BEFORE THE ADJUDICATING OFFICER
SECURITIES AND EXCHANGE BOARD OF INDIA
[ADJUDICATION ORDER NO. EAD/SR/AO/ 82 /2018-19]

UNDER SECTION 15-I OF THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992 READ WITH RULE 5 OF THE SECURITIES AND EXCHANGE BOARD OF INDIA (PROCEDURE FOR HOLDING INQUIRY AND IMPOSING PENALTIES BY ADJUDICATING OFFICER) RULES, 1995

In respect of
Mr. Jitendra Kumar Bhatia
(Address: No. A – 705, Elixir M K City,
Sirol Road, Gwalior – 474006)
PAN No: ACKPB5820H)

In the matter of
BGIL Films &Technologies Limited
(CIN: L65993DL1989PLC035572)

BACKGROUND

1. A Department (OD) of Securities and Exchange Board of India (hereinafter, referred to as "**SEBI**") conducted investigation in the scrip of BGIL Films & Technologies Ltd. (hereinafter, referred to as "**BFTL**"/"**Company**") for the period June 19, 2008 to March 20, 2009 (hereinafter, referred to as the "**Investigation period**") on receiving information that the share price of the scrip shot up from below par to Rs.100/- on account of the company's merger announcements. The company was listed on Bombay Stock Exchange Limited (hereinafter referred to as "**BSE**") during the investigation period. The Investigating Authority (hereinafter referred to as "**IA**") identified a group of 22 connected entities i.e. (1) Prarthana Tarunkumar Brahmbhatt (Prarthana), (2)Tarunkumar Brahmbhatt (Tarun), (3) Krushnakumar Guruvachan Brahmbhatt (Krushna), (4) Jinesh Devendra Bhatt (Jinesh), (5) Zakirbhai Habibbhai Motani (Zakir), (6) Deendayal Atmaram Patodia (Deendayal), (7) Milan H Deliwala (Milan), (8) Jasu Joitalal Doshi (Jasu), (9) Prakash J Shah (Prakash), (10) Nilesh Kanakrai Vakharia (Nilesh), (11) Bipin Bhogilal Rawal (Bipin), (12) Tanuja Singh (Tanuja) (13) Jitendra Kumar Bhatia (hereinafter referred to as "**Jitendra**"/ "**Noticee**"), (14) Rajiv Kumar Agarwal (Rajiv), (15) Yogeswari Gupta (Yogeshwari), (16) Kartik Share Traders Private Limited (Kartik), (17) Shabnam Uppal Kapoor (Shabnam), (18) Chetan Dogra (Chetan),

(19) Vishal Thapar (Vishal), (20) Chhaya Mitesh Mehta (Chhaya), (21) Puran Chand Choudhary (Puran) and (22) Kishor Mitesh Mehta (Kishor) hereinafter collectively referred to as "**Brahmbhatt Group**". IA observed that the Brahmbhatt Group had traded to the extent of buying 51.82% of the market volume and selling 44.96% of the market volume during the investigation period. IA also observed that Kartik which has Rajiv-the key managerial person of BFTL's group company BGIL, had transferred 1.80 lakh share of the BFTL through off-market to Prarthana, Tarun and Krushna who thereafter manipulated the price and volume of the scrip of BFTL and created misleading appearance of trading in the securities market. IA also observed that Rs. 33.25 lakh worth of shares were transferred to Chetan by Kartik and subsequently six of the promoter/director connected group entities i.e. Kartik, Rajiv, Yogeshwari, Jitendra, Tanuja and Shabnam, offloaded shares at the increased price for a profit of Rs. 71 Lakh. The Noticee is the wife of the promoter Jitendra who is the brother of Rakesh, the promoter and CMD of BFTL. OD initiated adjudication proceedings against Noticee for being connected to the Promoters/directors of BFTL and its group companies, and being a part of the Brahmbhatt Group, which was involved in market and price manipulation of the scrip of BFTL and allegedly taken advantage of the price rise of the scrip of BFTL, by selling the shares of BFTL at increased prices in market thereby violating regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 (hereinafter, referred to as "**PFUTP Regulations, 2003**").

APPOINTMENT OF ADJUDICATING OFFICER

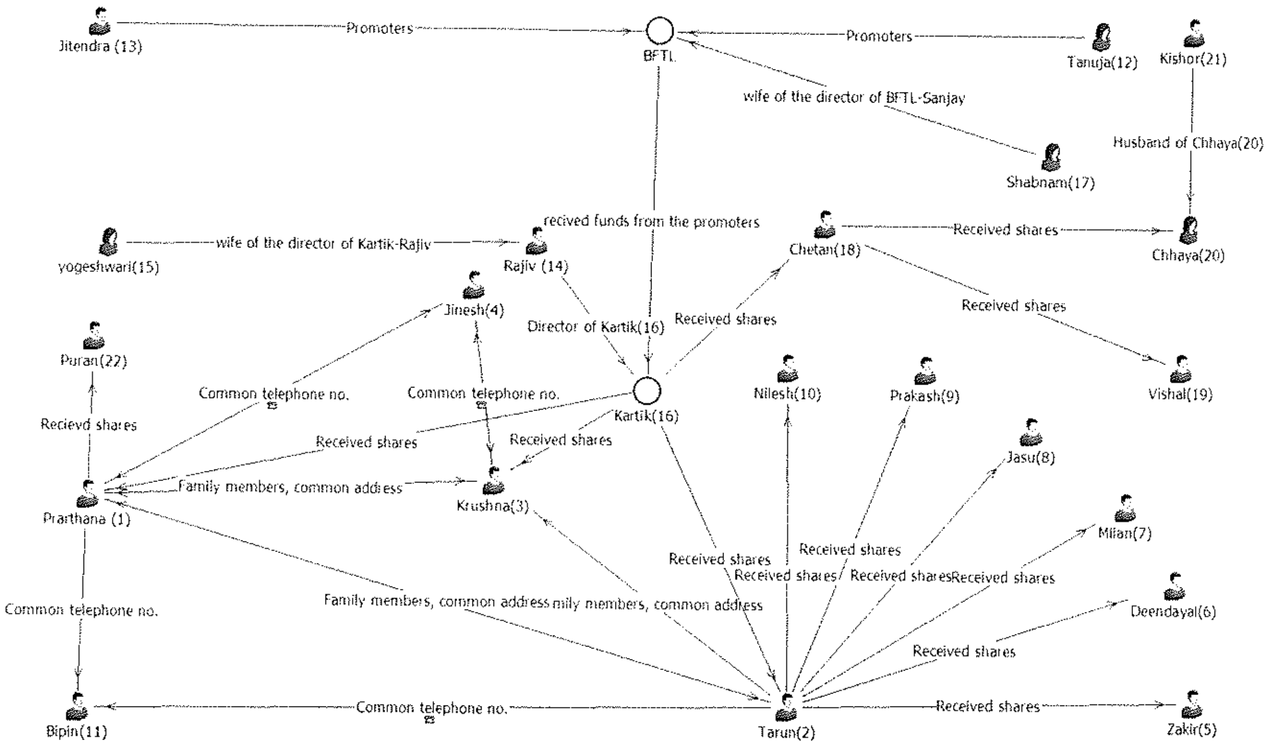
2. As per communique dated July 26, 2016, Shri. Nagendraa Parakh was appointed as Adjudicating Officer (hereinafter, referred to as "AO") to inquire into and adjudge under section 15HA of the SEBI Act, 1992 and rule 3 of SEBI (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995, 1995 (hereinafter, referred to as **"Adjudication Rules, 1995"**) for the alleged violation of provisions of Regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003 by the Noticee. Subsequently, the matter was transferred to me and I was appointed as AO vide order dated July 10, 2017.

SHOW CAUSE NOTICE, REPLY AND PERSONAL HEARING

3. A Show Cause Notice no. EAD/NP/AS/OW/4044/1/2017 dated February 20, 2017 (hereinafter, referred to as the "SCN") was issued to the Noticee through speed post with acknowledgement due (hereinafter, referred to as the "**SPAD**") in terms of the rule 4 of the Adjudication Rules, 1995 requiring the Noticee to show cause as to why an inquiry should not be held against the Noticee and why penalty be not imposed against the Noticee under section 15HA of the SEBI Act, 1992 for the alleged violations of provisions of regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003 by the Noticee, at the available address of the Noticee ie. 16-C, Om Sai Villa, Shakuntalapuri, Gwalior – 474011. The said SCN returned undelivered and was sent to the Indore Local Office of SEBI for delivery to the Noticee. Proof of delivery is not on record. The allegations levelled against the Noticee in SCN are briefly given below:

   - *IA noted that during the Investigation period, BFTL made three corporate announcements on February 04, 12 and 24, 2009 respectively on proposal of the merger of certain divisions of Bhartiya Global Infomedia Ltd.,(BGIL) a company under the same management with BFTL. BFTL informed BSE that the Board of Directors had considered and approved the merger of certain divisions of BGIL during the month of February, 2009. Thereafter, it was stated in the Annual Report of BFTL for the year 2009-2010 that the merger of digital post production division from its group company BGIL could not take place due to disagreement on the pricing and equity ratio. However, the said development was not intimated to the Stock Exchange.*

   - *IA identified 22 entities (Brahmbhatt Group) who have traded in the scrip of BFTL during investigation period and were connected to each other through common address, telephone number, off-market transfers of shares and family members. The connection chart is given below:*



- *IA observed that Brahmbhatt Group had bought 21,98,073 shares (i.e. 51.82% of the market volume) and sold 19,07,165 shares (i.e. 44.96 % of the market volume) during the investigation period. The entity-wise trading details are provided to the Noticee in the following tabular format:*

S.N.	Client Name	Gross Buy	Gross Sell	Net (=Buy-Sell)	Gross Buy % to Market Buy volume	Gross Sell % to Market Sell volume	Net Trade % to Market trade volume
1.	Chetan	5,42,401	6,43,334	-100,933	12.79	15.17	-2.38
2.	Tarunkumar	4,51,107	3,44,082	107,025	10.64	8.11	2.52
3.	Prarthana	4,26,377	2,99,810	126,567	10.05	7.07	2.98
4.	Jinesh	2,83,853	1,67,652	116,201	6.69	3.95	2.74
5.	Krushnakumar	1,70,805	96,100	74,705	4.03	2.27	1.76
6.	Puran	1,26,998	68,682	58,316	2.99	1.62	1.38
7.	Kishor	86,234	86,134	100	2.03	2.03	0.00
8.	Vishal	33,198	14,800	18,398	0.78	0.35	0.43
9.	Zakir	30,787	15,318	15,469	0.73	0.36	0.37
10.	Chhaya	20,000	20,419	-419	0.47	0.48	-0.01
11.	Deendayal	10,254	8,254	2,000	0.24	0.20	0.05
12.	Milan	8,629	4,705	3,924	0.20	0.11	0.09
13.	Bipin	3,605	3,175	430	0.09	0.08	0.01
14.	Jasu	3,000	0	3,000	0.07	0.00	0.07
15.	Prakash	750	750	0	0.02	0.02	0.00
16.	Nilesh	75	75	0	0.00	0.00	0.00
17.	Jitendra	0	14,000	-14,000	0.00	0.33	-0.33
18.	Shabnam	0	8,650	-8,650	0.00	0.20	-0.20
19.	Kartik	0	19,871	-19,871	0.00	0.47	-0.47
20.	Rajiv	0	20,370	-20,370	0.00	0.48	-0.48

S.N.	Client Name	Gross Buy	Gross Sell	Net (=Buy-Sell)	Gross Buy % to Market Buy volume	Gross Sell % to Market Sell volume	Net Trade % to Market trade volume
21.	Yogeshwari	0	33,284	-33,284	0.00	0.79	-0.79
22.	Tanuja	0	37,700	-37,700	0.00	0.89	-0.89

- *IA observed that during the investigation period one of the Brahmbhatt group entities i.e Kartik (which has Rajiv – key managerial person of BGIL as its director) transferred 1.80 lakh shares through off-market to three Brahmbhatt group entities viz., Prarthana, Tarun and Krushna (who are inter-related as they are from the same family) who thereafter were alleged to have manipulated the price in the scrip of BFTL, created the misleading appearance in the securities market.*

- *IA observed that on enquiry about the nature of transaction with Kartik, vide letter dated March 25, 2014, Kartik replied stating that, as Kartik was in need of funds, it had taken Rs.15 lakh loan at interest rate of 24% p.a. from Chetan, against security of 3,50,000 shares of the company at prevailing market rate of Rs.9.50 (with 55% margin). As per MoU, 1,00,000 shares were transferred to Chetan on June 18, 2008 and a signed blank delivery instruction slips (DIS) were given for remaining shares. Since the interest was not paid for a period of 5 months, the shares were transferred to Chetan's associates using the signed blank DIS given to Chetan.*

- *IA observed that Kartik had however given Rs. 33.25 lakh worth of shares of BFTL to Chetan as a security against a loan of Rs 15 lakh i.e., with 55% margin. Further investigation revealed that Chetan started trading in the scrip in the month of June only after receipt of the one lakh shares from Kartik on June 18, 2008. It is further observed that Kartik allowed transferring of the remaining 2.5 lakh shares (valued Rs 75 lakh, when the price of scrip was at Rs.30 on Dec 08, 2008) to group entities, instead of clearing the loan along with interest by liquidating a fraction of 2.5 lakh shares already given to Chetan. Chetan and its group entities which received shares from Kartik thereafter were indulged in volume and price manipulation in the scrip subsequent to the receipt of the shares. Hence, it is alleged that shares were transferred to the Group to manipulate the price and volume of the scrip.*

- *IA observed that subsequent to the share transfer to Chetan by Kartik, six of the promoter/director connected Brahmbhatt group entities namely Kartik, Rajiv, Yogeshwari, Jitendra, Tanuja and Shabnam had offloaded their shares at increased price at a profit of Rs.71 lakh. IA observed that Jitendra is brother of Rakesh, the promoter and CMD of BFTL, Tanuja is wife of Jitendra, Rajiv is the key managerial person of BFTL's group company BGIL and Yogeshwari is wife of Rajiv, Rajiv is also one of the directors of Kartik and Kartik had fund transactions with Rakesh and Arti Bhatia, Directors of BFTL and its Group companies and lastly, Shabnam is the wife of Sanjay Kapoor, one of the Directors of BFTL.*

- *IA observed that the aforesaid six Brahmbhatt Group entities connected to the promoters/director of BFTL and its group companies had together sold 1,22,705 shares at an average price of Rs 67.40 i.e., at the increased price subsequent to* *the share transfer to Chetan by the Noticee. The profit, based on the average sell price of the shares and market price when the shares were transferred to Chetan is Rs. 71,04,620 [i.e., (Rs 67.40- Rs 9.50)*1,22,705]. The details of shares sold by these six group entities as given below were conveyed to the Noticee in the SCN:*

Sell PAN_NO	*Sell Client Name*	*Sell Trade*	*Sell Trade Volume*	*Sell Average Rate(SAR)*
AOIPS9379C	*TANUJA*	*37,700*	*30,58,549*	*81.13*
ACKPB5820	*JITENDRA*	*14,000*	*11,25,659*	*80.40*
AETPG3131	*YOGESWARI*	*22,164*	*7,54,993*	*34.06*
AGGPA0436	*RAJIV*	*20,320*	*8,02,756*	*39.51*
AABCK7306	*KARTIK*	*19,871*	*19,45,352*	*97.90*
AAAPU3842	*SHABNAM*	*8,650*	*5,82,870*	*67.38*
Grand Total		*1,22,705*	*82,70,179*	*67.40*

- *In view of the above, it is alleged that the Noticee being connected to the promoters/directors of BFTL and its group companies, were a part of the Bhrambhatt Group which was involved in market and price manipulation of BGIL and Noticee took advantage of the rise in the price of BFTL and sold shares at increased price by offloading them in market and is in violation of regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003.*

4. Upon my appointment as AO, vide Hearing Notice no. SEBI/HO/A&E/EAD/SR/4438/1 dated February 09, 2018 sent by SPAD, I granted an opportunity of personal hearing to the Noticee on March 08, 2018. A copy of the SCN dated February 20, 2017 was also sent along with the Hearing Notice issued to the Noticee, to submit his reply to the said SCN. The said Hearing Notice returned undelivered. The said Hearing Notice and SCN was also updated in SEBI website under the head "unserved summons and Notices". Thereafter, the said Hearing Notices were delivered by Publication in Newspapers (Times of India Delhi and Gwalior editions for English and Navbharat Times Delhi edition and Dainik Bhaskar Gwalior edition for Hindi) on March February 27, 2018. Noticee sent a letter dated June 06, 2018 attached to email dated June 07, 2018 (sender email id: jksbhatia@gmail.com) informing that she had not received any Notices due to change of her address and requested for resending the Notices to her new address i.e. A – 705, Elixir M K City, Sirol Road, Gwalior – 474006. Acceding to the request of the Noticee, vide Hearing Notice no. SEBI/HO/A&E/EAD/SR/VV/16755/6 dated June 08, 2018 sent by SPAD, I granted another opportunity of personal hearing scheduled on June 28, 2018, and sent alongwith a copy of the SCN and relevant material. The same was delivered. The Noticee had Authorised one Mr. K.K.Singh as her Authorised representative (hereinafter referred to as the 'AR'). The AR on behalf of another Noticee in the said case appeared for a hearing in that matter held on June 21, 2018, wherein

he had requested for rescheduling the hearing for the Noticee scheduled on June 28, 2018. Acceding to his request, I gave another date scheduled on July 13, 2018. Further, the AR vide email (sender email id: kamalk@kksinghassociates.com) dated July 09, 2018 and July 13, 2018 requested for another hearing date as he had not received the documents and information from the Noticee due to seriousness of health of the Noticee. Subsequently, vide Hearing Notice no. SEBI/HO/A&E/EAD/SR/VV/21060/1 dated July 26, 2018, I granted another opportunity of personal hearing to the Noticee scheduled on July 27, 2018, sent by SPAD and by email to the AR (email id: kamalk@kksinghassociates.com). The AR vide email dated July 25, 2018 requested for extension of time. I granted a final opportunity of personal hearing to the Noticee on August 08, 2018 vide Hearing Notice no. SEBI/HO/A&E/EAD/SR/VV/21062/1 dated July 26, 2018. Hearing was held as scheduled. Hearing Minutes are on record. During the hearing, the AR requested for further time to submit additional information and I granted time till September 20, 2018.

5. Noticee replied to the said SCN vide letter dated September 19, 2018 forwarded to undersigned by the AR vide his letter September 26, 2018. Submissions of the Noticee are as follows:
   - Connections put forward by SEBI are not clear and Noticee had no business/personal relationship with Brahmabhatt Group. Noticee traded in the capacity of a shareholder.
   - Kartik was in need of funds and thus pledged shares to Chetan. Further, manipulations were done by Chetan. In terms of MoU Chetan was permitted to do anything with the shares, so whatever Chetan did, had no involvement or connection with the Noticee.
   - Calculation of profit made by SEBI is based on assumptions.

6. After taking into account, the allegations levelled in the SCN, the reply submitted by the Noticee, the submissions made during the hearing and other material available on record, I hereby proceed to decide the case on merit.

CONSIDERATION OF ISSUES

7. I have carefully perused the documents/evidences available on record and the issues that merit consideration in the said case are:

(a) Whether the Noticee has violated regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003?

(b) Do the violations, if any, on the part of the Noticee attract monetary penalty under section 15HA of the SEBI Act, 1992?

(c) If yes, then what should be the quantum of such monetary penalty to be imposed upon the Noticee?

Before proceeding with the consideration of issues, the text of the provisions of 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003 read as given below:-

3. Prohibition of certain dealings in securities

No person shall directly or indirectly—
(a) buy, sell or otherwise deal in securities in a fraudulent manner;
(b) use or employ, in connection with issue, purchase or sale of any security listed or proposed to be listed in a recognized stock exchange, any manipulative or deceptive device or contrivance in contravention of the provisions of the Act or the rules or the regulations made thereunder;
(c) employ any device, scheme or artifice to defraud in connection with dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange;
(d) engage in any act, practice, course of business which operates or would operate as fraud or deceit upon any person in connection with any dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange in contravention of the provisions of the Act or the rules and the regulations made thereunder
4. Prohibition of manipulative, fraudulent and unfair trade practices

(1) Without prejudice to the provisions of regulation 3, no person shall indulge in a fraudulent or an unfair trade practice in securities.
(2) Dealing in securities shall be deemed to be a fraudulent or an unfair trade practice if it involves fraud and may include all or any of the following, namely:—
(a) indulging in an act which creates false or misleading appearance of trading in the securities market;

8. On perusal of the material available on record and after giving regard to the facts and circumstances of the case, I record my findings for every issue under consideration hereunder.

EVIDENCES AND FINDINGS

9. **Issue (a): Whether the Noticee has violated Regulations 3(a), 3(b), 3(c), 3(d), 4(1) and 4(2)(a) of SEBI PFUTP Regulations, 2003**?

a) I note that SCN alleges that the Noticee being connected to the promoters/director of BFTL and its group companies, was a part of the Brahmbhatt Group which was involved in market and price manipulation of BFTL, took advantage of the price rise of BFTL by selling the shares of BFTL held by the Noticee at increased prices in the market. The

Noticee is alleged to have violated provisions of regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003.

b) I note from the material on record that connections were established among 22 entities in the Brahmbhatt Group based on common addresses, telephone numbers, off-market transfer of shares and family ties. I note from material available on record such as, MOU dated June 16, 2008, trade log from BSE, various transaction statements, bank account statements that, Kartik took loan of Rs.15 Lakh from Chetan at 24% p.a. against security of 3,50,000 shares of BFTL when the prevailing market rate was Rs.9.50, Chetan received transfer of 1,00,000 shares on June 18, 2008 and remaining shares between December 2008 and February 2009, Chetan in turn transferred shares to Prarthana, Tarun and Krushna. Various entities of the Brahmbhatt group played a role in price and volume manipulation in the scrip of BGIL in the said Investigation Period. The Noticee is the promoter of BFTL alongwith his brother Rakesh. I note from the trade log that Noticee has sold shares as alleged in the SCN and the profit earned by Noticee by selling the said shares after the price rise was, Rs. 9,92,600 {14,000*(80.40-9.5)} by Noticee.

c) Regulation 3 of PFUTP Regulations, 2003 prevents any person from buying, selling or dealing in securities in fraudulent manner, use or employ any manipulative or deceptive device in contravention to the provisions of the Act, employ any device, scheme or artifice to defraud in connection with dealing in securities or engage in any act, practice, course of business which operates as fraud or deceit upon any person in connection with any dealing in or issue of securities. Regulation 4(1) of PFUTP Regulations, 2003 provides that no person shall indulge in a fraudulent or an unfair trade practice in securities and regulation 4(2)(a) of PFUTP Regulations, 2003, prohibits a person from indulging in an act which creates false or misleading appearance of trading in the securities market.

d) In this regard, it may be relevant to refer to the observations of the Hon'ble Securities Appellate Tribunal (SAT) in its order dated 14.7.2006 in Ketan Parekh Vs. SEBI, wherein it was held that: "*When a person takes part in or enters into transactions in securities with the intention to artificially raise or depress the price he thereby automatically induces the innocent investors in the market to buy /sell their stocks. The buyer or the seller is invariably influenced by the price of the stocks and if that is being manipulated* *the person doing so is necessarily influencing the decision of the buyer / seller thereby inducing him to buy or sell depending upon how the market has been manipulated. We are therefore of the view that inducement to any person to buy or sell securities is the necessary consequence of manipulation and flows therefrom. In other words, if the factum of manipulation is established it will necessarily follow that the investors in the market had been induced to buy or sell and that no further proof in this regard is required. The market, as already observed, is so wide spread that it may not be humanly possible for the Board to track the persons who were actually induced to buy or sell securities as a result of manipulation and law can never impose on the Board a burden which is impossible to be discharged. This, in our view, clearly flows from the plain language of Regulation 4(a) of the Regulations."*

e) As seen from the material available on record, I conclude that, as alleged in SCN, the Noticee by being part of the Brahmbhatt Group involved in creation of misleading appearance of trading in the scrip which manipulated the price and volume of the scrip and made gain by off-loading the shares of the scrip at increased price, thereby violated provisions of PFUTP Regulations, 2003.

f) Therefore, I conclude that the Noticee has violated Regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003 and the allegations against the Noticee thus stand established

10. **Issue (b): Do the violations, if any, on the part of the Noticee attracts any monetary penalty under section 15HA of the SEBI Act, 1992**?

After taking into account the aforesaid entire facts / circumstance of the case and material on record, I am of the view that the Noticee is in violation of regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003 and the said violation by the Noticee attracts imposition of monetary penalty under section 15HA of the SEBI Act, 1992, which is reproduced below:

The SEBI Act, 1992

15HA - Penalty for fraudulent and unfair trade practices.-

If any person indulges in fraudulent and unfair trade practices relating to securities, he shall be liable to a penalty of twenty-five crore rupees or three times the amount of profits made out of such practices, whichever is higher.

11. **Issue (c) -If yes, then what should be the quantum of such monetary penalty to be imposed upon the Noticee**?

a) While determining the quantum of penalty under section 15HA of the SEBI Act,1992 it is important to consider the factors stipulated in section 15J of the SEBI Act, 1992 read with Rule 5(2) of the Adjudication Rules, 1995 which reads as under:-

The SEBI Act, 1992

Factors to be taken into account by the adjudicating officer

15J *-: While adjudging quantum of penalty under section 15-I, the adjudicating officer shall have due regard to the following factors, namely:-*

(a) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of the default;

(b) the amount of loss caused to an investor or group of investors as a result of the default;

(c) the repetitive nature of the default."

b) I observe, that the material available on record, quantifies gain to Noticee and does not quantify the loss, if any, suffered by the investors due to the said violations by the Noticee. The material available on record, does not show that the failure by the Noticee is repetitive in nature.

c) I conclude that the aforementioned violation of provisions of regulations 3(a), 3(b), 3(c), 3(d), 4(1), and 4(2)(a) of PFUTP Regulations, 2003 by Noticee attracts monetary penalty and therefore, taking into consideration the facts / circumstance of the case, I am of the view that the Noticee is liable for penalty of Rs. 10,00,000 for his violation of said provisions of PFUTP Regulations, 2003.

ORDER

12. In exercise of the powers conferred under rule 5 of the Adjudication Rules, 1995 I hereby impose a penalty of Rs. 10,00,000/- (Rupees Ten lakh) on the Noticee Mr. Jitendra Kumar Bhatia under section 15HA of the SEBI Act,1992 for the violation of the provisions of Regulation 3(a), 3(b), 3(c), 3(d), 4(1) and 4(2)(a) of PFUTP Regulations, 2003.I am of the view that the said penalty is commensurate with the defaults committed by the Noticee.

13. The Noticee shall remit / pay the said amount of penalty within 45 days of receipt of this order either by way of Demand Draft in favour of "SEBI – Penalties Remittable to Government of India", payable at Mumbai, or through e-payment facility into Bank Account the details of which are given below:

Account No. for remittance of penalties levied by Adjudication Officer	
Bank Name	State Bank of India
Branch	Bandra-Kurla Complex
RTGS Code	SBIN0004380
Beneficiary Name	SEBI – Penalties Remittable To Government of India
Beneficiary A/c No.	31465271959

14. The Noticee shall forward the said Demand Draft or the details / confirmation of penalty so paid through e-payment to the Chief General Manager of Enforcement Department of SEBI. The Format for forwarding details / confirmations of e-payments shall be made in the following tabulated form as provided in SEBI Circular No. SEBI/HO/GSD/T&A/CIR/P/2017/42 dated May 16, 2017 and details of such payment shall be intimated at e-mail ID : tad@sebi.gov.in

Date	Department of SEBI	Name of Intermediary/ Other Entities	Type of Intermediary	SEBI Registration Number (if any)	PAN	Amount (in Rs.)	Purpose of Payment (including the period for which payment was made e.g. quarterly, annually)	Bank name and Account number from which payment is remitted	UTR No

15. In terms of the Rule 6 of the Adjudication Rules, copy of this order is sent to the Noticee and also to Securities and Exchange Board of India.

Date: November 30, 2018

Place: Mumbai

SANGEETA RATHOD

ADJUDICATING OFFICER