<h1 style="text-align:center">BEAWARE OF HAVING ADDITIONAL DIN</h1>

INTRODUCTION:

A Director Identification Number (DIN) is a unique 8-digit number issued by the Ministry of Corporate Affairs (MCA) in India to individuals who wish to become directors of companies. It is a mandatory requirement for any person who wants to hold the position of a director in an Indian company.

As per Section 153 of Companies Act, 2013 Every individual intending to be appointed as director of a company shall make an application for allotment of Director Identification Number to the Central Government in such form and manner and along with such fees as may be prescribed.

Every applicant, who intends to be appointed as director of an existing company shall make an application electronically in Form DIR-3, to the Central Government for allotment of Director Identification Number (DIN) along with such fees as provided under the Companies (Registration offices and Fees) Rules, 2014.

Section 154 of the Companies Act, 2013 states that, The Central Government shall, within one month from the receipt of the application under section 153, allot a Director Identification Number to an applicant in such manner as may be prescribed.

Further Section 155 of the Companies Act, 2013 states that No individual, who has already been allotted a Director Identification Number under section 154, shall apply for, obtain or possess another Director Identification Number.

MEANING OF ADDITIONAL DIN:

An "Additional DIN" would typically refer to a situation where an individual holds more than one DIN. If a person has more than one DIN, then such person should immediately apply for the surrender of one DIN with the Regional Director (Northern Region), Noida or any officer authorised by the Regional Director.

As per the provisions of Rule 11 of the Companies (Appointment and Qualification of Directors) Rules, 2014, a person can surrender his or her DIN if the DIN is found to be duplicated in respect of the same person, provided the data related to both DINs is merged with the validly retained number.

The Central Government or Regional Director (Northern Region), Noida or any officer authorised by the Regional Director may, upon being satisfied on verification of particulars or documentary proof attached with the application received along with fee as specified in Companies (Registration Offices and Fees) Rules, 2014] from any person, cancel or deactivate the DIN in case:

a) the DIN is found to be duplicated in respect of the same person provided the data related to both the DIN shall be merged with the validly retained number;

b) the DIN was obtained in a wrongful manner or by fraudulent means;

c) of the death of the concerned individual;

d) the concerned individual has been declared as a person of unsound mind by a competent Court;

e) if the concerned individual has been adjudicated an insolvent:

f) on an application made in Form DIR-5 by the DIN holder to surrender his or her DIN along with declaration that he has never been appointed as director in any company and the said DIN has never been used for filing of any document with any authority, the Central Government may deactivate such DIN.

CONSEQUENCES OF HAVING ADDITIONAL DIN :

If a person applies for more than one DIN, it will be treated as non-compliance under Section 155 of the Companies Act, 2013. The penalty for Section 155 is mentioned in Section 159.

As per Section 159, If any individual or director of a company makes any default in complying with any of the provisions of section 152, section 155 and section 156, such individual or director of the company shall be liable to a **penalty which may extend to fifty thousand rupees and where the default is a continuing one, with a further penalty which may extend to five hundred rupees for each day during which such default continues.**

PRECAUTIONS TO ENSURE FOR NOT HOLDING ADDITIONAL DIN:

To ensure that one Director do not hold multiple Director Identification Numbers (DINs) under the Companies Act, it's important to follow several precautions:

1. **Verify Existing DINs**: Before applying for a new DIN, check if you already have one. You can verify your DIN status through the official company registration portal or with the relevant regulatory authority.
2. **Maintain Accurate Records**: Keep your personal details and directorial records up-to-date with the relevant authorities. Ensure that any changes to your name, address, or other personal information are promptly updated in the official records.
3. **Avoid Duplicate Applications**: When applying for a DIN, ensure that you do not submit multiple applications, as this can result in multiple DINs being issued. Always use the correct application form and follow the guidelines provided by the regulatory body.
4. **Follow the Regulatory Process**: Adhere strictly to the regulatory process for DIN application and management. This includes proper documentation and accurate information submission. Ensure that all requirements are met to avoid any unnecessary issuance of additional DINs.
5. **Regularly Monitor Your DIN Status**: Periodically check your DIN status and directorial records to ensure there are no discrepancies or duplicate entries. This can help catch any issues early and address them promptly

ADJUDICATION ORDER:

There is an order passed by ROC Chennai in case of Shri Thiyagarajan Parthasarathy u/s 454 for non-compliance of Section 155 and wherein the imposed penalty was as follows: Company / Officers to whom penalty imposed.

SR. NO.	Name of the defaulting Director	Amount of Penalty for the first default (Rs.)	Additional penalty for continuing offences (Rs.)	Total Penalty imposed (Rs.)
1.	DIRECTOR	50,000	907 days* 500= 4,53,500	5,03,500

The case of Shri Thiyagarajan Parthasarathy highlights the serious consequences of not adhering to these regulations, as he faced a substantial penalty for non-compliance with Section 155. To avoid such repercussions, individuals must promptly surrender duplicate DINs to the Regional Director. Overall, maintaining the integrity of the DIN system is vital for ensuring the credibility and accountability of directors in Indian companies.

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