

FREQUENTLY ASKED QUESTIONS

EFORM INC-35

1. Who all can apply for GSTIN through AGILE form?

Any user who intends to incorporate a company through SPICe+ eform having registered office address can now also apply for GSTIN through this e-form. The application (SPICe) for incorporation of a company shall be accompanied by a linked e-form AGILE to obtain GSTIN along with other applicable forms.

This process will be applicable only for Companies incorporated by MCA through SPICe+ application. Other categories of applicants, viz. Tax Deductor, Tax Collector, Casual Taxable person, ISD, SEZ Registration, ISD registration shall follow the existing process of registration through their respective Common Portal for registration.

2. Is it mandatory to file INC-35 at the time of submitting SPICe+ form?

Yes. The application (SPICe+) for incorporation of a company shall be accompanied by a linked e-form INC-35 (AGILE-PRO).

Though, it is optional to apply for GSTIN, applying for Establishment code as issued by EPFO, Employer Code as issued by ESIC, Profession Tax registration((in Maharashtra) and opening of bank account are mandatory at the time of incorporating company by filing of INC-35 form along with SPICe+ form.

3. My registered office of business is in State 'X' but I want to obtain GSTIN for State 'Y'. Which state should I select in AGILE-PRO form?

The registered office of the proposed company as provided in the SPICe+ shall be the principal place of business for GST application. Select the same state and district in AGILE-PRO form (INC-35) in which the registered office of proposed company exists i.e. enter the same state and district as entered in SPICe+ form.

4. Where can one find Ward/Circle/Sector No.?

Please refer your state website to know your Ward/Circle/Sector No..

5. Where can one find Center Jurisdiction?

Please refer to <https://www.aces.gov.in/STASE/ui/jsp/common/statelocation.do>

6. I want to/do not want to Opt for Composition. How do I make sure my choice is exercised?

There is a checkbox to declare whether you wish to opt for Composition or not. Please make the appropriate choice.

7. How many proposed Directors can I add in the AGILE-PRO form?

Details of proposed Directors to be entered in AGILE-PRO form would be based on the class, category or sub-category entered in SPICe+ eform. Number of Directors shall be 1 in case of OPC, 2 in case of private company, 3 in case of public limited company and 5 in case of Producer Company respectively.

Note: The details of such proposed Director entered in AGILE-PRO form should match the details as entered in the SPICe+ form for the same person.

8. Is it mandatory to provide HSN/Service Classification Codes?

Yes, you are required to provide HSN code for Goods or Service Classification Code for service.

9. Where can one find HSN Code for the supply of any of the products?

For HSN code: kindly refer to Central Board of Indirect Taxes website under GST Tab www.cbic.gov.in and choose appropriate HSN Code.

10. Where can one find SAC Code for the supply of any of the services?

For SAC code, kindly refer to Central Board of Indirect Taxes website under GST tab www.cbic.gov.in to choose the appropriate Service Classification Code.

11. Who shall sign the AGILE-PRO form?

Director. The director who has signed the SPICe+ eform should sign the AGILE-PRO form. Both SPICe+ form and AGILE-PRO form shall be signed by the same director.

12. I do not have registered office of company at the time of submitting SPICe+ and other linked forms. Can I apply for GSTIN?

The registered office of the business entity provided in the SPICe+ will be the principal place of business for GST. GSTIN can be applied only if Address for correspondence is same as address of registered office of the company entered in SPICe+ form.

13. I have submitted my AGILE-PRO form along with SPICe+ form successfully. When will I receive GSTIN?

Once the company is incorporated at MCA portal and COI and PAN has been successfully generated, required information will be forwarded to GSTN for processing of form. Once the data is successfully validated by GSTN, TRN and ARN would be generated and displayed on MCA Portal. In case of approval / Rejection, GSTN will send GSTIN / Rejected status on mobile number and email of Authorised Signatory.

14. I have received TRN but received the email for validation errors. Where do I need to resubmit the corrected form?

In case of validation errors, GSTN will intimate the user to correct and resubmit the form. For this, you are requested to login through TRN at GST portal – www.gst.gov.in and submit the correct form.

15. When my TRN gets expired. What is the consequence?

TRN expires 15 days after it is generated. You need to submit a fresh application for registration of GST at GST portal.

16. Is there any fee to be paid while applying GSTIN/EPFO/ESIC/Professional tax/opening bank account?

No.

17. What is the maximum upload size of AGILE-PRO form?

6MB.

18. Who all can apply for EPFO service through AGILE-PRO form?

Any user who intends to incorporate company through SPICe+ eform can now also apply for Establishment code issued by Employees Provident Fund Organisation through this eform. User is required to file eform SPICe+ along with eform SPICe+ MOA (INC-33) and eForm SPICe+ AOA (INC-34) and AGILE-PRO form to obtain Establishment code.

This process will be applicable only for Companies incorporated by MCA through SPICe+ application. Factories intending to obtain Establishment code as issued by EPFO shall follow the existing process of registration through their respective Common Portal for registration.

19. Which all services can be applied through AGILE-PRO form?

User can apply for GSTIN / Establishment code issued by EPFO/ Employer Code as issued by ESIC or all the services through AGILE-PRO form.

20. I have submitted my AGILE-PRO form along with SPICe+ form successfully. When will I receive Establishment Code?

Once the company is incorporated at MCA portal and COI and PAN has been successfully generated, required information will be forwarded to EPFO for processing of form. Once the data is successfully validated by EPFO, Establishment Code would be generated and displayed on MCA Portal.

21. From where can one find the prescribed format of 'Specimen signature'?

Please download the format of 'Specimen signature' from below mentioned link:

http://www.mca.gov.in/Ministry/pdf/specimensignature_07042019.pdf

22. Who all can apply for ESIC service through AGILE-PRO form?

Any user who intends to incorporate company through SPICe+ eform shall apply for Employer Code as issued by Employees State Insurance Corporation through this eform. User is required to file eform SPICe+ along with eform SPICe+ MOA (INC-33) and eForm SPICe+ AOA (INC-34) and AGILE-PRO form to obtain Employer code. This process will be applicable only for Companies incorporated by MCA through SPICe+ application. Factories intending to obtain Employer code as issued by ESIC shall follow the existing process of registration through their respective Common Portal for registration.

23. I have submitted my AGILE-PRO form along with SPICe+ form successfully. When will I receive Employer Code?

Once the company is incorporated at MCA portal and COI and PAN has been successfully generated, required information will be forwarded to ESIC for processing of form. Once the data is successfully validated by ESIC, Employer Code would be generated and displayed on MCA Portal.

24. From where can one find the guidelines for registration under ESI Act.1948?

Please download the guidelines for registration under ESI Act.1948 from below mentioned link:

http://www.mca.gov.in/Ministry/pdf/GuidelinesRegistrationESI_14042019.pdf

25. Is Opening of Bank Account mandatory for all companies?

Yes. All new companies incorporated through SPICe+ (w.e.f 23rd February 2020) would also be mandatorily required to apply for opening the company's Bank account through the AGILE-PRO linked web form.

26. How many Banks have been integrated through AGILE-PRO?

Presently Punjab National Bank and ICICI Bank have been integrated with AGILE-PRO for opening a Bank account. Gradually many Public and Private Sectors Banks would also be integrated with AGILE-PRO. Suitable updates in this regard would be published on the MCA portal and FAQs.

27. I have submitted my AGILE-PRO form along with SPICe+ form successfully. When will I receive bank account number?

Once the company is incorporated at MCA portal and COI and PAN has been successfully generated, required information will be forwarded to respective bank for processing of form. Once the data is successfully validated by bank, account number would be generated and communicated by the respective bank to newly incorporated company's/Authorized signatory's email id.

28. Is Professional tax registration mandatory for all companies?



No. Professional tax registration is mandatory only for new companies incorporated in the State of Maharashtra.

Source: www.mca.gov.in

In case you need further assistance please feel free to contact us!!

We will be more than happy to work with you :-)



Thanks & Regards,

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