

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
LOK SABHA
UNSTARRED QUESTION NO.1717
ANSWERED ON FRIDAY, THE 10th MARCH, 2017
[PHALGUNA 19, 1938(SAKA)]**

NON-REFUNDING OF PUBLIC DEPOSITS

QUESTION

**1717. SHRI RAM TAHAL CHOUDHARY:
SHRI PRATAPRAO JADHAV:
SHRI CHANDRAKANT KHAIRE:**

Will the Minister of CORPORATE AFFAIRS

be pleased to state:

- (a) whether the Government has received any complaints of violation of terms and conditions in regard to public deposits and repayment of these deposits by private companies during the last three years and if so, the details thereof, year-wise;**
- (b) the details of action taken against such companies during the said period; and**
- (c) the names of the companies against which action is pending and the reasons for pendency?**

ANSWER

**THE MINISTER OF STATE
IN THE MINISTRY OF CORPORATE AFFAIRS (SHRI ARJUN RAM MEGHWAL)**

(a), (b) & (c) : A total of Twenty six complaints of violation of terms and conditions in regard to public deposit and repayments of these deposits by private Companies were received during the last three years. The details of Companies and action taken by Registrar of Companies and Serious Fraud Investigation Office is at Annexures 'A' & 'B'.

ANNEXURE-A

Annexure referred to in reply to Lok Sabha unstarred Question No.1717 for 10.03.2017

ACTION TAKEN BY REGISTRAR OF COMPANIES

2014-2015	1	<p><u>M/s Achal Automobiles Private Limited :</u></p> <p>Complaint received from the deposit holders for non payment of the fixed deposits (i) Sharad Sardeshpande, (ii) Supriya Sharad Sardeshpande (iii) Mrs Sumedha Rege jointly with Mrs Shudhada Saraff, (iv) Mrs. Prabha Bhise (v) Jayashree Keshav Saraff</p>	<p>The company was addressed and there was no response from the company. Default notices were also issued for non filing of the returns to the company and its directors. Company and its directors were prosecuted for non filing of the returns and the same is pending before the Special Economic Offences Court. Report sent to the Regional Director seeking permission to prosecute under section 58A of the Companies Act, 1956. The deposit holders have also filed application before the Company Law Board during the said period.</p>
	2.	<p><u>M/s Car Source India Private Limited :</u></p> <p>Complaint received from the deposit holders for non payment of the fixed deposits (i) Sharad Sardeshpande, (ii) Supriya Sharad Sardeshpande (iii) Mrs. Rohini Kulkarni (iv) Mr. Harish Kulkarni</p>	<p>The company was addressed and there was no response from the company. Default notices were also issued for non filing of the returns to the company and its directors .Company and its directors were prosecuted for non filing of the returns and the same is pending before the Special Economic Offences Court. Report sent to the Regional Director seeking permission to prosecute under section 58A of the Companies Act, 1956. The deposit holders have also filed application before the Company Law Board during the said period.</p>
2015-16	1, Kapil Consultancy Services Pvt Ltd – TS of B/s Done and SCNs issued further legal action under progress		
2016-17	<p>1. Kausalya Agro Farms Pvt Ltd - TS if B/S done and notice issued u/s 206(1) reply is awaited from company.</p> <p>2. Kausalya Management Services Pvt Ltd – TS of B/S done and notice issued 206(1) reply is awaited from company.</p> <p>3. Vipanchi builders and developers Pvt Ltd –Explanation called from the company, company agreed to pay the matured deposit amount within three months. Complainant informed that the company failed to repay the deposit as promised in their reply. Further action against the company is under progress.</p>		

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2016-17	Name of the Company 1.Saramati Estates Pvt Ltd 2.Amrit Projects Pvt Ltd Name of the Complainant 1. Triptimoy Talukdar 2. Shiv Shankar Chaurasia	Notices have been issued to the companies for making compliance of the relevant provisions of the companies Act and reminders have been sent and the reply of the said companies are awaited
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Year	Name of the Company	Action taken
2014-15	1. Kuldip Real Tradex Private Limited	ROC-cum-OL, Chhattisgarh has filed prosecution u/s 206(7) of the Companies Act, 2013 before the Hon'ble Court.
	2. Virat Devcon Private Limited	ROC-cum-OL, Chhattisgarh has filed prosecution for non-filing of Balance Sheet for the year ending 31.03.2015 u/s 137(3) on 03.02.2017
	3. Sourabh Rolling Mills Private Limited	ROC-cum-OL, Chhattisgarh has forwarded a report to the Directorate on 25.08.2016 for sanction of filing of prosecution u/s 74(3) of the Act. With reference to the Directorate's letter dated 04.10.2016, the company has submitted its reply in his office on 06.03.2017 which is under examination.
2015-16	Nil	Nil
2016-17	1. Shakti Commotrade Private Limited	The Ministry has forwarded compliant of Shri Girija Shanker received on 17.01.2017 against the various companies. One company M/s. Shakti Commotrade Private Limited is registered with ROC-cum-OL, Chhattisgarh, however, the complainant has mentioned the name of the company only. ROC-cum-OL, Chhattisgarh has asked the complainant to submit copy of complaint/ particulars etc. for necessary action on 25.01.2017. No reply has been received from the complainant so far.

Annexure referred to in reply to Lok Sabha unstarred Question No.1717 for 10.03.2017

Action taken by Serious Fraud Investigation Office (SFIO)

Sr. No	Name of the Company	Court Case No.	Cause title of the case	Filed U/s.	Name of the accused persons / Respondent	Date of filing / Reciving of notice	Financial Year	Name & Address of the Court
1	ABC Indya Networks Pvt Ltd	70/3/2014 Ct. Cases 523854/2016	SFIO v/s ABC Indya Network pvt.ltd	58A, 211 227,233 & 628	ABCindia Networks Pvt ltd Inder Preet Singh Aman Preet Singh Chander Kant Garg	21.03.2014	2013-14	ACMM (Spl. Acts) Tis Hazari Court, Delhi
2	Saradha Gardan Resort & Hotel Pvt Ltd	1540/2015	SFIO VS SGRH P Ltd & Ors	58A	Saradha Gardan Resort & Hotel Pvt Ltd, Sudipta Sen, Subhhojit Sen, Hemanta Pradhan	12.03.2015	2014-15	CJM Alipur, South 24 Parganas, Kolkata
3	Saradha Tour & Travels Pvt Ltd	5451/2015	Aloke Kumar Bardhan vs Saradha Tour & Travels Pvt Ltd	58A, 211, 628, 209, 217, 227 rw 233	Saradha Tour & Travels Pvt Ltd, Sudipta Sen, Subhojit Sen, Debjani Mukherjee, Sunil kr Guptaroy	28.09.2015	2015-16	CJM Alipur, South 24 Parganas, Kolkata
4	Unigateway 2U Trading (P) Ltd (Unipay Group)	4944/2016	SFIO vs Unigateway 2U Trading (P) Ltd	58A, 150, 151, 159, 161, 193, 209, 210, 303, 307, 372A, 240, 628, 629 of CA 1956 and 177, 181, 403, 405, 406, 409, 420, 379, 381, 120B of IPC 1860	Unipay 2U Marketing P Ltd, Unipay 2U Production P Ltd, Unipay Creative Business P Ltd, Unigateway 2U Trading P Ltd, Goindex Tours & Travesl P Ltd, Mugundan Gangam, R.K. Vetrichelvan, Sellathurai Baskar, P Jayprakash, Subramanian Kanagalingam, Chelladurai Amalraj, A.R. Holla, R Vinod Kumar, B Chinnapa Gowda, Venkateswaralu Kanakala, Karunas, Prashant Roy, Siddharth, Siddharth Das Gupta, Apu, Santhosh,	29.04.2016	2016-17	ACMM court, Bangalore

					Adil, Arvind Kumar Singh, Roshan Robert D'Souza, Raghvendra Rao, Abdul Sathar, Manoj Kumar Sreedharan, Rajeev Jose, K.A.Abdul Azeez, Thomas, Rabi Shankar, Ravi Shankar, B.K. Dash, Kamal K Bakshi, Kuldeep Singh, Prenona Marketing, Mahesh Kumar, Rajesh Kumar, N.K.Garg, A Naina Mohamed, Zubairul Thameem, Syed Pakkir, Mohamed Habeebullah, Abul Hasan, A. Seeni Mohamed, N.Ahmmmed Basheer, Vishal Pratty, Reena Pratty, Shella Kakkar, Amit Kakkar, Tanya Arora, Mohammaed Sadab Alam, Pranab Jyoti Barman, P Ravichandran			
5	Paramount Airways Pvt Ltd	173 of 2016	SFIO vs Paramount Airways Pvt Ltd.	68, 628, r/w 211(3) & (3C) 211 (1) r/w 1,2,18,19, 26,212,21 7(2),(2AA) and (3), 240(3) 629, 253 & 266A C.A 1956, 277 r/w 233, C.A 1956, 34,420 r/w 120B of IPC 403,405,4 06 r/w Sec 120B & 409, 403, 406, 409, 120B, IPC	M Thiagarajan Lakshmi Murugesan, E R Gurubalachandran, C Periya Karuppan, Kamala Thiagarajan, Ponnusamy Vijayaraja, Thangaraj Jeyakumar, N Visvanathan, A Zahir Hussain, Ram Murugesan, Paramount Airways Pvt Ltd, Paramount Mills Pvt Ltd	02.11.2016	2016-17	ACMM (EO-1) Court , Chennai

				464, 465, 471 & 120B of IPC 177 & 181 of IPC				
6	Catmoss Retail Pvt Ltd	Ct. Cases 127/2017	SFIO vs Catmoss Retail Pvt Ltd and others	58A, 211, 227, 233, 628 of CA 1956 and 449 of CA 2013 and 193, 420, 477A, 120B of IPC 1860	Catmoss Retail Pvt Ltd, Ashwani Chawla, Asha Rani Chawla, Reena Chawla, BL Gupta (CA), Deepak Ahuja, Ramehs Chandra Jain.	13.01.2017	2016-17	District and session Judge, South west Dwarka
7	<p>I-Core Group of Companies.</p> <p><u>Out of 12 group companies, 4 are Pvt. Ltd. Companies, Which are:</u></p> <p>1. Icore Apparels Pvt. Ltd.</p> <p>2. Icore Paints Pvt. Ltd.</p> <p>3. Icore Iron & Steel Pvt. Ltd.</p> <p>4. Icore Super Cements Pvt. Ltd.</p>	01.05.2013	04.09.2015	21.03.2016	2015-2016	58A, 628 / 211(1), 209(a)(b)© (d)(e), 75(4), 150, 211(7), 209, 227 r/w 233, 372A, 295, 233, 198 r/w 309, 211(3A), 1S2, 211, 133 of CA 1956 and 477A, 420, 120A, 120B of IPC 1860	Filing of prosecution is under progress	
8	<p>Goldmine Food Producto Ltd (GFPL) and its 8 group companies.</p> <p><u>Out of 8 group companies, 4 are Pvt. Ltd. Companies, Which are:</u></p> <p>1. Goldmine Height Pvt. Ltd.</p> <p>2. Goldmine Hotel & Resorts Pvt.</p>	29.10.2015 22.09.2016	30.09.2016	27.02.2017	2016-2017	58A(6), 211(7), 211, 628, 227 rw 233, 166, 159, 150, 152, 196, 301, 303, 307, 372A(5), 209(1), 220 rw 217, 217(6) & (7), 542 of CA 1956 415, 420 rw 415, 418 of IPC	Filing of prosecution is under progress	

	Ltd. 3. Goldmine Advisories India Pvt. Ltd. 4. Goldmine Health Care Pvt. Ltd.							
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