



भारत सरकार
कारपोरेट कार्य मंत्रालय
कार्यालय रजिस्ट्रार ऑफ कम्पनीज
पंजाब एवं चंडीगढ़,
कारपोरेट भवन
प्लॉट नम्बर 4-बी, सैक्टर 27-बी, चंडीगढ़
फोन नम्बर: 0172 2639415, 2639416

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
OFFICE OF THE REGISTRAR OF
COMPANIES PUNJAB AND CHANDIGARH,
CORPORATE BHAWAN
PLOT NO.4-B, SECTOR 27B, CHANDIGARH
PHONE NO.172-2639415, 2639416

No. ROC CHD/Adj/ 1004 to 1009

Dated: 08/01/2025

ORDER UNDER SECTION 454 FOR VIOLATION OF SECTION 149(4) OF THE COMPANIES ACT, 2013 READ WITH SECTION 172 OF THE COMPANIES ACT, 2013 READ WITH COMPANIES (ADJUDICATION OF PENALTIES) RULES, 2014

IN THE MATTER OF M/S BCL HOMES LIMITED (CIN: U00082CH2005PLC029291)

1. Appointment of Adjudicating Officer

The Ministry of Corporate Affairs vide its gazette notification no. S.O. 831(E) dated 24.3.2015, has appointed the undersigned as **Adjudicating Officer (AO)** in exercise of the powers conferred by **section 454 of the Companies Act, 2013** (hereinafter known as Act) read with **Companies (Adjudication of Penalties) Rules, 2014** for adjudicating penalties under the provisions of this Act.

2. Company: -

Whereas the Company M/s BCL HOMES LIMITED (hereinafter referred to as "the Company") is a company registered with this office under the Provisions of the Companies Act, 2013/1956 (or previous Acts in force, as applicable) having its registered office situated at Shop No 140, Village Dariya, Chandigarh, India,

160002. As per data available at MCA website, the other details as on 31.03.2022 are as under:

S No.	Particulars	Details
1.	Paid Up Capital as per latest Audited Financial Statement as on 31.03.2022	Rs. 8,49,87,400
2.	Date of Incorporation	02/12/2005
3.	Turnover as per latest Audited Financial Statement as on 31.03.2022	0
4.	Holding Company	No
5.	Subsidiary Company	No
6.	Whether company registered under section 8 of the Act	No
7.	Whether company registered under any other special Act?	No
8.	Whether Company is small company	No
9.	Whether Section 446B is applicable to the company (Lesser penalties for Certain companies)	No

3. Relevant Provisions of the Companies Act, 2013 which are applicable in the present case

Provision of Section 149(4) of the Companies Act, 2013 read with Rule 4(1) of the Companies (Appointment and Qualification of Directors) Rule, 2014 as under: -

“As per Section 149(4) of the Companies Act, 2013, every listed public company shall have at least one-third of the total number of directors as independent directors and the Central Government may prescribe the minimum number of independent directors in case of any class or classes of public companies and as per Rule 4(1) of the Companies (Appointment and Qualification of Directors) Rule, 2014, the following class or classes of Companies shall have at least two directors as independent directors- (i) the public Companies having paid up share capital of ten crore rupees or more; or (ii) the public Companies having turnover of one hundred crore rupees or more; or (iii) the public Companies which have,

in aggregate, outstanding, loan, debentures and deposits, exceeding fifty crore rupees.”

Provision of Section 172 of Companies Act, 2013 is as under:-

“Section 172 of the Companies Act, 2013 provides for penalty, if a company is in default in complying with any of the provisions of this Chapter and for which no specific penalty or punishment is provided therein, the company and every officer of the company who is in default shall be liable to a penalty of fifty thousands rupees, and in case of continuing failure, with a further penalty of five hundred rupees for each day during which such failure continues, subject to a maximum of three lakh rupees in case of company and one lakh rupees in case of an officer who is in default.”

Relevant Rules are as under:-

(i) Rule 3(12) of Companies (Adjudication of Penalties) Rules, 2014

“While adjudging quantum of penalty, the adjudicating officer shall have due regard to the following factors, namely-

- a) size of the company*
- b) nature of business carried on by the company,*
- c) injury to public interest,*
- d) nature of the default,’*
- e) repetition of the default,’*
- f) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of the default: and*
- g) the amount of loss caused to an investor or group of investors or creditors as a result of the default*

Provided that, in no case, the penalty imposed shall be less than the minimum penalty prescribed, if any, under the relevant section of the Act.”

(ii) Rule 3 (13) of Companies (Adjudication of Penalties) Rules, 2014 which read as under:

“In case a fixed sum of penalty is provided for default of a provision, the adjudicating officer shall impose that fixed sum, in case of any default therein.”

4. Facts about the case: -

That the Central Government has directed this office to conduct the inspection of books and papers of the Company. The Show cause Notice cum Preliminary

Finding Letter was issued to the company and directors on 28.02.2023. A summon was sent to the directors of the company seeking information with regard to various points on 15.3.2024. However, no reply has been received from the company or directors.

Accordingly, an Inspection report was prepared by the Inspecting officer and submitted the same to RD-NR vide Letter No. ROC-CHD/Inspection /BCL Homes/1002 dated 26.03.2024. During the inspection, it was found that the Company and its officers in default have violated the provisions of Section 149(4) of the Companies Act, 2013 read with Companies (Appointment and Qualification of Directors) Rule, 2014.

5. Adjudication of penalty:

Now, in exercise of the powers conferred on the undersigned vide Notification dated 24th March, 2015 and having considered the facts of the case, I hereby impose the penalties for violation of **section 149(4) of the Companies Act, 2013 read with Rule (1) of the Companies (Appointment and Qualification of Directors) Rule, 2014**, on the company and its directors under Section 172 of the Companies Act, 2013 as under :-

Violation of Section	Penalty imposed on company/promotor(s)/director (s)	No. of days of default	Calculation of Penalty Amount (in Rs)	Final Penalty imposed as per Section 172 of the Companies Act, 2013. (in Rs.)
Section 149(4) of the Companies Act, 2013.	Company	2832 days From 01.04.2017 to 31.12.2024	50,000 + 2832 X 500= 14,66,000 Subject to maximum 3,00,000	Rs. 3,00,000. (Rs. Three Lakh Only)

Section 149(4) of the Companies Act, 2013.	Mr. Baldev Chand Bansal	2832 days From 01.04.2017 to 31.12.2024	50,000 + 2832 X 500= 14,66,000 Subject to maximum 1,00,000	Rs. 1,00,000. (Rs. OneLakh Only)
Section 149(4) of the Companies Act, 2013.	Mr. Tarjinder Singh Bansal	2832 days From 01.04.2017 to 31.12.2024	50,000 + 2832 X 500= 14,66,000 Subject to maximum 1,00,000	Rs. 1,00,000. (Rs. OneLakh Only)
Section 149(4) of the Companies Act, 2013.	Mr. Rajeev Kumar	2832 days From 01.04.2017 to 31.12.2024	50,000 + 2832 X 500= 14,66,000 Subject to maximum 1,00,000	Rs. 1,00,000. (Rs. OneLakh Only)
Section 149(4) of the Companies Act, 2013.	Ms. Krishna Devi	2832 days From 01.04.2017 to 31.12.2024	50,000 + 2832 X 500= 14,66,000 Subject to maximum 1,00,000	Rs. 1,00,000. (Rs. OneLakh Only)

I am of this opinion that penalty is commensurate with the aforesaid failure committed by the addressee and penalty so imposed upon the **Officers-in-default shall be paid from their personal sources/income.**

It is further directed that penalty imposed shall be paid through the **Ministry of Corporate Affairs portal only** as mentioned under **Rule 3(14) of Companies (Adjudication of Penalties) (Amendment) Rules, 2019** under intimation to this office.

6. Appeal against this order may be filed in writing with the **Regional Director (Northern Region), Ministry of Corporate Affairs, CGO Complex, Lodhi Road, New Delhi**, within a period of sixty 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. [Section 454(5) & 454(6) of the Act, read with Companies (Adjudication of Penalties) Rules, 2014].

7. Please note that as per Section 454(8):

(i), where a 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, and

(ii) in case of an officer of a company who is in default, 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 may extend to one lakh rupees, or with both.

8. In terms of the provisions of sub-rule (9) of Rule 3 of the Companies (Adjudication of Penalties) Rules, 2014, copy of the order is being sent to the following as under:

No. ROC CHD/Adj/ 1004 to 1009

Dated: 08/01/2025

1. M/s BCL Homes Limited

(CIN: U00082CH2005PLC029291)

Shop No 140, Village Dariya, Chandigarh, India, 160002

2. Sh. Baldev Chand Bansal, Director (DIN 00157520)

House No 253, sector – 7, Ambala City, 134109, Haryana, India

3. Sh. Tarjinder Kumar Bansal, Director (DIN 00157483)

House No 253, Sector – 7 Panchkula, 134109, India

4. Ms. Krishna Devi Bansal, Director (DIN 02505133)

253, Sector 7, Ambala City, 134109, Haryana, India

5. **Sh. Rajeev Kumar, Director** (DIN 06814112)
124, Green Valley Appartments, Dhakauli,
Rajpura, 140603, Punjab, India

6. **Regional Director (Northern Region)**, Ministry of Corporate Affairs, CGO
Complex, Lodhi Road, New Delhi and will also be uploaded on website.


Kamna Sharma

Registrar of Companies & Adjudication Officer
Punjab & Chandigarh