



भारत सरकार/ GOVERNMENT OF INDIA
कारपोरेट कार्य मंत्रालय / MINISTRY OF CORPORATE AFFAIRS
कम्पनी पंजीयक का कार्यालय, कर्नाटका
OFFICE OF THE REGISTRAR OF COMPANIES, KARNATAKA
"केंद्रीय सदन", II मंजिल, 'ई' विंग, कोरमंगला, बंगलूर - 560 034
"KENDRIYA SADAN", II FLOOR, E- WING, KORAMANGALA, BANGALORE - 560034

मि.सं/F.No.ROCB/ Adj.454/Co.No.92615/Section 12/2020 दिनांक/Date: 15/12/2020

ORDER OF ADJUDICATION OF PENALTY UNDER SECTION 454 OF COMPANIES ACT 2013 READ WITH RULE 3 OF THE COMPANIES (ADJUDICATION OF PENALITES) RULES 2014 FOR VIOLATION OF PROVISIONS OF SECTION 12 OF THE COMPANIES ACT 2013 BY M/S PANDU MINERAL WATERS PRIVATE LIMITED

- 1 Whereas the company, M/S PANDU MINERAL WATERS PRIVATE LIMITED was incorporated on 28/04/2016 under the jurisdiction of Registrar of Companies, Bangalore. In form INC-7 (Application for incorporating company) it has mentioned correspondence address as Siddeshwara Nagar, 3rd Cross, Opp. Gangavathi Bros, Vegetable Market, Ranebennur, Haveri Karnataka India 581115 and opted radio button as "NO", thereby confirmed that correspondence address given was not the registered office of the company vide Col. No. 3(c) of said form No INC-7.
- 2 Whereas Sub-section (2) of Section 12 of the Companies Act, 2013 mandates that a Company shall furnish to the Registrar verification of its registered office in Form INC-22 within a period of 30 days of its incorporation in such manner as may be prescribed.
- 3 However the Company has not filed the Form INC-22 within stipulated time i.e by 28/05/2016 and filed the same only on 31/12/2018 with a delay of 947 days vide SRN H39974886, mentioning the registered office as Gangotri Complex behind Ganapathi Temple Ashok Nagar Ranebennur Haveri Karnataka 581115 India.
- 4 As per Section 12(8) of the Companies Act 2013, if any default is made in complying with the provisions of Section 12, the Company and every officer who is in default shall be liable to a penalty of one thousand rupees for every day during which default continues but not exceeding one lakh rupees.
- 5 Letter/Notices were issued to the Company and its Directors on 26/02/2020 for hearing the matter on 05/03/2020. But non- attended. Again fixed for hearing on 24/07/2020 which was again not attended by anyone. Hence the matter was taken up for hearing on 05/09/2020 Mr. Anandteerth Hipparagi, PCS attended the hearing and sought for 15 days time to file proper application which was granted.
- 6 Due to COVID-19 pandemic, hearing was finally held through Video Conference on **05.11.2020** and **Mr. CS Anandteerth Hipparagi**, PCS and authorized representative attended the hearing.
- 7 In view of the above, the undersigned in exercise of the powers vested to him vide Section 454(1) & (3) of Companies Act 2013, hereby impose a penalty of **Rs.1,00,000/- each on the Company and its three Directors, Mr. Panduranga Gangavati Jayappa Mr. Gururaj Vijayappa Gangavati, and Mr. Megharaj Gangavati Vijayappa, totaling Rs.4,00,000/-**

- 8 Whereas sub-section (5) of section 454 of the Companies Act, 2013 provides that any person aggrieved by an order made by the adjudicating officer under sub-section (3) may prefer an appeal to the Regional Director having jurisdiction in the matter and further sub-section (6) provides that every appeal under sub-section (5) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person and shall be in such form, manner and be accompanied by such fees as may be prescribed.
- 9 Please note that as per Section 454(8)(i) of the Companies Act 2013, where as company fails to comply with the order made under sub-section (3) or sub-section (7) as the case may be, within a period of ninety days from the date of the receipt of the copy of the order, the company shall be punishable with fine which shall not be less than twenty five thousand rupees but which may extend to five lakh rupees.
- (ii) Where an officer of a company or any other person who is in default fails to comply with the order made under sub-section (3) or sub-section (7), as the case may be, within a period of ninety days from the date of receipt of the copy of the order, such officer shall be punishable with imprisonment which may extend to six months or with fine which shall not be less than twenty five thousand rupees but which shall not be less than twenty five thousand rupees but which may extend to one lakh rupees or with both.

In case of default in payment of penalty, prosecution will be filed U/s 454(8)(i) and (ii) of the Companies Act 2013 without further notice.

(C.V.SAJEEVAN)
REGISTRAR OF COMPANIES
BANGALORE, KARNATAKA

F.No.ROCB/ Adj.454/Co.No.9249/Section 12/2019-2020

- 1 M/s PANDU MINERAL WATERS PRIVATE LIMITED
GANGOTRI COMPLEX, BEHIND GANAPATHI TEMPLE
ASHOK NAGAR RANEBENNUR Haveri 581115

F.No.ROCB/ Adj.454/Co.No.92615/Section 12/2019-2020

- 2 Mr. PANDURANGA GANGAVATI JAYAPPA, Director
189 2 ND CROSS SIDDESHWAR NAGAR
RANEBENNUR 581115

F.No.ROCB/ Adj.454/Co.No.92615/Section 12/2019-2020

- 3 Mr. GURURAJ VIJAYAPPA GANGAVATI, Director
3 RD CROSS SIDDESHWAR NAGAR,
RANEBENNUR 581115

F.No.ROCB/ Adj.454/Co.No.92615/Section 12/2019-2020

- 4 Ms. MEGHARAJ GANGAVATI VIJAYAPPA, Director
#189 SIDDESHWARA NAGAR 3RD CROSS,
RANEBENNUR 581115