p>Click this button to populate the field.</p> <p>Note: You are required to be connected to the Internet to use the Prefill functionality.</p>
<p>Attach</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content; margin: 10px auto;">Attach</div>	<p>Click this document to browse and select a document that needs to be attached to the eForm. All the attachments should be scanned in pdf format. You have to click the attach button corresponding to the document you are making an attachment.</p> <p>In case you wish to attach any other document, please click the optional attach button.</p>
<p>Remove Attachment</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content; margin: 10px auto;">Remove attachment</div>	<p>You can view the attachments added to the eForm in the List of attachment field.</p> <p>To remove any attachment from the eForm, select the attachment in the List of attachment field and click the Remove attachment button.</p>
<p>Check Form</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content; margin: 10px auto;">Check Form</div>	<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”. Note: The Check Form functionality does not require Internet connectivity.
<p>Modify</p> <div style="border: 1px solid gray; padding: 5px; width: fit-content; margin: 10px auto;">Modify</div>	<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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Buttons	Particulars
Pre scrutiny 	<ol style="list-style-type: none"> 1. After checking the eForm, click the Prescrutiny button. System performs some checks and displays errors, if any. 2. Correct the errors. 3. Click the Prescrutiny button again. If there are no errors, a message is displayed “No errors found.” <p>The Prescrutiny functionality requires Internet Connectivity.</p>
Submit 	This button is disabled at present.

Part III - Important Points for Successful Submission

Fee Rules

S. No.	Purpose	Normal Fee	Additional Fee (Delay Fee)	Logic for Additional Fees	
				Event Date	Time limit(days) for filing
1.	Return to the Registrar in respect of declaration under section 89 received by the company.	The Companies (Registration of offices and Fees) Rules, 2014Annexure B		Date of receipt of declaration (oldest)	30 days in case of other than IFSC company/ 60 days in case of IFSC company

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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 be auto approved under straight through processing(STP) mode.

SRN Generation

On successful submission of the eForm MGT-6, SRN will be generated and shown to the user which will be used for future correspondence with MCA.

Challan Generation

On successful submission of the eForm MGT-6, Challan will be generated depicting the details of the fees paid by the user to the Ministry. It is the acknowledgement to the user that the eForm has been filed.

Email

When an eForm is processed by the authority concerned, an acknowledgement of the same is sent to the user in the form of an email to the email id of the company.

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Annexure A

Fee for filing Form MGT-6 (in case of company having share capital)

Nominal Share Capital	Fee applicable
Less than 1,00,000	Rupees 200
1,00,000 to 4,99,999	Rupees 300
5,00,000 to 24,99,999	Rupees 400
25,00,000 to 99,99,999	Rupees 500
1,00,00,000 or more	Rupees 600

Fee for filing Form MGT-6 (in case of company not having share capital) Rupees 200

Additional fee

Period of delays	Fee applicable
Up to 30 days	2 times of normal fees

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More than 30 days and up to 60 days	4 times of normal fees
More than 60 days and up to 90 days	6 times of normal fees
More than 90 days and up to 180 days	10 times of normal fees
More than 180 days	12 times of normal fees

In case of an IFSC company, the additional fee shall be applicable only after the expiry of 60 days from the date of receipt of declaration.

However, in case of form filing after 60 days, the logic for delay days' calculation for computing the additional fee shall remain same as in case of other than IFSC company i.e. due date shall be considered as (Event Date + 30) even for an IFSC company.

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