

### **LLP Settlement Scheme**

Dear Sir/Madam,

This is for your information purpose that, Ministry of Corporate Affairs (“MCA”) vide its **circular no. 6/2020** dated **04<sup>th</sup> March, 2020** as a part of Government's constant efforts to promote **ease of doing business** it has been decided to give a **onetime relaxation** in additional fees to the **defaulting LLPs (as defined hereinafter)** to make good their default by filing pending documents and to serve as a compliant LLP in future.

**Defaulting LLPs** means a LLP registered under the Limited Liability Partnership Act, 2008 which has **made a default in filing of documents** on the due date(s) *[i.e. 30<sup>th</sup> May every year for Annual Return and 30<sup>th</sup> October every year for Balance Sheet / Statement of Account or Solvency]* specified under the LLP Act, 2008 and rules made there under;

#### **Applicability on certain documents**

1. Information with regard to limited liability partnership agreement and changes, if any, made therein;
2. Notice of appointment, cessation, change in name/address/ designation of a designated partner or partner and consent to become a partner/ designated partner;
3. Statement of Account & Solvency;
4. Annual Return of Limited Liability Partnership (LLP).

#### **Non Applicability**

This Scheme shall not apply to LLPs which has made an *application to the Registrar, for striking off* its name from the register as per provisions of Rule 37(1) of the LLP Rules, 2009

#### **Consequences of not taking up this scheme by LLPs under default**

On the conclusion of the Scheme, the *Registrar shall take necessary action* under the LLP Act, 2008 against the LLPs which have not availed this Scheme and are in default in filing of documents as required under the provisions of LLP Act, 2008 in a timely manner. The Defaulting LLPs which will make good default, under this scheme, shall not be subject to prosecution by Registrar for such defaults.

#### **Fees Payment**

This scheme can be availed for filing documents by payment of additional fee **Rs 10/-** per day for delay in addition to ROC Fees payable for filing of such document or return, provided that such payment of additional fee shall not **exceed Rs. 5,000/- per document**.

Sr. No.	Particulars of Form	ROC Fees in Rupees	Additional ROC Fees in Rupees	
			Before Amnesty	After Amnesty
1.	Statement of Account & Solvency (For 3 Financial Years ending on 31.03.2017, 31.03.2018 and 31.03.2019)	150/-	147,600/-	15,000/-
2.	Annual Return of Limited Liability Partnership (For 2 Financial Years ending on 31.03.2018 and 31.03.2019)	100/-	61,900/-	10,000/-
<b>Total</b>		<b>250/-</b>	<b>2,09,500/-</b>	<b>25,000/-</b>

### **Professional Fees**

Our Professional fees for the filing shall be **Rs. 5000/- per Form for Annual Return and Rs. 7500/- per Form for Statement of Account of Solvency.**

Please note that on immediate basis we can proceed for filing of outstanding “**Annual Return of Limited Liability Partnership**” as no involvement of Chartered Accountant (“CA”) is required. And for “**Statement of Account & Solvency**” you can share bank account statement of LLP with us, we can accordingly assess if Audit Report from CA is required and ensure the needful. However, fees to be charged by CA for preparing Financial Statements of LLP, Audit Report, Income Tax Filing, etc. will be additional and communicated to you in advance for necessary confirmation.

Further, you can take Audit Report from your CA or we can connect with you as well. *Fees of the CA is not included in above mentioned Professional fees and shall be payable at actuals.*

### **Requirements**

Need Digital Signature (“DSC”) of any two Designated Partners. In case DSC is not there, additional cost of Rs. 2000/- per DSC having validity of 2 years to be incurred.

#### **Note: -**

1. To proceed further on immediate basis you need to incur a cost of Rs. 20,000/- inclusive of Professional fees.
2. For filing of Statement of Accounts and Solvency you shall need to incur a further cost of Rs. 37,500/- inclusive of Professional Fees.

Regards,

Team ~ K. Bagla & Associates