

Form No. INC-33



Form language

☒ English

☐ Hindi

e-MOA (e-Memorandum of Association)

[Pursuant to Schedule I (see Sections 4 and 5) to the Companies Act, 2013)]

Refer instruction kit for filing the form

All fields marked in * are mandatory

* Table applicable to company as notified under schedule I of the Companies Act, 2013

(A - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY SHARES

B - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE AND NOT HAVING A SHARE CAPITAL

C - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE AND HAVING A SHARE CAPITAL

D - MEMORANDUM OF ASSOCIATION OF AN UNLIMITED COMPANY AND NOT HAVING SHARE CAPITAL

E - MEMORANDUM OF ASSOCIATION OF AN UNLIMITED COMPANY AND HAVING SHARE CAPITAL)

A - MEMORANDUM OF
ASSOCIATION OF A COMPANY
LIMITED BY SHARES

Table A/B/C/D/E

1 The name of the company is

DIAMOND FUTURE LAYER
PRIVATE LIMITED

2 The registered office of the company will be situated in the State of

Uttar Pradesh

3 (a) The objects to be pursued by the company on its incorporation are:

1. To carry on the business of
treatment of material include
treatment of bio and non bio
waste.

(b) *Matters which are necessary for furtherance of the objects specified
in clause 3(a) are

1. To acquire by purchase,
exchange or otherwise any
movable or immovable property
and any rights or privileges
which the company may deem
necessary convenient for the
main business of the Company.

2. To enter into partnership or
any arrangement for sharing
profits, union of interest joint
venture, reciprocal concession or
cooperation with persons or
companies carrying on or
engaged in the main business of
the Company.

3. To import, buy, exchange,
alter, improve, manipulate in all
kinds of plant machinery,
apparatus, tools and things,
necessary for carrying on the
main business of the Company.

4. To vest any movable or
immovable property, rights or

interests acquired by or received for belonging to the Company, in any person or persons or company on behalf of or for the benefit of the Company and with or without any declared trust in favor of the Company.

5. To do all or any of the acts or things as mentioned in the main objects either as principals, contractors or otherwise and either alone or in conjunction with others.

6. To acquire and takeover the whole or any part of the business, goodwill, trademarks, properties and liabilities of any person or persons, firms, companies or undertake other existing or new, engaged in or carrying on or proposing to carry on the main business which the Company is authorized to carry on and possessed of any property or rights suitable for the main business of the Company and to pay for the same either in cash or in shares or partly in cash and partly in shares.

7. To undertake or promote scientific research relating to any business or class of business in which the Company is engaged in.

8. To negotiate and enter into agreements and contracts with Indian and foreign individuals, companies, corporation and such other organizations for technical, financial or any other assistance for carrying on all or any of the main objects of the Company or for the purpose of activating research and development of manufacturing projects on the basis of know-how, financial participation or technical collaboration and acquire necessary formulae and patent rights for furthering the main objects of the Company.

9. Subject to Section 230 to 240 of the Companies Act, 2013 to amalgamate with any other such company or companies having

all or any objects similar to the objects of this company in any manner whether with or without process of liquidation of that company.

10. Subject to the companies Act, for the time being in force, to undertake or take part in the formation, supervision or control of the main business or operations of any person firm, body corporate, association, undertake carrying on the main business of the Company.

11. To apply for, obtain, purchase or otherwise acquire prolong and renew any patents, patent-rights, brevets de-invention, processes, scientific technical or such other assistance of all types, manufacturing, process know-how and such other, information, patterns, copyrights, trademarks, licenses, concessions and rights or use thereof, which may seem capable if being uses for or in connection with the main objects of the company or the acquisition of which may seem directly for indirectly to benefit the Company on payment of any fee, royalty or such other consideration of all type and to use, exercise or develop the same or grant licenses in respect thereof and to spend money in experimenting upon, testing or improving any such patents, inventions, rights or concessions

12. To apply for and obtain any orders, charter, privilege concession, license or authorization or any Government, State or such other Authority for enabling the company to carry on its main objects into effect or for extending any of the powers, of the company or for effecting any modification of the constitution of the Company or for any other such purpose which may seem expedient and to oppose any proceedings or applications which may seem directly or indirectly to prejudice the interest of the company.

13. To enter into any arrangements with any Government or Authorities or any persons or companies that may seem conduce to the main objects of the company or any of them and to obtain from any such Government, Authority, persons or any company rights, charters, contracts, licenses and concessions which the company may obtain and to carry out, exercise and comply therewith.

14. To procure the company to be registered or recognized in or under the laws of any place outside India and to do all acts necessary for carrying on in any foreign country the main business of the company.

15. To draw, make, accept, discount, execute, and issue bills of exchange, promissory notes, bills of lading, warrants, debentures and such other negotiable or transferable instruments or securities of all types and to open Bank Accounts and to operate the same in the ordinary course of business

16. Subject to the provisions of the companies Act, 2013 and the Regulations made there under and the directions issued by Reserve Bank of India to receive money on loans and to borrow or raise money in such manner and at such time or times the company may determine and in particulars by the issue of debentures, debentures-stock, perpetual or otherwise and to secure the repayment of any money borrowed, raised or owing by mortgage, charge or lien upon all or any of the properties or assets of revenues and profits of the company, both present and future, including its uncalled capital and also by a similar mortgage, charge or lien upon to secure and guarantee the performance by the company or any other such person or company of any obligation under taken by the

company of such other person or company and to give the lenders the power to sell and such other powers as may seem expedient and to purchase redeem or pay off any such securities.

17. To undertake and execute any trusts, the undertaking of which may seem to the company beneficial either gratuitously or otherwise in connection with the main business of the company.

18. To establish or promote or concur in establishing or promoting any company for the purpose of acquiring all or any of the properties, rights and liabilities of the company,

19. To mortgage, exchange, grant license and other rights, improve, manage, develop or dispose of undertaking, assets and effects of the company or any part thereof for such consideration as may be conducive to the main business of the company and in particular for any shares, stocks, debentures or such other securities of any other company having main objects all together or in part similar to those of the company.

20. To distribute as bonus shares among the members or to place to reserve or otherwise to apply, as the company may, from time to time, deem fit, in any monies received by way or premium on debentures, issued at premium by the company and any money received in respect of forfeited shares, and monies arising from the sale by the company of forfeited shares subject to the provisions of section 52 of the Companies Act, 2013.

21. To employ agents or experts to investigate and examine into the conditions prospects, value, character and circumstances of main business concerns and undertakings and generally of any assets, properties or right

which the company proposes to acquire.

22. To create any reserve fund, sinking fund or any others which special funds whether for depreciation, repairing, improving, research extending or maintaining any of the properties of the company or for any other such purpose conducive to the main objects of the company.

23. Subject to the provisions of the companies Act, 2013 to subscribe, contribute, gift any monies, rights or assets for any national, educational, religious, charitable, scientific, public general or useful objects or to make gifts of monies or such other assets to any institutional, clubs, societies, associations, trusts, scientific research associations, funds, universities, colleges or any individual, body of individuals, or bodies corporate.

24. To establish and maintain or procure for the establishment and maintenance of any contributory or non-contributory pension or superannuating, provident or gratuities funds for the benefit or and give or procure the giving of the gratuities, pensions, allowances, bonus or emoluments to any persons who are or were at any time in the employment or service of the company, or any company which is a subsidiary of the company is allied of associates with the company or with any such subsidiary company who are or were at any time Directors or officers of the company or any other such company and wives, widows, families and dependants of any such persons and also to establish and subsidies and subscribe to any institutions, associations clubs or funds of or in advance the interests and well being of the Company or any such other company or persons as aforesaid and to do any other

matters either alone or in conjunction with any other company.

25. To establish for any of the objects of the company branches or to establish any firm or firms at places in or outside India as the company may determine.

26. To pay for any property rights acquired by or for any services rendered to the company and in particular to remunerate any person, firm or company introducing business to the company either in cash or fully or partly-paid up shares with or without preferred or deferred rights in respect of dividend or repayment of capital or otherwise or by any securities which the company has power to issue or by the grant of any rights or options or partly in one mode or and partly in another and on such terms as the company may determine. Subject to the provisions of Section 188 of the Companies Act, 2013.

27. To pay out of the funds of the company and any where in India its directors, employees or any other such persons or persons for investigating possibilities of any business or trade for procuring and buying any machinery or establishing trade connections for promoting the main business of the company and to pay all expenses of and incidental to the acquisition by the company of the property or assets.

28. To send out to foreign countries and any where in India its directors, employees of any other such person or persons for investigating possibilities or any business or trade for procuring and buying any machinery or establishing trade connections or for promoting the main business of the company and to pay all expenses incurred in connections therewith.

29. To compensate for loss of office of any Managing Director

or Directors or such other officers of the company within the limitations prescribed under the Companies Act, 2013 or such other statutes or rules having the force of law and to make payments to any persons whose office of employments or duties may be determine by virtue of any transaction in which the company is engaged in.

30. To agree to refer to arbitration any disputes present or future between the company and any such other company, firm, individuals or any other such body and to submit the same to arbitration in India or abroad either in accordance with Indian or any foreign system of law.

31. To appoint agents, sub-agents, dealers, managers, canvassers, sale representatives or salesmen for transacting the main business of this company and to constitute, agencies of the company in India or in any other country and to establish units and agencies in different parts of the world.

32. To sub-let all or any contracts from time to time and upon such terms and conditions as may be thought expedient.

33. To use, exercise, develop, sell, assign, grant licenses or otherwise turn to account the property, rights and information so acquired.

4 The liability of the member(s) is limited, and this liability is limited to the amount unpaid if any, on the shares held by them.

The liability of the member(s) is limited

The liability of the member(s) is Unlimited

5 Every member of the company undertakes to contribute:

(i) to the assets of the company in the event of its being wound up while he is a member, or within one year after he ceases to be a member, for payment of the debts and liabilities of the company or of such debts and liabilities as may have been contracted before he ceases to be a member; and

(ii) to the costs, charges and expenses of winding up (and for the adjustment of the rights of the contributories among

themselves), such amount as may be required, not exceeding * rupees.

(iii) The share capital of the company is rupees, divided into

Equity Share	Shares of	100	Rupees each		10000
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- ☐ We, the several persons, whose names and address are subscribed, are desirous of being formed into a company in pursuance of this memorandum of association, and we respectively agree to take the number of shares in the capital of the company set against our respective names:
- ☐ I, whose name and address is given below, am desirous of forming a company in pursuance of this memorandum of association and agree to take all the shares in the capital of the company:
- ☐ We, the several persons, whose names and addresses are subscribed, are desirous of being formed into a company in pursuance of this memorandum of association:

Subscriber Details					
S. No.	*Name, Address, Description and Occupation	DIN / PAN / Passport number	No. of shares taken	DSC	Dated
1	ASHUTOSH GUPTA GRAM BANGARA Naugarh Uttar Pradesh 272208 Siddharthnagar India Business	10179705	500 Equity,0 Preference	 Digitally signed by ASHUTOSH GUPTA H GUPTA Date: 2023.08.30 15:44:23 +05'30'	30/08/2023
2	SANJAY KUMAR 78, PALTA DEVI TOLA JAGDISHPUR Naugarh Uttar Pradesh 272204 Siddharthnagar India Business	10179706	500 Equity,0 Preference	 Digitally signed by Sanjay Kumar Date: 2023.08.30 15:44:07 +05'30'	30/08/2023
Total shares taken			1000 Equity,0 Preference		

Signed before me

Membership type of the witness (ACA/FCA/ACS/FCS/ ACMA/FCMA)	*Name of the witness	*Address, Description and Occupation	DIN / PAN / Passport number / Membership number	DSC	Dated
FCS	Ashish Gupta	AGS & Associates, Company Secretaries in Practice, A-137, Shastri Nagar, Delhi - 110052	11319	ASHISH GUPTA Digitally signed by ASHISH GUPTA; Date: 2023.08.30 19:49:49 +05'30'	30/08/2023

7 Shri / Smt Of resident of
 aged years shall be the nominee in the event of death of the sole member.