

**F.No:9/111/ADJ/SEC.203 of 2013/ROC(AP)/RD(SER)/2022 | 3810.**  
**BEFORE THE REGIONAL DIRECTOR, SOUTH EAST REGION**  
**MINISTRY OF CORPORATE AFFAIRS, HYDERABAD**  
**IN THE MATTER OF COMPANIES ACT, 2013**  
**IN THE MATTER OF M/s. YINDU TEXTILES PRIVATE LIMITED**

1. M/s. YINDU TEXTILES PRIVATE LIMITED  
D.No. 17-3-251, 4/4, Vidya Nagar,  
Guntur, Andhra Pradesh,  
India, 522007
2. Mr. Upputuri Sambasiva Rao, Director  
D No 17-3-2514/4, Vidya Nagar,  
Guntur-522007  
Andhra Pradesh, India.
3. Benarji Babu Battineni, Whole Time Director,  
H.No. 5-1-184, Kaviraj Nagar,  
Khammam-507001,  
Andhra Pradesh, India.
4. Bommineni Rajesh, Director  
D.No.5-41, Rayannapet, Bonakal,  
Kalakota, khammam-507304,  
Telangana, India.

**Appellants**

Date of hearing: 22.08.2023  
Present: P. Srikant Kumar, PCS

**ORDER**

1. This is an appeal filed under section 454(5) of the Companies Act, 2013 by the above appellants in e-form ADJ vide SRN F41871294 dated 09.11.2022 against the adjudication order F No. ADJ132/203 OF 2022-23/2185 dated 09.09.2022 under section 454 read with section 203 (5) of the Companies Act, 2013 passed by the Registrar of Companies, Andhra Pradesh for default in compliance with the requirements of Section 203 (1) of the Companies Act, 2013.



*(Handwritten signature)*

2. Registrar of Companies in his order of adjudication has stated that the company has not appointed the Company Secretary after the cessation of previous Company Secretary on 30.09.2020 to 01.07.2022. Hence, the office of Company Secretary is lying vacant beyond 6 months which means contravening the provisions of section 203 of the Companies act, 2013 read with rule 8 and 8 A of Companies (Appointment and Remuneration of Managerial Personnel) Rules, 2014.
3. Mr. NVS Nagaraju, Authorized representative of the Company and its defaulting Officers attended the proceedings of adjudication held on 09.09.2022 before Registrar of Companies, Andhra Pradesh and after hearing the authorized representative, ROC, Andhra Pradesh had levied a penalty of Rs. 5,00,000/- for Company, i.e., YINDU TEXTILES PRIVATE LIMITED and Rs. 50,000 for each on the 4 Directors i.e, Mr. Upputuri Sambasiva Rao, Subhakar Koneru, Benarji Babu Battineni and Bommineni Rajesh (total aggregating to Rs. 7,00,000/-). In compliance of the order Mr. Subhakar Koneru, one of the director's has paid the penalty amount of Rs. 50,000/- as on 09.11.2022 vide SRN X27324359.
4. Aggrieved by the order dated 09.09.2022, the applicants as mentioned above in SL No. 1 to 4 herein have filed the instant appeal and an opportunity of being heard was given by the then Regional Director to the Appellants on 22.08.2023. The authorized representative Mr. P. Srikant Kumar, PCS appeared on behalf of the appellants on 22.08.2023.
5. The then Regional Director upon the hearing the Authorized Representative and upon considering the facts of the case had reduced the penalty i.e., for company amounting Rs. 1,00,000/- and for three officers in default i.e., Mr. Upputuri Sambasivarao, Mr. Benarji Babu Battineni and Mr. Bommineni Rajesh to Rs. 25,000/- each respectively (total aggregating to **Rs. 1,75,000/-**) and had directed the appellants vide his hearing order dated 22.08.2023 to comply with order.





6. Accordingly, the appellants have paid the penalty vide SRN's X51472678, X51472173, X70049796 and X51473031 vide dated 30.08.2023, 30.08.2023, 14.03.2024, and 30.08.2023 respectively, thereby complying the order of the then Regional Director. However, before issuing the order, the then Regional Director has been transferred and the undersigned has taken over and the applicants are repeatedly pressing for issuing the final order stating that the delay in issuing the order is causing hardships despite compliance vide their payment challan as stated above. In view of the compliance made by the Applicants and representations in person and vide email dated 22.05.2024 requesting for issuing of the final order, this formal order is issued to the Appellants recording the facts

Issued under my hand and seal on this the 20th day of September 2024.



एम. जयाकुमार / M. JayaKumar

क्षेत्रीय निदेशक (एस.ई.आर.)/REGIONAL DIRECTOR(S.E.R.)

हैदराबाद /HYDERABAD

Copy for information and necessary action to :

1. Registrar of Companies, Ministry of Corporate Affairs,  
Andhra Pradesh, Vijayawada.
2. The Joint Secretary, E-Governance Cell,  
Ministry of Corporate Affairs, New Delhi.

एम. जयाकुमार / M. JayaKumar

क्षेत्रीय निदेशक (एस.ई.आर.)/REGIONAL DIRECTOR(S.E.R.)

हैदराबाद /HYDERABAD