

IN THE COURT OF CHIEF METROPOLITAN MAGISTRATE, TIS
HAZARI COURTS, DELHI.

CC NO: 1215-2003
18/12/03

SECURITIES AND EXCHANGE BOARD
OF INDIA, (a statutory body established
under the provisions of Securities and
Exchange Board of India Act, 1992),
Having its Regional Office at Rajendra
Place, New Delhi represented by its Asst.
General Manager, Mr. JYOTI JINDGAR.

...COMPLAINANT

VERSUS

0240/2003011203

1. M/s ASRA TEK Plantations & Resorts
Ltd.

Having its Resgitered Office at
ES-1/185, Sector A,
Sitapur Road Youjna,
Lucknow - U.P.

2. Shri Vinod Kumar Pandey (Director)
ES-1/185, Sector A,
Sitapur Road Youjna,
Lucknow - U.P.

CC-06-85/08
19/12/08

.....ACCUSED

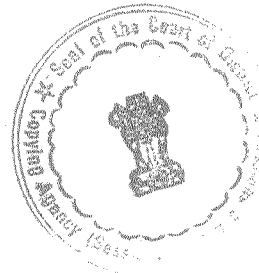
COMPLAINT UNDER SECTION 200 OF THE CODE OF CRIMINAL
PROCEDURE, 1973 READ WITH SEC. 24 (1) & 27 OF
SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992

ATTESTED
Date 15/12/08
Copying Agency Sessions

भारतीय प्रतिष्ठान और विनिमय बोर्ड
Securities and Exchange Board of India
सचिवालय, न्यायमूर्ति/Regional Office
नया दिल्ली/NEW DELHI

10/12/2010
28737/2010
संख्या/No.
अंतर्गत प्रमाणित नहीं की जायेगी/Contents not Verified
हस्ताक्षर/Signature
समय/Time

LOCSS)P.



SEBI Vs. Asra Tek Plantation Ltd.

21.08.2009.

Present : Shri Abhishek Mishra, counsel for SEBI.

Accused no.1 is a company.

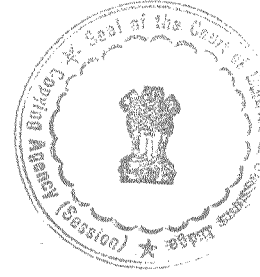
Accused no.2 is P.O.

Witness is stated to be on maternity leave.

At request of Ld. counsel for SEBI, to come up now for
PE under Section 299 Cr.P.C on 05.11.2009.

(POONAM CHAUDHARY)
ASJ(Central-01)/DELHI.
21.08.2009.





CC no. 8/09

SEBI Vs. Asra Tek Plantation

5.11.2009

Present : Sh. Vinod Kumar, counsel for SEBI.

Accused no. 1 is company.

Accused no. 2 is PO.

An application moved on behalf of the complainant/SEBI for substitution of AR. Heard. In view of the averments made in the application, supported with copy of delegation of power, Ms. Deepika Jaggi is substituted as AR in place of earlier AR Ms. Jyoti Jindgar, application is allowed

CW 1 Ms. Deepika Jaggi, Manager SEBI examined and discharged.

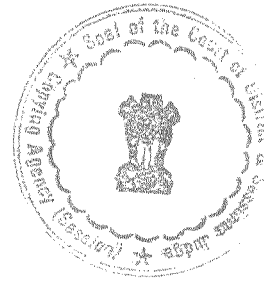
In view of the statement of CW 1, I am of the view that there is sufficient evidence on record against accused for having committed offence punishable u/s 24(1) read with section 27 of Act Security Exchange Board of India Act 1992. File is consigned to Record Room u/s 299 Cr. P.C. to be revived as and when the accused are traced.

Poonam Chaudhary

(POONAM CHAUDHARY)
ASI(Central-01)/DELHI.

5.11.2009





CC No. 8/09

SEBI Vs. Asra Tek Plantation and Resorts Ltd. and others.

CW 1 Statement of Ms. Deepika Jaggi, Manager SEBI Northern Regional office 5th floor Bank of Baroda Building 16 Sansad Marg New Delhi.

On SA

I am working as Manager SEBI and I am competent to file prosecution on behalf of the complainant SEBI and continue prosecution on behalf of SEBI. The SEBI vide delegation of power dated 21.04.2003 authorized people of rank of manger and above to initiate prosecution on behalf of the SEBI. Since I am working as Manager I am competent to continue to this prosecution on behalf of the SEBI. The certified copy of the delegation of power dated 21.04.2003 is Ex. CW 1/1 . In the nineties various entrepreneur undertook plantations activities on commercial scale and issued various plantations bonds/scheme and mobilized thousands of crores of rupees from general public. It was further notice that promoters of those scheme were investing minimum amount themselves and were mobilizing substantial funds from general public by offering lucrative returns coupled with questionable claims of fiscal incentives. The initial success of these company mushrooming of such schemes throughout the country. The govt. of India vide press release dated 18.11.97 convened that such schemes shall be treated as collective investment scheme and shall be regulated under the provisions of SEBI Act. 1992. SEBI was directed to frame regulations for the investors protection and promotion of legitimate investments activities, SEBI

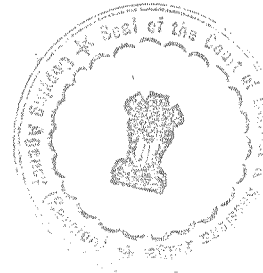
ATTESTED

Date Copying Agency Sessions

Deepika Jaggi

Addl. Sessions Judge

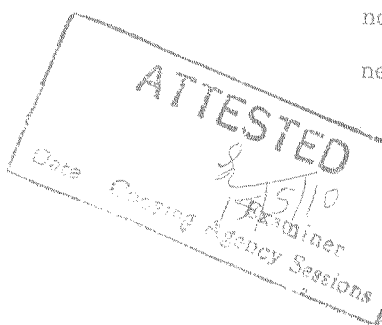
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vide public notice dated 18.12.1997 and also through press release dated 26.11.97 called upon such entities to file information regarding mobilization of funds by such entities under various scheme of the promoters of such scheme and also promoters/director of the entities. Accused no. 1 company vide letter dated 9.01.1998 inter alia informed the SEBI that company is registered with ROC Kanpur U.P. and he is one of the director of the accused no. 1 company.

The letter dated 09.01.1998 is Ex. CW 1/2 . Subsequently SEBI wrote a letter to accused no. 1 company dated 27.09.99 and sought further information in prescribed format and the same was returned undelivered with the remarks " Likhit pate par koi firm nai hai aur nahi meri jankari me koi borad laga hai.....", the copy of the undelivered letter with envelope dated 27.09.99 is Ex. CW 1/3.

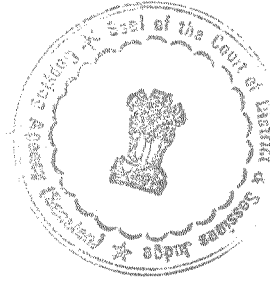
SEBI collective investments scheme regulation 1999 were notified on 15.10.99 , the intimation of the same was given to the accused vide press released dated 20.10.99 (Ex. CW 1/4) and also through specific letter dated 21.10.1999 addressed to accused no. 1 company, the said letter however returned undelivered with remarks " Likhit pate par koi firm nai hai aur nahi meri jankari me koi borad laga hai...." Ex. CW 1/5 . The statutory obligation under the SEBI CIS regulation 1999 were communicated to the accused vide public notice dated 10.12.99, the same was published in major national daily newspapers and also vernacular. The same was also published in the



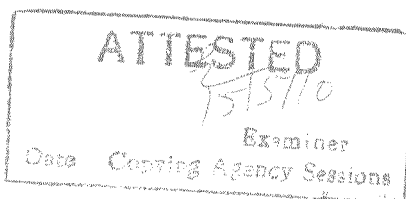
Deepika Jagan



ll
Addl. Sessions Judge
(Central)-01
Tis Hazari Courts, Delhi
02/11/99



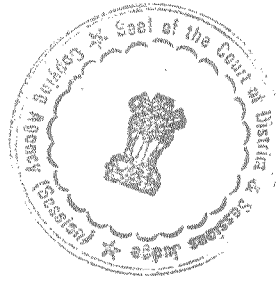
"Hindustan Times" dated 19.12.99. The copy of the same is Ex. CW/ 1/6 and also through specific letter dated 10.12.99 Ex. CW 1/7. The said letter returned undelivered with the remarks "Likhit pate par koi firm nai hai aur nahi meri jankari me koi borad laga hai..." . The contents of the same were also intimated through reminder letter dated 29.12.99 which is Ex. CW 1/8. Since accused were not complying with the statutory provisions as prescribed under the SEBI act and regulation made there under, the SEBI issued Show cause notice dated 12.05.2000 to the accused. The same show caused notice returned undelivered with remarks " Likhit pate par koi firm nai hai aur nahi meri jankari me koi borad laga hai..." , the same is Ex. CW 1/9. Since accused company did not reply to the show cause notice, a format of winding up and repayment report was forwarded to the accused company vide letter dated 31.07.2000 , the same also returned undelivered, which is Ex. CW 1/ 10. Since the accused company and accused no. 2 who is the directors he is person In-charge and responsible for accused no. 1 company did not comply with the statutory provisions, the SEBI through its chairman issued directions under section 11 B of the SEBI act to refund all money collected in various schemes as per original offer within one month of the said directions and etc. the copy of the directions is Ex. CW 1/11. The said directions were forwarded to the accused company vide letter dated 18.12.2000. the said letter returned undelivered and same is Ex. CW 1/12. The contents of the directions were also got published through public notice dated 7.12.2000 in all major national dailies and also in vernacular newspapers. The same was also published in



Deepika Jaggi

15/12/00

U
S. K. Reddy Judge
(Central)-JI
T-1 Hazari Courts, Delhi
05/11/01



the "Hindustan Times" dated 14.01.2001.

Despite intimation through public notice and specific letters addressed to the accused, the accused till date has not complied with the statutory provisions, the winding up and repayment report has not been filed till date. The accused have not complied with the direction issued under section 11 B of the SEBI act. The accused were never given registration by SEBI provisional or otherwise to sponsor or caused to be sponsored collective investment schemes and mobilize funds from general public.

Accused no. 2 is PO.

RO & AC

Deepa Jagg

(POONAM CHAUDHARY)
ASJ(Central-01)/Delhi
05.11.2009. Tis Hazari Courts, Delhi

