SHARP & TANNAN

Sharp byTes
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Companies Compliance Facilitation Scheme, 2026

Introduction

Section 403 of the Companies Act, 2013 (‘Act’) governs the filing and submission of any fact, document or information required to be so filed/submitted, failing which a company is liable to pay an ‘additional fee’ of INR 100 per day without any upper limit.

The Ministry of Corporate Affairs (‘MCA’), as a part of its initiative to promote ease of business for corporates has introduced the Companies Compliance Facilitation Scheme, 2026 (‘scheme’) waiving off the additional fees and giving them a 3-months window for filing annual returns and financial statements in the MCA-21 registry.

Key highlights of the scheme

Validity period: The scheme will come into force on 15 April 2026, and will remain active until 15 July 2026.

Reduced filing fees

- For filing pending annual filings: 10% of the total additional fees payable on account of delays
- For declaring a company as ‘dormant’: Half of the normal fee payable under the Companies (Registration Offices and Fee) Rules, 2014, filing e-form MSC-1
- For getting the name struck off: Filing the e-form STK-2during the currency of the scheme with a payment of 25% of the filing fees.

Immunity from penalties

- Failure to file the annual return and financial statements under sections 92 and 137 respectively, attracts penalties.

  However, under the scheme, the adjudication proceedings shall be concluded and no penalties under the above sections will be levied, if such filings are made under the scheme
  - Prior to the issuance of the notice by the adjudicating officer, or
  - Within 30 days of the issuance of such notice.

  If the above time period of 30 days is lapsed/the penalty proceedings have concluded under sections 92 or 137 before availing the scheme, only the additional filing fees under section 403 will be waived, and the company and its officers shall be liable to penalties for the defaults under sections 92 and 137.

- For e-forms ADT-1, FC-3, FC-4, Forms 20B, 21A, 23AC, 23ACA, 23AC-XBRL, 23ACA-XBRL, 66 and 23B: Immunity will be granted if
  - The said forms are filed under the Scheme
  - No proceedings initiated/prosecution filed before filing the above-said forms.

After the tenure of the Scheme, i.e. after 15 July 2026, the ROC shall take necessary action under the Act against defaulting companies, i.e. those failing to comply under the Scheme.

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Ineligibility: The scheme is not applicable to vanishing companies or companies already dissolved via amalgamation. It also excludes companies that have already filed for strike-off or dormancy before the scheme began, as well as those already facing a final strike-off notice initiated by the ROC.

Weblink

https://www.mca.gov.in/bin/dms/getdocument?mds=ZojVoJLpnPM35BP6QFpABA%253D%253D&type=open

Therefore

The Scheme offers a one-time opportunity to companies to comply with the delayed filings or the filing of dormancy/closure. This will benefit MSMEs and private companies to file their pending returns with a minimum cost burden. The corporate registry will reflect the accurate and up-to-date information once the companies complete their filings within the given time window.