

Renewed Scheme for Certified Filing Centres (CFCs) to be operated by Professionally qualified persons/ Bodies to facilitate e-filing of documents under MCA21 e-Governance Programme of the Ministry of Corporate Affairs.

The Ministry of Corporate Affairs (MCA) has implemented MCA21 e-Governance Project. It is one of the Mission Mode Projects of the Government of India under the National e-Governance Plan. The Project offers availability of all registry related services including filing of documents, registration of companies and public access to corporate information through a secure interactive portal. The portal services can be accessed/ availed from anywhere, at any time that best suits the corporate entities, professionals and the public at large. Thus MCA21 has led to efficient delivery of services and regulation of corporates through the use of modern information technology.

The objective of the e-governance program is to improve the speed and certainty in delivery of MCA services in a transparent manner. This improvement is ensured primarily through the mechanism of secure electronic filing (e-filing) and easy online payment for all the services provided by the Registrar of Companies. It is, therefore, a significant step towards an end-to-end paperless delivery of the Government services with widespread use of Digital Signature to carry out e-filing in a secure manner in conformity with the Information Technology Act, 2000.

The implementation of the programme has been remarkably smooth with the transition having been facilitated through a well-structured communication plan with the external stakeholders. Keeping in view that the stakeholders including corporate entities and the public may face certain difficulties in the beginning in switching over from the manual filing system to an electronic filing system, a network of facilitation centres at 52 locations throughout the country was set-up. These facilitation centres provided complete range of services free of cost for e-filing of documents to the stakeholders who do not have the necessary computing/ IT infrastructure or capability to use the same for e-filing from their own locations. The Project provides for continuation of this support for a period of three years from the Project Implementation Completion date without any charge to the stakeholders. This period of 3 years got over on 17th January 2010. Now, 48 such facilitation centres have been closed and, instead, Helpdesks have been set up at ROC locations for providing level-1 information services. However, Showcase facilitation centres at 4 major Metropolitan cities of Delhi, Kolkata, Mumbai & Chennai would be continued till the end of the project cycle. The e-filing services in these Showcase Facilitation Centres are made available without any charge.

In addition to Facilitation centres, a scheme for Certified Filing Centres (CFCs) managed through the practising professionals (Company Secretaries, Chartered Accountants, Cost & Works Accountants) was also introduced following the concept of user charges. About 965 such CFCs have been authorised throughout the country in the beginning. The Scheme expired on August 3, 2009 and currently 200 CFCs are in operation. Since CFCs' outreach is greater and extended to the length and breadth of the country and is operated by professionals whose support is continuous to the MCA program, the Ministry considered it appropriate to renew the Scheme for a further period of three years from 01.07.2010.

This arrangement is formalised through this **"Renewed Scheme for Certified Filing Centres (CFCs)"**. The details of this Scheme are given in the following paragraphs.

Date of launch of the Scheme

The Scheme shall take effect from July 01, 2010 and shall remain valid for a period of three years unless renewed/ revised further.

1. Certified Filing Centre

A Certified Filing Centre (CFC) for MCA e-filing is a facility, other than the Physical Front Offices or Facilitation Centres set-up by the Ministry of Corporate Affairs, to be set-up and operated by an appropriately qualified private individual, firm or body corporate under the MCA21 e-Governance Programme, from where the actual electronic filing of documents by companies may be enabled along with associated facilitation on payment basis.

2. Eligibility and Qualifications

(A) A Certified Filing Centre (CFC) is a facility set-up and operated by any or all of the following:

- i. Institutes of Company Secretaries of India, the Chartered Accountants of India and the Cost and Works Accountants of India by themselves or through their Regional Councils/ Local chapters subject to the relevant Acts governing the above Institutes, or
- ii. Any professional from the three Professions mentioned above as per qualifications prescribed under para 2(B), or
- iii. Firms consisting of professionals drawn from members of any or all of the three Professional Institutes referred to above, or
- iv. Any Body Corporate owned or managed by the Professionals, holding certificate of practice, from members of any or all of the three Professional Institutes referred to above.

(B) In order to be eligible to apply for a CFC, the Professional, as mentioned under para 2(A)(ii) above, should fulfil the following criteria:

- i. He/ she should be a member of the respective Institute;
- ii. He/she should possess experience of at least two years in practice;
- iii. He/ she should not have been guilty of professional misconduct during the last three years or his/ her membership should not have been removed from the register of Members by the respective institute at any time.
- iv. He/ she should meet the technical eligibility criteria for operation of the CFC Scheme as indicated under para 3 of the Scheme.

3. Technical Eligibility Criteria (Infrastructure requirements):

In order to be eligible for approval as a Certified Filing Centre, the intending party has to provide the following minimum physical and technical infrastructure/ facilities:

- i. Office Space measuring a minimum of 200 sq. ft exclusively dedicated to the CFC and equipped with at least two counter seats for service and 4-5 waiting seats ;
- ii. Two Pentium Class -IV PCs with Colour Monitors and Min. 1 GB MB RAM,USB Ports, Floppy Disk Drive, and CD Writer
- iii. A desk-jet or laser printer;

- iv. A flat bed/ ADF scanner (200 DPI or above)
(For better performance & size scanning should be done at 200 DPI with Black& white setting / configuration)
- v. Broadband Internet connectivity or higher;
- vi. Dependable Power Supply arrangements including UPS.
- vii. Fax and Phone facility;
- viii. At least one trained staff person who can operate the systems;
- ix. The Computer system should be equipped with the following software:
 - a. Windows 2000/ Windows XP
 - b. Internet Explorer V.6.0 and above
 - c. Adobe reader V.9.3 and lower version
 - d. Java Runtime Environment (JRE)
 - e. PDF Converter and Anti virus software
 - f. Digital Signature (Class 2/ Class 3)

4. Schedule and scope of Services and Maximum charges for various Services

As a minimum, the CFC shall provide the following technical and non-technical services with maximum permissible revised rates mentioned against each one of these services. It may be clarified that the rates for services indicated herein are the maximum and these rates are exclusive of the statutory fees payable to the Government in respect of all services.

S.No	Service Charge	Rates/Charges
1	Data Entry (Filling-up of e-Forms)	Rs. 150/- per Form
2	Scanning of Documents and conversion to PDF format	Rs. 7.50/- per page
3	Laser Printing (B&W)	Rs. 7.50/- per page
4	Filing e-Form with MCA21 portal	Rs. 150/- per Form
5	Filing attachments with e-Form	Re. 1.50/- per page
6	View Public Documents	Rs. 75/- per 30 minutes
7	Apply for Certified Copy of Documents	Rs. 75/- per application
8	Apply for DIN	Rs. 75/- per application
9	Apply for and procurement of DSC for users	Rs. 150/- per DSC
10	Services other than those listed above may also be offered by the CFC	At market-driven rates

Note: For services such as data entry, scanning, e-Form uploading etc. the CFC would not be responsible for accuracy of data though it would be responsible for correct entry of the data made available to him. The responsibility for accuracy of the data content would always rest with the person signing the Form/ Document using her/ his DSC.

Service Tax, if any, payable to the Government shall be chargeable extra on the basis of actuals.

5. Obligations of the CFC

- i. The CFC shall display a Sign-board of being a CFC outside the premises as per the design approved by the Ministry of Corporate Affairs;
- ii. CFCs shall provide services on payment basis and the service charges shall not exceed the amount indicated in the schedule of charges indicated in the scheme and it must prominently display the details of service charges chargeable by the CFC in respect of various services as approved by the Ministry.
- iii. The CFC service provider has to ensure that the facilities are in good working condition at all times and reliable connectivity is maintained.
- iv. The Service provider shall be responsible for successful operation of the DSC during the validity period issued by a Certification Agency if such service has been facilitated by the CFC to end-user.
- v. The CFC shall keep accounts of all statutory fee payments in respect of the services provided by him and shall be responsible for reconciliation of accounts in case of any missing credits in a manner as may be prescribed.
- vi. The CFCs shall be subject to inspection by persons authorized by MCA or the Council of the concerned professional institute.
- vii. In case the Service Provider chooses to close down the CFC, for whatsoever reasons, he would do so with one month's notice to the MCA and shall surrender the Registration Certificate to the MCA immediately upon closure of service.

6. Cancellation of Certification

CFCs not found to be complying with technical/ professional criteria as specified and found lacking in fulfilling the requisite obligations shall be liable to have their certification cancelled without any compensation.

7. Validity of the Certificate

The Certificate of Registration for a CFC under the Scheme would be valid for a period of three years with an option to renew as per the terms and conditions of the scheme applicable at the time of renewal.

8. MCA support

The name and address of the approved CFC along with the contact particulars of the service provider shall be mentioned in the list of CFCs to be maintained by the MCA on its web site under the CFC Corner.

9. Mode of Application and Application fee

A person or entity qualified and eligible to set up and operate a CFC in accordance with the provisions contained in the Scheme may apply to the Ministry of Corporate Affairs through the Local Chapter/ Regional Council/ Council of the Institute concerned for a Certificate of Registration under this scheme on the basis of an application form (as may be prescribed) along with an application fee of Rs. 1000/- (for fresh application) or Rs. 500/- (in case of re-activation/ renewal of existing CFC) to be paid along with the application by way of a postal order/ Banker's Cheque/ DD made out in favour of the Institute concerned. Acceptance of fresh application and application for re-activation/ renewal should reach the concerned Institutes within a period of 30 days from the date of publication of the Renewed Scheme.

The application form may be submitted in the office of the Local Chapter/ Regional Council of the Institute in whose jurisdiction the proposed CFC would be situated. Such local chapter/ regional Council would then forward the same to the Head Office of the Institute with its recommendations and the requisite fees. The Head Office, in turn, would send the same to the Ministry along with its recommendations based on which the Ministry would issue a Certificate. The fees will be retained by the respective Institutes towards the administrative charges for processing of applications and subsequent regulation of the CFCs. Applications under this Scheme would be accepted on a continuing basis.

The Institutes may feel free to prescribe any other mode of receipt, processing and verification of applications, on-line or off-line, as considered most efficient and feasible by them.