



FEDERATION OF ALL INDIA VYAPAR MANDAL फेडरेशन ऑफ ऑल इंडिया व्यापार मण्डल

राष्ट्र के विभिन्न व्यापार मंडल एवं ट्रेड एसोसिएशन का राष्ट्रीय परिसंघ

FAIVM/1904/MCA/068-070
April 23, 2019

Chief Executive Officer
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Secretary,
Department for Promotion of Industry and Internal Trade
Ministry of Commerce and Industry
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Udyog Bhawan
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- Sub : 1. **For ease of doing Business for domestic and small , various forms being filed with MCA portal to be merged with Annual Return.**
2. **Dates for INC 22A and DIR 3 to be deferred**

We invite your kind attention to recently notified Rule 25A of Companies (Incorporation) Rules, 2014 notified by the Government of India, as per the form INC-22A - ACTIVE (Active Company Tagging Identities and Verification). The details of the status of their registered offices and their geographical location (latitude and longitude) will be sent to the government by April 25.

In this month again DIR-3 needs to be filed by 30th April

Apart from above, there are few other information and returns which are filed /provided on different time to Registrar of Companies through MCA portal.

S. No.	FORM	PURPOSE	LAST DATE OF FILING/ DUE DATE
1	DIR3 KYC	Intimation of Director details to MCA	30 th April
2	MSME FORM 1	Initially required to be submitted Half Yearly Return	Within 30 days from the date the form will be deployed on MCA 21 portal upto 30 th April and 31 st October
	DIR - 8	Every Director of the Company in each Financial Year has to file with the Company disclosure of non-disqualification	In First Board Meeting of every financial year
3	DPT-3	Return of deposits	22-April
4	INC-22 A	In order to identify the Active Companies and to verify their Registered Office.	25 th April,

There is no objection in the pursuance of the aforesaid law, but businessmen have difficulty in adhering to new rules regularly every month. About 12 lakh companies are active in India, which at the time gives their income tax, GST, annual statement of company law etc. to the government.

Today, when we talk about Digital India or talk about encouraging startup, filing of pictures and locations of registered office seems contradictory.

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The government is working hard to push unorganized sector, most of which is done as a business proprietorship and partnership form, to the organized sector, which is mainly done as a company in the business. If this kind of burden of compliance is put on entrepreneurs, they will be reluctant to do business in organized sector.

MCA put it mandatory to get every form digitally verified by practicing Chartered Accountant or Company Secretary. In every form company is forced to shell out Rs 1000 to Rs 2000 as professional charges.

For the sake of Ease of Doing Business for small and domestic businesses, we propose following

- As in income tax and GST, assessee files /upload all desired information and returns themselves as self-certified/Self Verified, in the same way all forms filed under company law should accept the self-certified / self-verified by the company directors and the obligation of verification by a chartered accountant or company secretary should be done away. Even in Government working, self-attested Affidavits are being accepted and attestation of signature by Notary or any Government official has been done away.
- An annual return is filed under the provisions of Company Law. Therefore all information which Government wish to have, as cited above, should be clubbed with Annual return and frequent compliances should be minimized. This will boost level of compliances as small businesses often forget to adhere to periodic compliances.

For the above a letter has been sent to Ministry of Corporate Affairs on 4th March 2019 with a copy of Honorable Prime Minister. However any action is still awaited.

We urge upon you that to facilitate small and startups who are willing to carry on their businesses in organized sector, it is further requested that the form INC-22A last date of which is 25th April and DIR-3 last date of which is 30th April, may kindly be deferred for the time being and same may be merged with Annual Return which is filed by 30th November every year.

Thanking you

V K Bansal
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Hon'ble Prime Minister
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