

भारत सरकार
कार्पोरेट कार्य मंत्रालय
कार्यालय कम्पनी रजिस्ट्रार, उत्तर प्रदेश,
37/17, वेस्टकोट 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 .

IN THE MATTER OF DETHAT TRADING PRIVATE 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 **DETHAT TRADING PRIVATE LIMITED(CIN-U93090UP2019PTC116158)** has been registered under the provisions of the Companies Act, on 23.04.2019, and is having its registered office situated at F-15 ,Site 4 Kasna, Greater Noida shopping plaza, Noida, Gautam Buddha Nagar-201 310 (Uttar Pradesh). The authorized capital of the Company is Rs. 1,000,000.00/-.
3. An inquiry U/s. 206 of the Companies Act, 2013 was ordered and conducted against the company and the inquiry officer had issued letter no. 01/37/Inquiry/Dethat Trading/2021/ 2376 dated 24.12.2021 issued to the Company has been returned back undelivered 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 provides 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. 07/03/ADJ/2024/Dethat Trading/2774 to 2777 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. 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.
7. The date of default in the matter has been taken as 24.12.2021, i.e. the date on which a the show-cause notice was issued to the company .
8. Having considered the facts and circumstances of the case and after taking into account the factors above, I hereby impose a penalty as per table given hereunder, under section 12(8) of the Act on each of the Noticee of Show Cause Notice dated 26.07.2024 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 :-

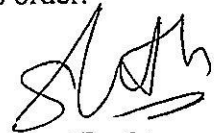
Nature of default and period from which started	Section of the Companies Act.	Name of the company/directors /defaulters	Penalty imposed details (No. of days of default x penalty)
Non maintenance of Registered Office.	Section 12 of the Companies Act, 2013	1. Dethat Trading Private Limited	945 days X 1000 = ₹9,45,000/- Maximum Penalty [As per Section 12(8)] = Rs. 100,000/-

24.12.2021	2. Ms. Radha Kashyap, Director	945 days X 1000 = ₹9,45,000/- Maximum Penalty [As per Section 12(8)] = Rs. 100,000/-
	3. Mr. Liang Daoping, Director	945 days X 1000 = ₹9,45,000/- Maximum Penalty [As per Section 12(8)] = Rs. 100,000/-
	4. Mr. Gu Yang, Director	945 days X 1000 = ₹9,45,000/- Maximum Penalty [As per Section 12(8)] = Rs. 100,000/-
	Total Penalty	Rs. 4,00,000/-

9. The Noticee shall pay the amount of penalty by way of e-payment [available on Ministry website www.mca.gov.in] under "Pay miscellaneous fees" category in MCA fee and payment Services within 90 days of receipt of this order and intimate this office with proof of penalty paid .

10. 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].

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


(Seema Rath)

Registrar of Companies & Adjudicating Officer
Uttar Pradesh, Kanpur .

o/c

No.07/03/Adj/2024/Dethat Trading/384040 Dated 04-09-2024

To,

1. Dethat Trading Private Limited
F-15 ,Site 4 Kasna, Greater Noida Shopping Plaza,
Noida, Gautam Buddha Nagar,
Uttar Pradesh, 201310, India.

2. Mr. Liang Daoping, Director
No-32, No-1 Tianqiao Village, Daizheng Town, Guang,
Sichuan Province, China.

3. **Mr. Gu Yang, Director**
Yuelu District Art Village,
Changsha City, Hunan Province, China.
4. **Copy for Information to the Regional Director, Northern Region,**
Ministry of Corporate Affairs, CGO Complex, Lodhi Road, New Delhi.