DESIGNATED AUTHORITY

By Speed Post AD

SEBI/EAD-8/PM/PA/ 20421/1 /2021

August 23, 2021

D.S. Capital Venture Private Ltd.

a.) Plot No. 3141, Rahmat Nagar (behind Gangotri Hotel),
Jamuna Talkies Road, Chitralalaya,
Bhaiyapada, Boisar,
Palghar, **Maharashtra**- 401501

b.) Office No. 402 A, 402B,
4th Floor, Prithviraj Silver Mall, Block A,
Ravindranath Tagore Marg,
South Tukoganj, **Indore- 452001**
PAN: AADCH8426M

Notice under Regulation 25(1) of the Securities and Exchange Board of India (Intermediaries) Regulations, 2008 in the matter of "D.S. Capital Venture Private Ltd."

1. Securities and Exchange Board of India (hereinafter referred to as ***"SEBI"***) has appointed the undersigned as the Designated Authority (DA) in the exercise of its powers under Regulation 23 of SEBI (Intermediaries) Regulations, 2008 (hereinafter referred to as ***"Intermediaries Regulations, 2008"***), to conduct an enquiry against D.S. Capital Venture Private Ltd., an Investment Adviser (SEBI Registration No. INA000010511) (hereinafter referred to as ***"Noticee/ IA"***) for the alleged violation of the provisions of Regulation 28 of SEBI (Investment Advisers) Regulations, 2013 (hereinafter referred to as the ***"Investment Advisers Regulations, 2013"***).

सेबी भवन, प्लॉट सं. सी 4-ए, "जी" ब्लॉक, बांद्रा कुर्ला कॉम्प्लेक्स, बांद्रा (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

2. The order appointing the undersigned as the Designated Authority was communicated *vide* communique dated March 04, 2021. A copy of the said communique is enclosed herewith as **Annexure 1**.

3. The Noticee is registered with SEBI as an investment adviser bearing registration no. INA000010511. As on December 09, 2020, there were 17 complaints on the SEBI Complaints Redress System (hereinafter referred to as "***SCORES***") pending against the IA for more than 6 months. The details regarding the 17 pending complaints are stated as under:

S. No.	Complainant Name	Status	Date of Receipt	Date of Forwarding to DS Capital Venture	Last communication received from DS Capital Venture	Last Reminder Sent to IA
1	Rama Soujanya Marella	Pending	26/01/2020	29/01/2020	Not received	Not sent
2	Praveen Patil	Pending	16/12/2019	31/12/2019	Not received	06/02/2020
3	Deepak Kumar	Pending	09/12/2019	18/02/2020	Not received	27/08/2020
4	Atul Tamhane	Pending	30/11/2019	02/12/2019	Not received	06/02/2020
5	Praveen Patil	Pending	25/11/2019	31/12/2019	Not received	06/02/2020
6	Praveen Patil	Pending	25/11/2019	31/12/2019	Not received	06/02/2020
7	Praveen Patil	Pending	25/11/2019	31/12/2019	Not received	06/02/2020
8	Atul Tamhane	Pending	22/11/2019	31/12/2019	Not received	06/02/2020
9	Hrushikesh Sahoo	Pending	04/11/2019	18/11/2019	Not received	06/02/2020
10	Ankit Parsotambhai Busa	Pending	10/10/2019	21/11/2019	Not received	06/02/2020
11	Rakesh Vemula	Pending	24/09/2019	27/09/2019	Not received	30/06/2020
12	Nitika Kapoor	Pending	07/09/2019	24/02/2020	Not received	Not sent
13	Rohit Kumar	Pending	29/07/2019	03/08/2019	Not received	24/02/2020
14	A Bhavarlal	Pending	25/06/2019	28/06/2019	Not received	24/02/2020
15	Ajit Singh	Pending	21/06/2019	28/06/2019	17/09/2019	06/02/2020
16	Maj Vivekanand Shukla	Pending	11/06/2019	12/06/2019	05/11/2019	06/02/2020
17	Ajit Singh	Pending	28/05/2019	08/07/2019	17/09/2019	06/02/2020



4. From the SCORES action history, it was observed that all the complaints against the Noticee indicated false assurances, assured returns, advisory services related grievances, loss of funds, cheating *etc.* The Noticee had not redressed the complaints forwarded through SCORES despite reminders. In certain complaints, it was clearly stated that suitable regulatory actions may be initiated against the IA in the absence of receipt of reply.

5. In view of the quantum of pending investor complaints against the IA, it was decided to conduct an inspection of the IA by SEBI. Inspection notice was sent by Speed Post A.D. to the following registered and correspondence addresses of the IA advising the IA to submit the information as per the inspection questionnaire –

   i. D.S. Capital Venture Private Limited, Shop no.28, Second Floor, Om Heera Panna Shopping Mall, Near Oshiwara Police Station, Andheri (W), Mumbai-400053 *vide* letter dated September 22, 2020.

   ii. D.S. Capital Venture Private Limited, Office No. 402 A, 402B, 4th floor, Prithviraj Silver Mall, Block A, Ravindranath Tagore Marg, South Tukoganj, Indore - 452001 *vide* letter dated November 23, 2020.

6. However, the above mentioned two letters sent by speed post to the Noticee, were returned undelivered. Additionally, a copy of the letter dated September 22, 2020 alongwith the pre inspection questionnaire was also sent to the following email addresses *i.e.,* spiyush3963@gmail.com and info.dscapitalventureltd@gmail.com on September 22, 2020. However, again no reply was received.

7. As per the information available from the website of the Ministry of Corporate Affairs (hereinafter referred to as "***MCA***"), the registered address of the IA was Plot No. 3141 Rahmat Nagar Behind Gangotri Hotel, Jamuna Talkie Road, Chitralalaya Bhaiyapada, Boisar, Palghar, Thane-401501, Maharashtra, which is different from the registered address stated in paragraph 5 (i) above. However, despite the change in the address, the IA has not filed any application for change in the registered or correspondence address with SEBI. A copy of the company master data extracted from the MCA website reflecting the changed registered address is enclosed herewith as **Annexure 2**.

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8. Since there was a change of address of the IA, inspection notice dated November 12, 2020 was sent to the new address of the IA for compliance (*i.e.,* the address reflected in the company master data on the MCA website enclosed as **Annexure 2**). However, the said letter was also returned undelivered.

9. From the information available with SEBI, Piyush Sharma (Noticee 2), Sanjay Dwivedi (Noticee 5) and Deepali Sharma (Noticee 3) were the directors of the IA. However, from the information available on the MCA website, it was observed that Abhishek Tiwari (Noticee 4) was also mentioned as the director of the IA. A copy of the company master data extracted from the MCA website reflecting the name of Abhishek Tiwari as a director is enclosed herewith as **Annexure 2**. From the records, it is observed that the IA has not filed any application for updation/ change of director with SEBI.

10. SEBI has been informed by the Economic Offences Wing (EoW), Indore, that based on receipt of complaint by them for fraud/cheating, they are conducting an inquiry against the IA.

11. It is observed that there were two websites of the Noticee *i.e.,* www.dscapitalventure.com and www.dscapital.com. However, as on date, both the websites are non-functional. It is also observed that certain bank accounts of the IA are active.

12. In view of the aforesaid paragraphs 3 to 11, the following is observed against the Noticee:

    12.1 The Noticee has failed to redress investor grievances forwarded to it on the SCORES platform. As on December 09, 2020, there were 17 complaints against the Noticee which were pending on the SCORES platform for more than 6 months. Some complaints are pending for more than 1 year. The complaints made against the Noticee allege false assurances, assured returns, advisory services related grievances, loss of funds, cheating *etc.,* which are serious in nature.

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12.2 The Noticee has failed to produce the documents sought for the purpose of inspection and was not traceable at any of the available addresses.

12.3 The Noticee has failed to inform change of its registered office address to SEBI.

12.4 The Noticee neither informed nor obtained approval for change of its directors from SEBI.

12.5 Taking into account the gravity of the alleged violations observed against the Noticee coupled with no response received from it despite multiple communications and ambiguity regarding its registered and correspondence address, it appears that the continuance of the Noticee as an IA may not be in the interest of investors and the securities market. The Noticee has also failed to comply with the regulatory requirements applicable to the conduct of its business activities which requires it to promote the best interest of its clients and the integrity of the market.

12.6 The Noticee does not appear to be a fit and proper person to hold the certificate of registration as an investment adviser.

Therefore, the Noticee is alleged to have violated the provisions of Regulation 28 of the Investment Advisers Regulations, 2013. The relevant text of the aforesaid provision is reproduced below for ease of reference:

Regulation 28 of SEBI (Investment Advisers) Regulations, 2013

Liability of action in case of default

28. *"An investment adviser who -*

(a) contravenes any of the provisions of the Act or any regulations or circulars issued thereunder;

(b) fails to furnish any information relating to its activity as an investment adviser as required by the Board;

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.....

(e) does not co-operate in any enquiry, inspection or investigation conducted by the Board;

(f) fails to resolve the complaints of investors or fails to give a satisfactory reply to the Board in this behalf,

shall be dealt with in the manner provided under the Securities and Exchange Board of India (Intermediaries) Regulations, 2008."

13. Therefore, the Noticee is required to show cause as to why a suitable action should not be recommended against the Noticee as provided under Regulation 23 of the Intermediaries Regulations, 2008. The relevant text of the aforesaid provision is reproduced below for ease of reference:

Regulation 23 of the Intermediaries Regulations, 2008

Cancellation or suspension of registration and other actions.

23. *Where any person who has been granted a certificate of registration under the Act or regulations made thereunder, –*
(a) fails to comply with any conditions subject to which a certificate of registration has been granted to him;
(b) contravenes any of the provisions of the securities laws or directions, instructions or circulars issued thereunder;

the Board may, without prejudice to any action under the securities laws or directions, instructions or circulars issued thereunder, by order take such action in the manner provided under these regulations.

14. The reply of the Noticee, if any, should reach the undersigned, at the address given below, as well as through email at *"**prasantam@sebi.gov.in**"* and *"**poojaa@sebi.gov.in**"* in MS Word/ MS Excel Format, within 14 days from the date of the receipt of this notice, failing which it shall be presumed that the Noticee has no reply to submit and the matter would further proceed ex–parte. The Noticee may also indicate whether it desires a personal hearing in the matter.



Securities and Exchange Board of India
4th Floor, Plot No. C-7, 'G' Block,

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Board of India

Bandra- Kurla Complex,
Bandra (E), Mumbai– 400 051

15. The Noticee is advised to provide a copy of its PAN and email id and also to keep the undersigned informed about the change in the correspondence address of the Noticee, if any, till the proceedings are completed.

Prasanta Mahapatra
Designated Authority

Enclosures:

Annexure 1- Copy of the Communique dated March 04, 2021.

Annexure 2- Information on the registered address and directorship of DS Capital Venture Pvt. Ltd. as per the MCA website.

Annexure I

SECURITIES AND EXCHANGE BOARD OF INDIA
Communication of order appointing Designated Authority

1. Whereas the Securities and Exchange Board of India ("SEBI") has conducted examination in the matter of D.S. Capital Ventures Private Limited and into the possible violations of the provisions of SEBI Act, 1992 and various Rules and Regulations made thereunder.

2. Whereas the Competent Authority is *prima facie* of the view that there are grounds to enquire upon the alleged violations by the entity as shown in the table below:-

Sr. No.	Name of the Entity	Address(es) available on record	Violations	Action
1	D.S. Capital Ventures Private Limited Investment Adviser Reg. No. INA000010511 (PAN: AADCH8426M)	Plot No. 3141, Rahmat Nagar Behind Gangotri Hotel, Jamuna Talkies Road, Chitralalaya Bhaiyapada, Boisar, Palghar – 401 501 Maharashtra Office No. 402 A, 402B, 4th floor, Prithviraj Silver Mall, Block A, Ravindranath Tagore Marg, South Tukoganj, Indore - 452001	Regulation 28 of SEBI (Investment Advisers Analysts) Regulations, 2013	Enquiry proceedings under Regulation 28 of SEBI (Investment Advisers) Regulations, 2013 read with Regulation 23 of SEBI (Intermediaries) Regulations, 2008 for Cancellation of registration of the IA.

3. And whereas the Competent Authority is satisfied that there are sufficient grounds to enquire into the affairs and initiate enquiry proceedings for the alleged violations of the aforesaid entity.

4. The Competent Authority has, therefore, in exercise of the powers conferred upon him, under regulation 23 of the Securities and Exchange Board of India (Intermediaries) Regulations, 2008 (hereafter referred as "Intermediaries Regulations") appointed **Shri**

Prasanta Mahapatra, Chief General Manager as the Designated Authority on **March 02, 2021** to carry out enquiry proceedings under the Intermediaries Regulations.

5. The said proceeding of appointment is hereby communicated to the Designated Authority to conduct the Enquiry Proceedings in the manner specified under Intermediaries Regulations and submit a report with recommendations under Intermediaries Regulations.

Dated at Mumbai, this 04th day of March, 2021.

ASHUTOSH ARUN
DEPUTY GENERAL MANAGER
SECURITIES AND EXCHANGE BOARD OF INDIA

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Annexure 2

Company Master Data

CIN	U93000MH2016PTC274847
Company Name	D.S. CAPITAL VENTURE PRIVATE LIMITED
ROC Code	RoC-Mumbai
Registration Number	274847
Company Category	Company limited by Shares
Company SubCategory	Non-govt company
Class of Company	Private
Authorised Capital(Rs)	2600000
Paid up Capital(Rs)	2600000
Number of Members(Applicable in case of company without Share Capital)	0
Date of Incorporation	23/03/2016
Registered Address	Plot No.3141 Rahmat Nagar Behind Gangotri Hotel Jamuna Talkies Road Chitralalaya Bhaiyapada Boisar Palghar Thane MH 401501 IN
Address other than R/o where all or any books of account and papers are maintained	-
Email Id	info.dscapitalventureltd@gmail.com
Whether Listed or not	Unlisted
ACTIVE compliance	ACTIVE compliant
Suspended at stock exchange	-
Date of last AGM	29/09/2018
Date of Balance Sheet	31/03/2018
Company Status(for efiling)	Active

Charges

Assets under charge	Charge Amount	Date of Creation	Date of Modification	Status

No Charges Exists for Company/LLP

Directors/Signatory Details

DIN/PAN	Name	Begin date	End date	Surrendered DIN
07214042	PIYUSH KUMAR SHARMA	25/01/2017	07/07/2020	
08251068	ABHISEKH TIWARI	08/10/2018	16/09/2019	