Condonation of Delay Scheme

The Condonation of Delay Scheme will be operational from 1st January 2018 to 31st March 2018 – a period of three months only. During this period, the DIN of disqualified directors will be re-activated temporarily to facilitate Directors of defaulting companies to file all overdue annual returns. After the end of the three month period, if the Director of a defaulting company failed to utilize the scheme and regularize compliance, his/her DIN will be deactivate and he/she would be disqualified for a period of 5 years. Hence, its advisable for all Directors of disqualified companies to utilize this scheme to regularize compliance.

Filing Annual Return under Condonation of Delay Scheme

From 1st January 2018 to 31st March 2018, the Directors of defaulting company can file the following forms relating to annual return and appointment of Auditor:

- Form Number 20B/MGT-7- Form for filing Annual Return by a company having share capital.
- Form 21A/MGT-7- Particulars of Annual return for the company not having share capital.
- Form 23AC, 23ACA, 23AC-XBRL, 23ACA-XBRL, AOC-4, AOC-4(CFS), AOC (XBRL) and AOC-4(non-XBRL) – Forms for filing Balance Sheet/Financial Statement and profit and loss account.
- Form 66- Form for submission of Compliance Certificate with the Registrar.
- Form 23B/ADT-1- Form for intimation for Appointment of Auditors.

In addition to the above documents, the company must file form e-CODS 2018 along with a fee of Rs.30,000 before 31st March, 2018.

On filing the necessary annual return and form e-CODS 2018, the DIN of the Director would be reactivated and the Registrar would withdraw any case relating to the Director Disqualification if any. For Directors who fail to utilize this opportunity, their disqualification will be made final for a period of 5 years and other penalties as prescribed under Companies Act 1956 and/or Companies Act, 2013 would apply.