



Application No. RD/ER/454/06/Appeal/454/Appeal/6353-57

BEFORE THE REGIONAL DIRECTOR, EASTERN REGION
MINISTRY OF CORPORATE AFFAIRS, KOLKATA.

IN THE MATTER OF

THE COMPANIES ACT, 2013

-AND-

IN THE MATTER OF

M/S. MATA GLOBAL LOGISTICS PVT LTD
MATA HOUSE EXHIBITION ROAD, PATNA-800001, BIHAR

-AND-

IN THE MATTER OF

Appeal under section 454 of The Companies Act, 2013 against the penalty order dated 30/01/2023 of Registrar of Companies, West Bengal passed for violating the provisions of section 12 of the Companies Act, 2013.

-AND-

IN THE MATTER OF

1. **M/S. MATA GLOBAL LOGISTICS PVT LTD**
MATA HOUSE EXHIBITION ROAD, PATNA-800001,
BIHAR
2. **Sri Pawan Kumar Rajgarhia**
Flat No. 10/B/C,14/2, Burdwan Road,
Kolkata-700027, West Bengal, India

In the matter of M/s. Mata Global Logistics Pvt Ltd

प्रेषित किया गया/Dispatched by *[Signature]*
हस्ताक्षर/Signature
दिनांक/Date **27 OCT 2024**

3. Ms Alka Rajgarhia,
Flat No. 10/B/C,14/2, Burdwan Road,
Kolkata-700027, West Bengal, India

..... APPELLANTS

Date of Hearing : 05/07/2024

Present Gopal Kumar Khetan, Company Secretary and
Authorised Representative of the appellants.

ORDER

1. The present appeal under section 454 of the Companies Act,2013 read with the provisions of the Companies (Adjudication of Penalties) Rules, 2014 was filed vide Form ADJ bearing SRN no. F59935775 dated 27/03/2023 by the aforesaid appellants against the penalty order under section 12 of the Adjudicating Authority i.e. Registrar of Companies, Patna dated 30/01/2023 communicated to the appellants vide letter no. ROC/S-12/BR/12211/2542-2545 dated 30/01/2023.
2. As per the aforesaid order, the office of the Registrar of Companies, Patna had issued Adjudication notice for violation of section 12 of the Act vide no. ROC/PAT/Legal/12211/S-12/2086-2088 dated 21.11.2022 followed by hearing Notice No. ROC/PAT/Legal/12211/S-12/2281-2283 dated 14.12.2022 to the company and its officers. In

In the matter of M/s. Mata Global Logistics Pvt Ltd



this regard, a reply dated 04/01/2023 was received by the ROC, Patna on behalf of the Company and its officers for aforesaid Adjudication notice which was not found satisfactory by the Adjudicating Authority.


3. Considering the above facts and circumstances of the case, the Adjudicating Authority had imposed Penalty for violation of section 12 of the Act as under :-

Nature of default	Violation under companies Act, 2013	Name of the person on whom penalty imposed	No. of days	Per day penalty for defaulting (Rs)	Total Penalty (Rs) (maximum of 1 lakh rupees)	Final penalty imposed (Rs) (as per section Section 446B: penalty shall not be more than one half of the penalty specified in such sections)
Registered office is not capable of receiving communications	Section 12(1) and 12(4) of the Companies Act, 2013	On Company	45	1000	45* 1000= 45,000/-	22,500
		On Sri Pawan Kumar Rajgarhia (DIN-00653930)	45	1000	45* 1000= 45,000/-	22,500
		On Sri Ms Alka Rajgarhia (DIN-00654103)	45	1000	45* 1000= 45,000/-	22,500

- (No. of days have been calculated from 07.11.2022 (date of item returned) till 21.12.2022 date of item received by the company)
4. Having considered the facts and circumstances of the case, ROC, Patna imposed a penalty of Rs. 22,500/- (Rupee twenty-two thousand five hundred Only) on the concerned Company and Rs. 22,500/- (Rupees twenty two thousand five hundred Only) each of the 2 Directors in default under Section 12 of the Act, **in Total Rs. 67,500/-** (Rupees Sixty seven thousand five hundred Only) (i.e., Rs. 22,500 for Company and Rs. 22,500 on each of two Directors) for failure to make compliance of the Act u/s. 12 of the Act.
5. The appeal was heard on 05/07/2024 wherein the Authorised Representative was asked to make submission regarding any infirmity in the order of Registrar of Companies. The Authorised Representative had no valid submission in this regard requiring interference in the appeal. Hence, the order of ROC is confirmed as no cogent ground was made out by Authorised Representative. The undersigned by virtue of the power vested in Regional Director under section 454(7) of the Companies Act, 2013 read with the Companies (Adjudication of Penalties) rules, 2014 confirms the order of the Registrar of Companies, Patna dated 30/01/2023. The Company and directors/officers of the company shall pay the amount of penalty from out of their own pockets. The amount of penalty shall be paid within a period of 90 days

from the date of receipt of the copy of the order. Further, if the company and its directors fail to deposit the penalty amount within the prescribed time limit action under section 454(8)(i) and (ii) of the Companies Act, 2013 shall be initiated against the Company and its Directors.

6. Hence the instant Appeal stands disposed of accordingly.



(P.Sridhar)

REGIONAL DIRECTOR (ER)

Signed this the 22nd day of October, 2024.

Copy to:-

OP
22/10/24

- ✓ 1. M/S. MATA GLOBAL LOGISTICS PVT LTD
MATA HOUSE EXHIBITION ROAD, PATNA-800001,
BIHAR
- ✓ 2. Sri Pawan Kumar Rajgarhia
Flat No. 10/B/C,14/2, Burdwan Road,
Kolkata-700027, West Bengal, India
- ✓ 3. Ms Alka Rajgarhia,
Flat No. 10/B/C,14/2, Burdwan Road,
Kolkata-700027, West Bengal, India
- ✓ 4. The Registrar of Companies, Patna,..... for information in
respect of his letter no. ROC/PAT/Inspn/12211/974-975 dated
27/09/2023
- ✓ 5. The Officer in Charge, E-Gov. Cell, Ministry of Corporate Affairs, 5th Floor, A
wing Shastri Bhavan, New Delhi-110001,-with a request to upload this Order
on the website of the Ministry.