



कंपनी रजिस्ट्रार, कर्नाटक / Registrar of Companies, Karnataka
केंद्रीय सदन, 2 मंजिल, ई विंग / Kendriya Sadan, 2nd Floor, 'E'- Wing,
कोरमंगला, बंगलूरु - 560 034 / Koramangala, Bengaluru - 560 034
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F No. ROC(B)/Adj.Order/454-134(3)/CEETA /Co.No.21494/2023

Date: 12.09.2023

**ORDER OF ADJUDICATION OF PENALTY UNDER SECTION 454 OF COMPANIES ACT, 2013
READ WITH RULE 3 OF THE COMPANIES (ADJUDICATION OF PENALITIES) RULES, 2014 FOR
VIOLATION OF PROVISIONS OF SECTION 134(3) OF THE COMPANIES ACT, 2013 READ WITH
CORRESPONDING RULES BY CEETA INDUSTRIES LIMITED**

Ministry of Corporate Affairs vide its Gazette Notification No. A-42011/112/2014-Ad.II dated 24.03.2015 has appointed the undersigned as Adjudicating Officer in exercise of the powers conferred by section 454 of the Companies Act, 2013 (hereinafter referred to as Act) read with Companies (Adjudication of Penalties) Rules, 2014 for adjudging penalties under the provisions of Companies Act, 2013 (hereinafter referred to as Act).

2. The company, **Ceeta Industries Limited** (hereinafter referred to as Company) was incorporated on 31.10.1984 under the jurisdiction of Registrar of Companies, Karnataka and the registered office of the company is presently situated at Plot No. 34-38, KIADB Industrial Area, Sathyamangala, Tumkur – 572104.

3. As per the provisions of section 134(3)(g) of the Act, there shall be attached to statements laid before a company in general meeting, a report by its Board of Directors, which shall include such other matters as may be prescribed. Pursuant to Rule 8(5)(x) of the Companies (Accounts) Rules, 2014, in addition to the information and details specified in sub-rule (4), the report of the Board shall also include a statement that the company has complied with provisions relating to the constitution of Internal Complaints Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition and Redressal) Act, 2013.

4. During the course of inquiry under section 206(4) of the Act, it was noticed that the Board's report attached to the financial statement as on 31.03.2019 and 31.03.2020 did not disclose that the company has complied with provisions relating to constitution of Internal Complaints Committee under the Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013. Hence the company has violated the provisions of section

134(3) of the Act and the company and officers in default of the company are liable for action under section 134(8) of the Act.

5. As per the provisions of Section 134(8) of the Companies Act, 2013, if a company is in default in complying with the provisions of this section, the company shall be liable to a penalty of three lakh rupees and every officer of the company who is in default shall be liable to a penalty of fifty thousand rupees.

6. This violation was pointed out in the Preliminary Findings Letter issued on 28.07.2021 by the Inspecting Officer and further show cause notice was issued for the said violation of section 134(3) of the Act on 20.04.2023.

7. The company thereafter submitted an adjudication application on 29.05.2023, pursuant to which, a notice of hearing was sent on 27.07.2023 and physical hearing was held on 10.08.2023 which was attended by Mr. Mahaveer Jain, practising company secretary who appeared on behalf of the company and directors and made his submissions. He submitted that since the company has less than ten employees in each of its establishment, it is not required to constitute an Internal Complaints Committee as per Sexual Harassment of Women at Workplace (Prevention, Prohibition, Redressal) Act, 2013. Further, till date no complaint from any women worker has so far been received in the company and he submitted that the non-disclosure of the statement in the Board's report was also not intentional or deliberate. The company thereafter submitted its details of officers who are in default for the years 2019 and 2020 vide letter dated 16.08.2023.

8. As the company is a public company, it does not fall under the definition of a small company as per the provisions of section 2(85) of the Companies Act, 2013. Therefore, the provisions of imposing lesser penalty as per the section 446B of the Act shall not be applicable in this case.

9. Therefore, having considered the facts and circumstances of the case and the submissions made by the company / director / key managerial personnel through their authorised representative, in view of the above said violation of non-compliance of provisions of section 134(3) of the Act, I do hereby impose penalty in the following manner on the company and all the officers in default during the period of offence committed:

S.No.	Particulars	Penalty for the Board Report ending 31.03.2019	Penalty for the Board Report ending 30.03.2020
1	Company	3,00,000	3,00,000
2	Mr. Krishna Murari Poddar, Managing Director	50,000	50,000
3	Mr. Anubhav Poddar, CFO (KMP)	50,000	50,000
4	Ms. Sneha Binani, Company Secretary	50,000	50,000

10. The company and its directors / key managerial personnel are hereby directed to pay the penalty amount separately for each default as tabulated above within 90 days from the date of receipt of this Order and file Form INC-28 attaching a copy of the Order and payment challans. In case of directors, such penalty amount is required to be paid out of their own funds. The noticee shall pay the said amount of penalty online by using the website www.mca.gov.in (Miscellaneous head) specifying the details of this Order and the noticee who is paying the penalty.

11. Appeal, if any, against this Order may be filed with the Regional Director (South East Region), Hyderabad within a period of 60 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.

12. Your attention is also invited to section 454(8) of the Companies Act, 2013 in case of non-compliance of this Order wherein necessary penal action will be initiated under 454(8)(i) and (ii) of the Companies Act, 2013 against the company and directors / key managerial personnel without further notice in the matter.

13. The company is required to serve a copy of this order on the directors/ officers in default mentioned herein under the provisions of section 20 of the Act.


(Sanjay Sood)

Registrar of Companies, Karnataka
and Adjudicating Officer

To

1. ROC(B)/Adj.Order/454-134/CEETA /Co.No.21494/2023
Ceeta Industries Limited
Plot No. 34-38, KIADB Industrial Area,
Sathyamangala, Tumkur – 572104.
2. ROC(B)/Adj.Order/454-134/CEETA /Co.No.21494/2023
Krishna Murari Poddar, Managing Director
10D, Alipore Park Place,
Kolkata – 700027
West Bengal
3. ROC(B)/Adj.Order/454-134/CEETA /Co.No.21494/2023
Mr. Anubhav Poddar, CFO (KMP)
10d, Alipore Park Place,
Kolkata - 700027
West Bengal
4. ROC(B)/Adj.Order/454-134/CEETA /Co.No.21494/2023
Ms. Sneha Binani, Company Secretary
22B, Kali Krishna Tagore Street,
Kolkata – 700007
West Bengal