



# THE INSTITUTE OF Company Secretaries of India

## भारतीय कम्पनी सचिव संस्थान

IN PURSUIT OF PROFESSIONAL EXCELLENCE

Statutory body under an Act of Parliament

(Under the jurisdiction of Ministry of Corporate Affairs)

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Dr. Manoj Govil, IAS  
Secretary  
Ministry of Corporate Affairs  
Government of India  
Shastri Bhawan  
New Delhi - 110 001

### Subject: Delay in processing & disposal of Forms filed with Central Processing Centre: Issues and Challenges

Respected Sir,

Greetings of the day !!!

The Ministry of Corporate Affairs vide its notification no. G.S.R 107(E) dated 14th February 2024 has amended the Companies (Registration Offices and Fees) Rules, 2014 whereby rule 10A has been inserted stating that *the Registrar of Central Processing Centre (CPC) shall examine every application or e-Form or document required or authorised to be filed or delivered for approval, registration or taking on record by the Registrar.*

We appreciate this initiative of the MCA of processing of Forms in centralised manner, which indeed would strengthen the processing & disposal of e-Forms in a uniform and timely manner.

As per the Rules, the following Forms fall under the jurisdiction of Registrar (CPC) and shall be processed accordingly:

- Form MGT-14 : Filing of Resolutions and Agreements (for specific purposes)
- Form SH-7 : Alteration in Capital (for specific purposes)
- Form INC-24 : Change in Name
- Form INC-6 : Conversion of OPC to Private or Public, or Private to OPC
- Form INC-27 : Conversion from Private into Public or Vice Versa
- Form INC-20 : Revocation/surrender of licence under Section 8 of the Act
- Form DPT-3 : Return of Deposits (for specific purposes)
- Form MSC- 1 : Application for obtaining the status of dormant company
- Form MSC- 4 : Application for seeking status of Active Company
- Form SH-8 : Letter of offer for Buy-Back
- Form SH-9 : Declaration of Solvency
- Form SH-11 : Return in respect of buy-back of securities

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#### Vision

"To be a global leader in promoting good corporate governance"

#### Motto

सत्यं वद। धर्मं चर। इष्टकारं कुरु। तृप्तोः कोपेते। ह्यु कुरु।

#### Mission

"To develop high calibre professionals facilitating good corporate governance"

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Kindly refer to Rule 10A (2) of Companies (Registration Offices and Fees) Rules, 2014, which states that *the Registrar shall take a decision on the application, e-forms or documents within thirty days from the date of its filing.*

In this regard, it is submitted that various issues are being faced by the stakeholders wherein the above Forms are not being approved within the timeframe notified. With more than a months' time being taken in processing of Forms, difficulties are being faced by professionals, as well as the Companies and all other stakeholders.

Further, in view of making the processing & disposal of forms smooth and within stipulated time, below are few suggestions for your kind consideration:

- a. It is submitted that the flow of processing of below mentioned critical forms to be separated from the flow of processing of normal forms and distinct FIFO based processing system should be adopted for processing of Critical and Normal forms:
  - i. Form MGT-14 : Filing of Resolutions and Agreements (for specific purpose)
  - ii. Form SH-7 : Alteration in Capital (for specific purpose)
  - iii. Form INC-24 : Change in Name
  - iv. Form INC-6 : Conversion of OPC to Private or Public, or Private to OPC
  - v. Form INC-27 : Conversion from Private into Public or Vice Versa
  - vi. Form SH-11 : Return in respect of buy-back of securities
  
- b. It is submitted that the following forms be brought under purview of STP as such forms do not require any detailed scrutiny in terms of provisions of Company law:
  - i. Form SH-7 : Alteration in Capital (for specific purpose)
  - ii. Form DPT-3 : Return of Deposits (for specific purpose)
  - iii. Form MSC- 4 : Application for seeking status of Active Company
  - iv. Form SH-8 : Letter of offer for Buy-Back
  - v. Form SH-9 : Declaration of Solvency

In view of these challenges, you are kindly requested to look into the matter and advise the authority concerned for expediting the process and approve the Forms within timeframe provided under the said rules. The same shall go a long way in providing necessary relief to the professionals and promoting the cause of ease of doing business.

We shall be pleased to provide any further information or clarification in this regard on hearing from your goodself.

Thanking you,

Yours faithfully,



(CS B Narasimhan)  
President  
Institute of Company Secretaries of India