

# News

## Refund Process initiated by MCA

Nidhi Ladha  
[nidhiladha@vinodkothari.com](mailto:nidhiladha@vinodkothari.com)

Vinod Kothari & Company

Check at: [www.india-financing.com/staffpublications.htm](http://www.india-financing.com/staffpublications.htm) for more write ups.

**Copyright:**

This write up is the property of Vinod Kothari & Company and no part of it can be copied, reproduced or distributed in any manner.

**Disclaimer:**

This write up is intended to initiate academic debate on a pertinent question. It is not intended to be a professional advice and should not be relied upon for real life facts.

*News*

The MCA users have been required to pay various fees to avail the MCA services or against fines and penalty imposed by the Appropriate Authorities. It is the very common for users to make wrong, excess or multiple payments for a single service availed. Recently, MCA has introduced the procedure for refunding these excess or wrong payments.

Refund may be claimed for multiple payments made for multiple filing of the same form, incorrect payment made under “Pay Miscellaneous Fee” facility and/ or excess payment made due to incorrect data in the form or on the basis of the incorrect data available on the Portal

***Refund Process:***

To claim refund, a stakeholder must fill the Refund Form available on the MCA Portal. For the time being, no filing fee for this form has been prescribed by the Ministry. Refund form with regard to the same request can be filed twice only. Once the form is “Eligible for refund,” MCA shall intimate the same to the respective stakeholder through email along with the format of G.A.R 33. GAR 33 is also available at the ‘Track Transaction status’ functionality on the MCA portal. The stakeholder is then required to send signed G.A.R. 33 as a physical copy to Drawing and Disbursement Officer, Ministry of Corporate Affairs as per the details mentioned in the G.A.R. 33.

Refund shall be made by cheque, however, option for ECS or direct deposit in the bank are also being considered.

***Time limit for filing the Refund Form:***

The “Refund Form” is required to be filed within 1095 days of filing of original request. For all earlier cases, (i.e. cases filed before introduction of refund process), the time limit shall be considered from the date on which the refund process is introduced i.e. from 01/05/2011. Also, there shall be deduction in the amount to be refunded based on time period within which refund form is filed. The following is the time slab for filing refund form and the corresponding deduction in refund amount:

<b>Time within which refund application is made</b>	<b>Default value for deduction</b>
0-90 days	2.5%
91-180 days	5%
181- 270 days	7.5%



## Refund Process initiated by MCA

### News

271-365 days	10%
More than 365 days	25%

#### **Payments kept outside the purview of this circular:**

Forms and services which are kept out of the purview of this circular are:

- Public Inspection of documents
- Request for Certified Copies
- Payment for transfer deeds
- Stamp duty fee (D series SRN)
- Form 1A – Name withdrawn cases
- IEPF Payment
- STP Forms i.e. Form 23B, 20B, 23AC, 66, 21A, 23ACA, Form 14 – LLP, DIN-3 (even for cases when the same were non STP earlier)
- Form DIN – 1
- Form 1AA
- Form 22
- Form 4
- Form 22B
- Form 25C
- Form 15
- Form 23AA
- Form 36
- Form DDB
- Form 68

The FAQs on the process can be seen at

[http://www.mca.gov.in/MCA21/Refund\\_faq.html](http://www.mca.gov.in/MCA21/Refund_faq.html)

#### **Contact us:**

**Vinod Kothari & Company**

**1012, Krishna**

**224, AJC Bose Road**

**Kolkata -700 017**

**Ph: 033-2281-7715/3742/1276**

**Email Ids- [vinod@vinodkothari.com](mailto:vinod@vinodkothari.com); [nidhi@vinodkothari.com](mailto:nidhi@vinodkothari.com)**