



Instruction Kit for eForm DIR-5
(Application for surrender of Director Identification Number)

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Instruction Kit for eForm DIR-5 (Application for surrender of Director Identification Number)

About this Document

The Instruction Kit has been prepared to help you file eForms with ease. This document 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 DIR-5 is required to be filed pursuant to Section 153 of the Companies Act, 2013 & Rule 11 (f) of Companies (Appointment and Qualification of Directors) Rules, 2014 which are reproduced for your reference.

Section 153:

Every individual intending to be appointed as director of a company shall make an application for allotment of Director Identification Number to the Central Government in such form and manner and along with such fees as may be prescribed.

Rule 11(f):

(f) on an application made in Form DIR-5 by the DIN holder to surrender his or her DIN along with declaration that he has never been appointed as director in any company and the said DIN



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has never been used for filing of any document with any authority, the Central Government may deactivate such DIN:

Provided that before deactivation of any DIN in such case, the Central Government shall verify e-records.

Purpose of the eForm

Application for surrender of DIN in e-form DIR-5 can be filed with any reason such as DIN is unused and not intended for future reference also or multiple DINs are allotted to same person or DIN holder is no more/has become of unsound mind or insolvent etc. This application will further be processed by RD-north region.

eForm Number as per Companies Act, 2013
Form DIR-5 as per Companies Act, 2013.

Part II – Instructions to fill the eForm

Specific Instructions to fill the eForm DIR-5 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.

Field Number/ Section Name	Field Name	Instructions
1 (a to c)	Name of the DIN holder	Prefill based on the DIN entered in field 4. If not entered then based on oldest approved DIN entered in field 5. This data will be auto- filled at the time of check form if not filled at first instance.
2(a to c)	Father's Name	Prefill based on the DIN entered in field 4. If not entered then based on oldest approved DIN entered in field 5. This data will be auto-filled at the time of check form if not filled at first instance.



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Field Number/ Section Name	Field Name	Instructions
3	Reason for surrender of DIN	Select the respective radio button out of the six reasons given



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Field no./ Section Name	Field Name	Instructions
4	Whether DIN holder is retaining any DIN	“Yes” can be selected only in case the reason of surrender is 1(Having multiple DINs) or 2(DIN was obtained in a wrongful manner or by fraudulent means) in field 3. Please enter the oldest approved DIN that needs to be retained.
5	Specify the number of DIN(s) being surrendered by the applicant	Maximum 5 can be entered. If reason 6) Concerned individual is/was not associated with any company/LLP is selected in field 3, then 1 shall be autofilled.
5(i)	DIN	Enter the DIN to be surrendered
5(ii) & 5(iii)	Name & Fathers’ Name	This will be auto-filled as per the DIN entered above



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Field no./ Section Name	Field Name	Instructions
7 (a)	Whether the application is being digitally signed by the holder of DIN himself	If reason 3) Death of the concerned individual (4) Concerned individual is declared as a person of unsound mind by a competent court or (5) Concerned individual has been adjudicated as insolvent is selected in field 3, then 'No' would be automatically selected. If purpose 1(Having multiple DINs), 2(DIN was obtained in a wrongful manner or by fraudulent means) or 6(Concerned individual is/was not associated with any company/LLP) is selected than 'Yes' shall be auto-selected.
7 (b) (ii)	Relation with DIN holder	Enter the relation with DIN Holder.



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Attachments	The following are the mandatory attachments to be filed in all cases: 1. Proof of Identity of applicant □ Identity proofs like Voters Identity Card/ Passport/ Driving License/ Aadhaar Card/ PAN Card
	2. Proof of residence of applicant <ul style="list-style-type: none">• Address proofs like passport, election (voter identity) card, and ration card, driving license, electricity bill, telephone bill or aadhaar shall be attached and should be in the name of applicant only.• In case of Indian applicant, documents should not be older than 2 months from the date of filing of the eForm.• In case of foreign applicant, address proof should not be older than 1 year from the date of filing of the eForm.



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	<p>3. Affidavit including declaration that retained DIN will be updated with all associated CIN/LLPIN</p> <ul style="list-style-type: none">• This is mandatory in case ‘Yes’ is selected in field 4 i.e. if user wants to retain any DIN <p>4. Copy of court order declaring DIN holder as insolvent/unsound mind</p> <ul style="list-style-type: none">• This is mandatory in case reason 4(Concerned individual is declared as a person of unsound mind by a competent court) or 5 (Concerned individual has been adjudicated as insolvent) selected in field 3 <p>5. Copy of death certificate</p> <ul style="list-style-type: none">• This is mandatory in case reason 3 (Death of the concerned individual) selected in field 3 <p>In case of proofs which are in languages other than Hindi / English, the proofs should be translated in Hindi / English from professional translator carrying his details (name, signature, address) and seal. In the case of foreign nationals, translation done by the notary of home country is also acceptable.</p> <p>Any other information can be provided as an optional attachment(s).</p>
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Declaration	<p>I hereby declare that Information and other particulars given in this form are true and correct. I further declare that I have never been appointed as director/designated partner in any company/LLP and the DIN has never been used for filing of any document with any authority.</p>
To be digitally signed by	
DIN/PAN/Passport number	<p>This will be auto-filled as per details entered above. If DIN/PAN is not auto-filled as aforesaid and 'No' is selected in field 7(a) then passport number entered in field 7(b)(iv) shall be displayed</p>



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<p>To be digitally signed by chartered accountant or company secretary or cost accountant</p>	<p>DSC</p>	<p>Ensure the eForm is digitally signed by the same person i.e. applicant who is filing the application and by either of the following:</p> <ul style="list-style-type: none">a) chartered accountant (in whole-time practice) or cost accountant (in whole-time practice) or company secretary (in whole-time practice)b) company secretary in full time employment or director of the company in which the applicant is to be appointed as a director <p>Enter valid membership number and certificate of practice number of the practicing professionals if practicing professional is signing the eForm.</p> <p>Select the relevant category of the professional and whether he/ she is an associate or fellow.</p>
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Certification		Select the relevant check boxes.
To be digitally signed by	Designation	Select one of the following options for designation from the drop-down list below: <ul style="list-style-type: none">• Chartered Accountant in whole time practice• Company Secretary in whole time practice• Cost Accountant in whole time practice.
Attestation	<p>If eForm is digitally signed by a Chartered Accountant (CA) or Cost Accountant (CWA) or Company Secretary (CS) (in whole time practice) then the supporting documents attached shall be self-attested by the applicant.</p> <p>If eForm is digitally signed by secretary (who is member of ICSI), in whole time employment or director of existing company then the supporting documents attached shall be either self-attested by the applicant or duly attested by either Public Notary or a Gazette Officer of a Government.</p> <p>The attesting authority must indicate the following while attesting the documents:- (i) Signatures; (ii) Name in full in Capitals; (iii) Registration No.; and (iv) Seal/ Stamp.</p> <p>In case, the director/ designated partner is residing outside India, then the attached supporting documents should be attested by the Consulate of the Indian Embassy, Foreign public notary. In case of director, supporting documents can also be attested by Company secretary in full time employment /CEO / Managing director of the Indian company in which he / she proposed to be a director.</p>	

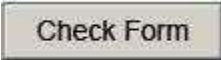



Instruction Kit for eForm DIR-3
(Application for allotment of Director Identification Number)

Common Instructions to fill eForm


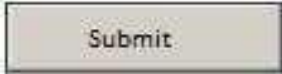
Buttons	Particulars
Pre-Fill 	<p>The Pre-fill button can appear more than once in an eForm. The button appears next to a field that can be automatically filled using the MCA database.</p> <p>Click this button to populate the field.</p> <p>Note: You are required to be connected to the Internet to use the Pre-fill functionality.</p>
Attach 	<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>
Remove Attachment 	<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>

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Buttons	Particulars
<p>Check Form</p> 	<p>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.</p> <p>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> <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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<p>Pre scrutiny</p> 	<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 Pre-scrutiny button again. If there are no errors, a message is displayed “No errors found.” <p>The Pre-scrutiny functionality requires Internet Connectivity.</p>
<p>Submit</p> 	<p>This button is disabled at present.</p>



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Part III - Important Points for Successful Submission

Fee Rules

S. No	Purpose of the form	Normal Fee	Additional Fee (Delay Fee)	Logic for Additional Fees		Remarks
				Event Date	Time limit(days) for filing	
1.	Application for surrender of DIN	Rs 1000/-	#N/A	#N/A	#N/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 form will be processed in Non STP mode.

SRN Generation

On successful submission of the eForm DIR-5, SRN will be generated and shown to the user which will be used for future correspondence with MCA and the status of the DIN will be changed to surrendered. Upon successful approval of the form the status of the surrendered DIN will be deactivated which will be the final disabled status of the DIN. "Surrendered" status is only till the form is approved. If the form is rejected, then the status will change to approved DIN as earlier to filing of the form.



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Email

Approval mail shall be sent to the email ID of the applicant and to the user who has filed the eForm.

- After verification, an email is sent to the applicant for the approval/rejection/resubmission as the case may be.