

Version 3 of MCA Portal – A new challenge

INTRODUCTION:

With the introduction of new Version 3 (V3) of MCA portal, the Ministry of Corporate Affairs (MCA) has unsettled the professionals, who were settled to an extent with Version 2 (V2) of the Portal with regard to filing of their forms and returns with MCA. The filing services on V3 portal were rolled out on 8th March 2022 for LLP's and 31 August 2022 and 23rd January 2023 for Companies.

The Ministry of Corporate Affairs (MCA) has released a set of forms for Companies, totaling 56 forms in two lots forms from V2 to V3 MCA portal. 10 out of 56 forms are already available from January 9, 2023, and the remaining 46 forms are available from January 23, 2023. Some relevant information with regard to V3 Portal are as follows:

✓ ***V3 PORTAL OF MCA:-***

The MCA in order to carry out significant up gradation of its existing version of the portal has gradually launched the V3 portal initially for LLPs and then for Companies. This is an enhanced version of the V2 portal and is presently live for LLP's and Company's.

The V3 portal presently enables the following services for LLPs and Companies:

- Login & user Registration
- DSC Association
- E-Form Filing

✓ ***The “main” differences between V2 and V3:-***

In V2, forms are required to be filled offline and uploaded in the portal while in V3 the forms are to be filled online after logging in. The system enables the user to save a half filled form and file it later. Further in V2, there was only a My Workspace which had a list of notices from MCA and circulars issued by them. In V3, there is a personalized “My Application” feature which allows one to view all the forms filed by them till date along with the status of the forms such as pending for DSC upload, Under Processing, Pay fees, Resubmission etc. When a user logs in to V3, the login is through the email id only whereas in V2 it was possible with the user id. An OTP is sent to the mobile and e-mail address at the time of login to ensure the authenticity of the user if the user logs in for first time from different system.

✓ ***Business User in V3***

The following most suitable category of Business User may be selected at the time of Registration:-

- Company/LLP
- Director/Designated Partner
- Manager/Secretary/Authorized Representative
- Officer in Default
- Professional

✓ ***STEPS TO REGISTER IN MCA:-***

Go to the Tab Sign in/ Sign Up in the mca.gov.in site. There will be a button called "Register" between the buttons for Login for LLP filing and Login for Company filing. The registration can be done by clicking this button. The registration for a new user will enable the user to file both Company (V2) and LLP forms (V3)

- a. Please click on the "Register" button.
- b. Clicking on Register button will take you to the Registration page.
- c. Choose the User Category and User Role as applicable.
- d. Please complete the registration process and login using your credentials
- e. You will receive an e mail / SMS on successful registration

- ✓ The ***registration process for the new user in V3***, the user can immediately start filing related forms for Company as well as for LLP.

✓ ***Information that needs to be provided for Registration:-***

The following will be needed for registration based on category of the user. Some requirements are generic across all categories, there are special data requirements for other categories and a few are illustrated below:-

- E Mail Id / Phone Number / Address are required for both Registered and Business Users
- PAN is non mandatory for registered users but compulsory for business users
- Company/LLP User - CIN /LLPIN /FLLPIN /FCRN
- Director/Designated Partner – DIN / DPIN
- Manager/Secretary/Authorized Representative – General inputs only
- Officer in Default – General inputs only
- Professional – Professional Membership Number / Professional Institute

✓ ***Details which are required to be followed during registration:-***

1. First Name, Middle Name and Last name are required to be entered as in one's PAN records.
2. For Directors/ Designated Partners, DIN is mandatory, and PAN is optional. In this category, the Alphabets of First Name, Middle Name & Last Name is automatically taken in Capital letters as per MCA records.
3. While upgrading to a Business User from a Registered User, the system validates the Username and Date of Birth as per user's PAN details as per PAN database.
4. For any other Professional usage in the system apart from professionals under CA/CS/CMA category, the User can register as Registered User with access to file RUN and FiLLiP Forms.

✓ ***When the User is unable to see his SRNs in the application history :-***

A fresh/new User will have no history of filings thus, will not be able to see any history of filing in application history. However, if the User logs into the system through his existing user ID of Old Module, he will be able to see all the SRNs under "My Application" tab.

✓ ***Can my account be suspended or deactivated?***

In case the user does not log in for a continuous period of 60 days, then the account would be deactivated, and an email alert will be sent to the user stating the same. In order to activate the account, the user would be required to reset the password using "Forgot password" option.

✓ ***Is DIN are getting generate after Filing of DIR-3?***

DIN is not getting generated since 23 January 2023 ever after getting approved of DIR3. Therefore, we all have to wait for the DIN to get generated.

ASSOCIATING THE DSC AND AFFIXING THE DSC

- ✓ Associating the DSC is a process by which a DSC is mapped to a user id. This is required because the forms are filled and submitted online.

✓ ***Steps to associate your DSC:-***

- Go to mca.gov.in
- Log into the portals form (V3)
- Go to MCA services

- **Go to FO services**
- Go to Associate DSC

✓ ***System specification's that are required to Associate DSC:-***

- Latest Version of emSigner & emBridge software should be installed in user's system for DSC to work.
- emSigner & emBridge software must be running in the background while registering DSC.

✓ ***Steps to affix my DSC:-***

- Complete filling up the form
- Submit the form
- SRN number will be generated and communicated by mail and SMS
- SRN number and form will be available in My Application
- The form is also auto downloaded as a PDF in your system
- If download is not done, the pdf can be downloaded from My Application against SRN number "Download the PDF"
- Open the PDF in adobe
- Affix the DSC as per normal process

✓ ***The size limit for documents and certificates to be attached/ uploaded:-***

The maximum size of each attachment of the form shall be maximum 2 MB. However, the overall size limit of the Form (including all attachments and DSC) shall be maximum 10 MB.

✓ ***Resolving the issue which arises when there is no drop down option to select the certificate while registering the DSC:-***

- Download the em-signer & em-bridge software from the link appearing there.
- After installing the software, restart the system.
- Try again the association of DSC.

✓ **Extension of Due Dates**

- As per notification issued by MCA on 09.01.2023, if Due Date of any 46 forms falls between 07-01.2023 to 23.01.2023 then such form can be filed in next 15 days.
- It was further extended for another 15 days vide MCA Circular dated 07.02.2023.

- It was further extended vide MCA Circular dated 21.02.2023, if Due Date of any 45 company e-forms, and SPICE+ PART A forms falls between 07.02.2023 to 28.02.2023 then it can be filed within 31.03.2023 without any additional fees.
- It was further mentioned, PAS-03 form which was closed for filing in V2 on 20.01.2023 and launched in V3 on 23.01.2023, and whose due dates for filing fall between 20.01.2023 and 28.02.2023, can also be filed within 31.03.2023 without any additional fees.

✓ **NOTES TO REMEMBER:-**

- The above change is related to the newly released V3 LLP Module only.
- Please note that with one Email and PAN, only one user can be registered on the new system.
- Please note that only 1 DSC can be associated with 1 User ID. Thus, Users are required to make sure to associate correct DSC with their respective User IDs.
- Only one DSC will be associated with each login ID. Users who don't have the User ID's its mandatory in V3 to create a user ID & associate the DSC.
- All the forms are web based in V3. There is no option to download the files.
- If V3 ID is created for LLP on V3 Portal then such ID shall be used for filing of Company on MCA V3 Portal. (Only for Professionals and staff of Professionals)

✓ **MAJOR CHANGES ON FORMS IN MCA V3 PORTAL:-**

❖ **FORM INC 22:**

- Following attachments are removed-
 - Copy of order
 - List of Companies having same RO
 - Copy of altered MOA
- Geo coordinates of Registered Office is required to be provided
- Following attachments are included-
 - Photographs of the director and office premises

❖ **FORM PAS - 3:**

- Following attachments are removed-
 - Copy of Board or Shareholder Resolution
 - Copy of SR in case of Bonus Issue
 - PAS 5
- Type of Securities Option Changed
- Type of Allotment is introduced
- Bifurcation of type of class of shares
- Valuation details in brief
- New Declaration- No previous allotment details is pending for filing
- Attachment – List of allottee is part of the form in excel sheet

❖ **FORM SH - 7:**

- STP mode in case purpose of filing is selected “increase in Share Capital independently by Company
- Introduction of e-MOA and e-AOA as linked filing with SH-7 Form

❖ **FORM INC-20A:**

- Photograph of Registered Office as an attachment
- Detail of Subscriber Payment like A/C NO. , IFSC Code, Date of Receipt of Money

❖ **FORM DIR-12:**

- Non – STP in case of cessation due to vacation of office u/s 167 or Removal of Director u/s 169 or company is under Management dispute or Appointment of Director in case of all existing Directors are disqualified or Appointment of Director by Liquidator/IRP/RP

❖ **FORM MGT-14:**

- NIC CODE 2008 for change in Object
- e-MOA and e- AOA for Internal purpose
- RUN SRN for change in Company name
- Non STP – STTP in case change of MOA is due to change of name

❖ **SPICE+ PART B:**

- Substantial changes made in the Incorporation Form

- e- MOA and e- AOA for Section 8 Company
- DSC of nominee required
- INC 14 & INC 15 as an attachment is removed and being incorporated in the Form
- Geo coordinates for Registered Office Address

✓ **COMMON ISSUES IN MANY FORMS**

Some of the professionals are facing technical issues while submitting many forms and such concern were raised by them and ICSI. Some of the common issues faced by them are listed below:

- a) Forms which are already filed in MCA-21 V2 are pending for approval. Also, the Forms which are approved are not visible in MCA-21 V3.
- b) When the Form is downloaded, some of the filled details are found missing.
- c) In case the Form is modified, attachments disappear.
- d) After filling and saving the details, Forms are not getting downloaded.
- e) If downloaded, DSC Box is not appearing in the forms.
- f) In the 'Application History', against the particular SRN, after clicking the 're-submission' tab, the resubmission/ rejection comments are not appearing.
- g) In case of small companies, there is no requirement of certification from professionals, however such Forms are asking for certification from professionals.
- h) Last name is mandatory while updating profile as Business User. However, in some cases, the stakeholder has only first name in PAN
- i) System is asking for payment at the time of re-submission of forms
- j) MCA has given relaxation for additional fees till 21st February, 2023, but system is asking for payment of Additional Fees
- k) Forms are not appearing in the Application history after submitting them successfully on the portal.
- l) Challans are not getting generated.
- m) In case of any Professional Staff Member leaves the Firm, then how to disassociate such staff member from the firm as there is maximum limit of 10 staff members.

Reference: MCA Portal, Circulars, Notifications, ICSI Representation etc.