भारत सरकार
कारपोरेट कार्य मंत्रालय
कार्यालय कम्पनी रजिस्ट्रार, उत्तर.प्रदेश.
37/17, वेस्टकॉट बिल्डिंग, दि माल,
कानपुर–208001 (उ.प्र.)
वेबसाइट/ Website : www.mca.gov.in
ई–मेल/ E-mail : roc.kanpur@mca.gov.in

सत्यमेव जयते

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
OFFICE OF REGISTRAR OF
COMPANIES,Uttar Pradesh
37/17, Westcott Building, The Mall,
Kanpur – 208001 (U.P.)
फोन/ Phone : 0512 – 2310443/2310227

BY SPEED POST

ORDER OF ADJUDICATION OF PENALTY UNDER SECTION 454 OF THE COMPANIES ACT, 2013 READ WITH RULE 3 OF THE COMPANIES (ADJUDICATION OF PENALTIES) RULES, 2014 FOR VIOLATION OF PROVISONS OF SECTION 137 OF THE COMPANIES ACT, 2013 .

IN THE MATTER OF PRIYANSHI NIDHI LIMITED.

1. The Ministry of Corporate Affairs vide its Gazette notification no A-42011/112/2014-Ad.II dated 24.3.2015, has appointed the undersigned as Adjudicating Officer in exercise of the powers conferred by section 454 of the Companies Act, 2013 (hereinafter known as Act) read with Companies (Adjudication of Penalties) Rules, 2014 for adjudging penalties under the provisions of this Act.
2. Whereas the Company **PRIYANSHI NIDHI LIMITED** has been registered under the provisions of the Companies Act, on 29.05.2017and is having its registered office situated at ARAJI NO-381, LAMHI BELAWA BABA, VARANASI, Uttar Pradesh- 221007. The authorized capital of the Company is Rs. 1,100,000.00/-
3. During the Inquiry it was observed that the company has not filed its financial statements in Form AOC-4 for the financial year ending 31.03.2020 and 31.03.2021. Thus the company and its Directors have failed to comply with the provisions of section 137 of the Companies Act, 2013, in filing of the financial statement of the company for the years ending 31.03.2020 and 31.03.2021 thereby attracting the penal provisions mentioned under Section 137(3) of the Act.
4. **Section 137(1) of the Companies Act, 2013 provides that:-**

   "A copy of the financial statements, including consolidated financial statement, if any, along with all the documents which are required to be or attached to such financial statements under this Act, duly adopted at the annual general meeting of the company, shall be filed with the Registrar within thirty days of the date of annual general meeting in such manner, with such fees or additional fees as may be prescribed."

Section 137(3) of the Companies Act, 2013 provides that –

"If a company fails to file the copy of the financial statements under sub-section (1) or sub-section (2), as the case may be, before the expiry of the period specified 5[therein], the company shall be liable to a penalty of ten thousand rupees and in case of continuing failure, with a further penalty of one hundred rupees for each day during which such failure continues, subject to a maximum of two lakh rupees, and the managing director and the Chief Financial Officer of the company, if any, and, in the absence of the managing director and the Chief Financial Officer, any other director who is charged by the Board with the responsibility of complying with the provisions of this section, and, in the absence of any such director, all the Directors of the company, shall be liable to a penalty of ten thousand rupees and in case of continuing failure, with further penalty of one hundred rupees for each day after the first during which such failure continues, subject to a maximum of fifty thousand rupees."

5. Accordingly, a Show Cause Notice No.07/17/Adj/2024/Priyanshi/7850 to 7853 Dated 18.03.2024 was issued to the company and its officers in default under section under Section 137(3) of the Companies Act, 2013, read with Companies (Adjudication of Penalties) Rules, 2014 by this office for non filing of balance sheets for the year 31.03.2021.

6. The company and its officers in default have failed to furnish any reply to the said Show Cause Notice, hence no hearing was fixed for this matter.

7. Further, neither any representative of the company nor its directors have either furnished their reply or have appeared before the undersigned which has further strengthened the apprehension that the company and its Directors have failed to comply with the provisions of section 137 of the Companies Act, 2013 by not filing the financial statement of the company statement for years as mentioned above, thereby attracting the penal provisions mentioned under Section 137(3) of the Act.

8. The date of default in the matter has been taken as 30.10.2020 and 30.10.2021 i.e. the date upto which a copy of the financial statements, including consolidated financial statement, if any, along with all the documents which are required to be or attached to such financial statements under this Act, duly adopted at the annual general meeting of the company, shall be filed with the Registrar within thirty days of the date of annual general meeting in such manner, with such fees or additional fees as may be prescribed. The default has been continuing since then.

9. Having considered the facts and circumstances of the case and after taking into account the factors above, I hereby impose a penalty as per section 137(3) of the Companies Act, 2013 as per the tables mentioned below for the year i.e. 31.03.2021 on the company and each Director under section 137(3) of the Companies Act, 2013 for failure to make compliance of section 137 of the Companies Act, 2013. It is of this opinion that penalty is commensurate with the aforesaid failure committed by the Noticee –

Penalty for non -filing of Balance Sheet for **31.03.2020 :-**

Nature of default and period from which started	**Section of the Companies Act.**	**Name of the company/directors/defaulters**	**Penalty imposed details (No. of days of default x penalty)**
Non filing of Balance Sheet Due date of filing Balance Sheet - **30.10.2020**	Section 137 of the Companies Act, 2013	1. **Priyanshi Nidhi Limited, the company**	Rs.10,000 + Rs.1,23,300 (1233 days x100) = Rs.1,33,300/-
		2. **Mr. Rajesh Kumar Dixit ,Director**	Rs.10,000 + Rs.1,23,300 (1233 days x100) = Rs.1,33,300/- **Maximum Penalty [As per Section 137(3)] = Rs. 50000/-**
		3. **Mr. Anand Kumar Dixit , Director**	Rs.10,000 + Rs.1,23,300 (1233 days x100) = Rs.1,33,300/- Maximum Penalty [As per Section 137(3)] = **Rs. 50,000/-**
		4. **Mrs. Ranjana Dixit ,Director**	Rs.10,000 + Rs.1,23,300 (1233 days x100) = Rs.1,33,300/- Maximum Penalty [As per Section 137(3)] = **Rs. 50,000/-**
		5. **Mr. Bhupendra Kushwaha, Director**	Rs.10,000 + Rs.1,23,300 (1233 days x100) = Rs.1,33,300/- Maximum Penalty [As per Section 137(3)] = **Rs. 50,000/-**
		Total Penalty For the FY 2019-2020	Rs. 3,33,300/-

Penalty for non -filing of Balance Sheet for **31.03.2021**:-

Nature of default and period from which started	**Section of the Companies Act.**	**Name of the company/directors /defaulters**	**Penalty imposed details (No. of days of default x penalty)**
Non filing of Balance Sheet Due date of filing Balance Sheet - **30.10.2021**	Section 137 of the Companies Act, 2013	1. **Priyanshi Nidhi Limited, the company**	Rs.10,000 + Rs.86,800 (868 days x100) = **Rs.96,800/-** Maximum Penalty [As per Section 137(3)] =Rs. 200000/-
		2. **Mr. Rajesh Kumar Dixit ,Director**	Rs.10,000 + Rs.86,800 (868 days x100) = **Rs.96,800/- Maximum Penalty [As per Section 137(3)] = Rs. 50000/-**
		3. **Mr. Anand Kumar Dixit , Director**	Rs.10,000 + Rs.86,800 (868 days x100) = Rs.96,800/- Maximum Penalty [As per Section 137(3)] = **Rs. 50,000/-**
		4. **Mrs. Ranjana Dixit ,Director**	Rs.10,000 + Rs.86,800 (868 days x100) = Rs.96,800/- Maximum Penalty [As per Section 137(3)] = **Rs. 50,000/-**
		5. **Mr. Bhupendra Kushwaha, Director**	Rs.10,000 + Rs.86,800 (868 days x100) = Rs.96,800/- Maximum Penalty [As per Section 137(3)] = **Rs. 50,000/-**
		Total Penalty For the FY 2020-2021	

10. The Noticee shall pay the amount of penalty individually by way of e-payment (available on Ministry's website www.mca.gov.in) under "Pay Miscellaneous fees" category in MCA fee and payment services within 90 (Ninety) days of this order. The Challan/SRN generated after payment of penalty through online mode shall be forwarded to this office. The company needs to file INC-28 as per the provisions of the Act, attaching the copy of adjudication order alongwith paid challan.

11. Appeal against this order may be filed in writing with the Regional Director (Northern Region), Ministry of Corporate Affairs, CGO Complex, Lodi Road, New Delhi, within a period of sixty days from the date of receipt of this order, in Form ADJ 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 (Adjudication of Penalties) Rules, 2014].

12. Attention is also invited to section 454(8) of the Companies Act, 2013, in the event of non-compliance of this order. In Case appeal is made O/o Registrar of Companies, U.P. maybe informed alongwith the penalty imposed & the payments made.

(Seema Rath)
Registrar of Companies & Adjudicating Officer
Uttar Pradesh, Kanpur.

O/C

No.07/17/Adj/2024/Priyanshi/ 53 to 56 Dated 04-09-2024

To,
Priyanshi Nidhi Limited,
Araji No-381,Lamhi Belawa Baba,
Varanasi-221 007 (Uttar Pradesh).

2. **Mr. Rajesh Kumar Dixit**, Director
Bada Lalpur,Lamhi,
Varanasi-221007 (Uttar Pradesh)

3. **Mr. Anand Kumar Dixit**, Director
Bada Lalpur Lamhi,
Lamhi,Varanasi- 221007(Uttar Pradesh)

4. **Mr. Ranjana Dixit,** Director
Bada Lalpur,Lamhi,
Varanasi-221007 (Uttar Pradesh)

5. **Copy for Information to the Regional Director, Northern Region, B-2 Wing, 2nd Floor, Pt. Deendayal Upadhyay Bhawan, CGO Complex, Lodhi Road, New Delhi-110003.**