



**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

ROC Chhattisgarh

ROC-cum-Official Liquidator, 1st Floor, Late Shri Ashok Pingley Bhawan of Municipal Corporation, Nehru Chowk, Bilaspur, Chhattisgarh, India, 495001

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Order ID: PO/ADJ/07-2025/BP/00503

Dated: 01/08/2025

ORDER FOR ADJUDICATION OF PENALTY UNDER SECTION 454 OF THE COMPANIES ACT, 2013 ('THE ACT') FOR VIOLATION OF SECTION 450 OF THE COMPANIES ACT, 2013.

A. Appointment of Adjudicating Officer:

Ministry of Corporate Affairs vide its Gazette notification number S.O. 831(E) dated 24/03/2015 appointed undersigned as Adjudicating Officer in exercise of the powers conferred by section 454 of the Companies Act, 2013 [herein after known as Act] read with Companies (Adjudication of Penalties) Rules, 2014 for adjudging penalties under the provisions of this Act..

B. Company details:

In the matter relating to SHREE NAKODA INFRATECH LIMITED [herein after known as Company] bearing CIN U70102CT2014PLC001317, is a company registered with this office under the Provisions of the Companies Act, 2013/1956 having its registered office situated at NEAR RAILWAY CROSSING MOWA NEAR RAILWAY CROSSING MOWA NA RAIPUR Raipur Chattisgarh India 492001

Individual details:

In the matter relating to RAJ KUMAR AGARWAL [herein after known as individual] having DIN 00043440 and having its address at H. NO. C-37, SECTOR-1, SHANKAR NAGAR, H. NO. C-37, SECTOR-1, SHANKAR NAGAR, RAIPUR Chattisgarh India 492007

In the matter relating to RAMESH CHANDRA GOEL [herein after known as individual] having DIN 00309349 and having its address at SHYAM VATIKA B-35, SECTOR -4, DEVENDRA NAGAR SHYAM VATIKA B-35, SECTOR -4, DEVENDRA NAGAR RAIPUR RAIPUR Chattisgarh India 492009

In the matter relating to ANANT DAVE [herein after known as individual] having DIN 02481182 and having its address at HOUSE NO. 17, KUMUD KUNJ, ANAND NIKETAN COLONY HOUSE NO. 17, KUMUD KUNJ, ANAND NIKETAN COLONY RAIPUR RAIPUR Chattisgarh India 492001

In the matter relating to VIKRAM GOEL [herein after known as individual] having DIN 06817827 and having its address at IN FRONT OF AGRAWAL DAIRY, BEHIND ASHIRWAD STD PCO IN FRONT OF AGRAWAL DAIRY, BEHIND ASHIRWAD STD PCO RAIPUR RAIPUR Chattisgarh India 492007

In the matter relating to AMIT RAJ [herein after known as individual] having DIN 10799288 and having its address at MAKAN NO. 00, GRAM-KORAI MAKAN NO. 00, GRAM-KORAI BEGUSARAI BEGUSARAI Bihar India 848204

C. Provisions of the Act:

If a company or any officer of a company or any other person contravenes any of the provisions of this Act or the rules made thereunder, or any condition, limitation or restriction subject to which any approval, sanction, consent, confirmation, recognition, direction or exemption in relation to any matter has been accorded, given or granted, and for which no penalty or punishment is provided elsewhere in this Act, the company and every officer of the company who is in default or such other person shall be liable to a penalty of ten thousand rupees, and in case of continuing contravention, with a further penalty of one thousand rupees for each day after the first during which the contravention continues, subject to a maximum of two lakh rupees in case of a company and fifty thousand rupees in case of an officer who is in default or any other person]

D. Facts about the case:

1. Default committed by the officers in default/noticee - The Company has filed an application for conversion from public limited company to private limited company as per section 14(1) of the Companies Act, 2013. During the profiling of the company, it was observed that the Company was required to file 'Reconciliation of Share Capital Audit Report' in e-form PAS-6 pursuant to sub-rule 8 of Rule 9A of Companies (Prospectus and Allotment of Securities) Rules, 2014 to report the details and changes in the share capital of the Company on a half-yearly basis for half year ended on 30/09/2021 with this office, however, as per the records available with this office, the company has failed to file the form PAS-6 for the said period thereby violating the provisions of Sub-rule 8 of Rule 9A of the Companies (Prospectus and Allotment of Securities) Rules, 2014 which attracts penal provisions of Section 450 of the Companies Act, 2013.

2. In response to the Show Cause Notice (SCN), a reply duly signed by Mr. Raj Kumar Agarwal, Director of the Company, was submitted on behalf of the Company and its other directors. However, the replies purportedly submitted on behalf of the officers in default namely Shri Raj Kumar Agarwal, Shri Ramesh Chandra Goel, Shri Anant Dave, Shri Vikram Goel, and Shri Amit Raj were not personally signed by them.

Accordingly, to ensure an opportunity of being heard and upon the Company's request, an e-hearing was scheduled on 18/06/2025. Shri Shubham Kankani, Company Secretary in Practice, appeared on behalf of the Company and the aforementioned officers in default.

E. Order:

1. In response to the Show Cause Notice, it was submitted that the Company is a small-sized entity that has not undertaken any commercial activity since its incorporation and has not earned any revenue from operations. It was further contended that, in order to avoid incurring additional costs, the Company, with the consent of its members, chose not to obtain an ISIN for its shares and, consequently, was unable to file e-Form PAS-6.

During the e-hearing of another case no. SM/ADJ/06-2025/BP/01920 of the same company held on 18/06/2025, Shri Shubham Kankani, Company Secretary in Practice, appeared on behalf of the Company and its officers in default and requested to adopt the submission made in the said case, mutatis mutandis, in all other cases pending against the company for non-filing of PAS-6 within the stipulated timeline. Upon being asked about the filing status of Form PAS-6 due on 30/09/2021 in accordance with Rule 9A (8) of the Companies (Prospectus and Allotment of Securities) Rules, 2014, he admitted that the Company had failed to comply with the said provision within the stipulated timeline. However, he informed that all pending Forms PAS-6 had subsequently been filed on 18/04/2025. He further submitted that the company has maintained a generally compliant track record, and the non-compliance was consequential. He also stated that the company is currently non-operational, with no ongoing business activity or financial transactions, and has utilised most of its available cash and cash equivalents for obtaining ISIN.

However, these contentions are not tenable. Compliance with the requirement to file Form PAS-6 under Rule 9A (8) of the Companies (Prospectus and Allotment of Securities) Rules, 2014 is applicable irrespective of a company's size or financial performance. As per the said Rule, every unlisted public company governed by this rule shall submit Form PAS-6 to the Registrar with such fee as provided in Companies (Registration Offices and Fees) Rules, 2014 within sixty days from the conclusion of each half year duly certified by a company secretary in practice or chartered accountant in practice.

In light of the above and the records available on the MCA portal, it is evident that the Company and its officers in default failed to comply with the provisions of Rule 9A (8) of the Companies (Prospectus and Allotment of Securities) Rules, 2014 for the half-year ended 30/09/2021 within the stipulated time. Accordingly, they are liable for penal action under the Companies Act, 2013.

Therefore, I am imposing penalty as prescribed under Section 450 of the Companies Act, 2013 on the Company and its officers in default for the aforesaid non-compliance.

2. The details of penalty imposed on the company, officers in default and others are shown in the table below:



(A)	Name of person on whom penalty imposed (B)	Rectification of Default required (C)	Penalty Amount (D)	Additional Penalty (E) (*Per day of continuing default i.e. date of rectification of default less order issue date)	Maximum limit for Penalty (F)
1	SHREE NAKODA INFRATECH LIMITED having CIN as U70102CT2014P LC001317		200000	0	200000
2	RAJ KUMAR AGARWAL having DIN as 00043440		50000	0	50000
3	RAMESH CHANDRA GOEL having DIN as 00309349		50000	0	50000
4	ANANT DAVE having DIN as 02481182		50000	0	50000
5	VIKRAM GOEL having DIN as 06817827		50000	0	50000
6	AMIT RAJ having DIN as 10799288		50000	0	50000

3. The notified officers in default/noticee shall rectify the default mentioned above and pay the penalty, so applicable within 90 days of receipt of the order.

4. The notified officers in default/noticee shall pay the penalty amount via 'e-Adjudication' facility which can be accessed through the respective login IDs on the website of Ministry of Corporate Affairs and upload the copy of paid challan / SRN of e-filing (if applicable) on the 'e-Adjudication' portal itself. It is also directed that the penalty so imposed upon the officers in default shall be paid from their personal sources/income.

5. Appeal against this order may be filed in writing with the Regional Director, RD Ahmedabad within a period of sixty days from the date of receipt of this order, in Form ADJ setting for the grounds of appeal and shall be accompanied by a certified copy of this order [Section 454 (5) & 454 (6) of the Act, read with Companies (Adjudication of Penalties) Rules, 2014].

6. For penal consequences of non-payment of penalty within the prescribed time limit, please refer Section 454(8) of the Companies Act, 2013.

Sitaram Gupta,
Registrar of Companies
ROC Chhattisgarh

To,

1. SHREE NAKODA INFRATECH LIMITED, NEAR RAILWAY CROSSING MOWA NEAR RAILWAY CROSSING MOWA
RAIPUR Raipur Chhattisgarh India 492001, cs@nakodagroup.com

2. RAJ KUMAR AGARWAL, H. NO. C-37, SECTOR-1, SHANKAR NAGAR, H. NO. C-37, SECTOR-1, SHANKAR
NAGAR, RAIPUR Chhattisgarh India 492007, rkagarwal40@yahoo.co.in

3. RAMESH CHANDRA GOEL, SHYAM VATIKA B-35, SECTOR -4, DEVENDRA NAGAR SHYAM VATIKA B-35, SECTOR
-4, DEVENDRA NAGAR RAIPUR RAIPUR Chhattisgarh India 492009, snil@nakodagroup.com

4. ANANT DAVE, HOUSE NO. 17, KUMUD KUNJ, ANAND NIKETAN COLONY HOUSE NO. 17, KUMUD KUNJ, ANAND
NIKETAN COLONY RAIPUR RAIPUR Chhattisgarh India 492001, adave@nakodagroup.com

5. VIKRAM GOEL, IN FRONT OF AGRAWAL DAIRY, BEHIND ASHIRWAD STD PCO IN FRONT OF AGRAWAL DAIRY,
BEHIND ASHIRWAD STD PCO RAIPUR RAIPUR Chhattisgarh India 492007, vikram@nakodagroup.com

6. AMIT RAJ, MAKAN NO. 00, GRAM-KORAI MAKAN NO. 00, GRAM-KORAI BEGUSARAI BEGUSARAI Bihar India
848204, purchase1amit@gmail.com