

Process of Registration of Charges :- Section 77, 78, 79, 80

(3)

A Company Shall file the particulars of every charge created on the property, whether situated in India or outside India in:-

In Form No CHG-1

In Form No CHG-9

In case of property other than Debentures

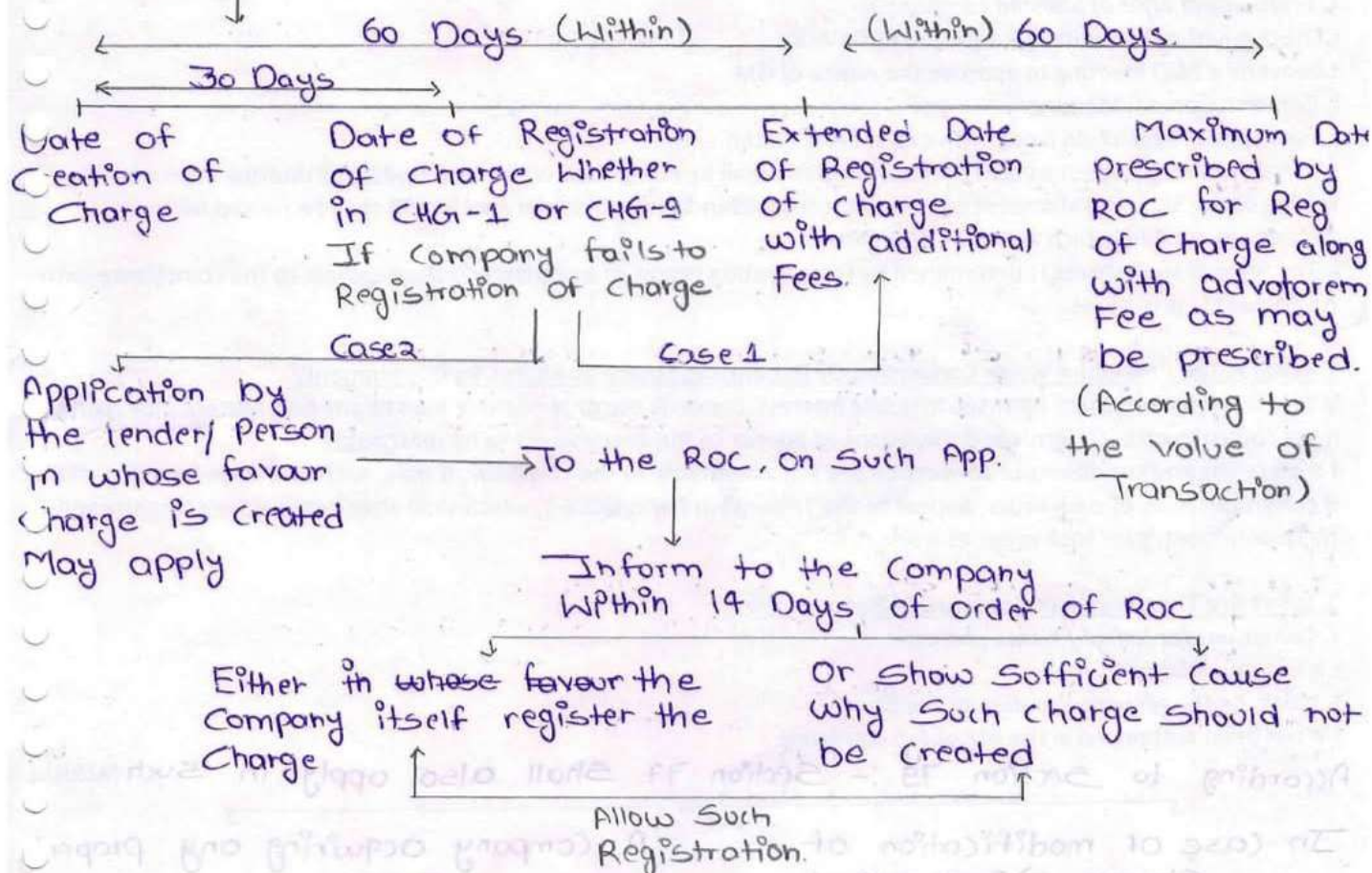
In case of property includes Debentures

Within 30 Days from the date of creation along with Instrument of Creation like Mortgage deed / Debenture Trust Deed, etc

In case of charge created orally, then it would also require registration. along with instrument & if no instrument is created then Board Resolution can also be taken for Registration of charge

If Company Not fulfill all above conditions then it is required to proceed in accordance to the following procedure below:-

If Company fulfill all Conditions above then ROC give Certificate of Registration in Form No CHG-2



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Satisfaction of Charge

Section 82

Condonation of Delay / Power of the CG to grant extension of time / Rectification of the Register of Charges maintained by Registrar of Companies

Section 87

Within 300 Days

← Either Same or Diff → ← Within 30 Days → ← Within 270 Days →

Date of Satisfaction of Charge (means last installment Paid by Borrower)	Date of 'No Dues Letter' Issued by the Creditor in whose favour Charge is created	The Company shall give intimation to the ROC about the particulars of Satisfaction of Charge in Form No CHG-4 along with 'No Dues Letter'	If company fails to give Particulars of Satisfaction of Charge within 30 days from the Date of Satisfaction/ Date of 'No Dues Letter', then within 300 Days from the Satisfaction of charge, allow intimation to the ROC on payment of Additional Fees prescribed.
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If company Fails to give particulars even within 300 days (270 Days), then The power to grant further extension of time for filling the particulars are vest in the hands of Central Government U/s 87

The Company makes application to the CG in Form No CHG-8 along with Followings 4 Documents below:-

- Copy of the 'No Dues Letter'
- Copy of the Resolutions passed in respect of this transaction.
- Affidavit verifying the petition.
- Memorandum of Appearance with Copy of BOD Resolution, to appear before Central Govt (RO) or Vakalatnama, as the case may be.

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Central Govt is Satisfied if following 3 conditions are Satisfied, then it may allow extension even after 300 days, for the period as it thinks fit

- Ommission due to accidental
- Ommission due to inadvertence
- Ommission is not of a nature, as to prejudice the position of Creditors/ Shareholders.

Government Fees

Pursuant to Rule 12 of the Companies (Registration of Offices & Fees) Rules, 2014-

For Submitting, Filing, registering or recording any document by this Act, required or authorised to be Submitted, Filed, registered or recorded	Fees to be Paid to the Registrar
In respect of a Company having a Nominal Share Capital of Upto 1,00,000	₹ 200
In respect of a Company having a Nominal Share Capital of ₹ 1,00,000 or more but less than ₹ 5,00,000	₹ 300
In respect of a Company having a Nominal Share Capital of ₹ 5,00,000 or more but less than ₹ 25,00,000	₹ 400
In respect of a Company having a Nominal Share Capital of ₹ 25,00,000 or more but less than ₹ 1,00,00,000	₹ 500
In respect of a Company having a Nominal Share Capital of ₹ 1,00,00,000 or more * Provided that in case of Companies to be incorporated with effect from 26.01.2018 with a Nominal Capital which does not exceed ₹ 10,00,000 Fee shall not be payable	₹ 600