



National Company Law Tribunal
File 25/02/2023-NCLT

22.12.2023

Order

Sub: Mandatory Pre-Requisite For Efiling Matters In NCLT

This Order is in continuation of earlier Orders made on the above subject on 29.08.2023 and 01.09.2023.

This is to inform all Litigants/Advocates/Parties to follow the pre-requisite outline on formatting, proper book marking of Petition/Applications/Pleadings/Documents, electronic signature using e-Sign, retention of originals etc. at time of e-filing in NCLT portal <https://efiling.nclt.gov.in> with effect from 01.01.2024.

The PDF/A version documents are mandatory for filing followed by electronic signature using Digital Signature Certificate (DSC) issued by Certifying Authority (CA). The provisioning of e-Sign based on Aadhaar Authentication shall be made available shortly.

The detailed instructions are given in the attached document and related Annexures.

Furthermore, on the request of the Members of the Bar online training was also given to the Advocates/Stakeholders on September 4, 2023 and September 11, 2023.

Any inadvertent error may be brought to the attention of the undersigned.

This issues with the approval of Hon`ble President.


Kamal Sultanpuri
Joint Registrar

Copy to

1. PS to Hon`ble President
2. PS to Hon`ble Members
3. NCLT Website

MANDATORY PRE-REQUISITE FOR FILING MATTERS IN NCLT

1. Formatting:

- 1.1. All the original typed text material including memorandum of parties, main petition or appeal, interlocutory application(s), reply, status report, affidavit, documents, will be prepared electronically as per Part III Rule 20 of NCLT Rules 2016.
- 1.2. After the finalization of the document prepared as per clause 1.1, should be saved as PDF called PDF/A Version and to be rendered for further action.
- 1.3. To electronically sign the prepared document as per clause 1.1, ample space should be given at bottom of the last page of each document to avoid overlapping of e signature.
- 1.4. The supporting documents (text / image based) other than referred in clause 1.1, should be converted into Optical Character Recognition (OCR) searchable Portable Document Format (PDF) or PDF/A using any PDF converter. PDF/A is the preferred format.
- 1.5. The documents which are uploaded as Annexure and issued by any other authority and seems to get disturbed on OCR may be avoided.
- 1.6. The document referred in clause 1.4 should be scanned using an image resolution of 300 DPI (Dots per inch) in OCR searchable mode and saved as a PDF document.
- 1.7. The procedure for saving document in PDF/A version or converting a document into an OCR searchable PDF is enclosed as **Annexure-I**.
- 1.8. Each document should be proper book marked before e-filing in the NCLT system. The procedure for creating book mark is enclosed as **Annexure-II**.

2. Electronic Signature:

- 2.1. Electronic Signature means to sign the document (PDF/A or OCR based PDF) including Annexure (if need to be signed) digitally using Digital Signature Certificate (DSC) issued by Certifying Authority (CA) or e-Sign based on Aadhaar Authentication.
- 2.2. The PDF document shall be digitally signed either by the parties and/or by their Advocate. The digital signatures shall be appended on the bottom of last page of each document as prescribed under the clause 1.3. Please note that document e-signed only by advocate, shall be treated as duly content verified and signed on behalf of the concern party.
- 2.3. If neither the party nor the Advocate who has been engaged possesses a digital signature or e-sign facility not working / available in system due to any reason, a print out of the document shall be physically signed by the party concerned and/or their Advocate in accordance with rules and it shall thereafter be scanned as per Clause 1.4 before e-filing in NCLT System.
- 2.4. A List of recognized Digital Signature Providers available at URL: <http://cca.gov.in>

- 2.5. The procedure for electronically signing using DSC / e-Sign is enclosed as **Annexure-III**.

3. Do's and Don'ts

- 3.1. The text documents and scanned documents (PDF A or OCR Based Searchable PDF) set out in clauses 1.1 and 1.4 should be uploaded under respective document type while e-filing into NCLT system.
- 3.2. PDF should be book-marked properly as per the Master Index.
- 3.3. **The uploaded documents file name should be relevant to the document. For example, file name can be Company_ROC for registration of certificate.**
- 3.4. User Manual (PDF / Video) for accessing the on-line e-filing portal and for the filing of the maincase and documents including written statements, replies, replications, rejoinders, affidavits and evidence by way of affidavit in a pending case are available at URL - <https://efiling.nclt.gov.in/helpInner.drt>.
- 3.5. Document Binary File Name Standards

The following special characters are not allowed in a file name:

- A quotation mark (")
- A number sign/Pound (#)
- Per cent (%)
- An ampersand (&)
- Asterisk (*)
- Colon (:)
- Angle brackets (less than, greater than) (<>)
- A question mark (?) (*allowed in Delhi High Court)
- Backslash (\)
- Forward slash (/) (*allowed in Delhi High Court)
- Braces (left and right) ({})
- Pipe (|)
- A tilde (~)

The period (.) character used consecutively in the middle of the file name or at the beginning or end of the file name.

File names should not exceed 45 characters in length, including spaces. Single space must be counted as one character each.

- 3.6. Online e-filing shall not be watermarked or encrypted. The e-filed documents shall not contain any virus, malware, spam-ware, trojan horse or the like. All the e-filed documents shall be legible and free of markings, track changes or annotations.

4. Retention of Originals

- 4.1. Originals of the documents that are scanned and digitally signed by the Advocate or the litigant in person at the time of e-filing should be preserved, for production or inspection, as may be directed by the Bench.

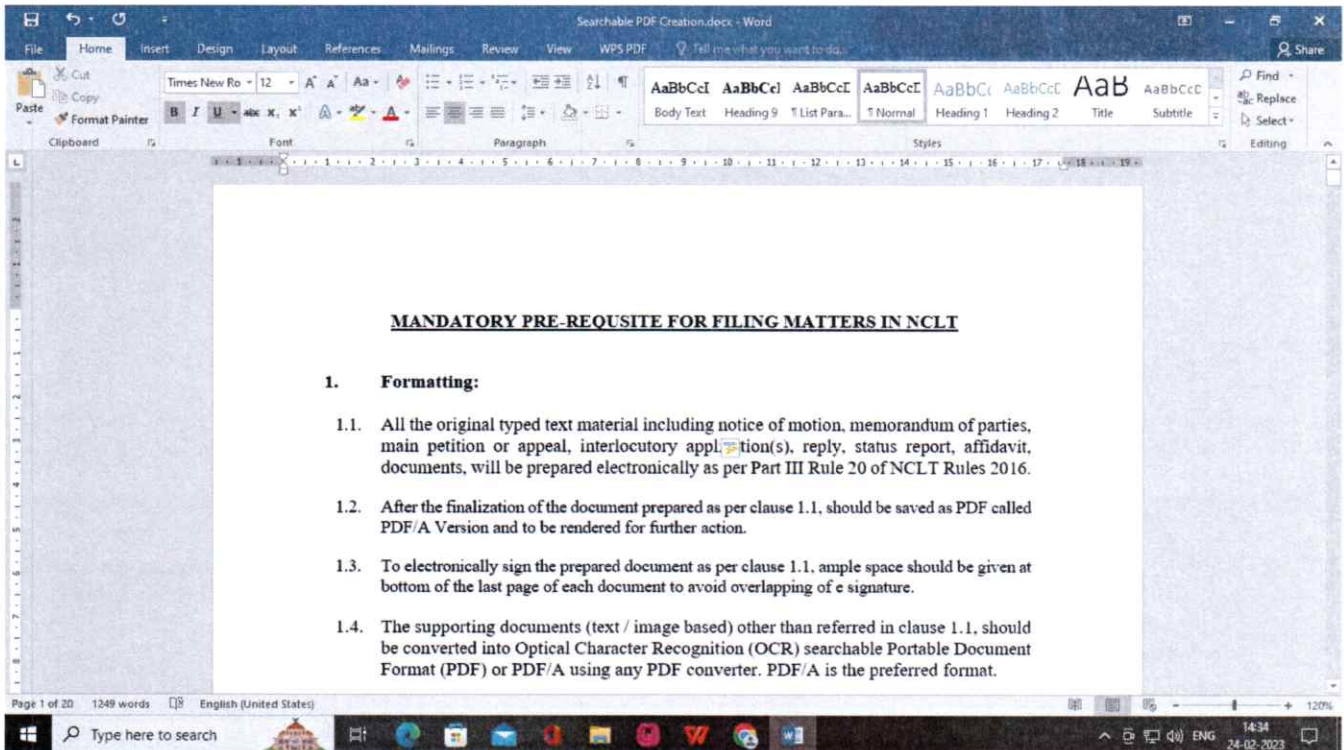
- 4.2. The signed vakalatnama, signed and notarized/attested affidavit and any other document whose authenticity is likely to be questioned should be preserved, at least, for two years till after the final disposal of the Action. Final disposal shall include disposal of the Action by the superior appellate court.
- 4.3. Notwithstanding anything above, the following documents will have to be preserved permanently: -
- a) A Negotiable Instrument (other than a cheque) as defined in Section 13 of The Negotiable Instruments Act, 1881 (26 of 1881).
 - b) A Power-of-Attorney as defined in section 1A of the Powers-of-Attorney Act, 1882 (7 of 1882).
 - c) A Trust as defined in Section 3 of The Indian Trusts Act, 1882 (2 of 1882).
 - d) A Will as defined in Clause (h) of Section 2 of The Indian Succession Act, 1925 (39 of 1925) including any other testamentary disposition by whatever name called.
 - e) Any contract for the sale or conveyance of immovable property or any interest in such property.
 - f) Any other document as may be directed by the Bench.
 - g) Any other document that is required to be preserved as may be required under the Company Act 2013 & IBC Code 2016.
- 4.4. The responsibility of producing the originals and proving their genuineness shall be of the party that has electronically filed scanned copies of the document.

Annexure-I

**The procedure for saving document in PDF/A version
or converting a document into an
OCR searchable PDF**

PROCEDURE FOR SAVING DOCUMENT IN PDF/A VERSION

1. After the finalization of the document prepared as per clause 1.1



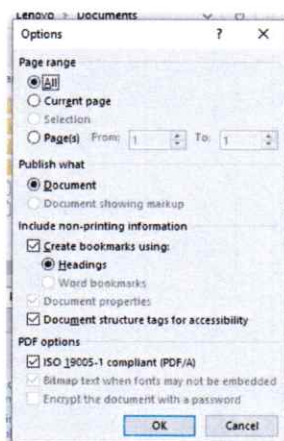
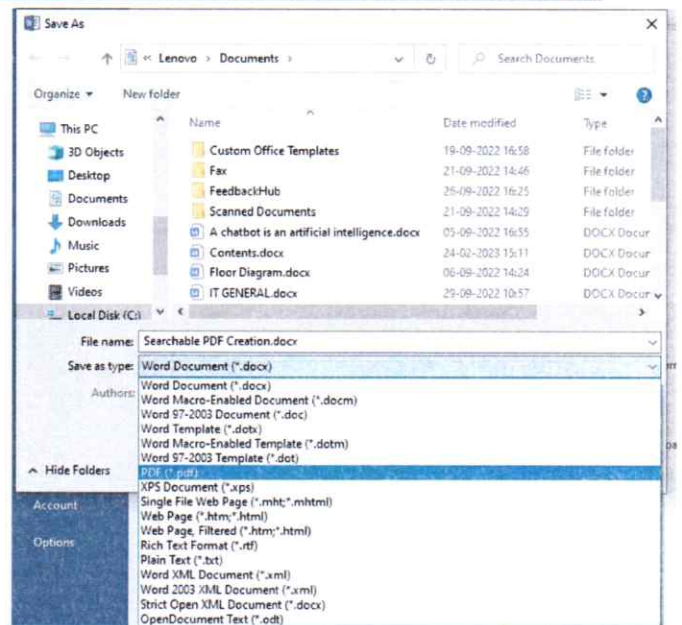
2. Click File Menu -> Save As

3. Select Folder.

4. In **Save As Dialog Box**. Select Save as type as PDF (*.pdf). Then click Options

5. Select PDF Options as ISO_19005-1 compliant (PDF/A)

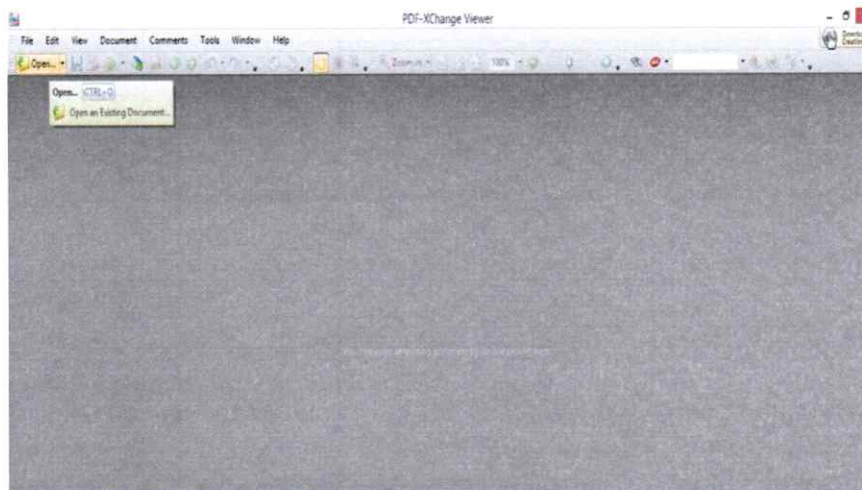
6. Then Click Save to create PDF/A document.



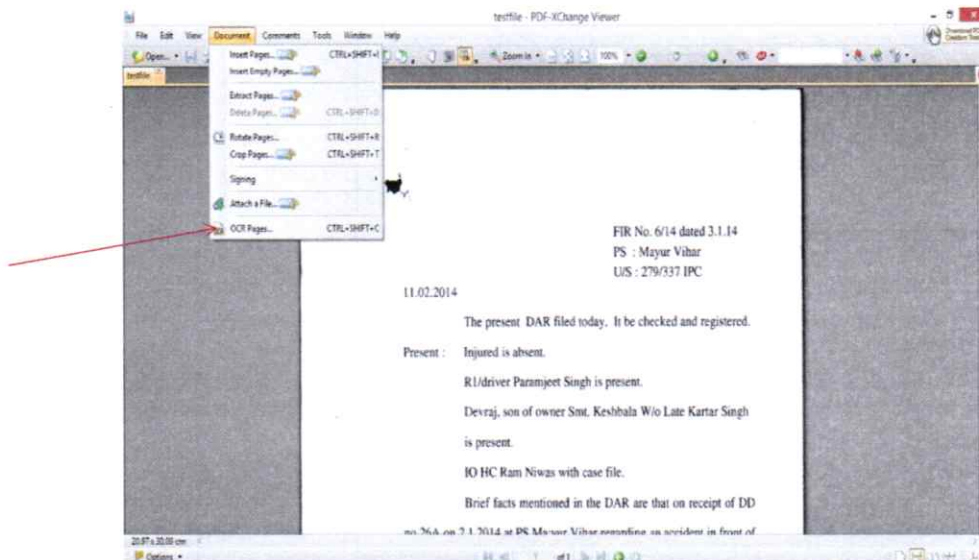
PROCEDURE FOR CONVERTING A DOCUMENT INTO AN OCR SEARCHABLE PDF

There are many free & trial version software available online that can be downloaded from internet for creating OCR in PDF files. These includes PDF -XChange viewer, Acrobat Adobe, Abbyy FineReader etc.

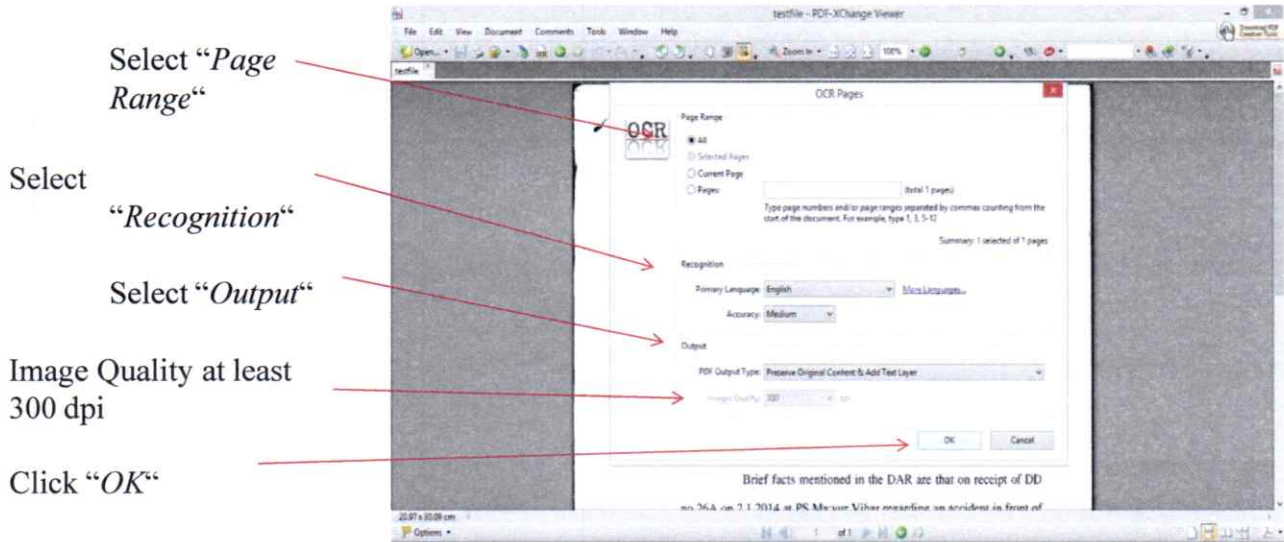
1. Open the PDF file containing a scanned image (supporting documents (text / image based)) which is going to be converted in OCR Format.
2. Download PDF- XChange Viewer & open PDF-XChange
3. From the main menu, select "Open" -> "Open an Existing Document" -> Open any PDF Document.



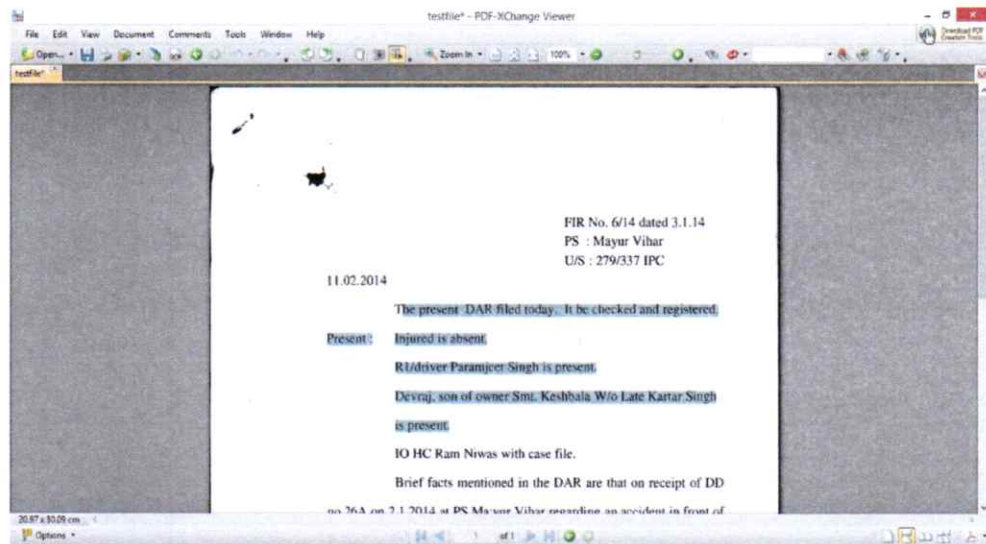
4. From the main menu, select "Document" -> "OCR Pages".



5. Select "Page Range"
6. Select "Recognition" as English
7. Select "Output" as Preserve Original Content & Add Text Layer
8. Select "Image Quality" as 300 dpi
9. Then Click "OK"



10. Document in OCR Format

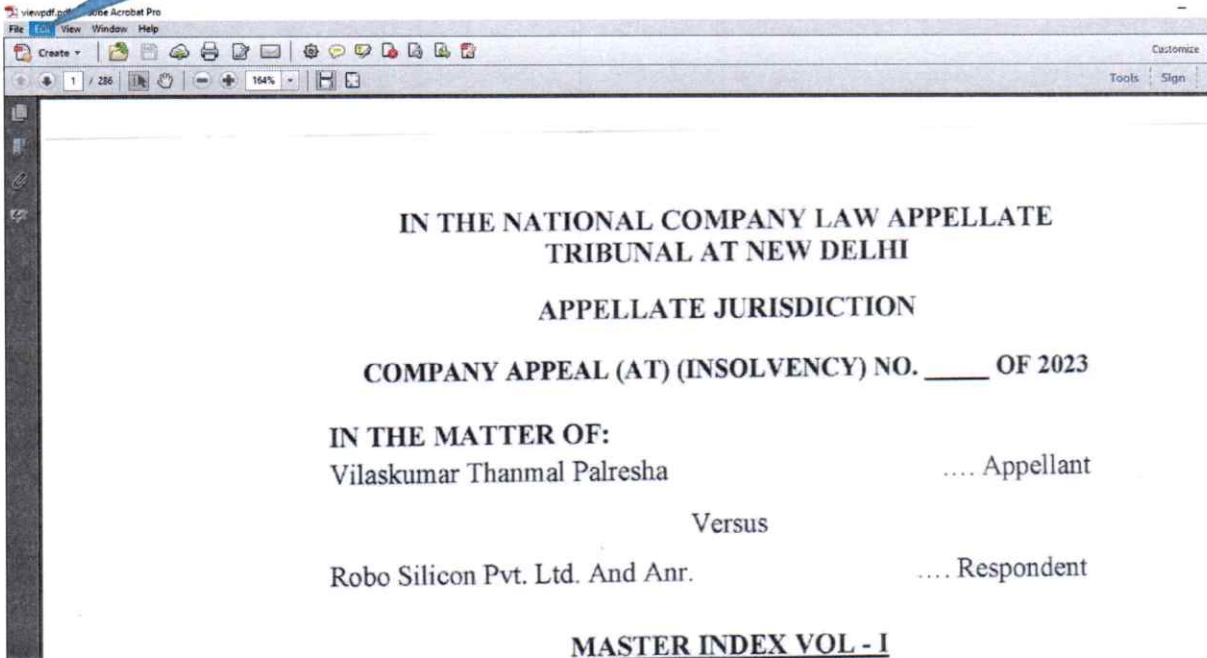


Annexure-II

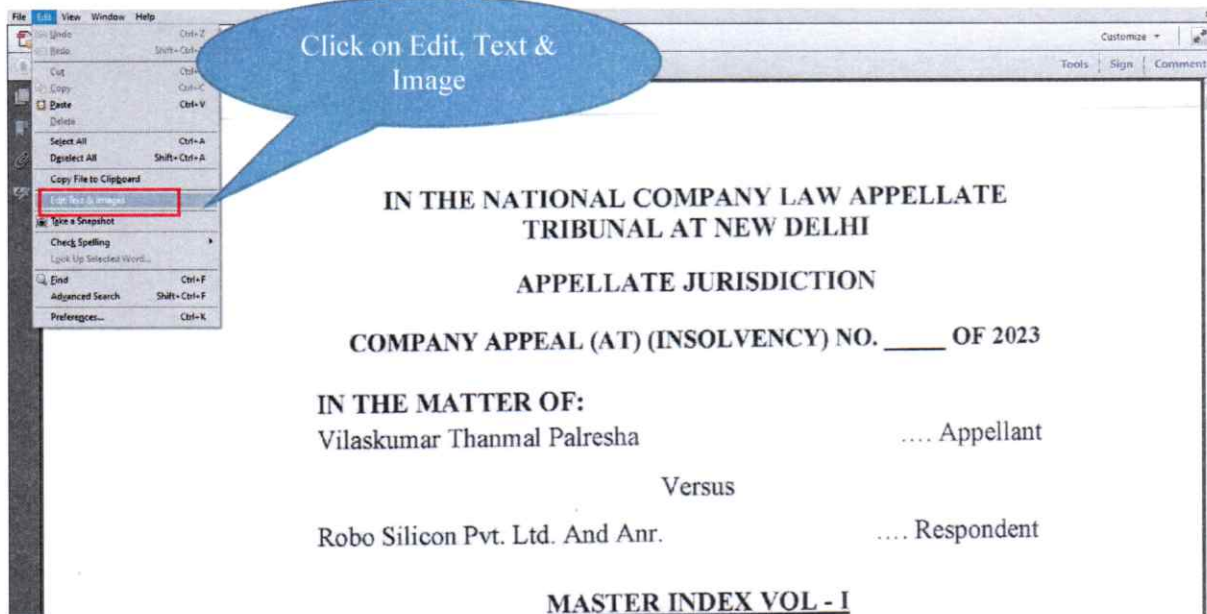
Procedure for creating bookmark

PROCEDURE FOR CREATING BOOK MARKING

Click on edit



Click on Edit, Text & Image



File Edit View Window Help

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Tools Sign Comment

Content Editing

- Edit Text & Images
- Add Text
- Add Image
- Export File...

More Content

- Add as Edit Link
- Add Bookmark**
- Attach a File

Format

Pages

Interactive Objects

Forms

Action Wizard

IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL AT NEW DELHI

APPELLATE JURISDICTION

COMPANY APPEAL (AT) (INSOLVENCY) NO. ____ OF 2023

IN THE MATTER OF:

Vilaskumar Thanmal Palresha Appellant

Versus

Robo Silicon Pvt. Ltd. And Anr. Respondent

MASTER INDEX VOL - I

S. No.	PARTICULARS	PAGE No.
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Tools Sign Comment

Bookmarks: Go to specific points of interest using bookmark links

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Tools Sign Comment

Bookmarks

- New Bookmark (Ctrl-B)
- Expand Current Bookmark
- Collapse Top-Level Bookmarks
- Highlight Current Bookmark
- Hide After Use
- Text Size
- Go to Bookmark
- Print Page(s)
- Print Section(s)
- Cut (Ctrl-X)
- Print Lighter Selected Bookmarks
- Print after Selected Bookmarks
- Delete Bookmarks
- Set Bookmark Destination
- Rename Bookmark
- Use Current Appearance as New Default
- Wrap Long Bookmarks
- Properties...

authorizing Mr. _____

Annexure A3: Purchase Order dated 13.7.2016 by Respondent No. 2...47

Annexure A4: the Purchase Order dated 13.7.2016 by Respondent No. 2...47

IN THE NATIONAL COMPANY LAW APPELLATE TRIBUNAL AT NEW DELHI

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MASTER INDEX VOL - I

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- Affidavit.....35
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 - Annexure A1: Impugned Order dated the Order dated 17.2.2023 in C.P.
 - Annexure A2: Power of Attorney dated 22.02.2023 authorizing Mr.
 - Annexure A3: Purchase Order dated 13.7.2016 by Respondent

Click on page you want o bookmark and write the title over here with the page no.eg 1-10

Annexure-III

Procedure for electronically signing using DSC/e-Sign

PROCEDURE FOR ELECTRONICALLY SIGNING USING DSC/E-SIGN

1. Please insert your digital signature in your system / laptop
2. Open the PDF document through Adobe Acrobat Reader DC and Click Tools.
3. Click Certificates
4. Click Digitally Sign and drag and drop the mouse pointer where you need the signature
5. **Sign with a Digital ID:** Select the digital Signature & Click continue
6. **Sign as:** Click sign and **Save As:** give the filename
7. **Verify User PIN:** Give the pin of your DSC and your document with DC will be on your screen.

