

F.No:9/45/ADJ/SEC.203/2013/ANDHRA PRADESH /RD(SER)//2022 15623  
BEFORE THE REGIONAL DIRECTOR, SOUTH EAST REGION  
MINISTRY OF CORPORATE AFFAIRS, HYDERABAD  
IN THE MATTER OF COMPANIES ACT, 2013

IN THE MATTER OF RAVALI SPINNERS PRIVATE LIMITED

1. M/s. Ravali Spinners Private Limited
2. Vanka Ravindranath, Managing Director
3. Raja Kumari Vanka, Director
4. Ravali Vanka, Director
5. Vanka Raghuvver, Director

Appellants

Date of hearing : 10.11.2022

Present : Mr. M. B. Suneel, Practicing Company Secretary

ORDER

This is an appeal filed under section 454(5) of the Companies Act, 2013 by the above appellants in e-form ADJ vide SRN F26674523 dated 28.09.2022 against the adjudication order No. ROC(V)/ADJ(454)Sec.203(5)/RSPL/2022-23/1183 dated 11.08.2022 under section 454 passed by the Registrar of Companies, Andhra Pradesh for default in compliance with the requirements of Section 203 read with Rule 8A of the Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014.

2. Registrar of Companies in his order of adjudication has stated that the company has failed to appoint Whole Time Company Secretary since and post of Whole Time Company Secretary is lying vacant beyond 6 months, thereby contravened the provisions of Section 203 of the Companies Act, 2013 and stated that despite the efforts made for appointing Company Secretary the company could not appoint due to non-availability of suitable candidates. Hearing was held before the Registrar of Companies on 11.08.2022 and after hearing to the authorised representative, Registrar of Companies had levied a penalty of Rs.5,00,000/- each on Company, Vanka Ravindranath, Managing Director, Raja Kumari Vanka, Ravali Vanka and Vanka Raghuvver, Directors (total aggregating to Rs.25,00,000/-).

3. Appellants in the present appeal has stated the Company had appointed Mr. Sourav Malhotra as a Company Secretary on 01.02.2020 and he tendered his resignation on 20.09.2021. Subsequently, on 25.07.2022 the Company had appointed Ms. Jyoti Verma as Company Secretary and considering the said facts as requested to reduce the amount of penalty as imposed by Registrar of Companies.

4. An opportunity of being heard was given to the Appellants/authorized representative on 10.11.2022. The authorized representative Mr. M. B. Suneel, Practicing Company Secretary appeared on behalf of the appellants and reiterated the submissions made in the appeal and requested to reduce the quantum of penalty as levied by Registrar of Companies, taking this into consideration the covid-19 pandemic period violation.

5. Though there is a default committed, there is a ground in interfering with the impugned adjudication order of Registrar of Companies to the extent of reducing the quantum of penalty. I deem it would meet the end of justice, if the penalty imposed is reduced for Company to Rs.4,12,000/-, Vanka Ravindranath, Managing Director to Rs.82,000/-, Raja Kumari Vanka, Ravali Vanka and Vanka Raghuvver, Directors to Rs.42,000/- each (total aggregating to Rs.6,20,000/-). Further the appellants are directed to comply with this order and also the provisions of section 454(8) of the Companies Act, 2013 read with Companies (Adjudication of Penalties) Rules, 2014.

6. The penalty was paid by the Company amounting for Rs.4,12,000/-, Vanka Ravindranath, Managing Director for Rs.82,000/-, Raja Kumari Vanka, Ravali Vanka and Vanka Raghuvver, Directors for Rs.42,000/- each (total aggregating to Rs.6,20,000/-) vide SRN X28393130, X28392801, X28392843, X28393692 and X28394278 dated 22.11.2022. Accordingly, this order is issued to the Appellants with a copy to Registrar of Companies, Andhra Pradesh and Joint Secretary, E-Governance Cell, Ministry of Corporate Affairs, New Delhi for information and necessary action.

Issued under my hand and seal on this the 30<sup>th</sup> day of December 2022.



*B. Mohanty*  
(B. MOHANTY)  
REGIONAL DIRECTOR(SER)

Contd..2.

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Copy for information and necessary action to:-

1. M/s. Ravali Spinners Private Limited,  
F-19, Industrial Estate, Tetali, Tanuku,  
West Godavari Dist, Andhra Pradesh- 534211.

2. Registrar of Companies, Ministry of Corporate Affairs, Andhra Pradesh, Vijayawada.

3. The Joint Secretary, E-Governance Cell, Ministry of Corporate Affairs, New Delhi.

