

AKHILESH & ASSOCIATES

(Company Secretaries and RTMA)

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(Partner of Corporate Legal Service Firm)

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(ACTIVE COMPANY TAGGING IDENTITIES AND VERIFICATION (ACTIVE)) (eForm INC-22A)

In pursuant to Rule 25A: Active Company Tagging Identities and Verification (ACTIVE).-

(1) Every company incorporated on or before the 31st December, 2017 shall file the particulars of the company and its registered office, in e-Form ACTIVE (Active Company Tagging Identities and Verification) on or before 25.04.2019.

Provided that any company which has not filed its due financial statements under section 137 or due annual returns under section 92 or both with the Registrar shall be restricted from filing e-Form-ACTIVE, unless such company is under management dispute and the Registrar has recorded the same on the register:

Provided further that companies which have been struck off or are under process of striking off or under liquidation or amalgamated or dissolved as recorded in the register, shall not be required to file e-Form ACTIVE:

Provided also that in case a company does not intimate the said particulars, the Company shall be marked as “ACTIVE-non-compliant” on or after 26th April, 2019 and shall be liable for action under sub-section (9) of section 12 of the Act:

Provided also that no request for recording the following event based information or changes shall be accepted by the Registrar from such companies marked as “ACTIVE-non-compliant”, unless “ e-Form ACTIVE” is filed –

- (i) SH-07 (Change in Authorized Capital);
- (ii) PAS-03 (Change in Paid-up Capital);
- (iii) DIR-12 (Changes in Director except cessation);
- (iv) INC-22 (Change in Registered Office);
- (v) INC-28 (Amalgamation, de-merger)

(2) Where a company files “e-Form ACTIVE”, on or after 26th April, 2019, the company shall be marked as “ACTIVE Compliant”, on payment of fee of ten thousand rupees”.

Purpose of the eForm

All the companies which got incorporated on or before 31st Dec 2017 which are under ‘Active’ status as on the date of filing shall submit required particulars in eForm INC-22A on or before 25th April 2019.

In case company does not file eForm INC-22A within the time limit, Filing of eForm shall be allowed with a fee of Rs. 10,000.

Attachments:

Photograph of Registered Office showing external building and inside office also showing therein at least one director/KMP who has affixed his/her Digital Signature to this form.

Certification:

E-Form 22A needs to be verified by Practicing Professional i.e CS/CA/CMA.

Fees for Filing of INC 22A:

Purpose of the Firm	Normal Fees
INC-22A filed on or before 25th April 2019	Rs Zero
Filing for eForm INC-22A where ACTIVE flag is marked as ‘YES’ i.e., Companies are ‘ACTIVE non-compliant’.	Rs 10,000

Penalty and Physical verification/ Removal of Name:

Company and Every Officer in Default	Rs 1000 per day but maximum upto 1,00,000.
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If the Registrar has reasonable cause to believe that the company is not carrying on any business or operations, he may cause a **physical verification** of the registered office of the company in such manner as may be prescribed and if any default is found to be made in complying with the requirements initiate action for the **removal of the name of the company from the register of companies**

Processing Type:

Form 22A is in STP Mode (Auto Approved)

Points to be remember before filling the Form:

- 1- Must have email ID for OTP purpose.
- 2- Must have Digital Signature at least TWO Director/ One Director and ONE KMP (One signature is required for only OPC).
- 3- Must have minimum director as per Companies Act 2013, where SRN No of MGT-14 is required, if the directors are more than 15.
- 5-One, who did not complete its 3KYC, require to update first.
- 6-Period to date shall be on or before 31.03.2019, if not, company need to file ADT-1 first.
- 7-Period to date shall be on or before 31.03.2019, if not, company need to file CRA-2 first.
- 8-Must have KMP where the paid up capital is 10 cr or 5 cr.
- 9- Annual Forms (AOC-4/XBRL and MGT-7) must be filed with ROC up to 31.02.2018. If not, required to file first.
- 10- <https://www.latlong.net> for latitude and longitude.

Thanking You