

Form No. INC-13



Form language

☒ English

☐ Hindi

e-MOA (e-Memorandum of Association)

[Pursuant to sections 4 and 8 of the Companies Act, 2013 and rules made thereunder read with Schedule I]

Refer instruction kit for filing the form

*All fields marked in * are mandatory*

1 The name of the company is

AADHYA CARE FOUNDATION

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

Madhya Pradesh

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

1. To setup, establish, maintain and operate welfare centers, programs, social projects in order to support needy children and women, to provide social welfare, health assistance and guidance in remote rural areas to uplift the educational and economic standards of the deprived and weaker sections of the society for the upliftment and welfare of masses, to work towards elimination of practice of child labour, anti-social elements, prevailing bad social customs, illiteracy, dowry system, child marriage, fanaticism.
2. To develop, Establish, promote, facilitate, promotion, improvement of educational, social, cultural, economical and medical relief to the poor and downtrodden and advancement of any other charitable and developmental objects of general public utility and community welfare.
3. promote commerce, art, science, sports, education, research, social welfare, religion, charity, protection of environment or any such other object;

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

1. Advancement and promotion of education,

learning and skills development amongst individuals and businesses, the provision of information, advice and guidance, including guidance for career choices, to people of all ages,

2. To run, manage, promote and participate in all types of government and non-government programs for development of society

3. To employ any person, firm or company for the purpose of carrying out all or any of the contracts from time to time entered by the Company upon such terms and conditions as may be thought expedient

4. To enter in to collaboration with any foreign firms for the purpose of carrying on any business which this company is authorised to carry on.

5. To purchase or otherwise acquire and undertake all or any part of the business, property and transactions and liabilities of any person, firm or corporation carrying on any business which this Company is authorised to carry on or possessed of property suitable for the purpose of this Company.

6. To pay all or any costs, charges and expenses preliminary and incidental to the promotion, formation, establishment and registration of the Company and the issue of its capital and any modification of its

Memorandum or Articles of Association and of all applications to courts on behalf of the Company and all legal charges incurred or to be incurred by the Company.

7. To adopt such means of making known the business of the Company as may seem expedient, and in particular by purchase and exhibition of works of art or interest, by publication of books and periodical, and by granting prizes, rewards and donation subject to companies Act 2013

8. .To sell, exchange,

mortgage, let on lease, royalty or tribute, grant licences, easements, options and other rights over and in any other manner deal with or dispose off the undertaking, property, assets, rights and effects of the Company or any part thereof on such consideration as may be thought fit and in particular for stocks, shares, whether fully or partly paid up or securities of any other Company, having objects similar to those of the Company

9. To purchase, take on lease or in exchange or on hire or otherwise acquire any moveable or immovable property and any rights or privileges which the Company may think necessary or expedient for the purpose of its business, and in particular any lands, buildings, works, plants, machineries, stock in trade, and/or easements on such terms as may be deemed proper and to sell, improve, develop, let out, exchange, lease out, mortgage, dispose off, turn to account or otherwise deal with all or any part of the property and rights of the Company for such considerations as may be thought fit.

10. To insure the whole or any part of the property of the Company or any goods, commodities, articles, products, property and assets for the time being in possession or in charge of the Company for which the Company may be liable, whether wholly or in part, and to protect and indemnify the Company from liability or loss in respect thereof, either fully or partly.

11. To invest and deal with the moneys of the Company not immediately required upon such securities and in such manner as may From time to time be determined, Subject to Companies Act 2013.

12. To create and issue any shares, debentures and stocks of the Company at part, at a

premium or at a discount and to redeem, cancel or accept surrender of the same, Subject to Companies Act 2013

13. To lend and advance money or to give credit to such persons or companies and on such terms as may seem expedient and in particular to customers and others having dealings with the Company and to guarantee the performance of any contract or obligation and the payment of money of or by any such persons or companies.

14. To receive monies or deposits, borrow or raise or provide for or secure to the repayment of borrowing by or borrowings guaranteed by the Company in such manner as the Company shall think fit and in a particular by the issue of debenture, bonds or securities, secured or unsecured, with floating or fixed charges, perpetual or otherwise, charged upon all or any of the Company's property, effect and stock-in-trade (both present and future) including the uncalled capital and the rights of the Company and upon such terms as to priority or otherwise as the Company shall think fit and to purchase, redeem and pay off any such securities, subject to Companies Act 2013 , but the Company shall not carry on the banking business.

15. To appoint trustee (whether a person, firm or a Company) to hold securities on behalf of and to protect the interests of the Company, its members, debenture-holders and creditors, subject to companies act 2013 and rules thereunder.

16. To carry on any business or branch of a business which this Company is authorised to carry on by means, or through the agency of, any subsidiary company or companies, and to enter into any arrangement with such subsidiary company for taking the profits and bearing the losses of any

business or branch so carried on, or for financing any such subsidiary company or guaranteeing its liabilities, or to make any other arrangement which may seem desirable with reference to any business or branch so carried on including power at any time and either temporarily or permanently to close any such branch or business.

17. To appoint Directors or manager of any subsidiary Company or of any other company in which this company is or may be interested, subject to companies act 2013

18. To acquire the business similar to those of this Company of any person, firm, individual, Hindu Undivided Family, Company, Society, Corporation or association of persons by taking over all or any assets or liabilities and to pay consideration thereof wholly or partly in the shape of cash, debentures, shares, bonds, transfer or exchange of property, both present or future, personal or real, reversions, right or in any other shap.

19. To promote any Company or companies to carry out any function or business or affairs of this Company or to carry out any of the objects of this company

20. To enter into any arrangement with any Government or authority, Indian or Foreign, municipal, local body or other public or quasipublic or any body corporate that may seem conducive to the Company?s objects or any of them, and to obtain from any such Government, authority, company or corporation all rights, concessions and privileges which the Company may think desirable to obtain and to carry out, exercise and comply with any such arrangements, rights, privileges and concessions.

21. To appoint agents, sub-agents, depot-holders, factors, representatives, distributors, attorneys and correspondent for the business or purpose of the Company or to carry out any of its objects.

22. To enter in to partnership or any agreement for sharing, union of interest, joint-ventures, reciprocal concession or otherwise with any person, company or firm (Indian or Foreign) carrying on or engaged in or about to carry on or engage in any business or transaction which this company is authorised to carry on, or engage in any business or transaction capable of being conducted so as directly or indirectly to benefit the Company, and to take or otherwise acquire and hold shares or debentures or subscribe to the capital in that company, firm or association.

23. To compensate for loss of office of Managing Director or Directors or other officers of the Company within the limitation prescribed under the Companies Act or other statute or rule having the force of law and to make payments to any person whose office employment or duties may be determined by virtue of any transaction in which the Company is engaged.

24. To draw, make, endorse, accept, discount execute, transfer, purchase and issue bill of exchange, promissory notes, bills of lading, cheques, railway receipts, government securities, deeds and documents of title, warrants, bonds, debentures and other negotiable or transferable instruments or securities.

25. To institute, conduct, defend, compound or abandon any legal proceeding, by or against the Company or its officers or otherwise concerning the affairs of the Company and also to compound and allow time for payment or satisfaction of any

debts due and of any claims or demands by or against the Company.

26. To exercise all or any of its corporate powers, rights and privileges and to conduct its business in all or any of its branches in the Union of India and in any or all states, territories, possessions, colonies and dependencies thereof and in any for all foreign countries and for this purpose to have and maintain and to discontinue such number of offices and agencies therein as may be convenient.

27. To procure the Company to be registered or recognised in any part of the world.

28. To facilitate and encourage the creation, issue or conversion of debentures, stocks, bonds, obligations, shares, stocks and securities and to act as trustee in connection with any such securities.

29. Do all other thing which is required to carry on business which company authorise to do.

30. Act as a Consultant, Counselor, Facilitator and/or Provider of information, in respect of any institution or organisation or individual on Food and Livelihood security, local self governance, strategic communication including cultural media and issues related to an alternative development paradigm or those concerned with the objectives of the Company

31. Provide vocational / educational guidance and counseling and/or establishing, supporting, conducting, vocational guidance bureau either virtual or real.

32. Make donations, grant endowments and/or otherwise assist in any form whatsoever to any person(s), organisations, public charitable institutions, companies, societies, trusts, foundations, academic and/or cultural institutions who have object(s) similar to any one or

more of the objects of the Company for the purpose of promoting, assisting and / or encouraging the carrying and / or achievement of such objects or object for the benefit of the people in general.

33. Accept donations, assistance and/or funds on behalf of the Implementing Agencies from the Government, foreign donors, and/or any other donor agency subject to such laws as may be applicable in the manner stated above and to obtain necessary accounts and information regarding the physical and financial progress from the Implementing Agency / Agencies.

34. Open and operate a banking account or banking accounts and to draw, make, accept, endorse, discount, execute and issue promissory notes, bills of exchange, bills of lading, warrants, drafts, cheques, bonds, debentures and other negotiable or transferable instruments.

the doing of all such other lawful things as considered necessary for the furtherance of the above objects:

Provided that the company shall not support with its funds, or endeavor to impose on, or procure to be observed by its members or others, any regulation or restriction which, as an object of the company, would make it a trade union.

4 *The objects of the company extend to the

territories comprised in the Union of India and all other countries of the world.

5 (i) The profits, if any, or other income and property of the company, when-so-ever derived, shall be applied, solely for the promotion of its objects as set forth in this memorandum.

(ii) No portion of the profits, other income or property aforesaid shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise by way of profit, to persons who, at any time are, or have been, members of the company or to any one or more of them or to any persons claiming through any one or more of them.

(iii) No remuneration or other benefit in money or money's worth shall be given by the company to any of its members, whether officers or members of the company or not, except payment of out-of-pocket expenses, reasonable and proper interest on money lent, or reasonable and proper rent on premises let to the company.

(iv) Nothing in this clause shall prevent the payment by the company in good faith of prudent remuneration to any of its officers or servants (not being members) or to any other person (not being member), in return for any services actually rendered to the company.

(v) Nothing in these clauses (iii) and (iv) shall prevent the payment by the company in good faith of prudence remuneration to any of its members in return for any services (not being services of a kind which are required to be rendered by a member), actually rendered to the company

6 No alteration shall be made to this memorandum of association or to the articles of association of the company which are for the time being in force, unless the alteration has been previously submitted to and approved by the Registrar.

7 The liability of the members is limited.

8. **Table applicable to Section 8/ Part I Section 8 company**

A - MEMORANDUM OF ASSOCIATION OF
A COMPANY LIMITED BY SHARES

Table A / B / C

(A - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY SHARES/ B - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE AND NOT HAVING SHARE CAPITAL/ C - MEMORANDUM OF ASSOCIATION OF A COMPANY LIMITED BY GUARANTEE AND HAVING SHARE CAPITAL)

Each member, undertakes to contribute to the assets of the company in the event of its being wound up while he is a member or within one year afterwards, for the payment of the debts or liabilities of the company contracted before he ceases to be a member and of the costs, charges and expenses of winding up, and for adjustment of the rights of the contributories among themselves such amount as may be required not exceeding a sum of Rs *

The share capital of the company is 1000000 rupees, divided into

100000	Equity Share	Shares of	10	Rupees each	
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9 True accounts shall be kept of all sums of money received and expended by the company and the matters in respect of which such receipts and expenditure take place, and of the property, credits and liabilities of the company; and, subject to any reasonable restrictions as to the time and manner of inspecting the same that may be imposed in accordance with the regulations of the company for the time being in force, the accounts shall be open to the inspection of the members. Once at least in every year, the accounts of the company shall be examined, and the correctness of the balance-sheet and the income and expenditure account ascertained by one or more properly qualified auditor or auditors

10 If upon a winding up or dissolution of the company, there remains, after the satisfaction of all the debts and liabilities, any property whatsoever, the same shall not be distributed amongst the members of the company but shall be given or transferred to such other company having objects similar to the objects of this company, subject to such conditions as the Tribunal may impose, or may be sold and proceeds thereof credited to the Rehabilitation and Insolvency Fund formed under Section 269 of the Act.

11 The Company can be amalgamated only with another company registered under section 8 of the Act and having similar objects.

☒ 12 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 equity shares taken	DSC	Dated
1	PURNIMA SINGH BAIS GRAM RAMPURWA POST BUDWA TEHSIL Beohari Madhya Pradesh 484776 Budwa Shahdol India	09530340	500 Equity,0 Preference		30/04/2024
2	AWADH BIHARI BAIS 11, RAMPURWA BEOHARI, SAMAN BUDWA, SHAHDOL, Beohari Madhya Pradesh 484776 Saman Shahdol India	09530339	500 Equity,0 Preference		30/04/2024
Total shares taken			1000 Equity,0 Preference		

Signed before me

Membership type of the witness	*Name of the witness	*Address, Description and Occupation	DIN / PAN / Passport number / Membership number	*DSC	Dated
FCA	Akhilesh Tiwari	Plot No 18, M-1, Liberty Chamber, Zone-1, MP Nagar, Bhopal Occ.: Practising Chartered Accountant	407524	DIN3###	30/04/2024