WIN LEGAL ADVISORS

Company Incorporation Checklist

A step-by-step scope document for incorporating a Private Limited, LLP, OPC, or Section 8 entity in India.

Before you start — documents required

- PAN and Aadhaar of every director and subscriber
- Passport-size photograph of each director
- Address proof (bank statement / utility bill, < 2 months old)
- Registered office proof — rental agreement + latest utility bill + NOC from owner
- Email ID and mobile number linked to Aadhaar (for DSC and OTP verification)
- For foreign directors: notarised and apostilled passport & address proof

Structuring decisions to lock down first

- Entity type: Pvt Ltd / LLP / OPC / Section 8
- Authorised and paid-up capital
- Number of directors and shareholders
- Founder equity split and vesting schedule
- ESOP pool size (typical range 8–15%)
- Main object clause aligned to actual business

Filing workflow

- Step 1 — Obtain DSC for all directors and subscribers
- Step 2 — Reserve name via SPICe+ Part A (up to two names)
- Step 3 — File SPICe+ Part B with linked forms: AGILE-PRO, INC-9, MoA, AoA
- Step 4 — Receive Certificate of Incorporation (COI) with CIN, PAN, TAN
- Step 5 — Apply for GST, Professional Tax, EPFO, ESIC as applicable
- Step 6 — Open current bank account and file INC-20A (commencement of business) within 180 days

Post-incorporation compliance (first 90 days)

- Appoint first statutory auditor within 30 days
- Issue share certificates and pay stamp duty
- Maintain statutory registers (members, directors, charges)
- Hold first board meeting within 30 days of incorporation
- Draft and execute Founders' Agreement / Shareholders' Agreement
- Set up accounting, TDS, and GST filing cadence