

कार्यालय कम्पनी रजिस्ट्रार  
कर्नाटक, बंगलूरु  
OFFICE OF THE REGISTRAR OF COMPANIES  
KARNATAKA, BANGALURU

30 SEP 2020

Email: roc.bangalore@mca.gov.in

प्रेषित किया/DESPATCHED  
प्रेषण सं.  
Outward No. 1061, 1062, 1063



OK

Telephone No.: 080-25537449

GOVERNMENT OF INDIA  
MINISTRY OF CORPORATE AFFAIRS

OFFICE OF THE REGISTRAR OF COMPANIES, KARNATAKA  
II FLOOR, "E" WING, KENDRIYA SADAN, KORAMANGALA, BANGALORE - 560 034

No. ROCB/ Adj. Order /Sec.454-12 /Co. No.119009 /2020

Date: 29/09/2020

**ORDER OF ADJUDICATION OF PENALTY UNDER SECTION 454 OF COMPANIES ACT 2013  
READ WITH RULE 3 OF THE COMPANIES (ADJUDICATION OF PENALITES) RULES 2014  
FOR VIOLATION OF PROVISIONS OF SECTION 12(2) OF THE COMPANIES ACT 2013 BY  
M/s TECGUARD PRIVATE LIMITED**

1. Whereas the company viz., M/s TECGUARD PRIVATE LIMITED was incorporated on 16.11.2018 under the jurisdiction of Registrar of Companies, Bangalore with the correspondence address situated at No.148, 3<sup>rd</sup> Floor, Om Shree Plaza, DVG Road, Basavanagudi, Bangalore, Karnataka - 560004, by filing Form SPICE-32 and opted radio button as "NO" and thereby confirmed that correspondence address was not the registered office of the company.
2. Whereas sub-section (2) of Section 12 of Companies Act, 2013 stipulates that a Company shall furnish to the Registrar verification of its registered office in Form Inc-22 within a period of 30 days of its incorporation in such manner as may be prescribed.
3. Whereas the provisions of Section 12(8) of the Companies Act 2013 prescribe that if any default is made in complying with the provisions of Section 12, the Company and every officer who is in default shall be liable to a penalty of one thousand rupees for every day during which default continues but not exceeding one lakh rupees.
4. Whereas the Company has not filed the Form INC-22 within stipulated time i.e by 16.12.2018 and filed the same only on 03.02.2019 with a delay of 48 days. The Company vide its adjudication application dated 01.03.2019 admitted that the company and its officers in default had violated the provisions of the section 12(2) of Companies Act, 2013 by not filing eform INC-22 within stipulated time.
5. Due to COVID-19 pandemic, hearing was held through Video Conference on **05.09.2020** in compliance of Section 454(4) of Companies Act, 2013. Mr.Nithin Ravishankar, PCS, Authorised Representative attended the hearing. He admitted the offence and pleaded for less penalty, being a small company under Section 2(85) of Companies Act, 2013. However, in view of the explicit provisions of Section 446B of Companies Act, 2013, the benefit cannot be extended to this matter.
6. In view of the above, the undersigned in exercise of the powers vested to him vide Section 454(1) & (3) of Companies Act 2013, considering the delay of 48 days hereby impose a penalty of **Rs.48000/- each on the Company and its two Directors, viz., Mr.Pavan Ravishankar, Director and Mr.Rahul Sharma, Director (totaling to Rs.1,44,000/-)**. I hereby direct that they shall pay the penalty of **Rs.1,44,000 /-** each through their own sources immediately through MCA 21 portal and proof of payment be produced for verification and also file INC - 28 enclosing copies of Challan and this order within 90 days from the date of receipt of order.

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7. Whereas sub-section (5) of section 454 of the Companies Act, 2013 provides that any person aggrieved by an order made by the adjudicating officer under sub-section (3) may prefer an appeal to the Regional Director having jurisdiction in the matter and further sub-section (6) provides that every appeal under sub-section (5) shall be filed within sixty days from the date on which the copy of the order made by the adjudicating officer is received by the aggrieved person and shall be in such form, manner and be accompanied by such fees as may be prescribed.

8. Please note that as per Section 454(8)(i) of the Companies Act 2013, whereas company fails to comply with the order made under sub-section (3) or sub-section (7) as the case may be, within a period of ninety days from the date of the receipt of the copy of the order, the company shall be punishable with fine which shall not be less than twenty five thousand rupees but which may extend to five lakh rupees.

(ii)Where an officer of a company or any other person who is in default fails to comply with the order made under sub-section (3) or sub-section (7) , as the case may be, within a period of ninety days from the date of receipt of the copy of the order, such officer shall be punishable with imprisonment which may extend to six months or with fine which shall not be less than twenty five thousand rupees but which shall not be less than twenty five thousand rupees but which may extend to one lakh rupees or with both.

In case of default in payment of penalty, prosecution will be filed U/s 454(8)(i) and (ii) of the Companies Act 2013 at your own costs without any further notice.

(C.V.SAJEEVAN)  
REGISTRAR OF COMPANIES  
BANGALORE, KARNATAKA

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1. TECGUARD PRIVATE LIMITED  
No. 148, 3rd Floor, OM Shree Plaza, DVG Road,  
Basavanagudi, Bengaluru  
Bangalore 560004

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2. Pavan Ravishankar, Director  
Cozient 17,1st Floor, BTM 1st Stage,  
Near Water Tank, OPP Reliance,  
Bengaluru 560029

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3. Rahul Sharma, Director  
Cozient 17,1st Floor, BTM 1st Stage,  
Near Water Tank, OPP Reliance Fresh,  
Bengaluru 560029