

Application No. RD/ER/454/40/2024/Appeal /5402-07

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

IN THE MATTER OF

THE COMPANIES ACT, 2013

-AND-

IN THE MATTER OF

CALCUTTA SOUTH CLUB LTD
WOODBURN PARK KOLKATA 700020,
West Bengal, INDIA .

-AND-

IN THE MATTER OF

Appeal under section 454 of The Companies Act, 2013
against the penalty order dated 20/03/2024 of
Registrar of Companies, West Bengal passed for
violations of the provisions of section 158 of the
Companies Act, 2013.

-AND-

IN THE MATTER OF

1. CALCUTTA SOUTH CLUB LTD
WOODBURN PARK KOLKATA 700020, WB, INDIA
2. JAIDIP MUKERJEA (Director)
AL-194, SECTOR-IISALT LAKE, NORTH 24
PARGANASKOLKATA, 700091, WEST BENGAL, INDIA
3. HIRALAL BHANDARI (Director)
15 LOUDON STREET, CIRCUS AVENUE,
KOLKATA, 700017, WEST BENGAL, INDIA

In the matter of Calcutta South Club Limited

प्रेषित किया गया/Dispatched by...
हस्ताक्षर/Signature...
दिनांक/Date... 23 SEP 2024

4. TARUN KUMAR MITRA (Director)
5/3 BALLYGUNGE PLACE
KOLKATA 700019, WEST BENGAL, INDIA

..... APPELLANTS

Date of Hearing : 30/08/2024

Present Aritra Nag, Practicing Company Secretary and
Authorised Representative

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. F95519120 dated 15/05/2024 by the aforesaid appellants against the penalty order dated 20/03/2024 under section 158 of the Adjudicating Authority i.e. Registrar of Companies, West Bengal communicated to the appellants vide letter no. ROC/ADJ/68/024133/2022/1036 dated 20/03/2024.

2. The office of the Registrar of Companies, West Bengal had issued Adjudication notice vide no. ROC/ADJ/68/024133/15153-15166 dated 04.11.2022 for violation of section 158 of the Act to the Company and its Officers. In this regard, no reply was received by the ROC, West Bengal from the Company and its officers for the aforesaid Adjudication notice.

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

As per table below for violation of section 158 of the Act:

Sl. No.	Name of the Applicant Company/ Director	Amount of Default (in Rs.)	Total Penalty imposed (in Rs.)
1	CALCUTTA SOUTH CLUB LTD (Company)	50,000*1 year	50,000
2	JAIDIP MUKERJEA (Director)	50,000*1 year	50,000
3	HIRALAL BHANDARI (Director)	50,000*1 year	50,000
4	TARUN KUMAR MITRA (Director)	50,000*1 year	50,000
	Total penalty imposed		2,00,000

4. Having considered the facts and circumstances of the case and after taking into account the facts stated above, ROC, West Bengal imposed a penalty of Rs. 50,000/- (Rupee Fifty Thousand Only) on the concerned Company and Rs. 50,000/- (Rupees Fifty Thousand Only) on each of the 3(three) Directors in default under Section 158 of the Act, **in Total Rs. 2,00,000/-** (Rupees two lakhs Only) (i.e., Rs. 50,000 for Company and Rs. 50,000 on each of the three Director) for failure to make compliance of the Act u/s. 158 of the Act.
5. The appeal was heard on 30/08/2024. The Authorized Representative was asked to make submission regarding infirmity if any in the order of Registrar of Companies. The Authorised Representative had no valid submission in this regard. 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, West Bengal dated 20/03/2024. 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 20th day of September, 2024.

Copy to:-

1. ✓ CALCUTTA SOUTH CLUB LTD
WOODBURN PARK KOLKATA 700020, WB, INDIA
2. ✓ JAIDIP MUKERJEA (Director)
AL-194, SECTOR-IISALT LAKE, NORTH 24 PARGANAS
KOLKATA, 700091, WEST BENGAL, INDIA
3. ✓ HIRALAL BHANDARI (Director)
15 LOUDON STREET, CIRCUS AVENUE,
KOLKATA, 700017, WEST BENGAL, INDIA
4. ✓ TARUN KUMAR MITRA (Director)
5/3 BALLYGUNGE PLACE
KOLKATA 700019, WEST BENGAL, INDIA
5. ✓ The Registrar of Companies , West Bengal,..... for information
in respect of his letter no. ROC/ADJ/68/024133/2022/4200 dated
23/08/2024
6. ✓ 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.

OK
20/09/24

In the matter of Calcutta South Club Limited