

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 12 OF THE COMPANIES, ACT, 2013 READ WITH COMPANIES (ADJUDICATION OF PENALTIES) RULES 2014.

IN THE MATTER OF PILLARS MUTUAL NIDHI LIMITED.

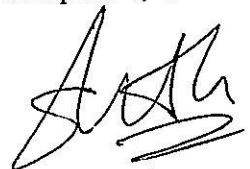
1. The Ministry of Corporate Affairs vide its Gazette notification no A-42011/112/2014-Ad.II dated 24.3.2015, has appointed the undersigned as Adjudicating Officer in exercise of the powers conferred by section 454 of the Companies Act, 2013 (hereinafter known as Act) read with Companies (Adjudication of Penalties) Rules, 2014 for adjudging penalties under the provisions of this Act.
2. Whereas the Company **PILLARS MUTUAL NIDHI LIMITED** (CIN-U65991UP2014PLC064416) has been registered under the provisions of the Companies Act, on 19.06.2014 and is having its registered office situated at A-25 RAS BAHAR COLONY, JHANSI-284003, Uttar Pradesh. The authorized capital of the Company is Rs. 2,000,000.00/-
3. An inquiry U/s. 206 of the Companies Act, 2013 was ordered against the company and the inquiry officer had issued letter no. TC/ TECH/ NIDHI/Pillars Mutual/2005 dated 27.11.2020 at the registered office address of the Company. The letter has been received back undelivered with the postal remark “ Left Address ” which means that the company is not maintaining registered office of the company hence violating provisions of Section 12 of the Companies Act, 2013.
4. (i) *Section 12(1) of the Act provide that a company shall, within thirty days of its incorporation and at all times thereafter, have a registered office capable of receiving and acknowledging all communications and notices as may be addressed to it.*
(ii) *Section 12(4) of the Act reads as under:-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 thirty days of the change, who shall record the same.*
(iii) *Section 12(8) of the Act further provides that If any default is made in complying with the requirement 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.*

5. This office has issued show cause notice No. 07/07/Adj/2024/Pillars /7830 to 7833 dated: 18.03.2024 to the company and its directors giving 15 days time to reply. However, inspite of elapse of the said time period neither the company nor its directors have furnished their reply, which implied that the company and its Directors are either not maintaining registered office of the company or has not informed about the changes so made in its registered office. Thus, violating provisions of Section 12(1) of the Companies Act, 2013.
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 the company nor its directors or their representatives have either furnished reply which has further strengthened the apprehension that the company is not maintaining its registered office. Thus making the company and its directors liable to penalty as per Section 12(8) of the Companies Act, 2013.
8. The date of default in the matter has been taken as **27.11.2020**, i.e. the date on which a the inquiry letter was issued to the company .
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 the table given hereunder under section 12(8) of the Act on each of the Noticee of Show Cause Notice issued 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. The details of penalty imposed is as under :-

Nature of default and period from which started	Section of the Companies Act.	Name of the company/director s/defaulters	Penalty imposed details (No. of days of default x penalty)
Non maintenance of Registered Office. 27.11.2020	Section 12 of the Companies Act, 2013	1. Pillars Mutual Nidhi Limited.	1,207 days X 1000 = Rs.12,07,000/- Maximum Penalty [As per Section 12(8)] = Rs.100,000/-
		2. Mr. Devi lal kushwaha, Director	1,207 days X 1000 = Rs.12,07,000/- Maximum Penalty [As per Section 12(8)] = Rs.100,000/-
		3. Mr. Deepchand Kushwaha, Director	1,207 days X 1000 = Rs.12,07,000/- Maximum Penalty [As per Section 12(8)] = Rs.100,000/-

	WWW.TAXSCAN.IN - Simplifying Tax Laws	4. Mr. Rajendra Kumar, Director	1,207 days X 1000 = Rs.12,07,000/- Maximum Penalty [As per Section 12(8)] = Rs.100,000/-
		Total Penalty	Rs. 4,00,000/-

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. Your 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. may be informed alongwith the penalty imposed & the payments made.



(Seema Rath)

Registrar of Companies & Adjudicating Officer

O/c Uttar Pradesh, Kanpur.

No.07/07/Adj/2024/Pillars/37694-3772 Dated 19-09-2024

To,

PILLARS MUTUAL NIDHI LIMITED,
A-25 RAS BAHAR COLONY,
JHANSI – 284 003 Uttar Pradesh.

2. **Devi Lal Kushwaha, Director**
A-25, Ras Bahar Colony,
Nandanpura
Jhansi-284001 (Uttar Pradesh)

3. **Deepchand Kushwaha, Director**
365/5, Outside Khanderao Gate,
Jhansi – 284001(Uttar Pradesh)

4. **Rajendra Kumar, Director**
Gram Imiliya, Rajpur
Jhansi – 284419 (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.