



भारतीय प्रतिभूति
और विनिमय बोर्ड
Securities and Exchange
Board of India

SANGEETA RATHOD
ADJUDICATING OFFICER &
DEPUTY GENERAL MANAGER
Email :sangeetar@sebi.gov.in

By Speed Post AD

SEBI/HO/EAD/AO- SR/SJ/32416/6 /2018
November 27, 2018

1. Angrez Singh Bhadwal 32413/1 Village Rampur, P.O Mandil, Tehsil-Billawar, Kathua Jammu and Kashmir - 184204	2. Surinder Kumar Trilokia 32413/2 H. No.-917, Sector 9, Nanak Nahar, Jammu - 180001
3. Naseeb Singh Pawar 32413/3 Main Market, Akhnoor, P.O Akhnoor, Dist. Jammu - 181201	4. Kamal Singh Bhau 32413/4 243, Sheen Bhawan, Canal Road, Jammu - 180001
5. Sham Lal Pahwa 32413/5 Glgrial, Tehsil – Akhnoor, Dist. Jammu - 181201	6. Sudershan Singh Jamwal 32413/6 Village Agore, P.O Agore, Jammu & Kashmir - 180001
7. R.S Bhau 32413/7 Village Guru Maira, Tehsil Akhnoor, Dist. Jammu -181201	8. Brita Singh Bhau Guru Maira, Tehsil Akhnoor, Dist. Jammu -181201
9. Ajeet Lal Sharma 32413/9 Village Panjoot, P.O Pallanwala, Akhnoor, Dist. Jammu-181204	10. Sohan Singh 32413/10 Village & P.O Deogram, Tehsil Palampur, Dist. Kangra Himachal Pradesh-176061
11. Renu Bala 32416/1 243, Sheen Bhawan, Canal Road, Jammu-180001	12. Pawan Kumar Khajuria 32416/2 243, Sheen Bhawan, Canal Road, Jammu-180001

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सेबी भवन, प्लॉट सं. सी 4-ए, "जी" ब्लॉक, बान्द्रा कुर्ला कॉम्प्लेक्स, बान्द्रा (पूर्व), मुंबई - 400 051.
दूरभाष : 2644 9950 / 4045 9950 (आई.वी.आर.एस.), 2644 9000 / 4045 9000 फैक्स : 2644 9019 से 2644 9022 वेब : www.sebi.gov.in

SEBI Bhavan, Plot No. C4-A, "G" Block, Bandra Kurla Complex, Bandra (E), Mumbai - 400 051.
Tel.: 2644 9950 / 4045 9950 (IVRS), 2644 9000 / 4045 9000 Fax : 2644 9019 to 2644 9022 Web : www.sebi.gov.in



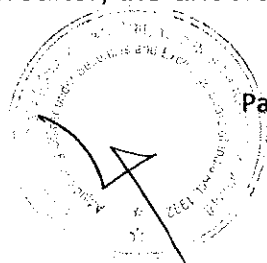
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13. Anita Sharma 3241613 Village Panjtoot, P.O Pallanwala, Tehsil Akhnoor, Dist. Jammu - 181201	14. Kripal Singh 3241614 Village & P.O Alma, Tehsil / Dist.- Gurdaspur, Punjab-143521
15. Yograj Singh Bhau 3241615 22, Priyadarshini Lane, Pattapaloura, Jammu - 180001	16. Tej Pal Singh 3241616 Village Agro, P.O Jandial, ✓ Jammu- 180001

Sub: Notice under Rule 4 of the Securities and Exchange Board of India (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995.

1. Securities and Exchange Board of India (hereinafter referred to as '**SEBI**') appointed Shri Nagendraa Parakh as the Adjudicating Officer under Section 15-I of the Securities and Exchange Board of India Act, 1992 (hereinafter referred to as the '**SEBI Act**') read with Rule 3 of the Securities and Exchange Board of India (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995 (hereinafter referred to as '**Adjudication Rules**') to inquire into and adjudge under the provisions of Section 15D(a) of SEBI Act, the alleged violations of provisions of Section 12(1B) of SEBI Act and Regulation 3 of SEBI (Collective Investment Scheme) Regulations, 1999 (hereinafter referred to as '**SEBI (CIS) Regulations**') by Mr. Angrez Singh Bhadwal, Mr. Surinder Kumar Trilokia, Mr. Naseeb Singh Pawar, Mr. Kamal Singh Bhau, Mr. Sham Lal Pahwa, Mr. Sudershan Singh Jamwal, Mr. R.S. Bhau, Mr. Brita Singh Bhau, Mr. Ajeet Lal Sharma, Mr. Sohan Singh, Ms. Renu Bala, Mr. Pawan Kumar Khajuria, Ms. Anita Sharma, Mr. Kripal Singh, Mr. Yograj Singh Bhau and Mr. Tej Pal Singh (hereinafter collectively referred to as '**Noticees**' / '**You**'). Thereafter, the undersigned was appointed as Adjudicating Officer by



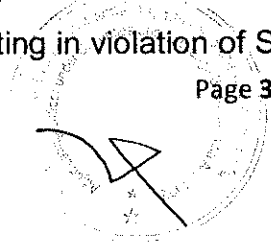


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the Competent Authority. A copy of the order dated May 22, 2018 communicating appointment of Adjudication Officer is enclosed as **Annexure 'A'**.

2. SEBI conducted an examination of fund mobilization by Sheen Agro and Plantations Limited (hereinafter referred to as '**Sheen Agro**') and observed that Sheen Agro was running a Collective Investment Scheme (CIS) without obtaining a Certificate of Registration from SEBI required under SEBI (CIS) Regulations.
3. SEBI further observed that Sheen Agro though filed an application seeking registration with SEBI but the same was withdrawn by it and in view of this withdrawal the said application was rejected by SEBI. After such rejection, Sheen Agro on October 16, 2003, filed Winding up and Repayment Report (hereinafter referred to as '**WRR**') with SEBI under the provisions of SEBI (CIS) Regulations. The WRR filed by Sheen Agro is enclosed as **Annexure 'B'**.
4. It is alleged that Sheen Agro mobilized funds from investors and also renewed the investments of investors instead of repaying them, thereby continuing to operate a CIS without obtaining a Certificate of Registration required for the purpose of running CIS from SEBI, as seen from copies of receipts of accepting investment by Sheen Agro from several persons before filing of WRR which are enclosed as **Annexure 'C'**.
5. It is further alleged that after filing of WRR with SEBI, Sheen Agro continued to mobilize funds from investors and also renewed the investments of investors instead of repaying them, thereby continuing to operate a CIS without obtaining a Certificate of Registration required for the purpose of running CIS from SEBI. Copies of receipts of accepting investment and / or renewal of deposits from several persons post filing of WRR by Sheen Agro is enclosed as **Annexure 'D'**.
6. It is alleged that Sheen Agro by continuing to mobilize fresh funds and renewing investments was operating a CIS without obtaining a Certificate of Registration from SEBI. Thus, Sheen Agro was acting in violation of Section 12(1B) of SEBI Act and Regulation 3





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of SEBI (CIS) Regulations. The above named Noticees were directors of Sheen Agro and were responsible for carrying out such activities for the company 'Sheen Agro'. The above named Noticees are therefore, alleged to have violated Section 12(1B) of SEBI Act and Regulation 3 of SEBI (CIS) Regulations.

7. The text of the provisions of Section 12(1B) of SEBI Act and Regulation 3 of SEBI (CIS) Regulations are reproduced as under:-

REGISTRATION CERTIFICATE

Section 12(1B) - No person shall sponsor or cause to be sponsored or carry on or caused to be carried on any venture capital funds or collective investment schemes including mutual funds, unless he obtains a certificate of registration from the Board in accordance with the regulations:

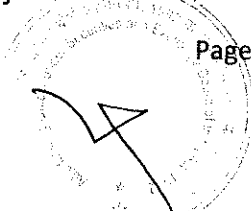
Provided that any person sponsoring or causing to be sponsored, carrying or causing to be carried on any venture capital funds or collective investment schemes operating in the securities market immediately before the commencement of the Securities Laws (Amendment) Act, 1995, for which no certificate of registration was required prior to such commencement, may continue to operate till such time regulations are made under clause (d) of sub-section (2) of section 30.

SEBI (CIS) Regulations

No Person Other than Collective Investment Management Company to Launch Scheme

Reg. 3 - No person other than a Collective Investment Management Company which has obtained a certificate under these regulations shall carry on or sponsor or launch a collective investment scheme.

8. The alleged violations of the aforesaid provisions, if proved, make the Noticees liable to pay the penalty under Section 15D(a) of the SEBI Act. You all are, therefore, called upon to show cause as to why an inquiry should not be held against you in terms of Rule 4 of the said Adjudication Rules read with Section 15-I of the SEBI Act and why penalty, if any, should not be imposed on you under Sections 15D(a) of SEBI Act.





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9. The provisions of Section 15D(a) read as under :-

Penalty for certain defaults in case of mutual funds.

15D. If any person, who is—(a) required under this Act or any rules or regulations made hereunder to obtain a certificate of registration from the Board for sponsoring or carrying on any collective investment scheme, including mutual funds, sponsors or carries on any collective investment scheme, including mutual funds, without obtaining such certificate of registration, he shall be liable to a penalty of one lakh rupees for each day during which the sponsors or carries on any collective investment scheme including mutual funds, or one crore rupees, whichever is less.

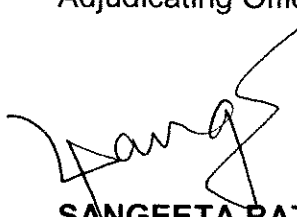
10. Your reply along with supporting enclosures and documents, should reach the undersigned at the address mentioned below as well as through email at sangeetar@sebi.gov.in within 15 (fifteen) days from the date of receipt of this Notice, failing which it shall be presumed that you have no submissions to make, in which case, the matter shall be proceeded with on the basis of material / facts available on record. You may also indicate in your replies whether you desire a personal hearing in the matter. You are all also advised to submit a copy of your PAN Cards and your contact details (Phone number, email details, fax, etc.) for our records.

Securities and Exchange Board of India,

4th Floor, Plot No. C-7, G Block,

Bandra Kurla Complex, Bandra (E), Mumbai - 400051.

11. Further, in case there is any change in your address or contact details during the period of the current Adjudication proceedings, the same may be brought to the notice of the Adjudicating Officer immediately.


SANGEETA RATHOD
Encl : aa

