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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

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 PROVISIONS OF SECTION 158 OF THE COMPANIES ACT, 2013.

IN THE MATTER OF SHUBHMANGAL INDIA NIDHI LIMITED.
(CIN -U65990UP2016PLC082843)

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 SHUBHMANGAL INDIA NIDHI LIMITED (U65990UP2016PLC082843) has been registered under the provisions of the Companies Act, on 01.05.2016, and is having its registered office situated at WARD NO.11, NEAR SANJAY NAGAR GT, Chandauli – 232 104, Uttar Pradesh. The authorized capital of the Company is Rs. 1,500,000.00/-
3. During the course of Inquiry, it was observed from the financial statements for the year 2016-2017,2017-2018, 2018-2019,2019-2020 and 2020-2021 that the directors have not mentioned their DIN under their signatures .Thus, it is evident that the company and its Directors have failed to comply with the provisions of section 158 of the Companies Act, 2013 in mentioning their DIN under their signatures in the financial statements filed by the company for the financial years 2016-2017,2017-2018, 2018-2019,2019-2020 and 2020-2021 and are thus liable for penal action.

4. **Section 158 of the Companies Act, 2013 provides that:-**

   "*Every person or company, while furnishing any return, information or particulars as are required to be furnished under this Act, shall mention the Director Identification Number in such return, information or particulars in case such return, information or particulars relate to the director or contain any reference of any director.*

- **Section 172 of the Companies Act, 2013 provides that –**
" If a company is in default in complying with any of the provisions of this Chapter and for which no specific penalty or punishment is provided therein, the company and every officer of the company who is in default shall be liable to a penalty of fifty thousand rupees, and in case of continuing failure, with a further penalty of five hundred rupees for each day during which such failure continues, subject to a maximum of three lakh rupees in case of a company and one lakh rupees in case of an officer who is in default."]

5. Accordingly, a Show Cause Notice No.07/20/Adj/2024/Shubhmangal/570 to 573 Dated 25.04.2024 was issued to the company and its officers in default under section under Section 158 of the Companies Act, 2013, read with Companies (Adjudication of Penalties) Rules, 2014 by this office.

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 158 of the Companies Act, 2013, thereby attracting the penal provisions mentioned under Section 172 of the Act.

8. The date of default in the matter has been taken as **29.06.2018, 29.08.2018, 28.12.2019, 25.12.2021, 22.03.2022** i.e. the date on the financial statements have been filed by the company. 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 of **as mentioned in the table below** on the company and the Directors under section 172 of the Companies Act, 2013 for failure to make compliance of section 158 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 mentioning of DIN in the financial statements of the year ended 31.03.2017:-

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 mentioning of DIN in the financial statements of the year ended 31.03.2017 Date of filing of Financial statements :- 29.06.2018	Section 158 of the Companies Act, 2013 punishable under Section 172 of the Companies Act,2013.	1. Shubhmangal India Nidhi Limited	**Rs.50,000 + Rs.2,12,700 (2,127 days x100) = Rs.2,62,700/-** Maximum Penalty [As per Section 92(5)] = Rs. 3,00,000/-

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		2. Mr. Udai Pratap Singh Director	Rs.50,000 + Rs.2,12,700 (2,127 days x100) = Rs.2,62,700/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		3. Mrs. Manu Devi Director	Rs.50,000 + Rs.2,12,700 (2,127 days x100) = Rs.2,62,700/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		4. Mr. Anil Pandey Director	Rs.50,000 + Rs.2,12,700 (2,127 days x100) = Rs.2,62,700/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		Total Penalty	**Rs. 5,62,700/-**

Penalty for Non mentioning of DIN in the financial statements of the year ended 31.03.2018:-

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 mentioning of DIN in the financial statements of the year ended 31.03.2018 Date of filing of Financial statements :- **29.08.2018**	Section 158 of the Companies Act, 2013 punishable under Section 172 of the Companies Act,2013.	1. Shubhmangal India Nidhi Limited	**Rs.50,000 + Rs.2,06,600 (2066 days x100) = Rs.2,56,600/-** Maximum Penalty [As per Section 92(5)]= Rs. 3,00,000/-
		2. Mr. Udai Pratap Singh Director	Rs.50,000 + Rs.2,06,600 (2066 days x100) = Rs.2,56,600/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		3. Mrs. Manu Devi Director	Rs.50,000 + Rs.2,06,600 (2066 days x100) = Rs.2,56,600/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		4. Mr. Anil Pandey Director	Rs.50,000 + Rs.2,06,600 (2066 days x100) = Rs.2,56,600/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		Total Penalty	**Rs. 5,56,600/-**

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Penalty for Non mentioning of DIN in the financial statements of the year ended 31.03.2019:-

Non mentioning of DIN in the financial statements of the year ended 31.03.2019 Date of filing of Financial statements :- **28.12.2019**	Section 158 of the Companies Act, 2013 punishable under Section 172 of the Companies Act,2013.	1. Shubhmangal India Nidhi Limited	**Rs.50,000 + Rs.1,58,000 (1,580 days x100) = Rs.2,08,000/-** Maximum Penalty [As per Section 92(5)] = Rs. 3,00,000/-
		2. Mr. Udai Pratap Singh Director	Rs.50,000 + Rs.1,58,000 (1,580 days x100) = Rs.2,08,000/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		3. Mrs. Manu Devi Director	Rs.50,000 + Rs.1,58,000 (1,580 days x100) = Rs.2,08,000/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		4. Mr. Anil Pandey Director	Rs.50,000 + Rs.1,58,000 (1,580 days x100) = Rs.2,08,000/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		Total Penalty	**Rs. 5,08,000/-**

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Penalty for Non mentioning of DIN in the financial statements of the year ended 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 mentioning of DIN in the financial statements of the year ended 31.03.2020 Date of filing of Financial statements :- **25.12.2021**	Section 158 of the Companies Act, 2013 punishable under Section 172 of the Companies Act,2013.	1. Shubhmangal India Nidhi Limited	**Rs.50,000 + Rs.85,200 (852 days x100) = Rs.1,35,200/-** Maximum Penalty [As per Section 92(5)] = Rs. 3,00,000/-
		2. Mr. Udai Pratap Singh Director	Rs.50,000 + Rs.85,200 (852 days x100) = Rs.1,35,200/- Maximum Penalty [As per Section 92(5)] **= Rs. 1,00,000/-.**
		3. Mrs. Manu Devi Director	Rs.50,000 + Rs.85,200 (852 days x100) = Rs.1,35,200/- Maximum Penalty [As per Section 92(5)] **= Rs. 1,00,000/-**
		4. Mr. Anil Pandey Director	Rs.50,000 + Rs.85,200 (852 days x100) = Rs.1,35,200/- Maximum Penalty [As per Section 92(5)] **= Rs. 1,00,000/-**
		Total Penalty	**Rs. 4,35,200/-**

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Penalty for Non mentioning of DIN in the financial statements of the year ended 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 mentioning of DIN in the financial statements of the year ended 31.03.2021 Date of filing of Financial statements :- **22.03.2022**	Section 158 of the Companies Act, 2013 punishable under Section 172 of the Companies Act,2013.	1. Shubhmangal India Nidhi Limited	Rs.50,000 + Rs.76,500 (765 days x100) = **Rs.1,26,500/-** Maximum Penalty [As per Section 92(5)] = Rs. 3,00,000/-
		2. Mr. Udai Pratap Singh Director	Rs.50,000 + Rs.76,500 (765 days x100) = Rs.1,26,500/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		3. Mrs. Manu Devi Director	Rs.50,000 + Rs.76,500 (765 days x100) = Rs.1,26,500/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000/-**
		4. Mr. Anil Pandey Director	Rs.50,000 + Rs.76,500 (765 days x100) = Rs.1,26,500/- Maximum Penalty [As per Section 92(5)] = **Rs. 1,00,000**
		Total Penalty	**Rs. 4,26,500/-**

10. The Noticee shall pay the amount of penalty by way of Demand Draft in favour of "Pay & Accounts Officer, Ministry of Corporate Affairs, New Delhi, payable at Delhi, within 90 days receipt of this order. The Demand Draft shall be forwarded to this office Address.

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].

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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.

No. 07/20/ADJ/2024/ShubhMangal / 3627 to 3630 **Dated** 09-09- **2024**

To,

Shubhmangal India Nidhi Limited,
Ward No.11, Near Sanjay Nagar Gt,
Chandauli-232 104 (Uttar Pradesh).

2. **Mr. Udai Pratap Singh, Director**
Ward No. 11, Sanjay Nagar,Nagar Panchayat,
Chandauli-232104 (Uttar Pradesh).

3. **Mrs. Manu Devi,Director**
Lohia Nagar, Chandauli- 232104,
Uttar Pradesh, India.

4. **Mr. Anil Pandey, Director**
Gram Machwan, Amara,
Chandauli-232110, Uttar Pradesh, India.

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.