

# MCA OFFERS A BREATHER DURING COVID TIMES

## I. Companies Fresh Start Scheme, 2020:

Any Company/ LLP having any form pending for filing with ROC, whose due date is already passed, can file such forms under this Scheme without paying any Additional Fees till **30th September, 2020**. An e-form **CFSS (Companies Fresh Start Scheme, 2020)** is required to be filed by Companies/LLP between **October 01, 2020 to March 31, 2021**.

## II. Relaxation in Holding of Board Meeting through Video Conferencing for Restricted Matters:

Companies can hold Board meetings through video conferencing or other audio-visual means until 30 June 2020 for:

- Approval of annual financial statements;
- Approval of the board's report;
- Approval of a prospectus;
- Audit committee meetings for consideration of financial statements to be approved by the board; and
- The approval of amalgamation, merger, demerger, acquisition and takeover.

**These are otherwise not permitted to be held through video conferencing or other audio-visual means.**

## III. One Time relaxation for Holding of one Board Meeting:

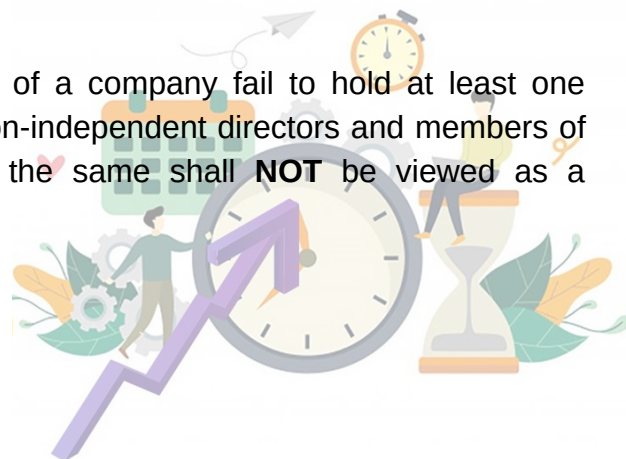
The gap between two consecutive Board meetings is extended from **120 days to 180 days** till the **30th September**.

## IV. Holding of AGM for Companies:

If the financial year of any Company ended on December 31, 2019, they can hold Annual General Meeting till **September 30, 2020 instead of June 30, 2020**.

## V. Independent Director not able to hold even one board meeting:

If in case the independent directors of a company fail to hold at least one meeting without the attendance of non-independent directors and members of management in the year 2019-20, the same shall **NOT** be viewed as a violation under the Act.



**VI. Deferment of applicability of the Companies (Auditor's Report) Order, 2020:**

Companies (Auditor's Report) Order, 2020 shall be applicable from the financial year 2020-21 instead of financial year 2019-20.

**VII. Inclusion of spending funds on tackling COVID-19 as a CSR activity:**

Any activity relating to the promotion of health care, including preventive health care, sanitation and disaster management shall constitute as CSR activity.

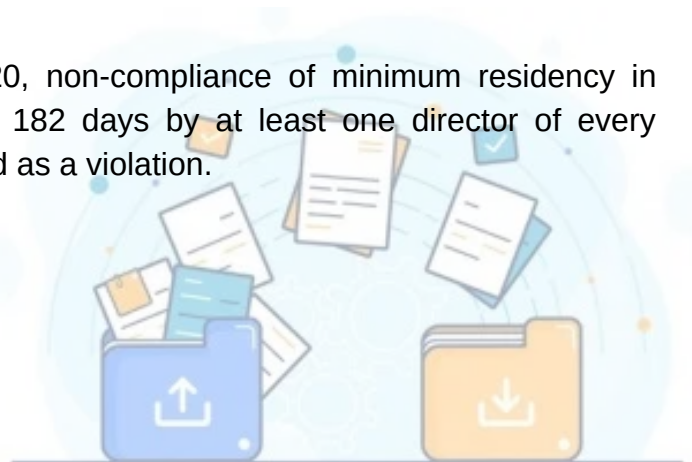
Also, any contribution made by the company to the Prime Minister's Citizen Assistance and Relief in Emergency Situations Fund (PM Cares Fund) can be taken as expenditure for CSR activity.

**VIII. Extension from filing a declaration for commencement of business:**

Newly incorporated companies can file a declaration for commencement of business, within **360 days** of incorporation of the Company.

**IX. Exemption from Minimum Residency Requirements:**

For the financial year 2019-20, non-compliance of minimum residency in India for a period of at least 182 days by at least one director of every company, shall **NOT** be treated as a violation.



**"You can get compliance as a by-product of just doing the job right in the first place."  
Come to us for any Secretarial Services for Private Companies, Public Companies and NBFCs and we will make sure your Company is all complied.**

**Any queries and requirements ,please feel free to contact  
Rajesh on +91 98453 48828 / +91 9632988828 or r.joseph@annveshan.com**