BEFORE THE ADJUDICATING OFFICER

SECURITIES AND EXCHANGE BOARD OF INDIA

[ADJUDICATION ORDER NO. Order/GR/PU/2022-23/19002-19146]

ORDER UNDER SECTION 15-I OF THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992 (HEREINAFTER REFERRED TO AS 'SEBI ACT') READ WITH RULE 5 OF THE SECURITIES AND EXCHANGE BOARD OF INDIA (PROCEDURE FOR HOLDING INQUIRY AND IMPOSING PENALTIES) RULES, 1995.

In respect of:

Sl. No.	Noticee No. as per SCN	Name of Noticee	PAN
1.	1.	Subodh Agarwal	ABNPA4910B
2.	2.	Divya Agarwal	ACUPG5212E
3.	3.	Geeta Mishra	AICPM8816G
4.	4.	Manish Kumar Garg	AFDPG9852J
5.	5.	Sanjay Kumar	AARPS2632K
6.	6.	Pranveer Singh	AGIPS4486N
7.	7.	Praveen Kumar Mishra	AFYPM1852K
8.	8.	Surendra Kumar Gupta	AAQPG0240E
9.	9.	Manoj Kumar Agarwal	ACFPA8077Q
10.	10.	Deepa Mittal	AGZPM0492K
11.	11.	Santosh Kumar Agarwal	ABKPA7972Q
12.	12.	Manish Agarwal	ABBPA2326D
13.	13.	Krishana Agarwal	ACFPA8079A
14.	14.	Ruchi Agarwal	ADHPJ2647J
15.	15.	Sandhya Agarwal	ACVPA1791R
16.	16.	Sulabh Engineers & Services Ltd.	AABCS9697M
17.	17.	Akhilesh Kumar Agnihotri	AFXPA9503Q
18.	18.	Kavita Awasthi	AEFPA0316N
19.	19.	Raj Kumar Agarwal	ADNPA5935E
20.	20.	Renu Agarwal	ABTPA6753A
21.	21.	Rishi Kant Awasthi	ABTPA6752B
22.	22.	Rita Jain	ADLPJ0701D
23.	23.	Anant Fin Consultancy Pvt Ltd	AAHCA6049D

24.	24.	Ankit Jain	AGAPJ8105H
25.	25.	Deepak Kumar Sarraf	BYVPS8100B
26.	26.	Jeetendra Kumar Agnihotri	ANAPA1509P
27.	27.	Sanjai Jain HUF	AARHS1381K
28.	28.	Subodh Agarwal HUF	AARHS4396C
29.	29.	Surendra Kumar Agarwal	AEXPA7231G
30.	30.	Abha Dwivedi	ACQPD3356G
31.	31.	Abhay Jain HUF	AAGHA6530F
32.	32.	Amit Jain	AADPJ4068Q
33.	33.	Bhawri Devi Jain	ABRPJ0922E
34.	34.	Rajesh Bhiani	ABFPB2297Q
35.	35.	Ram Lubhaya Vohra	ACSPV9121F
36.	36.	Ram Pher Dwivedi	AADHR9909N
37.	37.	Reena Jain	ADWPJ5808Q
38.	38.	Param Jeet Singh	ACOPS3609M
39.	39.	Shubhang Exports Ltd.	AAJCS1526R
40.	40.	Usha Jain	AAFPJ9933J
41.	41.	Vijay Shree Bihani	AEPPB8476A
42.	42.	KPK Fin Consultancy Pvt. Ltd.	AAECK1577D
43.	43.	Raghuvansh Agrofarms Ltd.	AABCR8407N
44.	44.	Renu Katiyar	AOKPK2000C
45.	45.	Sankalp Vincom Pvt. Ltd.	AAMCS1711P
46.	46.	Omesh Skill And Business Development Private Limited (formerly Shreya Stocks and Shares Pvt Limited)	AAHCS4970M
47.	47.	Shrishti E Systems Pvt Ltd	AANCS0940H
48.	48.	Signet Vinimay Pvt Ltd	AAMCS1712Q
49.	49.	Bitter Commercial Private Limited (formerly SKM Travels Pvt Ltd)	AAICS0688K
50.	50.	Apex Commotrade Pvt Ltd	AAJCA4459K
51.	51.	Spice Merchants Pvt Ltd	AAPCS7492G
52.	52.	Littlestar Tradecom Pvt Ltd	AACCL4528R
53.	53.	Aviral Industries Ltd	AAJCA9165G
54.	55.	Bakliwal Vyapaar Pvt Ltd	AADCB1238R
55.	56.	Kamta Prasad Pandey	AIPPP5293B
56.	57.	Runicha Merchants Pvt Ltd	AAECR0580M
57.	58.	Manoj Kumar Misra	AWXPM8267C
58.	59.	Swaraj Retails Pvt Ltd	AAPCS1057F
59.	61.	Pragna Harshad Panchal	ACLPP0159Q
60.	64.	Dream Infraproperties Pvt Ltd	AAECD3021D

61.	65.	Jasmine Commodities Pvt Ltd	AABCJ9295Q
62.	67.	Winall Vinimay Pvt Ltd	AAACW8004B
63.	68.	Goodview Projects Pvt Ltd	AAECG7847E
64.	69.	Templerun Marcom Pvt Ltd	AAECT6803D
65.	70.	Coral Tradecom Pvt Ltd	AADCC6854G
66.	71.	Gagandeep Construction Company Pvt Ltd	AABCG8623K
67.	72.	Overarching Dealers Pvt Ltd	AABCO6949E
68.	73.	Mahamani Tradelink Pvt Ltd	AAHCM8752F
69.	74.	Kapeeshwar Vintrade Pvt Ltd	AAECK7329P
70.	75.	Panem Steel Pvt Ltd	AAACP8529R
71.	76.	Arunavo Mukherjee	ATIPM7500N
72.	77.	Saraswati Vintrade Pvt Ltd	AASCS8936L
73.	78.	Vasundhara Capital & Securities Ltd	AAACV4765G
74.	79.	Overload Financial Advisory Pvt Ltd	AABCO6950F
75.	80.	Dhanrashi Promoters Pvt Ltd	AAECD5565G
76.	81.	Groundzero Vincom Pvt Ltd	AAFCG1334H
77.	82.	Arise Dealcom Pvt Ltd	AAJCA5108R
78.	83.	Santosh Kumar Agarwal	ABHPA5568M
79.	84.	Gunny Chem Tex India Ltd	AABCG2576M
80.	85.	Jaideep Halwasiya	AAWPH1706L
81.	86.	Dynamic Credit Finance Pvt Ltd	AACCA7919H
82.	87.	Samudhita Dealers Pvt Ltd	AATCS6716P
83.	88.	Rishabh Agarwal	AHOPA7789B
84.	89.	Anita Maurya	AMFPM0600F
85.	90.	Bhima Agencies Pvt Ltd	AAECB5811F
86.	91.	M/s Manoj Agarwal HUF	AAFHM4548C
87.	92.	Boast Traders Pvt. Ltd. (formerly Acme Pvt Ltd)	AACCA1333M
88.	93.	Susri Finance Pvt Ltd	AAECS0640K
89.	94.	Swapanloke Steels Pvt Ltd	AALCS7102D
90.	95.	Vilohit Property Pvt Ltd	AAECV1283F
91.	96.	BSR Finance & Constructions Ltd	AABCB0636K
92.	97.	Pawan Kumari Agarwal	ABOPA5019J
93.	98.	Shreekant Phumbhra	AFSPP0429B
94.	99.	Yamnotri Vinimay Pvt Ltd	AAACY1723D
95.	100.	Manu Vyapar Pvt. Ltd.	AABCM7561Q
96.	101.	Gallant Commosales Pvt Ltd	AAECG1141K

97.	102.	Nitish Jain HUF	AAEHN7729P
98.	103.	Class Commercial Private Limited (formerly Scope Vyapar Pvt Ltd)	AAICS6023N
99.	104.	Snehlata Gautam	AJVPG3128P
100.	105.	Lemon Vincom Pvt Ltd	AABCL7829A
101.	106.	Lavender Exin Pvt Ltd	AABCL5955D
102.	107.	Litmus Investments Ltd	AABCL0009J
103.	108.	Lark Commercial Pvt Ltd	AABCL8354Q
104.	109.	Girija Pandey	BEIPP7914K
105.	110.	Devshyam Stock Broking Pvt Ltd	AADCD8900A
106.	111.	Sanmati Goods Pvt Ltd	AAICS9154Q
107.	112.	Mukesh Kumar Deepak	AGHPD9092J
108.	113.	Memori Vinimay Pvt Ltd	AAECM4771B
109.	114.	Saroj Shah	AMBPS6805Q
110.	115.	Gyandeep Khemka	AGBPK0640F
111.	116.	Cube Trafin Pvt Ltd	AABCC0768M
112.	117.	Nand Kishore Baheti HUF	AACHN4625E
113.	118.	Reachsmart Construction Pvt Ltd	AAGCR4662J
114.	119.	Lark Merchants Pvt Ltd	AABCL8353K
115.	120.	Abha Sureka	AKUPS4580M
116.	121.	Ritika Sureka	AWAPS6859F
117.	122.	Raj Vardhan Agarwal	BAPPA3693D
118.	123.	Manoj Agarwal	ABBPA2306H
119.	124.	Praveen Kurele	ADKPK9580A
120.	125.	Vinay Kumar Agarwal	ACAPA3335N
121.	126.	Som Prakash Goenka	AAQPG0238C
122.	127.	Naveen Kurele	AGUPK5822A
123.	128.	Mridula Agrawal	ACBPA5048D
124.	129.	Narender Kumar	AARPS2630M
125.	130.	Manisha Sharma	BATPS3099D
126.	131.	Seema Kapoor	AERPK1243A
127.	132.	Sanjeev Sanghi	ABTPS2464C
128.	133.	Mahabir Pershad HUF	AAEHM5783L
129.	134.	Deepak Kumar Agarwal	ABSPA2276K
130.	135.	Sanjay Kapoor	AGCPK3754D
131.	136.	Sapna Kapoor	ACQPK3632A
132.	137.	Sunil Kapoor	AGCPK3755C
133.	138.	Ashok Kumar Maheshwari	AARPM1903H
134.	139.	Vivek Karwa	AJLPK0941J

135.	140.	Roopchandra Kumar	AAFHR3866J
136.	141.	Sabreen	APZPS5157G
137.	142.	Sanjay Kumar HUF	AAQHS9987L
138.	143.	Arun Kumar HUF	AAIHA4621B
139.	144.	Raj Kumar	AHAPK7548Q
140.	145.	Manish Maheshwari	AGRPM7399D
141.	146.	Mahak Maheshwari	AKKPM2866N
142.	147.	Sajan Kumar Agarwal	AAKPA5957G
143.	148.	Narender Kumar HUF	AAEHN5960N
144.	149.	Shubham Agarwal	AYXPA3158N
145.	150.	Ashish Agarwal	AIBPA5454B

In the matter of Sulabh Engineers & Services Limited.,

(The aforesaid entities are hereinafter individually referred to by their respective names/noticee numbers in the SCN and collectively as "the Noticees".)

BACKGROUND

1. Securities and Exchange Board of India (hereinafter referred to as ***SEBI***) had conducted investigation in the scrip of Sulabh Engineers & Services Limited (hereinafter referred to as **"*SESL/ Sulabh/ company*"**) based on the letter received from the Principal Director of Income Tax (Investigation), Kolkata, dated April 27, 2015 alleging that certain entities generated bogus LTCG through Stock Exchange mechanism in certain scrips and Sulabh is one of such scrips mentioned in the aforesaid letter.

2. The focus of the investigation was to ascertain whether there were any violations of the provisions of Securities and Exchange Board of India Act, 1992 (hereinafter referred to as "**SEBI Act**") and SEBI (Prohibition of Fraudulent and Unfair Trade Practices relating to Securities Market) Regulations, 2003 (hereinafter referred to as "**PFUTP Regulations**") by certain entities in the scrip of SESL during the period December 01, 2011 to January 07, 2015 (hereinafter referred to as **"Investigation Period/ IP"**. However, wherever deemed necessary, reference has been made outside this period.

3. Pursuant to the investigation, it was alleged that Sulabh was taken over by the new promoters through sale agreement and subsequently increased their holding through open offer and preferential allotment with an orchestrated plan of carrying out a scheme of artificially increasing the price of shares of Sulabh and that the said scheme ensured least free float of shares prior to the resumption of trading at BSE and the same was used for manipulating the price such that the price of the scrip increased multifold and subsequently sale of shares benefitted the new promoters and the connected Noticees.

4. In view of the above findings of the investigation, it was alleged the following:

   a. With regard to Noticee No. 1 to 8, it was alleged that these Noticees themselves (along with other connected Noticees) indulged in manipulation of the price of the scrip, created false and misleading appearance of trading in the securities market and also carried out an act/practice which operated as a fraud or deceit in the market. Further, they derived benefit out of the price manipulation by selling the shares at such manipulated price.

   b. With regard to Noticee No. 9 and 10, it was alleged that they being the new promoters of the company, acquired the company, orchestrated the scheme of manipulation and created a false and misleading appearance of trading in securities market through the connected Noticees.

   c. With regard to Noticee No. 9 to 11 and 16, it was alleged that these Noticees (company and its directors) were part of the manipulative scheme which included allotment of shares on preferential basis and were in connivance with the other connected Noticees who carried out the scheme of manipulation of the price of the scrip and created false and misleading appearance of trading in securities market.

   d. With regard to Noticee No. 9 to 15, it was alleged they being the promoters, were part of the orchestrated scheme of manipulating the trading in the scrip of Sulabh and derived benefit out of the price manipulation by selling the shares at such manipulated price. Such price manipulation was carried out by the connected Noticees that were also a part of the orchestrated scheme.

   e. With regard to Noticee No.17 to 22, it was alleged that these Noticees manipulated the price of the scrip, created false and misleading appearance of trading in the securities market and also carried out an act/ practice which operated as a fraud or deceit in the market. It was further alleged that these Noticees together repeatedly failed to deliver shares after selling the same on market, entered into transaction in securities without intention of performing it/ without intention of change in ownership of such security.

f. With regard to Noticee No. 23 to 122, it was alleged that these Noticees manipulated the price of the scrip, created false and misleading appearance of trading in the securities market and also carried out an act/ practice which operated as a fraud or deceit in the market.

g. With regard to Noticee No. 123 to 150, it was alleged that these Noticees were a part of the manipulative scheme orchestrated to derive benefit out of the manipulation carried out by the connected Noticees by selling shares of substantial value of Sulabh. It was also alleged that the same also resulted in false and misleading appearance of trading in the securities market and an act/practice which operated as a fraud or deceit in the market.

5. Accordingly:

a) Noticee No. 1 to 16 and Noticee No. 23 to 150 were alleged to have violated Regulation 3(a), (b), (c),(d),4(1),4(2)(a),(b) and (e) of SEBI (PFUTP) Regulation, 2003.

b) Noticee No. 17 to 22 were alleged to have violated Regulation 3(a),(b),(c), (d), 4(1), 4(2) (a),(b),(e) and (g) of SEBI (PFUTP) Regulation, 2003.

APPOINTMENT OF ADJUDICATING OFFICER

6. Initially Ms. Anita Kenkare, General Manager, was appointed as Adjudicating Officer (AO) vide order dated July 13, 3017 to inquire into and adjudge under Section 15HA of the SEBI Act, 1992 and Section 23E of the SCRA the aforesaid violations alleged to have been committed by the Noticees. Subsequently, Shri Biju S, Chief General Manager, and later Shri Satya Ranjan Prasad, CGM, were appointed as AO in the matter. Thereafter, the undersigned was appointed as the Adjudicating Officer in the instant case, which was communicated vide communique dated May 22, 2019.These proceedings are therefore been carried forward where they had been left off by the previous AO, and an opportunity of personal hearing was granted as detailed hereinafter.

SHOW CAUSE NOTICE, REPLY AND PERSONAL HEARING

7. A common Show Cause Notice dated February 12, 2018 (hereinafter referred to as "SCN") was issued to 150 Noticees mentioning the aforementioned allegations against the Noticees and requiring them to show cause within 14 days of receipt of the SCN, as to why an inquiry should not be held and penalty be not imposed under Section 15HA of SEBI Act for the aforesaid alleged violations against it. The details of service of SCN and replies filed is mentioned in the table below:

S. No.	Name of Noticee	SCN Delivery	Date of Reply Submitted
1.	Subodh Agarwal	Yes, SPAD	31.08.2018,10.1.2019, 5.1.2019
2.	Divya Agarwal	Yes, SPAD	-
3.	Geeta Mishra	Yes, SPAD	7.9.2018, 24.05.2022
4.	Manish Kumar Garg	Yes, SPAD	26.05.2022
5.	Sanjay Kumar	Yes, SPAD	27.10.2018, 15.9.2018
6.	Pranveer Singh	Yes, SPAD	-
7.	Praveen Kumar Mishra	Yes, SPAD	7.9.2018, 24.05.2022
8.	Surendra Kumar Gupta	Yes, SPAD	1.9.2018,16.1.2019; 21.05.2022
9.	Manoj Kumar Agarwal	Yes, SPAD	29.8.2018, 17.1.2019
10.	Deepa Mittal	Yes, SPAD	30.8.2018, 17.1.2019, 11.05.2022 and 10/06/2022
11.	Praveen Kumar Kurlele	Yes, SPAD	4.7.2018
12.	Manish Agarwal	Yes, SPAD	30.8.2018, 17.1.2019
13.	Krishna Agarwal	Yes, SPAD	30.8.2018
14.	Ruchi Agarwal	Yes, SPAD	30.8.2018, 17.1.2019
15.	Sandhya Agarwal	Yes, SPAD	29.8.2018, 17.1.2018
16.	Sulabh Engineers & Services Ltd.	Yes, SPAD	3.9.2018, 31.05.2022 16.1.2019
17.	Akhilesh Kumar Agnihotri	Yes, SPAD	20.10.2018, 18.05.2022
18.	Kavita Awasthi	Yes, SPAD	19.10.2018, 18.05.2022
19.	Raj Kumar Agarwal	Yes, SPAD	31.8.2018, 5.1.2019
20.	Renu Agarwal	Yes, SPAD	31.8.2018, 5.1.2019

S. No.	Name of Noticee	SCN Delivery	Date of Reply Submitted
21.	Rishi Kant Awasthi	Yes, SPAD	26.10.2018, 18.05.2022
22.	Rita Jain	Yes, SPAD	26.10.2018, 18.05.2022
23.	Anant Fin Consultancy Pvt. Ltd.	Yes, SPAD	21.10.2018, 18.05.2022
24.	Ankit Jain	Yes, SPAD	20.10.2018, 18.05.2022
25.	Deepak Kumar Sarraf	Yes, Hand Delivery	20.10.2018, 18.05.2022
26.	Jeetendra Kumar Agnihotri	Yes, SPAD	-
27.	Sanjai Jain HUF	Yes, SPAD	26.10.2018
28.	Subodh Agarwal HUF	Yes, SPAD	31.8.2018, 5.1.2019
29.	Surendra Kumar Agarwal	Yes, SPAD	27.10.2018, 18.05.2022
30.	Abha Dwivedi	Yes, SPAD	20.2.2018, 28.2.2018
31.	Abhay Jain HUF	Yes, SPAD	-
32.	Amit Jain	Yes, SPAD	-
33.	Bhawari Devi Jain	Yes, SPAD	1.3.2018,13.6.2022 19.05.2022
34.	Rajesh Bhiani	Yes, Hand Delivery	25.2.2018
35.	Ram Lubhaya Vohra	Yes, SPAD	28.2.2018
36.	Ram Pher Dwivedi	Yes, SPAD	28.2.2018
37.	Reena Jain	Yes, SPAD	-
38.	Param Jeet Singh	Yes, Newspaper Publication	-
39.	Shubhang Exports Ltd.	Yes, SPAD	26.10.2018, 18.05.2022
40.	Usha Jain	Yes, SPAD	-
41.	Vijay Shree Bihani	Yes, SPAD	25.2.2018,5.3.2018, 19.05.2022
42.	Kpk Fin Consultancy Pvt Ltd.	Yes, SPAD	26.10.2018, 18.05.2022
43.	Raghuvash Agrofarms Ltd.	Yes, SPAD	11.1.2019, 5.1.2019
44.	Renu Katiyar	Yes, SPAD	3.3.2018, 08.06.2022
45.	Sanklap Vincom P Ltd.	Yes, SPAD	-
46.	Shreya Stock & Shares Pvt. Ltd. (now Omesh Skill and Business Development Private Limited)	Yes, Hand Delivery	24.2.2018, 24.08.2022
47.	Shrishti E Systems Ltd.	Yes, SPAD	26.10.2018, 18.05.2022
48.	Signet Vinimay Pvt. Ltd.	Yes, SPAD	-

S. No.	Name of Noticee	SCN Delivery	Date of Reply Submitted
49.	Skm Travels Pvt Ltd.	Yes, SPAD	-
50.	Apex Commotrade Pvt Ltd.	Yes, SPAD	-
51.	Spice Merchants Pvt Ltd.	Yes, SPAD	-
52.	Littlestar Tradecom Private Ltd.	Yes, Newspaper Publication	-
53.	Aviral Industries Ltd.	Yes, Newspaper Publication	21.10.2018, 18.05.2022
54.	Bakliwal Vyapaar Pvt Ltd.	Yes, Newspaper Publication	10.6.2018 25.10.2018, 18.05.2022
55.	Kamta Prasad Pandey	Yes, SPAD	20.10.2018, 18.05.2022
56.	Runicha Merchants PVT Ltd.	Yes, SPAD	-
57.	Manoj Kumar Misra	Yes, SPAD	-
58.	Swaraj Retails Pvt. Ltd.	Yes, Newspaper Publication	-
59.	Pragna Harshad Panchal	Yes, SPAD	-
60.	Dream Infraproperties Pvt Ltd.	Yes, Newspaper Publication	-
61.	Jasmine Commodities Pvt Ltd.	Yes, Newspaper Publication	10.06.2018, 18.05.2022
62.	Winall Vinimay Pvt Ltd.	Yes, SPAD	18.9.2018, 18.7.2018
63.	Goodview Projects Pvt Ltd.	Yes, Newspaper Publication	-
64.	Templerun Marcom Pvt. Ltd.	Yes, Newspaper Publication	-
65.	Coral Tradecom Pvt Ltd.	Yes, Newspaper Publication	-
66.	Gagandeep Construction Co Pvt Ltd.	Yes, SPAD	20.10.2018, 18.05.2022
67.	Overaching Dealers Pvt Ltd.	Yes, Newspaper Publication	-
68.	Mahamani Tradelink Pvt Ltd.	Yes, Newspaper Publication	-

S. No.	Name of Noticee	SCN Delivery	Date of Reply Submitted
69.	Kapeeshwar Vintrade Pvt Ltd.	Yes, Newspaper Publication	-
70.	Panem Steel Pvt Ltd.	Yes, SPAD	-
71.	Arunavo Mukherjee	Yes, Newspaper Publication	-
72.	Saraswati Vintrade Pvt Ltd.	Yes, Newspaper Publication	-
73.	Vasundhara Capital & Securities Ltd.	Yes, SPAD	20.10.2018, 18.05.2022
74.	Overload Financial Advisory Pvt Ltd.	Yes, Newspaper Publication	-
75.	Dharashi Promoters Pvt Ltd.	Yes, Newspaper Publication	-
76.	Groundzero Vincom Pvt Ltd.	Yes, Newspaper Publication	14.6.2018
77.	Arise Dealcom Pvt Ltd.	Yes, Newspaper Publication	-
78.	Santosh Kumar Agarwal	Yes, SPAD	29.8.2018, 27.10.2018, 17.1.2019,
79.	Gunny Chem Tex India Ltd.	Yes, SPAD	3.9.2018, 3.3.2018,
80.	Jaideep Halwasiya	Yes, SPAD	15.3.2018
81.	Dynamic Credit Finance Pvt Ltd.	Yes, SPAD	4.9.2018, 7.3.2018
82.	Samudhita Dealers Pvt Ltd.	Yes, Newspaper Publication	-
83.	Rishabh Agarwal	Yes, SPAD	-
84.	Anita Maurya	Yes, Newspaper Publication	24.9.2018, 9.7.2018
85.	Bhima Agencies Pvt Ltd.	Yes, Newspaper Publication	-
86.	M/s Manoj Agarwal HUF	Yes, SPAD	24.2.2018 10.06.2022
87.	Acme Pvt. Ltd. (now Boast Traders Pvt. Ltd.)	Yes, SPAD	28.2.2018

S. No.	Name of Noticee	SCN Delivery	Date of Reply Submitted
88.	Susri Finance Pvt Ltd.	Yes, Newspaper Publication	-
89.	Swapanloke Steels Pvt Ltd.	Yes, Newspaper Publication	-
90.	Vilohit Property Pvt Ltd.	Yes, Newspaper Publication	-
91.	BSR Finance & Constructions Ltd.	Yes, SPAD	19.3.2018 05.07.2022
92.	Pawan Kumari Agarwal	Yes, SPAD	28.2.2018
93.	Shreekant Phumbhra	Yes, SPAD	5.3.2018 13.06.2022
94.	Yamnotri Vinimay Pvt Ltd.	Yes, SPAD	5.3.2018 13.06.2022
95.	Manu Vyapar Pvt Ltd.	Yes, SPAD	27.2.2018
96.	Gallant Commosales Pvt Ltd.	Yes, Newspaper Publication	-
97.	Nitish Jain HUF	Yes, SPAD	-
98.	Scope Vyapar Pvt Ltd.	Yes, SPAD	-
99.	Snehlata Gautam	Yes, SPAD	-
100.	Lemon Vincom Pvt Ltd.	Yes, SPAD	-
101.	Lavender Exin Pvt Ltd.	Yes, Newspaper Publication	-
102.	Litmus Investments Ltd.	Yes, SPAD	11.1.2019, 5.1.2019
103.	Lark Commercial Pvt Ltd.	Yes, Newspaper Publication	-
104.	Girija Pandey	Yes, Newspaper Publication	-
105.	Devshyam Stock Broking Pvt Ltd.	Yes, SPAD	-
106.	Sanmati Goods Pvt Ltd.	Yes, Newspaper Publication	-
107.	Mukesh Kumar Deepak	Yes, Newspaper Publication	-
108.	Memori Vinimay Pvt Ltd.	Yes, SPAD	-
109.	Saroj Shah	Yes, SPAD	12.3.2018

S. No.	Name of Noticee	SCN Delivery	Date of Reply Submitted
110.	Gyandeep Khemka	Yes, SPAD	28.2.2018,19.3.2018, 10.6.2022
111.	Cube Trafin Pvt Ltd.	Yes, SPAD	-
112.	Nand Kishore Baheti HUF	Yes, SPAD	11-06-2022
113.	Reachsmart Construction Pvt Ltd.	Yes, Newspaper Publication	-
114.	Lark Merchants Pvt Ltd.		-
115.	Abha Sureka	Yes, SPAD	3.3.2018, 13.6.2022
116.	Ritika Sureka	Yes, SPAD	11.9.2018, 13.6.2022 3.3.2018
117.	Raj Vardhan Agarwal	Yes, SPAD	16.9.2018, 28.2.2018
118.	Manoj Agarwal	Yes, SPAD	5.3.2018
119.	Vinay Kumar Agarwal	Yes, SPAD	-
120.	Som prakash Goenka	Yes, SPAD	14.9.2018
121.	Naveen Kurele	Yes, Newspaper Publication	31.5.2018, 30.7.2018
122.	Mridula Agrawal	Yes, SPAD	14.9.2018, 23.05.2022
123.	Narendra Kumar	Yes, SPAD	8.9.2018, 15.9.2018
124.	Manisha Sharma	Yes, SPAD	25.05.2022
125.	Seema Kapoor	Yes, SPAD	23.05.2022
126.	Sanjeev Sanghi	Yes, SPAD	13.3.2018, 13.3.2018
127.	Mahabir Persad HUF	Yes, SPAD	11.9.2018, 15.9.2018
128.	Deepak Kumar Agarwal	Yes, Newspaper Publication	23.05.2022
129.	Sanjay Kapoor	Yes, SPAD	23.05.2022
130.	Sapna Kapoor	Yes, SPAD	23.05.2022
131.	Sunil Kapoor	Yes, SPAD	23.05.2022
132.	Ashok Kumar Maheshwari	Yes, SPAD	7.6.2018
133.	Vivek Karwa	Yes, SPAD	6.9.2018, 5.3.2018
134.	Roopchandra Kumar	Yes, SPAD	-
135.	Sabreen	Yes, Newspaper Publication	-
136.	Sanjay Kumar HUF	Yes, SPAD	-

S. No.	Name of Noticee	SCN Delivery	Date of Reply Submitted
137.	Arun Kumar HUF	Yes, SPAD	10.9.2018, 15.9.2018
138.	Raj Kumar	Yes, SPAD	14.9.2018, 3.3.2018
139.	Manish Maheshwari	Yes, SPAD	7.6.2018
140.	Mahak Maheshwari	Yes, SPAD	7.6.2018
141.	Sajan Kumar Agarwal	Yes, SPAD	13.6.2018
142.	Narendra Kumar HUF	Yes, SPAD	15.9.2018, 10.9.2018
143.	Shubham Agarwal	Yes, SPAD	-
144.	Ashish Agarwal	Yes, SPAD	-
145.	Santosh Kumar Agarwal	Yes, Newspaper Publication	-

8. Subsequently, Hearing Notice was served to the aforesaid Noticees and personal hearing was provided. Following Noticees appeared either personally or through their Authorised Representative/s for the the said hearing and reiterated the written submission made by the said Noticees in their reply to the SCN.

S. No.	Entity	Date of Hearing
1.	Subodh Agarwal	26.05.2022
2.	Divya Agarwal	27.05.2022
3.	Geeta Mishra	27.05.2022
4.	Manish Kumar Garg	27.05.2022
5.	Sanjay Kumar	27.05.2022
6.	Pranveer Singh	27.05.2022
7.	Praveen Kumar Mishra	27.05.2022
8.	Surendra Kumar Gupta	16.6.2022
9.	Deepa Mittal	13.06.2022

S. No.	Entity	Date of Hearing
10.	Praveen Kumar Kurlele	27.05.2022
11.	Sulabh Engineers & Services Ltd.	15.6.2022
12.	Akhilesh Kumar Agnihotri	19.05.2022
13.	Kavita Awasthi	19.05.2022
14.	Raj Kumar Agarwal	26.05.2022
15.	Renu Agarwal	26.05.2022
16.	Rishi Kant Awasthi	19.05.2022
17.	Rita Jain	19.05.2022
18.	Anant Fin Consultancy Pvt. Ltd.	19.05.2022
19.	Ankit Jain	19.05.2022
20.	Deepak Kumar Sarraf	19.05.2022
21.	Jeetendra Kumar Agnihotri	19.05.2022
22.	Sanjai Jain HUF	19.05.2022
23.	Subodh Agarwal HUF	26.05.2022
24.	Surendra Kumar Agarwal	19.05.2022
25.	Bhawari Devi Jain	15.6.2022
26.	Rajesh Bhiani	20.05.2022
27.	Param Jeet Singh	19.05.2022
28.	Shubhang Exports Ltd.	19.05.2022
29.	VijayShree Bihani	20.05.2022

S. No.	Entity	Date of Hearing
30.	Kpk Fin Consultancy Pvt Ltd.	19.05.2022
31.	Raghuvash Agrofarms Ltd.	26.05.2022
32.	Shreya Stock & Shares Pvt. Ltd. (now Omesh Skill and Business Development Private Limited)	25.08.2022
33.	Shrishti E Systems Ltd.	19.05.2022
34.	Aviral Industries Ltd.	19.05.2022
35.	Bakliwal Vyapaar Pvt Ltd.	19.05.2022
36.	Kamta Prasad Pandey	19.05.2022
37.	Runicha Merchants PVT Ltd.	16.6.2022
38.	Pragna Harshad Panchal	15.6.2022
39.	Jasmine Commodities Pvt Ltd.	19.05.2022
40.	Gagandeep Construction Co Pvt Ltd.	19.05.2022
41.	Panem Steel Pvt Ltd.	15.6.2022
42.	Vasundhara Capital & Securities Ltd.	19.05.2022
43.	Santosh Kumar Agarwal	19.05.2022
44.	Gunny Chem Tex India Ltd.	25.08.2022
45.	M/s Manoj Agarwal HUF	15.6.2022
46.	Acme Pvt Ltd (now Boast Traders Pvt. Ltd.)	25.08.2022
47.	BSR Finance & Constructions Ltd.	25.08.2022
48.	Shreekant Phumbhra	15.6.2022

S. No.	Entity	Date of Hearing
49.	Yamnotri Vinimay Pvt Ltd.	15.6.2022
50.	Manu Vyapar Pvt Ltd.	25.08.2022
51.	Nitish Jain HUF	19.05.2022
52.	Litmus Investments Ltd.	26.05.2022
53.	Gyandeep Khemka	15.6.2022
54.	Abha Sureka	15.6.2022
55.	Ritika Sureka	15.6.2022
56.	Manoj Agarwal	27.05.2022
57.	Vinay Kumar Agarwal	27.05.2022
58.	Som prakash Goenka	06.06.2022
59.	Naveen Kurele	27.05.2022
60.	Mridula Agrawal	27.05.2022
61.	Narendra Kumar	27.05.2022
62.	Manisha Sharma	27.05.2022
63.	Seema Kapoor	27.05.2022
64.	Sanjeev Sanghi	27.05.2022
65.	Mahabir Persad HUF	27.05.2022
66.	Deepak Kumar Agarwal	27.05.2022
67.	Sanjay Kapoor	27.05.2022
68.	Sapna Kapoor	27.05.2022

S. No.	Entity	Date of Hearing
69.	Sunil Kapoor	27.05.2022
70.	Ashok Kumar Maheshwari	27.05.2022
71.	Vivek Karwa	27.05.2022
72.	Roopchandra Kumar	27.05.2022
73.	Sanjay Kumar HUF	27.05.2022
74.	Arun Kumar HUF	27.05.2022
75.	Manish Maheshwari	27.05.2022
76.	Mahak Maheshwari	27.05.2022
77.	Sajan Kumar Agarwal	27.05.2022
78.	Narendra Kumar HUF	27.05.2022
79.	Shubham Agarwal	27.05.2022
80.	Ashish Agarwal	27.05.2022

9. In view of the above, I note that principles of natural justice have been duly complied with, as SCNs and Hearing Notices were duly served upon the Noticees and sufficient opportunity was also granted to the Noticees to reply to the SCN and appear for hearing.

CONSIDERATION OF ISSUES AND FINDINGS

10. During the course of the proceedings, the status of the Noticee Nos. 73 (Mahamani Tradelink Pvt Ltd), 74 (Kapeeshwar Vintrade Pvt Ltd), 82 (Arise Dealcomm Private Limited), 94 (Swapanloke Steels Pvt Ltd), 105 (Lemon Vincom Pvt Ltd), 108 (Lark Commercial Pvt Ltd) and 119 (Lark Merchants Pvt Ltd) was ascertained from the

Ministry of Corporate Affairs ('MCA') website. From the material available on record, I note that, on the MCA website the status of the said Noticees is being shown as "Strike Off". In this regard, copy of the Company Master data of the Noticee from the MCA website is placed in the file. Hence, I note that the aforesaid Noticees were struck off from the register of companies and hence dissolved.

11. As evident from the aforesaid, in view of the fact that the Noticee was struck-off under Section 248 of the Companies Act, 2013, it would not be appropriate to determine liability against a company which no longer exists as on date of current proceedings. Hence, the proceedings stand abated without going into the merits of the case. Should the company be revived or restored at any stage, a decision to initiate proceedings may be taken afresh at that stage.

12. In this regard I place reliance on the decision of the Income Tax Appellate Tribunal (**'ITAT'**) in the matter of ***M/s. Anujay Hycare Products (P) Ltd. Vs The Income Tax Officer*** (**'ITAT Delhi'**) Date of Judgement/Order - 06/04/2018, in which ITAT observed that "*.......... there could not have been any valid assessment order passed against the assessee-company which was not in existence as on the day of passing of the assessment order because it had already been dissolved. The assessment in the case of non-existing entity is thus nullity. Therefore, A.O. had no jurisdiction to pass the order against the non-existing company.......However, ason today, it is an established fact that assessee-company has already been dissolved and its name is struck-off from the Registrar of Companies. Therefore, it is a non-existing Company and as such, A.O. cannot pass the assessment order under section 143(3) of the I.T. Act, 1961 against the assessee-company. The issue is, therefore, covered in favour of the assessee-company by the above judgments of Hon'ble Delhi High Court, relied upon by the Learned Counsel for the Assessee*.".

13. In this context, I would further like to draw reference to a judgment of the Hon'ble Delhi High Court in the case of ***Commissioner of Income Tax (CIT) vs Vived Marketing Services (P) Ltd.***, ITA NO. 273/2009 dated September 17, 2009 in which it was held that -"*When the Assessing Officer passed the order of assessment against the respondent company, it had already been dissolved and*

struck off the register of the Registrar of companies under Section 560 of the Companies Act. In these circumstances, the Tribunal rightly held that there could not have been any assessment order passed against the company which was not in existence as on that date in the eyes of law it had already been dissolved. We are of the opinion that the view taken by the Tribunalis perfectly valid and in accordance with law."

14. Therefore, in view of the facts and circumstances noted in the preceding paragraphs and also the fact that the Noticee's name has been struck-off from the RoC list and also 'dissolved' as per the RoC notification, I conclude that the present adjudication proceedings initiated against the Noticee No. 72, 73, 82 and 119 vide SCN dated February 12, 2018 cannot be proceeded with.

15. Before going into the merits of the case I would deal with the preliminary issue raised by some Noticees. They contended that since there is a delay of 3-6 years in issuing the SCN, as the investigation period is between 2011 and 2015, the present proceedings need to be dropped on the ground of inordinate delay.

In this regard, I note that the Noticees at no point of the present proceedings, have demonstrated successfully as to how exactly their interest in defending their case stands prejudiced due to any delay in the matter. SEBI initiated the investigation as soon as information regarding mala fide actions came to its notice. Further, under the SEBI Act there is no limitation on initiation of adjudication proceedings for violation of various provisions of Act and Regulations made thereunder. Also, these do not prescribe any fixed limitation period for completion of the proceedings. Without prejudice to the above, I note that pursuant to the completion of investigation, SCN has been issued on February 12, 2018. Also, the proceedings in the present matter have been affected due to spread of Covid-19 Pandemic. I further note that the investigation with regards to violation of PFUTP Regulations, 2003, is an exhaustive and time consuming process, which may require detailed analysis of the case facts. Here it is imperative to note that this matter involves investigation of around 470 entities. In this regard, I note that the Hon'ble SAT in the matter of ***Pooja***

Vinay Jain vs SEBI (Appeal No. 152 of 2019 decided on March 17, 2020) held that, *"The record would show that all the documents concerning the defense of the appellant were filed by her before the AO. Therefore, for want of any prejudice the proceedings cannot be quashed simply on the ground of delay in launching the same".*

I also note that the Hon'ble SAT in the matter of ***Bipin R Vora vs SEBI*** (decided on March 22, 2006) held that, *"As regards the plea of delay and latches and submission that the show cause notice is barred by limitation, I do not find any merit in these contentions as the time and efforts involved in an investigation though may vary from case to case, generally investigations per-se is a time consuming process which invariably involve collection, scrutiny and careful examination of voluminous records/ order-trade details of all the concerned including the exchanges/recording of statements etc. and therefore no time limit can be fixed in this regard to enable a regulator to take appropriate disciplinary action for the safeguard and improvement of the system/market".*

In view of the above, and considering the facts and circumstances, the contention of the Noticees does not hold any ground for granting discharge from the serious charges as alleged in the SCN, so the contentions of the Noticees in this regard are without merits.

16. Considering the findings of Investigation, the allegations made out in the SCN and the submissions made by the Noticees, I find that following issues require consideration in the present case:

Issue 1:

(a) Whether the Noticees were directly or indirectly connected to Sulabh or the promotors/directors of Sulabh?

(b) Whether the trades carried out by connected noticees in Patch 1A, 1B and 2 of the IP have resulted in violation of Regulation 3(a)(b)(c)(d), 4(1),

4(2)(a), (b), (e) and 4(g) of the SEBI (PFUTP) Regulations, 2003, as applicable?

(c) Whether the company, its promoters, directors orchestrated scheme to manipulate the price of scrip of Sulabh?

Issue 2: Does the violation, if any, attract penalty under Section 15HA of the SEBI Act, 1992?

Issue 3: If so, what would be the monetary penalty that can be imposed taking into consideration the factors mentioned in Section 15J of SEBI Act, 1992?

OBSERVATIONS AND FINDINGS

17. Before I proceed further with the matter, it is pertinent to mention the relevant provisions of the PFUTP Regulations, as stood during the IP, alleged to have been violated by the Noticees. The same are reproduced below:

PFUTP Regulations, 2003:

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;

(b) dealing in a security not intended to effect transfer of beneficial ownership but intended to operate only as a device to inflate, depress or cause fluctuations in the price of such security for wrongful gain or avoidance of loss;

(e)any act or omission amounting to manipulation of the price of a security:

g) entering into a transaction in securities without intention of performing it or without intention of change ofownership of such security;

Issue 1 (a) **Whether the Noticees were directly or indirectly connected to Sulabh or the promotors/directors of Sulabh?**

18. In this regard, I note that investigation observed that the price of the scrip increased from a low of Rs.11.00 to a high of Rs.285.00 on 22.07.2014 (or Rs. 2,850 adjusted for 10:1 split) which translates into a return of whooping 259 times. Thus, to examine in detail, the investigation period was divided into the following patches:

Patch 1A – Price Rise with singular trades (01.12.11-16.08.12),

Patch 1B – Price rise pre-split and beginning of sale of shares by the Preferential Allottees (17.08.12-01.02.13),

Patch 2 – Price rise period post-split in the ratio 10:1 (04.02.13-22.07.14) and

Patch 3 – Price Fall Patch (23.07.14-06.01.15).

19. The summary of daily price and volume in the scrip of SESL during the investigation period is tabulated below:

Patch	Open Price	High Price	Low Price	Close Price	Net price chang	Total Traded Quantity	Daily Avg. Trade Qty	No. of Trades	No. of Buyers	No. of Sellers	No. of days traded	Avg. trade Value per trading day
1A	11.00 01.12.11	173.65 16.08.12	11.00 01.12.11	173.65 16.08.12	162.65	4,786	40	123	38	17	119	1,837
1B	177.10 17.08.12	494.50 01.02.13	172.05 17.08.12	494.00 01.02.13	320.35	4,92,596	4,283	1,870	264	117	115	17,01,027
2	50.00 04.02.13	285.00 22.07.14	49.00 04.02.13	243.00 22.07.14	193.60	2,39,31,290	65,565	80,395	1,175	1,145	365	1,13,53,981

3	240.50 23.07.14	244.60 04.08.14	91.30 06.01.15	91.30 06.01.15	(151.70)	1,30,11,863	1,19,375	17,123	730	526	109	2,68,24,383

20. Further the investigation observed that the aforesaid price movement of the scrip of the company was not supported by fundamentals of the company, which are as follows:

I. During investigation it was observed that as on December 31, 2010, the company had a total outstanding paid-up share capital of Rs.24,75,000 i.e., 2,47,500 shares of Rs.10 each. Further it was observed that all the outstanding shares of the company as on the said date were in physical form. Thereafter, the two preferential allotments were made by the Company resulted in an inflow of Rs.5.60 Crore in March 2011 (28 Lakh shares of face value Rs.10 each at a premium of Rs.10) and Rs.14.00 Crore in March 2012 (70 Lakh shares of face value Rs.10 each at a premium of Rs.10) respectively. However, despite inflow of Rs.19.60 Crore (5.60+14.00) and expansion of capital base by over 40 times (diluting the existing shareholders control to a meager 2.46% of the expanded capital – number of shares increased from 2.475 Lakh Shares to 100.475 Lakh Shares), <u>no significant increase in revenue/ profits of the Company was observed as can be seen from the table below:</u>

Particulars – Year ended March	**2009**	**2010**	**2011**	**2012**	**2013**	**2014**	**2015**
Total Income (₹ in crore)	0.11	0.07	0.03	0.38	1.10	0.90	1.08
PBT (₹ in crore)	0.1	0.06	0.01	0.20	0.63	0.53	0.76
Net Profit (₹ in crore)	0.09	0.05	0.01	0.15	0.43	0.37	0.51

II. It can further be noted from the above table that the profits of the company for six financial years from 2008-09 to 2014-15 was also miniscule and the total amount of profit made by the company was negligible for each of the financial year under investigation.

III. Further, as per the annual report of the company for the year ended March 31, 2015, it was observed that the total assets of the company were Rs.21.57 Crore and Rs.22.17 Crore (as on 31.03.14 and 31.03.15 respectively). Out of the above, unsecured loans and advances aggregated to Rs.16.72 Crore and Rs.17.13 Crore (as on 31.03.14 and 31.03.15 respectively).

21. Considering the total value of assets which is miniscule compared to the market cap

of the company (Rs.2,863 Crore at the peak price i.e., Rs.285) and the quality of assets held by the company (cash generation ability), investigation observed that the financial performance/ assets of the Company, the exponential increase in share price is not supported by any fundamental basis. Further, even at the Last Traded Price ('LTP') of Rs.91.30, the market cap of the Company was in excess of Rs.917 Crore which is not justified considering the aforesaid factors.

22. Investigation finally found that the new promoters devised a scheme which ensured least free float of shares prior to the resumption of trading at BSE and the same was used for manipulating the price such that the price of the scrip increased multifold and subsequently sale of shares benefitted the new promoters and the connected Noticees. The details of the said scheme are as follows:

    a) Consolidation of shares of Sulabh by acquiring almost entire free float of the shares.

    b) Selling minimal number of shares (through connected entities) at maximum possible price on a regular interval.

    c) Entering into singular trades on each day

    d) Defaulting on the delivery of the shares

23. In view of the above, in order to determine the role played by the Noticees in the entire manipulative scheme and to ascertain the alleged violation, it is imperative to assess the connection between different Noticees. In order to establish the fact that Noticees were connected to each other and to other entities, it needs to be established that the Noticees were related to each other and acted in coordination with each other. In the present case, large number of entities were allegedly found to be acting in consonance and in furtherance of common objective to manipulate the price of the scrip of the company. As mentioned above, initially the entire shareholding of Sulabh was consolidated and subsequently traded in a defined pattern to enable the price of the scrip to move in a certain direction. Further, it was observed that the price of the scrip was skyrocketing in absence of any significant

improvement in the performance of the company. In this regard, I note that, to control the price of the stock, especially one which is traded publicly, there has to be involvement of number of persons with common motive. In view of this, it is necessary to examine the connection between Noticees as first step towards determining their role in the entire manipulative scheme.

24. SAT in its order ***Sanjay Kumar Poddar HUF v. SEBI*** (Appeal No. 326 of 2020) dated 24th August 2021 has held:

"…it would be necessary to find out what is meant by the term 'connection'. This term is not a term of art. Respondent SEBI often use this term in order to explain a link between entities. The link can be anything like personal relationship, off-market transaction, financial relationship or even a location proximity etc. In view of the fact that on the stock exchanges platform numerous faceless transactions in large numbers within a fraction of a second take place between the parties across the globe unknown to each others, any link between a set of entities trading in similar manner or with each other or the company etc. if found, cannot be easily brushed aside as a mere coincidence."

25. In carrying out the trades post dematerialization in the scrip of SESL, further I note that during the IP, the Noticees involved in the trading were connected to each other (Connected Noticees). The association among the said Noticees is described hereunder:

a. Mr. Subodh Agarwal (Noticee No. 1), and the "new promoters" of Sulabh viz. Mr. Manoj Kumar Agarwal (Noticee No.9) and Ms. Deepa Mittal (Noticee No.10), were subscribers to the Memorandum of Association of M/s. Samtal Financial Systems Pvt Ltd since February 27, 2007. Further, Mr. Subodh Agarwal and Mr. Niranjan Swaroop Goel (who became a director of Sulabh from September 28, 2012) along with Ms. Renu Agarwal (Noticee No. 20) (wife of Mr. Subodh Agarwal) signed as subscribers to the Memorandum of Association of M/s. Litmus Investments Ltd. (Noticee No. 107) on June 17, 2004. Therefore, investigation observed that Mr. Subodh Agarwal, Sulabh, its director Niranjan Swaroop Goel and the new promoters had association with each other since long time and were connected to each other.

b. Ankit Jain (Noticee No. 24), Rita Jain (Noticee No. 22), Sanjai Jain HUF (Noticee No. 27), Akhilesh Kumar Agnihotri (Noticee No. 17), Kavita Awasthi (Noticee No. 18), Rishi Kant Awasthi (Noticee No. 21), Renu Agarwal (Noticee No. 20), Abhay Jain HUF (Noticee No. 31), Anant Fin Consultancy Pvt. Ltd. (Noticee No. 23) etc. alongwith Subodh Agarwal had shareholding in numerous private limited companies (Viz. Anant Fin Consultancy Pvt Ltd, Astha Departmental Stores Pvt Ltd, Litmus Investments Ltd, Samtal Financial Systems Pvt Ltd, Vasundhara Capital and Securities Ltd) and/ or had off market transactions with companies managed by/companies in which Mr. Subodh Agarwal was a director, shared common contact details etc. I note that since shares of Private Limited companies are closely held, it is concluded that the shareholders of a Private Limited companies are known to each other. Majority of these connected Noticees were also observed to be trading in the scrip.

c. Further, the following connections were also observed by investigation on the basis of documents from MCA website:

- Companies in which Mr. Anil Khemka is/was a director i.e., Gentle Tradecomm Pvt Ltd, Pewee Infrastructure Ltd, Flower Merchants Pvt Ltd, Lower Vyapar Pvt Ltd. share common address with the registered office address of Success Vyapar Ltd. i.e., 23/1, Principal Khudiram Bose Road, Kolkata-6. Mr. Anil Khemka in his statement before the Office of Income Tax had submitted that he alongwith others are in the business of providing accommodation entries through different "Bogus Companies" under their control.

- Entities connected to Mr. Anil Khemka i.e., Apex Commotrade Pvt Ltd (Noticee No. 50), Alps Vyapar Pvt Limited, Nitin Hire Purchase Pvt Ltd, Runbhumi Nirman Pvt Ltd, Rudramukhi Infotech Pvt Ltd which have Pradip Dey, Rabindra Nath Bera, Rakesh Bajaj, Pradeep Kumar Garg and Mukesh Kumar Agarwal as directors and Mr. Subodh Agarwal, Rajkumar Agarwal, brother of Subodh Agarwal, Sanjay Jain, Rita Jain are also shareholders of Success Vyapar Ltd. Also Mr. Rishi Kant Awasthi i.e., a director of Success Vyapar Ltd is connected to Mr. Subodh Agarwal, as established at (b) above.

- Annual reports of Success Vyapar Ltd. revealed that Lohagar Developers Pvt Ltd (Mr. Anil Khemka was a director) transferred shares of Success Vyapar Ltd on 30.06.09 to Mr. Rajkumar Agarwal - brother of Subodh Agarwal. Similarly, Srijan Vyapar Pvt Ltd in which Abhiset Basu and Pradip Dey (connected to Mr. Anil Kumar Khemka) are directors, transferred shares on 30.06.09 to Ms. Rita Jain (connected to Mr. Subodh Agarwal) mentioned at (b) above.

- Companies connected to Mr. Anil Khemka, i.e., Class Commercial Pvt Ltd (formerly known as Scope Vyapar Pvt Ltd.) had off market transactions with Vasundhara Capital and Securities Ltd. (Noticee No. 78) in which Mr. Subodh Agarwal was a director.

d. Apart from the Noticees mentioned above, several other connected noticees were found to be trading in the scrip. Additionally, considering the similar trading behavior exhibited by the Noticees, i.e., similar pattern of trading in large quantities when the poor fundamentals and financials of the company do not justify such quantum of trade. In view of this, I note that such Noticees may be considered and are acting as a group with common objective of manipulating the price of the scrip of Sulabh.

26. The table below contains detailed examination of connection between the Noticees:

Name of the Entity	Basis of Connection
1. Subodh Agarwal (Noticee No. 1)	Subodh Agarwal has been associated with Manoj Kumar Agarwal and Deepa Mittal, PDs of Sulabh since February 27, 2007 as they were subscribers to the Memorandum of Association of M/s. Samtal Financial Systems Pvt. Ltd. Further, Subodh Agarwal was also associated with Niranjan Swaroop Goel (who became a Director of Sulabh from September 28, 2012) since June 17, 2004 as both of them along with Renu Agarwal (wife of Subodh Agarwal) signed as subscribers to the memorandum of association of M/s. Litmus Investments Ltd. In view of this, Subodh Agarwal is connected with the company and its PDs.
2. Divya Agarwal (Noticee No. 2)	She has received 1,35,000 shares in the first preferential allotment done by the company in March, 2011. The Noticee had a direct bilateral off market transaction without going through the Exchange platform with Vasundhara Capital and Securities Ltd., in the scrip of Nikki Global Finance Ltd. for 50,000 shares (received) on 9/6/2010. Subodh Agarwal is the Director of Vasundhara Capital and Securities Ltd. who in turn is connected to the company and its PDs. In view of the above, she is connected with the company, Subodh Agarwal and PDs.
3. Geeta Mishra (Noticee No. 3)	She has received 70,000 shares in the first preferential allotment done by the company in March, 2011. The Noticee had a direct bilateral off market transaction without going through the Exchange platform with Big Broker House Stock Limited in the scrip of Mefcom Capital Markets Ltd. on 28/8/2010, 4/9/2010 & 8/10/2010. Subodh Agarwal, is the Director of Big Broker House Stock Limited. In view of the above, Geeta Mishra is connected with the company, Subodh Agarwal and PDs.
4. Manish Kumar Garg (Noticee No. 4)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011. Hence, he is connected to the company.
5. Sanjay Kumar (Noticee No. 5)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011. Hence, he is connected to the company.
6. Pranveer Singh (Noticee No. 6)	He is one of the preferential allottees in the first preferential allotment of March, 2011 and was allotted 70,000 shares. Hence, he is connected to the company.

Name of the Entity	Basis of Connection
7. Praveen Kumar Mishra (Noticee No. 7)	He is one of the preferential allottees in the first preferential allotment of March, 2011 and was allotted 70,000 shares. He has received in off market 2,00,000 shares of Mefcom Capital Markets Ltd. on 21/8/2010 from Big Broker House stock Limited. Subodh Agarwal is the Director of Big Broker House Stock Limited. In view of the above, Praveen Kumar Mishra is connected with ccompany, Subodh Agarwal and PDs.
8. Surendra Kumar Gupta (Noticee No. 8)	He is one of the preferential allottees in the first preferential allotment of March, 2011 and was allotted 70,000 shares. He also shares common Mobile number (9935555552) with that of Manoj Kumar Agarwal who is the new Promoter of Sulabh.In view of the above, Surendra Kumar Gupta is **connected** to the company and with PD.
9. Manoj Kumar Agarwal (Noticee No. 9)	New Promoter and Executive Director of Sulabh from 17/1/2011 till date. Hence, he is the PD and **connected** to the company.
10. Deepa Mittal (Noticee No. 10)	New Promoter and Executive Director of Sulabh from 17/0/2011 till 14/2/2013. She is the PD and **connected** entity.
11. Santosh Kumar Agarwal (Noticee No. 11)	He was allotted 2,00,000 shares in the first preferential allotment and 3,00,000 shares in the second preferential allotment. Further, he is the Promoter of the company and shares common mobile number (9935555552) with his son, Manoj Kumar Agarwal who is the PD of the company. Hence, he is **connected** entity.
12. Manish Agarwal (Noticee No. 12)	He was allotted 2,00,000 shares in the first preferential allotment. Further, he is the Promoter of Sulabh and Director of Rodic Coffee Estates Private Limited, a subsidiary company of Sulabh. Hence, He is **connected** entity.
13. Krishana Agarwal (Noticee No. 13)	She was allotted 2,00,000 shares each in the first preferential allotment and in the second preferential allotment. Further, she is the Promoter of Sulabh.Hence, She is **connected** entity.
14. Ruchi Agarwal (Noticee No. 14)	She was allotted 2,00,000 shares in the first preferential allotment and 4,00,000 shares in the second preferential allotment Promoter of Sulabh. Further, she is the Promoter of Sulabh.Hence, she is connected entity.
15. Sandhya Agarwal (Noticee No. 15)	She was allotted 2,00,000 shares in the first preferential allotment and 4,00,000 shares in the second preferential allotment. Further, she is the Promoter of Sulabh and wife of Manoj Kumar Agarwal. In view of the above, she is connected to the company.
16. Sulabh Engineers Services Ltd (Noticee No. 16)	Company.

Name of the Entity	Basis of Connection
17. Akhilesh Kumar Agnihotri (Noticee No. 17)	Akhilesh Kumar Agnihotri has received 300 shares of Sulabh on 25/6/2011 in physical form (direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd.'s Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Akhilesh Kumar Agnihotri is connected to Anant Fin Consultancy Pvt Limited which in turn is connected to Subodh Agarwal and the company.
18. Kavita Awasthi (Noticee No. 18)	Kavita Awasthi has received 200 shares of Sulabh on 25/6/2011 in physical form (direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Kavita Awasthi is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
19. Raj Kumar Agarwal (Noticee No. 19)	Raj Kumar Agarwal has received 300 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Raj Kumar Agarwal is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
20. Renu Agarwal (Noticee No. 20)	Renu Agarwal has received 400 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Renu Agarwal is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.

Name of the Entity	Basis of Connection
21. Rishi Kant Awasthi (Noticee No. 21)	Rishi Kant Awasthi has received 400 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Rishi Kant Awasthi is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
22. Rita Jain (Noticee No. 22)	Rita Jain has received 400 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Rita Jain is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
23.Anant Fin Consultancy Pvt Ltd (Noticee No. 23)	Anant Fin Consultancy Pvt Limited has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Anant Fin Consultancy Pvt Limited is **connected** with Subodh Agarwal and the company.
24. Ankit Jain (Noticee No. 24)	Ankit Jain has received 300 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Ankit Jain is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
25. Deepak Kumar Sarraf (Noticee No. 25)	Deepak Kumar Sarraf has received 300 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a

Name of the Entity	Basis of Connection
	Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Deepak Kumar Sarraf is **connected** to Anant Fin Consultancy Pvt Limited which in turn is connected to Subodh Agarwal and the company.
26. Jeetendra Kumar Agnihotri (Noticee No. 26)	He has received 300 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, he is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
27. Sanjai Jain HUF (Noticee No. 27)	He has received 200 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, Sanjai Jain HUF is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
28. Subodh Agarwal HUF (Noticee No. 28)	The Noticee has received 200 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, the Noticee is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the Company.
29. Surendra Kumar Agarwal (Noticee No. 29)	He has received 200 shares of Sulabh on 25/6/2011 in physical form (had a direct bilateral off market transaction without going through the Exchange platform) from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, the Noticee is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.

Name of the Entity	Basis of Connection
30. Abha Dwivedi (Noticee No. 30)	She has received in off market 5,000 shares of Raghuvansh Agrofarms Ltd. on 9/4/2014 from Vasundhara Capital and Securities Ltd. It is observed from the Investigation Report (hereinafter referred as **IR**) that apart from the aforesaid off market transfer, she has no other basis of connection either with the company or with the other Noticees. It is noted that she has traded in the scrip during the period 17/8/2012 to 1/2/2013. Considering that her off market transaction is subsequent to her trading, a benefit of doubt can be given to her and the said off market transaction cannot be an adequate basis for her connection with the Group / other Noticees in the scrip. **Not Connected**
31. Abhay Jain HUF (Noticee No. 31)	The Noticee has received in off market (direct bilateral off market transaction without going through the Exchange platform) 2,300 shares of Nikki Global Finance Ltd. from Samtal Financial System Limited on 30/03/2011. PDs of Sulabh are the subscribers to the memorandum of association of Samtal Financial Systems Pvt Ltd. In view of the above, the Noticee is **connected** to the company.
32. Amit Jain (Noticee No. 32)	He has received 1,500 shares of Sulabh in physical form (direct bilateral off market transaction without going through the Exchange platform) from Samtal Financial System Limited on 25/6/2011. PDs of Sulabh are the subscribers to the memorandum of association of Samtal Financial Systems Pvt Ltd. In view of the above, the Noticee is **connected** to the company.
33. Bhawri Devi Jain (Noticee No. 33)	She has transferred 2,000 shares of G R Industries & Finance Ltd. in off market to Signet Vinimay Private Limited on 10/3/2014. It is observed from the IR that apart from the aforesaid off market transfer, she has no other basis of connection either with the company or with the other Noticees. It is noted that she has traded in the scrip during the period 17/8/2012 to 1/2/2013. Considering that her off market transaction is subsequent to her trading, a benefit of doubt can be given to her and the said off market transaction cannot be an adequate basis for her connection with the Group / other Noticees in the scrip. **Not Connected**
34. Rajesh Bhiani (Noticee No. 34)	He shares same contact number 9314494290 and email id rbihani@ymail.com with Deepak Kumar Saraf who has received shares of Sulabh in physical form from Anant Fin Consultancy Private Limited. He also shares common email id i.e., deepak_aryan@yahoo.com with Raj Kumar Agarwal, who is a co-director in Litmus Investments Limited with Niranjan Swaroop Goel (Director of Sulabh). The Noticee in its submissions has denied knowing Deepak Kumar Saraf or under what circumstances his phone number and email came to be used by Deepak Kumar Saraf. He has submitted copy of his KYC document to substantiate the same. In light of the above, I note as follows from the available records: • For common email id, rbihani@ymail.com it is observed that the Noticee and Deepak Kumar Saraf share the same email id. Deepak Kumar Saraf KYC records with Sushil Financial Services Private Ltd.

Name of the Entity	Basis of Connection
	reflects the aforesaid email id. Further, it is observed from the document titled "Authoristaion for Electronic Contract Notes / Statements" dated 10/9/2012 that the Noticee has given his consent to receive contract notes, account statements / statement of securities in electronic form for which he has given the aforesaid email id. Since the Noticee and Deepak Kumar Saraf share the same email id, contract notes and account statements of each others trades would be accessible by both of them. Moreover, the Noticee has not submitted any documentary evidence for the steps taken by him against Deepak Kumar Saraf for using his email id. The aforesaid factors, on a preponderance of probability shows that the Noticee is connected with Deepak Kumar Saraf. Thus, from the above, it can be said that the Noticee is connected with Deepak Kumar Saraf who is connected to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
35. Ram Lubhaya Vohra (Noticee No. 35)	He has received 16,000 shares of Sulabh in off market from Vikas Yadav on 17/5/2013. It is observed from the IR that apart from the aforesaid off market transfer, he has no other basis of connection either with the company or with the other Noticees. It is noted that he has traded in the scrip during the period 17/8/2012 to 1/2/2013. Considering that his off market transaction is subsequent to his trading, a benefit of doubt can be given to him and the said off market transaction cannot be an adequate basis for his connection with the Group / other Noticees in the scrip. **Not Connected**
36. Ram Pher Dwivedi (Noticee No. 36)	He has received in off market 5,000 shares of Raghuvansh Agrofarms Ltd. on 9/4/2014 from Vasundhara Capital and Securities Ltd. It is observed from the IR that apart from the aforesaid off market transfer, he has no other basis of connection either with the company or with the other Noticees. It is noted that he has traded in the scrip during the period 17/8/2012 to 1/2/2013. Considering that his off market transaction is subsequent to his trading, a benefit of doubt can be given to him and the said off market transaction cannot be an adequate basis for his connection with the Group / other Noticees in the scrip. **Not Connected**
37. Reena Jain (Noticee No. 37)	She has received 1,500 shares of Sulabh in physical form (direct bilateral off market transaction without going through the Exchange platform) on 25/6/2011 from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, the Noticee is **connected** to Anant Fin

Name of the Entity	Basis of Connection
	Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company.
38. Param Jeet Singh (Noticee No. 38)	The Noticee has received in off market (direct bilateral off market transaction without going through the Exchange platform) 5,000 shares of Rich Universe Network Ltd. on 14/7/2009 from Vasundhara Capital and Securities Ltd. Subodh Agarwal, is the Director of Vasundhara Capital and Securities Ltd. who is connected to the company and PDs. He has received from Rishi Kant Awasthi, in off market, 4,000 shares of Nikki Global Finance Ltd. on 19/5/2011. Rishi Kant Awasthi is the Director of Anant Fin Consultancy Pvt Limited and Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal who is connected to the company and PDs. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
39. Shubhang Exports Ltd (Noticee No. 39)	Shubhang Kaushik is the Director of Litmus Investments and Shubhang Exports Ltd. Shubhang Exports Ltd. is a shareholder of Vasundhara Capital and Securities Limited. Subodh Agarwal, is the Director of Vasundhara Capital and Securities Ltd. Director of Sulabh, Niranjan Swaroop, his wife, Usha Goel and Subodh Agarwal are the subscribers to the memorandum of Litmus Investments. Subodh Agarwal, is the Director of Litmus Investments. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
40. Usha Jain (Noticee No. 40)	She has received 1,500 shares of Sulabh in physical form (direct bilateral off market transaction without going through the Exchange platform) on 25/6/2011 from Anant Fin Consultancy Pvt Limited which has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). In view of the above, the Noticee is **connected** to Anant Fin Consultancy Pvt Limited which in turn is connected to Subodh Agarwal and the company.
41. Vijay Shree Bihani (Noticee No. 41)	She shares same contact number 9314494290 and email id rbihani@ymail.com with Deepak Kumar Saraf who has received shares of Sulabh in physical form from Anant Fin Consultancy Private Limited. For the same reason as mentioned at S. No. 34 the Noticee is **connected** with Deepak Kumar Saraf who is **connected** to Anant Fin Consultancy Pvt Limited which in turn is **connected** to Subodh Agarwal and the company

Name of the Entity	Basis of Connection
42. KPK Fin Consultancy Pvt Ltd. (Noticee No. 42)	The list of shareholders of KPK includes Rita Jain, Kavita Awasthi, Sanjay Jain (Karta of Sanjay Jain HUF) amongst others. Rita Jain, Kavita Awasthi and Sanjay Jain HUF have received shares of Sulabh in physical form on 25/6/2011 from Anant Fin Consultancy Pvt. Ltd. Anant Fin Consultancy Pvt. Ltd. has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd. Director is Subodh Agarwal, who is connected to the company and PDs. Further, Anant Fin Consultancy Pvt Limited has a common Director with a Promoter of Sulabh namely, Govind Mercantile Private Limited (Dheeraj Agarwal). Further, Rita Jain and Sanjay Jain are the shareholders of Samtal Financial Systems Private Limited whose subscribers are the new Promoters of Sulabh. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company
43. Raghuvansh Agrofarms Ltd. (Noticee No. 43)	Subodh Agarwal is the Director of the company who is connected to the PDs of the company as discuused at sl. no. 1 of this table. Hence, the Noticee is **connected** to the company.
44. Renu Katiyar (Noticee No. 44)	Rishi Awasthi and Renu Katiyar share mobile number viz. 9336077444. Rishi Kant Awasthi is the Director of Anant Fin Consultancy Pvt Limited and Raghuvansh Agrofarms Ltd. Raghuvansh Agrofarms Ltd's. Director is Subodh Agarwal, who is connected to the company. She shares common address "13/386-D, Civil Lines, Kanpur-01" with Vivek Karwa and Manish Kumar Garg. It is noted from the available KYC records that she does not share a common mobile number, as stated above, with Rishi Awasthi. The available records show that she has a different mobile no. then the one stated above. Further, she also does not share a common address with Vivek Karwa and Manish Kumar Garg. The available records show that she has a different address then the one stated above. Considering, her connections to the Group / other Noticees is through the said 3 entities, it can be held that she is not connected with the rest of the Noticees. **Not Connected**
45. Sanklap Vincom Pvt. Ltd. (Noticee No. 45)	Shareholders of the Noticee amongst others includes Abhiset Basu and Pradip Dey who are connected to Anil Khemka. Further, the Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) shares of JMD Telefilms (2,000 shares; 26/3/2010), Twenty First Century (25/10/2013-08/11/2013; 9,90,000 shares), Mindvision Capital Ltd. (1000 shares; 25/03/2010), Nikki Global Finance Ltd. (46 shares; 6/3/2014), Rich Universe Network Ltd. (60,000 shares; 30/3/2010) and Sulabh (14,000 shares; 17/10/2013) to Signet Vinimay Pvt. Ltd., another company connected with Anil Khemka. In view of the above, the Noticee is **connected** to Anil Khemka.
46. Shreya Stocks & Shares Pvt. Ltd. (Noticee No. 46)	The Noticee has transferred in off Market (direct bilateral off market transaction without going through the Exchange platform) 4,700 shares of Shree Ashtavinayak Cine Vision Limited to Adinath Shares and Commodities Pvt Ltd. between May, 2009 to July, 2009. Adinath

Name of the Entity	Basis of Connection
	Shares and Commodities Pvt Ltd has received in off market 16,500 shares of Nikki Global Finance Limited from the Director of Anant Fin Consultancy Pvt. Limited, Rishi Kant Awasthi. Adinath Shares and Commodities Pvt Ltd. has also transferred in off market 19,907 shares (cummulative) of Rich Universe Network Ltd. to Raghuvansh Agrofarms Ltd. on 24/2/2011 and 28/2/2011. Further, Director of the Noticee namely, Aditya Kumar Sinha - is a co-director with Pankaj Mittal in Priyanshi Securities Ltd. Priyanshi Securities Ltd. has off market transaction (direct bilateral off market transaction without going through the Exchange platform) with Raghuvansh Agrofarms Ltd. (received 2,000 shares in Capri Global Capital Ltd. on 10/5/2010) and Vasundhara Capital and Securities Ltd. (transferred 22,000 shares of Satyam Computers Ltd., 975 shares of JVL Agro Industries Ltd., & 60,000 shares of Nikki Global Finance Ltd. during February- March, 2010). Raghuvansh Agrofarms Ltd. and Vasundhara Capital and Securities Ltd. are connected to Subodh Agarwal who is connected to the company. In addition to above, it is observed that Ankit Jain is director of both Adinath Shares and Commodities Pvt. Ltd. and Anant Fin Consultancy Private Limited. The other Directors of Adinath namely Dheeraj Agarwal and Bramha Nand Sharma were previously Directors of Anant Fin Consultancy Private Limited, when the transaction between Noticee and Adinath Shares and Commodities Pvt Ltd. Since Anant Fin Consultancy Pvt Limited and Raghuvansh Agrofarms Ltd. are connected to Subodh Agarwal who is connected to the company, the Noticee is **connected** to Subodh Agarwal and the company.
47. Shrishti E Systems Pvt Ltd. (Noticee No. 47)	Anurag Khandelwal, the Director of the Noticee is a shareholder of Anant Fin Consultancy Pvt. Limited and Vasundhara Capital and Securities Limited. Anant Fin Consultancy Pvt Limited and Vasundhara Capital and Securities Limited are connected to Subodh Agarwal who is connected to the company. Hence, the Noticee is **connected** to Subodh Agarwal and the company.
48. Signet Vinimay Pvt Ltd. (Noticee No. 48)	The Director of the Noticee is Abhiset Basu who is connected with Anil Khemka. Further, the shareholders of the company include SKM Travels Pvt. Ltd., Apex Commotrade Pvt. Ltd., apart from other connected entities of Anil Khemkha (Abhiset basu and Pradip Dey). Hence, the Noticee is **connected** to Anil Khemka.
49. Bitter Commercial Pvt Ltd (formerly SKM Travels Pvt Ltd) (Noticee No. 49)	The Director of the Noticee is Abhiset Basu who is connected with Anil Khemka. Further, the shareholders of the company include Apex Commotrade Pvt. Ltd., apart from connected entities of Anil Khemkha (Abhiset basu and Pradip Dey). Hence, the Noticee is **connected** to Anil Khemka.

Name of the Entity	Basis of Connection
50. Apex Commotrade Pvt Ltd (Noticee No. 50)	The Noticee is a shareholder in Anil Khemka related companies namely, Signet Vinimay Pvt. Ltd. and SKM Travels Pvt. Ltd. The Noticee has off market transaction (direct bilateral off market transaction without going through the Exchange platform) with Anil Khemka related entities. The Noticee has transferred 1,000 shares of Nikki Global Finance Ltd. in off market to Spice Merchants Ltd. on 31/1/2014, 20 shares of Nikki Global Finance Ltd. in off market to Signet Vinimay Pvt. Ltd. on 6/3/2014, 4,100 shares of Kappac Pharma Ltd. in off market to Signet Vinimay Pvt. Ltd. on 24/2/2014 & 19/3/2014 and 2,500 shares of Access Global Ltd. in off market to Sanklap Vinicom on 17/4/2012. In view of the above, the Noticee is **connected** to Anil Khemka.
51. Spice Merchants Pvt Ltd (Noticee No. 51)	The Noticee shareholder includes Apex Commotrade Pvt. Ltd., which is an Anil Khemka related company. The Noticee has off market transaction (direct bilateral off market transaction without going through the Exchange platform) with Anil Khemka related entities. The Noticee has transferred shares of Mishka Finance and Trading Ltd. (5,00,000 shares; 17-31/7/2014) and Kailash Auto Finance Ltd. (3,48,000 shares; August 19- September 4, 2014) in off market to Apex Commotrade Pvt. Ltd. The Noticee has also transferred shares of Kailash Auto Finance Ltd. (1,45,000 shares; 10-20/9/2014), Kappac Pharma (1550 shares; 15/3/2014), Ecowave Infotech Ltd. (25,000 shares; 29/3/2014) and Radford Global (1,25,000 shares; 24/3/2014) in off market to Signet Vinimay Pvt. Ltd. In view of the above, the Noticee is **connected** to Anil Khemka.
52. Littlestar Tradecom Pvt Ltd (Noticee No. 52)	The Noticee has received and transferred in off market transaction (direct bilateral off market transaction without going through the Exchange platform) 41,500 shares (28/8 - 24/9-2014) to and from Ranbhumi Merchandise Pvt. Ltd. shares of Linkson Intl Ltd. Further, the Noticee has common Director, namely Sonu Dehlia with Groundzero Vincom Private Limited, Bhima Agencies Private Limited, Dream Infraproperties Private Limtied, Tripurari Dealtrade Private Limited, Saraswati Vintrade Private Limited, and Goodview Projects Private Limited. It is observed from the IR that Noticee has traded in the scrip during 4/2/2013 to 22/7/2014. Considering that the off market transaction is subsequent to its trading, a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis for its connection with the Group / other Noticees in the scrip. **Not Connected**

Name of the Entity	Basis of Connection
53. Aviral Industries Ltd (Noticee No. 53)	Director of the company, Amit Agarwal is also a Director in Bigtime E Solutions Private Limited and Shrishti E-Systems Private Limited. Bigtime E-Solutions Private Limited and Shrishti E-Systems Private Limited have another Director in common, Anurag Khandelwal who is a shareholder of Anant Fin Consultancy Pvt Limited and Vasundhara Capital and Securities Limited. Anant Fin Consultancy Pvt Limited and Vasundhara Capital and Securities Limited are connected to Subodh Agarwal who is connected to the company. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
54. Bakliwal Vyapaar Pvt Ltd. (Noticee No. 55)	The Noticee has a common Director, namely Vinod Kumar Maheshwari (Directorship in Raghuvansh from 13/1/2014 to 1/7/2014) with Raghuvansh Agrofarms. Raghuvansh Agrofarms, Director is Subodh Agarwal, who is connected to the company. Further, the Noticee is also a shareholder in Success Vyapar Ltd. which amongst others includes Subodh Agarwal's Brother, Raj Kumar Agarwal, and companies of Anil Kumar Khemka i.e., Apex Commotrade Private Limited, Alps Vyapar Private Limited (Anil Khemka, Pradip Dey, Rabindra Nath Bera and Rakesh Bajaj were Directors). Further, Directors of Success Vyapar Ltd. are Abhiset Basu, Pradip Dey (connectd entities of Anil Kumar Khemka) and other Director, Rishi Kant Awasthi is also a Director of Subodh's Companies i.e., Raghuvansh Agrofarms Limited and Anant Fin Consultancy Private Limited. Annual reports of Success Vyapar Ltd. revealed that Lohagar Developers Pvt. Ltd. (Anil Khemka was a Director) transferred shares of Success Vyapar Ltd on 30/6/2009 to Rajkumar Agarwal - brother of Subodh Agarwal. In view of the above, the Noticee is **connected** to Anil Khemka and Subodh Agarwal. Further, Anil Khemka and Subodh Agarwal are also **connected** to each other as well as with the company, Sulabh.
55. Kamta Prasad Pandey (Noticee No. 56)	The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) shares of JSW Ispat Steel Ltd (5,000 shares; 19/6/2012) and Heidelberg Cement India Ltd (4,000 shares; 19/6/2012) to Vasundhara Capital. Subodh Agarwal, is the Director of Vasundhara Capital and Securities Ltd. and is connected with the company. The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) shares of Capri Global Capital Limited (2,000 shares; 10/5/2010) and Nikki Global (12,437 shares; 4/2/2010) to Raghuvansh Agrofarms Limited. Subodh Agarwal, is the Director of Raghuvansh Agrofarms Limited and is connected with the company. The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 16,000 shares of Nikki Global to Adinath Shares and Commodities Pvt. Ltd. on 18/5/2011. Adinath Shares and Commodities Pvt. Ltd. has a common Director with Anant Fin Consultancy Pvt. Ltd. which is a related entity of Subodh Agarwal. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.

Name of the Entity	Basis of Connection
56. Runicha Merchants Pvt. Ltd. (Noticee No. 57)	The Noticee has off market transaction (direct bilateral off market transaction without going through the Exchange platform) with Sanklap Vincom Private Limited (Twenty First Century [received 2,00,000 shares, 7/11/2013], Ecowave Infotech [received 35,000 shares; 2/7/2013]), Signet Vinimay Private Limited (Kappac Pharma [received 8,000 shares; 19/2-7/3-2014], Rich Universe [received 28,500 shares; 23/3/2010]) and Spice Merchants Private Limited (received Mishka Finance & Trading Ltd [20,000 shares; 23/9/2014], Kailash Auto Finance [received 20,000 shares; 22/8/2014], Kappac Pharma [received 25,000 shares; 426/3/2014], Ecowave Infotech [received 25,000 shares; 29/3/2014]). All the aforesaid entities are company related to Anil Khemka. In view of the above, the Noticee is **connected** to Anil Khemka.
57. Manoj Kumar Misra (Noticee No. 58)	The Noticee has receieved in off market (direct bilateral off market transaction without going through the Exchange platform) 10 shares of Neil Industries Ltd. from Astha Departmental Stores Private Limited on 21/11/2013 in which Subodh Agarwal is a Director and also a shareholder. It is further noted from the order log and trade log that the Noticee has traded in the scrip till September, 2013. Therefore, a benefit of doubt can be given for the off market transaction with Astha Departmental Stores Private Limited which took place subsequent to Noticee's trading and the same is an inadequate basis for Noticee's further connection with the Group / other Noticee's in the scrip. **Not Connected**
58. Swaraj Retails Pvt Ltd (Noticee No. 59)	The Noticee has common Director, namely Amit Kumar Bagri with Littlestar Tradecom Private Limited, Saraswati Vintrade Private Limited, Groundzero Vincom Private Limited, Dream Infraproperties Private Limited, Tripurari Dealtrade Private Limited. Hence, the Noticee is not connected with the company. **Not Connected**
59. Pragna Harshad Panchal (Noticee No. 61)	The Noticee has off market transactions (direct bilateral off market transaction without going through the Exchange platform) with Dipesh Manoharlal Kanjani on 19/3/2015 for 7,300 shares (recieved) of Shree Bhavya Fabrics Limited and for 33,000 shares (recieved) of Global Securities Limited. Dipesh Manoharlal Kanjani has off Market with Big Brokers House Stocks Ltd. Subodh Agarwal, the operator is the Director of Big Brokers House Stocks Ltd. It is noted from the order log and trade log that the Noticee has traded in the scrip till June, 2014. Therefore, a benefit of doubt can be given for the off market transaction with Dipesh Manoharlal Kanjani which took place subsequent to Noticee's trading and the same cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip. **Not Connected**
60. Dream Infraproperties Pvt Ltd (Noticee No. 64)	The Noticee has a common Director, namely Amit Kumar Bagri with Littlestar Tradecom Private Limited, Saraswati Vintrade Private

Name of the Entity	Basis of Connection
	Limited, Groundzero Vincom Private Limited, Tripurari Dealtrade Private Limited and Swaraj Retails Private Limited. The Noticee has a common Director, namely Sonu Dehlia with Littlestar Tradecom Private Limited, Groundzero Vincom Private Limited, Bhima Agencies Private Limited, Tripurari Dealtrade Private Limited, Saraswati Vintrade Private Limtied, Gurukul Enclave Private Limited, Panchratan Enclave Private Limited and Goodview Projects Private Limited. In view of the above, the Noticee is not connected with the company. **Not Connected**
61. Jasmine Commodities Pvt Ltd (Noticee No. 65)	The Noticee has a common Director, namely Vinod Kumar Maheshwari (Directorship in Raghuvansh from 13/1/2014 to 1/7/2014) with Raghuvansh Agrofarms. Raghuvansh Agrofarms, Director is Subodh Agarwal. Further, shares of Bakliwal Vyapaar Private Limited are held by the Noticee. Hence, the Noticee is **connected** with Subodh Agarwal and Bakliwal Vyapaar Private Limited.
62. Winall Vinimay Pvt Ltd Ltd (Noticee No. 67)	Abhiset Basu who is connected with Anil Khemka is the Director of the Noticee. The Noticee has transferred in off-market (direct bilateral off market transaction without going through the Exchange platform) 30,000 shares of Cressanda Solutions Ltd. on 1/10/2013 to Scope Vyapar Private Limited/ Class Commercial Private Limited (same PAN). Scope Vyapar shares common address with Anil Khemka companies, Signet Vinimay Private Limited, Sanklap Vincom Private Limited. Scope Vyapar Private Limtied, Apex Commotrade Private Limited, Aman Sah and Shakuntala Sah are shareholders of Spice Merchants Private Limited. The Noticee is also a shareholder of Sanklap Vincom Private Limited, which is connected to Anil Khemka. Shareholder of the Noticee includes Apex Commotrade Private Limited which is connected to Anil Khemka. In view of the above, the Noticee is **connected** with Anil Khemka.
63. Goodview Projects Pvt Ltd (Noticee No. 68)	The Noticee has a common Director, namely Sonu Dehlia with Littlestar Tradecom Private Limited, Groundzero Vincom Private Limited, Bhima Agencies Private Limited, Dream Infraproperties Private Limtied, Tripurari Dealtrade Private Limited, Saraswati Vintrade Private Limtied, Gurukul Enclave Private Limited and Panchratan Enclave Private Limited. In view of the above, the Noticee is **not connected** with the company.
64. Templerun Marcom Pvt Ltd (Noticee No. 69)	The Noticee has a common Director, namely Prasanta Patra with Ayodhya Vinimay Private Limited, Chaaya Realty Private Limited and Levia Trading Private Limited. In view of the above, the Noticee is **not connected** with the company.

Name of the Entity	Basis of Connection
65. Coral Tradecom Pvt Ltd (Noticee No. 70)	The Noticee had transferred in off market transaction 1,17,500 shares of Sulabh to Overarching Dealers Private Limited on 6/5/2014 It is observed from the IR that apart from the aforesaid off market transfer, the Noticee has no other basis of connection either with the company or with the other Noticees. It is noted from the order log trade log that the Noticee has traded in the scrip till January, 2014. Considering that Noticee's off market transaction is subsequent to its trading, a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip. **Not Connected**
66.Gagandeep Construction (Noticee No. 71)	The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 1,00,000 shares of Rich Universe Network Ltd. on 24/3/2012 to Raghuvansh Agrofarms Limited. Subodh Agarwal, the operator is the director of Raghuvansh Agrofarms Limited. In view of the above, the Noticee is **connected** with Raghuvansh Agrofarms Limited including Subodh Agarwal and the company.
67. Overarching Dealers Pvt Ltd (Noticee No. 72)	The Noticee has a common Director namely Samir Mondal with Overload Financial Advisory Pvt Ltd, Cheroot Vanijya Private Limited, Vilohit Property Private Limited and Helot Properties Private Limited. Further, it also has a common Director namely Rajesh Singh with Overload Financial Advisory Pvt Ltd, Cheroot Vanijya Private Limited and Vilohit Property Private Limited. Vilohit Property Private Limited has off market transactions with Sanklap Vincom Pvt. Ltd, Bitter Commercial Pvt. Ltd., Signet Vinimay Pvt. Ltd, Spice Merchants Pvt. Ltd. and Lower Vyapar Pvt. Ltd. The aforesaid off market transfers took place between 20/8/2014 to 23/8/2014. Helot Properties Private Limited has off market transactions with Camellia Vinimay Pvt Ltd, Kapeeshwar Vintrade Pvt Ltd and Vilohit Property Private Limited. The aforesaid off market transfers took place post 14/7/2014. It is noted from the order log trade log that the Noticee had last traded in the scrip during the investigation period on 20/5/2014. Therefore, considering the off market transfers took place subsequent to Noticee's trades, a benefit of doubt can be given for the aforesaid off market transfers and the same cannot be taken as an adequate basis of connection for the impugned trades. **Not Connected**
68. Panem Steel Pvt Ltd (Noticee No. 75)	The Noticee had transactions in off market for 52,500 shares on 28/3/2015 with Gyandeep Khemka and 2,35,500 shares of Sulabh with Nathu Lal Sharma on 31/3/2015. It is observed from the IR that the aforesaid off market transfers are the only basis of Noticee's connection to other Noticees. It is noted from the order log trade log that the Noticee last traded in the scrip during the investigation period on 22/4/2014. Considering the off market transfers took place almost after a year and that too when the trading in the scrip was suspended (w.e.f. 7/1/2015), a benefit of doubt can be given to the Noticee and

Name of the Entity	Basis of Connection
	the said off market transactions cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**
69. Arunavo Mukherjee (Noticee No. 76)	The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 63,600 shares of Sulabh on 10/5/2014 & 15/5/2014, 2,35,000 shares of Unno Industries Ltd. on 24/11/2014 & 10/5/2014, 17,577 shares of Cressanda Solutions Ltd. on 10/5/2014 and 75,000 shares of Rander Corporation Ltd. on 10/5/2014 to Camellia Vinimay Pvt. Ltd. Camellia Vinimay Pvt. Ltd. has off market transactions (direct bilateral off market transaction without going through the Exchange platform) with Anil Khemka related companies, Bitter Commercial (3,000 shares of Ashika Credit Capital on 13/5/2014) and Spice Merchants Pvt. Ltd., (80,253 shares of Sulabh on 5/12/2014). In view of the above, the Noticee is **connected** to Camellia Vinimay Pvt. Ltd. and Anil Khemka.
70. Saraswati Ltd. Vintrade Pvt (Noticee No. 77)	The Noticee has a common Director, namely Amit Kumar Bagri with Littlestar Tradecom Private Limited, Saraswati Vintrade Private Limited, Groundzero Vincom Private Limited, Tripurari Dealtrade Private Limited Dream Infraproperties Private Limited and Swaraj Retails Private Limited. The Noticee has a common Director, namely Sonu Dehlia with Littlestar Tradecom Private Limited, Groundzero Vincom Private Limited, Bhima Agencies Private Limited, Tripurari Dealtrade Private Limited, Dream Infraproperties Private Limtied, Gurukul Enclave Private Limited, Panchratan Enclave Private Limited and Goodview Projects Private Limited. **Not connected**
71.Vasundhara Capital & Securities Ltd (Noticee No. 78)	Subodh Agarwal is the Director of the Noticee who is connected with the company as discussed at sl.no.1 of this table. The Noticee is **connected** to Subodh Agarwal and the company.

Name of the Entity	Basis of Connection
72.Overload Financial Advisory Pvt. Ltd. (Noticee No. 79)	The Noticee has a common Director namely Samir Mondal with Overarching Dealers Pvt Ltd, Cheroot Vanijya Private Limited, Vilohit Property Private Limited and Helot Properties Private Limited. Further, it also has a common Director namely Rajesh Singh with Overarching Dealers Pvt Ltd, Cheroot Vanijya Private Limited and Vilohit Property Private Limited. Vilohit Property Private Limited has off market transactions with Sanklap Vincom Pvt. Ltd, Bitter Commercial Pvt. Ltd., Signet Vinimay Pvt. Ltd, Spice Merchants Pvt. Ltd. and Lower Vyapar Pvt. Ltd. The aforesaid off market transfers took place between 20/8/2014 to 23/8/2014. Helot Properties Private Limited has off market transactions with Camellia Vinimay Pvt Ltd, Kapeeshwar Vintrade Pvt Ltd and Vilohit Property Private Limited. The aforesaid off market transfers took place post 14/7/2014. It is noted from the order log and trade log that the Noticee had last traded in the scrip during the investigation period on 3/2/2014. Therefore, considering the off market transfers took place subsequent to Noticee's trades, the same cannot be taken as an adequate basis of connection for the impugned trades. **Not Connected**
73. Dhanrashi Promoters Pvt Ltd (Noticee No. 80)	The Noticee had transferred in off market transaction 2,00,000 shares of Kailash Auto Finance Limited to Arise Dealcomm Private Limited on 28/8/2015. Further, it is observed from the IR that apart from the aforesaid off market transfer, the Noticee has no other basis of connection either with the company or with the other Noticees. It is noted from the order log trade log that the Noticee has traded in the scrip till January, 2014. Considering that Noticee's off market transaction is subsequent to its trading, a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**
74. Groundzero Vincom Pvt Ltd (Noticee No. 81)	The Noticee has a common Director namely Shiw Prakash Rajbhans with Littlestar Tradecom Private Limited, Gurukul Enclave Private Limited, Saraswati Vintrade Private Limited, Groundzero Vincom Private Limited, Panchratan Enclave Private Limited and Vista Enclave. The Noticee has another common Director namely Amit Kumar Bagri with Littlestar Tradecom Private Limited, Saraswati Vintrade Private Limited, Groundzero Vincom Private Limited, Dream Infraproperties Private Limited, Tripurari Dealtrade Private Limited, Swaraj Retails Private Limited.

Name of the Entity	Basis of Connection
	Further, Sonu Dehlia is the common Director for Littlestar Tradecom Private Limited, Groundzero Vincom Private Limited, Bhima Agencies Private Limited, Dream Infraproperties Private Limited, Tripurari Dealtrade Private Limited, Saraswati Vintrade Private Limited, Gurukul Enclave Private Limited, Panchratan Enclave Private Limited and Goodview Projects Private Limited. **Not Connected**
75. Santosh Kumar Agarwal (Noticee No. 83)	He is the Director of Bigtime E-Solutions Private Limited, Shrishti E Systems Private Limited and Vasundhara Capital and Securities Limited. All the companies are related to Subodh Agarwal. Subodh Agarwal is connected to the company as found at sl.no. 1 of this table. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
76. Gunny Chem Tex India Ltd. (Noticee No. 84)	The Noticee has off market transactions (direct bilateral off market transaction without going through the Exchange platform) with Jaideep Halwasiya in Balrampur Chini Mills Ltd. for 20,00,000 shares on 1619/4/2012, 26/4/2012 & 27/7/2012. Jaideep Halwasiya has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 83,230 shares of Sulabh to Vinod Singhania on 19/3/2015. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Jaideep Halwasiya and Jaideep Halwasiya is connected to the Group / other Noticees in the scrip through Vinod Singhania. As noted above, the off market transaction that Jaideep Halwasiya had with Vinod Singhania is subsequent to the investigation period, a benefit of doubt can be given for the aforesaid off market transfer and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**
77. Jaideep Halwasiya (Noticee No. 85)	Jaideep Halwasiya has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 83,230 shares of Sulabh to Vinod Singhania on 19/3/2015. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Vinod Singhania. As noted above, the off market transaction that Jaideep Halwasiya had with Vinod Singhania is subsequent to the investigation period, a benefit of doubt can be given for the aforesaid off market transfer and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**

Name of the Entity	Basis of Connection
78. Dynamic Credit Finance Pvt Ltd (Noticee No. 86)	The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 4,500 shares of Shree Tulsi Online to Vinod Singhania on 28/3/2009. Vinod Singhania has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) shares of G R Industries & Finance Ltd. (1,900 shares on 2/1/2014), Nageshwar Investment (1,19,835 shares on 23/12/2013) and Rander Corporation Ltd. (40,000 shares on 23/12/2013 & 3,60,000 shares on 2/1/2014) to Sanklap Vincom Pvt. Ltd which is a Anil Khemka related company. In view of the above, the Noticee is **connected** with Anil Khemka.
79. Samudhita Dealers Pvt. Ltd. (Noticee No. 87)	The Noticee shares a common Director namely Saikut Dutta with Helot Properties Private Limited. Helot Properties Private Limited has off market transactions with Camellia Vinimay Pvt Ltd, Kapeeshwar Vintrade Pvt Ltd and Vilohit Property Private Limited. The aforesaid off market transfers took place post Noticee's trading on 3/2/2014. Helot Properties Private Limited has a common Director namely Samir Mondal with Overload Financial Advisory Pvt Ltd, Cheroot Vanijya Private Limited and Vilohit Property Private Limited. **Not Connected**
80. Rishabh Agarwal (Noticee No. 88)	The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 4,400 shares of Nikki Global on 22/2/2013 and 10 shares of Neil Industries Ltd. on 22/8/2013 to Adinath Shares And Commodities Pvt Ltd. Adinath Shares has common Director with Anant Fin Consultancy Pvt Ltd which is a related entity of Subodh Agarawl. In view of the above, the Noticee is **connected** with Subodh Agarwal and the company.
81. Anita Maurya (Noticee No. 89)	The Noticee has received in off market transaction (direct bilateral off market transaction without going through the Exchange platform) from Spice Merchants Private Limited, 1,800 shares of Cressanda Solutions Ltd. on 12/11/2013. Spice Merchants Private Limited is Anil Khemka related company. From the order log and trade log, it is noted that the impugned trades which has been alleged to have been executed by the Noticee along with connected entities is on 5/2/2013. As seen from above, the off market transfer is subsequent to her buy trades and the said off market transfer being her only basis of connection, a benefit of doubt can be given to her and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**

Name of the Entity	Basis of Connection
82. Bhima Agencies Pvt. Ltd. (Noticee No. 90)	The Noticee has a common Director namely Sonu Dehlia with Littlestar Tradecom Private Limited, Groundzero Vincom Private Limited, Dream Infraproperties Private Limited, Tripurari Dealtrade Private Limited, Saraswati Vintrade Private Limited, Gurukul Enclave Private Limited, Panchratan Enclave Private Limited and Goodview Projects Private Limited. In view of the above, the Noticee is **not connected** with the company.
83. M/s Manoj Agarwal HUF (Noticee No. 91)	The Noticee has received in off market, 1,000 shares of JLA Infraville Shoppers Ltd. on 26/6/2014 from Shreya Stocks & Shares Broking (P) Ltd. It is observed from the order log and trade log that the Noticee has traded in the scrip till 24/10/2013. However, it's off market transaction which is the only basis for its connection with the other Noticees, took place subsequent to its trading. Therefore, a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades **Not Connected**
84. Boast Traders Pvt Ltd. (formerly Acme Pvt. Ltd.) (Noticee No. 92)	The Noticee has received in off market transaction (direct bilateral off market transaction without going through the Exchange platform) 38,500 shares of Authum Investment & Infrastructure Limited from Ramesh Kumar Kedia on 18/8/2011. Ramesh Kumar Kedia has off market (direct bilateral off market transaction without going through the Exchange platform) with Sanklap Vincom for 5,000 shares in Shyama Infosys Ltd. on 15/7/2011. Sanklap Vincom is a Anil Khemka related company. The Noticee in his submission has contended that the aforesaid off market transaction was done for the purpose of investment and the Noticee had genuine interest in the said company (Authum) as they found it a good prospect due to growth in its performance. In this regard the Annual Report of Authum was also perused and the submission of the Noticee appears legit and and hence admitted. **Not Connected**
85. Susri Finance Pvt. Ltd. (Noticee No. 93)	The Noticee has transferred in off market transaction (direct bilateral off market transaction without going through the Exchange platform) 500 shares of Century Textiles and Industries Limited to Shri Mahasati Investments Ltd. on 8/6/2011. Shri Mahasati Investments Ltd. has off market transaction with Gunny Chem Tex India Limited. Gunny Chem Tex India Limited transferred in off market transaction with Jaideep Halwasiya in Balrampur Chini Mills Ltd. for 20,00,000 shares on 16-19/4/2012, 26/4/2012 & 27/7/2012. Jaideep Halwasiya has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 83,230 shares of Sulabh to Vinod Singhania on 19/3/2015. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Vinod Singhania. As noted above, the off market transaction that Jaideep Halwasiya had with Vinod Singhania is subsequent to the investigation period, a benefit of doubt can be given for the aforesaid off market transfers and the said off market transaction cannot be an adequate basis for Noticee's further

Name of the Entity	Basis of Connection
	connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**
86. Vilohit Property Pvt. Ltd. (Noticee No. 95)	The Noticee has received in off market (direct bilateral off market transaction without going through the Exchange platform) 1,62,169 shares of Risorgimento Industrial Company Ltd. on 20, 21, 22 & 23 of August, 2014 from Sanklap Vincom Pvt. Ltd, Bitter Commercial Pvt. Ltd., Signet Vinimay Pvt. Ltd, Spice Merchants Pvt. Ltd. & Lower Vyapar Pvt. Ltd . All are Anil Khemka related companies. The Noticee has a common Director, Rajesh Singh with Goldensight Management Pvt Ltd, Overload Financial Advisory Private Limited and Overarching Dealers Private Limited. Another Director of Noticee, Samir Mondal is common with Goldensight Management Pvt Ltd, Overload Financial Advisory Private Limited, Reachsmart Construction Private Limited and Overarching Dealers Private Limited. It is observed from the order log and trade log that the Noticee has traded in the scrip till 8/3/2013. However, it's off market transaction which is the only basis for its connection with the other Noticees, took place subsequent to its trading. Therefore, a benefit of doubt can be given to the Noticee that it is not connected to Anil Khemka related entities for its impugned trades in the scrip. **Not Connected**
87. BSR Finance Constructions Ltd. (Noticee No. 96)	The Noticee has transferred in off market transaction (direct bilateral off market transaction without going through the Exchange platform) 30,000 shares of Authum Investment & Infrastructure Limited to Gunny Chem Tex India Limited on 10/9/2012. Gunny Chem Tex India Limited has transferred in off market 20,00,000 shares of Balrampur Chini Mills Ltd to Jaideep Halwasiya on 16-19/4/2012, 26/4/2012 & 27/7/2012. Jaideep Halwasiya has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 83,230 shares of Sulabh to Vinod Singhania on 19/3/2015. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Vinod Singhania. As noted above, the off market transaction that Jaideep Halwasiya had with Vinod Singhania is subsequent to the investigation period, a benefit of doubt can be given for the aforesaid off market transfers and the same cannot be an adequate basis of connection for the impugned trades of the Noticee **Not Connected**

Name of the Entity	Basis of Connection
88. Pawan Kumari Agarwal (Noticee No. 97)	The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 4,400 shares of Nikki Global on 22/2/2013 & 10 shares of Neil Industries Ltd. on 22/8/2013 to Adinath Shares And Commodities Pvt Ltd. Adinath Shares has common Director with Anant Fin Consultancy Pvt. Ltd. which is a related entity of Subodh Agarawl. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
89. Shreekant Phumbhra (Noticee No. 98)	The Noticee has transferred in off market shares of HDFC Bank (860 shares; 19/7/2011, 22/7/2011), ABB India Ltd. (1,105 shares; 31/3/2009), Greenply Industries Ltd. (1,200 shares; 18/7/2011) & JB Chemicals & Pharmaceuticals Ltd. (18/7/2011) to Sunita Phumbhra. He shares the same address with Sunita Phumbhra. Sunita Phumbhra had transferred 4,000 shares of Sulabh in off market to Vinod Singhania on 25/3/2015. Vinod Singhania has off market transaction with Scope Vyapar Private Limited/ Class Commercial Private Limited, Bitter Commercial Pvt. Ltd, Sanklap Vincom Pvt. Ltd & Signet Vinimay Private Limited, Anil Khemka related companies. It is noted from the order log and trade log that the Noticee last traded in the scrip during the investigation period on 16/6/2014. Considering the off market transfers, which as per the IR is the only basis of his connection to other Noticess except Sunita Phumbhra, took place almost after 9 months and that too when the trading in the scrip was suspended (w.e.f. 7/1/2015), a benefit of doubt can be given to the Noticee that it was not related to any of the entities mentioned above except Sunita Phumbhra or with any other Noticees for the impugned trades. **Not Connected**
90. Yamnotri Vinimay Pvt. Ltd. (Noticee No. 99)	The Noticee has received in off market from Shreekant Phumbhra shares of Ramakrishna Forgings Ltd. (15,000 shares; 16/3/2009), Taneja Aerospace & Aviation Ltd. (10,000 shares; 16/3/2009), The Ramco Cements Ltd. (2,000 shares; 16/3/2009), Aptech Ltd. (200 shares; 27/9/2016) and Sundaram Fasteners Ltd. (6/1/2017). As per the IR, the only basis of Noticee's connection with the other Noticees is through Shreekant Phumbhra As noted above, Shreekant Phumbhra is not connected to any other Noticees except Sunita Phumbhra. Therefore, Yamnotri Vinimay Pvt. Ltd. also cannot be said to be connected to other Noticees for its impugned trades in the scrip. **Not Connected**
91. Manu Vyapar Pvt. Ltd. (Noticee No. 100)	The Noticee had transferred in off market 15,000 shares of Rajshree Sugars & Chemicals Ltd. to Gunny Chem Tex India Limited on 3/4/2010. Gunny Chem Tex India Limited transferred in off market transaction with Jaideep Halwasiya in Balrampur Chini Mills Ltd. for 20,00,000 shares on 16-19/4/2012, 26/4/2012 & 27/7/2012.

Name of the Entity	Basis of Connection
	Jaideep Halwasiya has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) 83,230 shares of Sulabh to Vinod Singhania on 19/3/2015. Vinod Singhania has off market transaction with Scope Vyapar Private Limited/ Class Commercial Private Limited, Bitter Commercial Pvt. Ltd, Sanklap Vincom Pvt. Ltd & Signet Vinimay Private Limited, Anil Khemka related companies. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Vinod Singhania. As noted above, the off market transaction that Jaideep Halwasiya had with Vinod Singhania is subsequent to the investigation period, a benefit of doubt can be given for the aforesaid off market transfers and the same cannot be an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**
92. Gallant Commosales Pvt Ltd. (Noticee No. 101)	The Noticee had off market transaction with Runicha Merchants Private Limited on 5/12/2014. As per the material available on record, it is noted that the Noticee's connection with the other Noticees is through the aforesaid off market transfer. Considering the said transaction took place subsequent to the impugned trades (last trade was on 26/9/2014), a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**
93. Nitish Jain HUF (Noticee No. 102)	The Noticee has transferred in off market 50,000 shares of Neil Industries Ltd. to Vasundhara Capital and Securities Ltd. on 22/9/2014. Subodh Agarwal is the Director of Vasundhara Capital and Securities Ltd. As per the IR, the only basis of Noticee's connection with the other Noticees is through the aforesaid off market transfer. Considering the said transaction took place subsequent to the impugned trades (last trade was on 22/7/2014), a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**
94. Class Commercial Pvt. (formerly Scope Vyapar Pvt. Ltd.) (Noticee No. 103)	The Noticee shares common address in which Mr. Anil Khemka is/ was a Director (Gentle Tradecomm Pvt Ltd, Pewee Infrastructure Ltd, Flower Merchants Pvt Ltd, Lower Vyapar Pvt Ltd). It is observed from the Depositories data that the Noticee has several off market transactions with Lower Vyapar Pvt Ltd., Sanklap Vincom Pvt. Ltd., Spice Merchants Private Limited., Signet Vinimay Pvt. Ltd., and Apex Commotrade Pvt. Ltd. which are Anil Khemka related companies. In view of the above, the Noticee is **connected** with Anil Khemka.

Name of the Entity	Basis of Connection
95. Snehlata Gautam (Noticee No. 104)	She has has received in off market transaction (direct bilateral off market transaction without going through the Exchange platform) 2,900 shares of Nikki Global Finance Ltd. from Sanklap Vincom on 21/8/2013 and 60,000 shares of Mishka Finance and Trading Limited from Spice Merchants Private Limited on 26/5/2014 and 28/5/2014. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Sanklap Vincom and Spice Merchants Private Limited. It is noted from the order log trade log that the Noticee has traded in the scrip on 18/7/2013. Considering that Noticee's off market transaction is subsequent to her trading, a benefit of doubt can be given to the Noticee and the said off market transactions cannot be an adequate basis for Noticee's further connection with the Group / other Noticee's in the scrip for its impugned trades connection with the Group / other Noticee's in the scrip for its impugned trades. **Not Connected**
96. Lavender Exim Pvt Ltd (Noticee No. 106)	The Noticee has transferred in off market (direct bilateral off market transaction without going through the Exchange platform) shares of Ashika Credit Capital Limited, Sun and Shine Worldwide Limited, Radford Global Limited, Sulabh and Rander Corporation Limited on 14/5/2014 to Lower Vyapar Pvt. Ltd. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Lower Vyapar Pvt. Ltd. It is observed from the order log trade log that the Noticee has last traded in the scrip of Sulabh during the investigation period on 6/2/2014 which is prior to the off market transaction with Lower Vyapar Pvt. Ltd. Thus, a benefit of doubt can be given for the aforesaid off market transfer and the same cannot be an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**
97. Litmus Investments Ltd (Noticee No. 107)	The Directors of Sulabh namely Niranjan Swaroop Goel and his wife Usha Goel and Subodh Agarwal were the subscribers to the memorandum. Subodh Agarwal is the Director of the company. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
98. Girija Pandey (Noticee No. 109)	The Noticee has transferred 25,000 shares of Nikki Global Finance Ltd. in off market (direct bilateral off market transaction without going through the Exchange platform) to Success Vyapar Limited on 31/3/2011. As already noted Success Vyapar Limited is related to Subodh Agarwal. Therefore, in view of the above, it can be held that the Noticee is also **connected** to Subodh Agarwal.
99.Devshyam Stock Broking Pvt. Ltd. (Noticee No. 110)	The Noticee has received in off market (direct bilateral off market transaction without going through the Exchange platform) shares of Ecowave Infotech Ltd. from Class Commercial Private Limited (1,000 shares; 12/11/2012), Apex Commotrade Pvt. Ltd. (7,900 shares; 3/5/2013 & 16/4/2014) and Spice Merchants Pvt. Ltd. (7,400 shares; 12/7/2013 & 6/6/2014). As already noted the off market transferors are

Name of the Entity	Basis of Connection
	related to Anil Khemka. Therefore, in view of the above, it can be held that the Notice is also **connected** to Anil Khemka.
100. Sanmati Goods Pvt Ltd (Noticee No. 111)	The Noticee has a common Director namely Ajay Kumar Thakur with Camellia Vinimay Pvt. Ltd. Camellia Vinimay Pvt. Ltd. has off market transactions with Anil Khemka related companies, Bitter Commercial (3,000 shares of Ashika Credit Capital on 13/5/2014) and Spice Merchants Pvt. Ltd., (80,253 shares of Sulabh on 5/12/2014). In view of the above, the Noticee is **connected** to Anil Khemka.
101. Mukesh Kumar Deepak (Noticee No. 112)	The Noticee has received in off market (direct bilateral off market transaction without going through the Exchange platform) 1,800 shares of Cressanda Solutions Ltd. from Signet Vinimay Private Limited on 30/12/2013 and 37,000 shares of Mishka Finance and Trading Limited from Sanklap Vincom Pvt. Ltd on 26/6/2014. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Signet Vinimay Private Limited and Sanklap Vincom Pvt. Ltd. It is observed from the order log trade log that the Noticee has traded in the scrip of Sulabh during the investigation period on 23/7/2013 which is prior to the off market transactions with the aforesaid entities. Thus, a benefit of doubt can be given for the aforesaid off market transfers and the same cannot be an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**
102. Memori Vinimay Pvt Ltd (Noticee No. 113)	The Noticee has a common Director namely Rup Chand Jain with Bakliwal Vyapaar Pvt. Ltd. Bakliwal Vyapaar Pvt. Ltd has a common Director - Vinod Kumar Maheshwari (Directorship in Raghuvansh from 13/1/2014 to 1/7/2014) with Raghuvansh Agrofarms. Raghuvansh Agrofarms, Director is Subodh Agarwal. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
103. Saroj Shah (Noticee No. 114)	The Noticee has transferred 33,000 shares of Sulabh in off market to Vinod Kumar Singhania on 20/3/2015. As per the IR, the aforesaid off market ransfer is the only basis of Noticee's connection with other Noticees. It is noted from the order log trade log that the Noticee last traded in the scrip during the investigation period on 18/7/2014. Considering the off market transfers took place almost after 8 months and that too when the trading in the scrip was suspended (w.e.f. 7/1/2015), a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**
104. Gyandeep Khemka (Noticee No. 115)	The Noticee had transaction in off market for 52,500 shares of Sulabh on 28/3/2015 with Panem Steels Private Limited. As per the IR, the aforesaid off market transfer is the only basis of connection of the Noticee with the rest of the Noticees. It is observed from the order log

Name of the Entity	Basis of Connection
	trade log that the Noticee last traded in the scrip during the investigation period on 27/6/2014. The said off market transfer has taken place almost after 9 months and that too when the trading in the scrip was suspended (w.e.f. 7/1/2015). Therefore, a benefit of doubt can be given to the Noticee and the said off market transaction cannot be an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**
105. Cube Trafin Pvt Ltd (Noticee No. 116)	Rajesh Kumar Jain is the common Director of the Noticee and Iris Commercial Pvt Ltd. Iris Commercial Pvt Ltd. has a common Director namely Kali Kant Choudhary with Lark Merchants Private Limited. Lark Merchants Private Limited has a common Director namely Niranjan Kumar Jain with Lark Commercial Private Limited. Lark Commercial Private Limited has a common Director, Rup Chand Jain with Bakliwal Vyapaar Pvt. Ltd. Bakliwal Vyapaar Pvt. Ltd has a common Director - Vinod Kumar Maheshwari (Directorship in Raghuvansh from 13/1/2014 to 1/7/2014) with Raghuvansh Agrofarms. Raghuvansh Agrofarms, Director is Subodh Agarwal. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
106. Nand Kishore Baheti HUF (Noticee No. 117)	The Noticee has recieved in off market (direct bilateral off market transaction without going through the Exchange platform) 18,000 shares of Mishka Finance and Trading Limited from Signet Vinimay Private Limited on 28/6/2014. It is noted from the IR that the Noticee is connected to the Group / other Noticees in the scrip through Signet Vinimay Private Limited. It is observed from the order log trade log that the Noticee has last traded in the scrip of Sulabh during the investigation period in February, 2013 which is prior to the off market transaction with Signet Vinimay Private Limited. Thus, a benefit of doubt can be given for the aforesaid off market transfer and the same cannot be taken an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**
107. Reachsmart Construction Pvt Ltd (Noticee No. 118)	The Noticee has a common Director namely Bimal Dutta with Helot Properties Private Limited and Overload Financial Advisory Pvt Ltd. In view of the above, the Noticee is **not connected** with the company.
108. Abha Sureka (Noticee No. 120)	The Noticee has transferred 1,700 shares of G R Industries & Finance Ltd. in off market to Signet Vinimay Private Limited on 10/3/2014. As per the IR, the aforesaid off market transfer is the only basis of connection of the Noticee with the rest of the Noticees. It is observed from the order log and trade log that the Noticee last traded in the scrip during the investigation period on 11/3/2013 and 20/3/2013. The said off market transfer has taken place almost after 11 months. Therefore, a benefit of doubt can be given to the Noticee and the same cannot be taken an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**

Name of the Entity	Basis of Connection
109. Ritika Sureka (Noticee No. 121)	The Noticee has transferred 1,700 shares of G R Industries & Finance Ltd. in off market to Signet Vinimay Private Limited on 21/2/2014. As per the IR, the aforesaid off market transfer is the only basis of connection of the Noticee with the rest of the Noticees. It is observed from the order log and trade log that the Noticee last traded in the scrip during the investigation period on 11/3/2013 and 20/3/2013. The said off market transfer has taken place almost after 11 months. Therefore, a benefit of doubt can be given to the Noticee and the same cannot be taken an adequate basis of connection for the impugned trades of the Noticee. **Not Connected**
110. Raj Vardhan Agarwal (Noticee No. 122)	The Noticee has transferred in off market shares of Nikki Global Finance Ltd. (4,400 shares, 23/2/2013) and Neil Industries Ltd. (10 shares, 22/8/2013) to Adinath Shares and Commodities Pvt. Ltd. Adinath Shares and Commodities Pvt. Ltd. has a common Director with Anant Fin Consultancy Pvt. Ltd. which is a related entity of Subodh Agrawal. In view of the above, the Noticee is **connected** to Subodh Agarwal and the company.
111. Manoj Agarwal (Noticee No. 123)	He has received 1,50,000 shares in the second preferential allotment done by the company in March, 2012. In view of the above, the Noticee is **connected** to the company.
112. Praveen Kurele (Noticee No. 124)	He has received 1,50,000 shares in the second preferential allotment done by the company in March, 2012. In view of the above, the Noticee is **connected** to the company.
113. Vinay Kumar Agarwal (Noticee No. 125)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011. In view of the above, the Noticee is **connected** to the company.
114. Som Prakash Goenka (Noticee No. 126)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011 and 4,00,000 shares in the second preferential allotment. In view of the above, the Noticee is **connected** to the company.
115. Naveen Kurele (Noticee No. 127)	He has received 1,50,000 shares in the second preferential allotment done by the company in March, 2012. In view of the above, the Noticee is **connected** to the company.
116. Mridula Agrawal (Noticee No. 128)	The Noticee, as per her submission, has purchased off market transaction for 35,000 shares of Sulabh at Rs. 20 per share with Success Vyapar Limited on 9/4/2012. Success Vyapar Limited is a related entity of Subodh Agarwal. In view of the above, the Noticee is **connected** with Subodh Agarwal.
117. Narender Kumar (Noticee No. 129)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011. In view of the above, the Noticee is **connected** to the company.

Name of the Entity	Basis of Connection
118. Manisha Sharma (Noticee No. 130)	The Noticee, as per her submission, has purchased off market transaction for 35,000 shares of Sulabh at Rs. 20 per share with Success Vyapar Limited on 9/4/2012. Success Vyapar Limited is a related entity of Subodh Agarwal. Hence, the Noticee is **connected** with Subodh Agarwal.
119. Seema Kapoor (Noticee No. 131)	She has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. In view of the above, the Noticee is **connected** to the company.
120. Sanjeev Sanghi (Noticee No. 132)	He has received 65,000 shares in the second preferential allotment done by the company in March, 2012. In view of the above, the Noticee is **connected** to the company.
121. Mahabir Pershad HUF (Noticee No. 133)	It has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. In view of the above, the Noticee is **connected** to the company.
122. Deepak Kumar Agarwal (Noticee No. 134)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011. Hence, the Noticee is **connected** to the company.
123. Sanjay Kapoor (Noticee No. 135)	He has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
124. Sapna Kapoor (Noticee No. 136)	She has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
125. Sunil Kapoor Kumar (Noticee No. 137)	He has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
126. Ashok Maheshwari (Noticee No. 138)	He has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
127. Vivek Karwa (Noticee No. 139)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011. Hence, the Noticee is **connected** to the company.
128. Roopchandra Kumar (Noticee No. 140)	The Noticee has recieved in off market (direct bilateral off market transaction without going through the Exchange platform) 13,000 shares of Sulabh from Anant Fin Consultancy Pvt. Ltd on 9/10/2012. As a noted earlier, Anant Fin Consultancy Pvt Limited is connected with Subodh Agarwal and the company. Noticee's submission that he has purchased the shares does not take away the fact that the shares were bought in off-market without going through the anonymous

Name of the Entity	Basis of Connection
	trading platform of the Exchange. Thus, the Noticee is **connected** with Anant Fin Consultancy Pvt Limited and Subodh Agarwal.
129. Sabreen (Noticee No. 141)	Noticee has received in off market (direct bilateral off market transaction without going through the Exchange platform) 15,000 shares of Sulabh from Anant Fin Consultancy Pvt. Ltd on 7/9/2012. As a noted earlier, Anant Fin Consultancy Pvt Limited is connected with Subodh Agarwal and the company. Thus, the Noticee is **connected** with Anant Fin Consultancy Pvt Limited and Subodh Agarwal.
130. Sanjay Kumar HUF (Noticee No. 142)	He has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
131. Arun Kumar HUF (Noticee No. 143)	She has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
132. Raj Kumar (Noticee No. 144)	He has received 70,000 shares in the first preferential allotment done by the company in March, 2011 and 1,30,000 shares in the second preferential allotment. Hence, the Noticee is **connected** to the company.
133. Manish Maheshwari (Noticee No. 145)	He has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
134. Mahak Maheshwari (Noticee No. 146)	She has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
135. Sajan Kumar Agarwal (Noticee No. 147)	He has received 75,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
136. Narender Kumar HUF (Noticee No. 148)	He has received 1,25,000 shares in the second preferential allotment done by the company in March, 2012. Hence, the Noticee is **connected** to the company.
137. Shubham Agarwal (Noticee No. 149)	The Noticee has recieved in off market (direct bilateral off market transaction without going through the Exchange platform) 20,000 shares of Sulabh from Anant Fin Consultancy Pvt. Ltd on 23/7/2012. As a noted earlier, Anant Fin Consultancy Pvt Limited is connected with Subodh Agarwal and the company. Thus, the Noticee is **connected** with Anant Fin Consultancy Pvt Limited and Subodh Agarwal.
138. Ashish Agarwal (Noticee No. 150)	The Noticee has received shares of Sulabh in physical form from Samtal Financial System Limited which was incorporated by Subodh Agarwal. In view of the above, the Noticee is **connected** to the Subodh Agarwal.

27. The above Noticees, in order to determine their role in the present manipulative scheme, can be divided into the following groups:

a. **Group A** of Noticees who are connected to the company through its promoter directors (PDs) and being a preferential allottee, namely, Noticee Nos. 1, 2, 4 to 16, 31, 32, 83, 123 to 127, 129, 131 to 139, 142 to 148.

b. **Group B** of Noticees who are connected to Subodh Agarwal and hence connected to the company, namely, Noticee Nos. 3, 17 to 29, 34, 37 to 40, 41, 42, 43, 46, 47, 53, 55, 56, 65, 71, 78, 88, 97, 105, 107, 108, 109, 113, 116, 122, 128, 130, 140, 141, 149, 150.

c. **Group C** of Noticees who are connected with Anil Khemka and hence connected to the company through Subodh Agarwal i.e. Noticee nos.45, 48 to 35 51, 57, 67, 76, 86, 92, 94, 103, 110, 111.

d. **Group D** of Noticees who are connected with other Noticees mentioned herein but were not connected with either Company or PDs or Subodh Agarwal or Anil Khemka, namely noticees no. 52, 59, 64, 68, 69, 70, 72, 79, 81, 84, 87, 90, 93, 95, 96, 100, 101, 118.

e. **Group E** of Noticees who had no connection with either Company or PDs or Subodh Agarwal or Anil Khemka, namely, notices no. 30, 33, 35, 36, 44, 58, 61, 75, 77, 80, 85, 89, 91, 92, 98, 99, 102, 104, 106, 112, 114, 115, 117, 120, 121.

28. For the purpose of present proceedings, the role of Noticees in Group A, B and C shall be considered and adjudicated as they are directly or indirectly linked to the company, its promotors and directors and shall be collectively referred as ‘Connected Noticees’. The Noticees in Group B and C are indirectly connected with the company through either Mr. Subodh Agarwal or Mr. Anil Khemka. Noticees related to Mr. Subodh Agarwal are either those where Mr. Subodh Agarwal is holding the position of director or where the Noticee has common director with Subodh Agarwal’s connected entity or the Noticee had an off market transfer with Mr. Subodh Agarwal’s connected entity. Considering that Mr. Subodh Agarwal is directly known to the PDs of the company, hence Noticees connected through him also needs to be considered as Connected Noticees.

29. With regard to connection shown through Anil Khemka, I note that, as per Investigation Report **(IR)**, Mr. Anil Khemka had made statement before the DDIT, Kolkata that he is managing and controlling certain companies and also stated that the main function of such companies was to provide the accommodation entries in the guise of Long Term Capital Gains (apart from Share Capital and Unsecured Loans). Several entities connected to Mr. Anil Khemka, entities named by Mr. Anil Khemka or entities connected to the entities named by him have traded in the scrip of Sulabh. Considering that Mr. Anil Khemka is connected to Mr. Subodh Agarwal, as seen above, it becomes imperative to consider that the said Noticees were connected through Mr. Anil Khemka as Connected Noticees.

30. Noticees in Group D and E are neither directly nor indirectly connected with the company, PD, Mr. Subodh Agarwal or Mr. Anil Khemka, albeit they are connected to other Noticees who traded in the scrip. Since the impugned manipulative scheme was hatched by the company along with PDs and few other Noticees, it is important that the Noticee should be directly or indirectly connected with the company or any PD to establish any substantial connection. In view of the above, a benefit of doubt is given to Noticees of the aforesaid Group and hence they shall not be considered Connected Noticee.

31. With regards to the Noticees who were the Preferential Allottees and are also part of one of the five groups mentioned above, they can be directly considered as connected noticees as held by the Hon'ble SAT in ***Som Prakash Goenka vs. SEBI*** (Appeal No. 323 of 2020, Date of Decision 29.04.2022). SAT held:

"There is no doubt that private placement of shares is rarely given to unknown entities and consequently it can be safely presumed that preferential allottees are known to the Company. One could easily club the preferential allottees in the premeditated scheme to benefit them from the price manipulation which was launched by the promoter directors."

Hon'ble SAT in *Som Prakash* (supra) further held that unless these preferential allottees have increased the price of the scrip or contributed to Positive LTP, they cannot be made part and parcel of the fraudulent scheme just because they reaped in huge profits by selling the shares. Hence, it is pertinent to examine the impact of their trade in the instant case.

32. Noticees who received shares of the company through Preferential Allottments are as under: (March 2011 and March 2012):

Name of Allottee	Promoter/ Non-Promoter	PAN	No. of Shares Allotted
Santosh Kumar Agarwal (Noticee No. 11)	Promoter	ABKPA7972Q	300000 + 200000
Krishana Agarwal (Noticee No. 13)	Promoter	ACFPA8079A	200000 + 200000
Manish Agarwal (Noticee No. 12)	Promoter	ABBPA2326D	200000
Sandhya Agarwal (Noticee No. 15)	Promoter	ACVPA1791R	400000+ 200000
Ruchi Agarwal (Noticee No. 14)	Promoter	ADHPJ2647J	400000 + 200000
Santosh Kumar Agarwal (Noticee No. 11) Karta of Santosh Kumar Agarwal & Sons HUF	Promoter	AADHS9036D	100000
Sanjay Kapoor (Noticee No. 135)	Non-Promoter	AGCPK3754D	125000
Seema Kapoor (Noticee No. 131)	Non-Promoter	AERPK1243A	125000
Sunil Kapoor (Noticee No. 137)	Non-Promoter	AGCPK3755C	125000
Sapna Kapoor (Noticee No. 136)	Non-Promoter	ACQPK3632A	125000

Mahak Maheshwari (Noticee No. 146)	Non-Promoter	AKKPM2866N	125000
Manish Maheshwari (Noticee No. 145)	Non-Promoter	AGRPM7399D	125000
Ashok Kumar Maheshwari (Noticee No. 138)	Non-Promoter	AARPM1903H	125000
Praveen Kumar Kurele (Noticee No. 124)	Non-Promoter	ADKPK9580A	150000
Naveen Kumar Kurele (Noticee No. 127)	Non-Promoter	AGUPK5822A	150000
Arun Kumar HUF (Noticee No. 143)	Non-Promoter	AAIHA4621B	125000
Sanjay Kumar HUF (Noticee No. 142)	Non-Promoter	AAQHS9987L	125000
Narinder Kumar HUF (Noticee No. 148)	Non-Promoter	AAEHN5960N	125000
Mahabir Pershad HUF (Noticee No. 143)	Non-Promoter	AAEHM9343L	125000
Sajan Kumar Agarwal (Noticee No. 147)	Non-Promoter	AAKPA5957G	75000
Som Prakash Goenka (Noticee No. 126)	Non-Promoter	AAQPG0238C	400000 + 70000
Surendra Kumar Gupta (Noticee No. 8)	Non-Promoter	AAQPG0240E	400000 + 70000
Raj Kumar (Noticee No. 144)	Non-Promoter	AHAPK7548Q	130000 + 70000
Manoj Kumar Agarwal (Noticee No. 123)	Promoter	ABBPA2306H	150000
Sanjeev Sanghi (Noticee No. 132)	Non-Promoter	ABTPS2464C	65000
Vivek Karwa (Noticee No. 139)	Non-Promoter	AJLPK0941J	70000
Divya Agarwal (Noticee No. 2)	Non-Promoter	ACUPG5212E	135000

Manish Kumar Garg (Noticee No. 4)	Non-Promoter	AFDPG9852J	70000
Deepak Kumar Agarwal (Noticee No. 134)	Non-Promoter	ABSPA2276K	70000
Vinay Kumar Agarwal (Noticee No. 125)	Non-Promoter	ACAPA3335N	70000
Praveen Kumar Mishra (Noticee No. 7)	Non-Promoter	AFYPM1852K	70000
Pranveer Singh (Noticee No. 6)	Non-Promoter	AGIPS4486N	70000
Sanjay Kumar (Noticee No. 5)	Non-Promoter	AARPS2632K	70000
Narender Kumar (Noticee No. 129)	Non-Promoter	AARPS2630M	70000

33. Pursuant to detailed analysis, it is established that the aforementioned Noticees are connected (‘**connected notices**’) to each other through a web of off market transfers, common address, email ID and preferential allotment among themselves.

Issue 1 (b) Whether the trades carried out by connected Noticees in Patch 1A, 1B and 2 of the IP have resulted in violation of Regulation 3(a)(b)(c)(d), 4(1), 4(2)(a), (b), (e) and 4(g) of the SEBI (PFUTP) Regulations, 2003, as applicable?

34. I note that, investigation observed that the price of the scrip increased from a low of Rs. 11.00 to a high of Rs. 285.00 on 22.07.2014 (or Rs. 2,850 adjusted for 10:1 split) which translates into a return of whooping 259 times. Further I note that, to examine the same, investigation divided the IP into the following 4 patches:

a) **Patch 1A**: 1/12/2011 – 16/08/2012
b) **Patch 1B**: 17/08/2012 – 01/02/2013
c) **Patch 2**: 04/02/2013 – 22/07/2014
d) **Patch 3**: 23/07/2014 – 04/08/2014

35. The movement in the price of the scrip during the Investigation Period as observed in the different Patches can be seen from the table below:

Patch	Open Price	High Price	Low Price	Close Price	Net price change
1A	11.00 01.12.11	173.65 16.08.12	11.00 01.12.11	173.65 16.08.12	162.65
1B	177.10 17.08.12	494.50 01.02.13	172.05 17.08.12	494.00 01.02.13	320.35
2	50.00 04.02.13	285.00 22.07.14	49.00 04.02.13	243.00 22.07.14	193.60
3	240.50 23.07.14	244.60 04.08.14	91.30 06.01.15	91.30 06.01.15	(151.70)

PATCH 1A (01.12.2011 – 16.08.2012)

36. Monthly summary of trades and sellers during Patch 1A is tabulated:

Period	**Number of Trades**				**Number of Sellers**			
	Connected		Others		Connected		Other	
	Trades	Cum.	Trades	Cum.	Sellers	Cum.*	Sellers	Cum.*
December 2011	12	12	0	0	**1**	**1**	0	0
January 2012	10	22	0	0	3	3	0	0
February 2012	1	23	0	0	1	3	0	0
March 2012	3	26	1	1	2	3	1	1
April 2012	17	43	0	1	3	6	0	1
May 2012	22	65	0	1	4	9	0	1
June 2012	20	85	1	2	2	10	1	2
July 2012	22	107	3	5	3	12	3	4
August 01-16, 2012	9	116	2	7	3	13	2	4
Total	**116**		**7**		**13**		**4**	
No. of Trades above LTP	**115**		**4**		**NA**			
* Represents cumulative count of unique sellers across the period								

37. From the table above, investigation further observed that during Patch 1A, the connected Noticees entered in 116 trades and all trades except one trade were above LTP. Further, it was observed that there were only 4 other entities other than the 13 connected Noticees, as mentioned in Para 47 below, who sold shares during Patch 1A.

38. Further, I note that, majority of the shares sold during this patch were by the connected Noticees and out of 4,560 shares sold by the said 13 connected Noticees

only 3,910 shares were delivered and the delivery of remaining 650 shares were closed out after unsuccessful auctioning. The same was confirmed by BSE *vide* email dated June 02, 2016. As informed by BSE, there were 13 such instances where the connected Noticees failed to deliver the sold shares of Sulabh, the same is tabulated below:

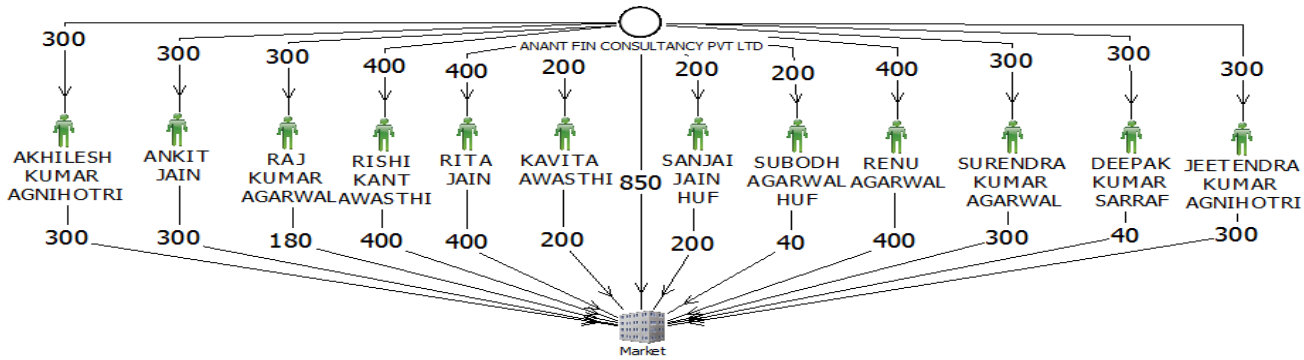
Name of the seller	No. of Instances	Basis of connection
Rita Jain	8	Shareholders of Anant Fin Consultancy Pvt Ltd – allotted shares on January 20, 2012.
Akhilesh Agnihotri	2	
Rishi Kant Awasthi	1	Shareholders of Anant Fin Consultancy Pvt Ltd since incorporation – Signatory to memorandum
Kavita Awasthi	1	Shareholders of Anant Fin Consultancy Pvt Ltd since incorporation – allotted shares on March 30, 2012.
Surendra Kumar Agarwal	1	Received shares of Sulabh from Anant Fin Consultancy Pvt Ltd

39. From the table above I note that as the said Noticees (Noticee No. 17 to 22) failed to deliver the sold shares of Sulabh, it can be infered that they have entered into a transaction in securities without intention of performing it or without intention of change of ownership of such securities. In this regard, I note that these Noticees have submitted that the lapse was due to inadvertent mistake in filling delivery instructions slip. However, I note that even if the submission of the aforesaid Noticees is taken on face value, it is noted from the IR that the exchange claimed that such shares also could not be bought in the auction as well. Even if the mistake of the aforesaid Noticees are considered genuine, as claimed by them, they could have given their shares in the auction which they failed to do as confirmed by BSE above. Moreover, as discussed in the preceding paragraphs, the fact of non-delivery of shares when seen in light of the trading pattern of the Connected Noticees, shows that the Connected Noticees were not only trying to increase the price of the scrip but were also trying to control the supply of shares in the market.

40. The above facts establish that they together repeatedly failed to deliver shares after selling the same in market, entered into transaction in securities without intention of performing it/ without intention of change in ownership of such security.

Consequently, they have violated, among others, Regulation 4 (g) of PFUTP Regulations.

41. Further I note that, Anant (Noticee No. 23), which had common director i.e., Dheeraj Agarwal, with a promoter of Sulabh i.e., Govind Mercantile Private Limited, was the source for all the aforesaid 3,910 shares that were delivered by the connected Noticees in Patch 1A. Further I also note that Anant had acquired 14,400 shares from one of the erstwhile promoters of the Company i.e., Avyav Jhunjhunwala on May 31, 2011. Thereafter, Anant, a connected noticee, transferred 13,550 shares to 23 entities (which include 12 connected Noticees) and continued to own 850 shares. Further, the number of shares so received by each of the aforesaid 12 connected Noticees was equal to or less than the number of shares delivered by the respective Noticees. Therefore, I note that during Patch 1A, the source of shares sold and delivered by all the 12 connected Noticees was Anant i.e., an entity connected to the new promoters. The flow of shares from Anant to 12 connected Noticees by way of physical share transfer along with delivery of shares through on-market sale by the 13 sellers (including Anant) is depicted below:



42. As can be seen from above, the Noticees namely, Anant Fin Consultancy Pvt. Ltd. (Noticee No. 23), Akhilesh Kumar Agnihotri (Noticee No. 17), Ankit Jain (Noticee No. 24), Raj Kumar Agarwal (Noticee No.19), Rishi Kant Awasthi (Noticee No. 21), Rita Jain (Noticee No. 22), Kavita Awasthi (Noticee No. 18), Sanjai Jain HUF (Noticee No. 27), Subodh Agarwal HUF (Noticee No. 28), Renu Agarwal (Noticee No. 20), Surendra Kumar Agarwal (Noticee No. 29), Deepak Kumar Sarraf (Noticee

No. 25), Jeetendra Kumar Agnihotri (Noticee No. 26) were the connected Noticees involved in trading in the scrip of the company in Patch 1A.

43. In this connection, Anant Fin Consultancy Pvt. Ltd. (Noticee No. 23) has contended that acquisition of 14,400 shares from an erstwhile Promoter cannot be construed as a device or a scheme. In this regard, I note that, the same cannot be accepted, as when we see it on a standalone basis the said acquisition cannot be said to be part of a device or scheme but when seen in the context of the facts and circumstances of the case, where, the shares, after being acquired were transferred in off market within a month to various entities including 12 Connected Noticees who along with Anant Fin Consultancy Pvt. Ltd. have then traded in minimum lot size consistently over a period of months while contributing positively to LTP and also used the said shares to meet their delivery obligation, demonstrates that the acquisition from the erstwhile Promoter was part of a device or a scheme.

44. The order log for the period covered under Patch 1A i.e. between December 01, 2011 and August 16, 2012 is tabulated below:

Particulars	**Buy**	**Sell**
Total number of Valid orders entered	4,216	127
Total original order quantity	24,17,137	5,486
Average original order quantity per valid order	573	43
No. of Noticees placing orders	196	19
No. of orders that converted into trades	119	123
Average order quantity in orders that converted into trades	744	39

45. On perusal of the order log, I note that all the 123 sell orders that were converted into trades were placed after considerable time gap from the buy orders (average time gap was 02:21:59). From the pattern of time gap and difference between the average order quantities, tabulated above, it can be concluded that there was large

and scattered demand for shares and the price was manipulated by controlling the supply of shares.

46. I note that during Patch 1A the price of the scrip of Company moved up by Rs.162.65 (from Rs. 11.00 to Rs. 173.65). I further note that the contribution of the said connected Noticees is significant i.e. Rs. 154.25 out of Rs. 162.65, hence they were controlling the supply in market by selling in minimum lot and also by defaulting on delivery of shares on some instances. Hence I note that, in this way they were able to artificially increase the price of the scrip and laid foundation for the whole scheme of manipulation and subsequent fraudulent trades.

47. Further, I note that in Patch 1A, the said 13 connected Noticees were only selling the shares and none of the buyers in this patch were found to be connected, rather they were all scattered. The analysis of trading pattern by the said Noticees alongwith their LTP contribution indicates how by trading in small quantities they raised the LTP cumulatively to approx 95%. The same is tabulated below:

S.No	Seller Name	All Trades				Trades above LTP				Trades at LTP			% of + LTP to Market + LTP
		LTP	QTY Sold	No. of trading days	No of trades	LTP	QTY sold	No. of trading days	No of trades	QTY Sold	No. of trading days	No of trades	
1	Raj Kumar Agarwal	43.30	180	18	18	43.30	180	18	18	-	-	-	26.62
2	Anant Fin Consultancy Pvt Ltd	32.30	850	21	21	32.30	800	20	20	50	1	1	19.86
3	Surendra Kumar Agarwal	15.45	350	7	7	15.45	350	7	7	-	-	-	9.50
4	Renu Agarwal	12.80	400	8	8	12.80	400	8	8	-	-	-	7.87
5	Deepak Kumar Sarraf	12.10	40	4	4	12.10	40	4	4	-	-	-	7.44
6	Subodh Agarwal Huf	11.30	40	4	4	11.30	40	4	4	-	-	-	6.95
7	Kavita Awasthi	8.20	250	5	5	8.20	250	5	5	-	-	-	5.04
8	Rishi Kant Awasthi	6.10	450	9	9	6.10	450	9	9	-	-	-	3.75
9	Rita Jain	4.11	800	16	16	4.11	800	16	16	-	-	-	2.53
10	Akhilesh Kumar Agnihotri	3.35	400	8	8	3.35	400	8	8	-	-	-	2.06
11	Jeetendra Kumar Agnihotri	2.15	300	6	6	2.15	300	6	6	-	-	-	1.32
12	Ankit Jain	1.79	300	6	6	1.79	300	6	6	-	-	-	1.10
13	Sanjai Jain Huf	1.30	200	4	4	1.30	200	4	4	-	-	-	0.80
Sub-total Connected noticees		**154.25**	**4,560**	**116**	**116**	**154.25**	**4,510**	**115**	**115**	**50**	**1**	**1**	**94.84**
Other 4 entities		8.40	226	6	7	8.40	145	4	4	81	2	3	5.16
Grand Total		**162.65**	**4,786**	**119**	**123**	**162.65**	**4,655**	**119**	**119**	**131**	**3**	**4**	**100.00**
Connection among entities: Noticees from S.no 3-13 received shares from entity at S.No 2. Further, Noticees 1-13 (except 2 and 6) are also shareholders of Entity at S.No. 2. Entity 2's director since April 20, 2012 i.e., Mr. Dheeraj Agarwal was a director of Govind Mercantile Pvt Ltd (Promoter of Sulabh). Entity 2 had off market transaction and common directors with several entiites of Mr. Subodh Agarwal who is also the karta of Entity at S.No. 6.													

48. From the above table, it is observed that the said 13 connected Noticees were only acting as sellers during the first patch i.e. Patch 1A and contributed to a total of Rs. 154.25 i.e., 94.84% of the total positive LTP observed during Patch 1A. Based on the trading pattern and behavior of the sellers i.e., control over entire free float shares of the company, close set of entities repeatedly acting as sellers for a long duration of time (over 8 months), source of shares for delivery by all connected sellers being the same entity (Anant Fin Consultancy Pvt. Ltd.), repeated instances of non-delivery (by 5 connected Noticees) of shares after selling the same on market, selling minimal number of shares and at maximum price (based on the circuit filter and tick size) despite large demand at the same price, I note that the intention of the sellers (13 connected Noticees) was to mark the price higher and not merely to enter into the sale transactions carried out by them.

49. Monthly summary of trades and sellers during Patch 1A is tabulated below:

	Number of Trades				**Number of Sellers**			
	Connected		Others		Connected		Other	
Period	Trades	Cum.	Trades	Cum.	Sellers	Cum.*	Sellers	Cum.*
December 2011	12	12	0	0	**1**	**1**	0	0
January 2012	10	22	0	0	3	3	0	0
February 2012	1	23	0	0	1	3	0	0
March 2012	3	26	1	1	2	3	1	1
April 2012	17	43	0	1	3	6	0	1
May 2012	22	65	0	1	4	9	0	1
June 2012	20	85	1	2	2	10	1	2
July 2012	22	107	3	5	3	12	3	4
August 01-16, 2012	9	116	2	7	3	13	2	4
Total		**116**		**7**		**13**		**4**
No. of Trades above LTP		**115**		**4**	**NA**			
* Represents cumulative count of unique sellers across the period								

From the table above, I note that during Patch 1A, the connected noticees entered in 116 trades and all trades except one trade were above LTP. I further note that there were only 4 other entities, other than the 13 connected noticees who sold shares during Patch 1A.

50. From the aforesaid findings I conclude that the aforementioned Noticees are connected to each other through a web of off market transfers and through other connections as shown in preceding paragraphs. I note that the Noticees were acting

in concert to manipulate the price of the scrip. I also note from the trading pattern that the trades of the Noticees had an impact on the price of the scrip.

51. Despite sufficient buy orders being available in the market, they released very small quantity of shares in each transaction and performed not more than one transaction a day. By these trades, they matched the price of prevailing buy orders which were placed at a higher price than the last traded price and thus contributed to increased scrip price with each of their trades, and thereby misled the investors. In view of the repeated nature of such trades by these Noticees, their culpability in increasing the price is thus established. From the above trading pattern, I further note that the intention of the aforesaid Noticees was to mark the price higher and not merely to enter into the sale transactions carried out by them.

52. In this regard I note that, Mr. Raj Kumar Agarwal (Noticee No. 19) has submitted that he has bought shares in off market on the advice of his acquaintance and off market transfers are not per se illegal. The Noticee has further submitted that he has executed very few sell trades with negligible volume which cannot influence the price of the scrip and when he started executing trades, the price of the scrip had already increased.

53. With respect to Noticee's submission of buying shares in off market, I note that there was no trading in the scrip till December 1, 2011 except on 1 day and even that said trading was post Noticee's off market purchase in the scrip. The financials of the company were weak and the net profit of the company was falling prior to Noticee's acquisition which was on June 25, 2011 (in the financial year 2008- 2009, the profit was Rs.9 lakh which fell to Rs.1 lakh in the financial year 2010-2011). Given the aforesaid facts, a shadow of doubt could be cast on the rationale for investing in such a scrip which the Noticee has failed to justify. In the given facts and circumstances of the case, where the Noticee was one of the connected noticees

and the price of the scrip increased by Rs.162.65 with single trades, shows that intent of doing off market acquisition by the Noticee was not genuine.

54. With regards to the other contention of the Noticee that it has executed very few sell trades with negligible volume which cannot influence the price of the scrip and when he started executing trades, the price of the scrip had already increased, I find that the allegation against the Noticee is that he, being one of the connected Noticees, has executed trades in a specific pattern which has influenced the price of the scrip. Thus, Noticee's trades have to be seen together with the trades of other Connected Noticees and not separately or individually. It is the sum total of the combined effect which the Connected Noticees had on the price of the scrip which is in question and not the individual role played by the Noticee. Being part of a group, it is but obvious that each Connected Noticees will play their respective part in the scheme, which, when seen on a stand alone basis, may or may not be significant. However, the said fact will not distort the larger picture of manipulation of the price of the scrip pursuant to a scheme. In view of the above, I find no merit in the above contention of the Noticee.

55. Anant Fin Consultancy Pvt. Ltd. (Noticee No. 23) has contended that it is totally erroneous to say that mere placing orders at higher price than LTP per se can be construed as giving rise to manipulation in the price of the scrip. Here, I would like to refer to the observation of Hon'ble SAT in the matter of ***Mrs. Kalpana Dharmesh Chheda and Ors.*** **Vs** ***SEBI and Ors****.* decided on February 25, 2020, wherein the Hon'ble SAT observed as follows:

> "*…We do not find much merit in the submissions made by the learned counsel for the appellants though generally it can be stated that selling at a price higher than the LTP particularly when buy orders are available in the system cannot be considered as manipulative in itself. However, looking at the pattern of trading done by the appellants and the fact that the appellants have derived considerable financial benefit through that particular scheme or nature of trading we are of the view that the trading pattern adopted by*

the appellants is of a manipulative and unfair nature and would squarely fall within the ambit of the PFUTP Regulations. The pattern of trade clearly establishes this as it is on occasions that the appellants sold 1 to 5 shares, mostly one share, when in fact the buy orders available in the system was much higher. This behavior cannot be justified in terms of normal were among the top two net sellers during the relevant period. Therefore, when the appellants were holding a large number of shares (Appellant No. 1 – 15045 shares and Appellant No. 2 – 1009 shares), their selling miniscule quantity of one share each on more than four dozen occasions is nothing but a strategy of manipulation and unfairly benefiting by off-loading the entire shareholding after raising the price to considerable levels..."

56. Further, Hon'ble SAT in the matter of ***Systematix Shares & Stocks (India) Ltd. vs. SEBI*** decided on April 23, 2012, has observed as follows:

"…It is true that trading at a price above the last traded price is no offence. However, the pattern of trading in the present case proves that there was a well thought out plan behind the placing of orders by the clients through the appellant. As observed above, the scrip was illiquid and low profile. The financial results of the company had nothing great to be spoken about. The paid up capital of the company was only Rs.96 lacs consisting of 9,60,000 shares of Rs.10 each. The highest net profit registered by the company was Rs.6.5 lacs in March 2009. The value of the scrip at 874 achieved in June 2009 is to be gauged against the above background. Obviously, an attempt was made to inflate the share price by trading in single shares above the last traded price over a period of time. The adjudicating officer found that during the investigation period there was more buying interest in the scrip than that of selling which is revealed through the quantum of buy and sell orders. He has established that the trading in minimum number of shares per day was for the purpose of setting a new high price so that it would serve as the opening price in the next day and the process continued over a period of time. Considered in the background of the facts available in the case, the

conduct of the appellant cannot be brushed aside as a normal and lawful market practice…"

57. In light of the aforesaid observations of Hon'ble SAT, I note that the trading pattern of the Connected Noticees in the given facts and circumstances of the present case is manipulative in nature. The factors mentioned by Hon'ble SAT in the aforesaid 2 orders namely, trading in minimum lot at regular interval when in fact the buy orders available in the system were much higher and weak fundamentals of the company, are also present in the extant matter. The said factors have also been discussed and considered in preceding paragraphs. Thus, the submission of the Noticee that it is erroneous to say that placing orders over LTP can lead to price manipulation, is not tenable.

58. In view of the above, I found that Noticee No. 17 to 29 have in Patch 1A, manipulated the price of the scrip, created false and misleading appearance of trading in the securities market and also carried out an act/practice which opearated as a fraud or deceit in the market.

PATCH 1B (17.08.2012 – 01.02.2013)

59. The time period for Patch 1B is August 17, 2012 to February 01, 2013. During this period the price of the scrip rose from Rs. 173.65 to Rs. 494.00 i.e. the scrip gained Rs. 320.35 in this time period. The connected Noticees trading during this period were, like the previous patch i.e. selling and contributing significantly to the sale to the market volume and sold a total of 1,35,398 shares (equivalent to 85.04% of the total sale to the market volume). Here again, as sellers, the connected Noticees were contributing significantly to LTP and were raising the price of the scrip.

60. The noticees on the sell side whose contribution to net LTP was positive are tabulated below:

Seller Name	All Trades				Trades above LTP				Trades below LTP				Trades at LTP			% of + LTP to Market + LTP
	Net LTP	QTY sold	No. of trading days	No of trades	LTP	QTY sold	No. of trading days	No of trades	-ve LTP	QTY sold	No. of trading days	No of trades	QTY sold	No. of trading days	No of trade s	
Divya Agarwal	32.35	26,500	11	76	34.50	5,011	10	16	2.15	2,295	5	6	19,194	10	54	5.21
Pranveer Singh	28.25	70,000	22	267	35.15	2,343	11	14	6.90	5,600	11	18	62,057	22	235	5.31
Abhay Jain Huf	20.40	1,500	1	8	20.55	700	1	1	0.15	350	1	2	450	1	5	3.10
Bhawri Devi Jain	16.70	15,000	6	6	17.20	11,000	4	4	0.50	3,000	1	1	1,000	1	1	2.60
Ram Lubhaya Vohra	14.90	3,200	4	18	15.65	501	3	4	0.75	100	1	1	2,599	4	13	2.36
Geeta Mishra	12.95	48,209	27	186	44.10	6,518	15	19	31.15	5,869	8	16	35,822	25	151	6.66
Deepak Kumar Sarraf	11.30	30	3	3	11.30	30	3	3	-	-	-	-	-	-	-	1.71
Amit Jain	10.00	1,500	2	5	10.00	10	1	1	-	-	-	-	1,490	2	4	1.51
Subodh Agarwal Huf	7.20	20	2	2	7.20	20	2	2	-	-	-	-	-	-	-	1.09
Vijay Shree Bihani	7.10	2,058	11	21	13.10	304	3	3	6.00	400	3	3	1,354	10	15	1.98
Manish Kumar Garg	6.00	21,500	7	59	10.00	443	2	6	(4.00)	1,900	2	3	19,157	7	50	1.51
Praveen Kumar Mishra	5.10	30,444	13	96	26.55	576	6	8	(21.45)	3,905	7	11	25,963	13	77	4.01
Shubhang Exports Ltd	4.55	7,115	2	18	4.55	25	1	1	-	-	-	-	7,090	1	17	0.69
Ram Pher Dwivedi	4.15	6,000	4	21	4.15	500	1	2	-	-	-	-	5,500	4	19	0.63
Raj Kumar Agarwal	3.65	10	1	1	3.65	10	1	1	-	-	-	-	-	-	-	0.55
Sanjay Kumar	1.90	50,544	20	135	16.30	3,342	10	13	(14.40)	620	3	3	46,582	18	119	2.46
Abha Dwivedi	1.10	6,000	4	36	1.65	825	3	4	(0.55)	310	2	3	4,865	4	29	0.25
Rajesh Bhiani	0.85	4,228	10	24	8.25	502	4	4	(7.40)	384	3	3	3,342	7	17	1.25
Param Jeet Singh	0.50	5,500	3	23	0.50	495	1	1	-	-	-	-	5,005	2	22	0.08
Reena Jain	0.25	1,500	3	10	0.25	500	1	1	-	-	-	-	1,000	3	9	0.04
Usha Jain	0.25	1,500	1	4	0.25	500	1	1	-	-	-	-	1,000	1	3	0.04
Sub Total (21 Noticees)	**189.45**	**3,02,358**	**89**	**1,019**	**284.85**	**34,155**	**61**	**109**	**(95.40)**	**24,733**	**43**	**70**	**2,43,470**	**79**	**840**	**43.03**
Other 96 entities	130.90	1,90,238	98	851	377.20	17,984	71	115	(246.30)	25,407	51	102	1,46,847	78	634	56.97
Grand Total	**320.35**	**4,92,596**	**115**	**1,870**	**662.05**	**52,139**	**100**	**224**	**341.70**	**50,140**	**73**	**172**	**3,90,317**	**97**	**1,474**	**100.00**

61. From the table above I note that, 21 Noticees were the primary sellers of the scrip and out of 115 days taken in Patch 1B by investigation, the said noticees together were found to be selling shares on 89 days and they together contributed Rs. 189.45 out of the total (net) price rise of Rs. 320.35 (i.e., 59.14%) in this patch. From the

trades done above LTP, the above Noticees were able to raise the LTP by Rs. 284.85 of the gross positive LTP variation of Rs. 662.05 (i.e., 43.03%). The quantities traded by the said 21 noticees were also significantly more than the total shares sold by other 96 entities in this patch. Their contribution of more than 50% of the net market price movement (59.14%) indicates strongly towards the manipulating scheme employed by the said Noticees, whereby they were constantly involved in selling the scrip above the LTP in multiple trades with small quantities resulting in manipulation of price of the scrip and hence creating market sentiment in favour of the scrip without any improvement in the performance of the Company. This resulted in increase in the traded volume which enhanced the demand and provided an opportunity to the Noticees to move the price of the scrip upwards which is in consonance with the larger scheme of things.

62. However, I note that, out of 21 Noticees who were trading in scrip in Patch 1B, 4 Noticees namely, Ms. Abha Dwivedi (Noticee No. 30), Ms. Bhawri Devi Jain (Noticee No. 33), Mr. Ram Lubhaya Vohra (Noticee No. 35) and Mr. Ram Pher Dwivedi (Noticee No. 36) are found to be not connected with the company or its Promoters / Directors in any manner and hence are not part of connected noticees. Since, the allegation against the said 4 Noticees is based on them being connected, which has not been established, they shall not be counted among Connected Noticees.

Particulars	**Amongst connected entities**	**Total Market**
Trade Volume	1,77,579 (48.31% of the market volume)	4,92,596
No. of trades	581	1,870
Net LTP	Rs. 62.15 (19.40% of the net price rise)	Rs. 320.35
Gross +ve LTP	Rs. 112.25 (60 trades for 29,912 shares - 16.95% of market) Out of LTP of Rs. 124.95, 8 buyers tabulated in table below together contributed Rs. 121.75.	Rs. 662.05 In 182 trades for 52,139 shares

63. I note that in this Patch, the 17 (21-4) connected Noticees were trading with some of the other Noticees and contributed significantly to the net LTP of the scrip. This Patch is peculiar than Patch 1A as in this patch, some of the connected Noticees

were selling and some of them were also buying the scrip and consequently taking the LTP higher. The summary of such trades is provided below:

64. From the perusal of the trading details of Patch 1B, I note that 13 Noticees were among the buyers to the sell trades executed by aforesaid 17 connected Noticees. The summary of such trades between the aforesaid connected buyers and sellers is tabulated below:

Sr. No	Noticee buyers to the sell trades of 17 connected Noticees in Patch 1B	Trades of 21 Noticees tabulated above					
		All Trades			Trades with +ve LTP		
		Net LTP	No. of Trades	Trade Qty	+ve LTP	No. of Trades	Trade Qty
1	Subodh Agarwal	20.55	75	14,945	26.00	7	2,397
2	Rajesh Bhiani	19.60	13	1,035	33.05	4	40
3	Skm Travels Pvt Ltd	12.60	47	30,949	12.95	17	14,005
4	Sanklap Vincom Pvt Ltd	9.45	31	19,500	10.00	3	5,500
5	Shrishti E Systems Pvt Ltd	8.00	28	8,950	8.20	6	1,800
6	KPK Fin Consultancy Pvt Ltd	4.90	24	3,933	6.80	4	1,050
7	Shreya Stocks and Shares Pvt Ltd	4.10	83	23,339	5.85	6	1,530
8	Akhilesh Kumar Agnihotri	2.05	35	6,690	6.30	5	840
9	Anant Fin Consultancy Pvt Ltd	0.75	9	3,300	0.75	2	700
10	Raghuvansh Agrofarms Ltd	0.70	30	4,975	1.00	2	450
11	Jeetendra Kumar Agnihotri	0.50	49	10,798	0.50	1	300
12	Renu Katiyar	0.50	1	800	0.50	1	800
13	Signet Vinimay Pvt Ltd	0.10	11	3,000	0.10	1	200
	Total	**83.80**	**436**	**1,32,214**	**112**	**59**	**29,612**

65. From the above list of buyers, Ms. Renu Katiyar (Noticee No. 44) was not found to be directly or indirectly connected to the company or any PD. The aforesaid 12 connected Noticees contributed Rs. 83.30 to Net LTP on the buy side (out of total Rs. 152.60 contributed by the 17 connected noticees on the sell side and Rs. 320.35 of market LTP). The 12 connected Noticees at Table above were found to have predominantly traded with the 17 connected Noticees and contributed significantly to LTP. This significant increase in LTP was without any significant improvement in the performance of the Company during the same time period and was completely unjustified in the absence of any material corporate announcements made by Sulabh and also due to the fact that Sulabh had very poor financials and weak fundamentals, as mentioned before. I further note that since the connected Noticees controlled the free float shares of Sulabh, the aforesaid connected Noticees acted

as a group towards manipulating and artificially increasing the price of the scrip during Patch 1B.

66. Further, I note that out of the 17 connected Noticees in Patch 1B who were selling the shares of company and were found to have effected the LTP, 6 Noticees i.e. Divya Agarwal (Noticee No. 2), Manish Kumar Garg (Noticee No. 4), Geeta Mishra (Noticee No. 3), Praveen Kumar Mishra (Noticee No. 7), Pranveer Singh (Noticee No. 6) and Sanjay Kumar (Noticee No. 5) were Preferential Allottees.

67. In this regard, submissions made by aforesaid preferential allottees have been perused and common submissions made are as under:

a) Based on the information and feedback received from various professionals, friends and other persons in the industry, who have adequate knowledge of securities market, they had subscribed in the preferential issue of the company.
b) The issuance of shares by way of preferential allotment was done in consonance with applicable provisions of SEBI Regulations and Listing Agreement.
c) Some have also submitted that their decision to invest was based on company's strong financials and consistent dividend paying record.
d) After the expiry of the lock in period, since there were no fetters in selling the shares and the price had also increased, so they decided to sell the shares.
e) As a seller, endeavor will be to sell shares at a higher price.
f) On the basis of executing few stray trades over the LTP, a serious charge of LTP manipulation cannot be levelled against the Noticees.
g) Further, the total trading in the scrip has to be viewed holistically.

68. With regards to the aforementioned common contentions, it is pertinent to mention here that shares were allotted by the company in a preferential allotment unlike a public issue where funds are raised by inviting subscriptions from the public in general. Preferential issues can only be made by pre-negotiation. This signifies that the allottees agreed with the company on one-to-one basis to subscribe to its

shares. Though Sulabh is a listed company, its shares were almost never traded. After a single trade on October 9, 2009, trading in the scrip was observed only from December 1, 2011 and even after that the scrip was infrequently traded. Further, the profits of the company had reduced significantly from Rs.9 lakh to Rs.1 lakh from the financial year 2008 -2009 to financial year 2010-2011 and there is nothing on record to show that the fundamentals of the company changed substantially at the time of the preferential allotments which will inspire confidence in the company. It is noted that, even in such circumstances, the company was able to raise approximately Rs.19.60 crore from 73 persons by selling its shares at a price of Rs.20/- per share (including premium of Rs.10). This is only possible if there was a prior tacit understanding between the company and the preferential allottees to benefit subsequent to the allotment i.e., after the lock-in period ends. Further, just paying dividend does not imply the strong financials of the company which is obvious from the financial statements of the company for 6 years (2009-2015) where the amount of profit was negligible for each financial year, as mentioned earlier in the preceeding paragraphs. The aforesaid Connected Noticees are also unable to demonstrate or provide any plausible reasons or supporting documents like information memotrandum etc as to why any rational investor would like to invest in such a company that has neither any trading history nor have any financial or business presence/recognition in the market. The aforesaid demonstrates a nexus between the allottees and company and its PDs. The pefrential allottees did not sell the shares immediately after the lock-in period and waited for 6 months period, during which it isnoticed that the Connected Noticees manipulated the price of the scrip in Patch 1A and increased the price substantially. This has already been discussed in the preceeding paragraphs. The same is also substantiated by their conduct of selling shares within a short span of time when the lock-in period was over and when the price of the scrip had increased significantly. In view of the aforesaid, I do not find any merit in the contention of the Connected Noticees that their decision was based on the fundamentals of the company.

69. From the above, I note that, despite holding abundant quantity of shares, by their trades, they matched the price of prevailing buy orders which were placed at a higher price than the last traded price and thus contributed to increased scrip price with each of their trades, which were performed not more than one transaction a day. In view of the repeated nature of such trades by these Noticees, their culpability in increasing the price is thus established. It is evident from the above trading pattern that the intention of these Noticees was to mark the price higher and not merely to enter into the sale transactions carried out by them. With respect to the contention of Connected Noticees that few stray trades over the LTP cannot lead to a charge of manipulation and that their entire trade in the scrip has to be seen holistically. Similar contention has already been addressed in the preceding paragraphs.

70. As observed in the previous patch, I again note that despite sufficient buy orders being available in the market, the connected noticees sold very small quantity of shares in each transaction and performed not more than one transaction a day. By these trades, they matched the price of prevailing buy orders which were placed at a higher price than the last traded price and thus contributed to increased scrip price with each of their trades, and thereby misled the investors. In view of the repeated nature of such trades by these Noticees, their culpability in increasing the price is thus established. From the above trading pattern, I further note that the intention of the aforesaid Noticees was to mark the price higher and not merely to enter into the sale transactions carried out by them.

71. In view of the above, I note that, in Patch 1B, 17 Connected Noticees influenced the price from the sell side and 12 connected Noticees influenced the price from buy side by increasing the net LTP. By taking into account the proportionate impact caused to the LTP by trading of such 28 connected Noticees [17+12-1 (Rajesh Biani traded from both side)] in the second Patch i.e. 1B, I conclude that the said connected Noticees namely Divya Agarwal (Noticee No.2), Geeta Mishra (Noticee No. 3), Manish Kumar Garg (Noticee No. 4), Sanjay Kumar (Noticee No. 5),

Pranveer Singh (Noticee No. 6), Praveen Kumar Mishra (Noticee No. 7), Raj Kumar Agrawal (Noticee No. 19), Deepak Kumar Sarraf (Noticee No. 25), Subodh Agarwal HUF (Noticee No. 28), Abhay Jain HUF (Noticee No. 31), Amit Jain (Noticee No. 32), Rajesh Bhiani (Noticee No. 34), Reena Jain (Noticee No. 37), Param Jeet Singh (Noticee No. 38), Shubhang Exports Ltd. (Noticee No. 39), Usha Jain (Noticee No. 40), Vijay Shree Bihani (Noticee No. 41), Subodh Agarwal (Noticee No.1), Akhilesh Kumar Agnihotri (Noticee No. 17), Anant Fin Consultancy Pvt Ltd (Noticee No. 23), Jeetendra Kumar Agnihotri (Noticee No. 26), KPK Fin Consultancy Pvt Ltd. (Noticee No. 42), Raghuvansh Agrofarms Ltd (Noticee No. 43), Sankalp Vincom P Ltd. (Noticee No. 45), Shreya Stocks & Shares Pvt. Ltd. (Noticee No. 46), Shrishti E Systems Pvt Ltd. (Noticee No. 47), Signet Vinimay Pvt Ltd. (Noticee No. 48), SKM Travels Pvt Ltd. (Noticee No. 49) have violated Regulation 3(a), (b), (c), (d), 4(1), 4(2)(a)(b) and (e) of SEBI (PFUTP) Regulations, 2003.

PATCH 2 (04.02.2013 – 22.07.2014)

72. I note that, in this patch the Company divided the face value of its shares from Rs. 10 to Re. 1 and the shares were traded on ex-split basis from February 04, 2013. Accordingly, the net shares sold by the connected Noticees during Patch 1A and 1B i.e. 4,560 + 1,35,398 = 1,39,958 shares (i.e. 13,99,580 shares post split). The 13,99,580 shares are hence available with other shareholders (other than the connected Noticees). Unlike the first two Patches where the connected Noticees were predominantly sellers and were raising the LTP by selling the shares of the Company through small trades, in this Patch the connected Noticees were observed to be the net buyers and were increasing the price of the share by continuously buying shares at a higher price.

73. It was observed during Patch 2 that the market Net LTP in Patch 2 was Rs. 193.60 and the below mentioned 83 Noticees contributed Rs.636.75 to the net LTP whose details are tabulated below:

Buyer Name	All Trades				Trades above LTP				Trades below LTP				Trades at LTP			% of + LTP to Market + LTP
	Net LTP	QTY bought	No. of trade days	No of trades	LTP	QTY bought	No. of trade days	No of trades	-ve LTP	QTY bought	No. of trade days	No of trades	QTY bought	No. of trade days	No of trades	
Apex Commotrade Pvt Ltd	52.55	8,60,696	105	2,866	62.40	77,784	71	160	9.85	27,566	42	58	7,55,346	103	2648	1.84
Spice Merchants Pvt Ltd	48.45	1130691	103	2,783	79.15	163628	64	166	30.70	51,242	52	85	9,15,821	98	2532	2.34
Ankit Jain	32.60	9,100	2	3	32.60	7,770	2	2	-	-	-	-	1,330	1	1	0.96
Littlestar Tradecom Pvt Ltd	29.10	4,72,245	39	694	36.05	95,494	30	80	6.95	20,811	18	35	3,55,940	39	579	1.07
Aviral Industries Ltd	28.45	3,92,354	30	3,010	50.05	15,100	24	79	21.60	7,052	18	71	3,70,202	30	2860	1.48
Goldensight Management Pvt Ltd (Strike Off)	28.20	6,16,806	26	1,307	35.20	56,148	23	84	7.00	5,502	17	19	5,55,156	25	1204	1.04
Signet Vinimay Pvt Ltd	28.15	5,83,589	73	1,905	35.45	51,543	52	111	7.30	20,695	26	31	5,11,351	73	1763	1.05
Bakliwal Vyapaar Pvt Ltd	27.10	2,73,342	14	1,291	32.10	19,000	14	61	5.00	1,428	8	14	2,52,914	14	1216	0.95
Kamta Prasad Pandey	25.65	40,367	48	341	121.20	14,692	36	101	95.55	10,038	39	124	15,637	30	116	3.58
Runicha Merchants Pvt Ltd	25.40	5,38,902	84	2,396	38.10	26,065	44	95	12.70	32,210	45	50	4,80,627	79	2251	1.13
Manoj Kumar Misra	24.90	62,698	36	653	41.85	3,660	12	37	16.95	3,367	14	17	55,671	34	599	1.24
Swaraj Retails Pvt Ltd	22.35	3,43,042	36	552	33.25	80,048	31	74	10.90	29,965	28	43	2,33,029	32	435	0.98
Sanklap Vincom P Ltd	21.80	6,81,578	83	2,704	30.70	51,462	53	136	8.90	24,960	23	29	6,05,156	81	2539	0.91
Chaaya Reality Pvt Ltd(Strike off)	19.20	2,39,013	22	274	25.15	53,393	21	52	5.95	16,182	15	26	1,69,438	22	196	0.74
Pragna Harshad Panchal	16.75	12,050	4	22	19.30	8,208	2	5	2.55	192	2	3	3,650	4	14	0.57
Levia Trading Pvt Ltd	16.10	3,83,616	22	940	17.70	35,447	17	55	1.60	3,272	8	10	3,44,897	22	875	0.52

Buyer Name	All Trades				Trades above LTP				Trades below LTP				Trades at LTP			% of + LTP to Market + LTP
	Net LTP	QTY bought	No. of trade days	No of trades	LTP	QTY bought	No. of trade days	No of trades	-ve LTP	QTY bought	No. of trade days	No of trades	QTY bought	No. of trade days	No of trades	
(Strike Off)																
Ayodhya Vinimay Ltd (Strike Off)	14.75	2,33,857	11	546	17.55	13,604	10	38	2.80	3,058	7	13	2,17,195	11	495	0.52
Dream Infraproperties Pvt Ltd	11.00	2,59,719	19	330	14.75	36,167	13	34	3.75	14,420	8	15	2,09,132	19	281	0.44
Vijay Shree Bihani	10.40	11,600	7	64	10.50	2,806	6	8	0.10	10	1	1	8,784	5	55	0.31
Jasmine Commodities Pvt Ltd	10.05	3,17,571	45	2,527	25.80	13,842	31	75	15.75	4,039	26	42	2,99,690	44	2410	0.76
Nathu Lal Sharma (deceased)	10.00	4,40,000	7	363	14.45	98,706	6	42	4.45	43,303	6	27	2,97,991	7	294	0.43
Winall Vinimay Pvt Ltd	9.60	4,25,731	62	1,234	15.60	34,240	30	59	6.00	12,913	20	22	3,78,578	62	1153	0.46
Rita Jain	8.90	2,150	4	13	8.90	675	3	3	-	-	-	-	1,475	2	10	0.26
Goodview Projects Pvt Ltd	8.05	2,60,507	22	336	10.55	47,405	16	38	2.50	16,037	10	16	1,97,065	22	282	0.31
Templerun Marcom Pvt Ltd	7.30	2,42,850	9	374	7.70	16,251	6	20	0.40	1,880	3	6	2,24,719	9	348	0.23
Coral Tradecom Pvt Ltd	7.10	1,17,500	8	380	7.45	8,059	6	21	0.35	600	1	2	1,08,841	8	357	0.22
Gagandeep Construction Company Pvt Ltd	6.55	21,421	11	218	11.15	3,219	6	13	4.60	1,546	5	7	16,656	7	198	0.33
Overarching Dealers Pvt Ltd	6.30	1,14,373	8	552	6.95	9,284	6	20	0.65	5,955	3	8	99,134	8	524	0.21
Mahamani Tradelink Pvt (Strike Off)	5.90	78,350	7	215	7.60	10,600	5	15	1.70	1,811	3	3	65,939	7	197	0.23
Kapeeshwar Vintrade Pvt (Strike Off)	5.85	90,350	9	120	7.65	10,376	6	10	1.80	19,300	7	9	60,674	8	101	0.23
Panem Steel Pvt Ltd	5.85	1,07,800	7	264	6.60	8,934	5	19	0.75	2,761	4	5	96,105	7	240	0.20

Buyer Name	All Trades				Trades above LTP				Trades below LTP				Trades at LTP			% of + LTP to Market + LTP
	Net LTP	QTY bought	No. of trade days	No of trades	LTP	QTY bought	No. of trade days	No of trades	-ve LTP	QTY bought	No. of trade days	No of trades	QTY bought	No. of trade days	No of trades	
Arunavo Mukherjee	5.75	1,60,600	15	269	7.30	33,088	9	26	1.55	19,577	9	14	1,07,935	14	229	0.22
Saraswati Vintrade Pvt Ltd	5.30	3,06,856	28	430	14.90	34,402	19	48	9.60	19,195	16	23	2,53,259	28	359	0.44
Vasundhara Capital & Securities Ltd	4.15	1,99,709	13	1,505	10.00	2,549	10	15	5.85	1,961	9	13	1,95,199	13	1477	0.30
Overload Financial Advisory Pvt Ltd	3.65	40,000	5	151	4.15	2,778	4	13	0.50	50	1	1	37,172	5	137	0.12
Dhanrashi Promoters Pvt Ltd	3.55	95,000	7	251	3.75	6,644	6	16	0.20	3,026	3	3	85,330	7	232	0.11
Groundzero Vincom Pvt Ltd	3.20	2,44,738	26	285	6.50	46,728	15	41	3.30	19,417	10	17	1,78,593	24	227	0.19
Arise Dealcom Pvt Ltd (Strike Off)	3.00	40,244	6	155	3.45	2,718	4	12	0.45	3,002	3	3	34,524	5	140	0.10
Santosh Kumar Agarwal	2.70	23,500	2	27	2.70	4,235	2	5	-	-	-	-	19,265	2	22	0.08
Gunny Chem Tex India Ltd	2.65	71,070	5	50	4.90	9,495	3	6	2.25	15,925	5	6	45,650	4	38	0.15
Jaideep Halwasiya	2.50	92,230	3	118	2.80	8,200	2	3	0.30	300	1	1	83,730	3	114	0.08
Dynamic Credit Finance Pvt Ltd	1.90	1,30,000	5	66	1.90	8,803	4	6	-	-	-	-	1,21,197	5	60	0.06
Samudhita Dealers Pvt Ltd	1.85	50,787	6	227	3.30	6,400	5	15	1.45	136	3	4	44,251	6	208	0.10
Rishabh Agarwal	1.60	8,480	2	66	1.60	910	1	4	-	-	-	-	7,570	2	62	0.05
Anita Maurya	1.60	7,700	1	3	1.65	5,000	1	1	0.05	2,591	1	1	109	1	1	0.05
Bhima Agencies Pvt Ltd	1.55	1,20,074	12	196	2.20	13,610	8	14	0.65	6,900	2	3	99,564	12	179	0.07
Manoj Agarwal (Huf)	1.55	150	2	7	1.55	109	2	2	-	-	-	-	41	1	5	0.05
Acme Pvt Ltd	1.50	3,500	2	6	1.55	110	1	2	0.05	100	1	1	3,290	2	3	0.05
Susri Finance	1.25	49,470	5	66	1.40	2,776	3	4	0.15	10,694	2	3	36,000	3	59	0.04

Buyer Name	All Trades				Trades above LTP				Trades below LTP				Trades at LTP			% of + LTP to Market + LTP
	Net LTP	QTY bought	No. of trade days	No of trades	LTP	QTY bought	No. of trade days	No of trades	-ve LTP	QTY bought	No. of trade days	No of trades	QTY bought	No. of trade days	No of trades	
Pvt Ltd																
Swapanloke Steels Pvt Ltd (strike off)	1.00	16,000	2	3	1.00	16,000	2	3	-	-	-	-	-	-	-	0.03
Pranveer Singh	1.00	16,700	2	36	1.00	1,500	2	4	-	-	-	-	15,200	2	32	0.03
Vilohit Property Pvt Ltd	0.95	1,43,450	4	63	0.95	6,200	3	3	-	-	-	-	1,37,250	4	60	0.03
BSR Finance Constructions Ltd	0.90	10,000	1	15	0.95	1,000	1	2	0.05	10	1	1	8,990	1	12	0.03
SKM Travels Pvt Ltd	0.80	90,000	2	54	0.80	5,863	2	3	-	-	-	-	84,137	2	51	0.02
Surendra Kumar Gupta	0.80	14,000	2	13	1.90	6,200	1	5	1.10	2,800	1	2	5,000	1	6	0.06
Pawan Kumari Agarwal	0.80	7,600	1	28	1.55	135	1	6	0.75	5	1	1	7,460	1	21	0.05
Shreekant Phumbhra	0.75	22,500	2	46	1.75	1,878	1	4	1.00	250	1	1	20,372	2	41	0.05
Yamnotri Vinimay Pvt Ltd	0.50	30,000	3	49	0.50	5,000	1	1	-	-	-	-	25,000	3	48	0.02
Manu Vyapar Pvt. Ltd.	0.50	40,000	3	31	1.05	5,590	3	3	0.55	104	2	2	34,306	3	26	0.03
Gallant Commosales Pvt Ltd	0.50	27,000	3	75	0.75	5,420	2	7	0.25	4,870	2	5	16,710	3	63	0.02
Nitish Jain Huf	0.50	11,600	1	85	0.50	100	1	1	-	-	-	-	11,500	1	84	0.02
Class Commercial Private Limited (Formerly Scope Vyapar Pvt Ltd)	0.50	20,500	3	43	0.50	18	1	1	-	-	-	-	20,482	3	42	0.02
Snehlata Gautam	0.45	4,000	1	10	0.50	560	1	1	0.05	240	1	1	3,200	1	8	0.02
Lemon Vincom Pvt Ltd (Strike Off)	0.35	18,300	2	11	0.40	11,600	2	3	0.05	151	1	1	6,549	1	7	0.01
Lavender Exin	0.30	30,500	4	93	0.30	1,550	3	3	-	-	-	-	28,950	4	90	0.01

Buyer Name	All Trades				Trades above LTP				Trades below LTP				Trades at LTP			% of + LTP to Market + LTP
	Net LTP	QTY bought	No. of trade days	No of trades	LTP	QTY bought	No. of trade days	No of trades	-ve LTP	QTY bought	No. of trade days	No of trades	QTY bought	No. of trade days	No of trades	
Pvt Ltd																
Litmus Investments Ltd	0.25	4,600	1	6	0.25	1,000	1	1	-	-	-	-	3,600	1	5	0.01
Lark Commercial Pvt Ltd (Strike off)	0.25	32,000	3	45	0.25	5,516	2	2	-	-	-	-	26,484	3	43	0.01
Girija Pandey	0.25	57,100	1	109	0.25	3,670	1	5	-	-	-	-	53,430	1	104	0.01
Devshyam Stock Broking Pvt Ltd	0.20	700	1	7	0.20	110	1	1	-	-	-	-	590	1	6	0.01
Sanmati Goods Pvt Ltd	0.20	35,550	5	28	0.65	4,600	3	4	0.45	1,110	2	2	29,840	4	22	0.02
Jeetendra Kumar Agnihotri	0.20	350	1	4	0.20	100	1	1	-	-	-	-	250	1	3	0.01
Mukesh Kumar Deepak	0.20	4,000	1	101	4.15	1,069	1	12	3.95	327	1	3	2,604	1	86	0.12
Memori Vinimay Pvt Ltd	0.15	10,000	3	10	0.65	1,600	2	2	0.50	300	1	1	8,100	3	7	0.02
Saroj Shah	0.15	16,500	5	9	0.25	4,150	2	2	0.10	3,000	1	1	9,350	3	6	0.01
Gyandeep Khemka	0.10	52,500	4	256	0.80	1,793	3	5	0.70	977	2	2	49,730	4	249	0.02
Cube Trafin Pvt Ltd	0.10	8,000	1	2	0.10	4,000	1	1	-	-	-	-	4,000	1	1	0.00
Nand Kishore Baheti HUF	0.10	165	1	3	0.10	100	1	2	-	-	-	-	65	1	1	0.00
Reachsmart Construction Pvt Ltd (Strike Off)	0.10	5,000	1	11	0.10	600	1	2	-	-	-	-	4,400	1	9	0.00
Subodh Agarwal	0.10	8,500	2	7	0.10	1,000	1	1	-	-	-	-	7,500	2	6	0.00
Lark Merchants Pvt Ltd (Strike Off)	0.05	10,000	1	9	0.10	2,794	1	2	0.05	140	1	1	7,066	1	6	0.00
Abha Sureka	0.05	3,000	2	4	0.05	500	1	1	-	-	-	-	2,500	2	3	0.00
Ritika Sureka	0.05	3,000	2	5	0.05	300	1	1	-	-	-	-	2,700	2	4	0.00
Raj Vardhan Agarwal	0.05	7,300	1	24	0.05	300	1	1	-	-	-	-	7,000	1	23	0.00
Total (83 Noticees)	**636.75**	**1,17,68,391**	**276**	**34,450**	**961.75**	**13,63,981**	**250**	**2,042**	**325.00**	**4,99,273**	**218**	**908**	**99,05,137**	**268**	**31500**	**28.41**

Buyer Name	All Trades				Trades above LTP				Trades below LTP				Trades at LTP			% of + LTP to Market + LTP
	Net LTP	QTY bought	No. of trade days	No of trades	LTP	QTY bought	No. of trade days	No of trades	-ve LTP	QTY bought	No. of trade days	No of trades	QTY bought	No. of trade days	No of trades	
Other 1092 entities	(443.15)	1,21,62,899	363	45,945	2,423.70	10,59,822	349	3,218	2,866.85	11,11,600	351	3,357	99,91,477	360	39,370	71.59
Grand Total	193.60	2,39,31,290	365	80,395	3,385.45	24,23,803	354	5,260	3,191.85	16,10,873	354	4,265	1,98,96,614	362	70,870	100.00

74. Out of the above 83 Noticees, 38 Noticees were found to be not connected with either company or any of the PDs as observed in the preceding paragraphs, namely, Littlestar Tradecom Pvt Ltd (Noticee No. 52), Noticee No. 58 (Manoj Kumar Misra), Swaraj Retails Pvt Ltd (Noticee No. 59), Pragna Harshad Panchal (Noticee No. 61), Dream Infraproperties Pvt Ltd (Notice No. 64), Goodview Projects Pvt Ltd (Noticee No. 68), Templerun Marcom Pvt. Ltd. (Noticee No. 69), Coral Teadecom Pvt Ltd (Noticee No. 70), Overarching Dealers Pvt Ltd (Noticee No. 72), Panem Steel Pvt Ltd (Noticee No. 75), Saraswati Vintrade Pvt Ltd (Noticee No. 77), Overload Financial Advisory Pvt Ltd (Noticee No. 79), Dhanrashi Promoters Pvt Ltd (Noticee No. 80), Groudzero Vincom Pvt Ltd (Noticee No. 81), Gunny Chem Tex India Ltd (Noticee No. 84), Jaideep Halwasiya (Noticee No. 85), Samudhita Dealers Pvt Ltd (Noticee No. 87), Anita Maurya (Noticee No. 89), Bhima Agencies Pvt Ltd (Noticee No. 90), M/s Manoj Agarwal HUF (Noticee No. 91), Boast Traders Pvt. Ltd. (formerly Acme Pvt. Ltd.) (Noticee No. 92), Susri Finance Pvt. Ltd. (Noticee No. 93), Vilohit Property Pvt. Ltd. (Noticee No. 95), BSR Finance & Construction Ltd. (Noticee No. 96), Shreekant Phumbra (Noticee No. 98), Yamnotri Vinimay Pvt Ltd (Noticee No. 99), Manu Vyapar Pvt. Ltd. (Noticee No. 100), Gallant Commosales Pvt Ltd (Noticee No. 101), Nitish Jain HUF (Noticee No. 102), Snehlata Gautam (Noticee No. 104), Lavender Exin Pvt. Ltd. (Noticee No. 106), Mukesh Kumar Deepak (Noticee No. 112), Saroj Shah (Noticee No. 114), Gyandeep Khemka (Noticee No. 115), Nand Kishore Baheti HUF (Noticee No. 117), Reachsmart Construction Pvt. Ltd. (Noticee No. 118), Abha Surekha (Noticee No. 120) and Ritika Surekha (Noticee No. 121).

75. Further, orders were already passed on April 18, 2019, May 28, 2021, June 29, 2021 and August 27, 2021 by SEBI in the instant matter against four entities, namely Goldensight Management Pvt Ltd., Chaaya Reality Pvt Ltd., Levia Trading Pvt Ltd. and Ayodhya Vinimay Pvt Ltd, who were found to be struck off and against Nathu Lal Sharma, who was deceased.

76. In view of the above table at para no. 73, it is observed that the price moved up by Rs 193.60 and the contribution by the 40 connected Noticees (83-38-5) was Rs. 373.55 as contribution of other 1135 (1092+43) entities were Rs. (-)179.95. Hence, the aforementioned price movement of Rs. 193.60 can be divided into two parts i.e., contribution to net LTP by the connected Noticees of Rs. 373.55 and the negative contribution of Rs. 179.95 by other 1135 entities. I note that since the market price is a function of net sum of all price variations (both positive and negative), the 40 connected Noticees in Patch 2 had contributed positively to net LTP significantly enough to not only negate the downward drag of Rs. 179.95 on the price of the scrip by the other entities in the market but also sufficient to increase the price of the scrip from Rs. 49.40 to Rs. 243.00. These 40 connected Noticees created artificial price rise by consistently absorbing available sell orders in the market even at prices higher than the LTP. This is evident from the net LTP of the connected Noticees which is much higher than the net LTP of the market. Hence, the mala fide intention of the said Noticees is apparent. In view of this, I further note that since the high mark-up in the price of the scrip was not supported by the fundamentals of Sulabh, the pattern of trading at prices higher than the LTP by the 40 connected Noticees was carried out with an intention to increase the price of the scrip and this also resulted in creation/ depiction of artificial demand and interest.

77. In this connection, I would like to refer to the observations made by the Hon'ble SAT in its order dated March 21, 2014 in ***Saumil Bhavnagari Vs. SEBI*** which are as under:

"... *but by purchasing shares at the higher price in LTPin most of the trades, the Noticee had given a wrong impression about the liquidity of the scrip in the market.*

It must not be forgotten that every trade establishes the price of the scrip and the Noticee's trading at higher than LTP resulted in the priceof the scrip going up and were done with a view to set the price at a desired level and thereby influencing the innocent/gullible investors. By purchasing at a higher price in most of his trades, the Noticee had given the wrong impression about the price of the scrip in the market. It is an accepted state of affairs that in cases of manipulation of the volume and / or price of a particular scrip, it is usually an arduous task to obtain direct evidence. However, the analysis of the trade and order logs as undertaken hereinabove, establishes the malafied intention of the appellant."

78. The above facts establish that said 40 connected Noticees acted as a group and manipulated and artificially increased the price of the scrip and created artificial demand and interest in the trading in the scrip. They created false and misleading appearance of trading in the securities market and also carried out an act/ practice which operated as a fraud or deceit in the market. This activity was part of the larger scheme of things which was to inflate the price of the scrip. The sharp rise in the price of the scrip (return of 25,900% or 259 times) is not shown to have any support from the performance and fundamentals of the Company. As seen above, the profits were still declining when the price started rising, despite poor financials. If an illiquid scrip abruptly starts seeing high volumes and price rise, then it always raises eyebrows. Similarly, in the instant case after scrutinizing the circumstances around the management and trading pattern, the manipulative scheme became apparent.

79. In this connection, I would like to refer to the observations made by the Hon'ble SAT in its order dated March 21, 2014 in ***Saumil Bhavnagari Vs. SEBI*** which are as under:

"... *but by purchasing shares at the higher price than LTP in most of the trades, the Noticee had given a wrong impression about the liquidity of the scrip in the market. It must not be forgotten that every trade establishes the price of the scrip and the Noticee's trading at higher than LTP resulted in the priceof the scrip going up and* *were done with a view to set the price at a desired level and thereby influencing the innocent/gullible investors. By purchasing at a higher price in most of his trades, the Noticee had given the wrong impression about the price of the scrip in the market. It is an accepted state of affairs that in cases of manipulation of the volume and / or price of a particular scrip, it is usually an arduous task to obtain direct evidence. However, the analysis of the trade and order logs as undertaken hereinabove, establishes the malafied intention of the appellant."*

80. Some Noticees have submitted that they are still holding shares of Sulabh and hence they did not purchase the shares to manipulate the price. In this regard, I note that, in the parallel proceeding in the same matter SAT *vide* its order in ***Som Prakash Goenka vs. SEBI*** *(supra)*, held:

> *"55. …the role of all the noticees as a group has to be seen and individual role of each of the appellants is thus not required to be considered unless there is a glaring departure of individual's role from the group's role. The very fact that by selling a small part of their holdings the appellants were able to generate huge profits compared to their initial investment by itself is an eye-opener of the wrong dealings and therefore the submissions of some of the appellants that they are still holdings shares have no relevance. The contention that there is no specific charge of price manipulation is wholly erroneous, the appellants by offloading their shares at inflated price had to enter the market only after the price rise and the execution of their trades made the price fall taking advantage of the huge price rise was by itself fraudulent."*

81. In view of the aforesaid observations, I found that the connected Noticee Nos. 1 to 8, 17 to 29, 31, 32, 34, 37 to 43, 45 to 51, 53, 55 to 57, 65, 67, 71, 76, 78, 83, 86, 88, 94, 97, 103, 105, 107-111, 113, 116 and 122 have traded in Patch 1A, Patch 1B and Patch 2, and contributed to the positive LTP. Hence, they manipulated the price of the scrip, created false and misleading appearance of trading in the securities market and also carried out an act/ practice which operated as a fraud or deceit in the market, violating the Regulation 3(a),(b),(c),(d),4(1),4(2)(a),(b) and (e) of SEBI (PFUTP) Regulation, 2003.

Issue 1 (c) Whether the company, its promoters, directors orchestrated scheme to manipulate the price of scrip of Sulabh?

82. I note from the IR that following *modus operandi* was used by the Noticees:

a. The new promoters of the company i.e. Mr. Manoj Kumar Agarwal and Ms. Deepa Mittal acquired 44.30% shares of Sulabh from the erstwhile promoters *vide* a Share Purchase Agreement. Thereafter, they also acquired the entire outstanding shares of the company (except for 300 shares) through connected noticees and made preferential allotment on March 21, 2011 prior to the start of execution of trades in the scrip on December 01, 2011. Further shares were allotted on a preferential basis to 46 noticees in March 2012.

b. Further, large number of buy orders were observed in the market from wide set of noticees due to positive sentiment created with the Share Purchase Agreement/ Open Offer by the new promoters and the preferential allotment made by the company. From perusal of the summary of order log for the period starting with the date of Public Announcement i.e., from July 09, 2010 to November 30, 2011, investigation observed that since the entire free float was held by the connected noticees, no sellers came forward to sell despite huge buy orders in the scrip. The summary of order log for the period starting with the date of Public Announcement i.e., from July 09, 2010 to November 30, 2011 tabulated:

Particulars	**Buy order**
Total number of Valid buy orders entered	428
Total original order quantity	5,98,850
No. of entities placing orders	68
Valid Buy orders at maximum price i.e., Rs. 11.22 (factoring tick size and circuit filters)	417
Original order quantity at Rs. 11.22	5,91,550
No. of entities placing orders at Rs. 11.22	63

c. During the aforesaid period, there was only one valid sell order for 50 shares on June 09, 2011 and the same was deleted within 2 seconds of order entry. During the same period, there were a total of 428 valid buy orders by 68 Noticees for

5,98,850 shares of which 417 orders by 63 Noticees for 5,91,550 shares (compared to free float of 2,47,500 shares) were at the maximum possible price i.e., Rs. 11.22 (considering the circuit filters and the tick size).

d. The above trading pattern revealed that despite large demand for shares of the company, no trade took place from July 09, 2010 until November 30, 2011, since the entire free float in the market was controlled by the connected Noticees and none of the connected noticees sold any shares held by them.

e. From sale pattern in Patch 1A, it was observed from 78 sell trades of connected noticees in 78 trading days (out of 79 trading days until June 20, 2012 i.e., date until the shares was in physical settlement mode), the number of shares sold in each trade was equal to the minimum lot (50 shares). Thereafter, the connected Noticees sold an average of 17 shares per trading day on 38 trading days out of the balance 40 trading days (during this period the minimum lot was 1 share). Each of the trades of the connected noticees during this patch took place at the upper circuit price. Further, on 13 instances in Patch 1A, the connected noticees failed to deliver shares after selling them on market.

f. It was observed that the connected noticees sold miniscule quantity of shares on 116 trading days (out of 119 trading days during Patch 1A) despite holding large number of shares. It was therefore concluded that as the entire free float was held by connected noticees, the price of the scrip would not have increased had there been no sell orders from the connected noticees.

g. Investigation therefore alleged that the sell trades in miniscule quantities were carried out by connected noticees with an intention of marking the price higher. Investigation also alleged that since there was no delivery of shares after selling the same on market, the intention of connected noticees was to increase the price without increasing the free float. Thereafter, the connected noticees continued to increase the price of the shares by selling shares during Patch 1B.

h. It was further observed that adoption of the trading pattern explained above during Patch 1A and 1B resulted in an increase in free float in the market.

i. Investigation therefore concluded/ alleged that the company was taken over by the new promoters with an orchestrated plan of carrying out a scheme of artificially increasing the price of shares of the company and that the Company and three of its directors (including the two new promoters) were a part of the orchestrated plan since they benefitted by selling substantial quantity of shares at the manipulated price.

83. In this regard I note that, the new promoters i.e. Shri Manoj Kumar Agarwal (Noticee No. 9) and Ms. Deepa Mittal (Noticee No. 10), came in and joined the Board of the Sulabh by acquiring shares from the erstwhile promoters firstly vide a Share Purchase Agreement and subsequently vide an Open Offer. The new promoters hence acquired 1,48,850 shares (60.14%) of Sulabh. However, it was observed in the IR that the company was not performing well and the performance graph of the company was at decline as can be seen from the table at Para No.20, the profits of the company were constantly declining and the assets were very minimal considering the majority of assets were in the form of unsecured loans. The scheme devised by the new promoters involved:

a) Acquiring almost entire free float of the shares of the company.

b) Selling minimal number of shares (through connected entities) at maximum possible price on a regular interval.

c) Entering into singular trades on each day

d) Defaulting on the delivery of the shares

Consolidating the Free Float of the Shares of Sulabh

84. I note from the IR that, Manoj Kumar Agarwal, Noticee No. 9 and Deepa Mittal, Noticee No. 10 acquired 1,09,650 shares (44.30%) of the total share capital of the Company through a share purchase agreement with the erstwhile promoters in

February 2011. Thereafter, the aforesaid two promoters acquired 39,200 shares (15.83%) through an open offer. Thus, the two promoters acquired 1,48,850 shares i.e. 60.14% of the total share capital of the Company for Rs. 53.09 lakh. Investigation further observed that on March 21, 2011, 14 Noticees bought 54,800 shares (22.14%) of the total share capital from the erstwhile promoter family and on May 31, 2011 two connected entities, namely, Samtal Financial Systems Pvt. Ltd. and Anant Fin Consultancy Pvt. Ltd. acquired 43,550 shares (17.64%). In total, investigation revealed that the two promoters alongwith aforesaid 14 Noticees and the 2 connected entities (Anant and Samtal) acquired 2,47,200 out of 2,47,500 of the share capital of the Company. The remaining 300 shares were held by one Mr. R.N. Dave. Hence, I note that the share acquisition by the aforesaid noticees were acquired with a common intention of consolidating the almost entire shareholding of the Company and ensuring that the maximum free float remain with the Connected Noticees to keep it at minimum in the market.

85. In this regard, Mr. Manoj Kumar Agarwal (Noticee No. 9), one of the PDs of the company has made the submission regarding the allegation that entire free float was held by the connected Noticees is factually incorrect and erroneous. However, he has failed to demonstrate with documentary evidence as to how the said allegation is erroneous. He also failed to offer any explanation on the connectedness of the entities, the coincidence of transfer of shares on the same / specific date or the series of subsequent events after the alleged consolidation. Hence, his submission is devoid of any merit. Ms. Deepa Mittal (Noticee No. 10), the other PD of Sulabh has submitted that the shares of the company had split in the ratio of 1:10 and therefore the allegation that the entire free float was held by the connected Noticees is factually incorrect. In this regard, I note that the said submission of Ms. Deepa Mittal is not acceptable as the allegation in the IR of controlling almost the entire free float of shares is prior to the split period. The shares of Sulabh were split on February 4, 2013 while the allegation of controlling the free float is during the period, March, 2011 – June, 2011.

86. Anant Fin Consultancy Pvt. Ltd. (Noticee No. 23) has submitted that 60.14% of shares were acquired by the new Promoters and thus, 39.86% was held by the public. In the absence of any allegation of wrong disclosure filed by Sulabh, it is incorrect to state that the free float was controlled by purported connected entities. Further, it has also submitted that it is not connected with the Promoters of the company. In this regard I note that the allegation in the SCN is that the shares which were not directly owned by the PDs were indirectly controlled by them through connected Noticees. The fact of whether or not the charge of wrong disclosure is there against the company, cannot be used as a valid defence by the Noticee as it does not contradict the allegation that the shares were cornered by the Connected Noticees. Thus, the submission of the Noticee has no merit. Moreover, as regards to the contention of the connection with the promoters it has already been held in preceding paragraphs that Anant Fin Consultancy Pvt. Ltd. is connected with the company through Mr. Subodh Agarwal. The Noticee has not disputed that it has a common Director, Rishi Kant Awasthi with Raghuvansh Agrofarms Ltd., which is a company connected with Mr. Subodh Agarwal who is connected to the company and the new Promoters.

87. Anant Fin Consultancy Pvt. Ltd. has further submitted that since certain entities including Samtal Financial System Ltd. who have been alleged to have cornered the free float of shares, i.e. Samtal Financial System Ltd. bought 43,550 (17.64% of the original 2,47,500 shares) shares from 16 entities on May 31, 2011 have not been made a party to extant proceedings, therefore, the entire allegation is false and misleading. As regards to the aforesaid contention, I note that a host of factors are involved in determining whether or not an enforcement proceeding has to be initiated, including the connection between the entities, the role played by the entity in manipulation etc. The Competent Authority after considering all the factors and their applicability to the facts and circumstances of the case and in light of the applicable provisions of securities laws, had decided to proceed with enforcement action against certain entities. Moreover, the allegation against the Noticee is independent of the findings against other entities (who are not part of the SCN) and have to be adjudicated on their own merit without considering whether or not any

action has been taken against certain other entities. Here, I would refer to the observations of Hon'ble SAT in the matter of *Systematix Shares & Stocks (India) Ltd.* vs. *SEBI* decided on April 23, 2012, wherein the Hon'ble SAT observed as follows:

> "*…It is true that the Board has taken action selectively against a few entities involved in the alleged wrong doing. According to the appellant the Board should have proceeded against all wrong doers and the action against the appellant and a few entities alone is also discriminatory. We cannot subscribe to this view since the Board has set its own benchmark in selecting cases for action and, in any case, the appellant cannot plead himself innocent or his trades as lawful…*"

In view of the above, the submission of the Noticee is not acceptable.

Selling minimal number of shares (through connected entities) at maximum possible price on a regular interval

88. With regard to the same, I note that selling small number of shares at maximum possible price at regular intervals is a generic *modus operandi* applied by the traders to increase the price of the scrip artificially. In the present matter, by employing this methodology, I note that, the connected Noticees were able to increase the LTP (Last Traded Price) by placing the sell orders of small quantities over the LTP. Further, they used to place order for minimal number of shares say 10 or 20, despite having demand and also holding large number of shares. Hence, they were able to increase the price of the scrip without letting go of their major shareholding in Sulabh by selling minimal quantity. In Patch 1A, the connected Noticees were majorly rising the price of scrip through such singular trading.

89. In this regard, the *modus operandi* applied by the Noticee No. 29 during the period covered in Patch 1A is detailed below:

Batch Date	Buyer Name	Seller Name	Buy Order Time	Sell Order Time (Noticee No. 29)	Buy Order Original Volume	Sell Order Original Volume	+LTP %
17.05.2012	Ankit Mahendra Kachhara	Surendra Kumar Agarwal	09:00:00	11:52:59	500	50	4.95
18.05.2012	Mahesh Kumar Patel HUF	Surendra Kumar Agarwal	09:00:00	09:31:11	1000	50	4.97
21.05.2012	Mahesh Kumar Patel HUF	Surendra Kumar Agarwal	09:00:00	10:12:32	1000	50	4.97
22.05.2012	Mahesh Kumar Patel HUF	Surendra Kumar Agarwal	09:00:00	10:07:14	1000	50	4.96
23.05.2012	Ankit Mahendra Kachhara	Surendra Kumar Agarwal	09:00:00	10:29:35	200	50	4.94
24.05.2012	Bimla Aggarwal	Surendra Kumar Agarwal	09:00:00	10:08:11	200	50	4.91
25.05.2012	N L Rungta Huf	Surendra Kumar Agarwal	09:00:00	10:54:31	500	50	4.98

From the above, I note that despite holding sufficient quantity of shares the Noticee was only selling 50 shares per order and also substantial time gap is observed between each buy and sell orders. Each subsequent trade is done with the sole intention to push the LTP upwards by trading in minimum quantity possible.

Defaulting on delivery of Shares after selling

90. I note that, during Patch 1A, the connected Noticees entered in 116 trades and all trades except one trade were above LTP. I further note that, there were 13 connected Noticees who sold shares during Patch 1A. Investigation revealed that majority of shares sold during Patch 1A were sold by connected Noticees. Out of 4,560 shares sold by the 13 connected Noticees only 3,910 shares were delivered

and the delivery of the rest 650 shares (13 trades) were closed out after unsuccessful auctioning. Further I also note that, vide email dated June 02, 2016, BSE has confirmed that there were 15 instances of close out on account of non-delivery of shares of Sulabh (shares could not be bought in the auction as well) until August 16, 2012. The aforesaid act reveals the intention behind non-delivery of shares, that is to ensure that the free float of shares other than the connected Noticees is kept at the minimum.

Preferential Allotment by Sulabh

91. From the IR I note that, the company, after coming in of new promoters, came up with two preferential allotments one in March 2011 and the other in March 2012 through which the company allotted total of 98 lakhs shares to 73 Noticees. The shares allotted by Sulabh via the aforesaid preferential issue had one-year lock-in period. Further I note that, company in their reply has provided the rationale behind preferring Preferential allotment over other methods to raise capital like Initial Public Offering, Rights Issue, Institutional Placement and accepting deposits, as the new promoters were looking to bring in funds to expand the business of the company. The company further submitted that the said preferential allotment was made after deliberation with appropriate professionals.

92. In this regard, it is pertinent to mention that generally in preferential allotment a company sends invitation to the prospective investors to subscribe their shares offered. The preferential allotment can only be made after prior negotiation with the investors. The investors who subscribe to the preferential allotment, individually carry out the negotiations with the issuing company. However, I note that, despite being a listed company the shares of Sulabh were almost never traded after a standalone trade on October 09, 2009. On top of that the fundamentals of Sulabh were weak and there was no sign of that improving as the profits were only going down year after year. It is therefore surprising that even in this situation the company was able to raise approximately Rs.19.60 Crore through preferential allotment and

that too by issuing the shares at premium. It is also noted that the shares were allotted to the promoter and their relatives of Sulabh. In view of this, it is very clear that there was a prior understanding between the company and allottees of said preferential allotments. The said fact is also supported by the amount of profit made by the allottes, as can be seen from the offloading done by most of the preferential allottees after the lock-in period of one year got over.

93. I note that in the parallel proceeding in the same matter, SAT, *vide* its order dated April 29, 2022 in ***Santosh Kumar Agarwal vs. SEBI (***Appeal No. 356 of 2021; Date of Decision 29.04.2022***)*** while setting aside the 11B order against Santosh Kumar Agarwal (Noticee No. 11) in the same matter, held:

"38. …in view of the aforesaid ruling of the Supreme Court and in view of the finding given by the WTM that Santosh Kumar Agarwal was not involved in the day to day affairs of the Company and was not part of the orchestrated scheme to manipulate the price of the scrip, the order of the WTM debarring Santosh Kumar Agarwal for a period of 5 years does not make any sense. In the absence of any reasoning, the debarment order against Santosh Kumar Agarwal is wholly misplaced."

94. In view of the above observation, a detailed examination of the role of Noticee No. 11 was undertaken and it was found that the said Noticee was, in addition to being a Non-executive director of Sulabh, was also one of the promoters of the company as well as one of the preferential allottee. Further, he is father of the main promoter of Sulabh i.e. Manoj Kumar Agarwal (Noticee No. 9) and, as observed in preceding paragraphs, they also share a common mobile number.

95. Further, Noticee No. 11 was also present in the Board Meetings of Sulabh, that were held during the IP, particularly, in the Board Meeting of March 23, 2012, where the resolution to allot the equity shares of Sulabh to the Preferential Allottees was

passed. As already observed above, the preferential allotment was part of the entire manipulative scheme. In addition to this, from the Minutes of Board Meeting held on April 04, 2012, it was observed that Noticee No. 11 was also appointed as member of the Audit Committee of the Company and Chairman of the Remuneration Committee. Both during the IP.

96. Hon'ble SAT in the case of ***Adi Cooper vs. SEBI*** (Appeal no. 124/2019, Order dated November 5, 2019) held "*The contention of this appellant that he was not involved in the day to day running of the company cannot be accepted <u>as he was found to be part of the resolution process of the company</u> and his involvement in the issuance of the GDR proceeds."* (emphasis supplied)

97. In view of the aforesaid observations, I note that, Noticee No. 11 (Santosh Kumar Agarwal) was not merely a non-executive director but was also involved in many other affairs of the Company, being a promoter, father of promoter, a preferential allottee and member of audit committee. It is also pertinent to mention that, beside the aforementioned facts, he also offloaded the shares in artificially manipulated price and benefitted out of it.

98. In view of the above observations, I note that the events like, bringing in new promoters, then making open offer to acquire more shareholding by promoters and soon afterwards coming up with two preferential allotments were only a façade created by the company, its management alongwith the connected Noticees to gain investors' confidence and lure them into investing in the illiquid scrip of Sulabh to push up the demand in furtherance of the manipulative scheme. This followed by manipulating the price of the scrip by the connected Noticees through entering in singular trading, placing orders above LTP and non-delivery of the shares sold. The chain of events and the connection between the traders in the scrip during the investigation period clearly indicated a pre-meditated scheme through which the company in connivance with the connected noticees, were successful in raising the price of the scrip and luring the investors to put buy orders so that the connected

noticees can sell the same in such a way that the price of the scrip gets increased despite poor fundamentals and no significant improvement in the performance of the company.

Benefits derived by the Promoters/ Directors, as provided in the IR, is tabulated below:

Name of Promoter (‘P’) / Director (‘D’)	**Initial Investment (in Rupees)**	**Sell Value (in Rupees)**
Manoj Kumar Agarwal (Noticee No. 9) (PD)	27,10,000	10,95,45,280
Deepa Mittal (Noticee No. 10) (PD)	26,80,000	93,71,250
Krishana Agarwal (Noticee No. 13) (P)	40,00,000	5,86,14,534
Sandhya Agarwal (Noticee No. 15) (P)	1,20,00,000	3,77,13,755
Manish Agarwal (Noticee No. 12) (P)	40,00,000	7,78,03,350
Ruchi Agarwal (Noticee No. 14) (P)	1,20,00,000	4,51,51,000
Santosh Kumar Agarwal (Noticee No. 11) (PD)	1,00,00,000	8,56,42,283
TOTAL		42,38,41,452

99. The above facts establish that the new promoters took over the company with the intention of benefitting themselves, other promoter Noticees and connected Noticees by selling the shares at an artificially inflated (manipulated) price of the scrip. Being Directors (Noticees No. 9, 10 and 11) of the company and aware of the functioning and the financial position of the company, they orchestrated the scheme of manipulation as explained above which include share transfers, preferential allotments etc. The Noticees mentioned at table above sold shares for a value of Rs. 42.38 Cr. at an exponentially inflated price achieved by price manipulation by the connected Noticees. This also negates the claim of the Company that they wrote letters dated July 05, 2012 and November 09, 2013 to the Exchange (BSE Limited) bringing into their notice the sudden increase in the price of the scrip and that it had no knowledge of any manipulation or connection between the promoter directors

and other Noticees. Similar contention was raised by the Company before the Hon'ble SAT while challenging the Order of Learned Whole Time Member dated September 03, 2020 in the instant matter in ***Sulabh Engineers and Services Ltd. vs Securities and Exchange Board of India*** (Appeal no. 195 of 2021, DoD 29.04.2022). Therein SAT rejected the contention helding *"The contention that the Company had informed the BSE about the increase in price and that it had no knowledge of any manipulation or connection between the promoter directors and other noticees is wholly erroneous as we are of the opinion that the said letter was only a smoke- screen / distraction to overcome the tacit understanding amongst the appellant, its promoter directors, and other noticees with regard to the scheme that was orchestrated and executed:"*

Therefore, I note that the aforesaid letters written to the exchange were not genuine as the management of the Company were themselves making profit from the inflated prices.

100. The above facts establish that Noticee No.9, Mr. Manoj Kumar Agarwal and Noticee No.10, Deepa Mittal, being the new promoters of the company, acquired the company, orchestrated the scheme of manipulation and created a false and misleading appearance of trading in securities market through the connected entities.

101. Further, the above facts aslo establish that Noticee No. 9 to 11 namely Manoj Kumar Agarwal, Deepa Mittal and Santosh Kumar Agarwal and Noticee No. 16 namely Sulabh Engineers & Services Ltd (the company and its directors), were part of the manipulative scheme which included allotment of shares on preferential basis and were in connivance with the other connected entities who carried out the scheme of manipulation of the price of the scrip and created false and misleading appearance of trading in securities market.

102. In this regard, it is pertinent to note the following observations of the Hon'ble SAT in its order dated October 25, 2016 in Appeal No. 126 of 2013 ***Pan Asia Advisors Limited vs. SEBI***, while interpreting the expression '*fraud*' under the PFUTP Regulations, 2003:

> "*From the aforesaid definition (of 'fraud') it is absolutely clear that if a person by his act either directly or indirectly causes the investors in the securities market in India to believe in something which is not true and thereby induces the investors in India to deal in securities, then that person is said to have committed fraud on the investors in India. In such a case, action can be taken under the PFUTP Regulations against the person committing the fraud, irrespective of the fact any investor has actually become a victim of such fraud or not. In other words, under the PFUTP Regulations, SEBI is empowered to take action against any person if his act constitutes fraud on the securities market, even though no investor has actually become a victim of such fraud. In fact, object of framing PFUTP Regulations is to prevent fraud being committed on the investors dealing in the securities market and not to take action only after the investors have become victims of such fraud*".

103. In this regard, I note that in the parallel proceeding in the same matter, SAT, *vide* its order dated April 29, 2022 in ***Som Prakash Goenka vs. SEBI (supra)*** held:

> *"49. In this regard we find that the Company was taken over by the new promoters which had carried out and / or orchestrated plan by artificially increasing the price of the shares of the scrip of the Company so that the new promoters as well as the connected entities could benefit by selling substantial value of shares at manipulated price. The modus operandi can be seen that immediately after taking over the Company the promoter directors came with two preferential allotments and thereafter the price of the scrip was artificially manipulated by the price manipulators who were connected to the Company and promoter directors. Subsequently the connected entities sold substantial shares at manipulated price. The Company and the price manipulators connected to the Company not only controlled the supply of substantial shares and manipulated*

the price of the scrip but the connected noticees also sold substantial shares at inflated price and made substantial gain at the expense of the general investors. The price manipulation and subsequent selling of substantial shares at inflated price constituted a scheme wherein the Company, promoter directors, the promoter group, price manipulators and other connected noticees led their respective role and hence the entire scheme operated as a fraud in connection with the dealings in the securities and also amounted to unfair trade practice and therefore violated Regulation 3 and 4 of the PFUTP Regulations.

… 52. We are satisfied that connected noticees devised a scheme so as to manipulate the price of the scrip which was a dormant scrip. The scheme involved allotment of shares to connected entities, announcing a stock split, pumping up the share price artificially and eventually providing an exit to the other connected entities so that huge profits could be earned….

… 55. Thus, the appellants together with other noticees including the promoter directors etc together launched a fraudulent scheme by using a dormant low capital base and low public float company."

104. I note that the scheme started with the management of the Company and the Noticees consolidating the shareholding of the Company with the selected group of connected noticees. Subsequently, the Company came out with the Preferential Allotment twice in a year's gap in order to improve the market sentiments towards the scrip and to create demand so that the shares can be traded in the market in synchronized manner in small quantities and accordingly, pushed the positive LTP upwards. As the price of the scrip started increasing, the connected Noticees started offloading their shareholding and making profits. In this regard, I note that this whole scheme is against the fundamental principle governing the securities market and that the Noticees were responsible for manipulating the market and controlling the volume and price of the scrip during the Investigation period. It cannot be mere coincidence that these connected Noticees transacted in this scrip for such large value, particularly when the price rise was not supported by the fundamentals/

corporate development/ financial track record of the company. Hence these connected Noticees were trading with the prior understanding among themselves.

105. As noted in preceding paragraphs, the promoters/ directors of Sulabh were connected to the Noticees who indulged in manipulation in the scrip. Investigation revealed that such promoters/ directors along with other connected noticees and the noticees who indulged in manipulation in the scrip were also observed to have benefitted by selling the shares between August 17, 2012 and January 06, 2015.

106. In this regard, from the IR I note that the investigation examined the trading of all the Noticees who had indulged in price manipulation and whose net sale value (sell value – buy value) was Rs.50 Lakhs or more along with all the promoters and directors of Sulabh. The details of the same are as under:

Name	Buy Value	Sell Value	Net Sell Value
Promoter('P')/ Director ('D') of Sulabh who sold shares			
1. Manoj Kumar Agarwal (PD)		10,95,45,280	10,95,45,280
2. Santosh Kumar Agarwal (PD + Father of 1above)	-	8,56,42,283	8,56,42,283
3. Manish Agarwal (P)	-	7,78,03,350	7,78,03,350
4. Krishana Agarwal (P)	-	5,86,14,534	5,86,14,534
5. Ruchi Agarwal (P)	-	4,51,51,000	4,51,51,000
6. Sandhya Agarwal (P + wife of 1 above)	-	3,77,13,755	3,77,13,755
7. Deepa Mittal (P+D)	-	93,71,250	93,71,250
Sub-total	-	**42,38,41,452**	**42,38,41,452**
Price manipulators with net sale value in excess of Rs. 50 Lakhs			
8. Surendra Kumar Gupta	34,47,380	20,93,84,889	20,59,37,509
9. Divya Agarwal	-	19,00,66,381	19,00,66,381
10. Praveen Kumar Mishra	39,95,480	5,12,52,010	4,72,56,530
11. Geeta Mishra	-	3,41,89,871	3,41,89,871
12. Sanjay Kumar	-	3,34,64,874	3,34,64,874
13. Manish Kumar Garg	-	2,67,14,161	2,67,14,161
14. Subodh Agarwal	1,15,58,219	3,65,68,103	2,50,09,884
15. Pranveer Singh	9,98,320	2,23,94,072	2,13,95,752
Sub-total	**1,99,99,399**	**60,40,34,361**	**58,40,34,962**
Grand Total	**1,99,99,399**	**1,02,78,75,813**	**1,00,78,76,414**

107. Acoordingly, the above facts establish that the Noticee No. 9 to 15, namely Manoj Kumar Agarwal, Deepa Mittal, Santosh Kumar Agarwal, Manish Agarwal, Krishana Agarwal, Ruchi Agarwal and Sandhya Agarwal respectively, were the promoters

who were part of the orchestrated scheme of manipulating the trading in the scrip of Sulabh and derived benefit out of the price manipulation by selling the shares at such manipulated price.

108. In view of the above I found Noticee No. 9 to 15, being Promoters and Directors of the Company and Noticee No. 16, the company, to have violated Regulation 3(a), (b), (c), (d), 4(1), 4(2)(a),(b) and (e) of PFUTP Regulations, 2003.

109. Similarly, the above facts also clearly establish that Noticee No. 1 to 8, by carrying out the above scheme, along with other connected entities, indulged in manipulation of the price of the scrip, created false and misleading appearance of trading in the securities market and also carried out an act/ practice which operated as a fraud or deceit in the market. Further, these entities also derived benefit out of the price manipulation by selling the shares at such manipulated price.

110. In addition to the above, during investigation a total of 28 Noticees were also observed to have benefitted by selling shares of significant value and were connected to noticees that indulged in manipulation. A summary of their buy and sale value during the investigation period is tabulated below:

S.No.	Name	Buy value	Sell Value
1	Manoj Agarwal	-	27,33,90,839
2	Praveen Kurele	-	14,34,13,767
3	Vinay Kumar Agarwal	-	13,27,93,024
4	Som Prakash Goenka	-	12,59,13,911
5	Naveen Kurele	-	9,89,98,322
6	Mridula Agrawal	-	7,17,08,446
7	Narender Kumar	-	4,51,44,840
8	Manisha Sharma	-	4,25,74,550

9	Seema Kapoor	-	4,03,03,796
10	Sanjeev Sanghi	-	4,02,63,874
11	Mahabir Persad Huf	-	3,99,23,561
12	Deepak Kumar Agarwal	-	3,54,26,408
13	Sanjay Kapoor	-	3,37,67,148
14	Sapna Kapoor	-	3,24,07,981
15	Sunil Kapoor	-	2,86,27,849
16	Ashok Kumar Maheshwari	-	2,44,54,533
17	Vivek Karwa	-	2,23,06,472
18	Roopchandra Kumar	-	2,05,68,575
19	Sabreen	-	2,00,16,077
20	Sanjay Kumar Huf	-	1,91,07,255
21	Arun Kumar Huf	-	1,78,66,701
22	Raj Kumar	-	1,68,47,241
23	Manish Maheshwari	-	1,37,08,224
24	Mahak Maheshwari	-	1,02,52,650
25	Sajan Kumar Agarwal	-	69,17,321
26	Narender Kumar Huf	-	49,24,030
27	Shubham Agarwal	-	44,97,450
28	Ashish Agarwal	-	34,42,770
Grand Total		Nil	1,36,95,67,613

111. From the above, I further note that out of 28 Noticees who offloaded the shares of Sulabh and made profit, 22 Noticees received the shares of Sulabh through preferential allotment whereas 6 Noticees namely Mridula Agrawal (Noticee No. 128), Manisha Sharma (Noticee No. 130), Roopchandra Kumar (Noticee No. 140), Sabreen (Noticee No. 141), Shubham Agarwal (Noticee No. 149) and Ashish Agarwal (Noticee No. 150) received the shares of the company through off market transactions from either Anant or Success Vyapar.

112. In this regard, I note that in the parallel proceeding in the same matter, SAT, vide its order dated April 29, 2022, remanded back the 11B order passed by the Learned Whole Time Member of SEBI for some entities and held that:

"59…merely because these preferential allottees also received some shares from another entity in which Subodh Agarwal was a director does not make their trades tainted unless it is shown that they also traded for the purpose of increasing the price of the scrip. Merely by selling the shares does not manipulate the price of the scrip or become a part of the fraudulent scheme. Similarly, the connection drawn for Noticee No. 128, 130, 140 and 141 is too remote and cannot lead to a conclusion that these noticees are also part of the fraudulent scheme."

113. In this regard, I note that the available records of the aforesaid 28 Noticees neither show that they have done trades which were manipulative nor they have contributed to the positive LTP. In view of the same and the aforementioned observations of SAT, the charges levelled against the aforesaid 28 Noticees is disposed off.

114. Accordingly, I note that:

a) Noticees No. 1 to 16, 23 to 29, 31, 32, 34, 37 to 43, 45 to 51, 53, 55 to 57, 65, 67, 71, 76, 78, 83, 86, 88, 94, 97, 103, 105, 107-111, 113, 116 and 122 have violated the provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b) and(e) of PFUTP Regulations, 2003; and

b) Noticees No. 17 to 22 have violated the provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b), (e) and (g) of PFUTP Regulations, 2003.

Issue 2: Does the violation, if any, attract penalty under Section 15HA of the SEBI Act, 1992?

115. I note that the Hon'ble Supreme Court of India in the matter of ***SEBI v/s Shri Ram Mutual Fund*** [2006] 68 SCL 216(SC)held that *"In our considered opinion, penalty is attracted as soon as the contravention of the statutory obligation as contemplated by the Act and the Regulations is established and hence the intention of the parties committing such violation becomes wholly irrelevant…."*

116. Therefore, I am of the view that monetary penalty needs to be imposed under Section 15HA of SEBI Act, 1992:

a) on Noticees No. 1 to 16, 23 to 29, 31, 32, 34, 37 to 43, 45 to 51, 53, 55 to 57, 65, 67, 71, 76, 78, 83, 86, 88, 94, 97, 103, 105, 107-111, 113, 116 and 122 for violation of the provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b) and(e) of PFUTP Regulations, 2003; and

b) on Noticees No. 17 to 22 for violation of the provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b), (e) and (g) of PFUTP Regulations, 2003.

The text of Section 15HA of SEBI Act, 1992 (as stood during IP) is reproduced hereunder:

SEBI Act, 1992
Penalty for fraudulent and unfair trade practices.

15HA.If any person indulges in fraudulent and unfair trade practices relating to securities, he shall be liable to a penalty twenty-five crore rupees or three times the amount of profits made out of such failure, whichever is higher.

Issue (c) If so, what would be the monetary penalty that can be imposed taking into consideration the factors mentioned in Section 15J of SEBI Act, 1992?

117. 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 read as under:

SEBI Act, 1992

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.

118. Further, in light of recent order dated August 02, 2019 of Hon'ble SAT in the matter of P G Electroplast vs SEBI, I note that vide order dated September 03, 2020, Whole Time Member of SEBI has debarred Noticees No. 1 to 29, 31, 32, 34, 37 to 43, 45 to 51, 53, 55 to 57, 65, 67, 71, 76, 78, 83, 86, 88, 94, 97, 103, 105, 107-111, 113, 116 and 122 for a period of 7 years/ 5 years/ 1 year. Accordingly, I have considered the above order while arriving at the penalties to be levied.

119. I observe, that the material available on record does not quantify disproportionate gains or unfair advantage, if any, made by all the Noticees and the losses, if any, suffered by the investors due to such violations on the part of the said Noticees. Further, material available on record does not show that the said failure is repetitive. However, in the present matter I note that by executing manipulative trades in small quantities and carrying out connected counterparty trades to increase the price of scrip of SESL, Noticees No. 1 to 16, 23 to 29, 31, 32, 34, 37 to 43, 45 to 51, 53, 55 to 57, 65, 67, 71, 76, 78, 83, 86, 88, 94, 97, 103, 105, 107-111, 113, 116 and 122 have violated the provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b) and(e) of PFUTP Regulations, 2003 and Noticees No. 17 to 22 have violated the

provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b), (e) and (g) of PFUTP Regulations, 2003

ORDER:

120. Accordingly, taking into account the aforesaid observations and in exercise of power conferred upon me under Section 15-I of the SEBI Act read with Rule 5 of the Adjudication Rules, 1995, I hereby impose following penalty under Section 15HA of the SEBI Act, 1992 on Noticees No. 1 to 16, 23 to 29, 31, 32, 34, 37 to 43, 45 to 51, 53, 55 to 57, 65, 67, 71, 76, 78, 83, 86, 88, 94, 97, 103, 105, 107-111, 113, 116 and 122 for violation of the provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b) and(e) of PFUTP Regulations, 2003 and on Noticees No. 17 to 22 for violation of the provisions of Regulations 3(a), (b), (c) & (d), 4(1) and 4(2)(a), (b), (e) and (g) of PFUTP Regulations, 2003:

Sl No.	Noticee No.	Name of Noticee	PAN	Penal provisions	Penalty (in Rs.)
1.	1.	Subodh Agarwal	ABNPA4910B	Section 15 HA of SEBI Act, 1992	5,00,000/- Rupees Five Lakhs Only
2.	2.	Divya Agarwal	ACUPG5212E	Section 15 HA of SEBI Act, 1992	10,00,000/- Rupees Ten Lakhs Only
3.	3.	Geeta Mishra	AICPM8816G	Section 15 HA of SEBI Act, 1992	5,00,000/- Rupees Five Lakhs Only
4.	4.	Manish Kumar Garg	AFDPG9852J	Section 15 HA of SEBI Act, 1992	5,00,000/- Rupees Five Lakhs Only
5.	5.	Sanjay Kumar	AARPS2632K	Section 15 HA of SEBI Act, 1992	5,00,000/- Rupees Five Lakhs Only

6.	6.	Pranveer Singh	AGIPS4486N	Section 15 HA of SEBI Act, 1992	5,00,000/- Rupees Five Lakhs Only
7.	7.	Praveen Kumar Mishra	AFYPM1852K	Section 15 HA of SEBI Act, 1992	5,00,000/- Rupees Five Lakhs Only
8.	8.	Surendra Kumar Gupta	AAQPG0240E	Section 15 HA of SEBI Act, 1992	10,00,000/- Rupees Ten Lakhs Only
9.	9.	Manoj Kumar Agarwal	ACFPA8077Q	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only
10.	10.	Deepa Mittal	AGZPM0492K	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only
11.	11.	Santosh Kumar Agarwal	ABKPA7972Q	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only
12.	12.	Manish Agarwal	ABBPA2326D	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only
13.	13.	Krishana Agarwal	ACFPA8079A	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only
14.	14.	Ruchi Agarwal	ADHPJ2647J	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only
15.	15.	Sandhya Agarwal	ACVPA1791R	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only

16.	16.	Sulabh Engineers & Services Ltd.	AABCS9697M	Section 15 HA of SEBI Act, 1992	20,00,000/- Rupees Twenty Lakhs Only
17.	17.	Akhilesh Kumar Agnihotri	AFXPA9503Q	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
18.	18.	Kavita Awasthi	AEFPA0316N	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
19.	19.	Raj Kumar Agarwal	ADNPA5935E	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
20.	20.	Renu Agarwal	ABTPA6753A	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
21.	21.	Rishi Kant Awasthi	ABTPA6752B	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
22.	22.	Rita Jain	ADLPJ0701D	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
23.	23.	Anant Fin Consultancy Pvt Ltd	AAHCA6049D	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
24.	24.	Ankit Jain	AGAPJ8105H	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
25.	25.	Deepak Kumar Sarraf	BYVPS8100B	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only

26.	26.	Jeetendra Kumar Agnihotri	ANAPA1509P	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
27.	27.	Sanjai Jain HUF	AARHS1381K	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
28.	28.	Subodh Agarwal HUF	AARHS4396C	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
29.	29.	Surendra Kumar Agarwal	AEXPA7231G	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
30.	31.	Abhay Jain HUF	AAGHA6530F	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
31.	32.	Amit Jain	AADPJ4068Q	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
32.	34.	Rajesh Bhiani	ABFPB2297Q	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
33.	37.	Reena Jain	ADWPJ5808Q	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
34.	38.	Param Jeet Singh	ACOPS3609M	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
35.	39.	Shubhang Exports Ltd.	AAJCS1526R	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
36.	40.	Usha Jain	AAFPJ9933J	Section 15 HA of SEBI Act, 1992	1,00,000/-

					Rupees One Lac Only
37.	41.	Vijay Shree Bihani	AEPPB8476A	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
38.	42.	KPK Fin Consultancy Pvt. Ltd.	AAECK1577D	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
39.	43.	Raghuvansh Agrofarms Ltd.	AABCR8407N	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
40.	45.	Sankalp Vincom Pvt. Ltd.	AAMCS1711P	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
41.	46.	Omesh Skill And Business Development Private Limited (formerly Shreya Stocks and Shares Pvt Limited)	AAHCS4970M	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
42.	47.	Shrishti E Systems Pvt Ltd	AANCS0940H	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
43.	48.	Signet Vinimay Pvt Ltd	AAMCS1712Q	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
44.	49.	Bitter Commercial Private Limited (formerly SKM	AAICS0688K	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only

		Travels Pvt Ltd)			
45.	50.	Apex Commotrade Pvt Ltd	AAJCA4459K	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
46.	51.	Spice Merchants Pvt Ltd	AAPCS7492G	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
47.	53.	Aviral Industries Ltd	AAJCA9165G	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
48.	55.	Bakliwal Vyapaar Pvt Ltd	AADCB1238R	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
49.	56.	Kamta Prasad Pandey	AIPPP5293B	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
50.	57.	Runicha Merchants Pvt Ltd	AAECR0580M	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
51.	65.	Jasmine Commodities Pvt Ltd	AABCJ9295Q	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
52.	67.	Winall Vinimay Pvt Ltd	AAACW8004B	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
53.	71.	Gagandeep Construction Company Pvt Ltd	AABCG8623K	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
54.	76.	Arunavo Mukherjee	ATIPM7500N	Section 15 HA of SEBI Act, 1992	1,00,000/-

					Rupees One Lac Only
55.	78.	Vasundhara Capital & Securities Ltd	AAACV4765G	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
56.	83.	Santosh Kumar Agarwal	ABHPA5568M	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
57.	86.	Dynamic Credit Finance Pvt Ltd	AACCA7919H	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
58.	88.	Rishabh Agarwal	AHOPA7789B	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
59.	97.	Pawan Kumari Agarwal	ABOPA5019J	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
60.	103.	Class Commercial Private Limited (formerly Scope Vyapar Pvt Ltd)	AAICS6023N	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
61.	107.	Litmus Investments Ltd	AABCL0009J	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
62.	109.	Girija Pandey	BEIPP7914K	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
63.	110.	Devshyam Stock Broking Pvt Ltd	AADCD8900A	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only

64.	111.	Sanmati Goods Pvt Ltd	AAICS9154Q	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
65.	113.	Memori Vinimay Pvt Ltd	AAECM4771B	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
66.	116.	Cube Trafin Pvt Ltd	AABCC0768M	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only
67.	122.	Raj Vardhan Agarwal	BAPPA3693D	Section 15 HA of SEBI Act, 1992	1,00,000/- Rupees One Lac Only

121. The aforesaid Noticees 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 online payment facility available on the website of SEBI, i.e. www.sebi.gov.in on the following path, by clicking on the payment link:

ENFORCEMENT → Orders → Orders of AO → PAY NOW.

122. The aforesaid Noticee shall forward said Demand Draft or the details / confirmation of penalty so paid to "The Division Chief (Enforcement Department - DRA-1), Securities and Exchange Board of India, SEBI Bhavan, Plot No. C – 4 A, "G" Block, Bandra Kurla Complex, Bandra (E), Mumbai – 400 051.". The Noticee shall also provide the following details while forwarding DD / payment information:

a) Name and PAN of the Noticee
b) Name of the case / matter
c) Purpose of Payment – Payment of penalty under AO proceedings
d) Bank Name and Account Number
e) Transaction Number

123. In the event of failure to pay the said amount of penalty within 45 days of the receipt of this Order, SEBI may initiate consequential actions including but not limited to recovery proceedings under Section 28A of the SEBI Act, 1992 for realization of the said amount of penalty along with interest thereon, *inter alia*, by attachment and sale of movable and immovable properties.

124. In terms of Rule 6 of the Adjudication Rules, 1995, copy of this order is sent to the Noticees and also to the Securities and Exchange Board of India.

Date: August 30, 2022 **G RAMAR**

Place: Mumbai **ADJUDICATING OFFICER**