

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**LOK SABHA
STARRED QUESTION NO. 348
ANSWERED ON FRIDAY, THE 09TH DECEMBER, 2016
[AGRAHAYANA 18, 1938 (SAKA)]**

REGISTRATION OF COMPANIES WITH ROCs

QUESTION

***348. SHRI GOPAL SHETTY:**

**Will the Minister of CORPORATE AFFAIRS
be pleased to state:**

- (a) whether a large number of companies especially in rural areas are functioning without being registered with the Registrar of Companies (ROCs) and if so, the details thereof, State/UT-wise;**
- (b) whether it is mandatory for a company to get registered it with ROCs within a stipulated time period and if so, the details and the norms fixed in this regard; and**
- (c) the action taken by the Government against erring companies during the last three years and the current year, Year/ State-wise?**

ANSWER

THE MINISTER OF CORPORATE AFFAIRS (SHRI ARUN JAITLEY)

(a) to (c) A statement is laid on the Table of the House.

**STATEMENT REFERRED TO IN REPLY TO PARTS (a) TO (c) OF THE
STARRED QUESTION NO. 348 FOR ANSWER IN LOK SABHA
ON 09-12-2016**

(a) & (c): The Ministry has received seven complaints during the last three years and current year (up to 30-11-2016) in respect of companies allegedly carrying out operations without getting registered under the Companies Act. The details of complaints and action taken thereupon by the respective Registrars of Companies are enclosed as Annexure-I.

(b) Yes, it is mandatory to get a company registered for conducting business as an entity incorporated under the Companies Act. The incorporation of a company is done by following the provisions prescribed under Chapter II of the Companies Act, 2013 read with the Companies (Registration Offices and Fees) Rules, 2014 framed thereunder and amendments thereto from time to time. Further, section 453 of the Companies Act, 2013 prescribes punishment for improper use of word “Limited” or words “Private Limited”.

ANNEXURE REFERRED TO IN REPLY TO PART (a) & (c) OF THE STARRED QUESTION NO. 348 FOR ANSWER IN LOK SABHA ON 09.12.2016

Details of companies against whom complaints received for operating without incorporation

S. No.	Name of the Company	Registrar of Companies	Action Taken
1.	Webtern India Private Limited	ROC, Pune	Matter referred to Economic Offences Wing as no such company was found at the address provided by the complainant
2.	Tanishka Infotech Private Limited	ROC, Pune	Matter referred to Economic Offences Wing as no such company was found at the address provided by the complainant.
3.	Corporate Solutions and Hospitality Services Private Limited	ROC, Bangalore	The complaint was closed as no such company was found at the address provided by the complainant and there was no response to the reference made to the complainant to provide further details.
4.	Krishi Vipran Vikas Limited	ROC, Kanpur	The complaint was examined and it was observed that the company was functioning without incorporation under the Companies Act. The ROC has filed prosecution under section 453 of the Companies Act, 2013 for the default.
5.	Speakasia Online Pte. Limited (an unregistered foreign company)	ROC, Delhi	Serious Fraud Investigation Office (SFIO) of this Ministry has conducted investigation of the said company and has filed prosecution under various provisions of the Companies Act, 1956 as well as under the Indian Penal Code for the offences reported.
6.	Bhagya Laxmi Finance Private Limited	ROC, Delhi	The complaint has been referred to the Department of Electronics & Information Technology (the entity was running a website in this name) as the letter issued to the company by ROC, Delhi office was received back undelivered.
7.	Natraj Finance	ROC, Delhi	The complaint has been examined and a report submitted by ROC, Delhi in the

			matter is under examination in the Ministry.
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