

**No. HQ/ 104/ 2007 – Computerisation
Government of India
Ministry of Corporate Affairs**

5th floor, A-Wing, Shastri Bhavan,
Dr. R. P. Road, New Delhi – 110 001

Dated the 17.02.2012

CIRCULAR

Subject: Role-check for the Digital Signatures (DSCs) belonging to authorized signatories of Banks/ FIs :

The Ministry of Corporate Affairs (MCA) has implemented MCA21 e-Governance Project. The Project is aimed at enhancing the service level efficiencies and bringing about certainty and speed in the operations of the Ministry of Corporate Affairs, particularly with regard to the delivery of all the Registry related services rendered by Registrar of Companies as defined under the Companies Act, 1956.

2. The operational process of MCA21 has been adapted to suit the electronic filing with introduction of facilities like e-form, online mode of payments etc along the philosophy of “anywhere at any time” access to MCA21 services. In promotion of e-Governance practice, the Ministry has mandated electronic filing by the companies using Digital Signature Certificates (DSC) in conformity with the Information Technology Act, 2000.

3. The use of DSCs has been mandated for all filings to ensure the security and integrity of documents filed with the Registry. To substantiate the requirements, the Ministry has introduced role-check for the Digital Signatures to ensure that these are correctly applied by the authorized signatory.

4. The Ministry has already introduced role-check of DSCs for Directors of the companies from the Director Identification Number (DIN) database and the Professionals (Company Secretary/ Chartered Accountant/ Cost Accountant) from the database taken from the respective Institutes. Following the same process, a mechanism has been formulated

(Annexure) to implement a similar role-check to establish the veracity of authorized signatories of Banks and Financial Institutions, which is important for charge related services.

The Banks and FIs advance credit to the companies and create a charge on the assets so financed. The charges so created are required to be registered with the ROC in order to be a secured creditor. The registration/ modification/ satisfaction of a charge are filed with the Registrar through the prescribed form which has to bear the Digital Signatures of the company representative as well as that of the Authorized Signatory from the Bank/ FI. The role-check in respect of the Authorized Signatory from the Bank/ FI is required to ensure that the DSC applied is actually the Digital Signature of the authorized person.

In view of critical nature in respect of charge related services, all Banks and Financial Institutions are requested to follow the Role-check process devised and published through this Circular at an early date in the MCA21 system.



(Avinash K. Srivastava)

Joint Secretary to the Govt. of India

Introduction of DSC Role-Check for Banks

It is proposed to introduce role-check in the MCA21 system that maintains details of authorized bank officials for verification of registration of charges. The process is explained below in two sections:

Stage I - Creating registry of authorized officials of bank/FIs:

1. Each bank has to identify a nodal person for this purpose and communicate to the Ministry
2. A user login will be created for this nodal person in MCA21 system
3. The nodal person in turn can create user logins for any number of users for the bank
4. All of these users of the bank should associate their DSC (digital signature) to their logins
5. Charge related MCA eForms (8, 10 & 17) will be modified to verify the DSC of the signatory of the bank in the form

Stage II - Modification to charge registration process:

1. Company that wishes to file a charge form will get the respective form signed by the representative of the bank
2. MCA21 system will validate the DSC at the time of upload of the form
3. If validation passes, then the form will be accepted; else it will be rejected with proper error message

(Letter-Head)

To,

Joint Secretary to the Govt. of India,
Ministry of Corporate Affairs,
5th floor, A-Wing, Shastri Bhavan,
Dr. R.P Road,
New Delhi – 110 001.

Sub: Introduction of DSC role-check for Banks/ Financial Institutions – Nomination of nodal officer – reg.

With reference to Ministry's Circular No. HQ/ 104/ 2007 – Computerisation dated 17.02.2012 on the subject cited above, it is to state that for the purpose introduction officials in MCA21 system for verification of charges Shri _____(Name), (Designation) of this Bank/ Financial Institution is nominated as Nodal officer in accordance to the authorization given by Board. The detail of nominated person is given below:

- a) Full name of the nodal officer. _____
(First Name) (Middle Name) (Last Name)
- b) Email id of the nodal officer
c) Contact Number of the Nodal officer
d) True copy of authorization

It is requested that the Ministry may accept the nomination and the Nodal officer may be permitted to introduce further officials in respect of verification of charges in the MCA21 system.

Yours faithfully.

(Authorized Signatory)