

BEFORE THE ADJUDICATING OFFICER
SECURITIES AND EXCHANGE BOARD OF INDIA

[ADJUDICATION ORDER No.: ORDER/VKV/AS/2023-24/25723]

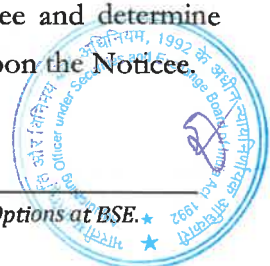
UNDER SECTION 15-I OF SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992.

In respect of:

Mr. Prakash Kumar Sanganeria,
PAN: AKUPS1427M
52, Bangur Avenue, Block B, 3rd Floor,
Kolkata - 700055 (West Bengal).

1. Securities and Exchange Board of India (SEBI) has initiated Adjudication Proceedings against Mr. Prakash Kumar Sanganeria (hereinafter referred to as “Noticee”), under SEBI (Procedure for Holding Inquiry and Imposing Penalties) Rules, 1995 (hereinafter referred to as “Adjudication Rules”) for allegedly violating Regulations 3(a),(b),(c),(d) and 4(1), 4(2)(a) of SEBI (Prohibition of Fraudulent and Unfair Trading Practices relating to Securities Markets) Regulations, 2003 (hereinafter referred to as “PFUTP Regulations”), in the matter of trading in illiquid stock options at Bombay Stock Exchange Ltd. (hereinafter referred to as “BSE”).
2. SEBI had conducted an investigation into large scale reversal of trades in Stock Options segment of the BSE during the period of April 01, 2014 to September 30, 2015. Pursuant to investigation, it was observed that during the investigation period, the Noticee had indulged in reversal trades, which allegedly created false and misleading appearance of trading thereby generated artificial volumes in the Stock Options Segment of BSE during the investigation period. The trades entered in the unique contracts were reversed on the same day with same counterparties, at a price difference which had no underlying basis and without an intention of performing it or there being a change of ownership/rights in the contracts. These factors indicate that these trades were allegedly artificial and non- genuine in nature. In the above facts and circumstances, it was alleged by SEBI that the Noticee by indulging in execution of non-genuine reversal trades in Stock Options, created false and misleading appearance of trading in securities market and thereby, violated provisions of Regulation 3(a), (b), (c), (d) and 4(1) and 4(2)(a) of the PFUTP Regulations.
3. In this connection, the undersigned was appointed as Adjudicating Officer under Section 15-I of the Securities and Exchange Board of India Act, 1992 (“SEBI Act”) to inquire into and adjudge under Rule 5 of the Adjudication Rules, the alleged violations by the Noticee and determine whether penalty under Section 15HA of the SEBI Act is liable to be imposed upon the Noticee.

Adjudication Order in respect of Mr. Prakash Kumar Sanganeria in the matter of dealing in Illiquid Stock Options at BSE.



4. Accordingly, in terms of Rule 4(1) of the Adjudication Rules read with Section 15I of the SEBI Act, a notice to show cause no. SEBI/HO/EAD/EAD-9/P/OW/2022/0000031069/1 dated July 29, 2022 (hereinafter referred to as 'SCN') was issued to the Noticee calling upon him to show cause as to why an inquiry should not be held against her in terms of Rule 4 of the Adjudication Rules and penalty be not imposed under Section 15HA of the SEBI Act for the aforesaid alleged violations. The SCN sent to the Notice was served upon the Noticee *via* digitally signed e-mail on e-mail id - SANGANERIAAPRAKASH7@GMAIL.COM on August 01, 2022 and *via* Speed Post Acknowledgement Due on December 28, 2022.
5. Thereafter, vide e-mail dated January 07, 2023, the Noticee's spouse Mrs. Chandrakala Sanganeria informed that her husband Mr. Prakash Kumar Sanganeria, the Noticee had died on February 13, 2019. In this regard, Mrs. Chandrakala had provided the copy of death certificate of the Noticee.
6. In view of the fact of demise of the Noticee in February, 2019, no reply /submissions can be procured for considering this case under Rule 4(2) of the Adjudication Rules for further inquiry *qua* this Noticee. I am, therefore, of the opinion that matter does not deserve further inquiry under Rule 4(3) of the Adjudication Rules *qua* this Noticee and therefore, I proceed to dispose of this matter accordingly.
7. From the certificate issued by the Department of Health Services, Government of West Bengal, I note that the Noticee has expired on February 13, 2019 and notified in records on February 18, 2019, wherein, a death certificate dated 18/02/2019 was issued by Registrar (Birth & death), South Dum Dum Municipality bearing registration no. D – 2019: 19-90204-000405. In this case, the allegations have been levelled against the Noticee in his personal capacity, Thus, the proceedings are against the acts of omission and commission of a person who is no more to face the charges. In view of the foregoing, I am of the view that the proceedings against the Noticee are liable to be abated without going into the merits of the case *qua* him and the SCN dated July 29, 2022 issued against the Noticee is disposed of accordingly.
8. In terms of Rule 6 of the Adjudication Rules, copy of this order is sent to the Noticee's last known address and also to SEBI.

Date: April 13, 2023

Place: Mumbai


Vijayant Kumar Verma
Adjudicating Officer

