



GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS,
OFFICE OF THE REGISTRAR OF COMPANIES
NCT OF DELHI & HARYANA
4TH FLOOR, IFCI TOWER, 61, NEHRU PLACE,
NEW DELHI-110019.
(Tel. No. 26235703/4/5/ Fax No. 26235702)

No.ROC/D/2019/ZEESTAR LIMOUZINES//Penalty Order/2155-2161

Dated 24/06/2019

Order for Penalty for violation of section 12(1) r/w Section 12(4) of the
Companies Act, 2013

ZEESTAR LIMOUZINES LIMITED
U63090DL2008PLC183010

Appointment of Adjudicating Officer:-

1. Ministry of Corporate Affairs vide its Gazette Notification No A-42011/112/2014-Ad.II dated 24.03.2015 appointed undersigned as Adjudicating Officer in exercise of the powers conferred by section 454 of the Companies Act, 2013 [herein after known as **Act**] read with Companies (Adjudication of Penalties) Rules, 2014 for adjudging penalties under the provisions of this Act.

Company:-

2. Whereas Company **ZEESTAR LIMOUZINES LIMITED** [herein after known as **Company**] is a registered company with this office under the provisions of Companies Act, 1956 having its registered address at A-116, GROUND FLOOR, LAJPAT NAGAR-1, NEW DELHI- 110024, as per the MCA website.

Facts about the Case:-

3. Whereas this office had issued a notice u/s 206(1) vide letter no ROC/TS/GP/Zeestar/206(1)/17280 dated 03/02/2017 on the registered office of the company, however the same notice has been received back undelivered with the postal remarks **UNCLAIMED** which is a violation of section 12(2) of the Companies Act, 2013 and which attracted penal



provisions of section 12(8) of the Companies Act, 2013. Subsequently, this office had issued Show cause Notice U/s. 12(8) of the Act vide No. ROC/D/2017/Zeestar Limouzines/AP/2717 dated 22/06/2017 to the company and its officers, in default.

4. Following was alleged in the aforesaid Show Cause Notice dated 06.09.2016:-

1. Whereas this office had issued a notice u/s 206(1) vide letter no ROC/TS/GP/Zeestar/206(1)/17280 dated 03/02/2017 on the registered office of the company, however the same notice has been received back undelivered with the postal remarks **UNCLAIMED** which is a violation of section 12(8) of the Companies Act, 2013 and which attracted penal provisions of section 12(8) of the Companies Act, 2013. Subsequently, this office had issued Show cause Notice U/s. 12(8) of the Act vide No. ROC/D/2017/Zeestar Limouzines/AP/2717 dated 22/06/2017 to the company and its officers, in default .which implied either company was not maintaining in its registered office or has not informed about changes made [section 12(1) r/w section 12(4) of the Act] which attracted the penal provisions of section 12(8) of the Act.

(b) Sections 12 (1), 12(3), 12(4) and 12(8) are reproduced as under:-

Section 12(1) - A company shall, on and from the fifteenth day of its incorporation and at all times thereafter, have a registered office capable of receiving and acknowledging all communications and notice as may be addressed to it.

Section 12(3) - Every company shall—

(a) paint or affix its name, and the address of its registered office, and keep the same painted or affixed, on the outside of every office or place in which its business is carried on, in a conspicuous position, in legible letters, and if the characters employed therefor are not those of the language or of one of the languages in general use in that locality, also in the characters of that language or of one of those languages;

(b) have its name engraved in legible characters on its seal;

(c) get its name, address of its registered office and the Corporate Identity Number along with telephone number, fax number, if any, e-mail and website addresses, if any, printed in all its business letters, billheads, letter papers and in all its notices and other official publications; and

(d) have its name printed on *hundies*, promissory notes, bills of exchange and such other documents as may be prescribed:



Provided that where a company has changed its name or names during the last two years, it shall paint or affix or print, as the case may be, along with its name, the former name or names so changed during the last two years as required under clauses (a) and (c):

Section 12(4) - Notice of every change of the situation of the registered office, verified in the manner prescribed, after the date of incorporation of the company, shall be given to the Registrar within fifteen days of the change, who shall record the same.

Section 12(8) - If any default is made in complying with the requirements of this section, the company and every officer who is in default shall be liable to a penalty of one thousand rupees for every day during which the default continues but not exceeding one lakh rupees.

- (i) No reply was received from the company or its officers in default against the SCN dated 22/06/2017 .
5. Thereafter, this office had issued "Notice of Inquiry" vide No.ROC/D/2017/Zeestar Limouzine/8536-8541 dated 30.11.2017 to the company and directors/Officers in default, to appear personally or through authorized representative under Rule 3 (3), Companies (Adjudication of Penalties) Rules, 2014 on **14.12.2017** [at 12.00 Noon] and Noticee were advised to submit their response, if any, three days prior to date of inquiry i.e. **14.12.2017**, as per postal tracking same was not delivered to the company and on date of hearing no one appeared on the date of hearing from the company or its representative.
6. Finally letter of final hearing was sent to the company and its officers in default on 05/03/2019 vide letter no ROC/SECTION12/ ZEESTAR LIMOUZINES/10474-10479 DATED 05/03/2019 to appear before the Adjudicating Officer on 15/03/2019 at 12.00 Noon with relevant documents and as per postal tracking same was not delivered to the company, and no one appeared before the Adjudicating officer on date of hearing.



In view of the above facts and circumstances explained hereinabove, the company and its officers/directors, who are in default shall be liable to a penalty U/s. 12(8) of the Companies Act, 2013 for the relevant period i.e. 09.03.2017 (Date of letter of TS cell sent to the company and received back undelivered) to 15/03/2019 (Date of final opportunity of hearing) .

ORDER

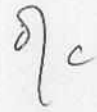
8. Having considered the facts and circumstances of the case and after taking into account the factors above, I hereby impose a penalty of **Rs.1,00,000/- (Rupees One Lakh Only)** on each of the addressees of this order, **Total Penalty amount 6,00,000/- (Six Lac)** as the default continues from 09.03.2017 (**Date of letter sent by the Technical Scrutiny cell New Delhi to the company and received back undelivered**) to **15.03.2019 (Date of Final Opportunity of Hearing)** under Section 12(8) of the Act for failure to make compliance of the Act u/s. 12(1) r/w 12(4) of the Act. I am of this opinion that penalty is commensurate with the aforesaid failure committed by the Noticee.
9. The noticee shall pay the penalty amount in the Misc. Head available on Ministry Website www.mca.gov.in, within 90 days of receipt of this order and copy of challan shall also be forwarded to this Office.
10. Appeal against this order may be filed in writing with the Regional Director (NR), Ministry of Corporate Affairs, B-2 Wing, 2nd Floor, Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003 within a period of **sixty days** from the date of receipt of this order, in Form ADJ [available on Ministry website www.mca.gov.in] setting forth the grounds of appeal and shall be accompanied by a certified copy of this order. [Section 454(5) & 454(6) of the Act read with Companies (Adjudicating of Penalties) Rules, 2014].
11. Your attention is also invited to section 454(8) of the Act in the event of non-compliance of this order.



(KAMAL HARJANI)
Registrar of Companies & Adjudicating Officer
NCT of Delhi & Haryana

To

1. ZEESTAR LIMOUZINES LIMITED
A-116 GROUND FLOOR'
LAJAPT NAGAR -1
NEW DELHI-110024
2. MS. REENA ATAL
A-51 EAST OF KAILASH
NEW DELHI-110065
3. MR. MRIANL ATAL
A-51 EAST OF KAILASH'
NEW DELHI-110065
4. SH. SURINDER KUMAR
1124/3 R.K.PURAM
NEW DELHI-110002
5. SH. DEEPAK KUMAR GOSWAMI
D-193 GROUND FLOOR
SECTOR 11, PRATAP VIHAR
BEHIND GOLDEN PUBLIC SCHOOL
GHAZIABAD
6. SH, RAHUL CHAUHAN
123, BANK COLONY
MANDAOLI EXT DELHI-110093



Copy to:-

The Regional Director (NR), Ministry of Corporate Affairs, B-2 Wing, 2nd Floor,
Paryavaran Bhawan, CGO Complex, Lodhi Road, New Delhi-110003, for information
please.



