

ADJ/05/RD (SR)/2019-20 (Remanika)
BEFORE THE REGIONAL DIRECTOR
(SOUTHERN REGION)
MINISTRY OF CORPORATE AFFAIRS, CHENNAI
IN THE MATTER OF THE COMPANIES ACT 2016
SECTION 454(7) OF COMPANIES ACT 2013

IN THE MATTER OF M/s. REMANIKA CHITS PRIVATE LIMITED

1 M/s. Remanika Chits Private Limited,
KP XV/327/K.R.P Shashttiabthapoorthi
Building, Kadampanad Enathu Road,
Kadampanad, Pathanamthitta, Kerala - 691 553.

2 Mr. Ajikumar GokuldasApplicants/Appellants

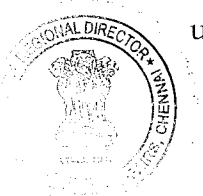
Date of hearing **11.09.2020**
Present **Shri J. Balakumar, PCS, CP 3430**

ORDER

This is an appeal filed under Section 454 (7) of the Companies Act, 2013 by the above Applicants in form ADJ vide SRN No. R34209882dated 27.02.2020 against the Adjudication Order No. ROC/S-454/10A/354/2020 dated 03.02.2020 under Section 454 (3) passed by the Registrar of Companies, Kerala for default in compliance with the requirements of Section 10A of the Companies Act, 2013 read with the Companies (Adjudication of Penalties) Rules, 2014.

2. The subject Company was incorporated on 29.01, 2019. E-form INC-20A should have been filed within a period of 180 days from the date of incorporation i.e. latest by 28.07.2019, but was filed only on 25.10.2019 with a delay of 89 days. ROC, Kerala adjudicated on 03.02.2020 and imposed a penalty of Rs. 50,000/- upon the Company and Rs. 89,000/- upon the Director namely Mr. Ajikumar Gokuldas @ Rs. 1000/- per day for the period of default. Hence this Appeal.

3. An opportunity of hearing was given to the Appellants. The Authorized Representative Shri J. Balakumar, PCS, CP 3430 appeared for the Appellants and pleaded that the Company received the approval to commence the Chit vide letter dated 27.08.2020 which was received only on 21.10.2020, but the Authorized Representative was not in a position to submit the proof that the letter dated 27.08.2020 from the Chit Registrar was received by the Company only on 21.10.2020. Further, the Authorized Representative pleaded that the Company has a paid up capital of Rs. 1,00,000/- and the Companies Fresh Start Scheme (CFSS) gave immunity to those who did not file the documents but have filed it under CFSS and sought at least to reduce the penalty.



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4. After hearing the Authorized Representative on 11.09.2020 and keeping in view that the Company is in nascent stage and that the paid up capital is only Rs. 1,00,000/- the order of the Registrar of Companies is modified to the extent of reducing the penalty on the Company to Rs. 25,000/- and Rs. 44,500/- on the Director and it was directed that The Appellants shall pay the penalty in 30 days. Accordingly, the Appellants by mail dated 05.10.2020 have informed that the Appellant Company had remitted Rs. 25,000/- vide SRN U 72625296 dated 01.10.2020 and the defaulting director had remitted Rs. 44,500/- vide SRN U72625403 dated 01.10.2020. Hence, the Registrar of Companies, Kerala is directed to drop further proceedings in the matter.

Dated at Chennai this the 12th day of October, 2020.



To

1. M/s. Remanika Chits Private Limited,
KP XV/327/K.R.P Shashttiabthapoorthi Building,
Kadampanad Enathu Road, Kadampanad,
Pathanamthitta, Kerala - 691 553.
2. Mr. Ajikumar Gokuldas
3. The Registrar of Companies, Kerala.
4. The Officer in Charge, e-Gov. Cell, Ministry of Corporate Affairs, A-Wing, Shastri Bhavan, Dr. Rajendra Prasad Road, New Delhi -110 001- with a request to upload this Order on the website of the Ministry. Mail sent to Shri Vivek Meena, Asst. Director (vivek.meena@gov.in) and Shri B. Srikumar, Deputy Director, (srikumar.b@gov.in)


(M.R. BHAT)
REGIONAL DIRECTOR (SR)

o/c
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12/10/2020

