



Instruction Kit for AOC- 4

(Form for filing financial statement and other documents with the Registrar)

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About this Document

The Instruction Kit has been prepared to help you file eForms with ease. This document provides references to law(s) governing the eForms, instructions to fill the eForm at field level and common instructions to fill all eForms. The document also includes important points to be noted for successful submission.

User is advised to refer instruction kit specifically prepared for each eForm.

This document is divided into following sections:

[Part I – Laws Governing the eForm](#)

[Part II – Instructions to fill the eForm](#)

[Part III – Important Points for Successful Submission](#)

Click on any section link to refer to the section.

Part I – Law(s) Governing the eForm

Every company needs to file its financial statements and mandatory attachments, via e-Form AOC4 within the prescribed time limit as per section 137. In case financial statements are not adopted in AGM then un-adopted financial statements shall be filed within 30 days of date of AGM (due date of AGM if AGM not held or extended due date if any). Once financial statements are adopted then company shall file the adopted financial statements via e-form AOC-4 within 30 days of the AGM (actual or adjourned whichever is applicable). In case company needs to revise the financial statement or Board's report under provisions of section 130 or section 131 then revised financial statements shall be filed via e-Form AOC-4.

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Section 129(3), 137 of the Companies Act,2013 and Rule 12(1) of the Companies (Accounts) Rules, 2014 ([Refer Annexure A](#))

Part II – Instructions to fill the eForm

Specific Instructions to fill the eForm AOC-4 at Field Level

Instructions to fill the eForm are tabulated below at field level. Only important fields that require detailed instructions to be filled in eForm are explained. Self-explanatory fields are not discussed.

S. No.	Field Name	Instructions
Please use Internet Explorer version 9 or above and Adobe Reader 11 for filing this form.		
SEGMENT- I: INFORMATION AND PARTICULARS IN RESPECT OF BALANCE SHEET		
Part A: I. General information of the company		

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1	a	Corporate Identity Number (CIN)	<p>Enter the Valid CIN of the company. You may find CIN by entering existing registration number or name of the company on the MCA website www.mca.gov.in</p> <p>Click the Pre-fill button. Upon clicking the button, system shall automatically display the name, registered office address and email id of the company.</p> <p>In case there is any change in the email ID, you can enter the new valid email ID which would be updated in MCA records upon processing of this eForm.</p> <p>Based on the CIN entered following two fields given as part of the eform would also get pre-filled:</p> <ul style="list-style-type: none"> • Authorized capital of the company as on the date of filing • Number of members of the company as on the date of filing
3		Financial year to which financial statements relates	<p>Enter the start and end date of the financial year for which this eform is being filed. Filing of this form is allowed only for the financial years starting on or after 1st April 2014.</p> <p>Make sure that financial year selected is as per the provisions of the Companies Act, 2013.</p>

S. No.		Field Name	Instructions
4	b (i)	Nature of financial statements	<p>Select an option from the following available choices:</p> <ul style="list-style-type: none"> • Provisional un-adopted financial statements • Adopted financial statements • Revised financial statements u/s 130 • Revised financial statements u/s 131 <p>Select Adopted financial statements in case type of company is One Person Company (OPC) and filing is being done for the first time for entered financial year.</p> <p>For more details, please refer to the provision of section 137 of the Companies Act, 2013.</p> <p>Based on the option selected, relevant fields will only be displayed and required to be entered further.</p>
4	b (ii)	Nature of revision	<p>In case of filing the revised financial statement and/or boards' report, select the appropriate option from the drop down values provided, like:</p> <ul style="list-style-type: none"> • Financial statement • Directors Report • Both <p>Based on the option selected, relevant fields will only be displayed and required to be entered further.</p>

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4	b (iii)	Whether provisional financial statements filed earlier	Select 'Yes' or 'No' if provisional financial statements have been filed earlier or not. In case of OPC, please select 'Not applicable' option. For more details, please refer to the provision of section 137 of the Companies Act, 2013.
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S. No.	Field Name	Instructions
4	b (iv)	Whether adopted in adjourned AGM
4	b (v)	Date of adjourned AGM in which financial statements were adopted
4	b (vi)	SRN of form INC-28
4	b (vii)	SRN of form AOC-4
4	b (viii)	Date of order of competent authority
4	c	Details of director(s), manager, secretary, CEO, CFO of the company who have signed the financial statements

Select 'Yes' or 'No' if financial statements are adopted in adjourned AGM and not in actual AGM.

In case of OPC, please select 'Not applicable' option.

Enter the date of adjourned AGM in case financial statements are adopted in the same.

In case of revised filing, enter the SRN of INC-28 filed for submission of order of the competent authority as specified under section 130 or 131 (as applicable).

If case of revised filing, enter the SRN of form AOC-4 filed latest for the same financial year as entered in this form.

In case of revised filing, enter the date of order of the competent authority specified under section 130 or 131 (as applicable).

Enter the DIN of the Directors who have signed the financial statements. It is mandatory to provide details of one Director who has signed the financial statements.

In case Manager, Secretary, CEO or CFO of the company, enter the Income-tax PAN.

Enter the date of signing of the financial statements by each signatory.

Click the **Pre-fill All** button. On clicking the button, system shall automatically display the **Name** and **Designation** of the individual as per date of signing the financial statements entered.

S. No.	Field Name	Instructions
5	b	<p>Details of Director(s) who have signed the Boards' report</p> <p>Enter the DIN of the Directors who have signed the Board's report. It is mandatory to provide details of one Director who has signed the boards' report.</p> <p>Enter the date on which the signatories mentioned in the tabular format have signed the Boards' report.</p> <p>Click the Pre-fill All button. On clicking the button, system shall automatically display the Name and Designation of the individuals.</p>
6		<p>Date of signing of reports on the financial statements by the auditors</p> <p>Enter the date of signing of reports on the financial statements by the auditor(s).</p>
7	a b	<p>Enter the details of AGM as below:</p> <ul style="list-style-type: none"> • Select whether AGM held or not. • If the AGM was held, enter the date of AGM. • Enter the due date of AGM. • Select whether any extension for financial year or AGM was granted. • If yes, then enter the extended due date of AGM after such grant.
7	c	
7	d	
7	e	
8	a	<p>Whether the company is a subsidiary company as defined under clause (87) of section 2</p> <p>Select whether the company is a subsidiary company as defined under clause (87) of section 2. If yes, enter the CIN of the holding company.</p>
8	b	<p>CIN of the holding company, if applicable^</p> <p>Click the Pre-fill button. On clicking the button, name of the holding company will be auto-filled.</p>

S. No.	Field Name	Instructions
8	c	Name of the holding company
		In case CIN is not available, enter the name manually. Make sure that CIN is not available on MCA portal. <i>^In case of a company incorporated outside India, leave blank and name of the holding company may be filled in the relevant column.</i>
8	d	Provisions pursuant to which the company has become a subsidiary
		Select the applicable provision for becoming a subsidiary company from the two available options: <ul style="list-style-type: none"> • Section 2(87)(i) • Section 2(87)(ii)
9	a	Whether the company has a subsidiary company as defined under clause (87) of section 2
		Select whether the company is having any subsidiary as defined under clause (87) of section 2. If yes, indicate the number of subsidiary companies. Based on the number entered, maximum twenty blocks would be enabled for entering the particulars of such subsidiaries. Enter the CIN of the subsidiary company.
9	b	CIN of the subsidiary company
9	c	Name of the subsidiary company
		Click the Pre-fill button. On clicking the button, the Name of the subsidiary company will be auto-filled. In case CIN is not available, enter the name manually. Make sure that CIN is not available on MCA portal.
9	d	Provisions pursuant to which the company has become a subsidiary
		Select the applicable provision for becoming a subsidiary company from the two available options: <ul style="list-style-type: none"> • Section 2(87)(i) • Section 2(87)(ii)
10		Number of auditors

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S. No.	Field Name	Instructions
10	a	Income-tax (PAN) of auditor or auditor's firm
10	b	Category of auditor
10	c	Membership number of auditor or auditor's firm's registration number
10	d	SRN of Form ADT-1
10	e	Name of the auditor or auditor's firm
10	f	Address of the auditor or the auditor's firm
10		Name of the member
10		Membership number
11	a	Whether Schedule III of the Companies Act, 2013 is applicable

Enter the number of auditors and details thereof.

- Enter PAN of the auditor or auditors' firm.
- Select whether the auditor is Individual or an Auditor's firm.

- If the category of auditor is selected as individual, provide the membership number.
- If the category of auditor' is selected as Auditor's firm, enter the firm's registration number.
- Enter the SRN of form ADT-1 filed for intimation of appointment of the auditor details of whom is entered. If intimation of appointment of auditor is not required under section 139(5)/ (6)/ (7) of the Companies Act, 2013 then enter the SRN 'Z99999999'.
- Enter the name and address of the auditor or auditor's firm.
- In case of Auditor's firm, the details of the member signing for the auditor's firm will also be required. Enter the name and address of such member.

Select whether Schedule III of the Companies Act, 2013 is applicable or not.

If the type of company is commercial & industrial or NBFC, then select 'Yes' option only.

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S. No.	Field Name	Instructions
11	Type of Industry	Select the Type of Industry from available choices: <ul style="list-style-type: none"> • Commercial & Industrial (C&I) • Banking Company • Insurance Company • Power Company • Non-banking Financial Company (NBFC) registered with RBI
12	Whether consolidated Financial Statements Required or Not	Please make sure that YES is selected if consolidated financial statements is required to be filed by the company.
		In case NO option is selected, filing of form AOC-4 CFS will not be allowed.
13	a	Whether company is maintaining books of account and other relevant books and papers in electronic form
	b	Complete Postal Address of the Place of maintenance of computer servers (Storing Accounting Data)
	c	Particulars of the service provider (if any)
		Select Yes if company is maintaining books of account and other relevant books and papers in electronic form, else select No. Enter address details where computer servers are placed storing accounting data In case any service provider is maintaining the electronic records of the company, this will be mandatory to enter the particulars related to such service provider.

S. No.	Field Name	Instructions
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Part –B

Following sections needs to be filled in Part B:

- I. Balance Sheet
- II. Detailed Balance sheet items (Amount in Rupees)
- III. Financial parameters – Balance sheet items (Amount in Rupees) as on financial year end date
- IV. Share capital raised during the reporting period (Amount in Rupees)
- V. Details of Specified Bank Notes (SBN) held and transacted during the period from 8th November, 2016 to 30th December, 2016
- VI. Details related to cost records and cost audit

Details under section I of PART-B (balance sheet) and section II (detailed balance sheet items) can be entered only if Schedule III of the Companies Act, 2013 is applicable.

Refer clause (57) of the section 2 of the Companies Act, 2013 for the definition of ‘Net worth’.

SEGMENT II: INFORMATION AND PARTICULARS IN RESPECT OF PROFIT AND LOSS ACCOUNT

Following sections needs to be filled in Segment II:

- I. Statement of Profit and Loss
- II. Detailed Profit and Loss items (Amount in Rupees)
- III. Financial parameters – Profit and loss account items (amount in Rupees) during the reporting period
- IV. Details related to principal products or services of the company

Details under section I (Statement of Profit and Loss) and section II (Detailed Profit and Loss items (Amount in Rupees) can be entered only if Schedule III of the Companies Act, 2013 is applicable.

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SEGMENT III: REPORTING OF CORPORATE SOCIAL RESPONSIBILITY (CSR)			
1	a	Whether CSR is applicable as per section 135	<p>Refer to section 135 of the Companies Act, 2013 and rules made thereunder to identify if provisions related to CSR are applicable for the company.</p> <p>Fill the turnover and net worth of the company for previous FY in case not auto-filled.</p>
	b	Net profits for last three financial years	<p>Information in this field can be entered if CSR is applicable for the company as per section 135.</p> <p>Make sure that details are entered with respect to three immediately preceding financial years only viz:</p> <ol style="list-style-type: none"> 1. Financial year ended 2. Profit before tax (in Rupees) 3. Net Profit computed u/s 198 adjusted as per rule 2(1)(f) of the Companies (CSR Policy) Rules, 2014 (in Rupees) <p>Financial year should be entered in descending order starting with the immediate preceding financial year. For e.g. 2015, 2014, 2013..so on</p> <p>Adjusted net profit mentioned above would be considered for calculating the average net profit as specified in explanation of sub-section (5) of the section 135.</p>

2		Average net profit of the company for last three financial years (as defined in explanation to sub-section (5) section 135 of the Act)	Average net profit of the during the three immediately preceding financial years will be auto-calculated based on amounts entered in field 'Net Profit computed u/s 198 adjusted as per rule 2(1)(f) of the Companies (CSR Policy) Rules, 2014 (in Rupees)'. Amount can be entered manually if CSR is not applicable however make sure that the same is in Rupee figures.
3		Prescribed CSR Expenditure (two per cent. of the amount as in item 2 above)	In case of average loss during the last three financial years, prescribed CSR expenditure can be manually entered (if any). Enter value in Rupee figures only.
4	a	Total amount spent on CSR for the financial year	Enter the total amount spent on CSR for the financial year. Enter value in Rupees
4	b	Amount spent in local area	Enter the total amount spent on CSR for the financial year, within the local limits of company. Enter value in Rupees
4	c	Manner in which the amount spent during the financial year as detailed below:	Enter the details of amount spent for CSR in tabular format given. First mention the 'Number of CSR activities' If the number is more than 20, fill the first 19 rows and provide consolidated details in 20th row. In case the number of programmes/projects/activities are more than 20, attach the details of remaining projects/programmes in an excel sheet under attachment section 'Details of remaining CSR activities'.

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5		Give details (name, address and email address) of implementing agency(ies)	If the CSR amount was spent with the help of implementing agency(ies), enter the details of the implementing agency(ies).
6		Explanation for not spending	Provide explanation in case amount prescribed is not spent during the year. If others, specify
7		Whether a responsibility statement of the CSR Committee on the implementation and monitoring of CSR Policy is enclosed to the Board's Report	Select yes or no option as applicable

SEGMENT IV: DISCLOSURE ABOUT RELATED PARTY TRANSACTIONS*



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1		Number of contracts or arrangements or transactions not at arm's length basis	Enter the number of contracts or arrangements or transactions not at arm's length basis entered with related parties by the company. Based on the number entered here, the sections to provide details of the contracts or arrangements or transactions will be displayed subject to maximum twenty times. For more details, please attach the complete details with this form.
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2	Number of material contracts or arrangement or transactions at arm's length basis	<p>Enter the number of material contracts or arrangements or transactions at arm's length basis entered with related parties by the company.</p> <p>Based on the number entered here, the sections to provide details of the contracts or arrangements or transactions will be displayed subject to maximum twenty times. For more details, please attach the complete details with this form.</p> <p><i>*Related party transactions as per AS-18 and Section 188 of the Companies Act, 2013 to be considered for disclosure purposes.</i></p>
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SEGMENT V: AUDITORS' REPORT

I	a	In case of a government company, whether Comptroller and Auditor General of India (CAG of India) has commented upon or supplemented the audit report under section 143 of the Companies Act, 2013	In case of a Government Company, select whether Comptroller and Auditor General of India (CAG of India) has commented upon or supplemented the audit report under section 143 of the Companies Act, 2013.
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I	b (I)	Provide details of comment(s) or supplement(s) received from CAG of India	<p>If the Auditor General of India has commented, provide the details of comments and the Director's reply(s) on same.</p> <p>Select whether CAG of India has conducted supplementary or test audit under section 143</p>
I	b (II)	Director's reply(s) on comments received from CAG of India	
I	c	Whether CAG of India has conducted supplementary or test audit under section 143	
II		Whether the auditors have reported as to whether company had provided requisite disclosures in its financial statements as to holdings as well as dealings in Specified Bank Notes during the period from 8th November, 2016 to 30th December,	<p>Select whether the auditors have reported regarding the requisite disclosures for dealings in Specified Bank Notes during the period from 8th November, 2016 to 30th December, 2016.</p>

		2016 and if so, whether these are in accordance with the books of accounts maintained by the company	
III	1	<p>Details of remarks made by auditors and applicability of CARO</p> <p>Whether auditors' report has been qualified or has any reservations or contains adverse remarks</p>	<p>Select whether auditors' report has been qualified or has any reservations or contains adverse remarks.</p> <p>If the auditor has provided qualifications or adverse remarks, provide the number of adverse remarks.</p>
II		If yes, number of qualifications or reservations or adverse remarks	
II	2 (a)	Auditors' qualifications, reservations or adverse remarks in the auditors' report	Enter the details of auditors' qualifications, reservations or adverse remarks.

II	2 (b)	Directors' comments on qualifications, reservations or adverse remarks of the auditors as per Board's report	Enter the director's reply(s) on auditors' qualifications, reservations or adverse remarks.
	3	Whether Companies (Auditors' Report) Order (CARO) applicable	Select whether Companies (Auditors' Report) Order (CARO) applicable
	4	Auditors' comment on the items specified under Companies (Auditors' Report) Order (CARO)	Select one of the following relevant option against the particulars mentioned in the tabular format: <ul style="list-style-type: none"> • Favorable Remark • Unfavorable remark • Disclaimer remark • Clause not applicable

SEGMENT-VI- Miscellaneous

1		Whether the Secretarial Audit is applicable	Select whether a Secretarial Audit is applicable.
2		Whether detailed disclosures with respect to Directors' report under sub-section (3) of section 134 is attached	Select whether the detailed disclosures with respect to Directors' report under sub-section (3) of section 134 is attached.

Attachments:	<input type="checkbox"/> Financial statements duly authenticated as per section 134 (including Board's report, auditors' report and other documents) – This is a mandatory attachment
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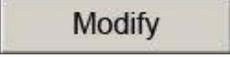
	<ul style="list-style-type: none"><input type="checkbox"/> Statement of subsidiaries as required under section 129 in the format of Form AOC-1 prescribed under the Companies (Accounts) Rules, 2014<input type="checkbox"/> Statement of the fact and reasons for not adopting balance sheet in the annual general meeting (AGM) – This attachment is mandatory if provisional unadopted financial statements are being filed<input type="checkbox"/> Statement of the fact and reasons for not holding the AGM - This attachment is mandatory if AGM was not held<input type="checkbox"/> Approval letter of extension of financial year or AGM - This attachment is mandatory if any extension has been granted for AGM or financial year<input type="checkbox"/> Supplementary or test audit report under section 143 - This attachment is mandatory if CAG of India had conducted supplementary or test audit under section 143<input type="checkbox"/> Company CSR policy as per sub-section (4) of section 135<input type="checkbox"/> Details of other entity(ies): This attachment is mandatory in case any amount of CSR is spent not directly by company. Details of all such implementing agencies should be attached in that case.<input type="checkbox"/> Details of salient features and justification for entering into contracts/ arrangements/transactions with related parties as per sub-section (1) of section 188 - Form AOC-2<input type="checkbox"/> Details of comments of CAG of India - It is mandatory if C&AG of India had conducted supplementary or test audit under section 143<input type="checkbox"/> Secretarial Audit Report - This attachment is mandatory if Secretarial Audit was applicable<input type="checkbox"/> Directors' report as per sub-section (3) of section 134 - This attachment is mandatory if the same was mentioned in the Segment VI of the eform<input type="checkbox"/> Details of remaining CSR activities: Details of CSR programmes/projects/activities not mentioned in e-form is mandatory to attach in excel sheet.<input type="checkbox"/> Optional attachments (s)- if any
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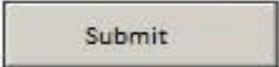
Statement of subsidiaries as required To be digitally signed by	Designation	Select the designation of the person signing the DSC <ul style="list-style-type: none"> • Director • Manager • Secretary • CEO • CFO
	DSC	Ensure the eForm is digitally signed by Director/ Manager/ Secretary/ CEO/ CFO. The person should have registered his/her DSC with MCA by using the following link (www.mca.gov.in). If not already register, then please register before signing this form. Disqualified Director should not sign the form.
	DIN or Income-tax PAN or Membership number	In case the person digitally signing the eForm is a Director - Enter the approved DIN. In case the person digitally signing the eForm is a CEO or CFO or manager- Enter the PAN. In case the person digitally signing the eForm is a Company Secretary - Enter the membership number of the secretary
Certificate by practicing professional		This eform needs to be verified by a practicing professional. Enter the details of the practicing professional and attach the digital signature.

Common Instructions to fill eForm

Buttons	Particulars
<p>Pre-Fill</p> 	<p>The Pre-fill button can appear more than once in an eForm. The button appears next to a field that can be automatically filled using the MCA database.</p> <p>Click this button to populate the field.</p> <p>Note: You are required to be connected to the Internet to use the Prefill functionality.</p>
<p>Attach</p> 	<p>Click this document to browse and select a document that needs to be attached to the eForm. All the attachments should be scanned in pdf format. You have to click the attach button corresponding to the document you are making an attachment.</p> <p>In case you wish to attach any other document, please click the optional attach button.</p>
<p>Remove Attachment</p> 	<p>You can view the attachments added to the eForm in the List of attachment field.</p> <p>To remove any attachment from the eForm, select the attachment in the List of attachment field and click the Remove attachment button.</p>
<p>Check Form</p> 	<ol style="list-style-type: none"> 1. Click the Check Form button after, filling the eForm. System performs form level validation like checking if all mandatory fields are filled. System displays the errors and provides you an opportunity to correct errors. 2. Correct the highlighted errors. 3. Click the Check Form button again and. system will perform form level validation once again. On successful validations, a message is displayed “Form level pre scrutiny is successful”. Note: The Check Form functionality does not require Internet connectivity.
<p>Modify</p> 	<p>The Modify button is enabled, after you have checked the eForm using the Check Form button.</p> <p>To make changes to the filled and checked form:</p> <ol style="list-style-type: none"> 1. Click the Modify button. 2. Make the changes to the filled eForm.

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	3. Click the Check Form button to check the eForm again.
<p>Pre scrutiny</p> 	<p>1. After checking the eForm, click the Prescrutiny button. System performs some checks and displays errors, if any.</p> <p>2. Correct the errors.</p> <p>3. Click the Prescrutiny button again. If there are no errors, a message is displayed “No errors found.”</p> <p>The Prescrutiny functionality requires Internet Connectivity. Please attach signatures before clicking on Prescrutiny.</p>
<p>Submit</p> 	This button is disabled at present.

Part III - Important Points for Successful Submission

Fee Rules

S. No	Purpose of the form	Normal Fee	Additional Fee (Delay Fee)	Logic for Additional Fees	
				Event Date	Time limit (days) for filing
1.	Adopted financial statements (in case of OPC)		The Companies (Registration offices and Fees) Rules, 2014Annexure B	Financial year end date	180 days

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2.	Provisional Unadopted financial statements (in case of other than OPC)	The Companies (Registration offices and Fees) Rules, 2014Annexure B	Actual date of AGM. In case date of AGM is not entered then due date of AGM (shall be extended due date, if extended)	30 days
3.	Adopted financial statements (in case of other than OPC)	The Companies (Registration offices and Fees) Rules, 2014Annexure B	Date of Adjourned AGM. If not entered then actual date of AGM.	30 days
4.	Revised financial statements u/s 130	The Companies (Registration offices and Fees) Rules, 2014Annexure B	Date of order of competent authority	30 days
5.	Revised financial statements u/s 131	The Companies (Registration offices and Fees) Rules, 2014Annexure B	Date of order of competent authority	30 days

Fees payable is subject to changes in pursuance of the Act or any rule or regulation made or notification issued thereunder.

Processing Type

The eForm will be processed in the office of Registrar of Companies based on the paid up capital entered as compared to paid up capital available in MCA records for the company or in case of revised filing is being done. In other cases, the form will be processed in auto approval mode.

Email

The status of request is sent to user in the form of an email at the end of the day to the email id of the company.

Annexure A

Section 129(3) Where a company has one or more subsidiaries, it shall, in addition to financial statements provided under sub-section (2), prepare a consolidated financial statement of the company and of all the subsidiaries in the same form and manner as that of its own which shall also be laid before the annual general meeting of the company along with the laying of its financial statement under sub-section (2):

Provided further that the Central Government may provide for the consolidation of Accounts of companies in such manner as may be prescribed.

Explanation.—for the purposes of this sub-section, the word “subsidiary” shall include Associate Company and joint venture.

Section 137:

(1) A copy of the financial statements, including consolidated financial statement, if any, along with all the documents which are required to be or attached to such financial statements under this Act, duly adopted at the annual general meeting of the company, shall be filed with the Registrar within thirty days of the date of annual general meeting in such manner, with such fees or additional fees as may be prescribed within the time specified under section 403:

Provided that where the financial statements under sub-section (1) are not adopted at annual general meeting or adjourned annual general meeting, such unadopted financial statements along with the required documents under sub-section (1) shall be filed with the Registrar within thirty days of the date of annual general meeting and the Registrar shall take them in his records as provisional till the financial statements are filed with him after their adoption in the adjourned annual general meeting for that purpose:

Provided further that financial statements adopted in the adjourned annual general meeting shall be filed with the Registrar within thirty days of the date of such adjourned annual general meeting with such fees or such additional fees as may be prescribed within the time specified under section 403:

Provided also that a One Person Company shall file a copy of the financial statements duly adopted by its member, along with all the documents which are required to be attached to such financial statements, within one hundred eighty days from the closure of the financial year:

Provided also that a company shall, along with its financial statements to be filed with the Registrar, attach the accounts of its subsidiary or subsidiaries which have been incorporated outside India and which have not established their place of business in India.

(2) Where the annual general meeting of a company for any year has not been held, the financial statements along with the documents required to be attached under sub-section (1), duly signed along with the statement of facts and reasons for not holding the annual general meeting shall be filed with the Registrar within thirty days of the last date before which the annual general meeting should have been held and in such manner, with such fees or additional fees as may be prescribed within the time specified, under section 403.

(3) If a company fails to file the copy of the financial statements under sub-section (1) or subsection (2), as the case may be, before the expiry of the period specified in section 403, the company shall be punishable with fine of one thousand rupees for every day during which the failure continues but which shall not be more than ten lakh rupees, and the Managing Director and the Chief Financial Officer of the company, if any, and, in the absence of the managing Director and the Chief Financial Officer, any other Director who is charged by the Board with the responsibility of complying with the provisions of this section, and, in the absence of any such Director, all the Directors of the company, shall be punishable with imprisonment for a term which may extend to six months or with fine which shall not be less than one lakh rupees but which may extend to five lakh rupees, or with both.

Rule 12(1):

Every company shall file the financial statements with Registrar together with Form AOC-4 and the consolidated financial statement, if any, with Form AOC-4 CFS.

Key Note:

Vide Circular dated 26th October, 2017, Ministry of Corporate Affairs has issued following guideline:

“All companies required to prepare or voluntarily preparing their financial statements in accordance with Companies (Indian Accounting Standards) Rule, 2015 for financial year 2016-17 are required to file their statements in XBRL format.”

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Annexure B

The Companies (Registration offices and Fees) Rules, 2014**For company having share capital**

Nominal Share Capital	Fee applicable
Less than 1,00,000	Rupees 200 per document
1,00,000 to 4,99,999	Rupees 300 per document
5,00,000 to 24,99,999	Rupees 400 per document
25,00,000 to 99,99,999	Rupees 500 per document
1,00,00,000 or more	Rupees 600 per document

For company not having share capital

Rupees 200 per document

Additional fee rules

Following table of additional fees shall be applicable for delays in filing of annual returns or balance sheet/financial statement under the Companies Act, 1956 or the Companies Act, 2013 beyond 30/06/2018:

Sl. No.	Period of delay	Additional fee payable (in Rs.)
01	Delay beyond period provided under Section 92(4) of the Act	Hundred per day
02	Delay beyond period provided under Section 137(1) of the Act	Hundred per day

In addition to the above, the following table of additional fees shall be applicable for delays in filing of belated annual returns or balance sheet/financial statement under the Companies Act, 1956 or the Companies Act, 2013 up to 30/06/2018:

Sl. No.	Period of delay	Additional fee payable (in Rs.)
1	Up to 30 days	2 times of normal filing fees
2	More than 30 days and up to 60 days	4 times of normal filing fees
3	More than 60 days and up to 90 days	6 times of normal filing fees
4	More than 90 days and up to 180 days	10 times of normal filing fees
5	Beyond 180 days	12 times of normal filing fees

Steps to calculate the additional fee:

1. Identify the due date of filing by taking event date + no. of days allowed for filing the form.
2. Identify the posting date/filing date.

Scenario 1	Scenario 2
<p>Additional fee [In case due date of filing mentioned in point no. 1 is less than or equal to 30 Jun 2018]:</p> <p style="text-align: center;">Additional fee calculated for delay after 30 June 2018</p> <p style="text-align: center;">Posting date [minus] 30/06/2018 * 100</p> <p style="text-align: center;">Plus</p> <p style="text-align: center;">Additional fee calculated for delay up to 30 June 2018 as below:</p> <p style="text-align: center;">30/06/208 [minus] due date calculated in point no.1. Based on the no. of delayed days, additional fee mentioned in Table 2 would be applicable.</p>	<p>Additional fee [In case due date of filing mentioned in point no. 1 is equal to or greater than 01 July 2018]:</p> <p style="text-align: center;">Posting date [minus] Due date * 100</p>

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