**Declaration**

**[Pursuant to section 164 (1) & (2)]**

To,

The Board of Directors

**(Name of the Company)**

(Reg. address of the company)

Dear Sir/Madam.

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Director’s name), (DIN :\_\_\_\_\_\_\_\_\_\_\_\_\_\_), son of/ daughter of/ wife of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (name of father/ husband), resident of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (residential address) hereby declare the following pursuant to section 164 (1) & (2) of the Companies Act, 2013:-

1. I am not of unsound mind or stands so declared by a competent court;
2. I am not an undischarged insolvent;
3. I have not applied to be adjudicated as an insolvent nor my application is pending;
4. I have not been convicted by a court of any offence, whether involving moral turpitude or otherwise, and sentenced in respect thereof to imprisonment;
5. No order disqualifying me to be appointed as a director has been passed by a court or Tribunal or no such order is in force;
6. I have paid all the calls in respect of any shares of the company held by me, whether alone or jointly with others.
7. I have not been convicted of the offence dealing with related party transactions under [section 188](http://ebook.mca.gov.in/Actpagedisplay.aspx?PAGENAME=17582) at any time during the last preceding five years;
8. I have complied with sub-section (3) of section 152, having Director Identification Number \_\_\_\_\_\_\_\_\_\_\_
9. I have complied with the provisions of sub-section (1) of section 165 i.e:-

I do not hold office as a director, including any alternate directorship, in more than twenty companies at the same time. Out of which, the number of public companies in which I have been appointed as a director have not exceeded ten.

1. I am not a director of a company which—
2. has not filed financial statements or annual returns for any continuous period of three financial years;

**OR**

1. has failed to repay the deposits accepted by it or pay interest thereon or to redeem any debentures on the due date or pay interest due thereon or pay any dividend declared and such failure to pay or redeem continues for one year or more.

**Date: [[1]](#footnote-1)31st March 20 …. Signature:**

**Place: Name:**

 **Designation:**

 **DIN:**

1. The declaration is issued as the Statutory Auditors are required to ascertain that the Directors of the company are not disqualified as at 31st March of the particular financial year. Accordingly, the date of the declaration needs to be 31st March. [↑](#footnote-ref-1)