BEFORE THE ADJUDICATING OFFICER

SECURITIES AND EXCHANGE BOARD OF INDIA

ADJUDICATION ORDER NO. Order/GG/AS/2022-23/18238

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

In respect of:

S No	PAN	Name of Noticee
1	AIHPJ4158R	Aanchal Jindal
2	BDRPS4186E	Ajay Singh
3	ADDPJ7208H	Ajay Kumar Jindal
4	ALHPM2163N	Anil Kumar Mishra
5	AGNPJ5775G	Archit Jindal
6	AAHPG1610P	Babita Goyal
7	AAFCB3540C	Bryn Commodities & Derivatives Private Limited
8	AAECD8223H	Dhansilk Vanijya Private Limited
9	ADIPK6787D	Dinesh Rathore
10	AAECD5329A	Doraemon Commodities & Derivatives Private Limited
11	AAKFG7595A	Gajanan Enterprises
12	AAFCG2466G	Greatscope Distributors Private Limited
13	AADCH2062B	Happyshop Distributors Private Limited
14	AFLPG3191C	Hemant Goel
15	AAXPU7431Q	Kakumanu Umamaheshwararao
16	AAACK8837C	Kesri Industrial Lab Pvt Ltd
17	AIDPS0821N	Laxman Singh Satyapal
18	AAMPJ8807A	Madhur Jain
19	AEEPJ6955K	Mamta Jindal
20	AJBPM5839R	Meera Mishra
21	BHQPA7327E	Mohd Aslam Prop Global Enterprises
22	AACCN4898E	NN Financial Consultants Pvt Ltd
23	AADCN3085E	Nanon Distributors Private Limited
24	AACCN9006G	Nextgen Retail Private Limited
25	BSQPB2397J	Pawan Batra
26	AAIPJ8526A	Pradeep Kumar Jindal
27	AQMPG2650C	Praveen Goyalprop Of Shivam Trading Co.
28	AXNPC3713G	Prem Chand
29	ALCPY3487E	Ram Yadav Sole Prop Capital Securities
30	AAMPJ9477G	Ritu Jain
31	DBZPK9156C	Sandeep Kumar
32	AEKPK6751Q	Santosh Kumar
33	DRUPS8079D	Sapna Sole Prop.Of Soni Sales India
34	CXMPK2057E	Shree Balaji Enterprises Prop Sachin Kumar
35	AAECT6776H	Teampack Commodities Private Limited
36	AABCT5830B	Tushar India P Ltd
37	AACCT1206G	TVF Finance And Investments Pvt Ltd
38	AFLPS7772M	Umesh Singhal
39	AGZPJ3301J	Vaibhav Jain
40	AHWPA3338A	Abhishek Ahuja
41	AADPG9382Q	Ajay Gupta
42	AAFPC4720N	Ajeet Singh Chauhan
43	AAHHA1765K	Ajeet Singh Chauhan
44	AIMPG2049K	Akash Gupta
45	ABUPG5558N	Akhilesh Goyal
46	AAGHA1719N	Akhilesh Goyal HUF

S No	PAN	Name of Noticee
47	AJZPM2814N	Amanjeet Madan
48	AACPN4821C	Anil Nagpal
49	ABTPS4936R	Anil Sahu
50	ALNPP7535M	Anju Pipalwa
51	ABCPB9562B	Anshu Goyal
52	AAKCA6099A	Antimony Marketing Private Limited
53	AJCPA8040P	Anuradha Devi
54	AKAPA1261H	Apurva Agarwal
55	ACMPC4926D	Arjun Chetri
56	ADIPJ6540R	Arun Jain
57	BJMPG8999L	Ashna Grover
58	AFHPM8881M	Ashok Kumar Mittal
59	AAJHA7095N	Ashok Kumar Mittal HUF
60	AAKCA7459G	Aurelian Suppliers Pvt Ltd
61	AAACB5459P	Baba Nanak Financial Services Limited
62	AAHPG2495E	Bala Garg
63	AAIFB9042M	Balaji Steel Traders
64	AJXPM2815P	Balpreet Singh Madan .
65	DBTPK6055A	Bhagwati Corporation Prop. Karan
66	AEJPJ0950P	Bina Jain
67	AAIHB8588A	Brahma Nand Sharma HUF
68	AAECC8564C	Carder Distributors Private Limited
69	AEEPG9919C	Chanchal Goyal
70	AAECD3064A	Delphina Distributors Private Limited
71	BZVPK7899E	Dinesh Kumar
72	ACAPB4715H	Dinesh Kumar Bansal
73	AACHD4576L	Divesh Kumar Goyal HUF
74	AMEPJ6172A	Divya Jain
75	AAACF0157G	Fussy Financial Services Pvt Ltd
76	AACHG3665F	Gagan Kapur HUF
77	AHFPK2559N	Gagan Kapur
78	AAFCG0606G	Goodpoint Impex Private Lt
79	AWXPS4402R	Govind Sharma
80	AIIPB9392E	Hemlata Bansal
81	AAACI1876R	Indo Creditop Pvt Ltd
82	AHSPA9605L	Kamini Agarwal
83	AFCPD6087P	Kanta Devi
84	AFNPG4020L	Kapil Gupta
85	AAMFK2127J	Komal Enterprises
86	ATUPM4571F	Krishanu Mukharji
87	AADHK1395P	Kuldeep Singh Raikhy And Sons HUF
88	AAPPI9245J	Lakshmi Goyal
89	AHEPL3318F	Laxmi
90	AHSPJ1710H	Maitri Jaiswal
91	AANHM3802M	Manish Gupta HUF
92	AOBPS2233Q	Manoj Sharma
93	AAJPM0870F	Manoj Madan
94	AAFPT4583L	Manoj Tantia
95	AQMPG3031H	Maya Gupta
96	ASTPJ3615P	Mayank Rai Jain
97	AGHPA8072F	Meetu Aggarwal
98	AADTA6297J	Meghna Srivastava
99	AAYPG7740D	Mili Goel
100	BJRPB7259K	Mohit Behal
101	AAUFM6147N	Moonlight Udyog
102	AAIHM7915A	Mukesh Jain
103	AAACM1761B	Multiplex Capital Ltd
104	AABCO6972D	Nainadevi Commotrade Pvt. Ltd
105	AAACN2928D	Natraj Capital Credit Pvt Ltd
106	AONPP6200L	Navneet Pareek
107	AAGPK1458C	Nawal Kishore
108	ABWPJ8884E	Neelam Jain

S No	PAN	Name of Noticee
109	AACHN6566Q	Neeraj Chawala And Son HUF
110	AAHHN1633H	Neeraj Rathor HUF
111	AACHN5682H	Neeraj Goel HUF
112	AARPG8727D	Neeraj Goel
113	AEMPD8240F	Nirmala Devi
114	AGTPA6509M	Nitin Harish Agarwal
115	AIWPA6187A	Nitish Ahuja
116	ACDFS3492D	Nityanand Thakur
117	AADCV7259E	Novak Exim Overseas Private Limited
118	ABSPT8332M	Om Prakash Tantia
119	AIMPY3580D	Parmanand Yadav
120	ADNPJ6572G	Parul Jain
121	AAGCP6892C	Placido Marketing Private Limited
122	AEKPB3963P	Poonam Bajaj
123	AZCPG7812P	Praveen Goyal
124	AALHP6993A	Praveen Kumar Bansal HUF
125	AANHP4754K	Prem Chand Gupta HUF
126	AAAPJ4515D	Prince Jaiswal HUF
127	AAFHP1930B	Prince Jaiswal
128	APSPJ2669D	Priya Jain
129	AKEPR6030K	Pushp Raj Raj
130	BMWPS7405L	Rachna Sharma
131	AOEPK6990F	Raj Kumari
132	BCMPS7773M	Raj Saurabh Singh
133	AADPB0522D	Rajan Bajaj
134	ACCPV0683N	Rajan Verma
135	ACCPJ4515H	Rajesh Jain
136	AZEPS8558C	Rajesh Mohanbhai Sheta
137	AENPB3579G	Rajinder Bansal
138	AHFPD2770A	Rajni Garg
139	AHKPG5965F	Rajshree
140	ABJPA0699R	Raju Agarwal
141	AAAPC3341G	Rikhab Chand
142	AHFPK2734D	Rita Kataria
143	AAAPK7851M	Ritu Kapoor
144	AHRPJ1492P	Ruchi Jaiswal
145	AAFPT7201D	Ruchi Tantia
146	ATKPJ3719J	Ruchika Jain
147	AGTPG4671Q	Sagar Gupta
148	AZGPJ8771N	Samyak Jain
149	AASHS1592K	Sanjay Bansal HUF
150	ACRPB9553E	Saroj Bansal
151	ADNPA9559L	Saurabh Agarwal
152	AFXPB5382A	Shakun Bansal
153	AHKPP8137E	Sharada Prasad
154	AAAPA4400C	Shashi Aggarwal
155	AIRPY0807E	Shashi Yadav
156	AHUPG8309H	Shilpa Garg .
157	AOKPM8742B	Shimul Mitra
158	AACCJ9550B	Shitlamata Commodities Pvt. Ltd.
159	AASCS6284R	Shivsathi Mercantile Private Limited
160	AAJCS1878A	Shree Sai City Promoters & Developers Pvt Ltd
161	ATCPJ8732B	Shruti Jain
162	AANPK1455A	Sudesh Kapoor
163	AAEPP8349R	Sudhir Prasad
164	AAKPA5003F	Suman Agrawal
165	BDGPS0774K	Sunil Singh
166	AAJFN3554B	Surendra Sharma
167	AAGPJ3267N	Suruchi Jain
168	AARCS7045M	Susane Traders Private Limited
169	AAFPF4517N	Tabassum Fatima
170	AAGPB4536N	Tilak Raj Behal
171	BFKPS1089H	Uma Shankar

S No	PAN	Name of Noticee
172	AARPG8726C	Usha Goel
173	AAHPR1074J	Usha Rani Rustagi
174	ADXPC6737G	Vandna Chauhan
175	ACZPP7112K	Ved Prakash
176	AFGPD9237F	Vidya Devi
177	AEFPA9384N	Vijay Kumar Aggarwal
178	BIUPS3157B	Vinod Sharma
179	AAFHV2498L	Vipin Gupta HUF
180	AAHPG1133B	Vipul Gupta
181	AIAPG3581G	Vishakha Gupta
182	AAHPG1134G	Vishal Gupta
183	ABOPA6550C	Vivek Kumar Agarwal
184	AAACY5689G	Yasomati Distributors Pvt Ltd
185	AAFPK4173R	Yoginder Kumar

In the matter of Delta Leasing & finance Ltd

A. BACKGROUND OF THE CASE

1. SEBI carried out investigation in the respect of trading by certain entities in the scrip of Delta Leasing & Finance Ltd (hereinafter referred to as **"Delta"**) during the Investigation Period (hereinafter referred to as **"IP"**). The scope of the investigation was to ascertain any violation of provisions of Securities and Exchange Board of India Act, 1992 (hereinafter referred to as **"SEBI Act"**), SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 (hereinafter referred to as **"PFUTP Regulations"**), Securities and Exchange Board of India (Prohibition of Insider Trading) Regulations, 1992 (hereinafter referred to as **"PIT Regulations, 1992"**) and Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 (hereinafter referred to as **"SAST Regulation, 2011"**) by the said entities.

2. Based on the findings of Investigation, the following was observed:

   2.1. The below mentioned entities allegedly violated provisions of Section 12A(a), (b) and (c) of SEBI Act, 1992 and Regulations 3 (a),(b),(c),(d), 4(1), 4(2)(a) and (g) of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices relating to Securities Market) Regulations, 2003 (hereinafter referred to as **"PFUTP Regulations, 2003"**):

Table No: 1

S.No.	PAN	Name of Entity		S.No.	PAN	Name of Entity
1	AIHPJ4158R	AANCHAL JINDAL		91	AARPG8727D	NEERAJ GOEL
2	AHWPA3338 A	ABHISHEK AHUJA		92	AEMPD8240F	NIRMALA DEVI
3	BDRPS4186E	AJAY SINGH		93	AGTPA6509M	NITIN HARISH AGARWAL
4	AADPG9382Q	AJAY GUPTA		94	AIWPA6187A	NITISH AHUJA
5	ADDPJ7208H	AJAY KUMAR JINDAL		95	ACDFS3492D	NITYANAND THAKUR
6	AAFPC4720N	AJEET SINGH CHAUHAN		96	AADCV7259E	NOVAK EXIM OVERSEAS PRIVATE LIMITED
7	AAHHA1765K	AJEET SINGH CHAUHAN		97	ABSPT8332M	OM PRAKASH TANTIA
8	AIMPG2049K	AKASH GUPTA		98	AIMPY3580D	PARMANAND YADAV
9	ABUPG5558N	AKHILESH GOYAL		99	ADNPJ6572G	PARUL JAIN
10	AAGHA1719N	AKHILESH GOYAL HUF		100	BSQPB2397J	PAWAN BATRA .
11	AJZPM2814N	AMANJEET MADAN .		101	AAGCP6892C	PLACIDO MARKETING PRIVATE LIMITED
12	AACPN4821C	ANIL NAGPAL		102	AEKPB3963P	POONAM BAJAJ
13	ALHPM2163N	ANIL KUMAR MISHRA		103	AAIPJ8526A	PRADEEP KUMAR JINDAL
14	ABTPS4936R	ANIL SAHU		104	AQMPG2650 C	PRAVEEN GOYALPROP OF SHIVAM TRADING CO.
15	ALNPP7535M	ANJU PIPALWA		105	AZCPG7812P	PRAVEEN GOYAL
16	ABCPB9562B	ANSHU GOYAL		106	AALHP6993A	PRAVEEN KUMAR BANSAL HUF
17	AAKCA6099A	ANTIMONY MARKETING PRIVATE LIMITED		107	AXNPC3713G	Prem Chand
18	AJCPA8040P	ANURADHA DEVI		108	AANHP4754K	PREM CHAND GUPTA (HUF)
19	AKAPA1261H	APURVA AGARWAL		109	AAAPJ4515D	PRINCE JAISWAL
20	AGNPJ5775G	ARCHIT JINDAL		110	AAFHP1930B	PRINCE JAISWAL
21	ACMPC4926D	ARJUN CHETRI		111	APSPJ2669D	PRIYA JAIN
22	ADIPJ6540R	ARUN JAIN		112	AKEPR6030K	PUSHP RAJ
23	BJMPG8999L	ASHNA GROVER		113	BMWPS7405L	RACHNA SHARMA
24	AFHPM8881 M	ASHOK KUMAR MITTAL		114	AOEPK6990F	RAJ KUMARI
25	AAJHA7095N	ASHOK KUMAR MITTAL HUF		115	BCMPS7773 M	RAJ SAURABH SINGH
26	AAKCA7459G	AURELIAN SUPPLIERS PVT LTD		116	AADPB0522D	RAJAN BAJAJ
27	AAACB5459P	BABA NANAK FINANCIAL SERVICES LIMITED		117	ACCPV0683N	RAJAN VERMA
28	AAHPG1610P	BABITA GOYAL		118	ACCPJ4515H	RAJESH JAIN
29	AAHPG2495E	BALA GARG .		119	AZEPS8558C	RAJESH MOHANBHAI SHETA
30	AAIFB9042M	BALAJI STEEL TRADERS		120	AENPB3579G	RAJINDER BANSAL
31	AJXPM2815P	BALPREET SINGH MADAN .		121	AHFPD2770A	RAJNI GARG
32	DBTPK6055A	BHAGWATI CORPORATION PROP. KARAN		122	AHKPG5965F	RAJSHREE
33	AEJPJ0950P	BINA JAIN		123	ABJPA0699R	RAJU AGARWAL
34	AAIHB8588A	BRAHMA NAND SHARMA HUF		124	ALCPY3487E	RAM YADAV SOLE PROP CAPITAL SECURITIES
35	AAFCB3540C	BRYN COMMODITIES & DERIVATIVES PRIVATE LIMITED		125	AAAPC3341G	RIKHAB CHAND
36	AAECC8564C	CARDER DISTRIBUTORS PRIVATE LIMITED		126	AHFPK2734D	RITA KATARIA

S.No.	PAN	Name of Entity		S.No.	PAN	Name of Entity
1	AIHPJ4158R	AANCHAL JINDAL		91	AARPG8727D	NEERAJ GOEL
2	AHWPA3338 A	ABHISHEK AHUJA		92	AEMPD8240F	NIRMALA DEVI
3	BDRPS4186E	AJAY SINGH		93	AGTPA6509M	NITIN HARISH AGARWAL
4	AADPG9382Q	AJAY GUPTA		94	AIWPA6187A	NITISH AHUJA
5	ADDPJ7208H	AJAY KUMAR JINDAL		95	ACDFS3492D	NITYANAND THAKUR
6	AAFPC4720N	AJEET SINGH CHAUHAN		96	AADCV7259E	NOVAK EXIM OVERSEAS PRIVATE LIMITED
7	AAHHA1765K	AJEET SINGH CHAUHAN		97	ABSPT8332M	OM PRAKASH TANTIA
8	AIMPG2049K	AKASH GUPTA		98	AIMPY3580D	PARMANAND YADAV
9	ABUPG5558N	AKHILESH GOYAL		99	ADNPJ6572G	PARUL JAIN
10	AAGHA1719N	AKHILESH GOYAL HUF		100	BSQPB2397J	PAWAN BATRA .
11	AJZPM2814N	AMANJEET MADAN .		101	AAGCP6892C	PLACIDO MARKETING PRIVATE LIMITED
12	AACPN4821C	ANIL NAGPAL		102	AEKPB3963P	POONAM BAJAJ
13	ALHPM2163N	ANIL KUMAR MISHRA		103	AAIPJ8526A	PRADEEP KUMAR JINDAL
14	ABTPS4936R	ANIL SAHU		104	AQMPG2650 C	PRAVEEN GOYALPROP OF SHIVAM TRADING CO.
15	ALNPP7535M	ANJU PIPALWA		105	AZCPG7812P	PRAVEEN GOYAL
16	ABCPB9562B	ANSHU GOYAL		106	AALHP6993A	PRAVEEN KUMAR BANSAL HUF
17	AAKCA6099A	ANTIMONY MARKETING PRIVATE LIMITED		107	AXNPC3713G	Prem Chand
18	AJCPA8040P	ANURADHA DEVI		108	AANHP4754K	PREM CHAND GUPTA (HUF)
19	AKAPA1261H	APURVA AGARWAL		109	AAAPJ4515D	PRINCE JAISWAL
20	AGNPJ5775G	ARCHIT JINDAL		110	AAFHP1930B	PRINCE JAISWAL
21	ACMPC4926D	ARJUN CHETRI		111	APSPJ2669D	PRIYA JAIN
22	ADIPJ6540R	ARUN JAIN		112	AKEPR6030K	PUSHP RAJ
23	BJMPG8999L	ASHNA GROVER		113	BMWPS7405L	RACHNA SHARMA
24	AFHPM8881 M	ASHOK KUMAR MITTAL		114	AOEPK6990F	RAJ KUMARI
25	AAJHA7095N	ASHOK KUMAR MITTAL HUF		115	BCMPS7773 M	RAJ SAURABH SINGH
26	AAKCA7459G	AURELIAN SUPPLIERS PVT LTD		116	AADPB0522D	RAJAN BAJAJ
27	AAACB5459P	BABA NANAK FINANCIAL SERVICES LIMITED		117	ACCPV0683N	RAJAN VERMA
28	AAHPG1610P	BABITA GOYAL		118	ACCPJ4515H	RAJESH JAIN
37	AEEPG9919C	CHANCHAL GOYAL		127	AAAPK7851M	RITU KAPOOR
38	AAECD3064A	DELPHINA DISTRIBUTORS PRIVATE LIMITED		128	AHRPJ1492P	RUCHI JAISWAL
39	BZVPK7899E	DINESH KUMAR		129	AAFPT7201D	RUCHI TANTIA
40	ACAPB4715H	DINESH KUMAR BANSAL		130	ATKPJ3719J	RUCHIKA JAIN
41	ADIPK6787D	DINESH RATHORE		131	AGTPG4671Q	SAGAR GUPTA
42	AACHD4576L	DIVESH KUMAR GOYAL HUF		132	AZGPJ8771N	SAMYAK JAIN
43	AMEPJ6172A	DIVYA JAIN		133	DBZPK9156C	SANDEEP KUMAR
44	AAECD5329A	DORAEMON COMMODITIES & DERIVATIVES PRIVATE LIMITED		134	AASHS1592K	SANJAY BANSAL HUF
45	AAACF0157G	FUSSY FINANCIAL SERVICES PVT LTD		135	AEKPK6751Q	SANTOSH KUMAR

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1	AIHPJ4158R	AANCHAL JINDAL		91	AARPG8727D	NEERAJ GOEL
2	AHWPA3338 A	ABHISHEK AHUJA		92	AEMPD8240F	NIRMALA DEVI
3	BDRPS4186E	AJAY SINGH		93	AGTPA6509M	NITIN HARISH AGARWAL
4	AADPG9382Q	AJAY GUPTA		94	AIWPA6187A	NITISH AHUJA
5	ADDPJ7208H	AJAY KUMAR JINDAL		95	ACDFS3492D	NITYANAND THAKUR
6	AAFPC4720N	AJEET SINGH CHAUHAN		96	AADCV7259E	NOVAK EXIM OVERSEAS PRIVATE LIMITED
7	AAHHA1765K	AJEET SINGH CHAUHAN		97	ABSPT8332M	OM PRAKASH TANTIA
8	AIMPG2049K	AKASH GUPTA		98	AIMPY3580D	PARMANAND YADAV
9	ABUPG5558N	AKHILESH GOYAL		99	ADNPJ6572G	PARUL JAIN
10	AAGHA1719N	AKHILESH GOYAL HUF		100	BSQPB2397J	PAWAN BATRA .
11	AJZPM2814N	AMANJEET MADAN .		101	AAGCP6892C	PLACIDO MARKETING PRIVATE LIMITED
12	AACPN4821C	ANIL NAGPAL		102	AEKPB3963P	POONAM BAJAJ
13	ALHPM2163N	ANIL KUMAR MISHRA		103	AAIPJ8526A	PRADEEP KUMAR JINDAL
14	ABTPS4936R	ANIL SAHU		104	AQMPG2650 C	PRAVEEN GOYALPROP OF SHIVAM TRADING CO.
15	ALNPP7535M	ANJU PIPALWA		105	AZCPG7812P	PRAVEEN GOYAL
16	ABCPB9562B	ANSHU GOYAL		106	AALHP6993A	PRAVEEN KUMAR BANSAL HUF
17	AAKCA6099A	ANTIMONY MARKETING PRIVATE LIMITED		107	AXNPC3713G	Prem Chand
18	AJCPA8040P	ANURADHA DEVI		108	AANHP4754K	PREM CHAND GUPTA (HUF)
19	AKAPA1261H	APURVA AGARWAL		109	AAAPJ4515D	PRINCE JAISWAL
20	AGNPJ5775G	ARCHIT JINDAL		110	AAFHP1930B	PRINCE JAISWAL
21	ACMPC4926D	ARJUN CHETRI		111	APSPJ2669D	PRIYA JAIN
22	ADIPJ6540R	ARUN JAIN		112	AKEPR6030K	PUSHP RAJ
23	BJMPG8999L	ASHNA GROVER		113	BMWPS7405L	RACHNA SHARMA
24	AFHPM8881 M	ASHOK KUMAR MITTAL		114	AOEPK6990F	RAJ KUMARI
25	AAJHA7095N	ASHOK KUMAR MITTAL HUF		115	BCMPS7773 M	RAJ SAURABH SINGH
26	AAKCA7459G	AURELIAN SUPPLIERS PVT LTD		116	AADPB0522D	RAJAN BAJAJ
27	AAACB5459P	BABA NANAK FINANCIAL SERVICES LIMITED		117	ACCPV0683N	RAJAN VERMA
28	AAHPG1610P	BABITA GOYAL		118	ACCPJ4515H	RAJESH JAIN
46	AACHG3665F	GAGAN KAPUR		136	DRUPS8079D	SAPNA SOLE PROP.OF SONI SALES INDIA SAPNA SOLE PROP.OF SONI SALES INDIA
47	AHFPK2559N	GAGAN KAPUR		137	ACRPB9553E	SAROJ BANSAL
48	AAFCG0606G	GOODPOINT IMPEX PRIVATE LIMITED		138	ADNPA9559L	SAURABH AGARWAL
49	AWXPS4402R	GOVIND SHARMA		139	AFXPB5382A	SHAKUN BANSAL
50	AAFCG2466G	GREATSCOPE DISTRIBUTORS PRIVATE LIMITED		140	AHKPP8137E	SHARADA PRASAD
51	AADCH2062B	HAPPYSHOP DISTRIBUTORS PRIVATE LIMITED		141	AAAPA4400C	SHASHI AGGARWAL
52	AIIPB9392E	HEMLATA BANSAL		142	AIRPY0807E	SHASHI YADAV

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3	BDRPS4186E	AJAY SINGH		93	AGTPA6509M	NITIN HARISH AGARWAL
4	AADPG9382Q	AJAY GUPTA		94	AIWPA6187A	NITISH AHUJA
5	ADDPJ7208H	AJAY KUMAR JINDAL		95	ACDFS3492D	NITYANAND THAKUR
6	AAFPC4720N	AJEET SINGH CHAUHAN		96	AADCV7259E	NOVAK EXIM OVERSEAS PRIVATE LIMITED
7	AAHHA1765K	AJEET SINGH CHAUHAN		97	ABSPT8332M	OM PRAKASH TANTIA
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9	ABUPG5558N	AKHILESH GOYAL		99	ADNPJ6572G	PARUL JAIN
10	AAGHA1719N	AKHILESH GOYAL HUF		100	BSQPB2397J	PAWAN BATRA .
11	AJZPM2814N	AMANJEET MADAN .		101	AAGCP6892C	PLACIDO MARKETING PRIVATE LIMITED
12	AACPN4821C	ANIL NAGPAL		102	AEKPB3963P	POONAM BAJAJ
13	ALHPM2163N	ANIL KUMAR MISHRA		103	AAIPJ8526A	PRADEEP KUMAR JINDAL
14	ABTPS4936R	ANIL SAHU		104	AQMPG2650 C	PRAVEEN GOYALPROP OF SHIVAM TRADING CO.
15	ALNPP7535M	ANJU PIPALWA		105	AZCPG7812P	PRAVEEN GOYAL
16	ABCPB9562B	ANSHU GOYAL		106	AALHP6993A	PRAVEEN KUMAR BANSAL HUF
17	AAKCA6099A	ANTIMONY MARKETING PRIVATE LIMITED		107	AXNPC3713G	Prem Chand
18	AJCPA8040P	ANURADHA DEVI		108	AANHP4754K	PREM CHAND GUPTA (HUF)
19	AKAPA1261H	APURVA AGARWAL		109	AAAPJ4515D	PRINCE JAISWAL
20	AGNPJ5775G	ARCHIT JINDAL		110	AAFHP1930B	PRINCE JAISWAL
21	ACMPC4926D	ARJUN CHETRI		111	APSPJ2669D	PRIYA JAIN
22	ADIPJ6540R	ARUN JAIN		112	AKEPR6030K	PUSHP RAJ
23	BJMPG8999L	ASHNA GROVER		113	BMWPS7405L	RACHNA SHARMA
24	AFHPM8881 M	ASHOK KUMAR MITTAL		114	AOEPK6990F	RAJ KUMARI
25	AAJHA7095N	ASHOK KUMAR MITTAL HUF		115	BCMPS7773 M	RAJ SAURABH SINGH
26	AAKCA7459G	AURELIAN SUPPLIERS PVT LTD		116	AADPB0522D	RAJAN BAJAJ
27	AAACB5459P	BABA NANAK FINANCIAL SERVICES LIMITED		117	ACCPV0683N	RAJAN VERMA
28	AAHPG1610P	BABITA GOYAL		118	ACCPJ4515H	RAJESH JAIN
53	AAACI1876R	INDO CREDITOP PVT LTD .		143	AHUPG8309H	SHILPA GARG .
54	AHSPA9605L	KAMINI AGARWAL		144	AOKPM8742B	SHIMUL MITRA
55	AFCPD6087P	KANTA DEVI		145	AACCJ9550B	SHITLAMATA COMMODITIES PVT. LTD.
56	AFNPG4020L	KAPIL GUPTA		146	AASCS6284R	SHIVSATHI MERCANTILE PRIVATE LIMITED
57	AAACK8837C	KESRI INDUSTRIAL LAB PVT LTD .		147	CXMPK2057E	SHREE BALAJI ENTERPRISES PROP SACHIN KUMAR
58	AAMFK2127J	KOMAL ENTERPRISES		148	AAJCS1878A	SHREE SAI CITY PROMOTERS & DEVELOPERS PVT LTD SHREE
59	ATUPM4571F	KRISHANU MUKHARJI		149	ATCPJ8732B	SHRUTI JAIN

2.2. The below mentioned entities allegedly violated provisions of Section 12A(a), (b) and (c) of SEBI Act, 1992 and Regulations 3 (a),(b),(c),(d), 4 (1), 4(2)(a) and (e) of the PFUTP Regulations, 2003:

Table No: 2

S No	PAN	Name of Entity		S No	PAN	Name of Entity
1	BDRPS4186E	AJAY SINGH		16	AADCN3085E	NANON DISTRIBUTORS PRIVATE LIMITED
2	ALHPM2163N	ANIL KUMAR MISHRA		17	AACCN9006G	NEXTGEN RETAIL PRIVATE LIMITED
3	AAHPG1610P	BABITA GOYAL		18	BSQPB2397J	PAWAN BATRA
4	AAFCB3540C	BRYN COMMODITIES & DERIVATIVES PRIVATE LIMITED		19	AQMPG2650C	PRAVEEN GOYAL PROP OF SHIVAM TRADING CO.
5	AAECD8223H	DHANSILK VANIJYA PRIVATE LIMITED		20	AXNPC3713G	Prem Chand
6	ADIPK6787D	DINESH RATHORE		21	ALCPY3487E	RAM YADAV SOLE PROP CAPITAL SECURITIES
7	AAECD5329A	DORAEMON COMMODITIES & DERIVATIVES PRIVATE LIMITED		22	DBZPK9156C	SANDEEP KUMAR
8	AAKFG7595A	GAJANAN ENTERPRISES		23	AEKPK6751Q	SANTOSH KUMAR
9	AAFCG2466G	GREATSCOPE DISTRIBUTORS PRIVATE LIMITED		24	DRUPS8079D	SAPNA SOLE PROP.OF SONI SALES INDIA
10	AADCH2062B	HAPPYSHOP DISTRIBUTORS PRIVATE LIMITED		25	CXMPK2057E	SHREE BALAJI ENTERPRISES PROP SACHIN KUMAR
11	AAXPU7431Q	KAKUMANU UMAMAHESHWARARAO		26	AAECT6776H	TEAMPACK COMMODITIES PRIVATE LIMITED
12	AAACK8837C	KESRI INDUSTRIAL LAB PVT LTD .		27	AABCT5830B	TUSHAR INDIA P LTD
13	AEEPJ6955K	MAMTA JINDAL		28	AACCT1206G	TVF FINANCE AND INVESTMENTS PVT LTD
14	BHQPA7327E	MOHD ASLAM PROP GLOBAL ENTERPRISES		29	AFLPS7772M	UMESH SINGHAL
15	AACCN4898E	N N FINANCIAL CONSULTANTS PRIVATE LIMITED		30	AGZPJ3301J	VAIBHAV JAIN

2.3. Entities viz. Aanchal Jindal, Ajay Kumar Jindal, Archit Jindal, Hemant Goel, Laxman Singh Satyapal, Madhur Jain, Mamta Jindal, Meera Mishra, Pradeep Kumar Jindal, Ritu Jain and Vaibhav Jain allegedly violated provisions of Regulation 13(4A) and 13(5)(b) of Securities and Exchange Board of India (Prohibition of Insider Trading) Regulations, 1992 (hereinafter referred to as **"PIT Regulations, 1992"**) read with Regulation 12 of PIT Regulations, 2015;

2.4. Entities viz. Archit Jindal, Mamta Jindal, Meera Mishra and Vaibhav Jain allegedly violated provisions of Regulation 29(1), (2) and (3) of Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 (hereinafter referred to as **"SAST Regulation, 2011"**).

B. APPOINTMENT OF ADJUDICATING OFFICER

3. SEBI initiated adjudication proceedings and appointed Ms Sangeeta Rathod under Section 15-I of the SEBI Act read with Rule 3 of the SEBI (Procedure for Holding Inquiry and Imposing Penalties) Rules, 1995 (hereinafter referred to as the "**Adjudication Rules**") to inquire into and adjudge the violations alleged against the Noticees. The case was subsequently transferred to Shri K Saravanan, Shri Parag Basu and to me, vide communications dated October 28, 2020, July 14, 2021 and March 11, 2022 respectively.

C. SHOW CAUSE NOTICE, REPLY AND PERSONAL HEARING

4. A common Show Cause Notice dated May 18, 2022 (hereinafter referred to as "**SCN**") was issued against the Noticees. The SCN was issued under Rule 4(1) of the Adjudication Rules by way of electronic mail along with digital signature to show cause as to why inquiry should not be initiated against the Noticees, and penalty, if any, should not be imposed under the provisions of Section 15HA and 15A(b) of the SEBI Act.In the SCN, 240 entities were identified as suspected entities based on analysis of information viz. UCC, Know Your Client details, Demat statements etc. It was observed that a network of transactions involving off-market and market transactions existed between 176 out of the 240 suspected entities, in which shares were transacted without resulting in change of ownership. It was observed that the said *modus operandi* resulted in creation of artificial volumes. It was also observed that execution of synchronized trades by 78 entities also resulted in creation of artificial volumes. Further, trading pattern of the suspected entities was analyzed for the six patches of the IP, and it was observed that price manipulation was carried out by 30 suspected entities. The alleged volume and price manipulation carried out by the entities resulted in violation of provisions of the PFUTP Regulations. It was further observed in the SCN that consequent to each promoters' off-market and market transactions as part of their overall *modus operandi* of creating artificial volume in the scrip, alleged violation of provisions of PIT Regulations, 1992 and SAST Regulations, 2011 had been carried out. The allegations have been elaborated and

considered along with the replies of the Noticees, in the latter part of this order; after narration of the preliminary dates and events.

5. The common SCN dated May 18, 2022 was served on Noticee No: 80 vide Speed Post Acknowledgement Due (SPAD) and on Noticee No: 179 vide publication dated July 07, 2022. The said publication was made New Delhi editions of the newspapers viz. The Hindustan Times (English) and Dainik Jagran (Hindi). For rest of the Noticees, the SCN was served vide digitally signed email dated May 18, 2022. The said emails had not bounced back. The proofs of service of the SCN to the Noticees are on record.

6. Noticee No. 80 was granted opportunity of personal hearing on July 15, 2022 vide SPAD. Noticee No. 179 was granted opportunity of personal hearing on July 22, 2022 vide publication dated July 07, 2022. However, said two Noticees did not avail of the opportunity of hearing. The details of replies submitted and opportunities of hearing availed by the Noticees is as follows:

Table No: 3

S No	Name of Noticee*	Details of replies submitted on merits	Name of the Authorized Representative(s)	Date(s) on which hearing availed**
1	Gajanan Enterprises (Noticee No 11)	Reply dated July 25, 2022	Mr Dinesh Mange, Mr Ravi Ramaiya, CA	July 14, 2022, July 25, 2022
2	TVF Finance And Investments Pvt Ltd (Noticee No. 37)	May 21, 2022, May 31, 2022, July 05, 2022	Hearing not availed	Hearing not availed
3	Vaibhav Jain (Noticee No. 39)	July 14, 2022	Mr Vinod Jain, CA; Ms Ananya Madhusudan, Advocate	June 22, 2022, July 06, 2022, July 14, 2022, July 20, 2022
4	Akash Gupta (Noticee No. 44)	June 08, 2022	Hearing not availed	Hearing not availed
5	Amanjeet Madan (Noticee No. 47)	June 07, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 22, 2022
6	Anil Nagpal (Noticee No. 48)	June 07, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 06, 2022
7	Arjun Chetri (Noticee No. 55)	June 08, 2022	Mr Manson Kumar Sethi	June 21, 2022
8	Arun Jain (Noticee No. 56)	June 07, 2022	Hearing not availed	Hearing not availed
9	Bala Garg (Noticee No. 62)	June 21, 2022	Mr Kshitiz Garg, Advocate	June 21, 2022

S No	Name of Noticee*	Details of replies submitted on merits	Name of the Authorized Representative(s)	Date(s) on which hearing availed**
10	Balpreet Singh Madan (Noticee No. 64)	June 07, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 22, 2022
11	Bina Jain (Noticee No. 66)	June 07, 2022	Hearing not availed	Hearing not availed
12	Divya Jain (Noticee No. 74)	July 07, 2022	Mr Awnish Kumar, Advocate	June 22, 2022, July 06, 2022, July 14, 2022
13	Fussy Financial Services Pvt Ltd (Noticee No. 75)	June 01, 2022	Hearing not availed	Hearing not availed
14	Gagan Kapur HUF (Noticee No. 76)	July 25, 2022	Mr Ravi Prakash, Advocate; Ms Nikita Vijay, Advocate	June 20, 2022, July 06, 2022, July 14, 2022, July 25, 2022
15	Gagan Kapur (Noticee No. 77)	July 25, 2022	Mr Ravi Prakash, Advocate; Ms Nikita Vijay, Advocate	June 20, 2022, July 06, 2022, July 14, 2022, July 25, 2022
16	Indo Creditop Pvt Ltd (Noticee No. 81)	May 27, 2022, June 27, 2022	Mr Sukumara Pillai, Mr Vinod Raina, Mr Yogendra Khosla	June 22, 2022
17	Kapil Gupta (Noticee No. 84)	June 08, 2022	Self	June 20, 2022
18	Krishanu Mukharji (Noticee No. 86)	June 08, 2022	Self	June 20, 2022
19	Lakshmi Goyal (Noticee No. 88)	June 17, 2022	Mr Rakesh Gupta	June 20, 2022
20	Maitri Jaiswal (Noticee No. 90)	July 25, 2022	Ms Ankita Aggarwal, Advocate	June 20, 2022, July 06, 2022, July 14, 2022
21	Manish Gupta HUF (Noticee No. 91)	June 02, 2022, June 21, 2022	Mr Rushil Kapadia, Advocate	June 22, 2022
22	Manoj Tantia (Noticee No. 94)	Reply to be submitted	Mr Suraj Sharma, CS; Ms Meenu Sharma, CS	June 22, 2022, July 06, 2022, July 14, 2022, July 22, 2022
23	Maya Gupta (Noticee No. 95)	June 02, 2022, June 22, 2022	Mr Robin Shah, Advocate	June 22, 2022
24	Mayank Rai Jain (Noticee No. 96)	June 21, 2022	Hearing not availed	Hearing not availed
25	Mili Goel (Noticee No. 99)	July 05, 2022	Mr Meit Shah, Advocate	July 14, 2022
26	Mohit Behal (Noticee No. 100)	June 18, 2022	Hearing not availed	Hearing not availed
27	Mukesh Jain (Noticee No. 102)	July 07, 2022	Mr Awnish Kumar, Advocate	June 22, 2022, July 06, 2022, July 14, 2022
28	Multiplex Capital Ltd. (Noticee No. 103)	June 14, 2022	Mr Rakesh Gupta	June 20, 2022
29	Navneet Pareek (Noticee No. 106)	June 07, 2022	Mr Robin Shah, Advocate	July 06, 2022
30	Neelam Jain (Noticee No. 108)	June 19, 2022	Mr Atul Jain	June 21, 2022
31	Neeraj Chawala And Son HUF (Noticee No. 109)	June 17, 2022	Mr Rakesh Gupta	June 20, 2022
32	Neeraj Rathor HUF (Noticee No. 110)	June 02, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 22, 2022

S No	Name of Noticee*	Details of replies submitted on merits	Name of the Authorized Representative(s)	Date(s) on which hearing availed**
33	Neeraj Goel HUF (Noticee No. 111)	July 05, 2022	Mr Meit Shah, Advocate	July 14, 2022
34	Neeraj Goel (Noticee No. 112)	July 05, 2022	Mr Meit Shah, Advocate	July 14, 2022
35	Om Prakash Tantia (Noticee No. 118)	July 22, 2022	Mr Suraj Sharma, CS; Ms Meenu Sharma, CS	June 22, 2022, July 06, 2022, July 14, 2022, July 22, 2022
36	Parul Jain (Noticee No. 120)	June 08, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 22, 2022
37	Poonam Bajaj (Noticee No. 122)	June 08, 2022	Mr Prabhodh Gupta	June 21, 2022
38	Prem Chand Gupta (HUF) (Noticee No. 125)	June 02, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 22, 2022
39	Prince Jaiswal HUF (Noticee No. 126)	July 25, 2022	Ms Ankita Aggarwal, Advocate	June 20, 2022, July 06, 2022, July 14, 2022
40	Prince Jaiswal (Noticee No. 127)	July 25, 2022	Ms Ankita Aggarwal, Advocate	June 20, 2022, July 06, 2022, July 14, 2022
41	Priya Jain (Noticee No. 128)	July 07, 2022	Mr Awnish Kumar, Advocate	June 22, 2022, July 06, 2022, July 14, 2022
42	Rajan Bajaj (Noticee No. 133)	June 08, 2022	Mr Prabhodh Gupta	June 21, 2022
43	Rajesh Jain (Noticee No. 135)	June 08, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 22, 2022
44	Rajesh Mohanbhai Sheta (Noticee No. 136)	July 14, 2022	Self	July 14, 2022
45	Rajni Garg (Noticee No. 138)	July 22, 2022	Mr Suraj Sharma, CS; Ms Meenu Sharma, CS	June 22, 2022, July 06, 2022, July 14, 2022, July 22, 2022
46	Rajshree (Noticee No. 139)	July 05, 2022	Mr Meit Shah, Advocate	July 14, 2022
47	Rikhab Chand (Noticee No. 141)	June 07, 2022	Hearing not availed	Hearing not availed
48	Ritu Kapoor (Noticee No. 143)	July 25, 2022	Mr Ravi Prakash, Advocate ; Ms Nikita Vijay, Advocate	June 20, 2022, July 06, 2022, July 14, 2022, July 25, 2022
49	Ruchi Jaiswal (Noticee No. 144)	July 25, 2022	Ms Ankita Aggarwal, Advocate	June 20, 2022, July 06, 2022, July 14, 2022
50	Ruchi Tantia (Noticee No. 145)	July 22, 2022	Mr Suraj Sharma, CS; Ms Meenu Sharma, CS	June 22, 2022, July 06, 2022, July 14, 2022, July 22, 2022
51	Sagar Gupta (Noticee No. 147)	June 08, 2022	Hearing not availed	Hearing not availed
52	Samyak Jain (Noticee No. 148)	June 08, 2022, June 20, 2022	Mr Robin Shah, Advocate	June 22, 2022
53	Shashi Aggarwal (Noticee No. 154)	June 30, 2022	Mr Rinku Valanju, Advocate	June 22, 2022
54	Shilpa Garg (Noticee No. 156)	June 21, 2022	Mr Kshitiz Garg, Advocate	June 21, 2022
55	Shree Sai City Promoters & Developers Pvt Ltd (Noticee No. 160)	July 05, 2022	Mr Rakesh Gupta	July 06, 2022
56	Sudesh Kapoor (Noticee No. 162)	July 25, 2022	Mr Ravi Prakash, Advocate; Ms Nikita Vijay, Advocate	June 20, 2022, July 06, 2022, July 14, 2022, July 25, 2022
57	Suman Agrawal (Noticee No. 164)	Submitted during the course of hearing, recorded	Mr Ramchandra Agrawal	June 21, 2022

S No	Name of Noticee*	Details of replies submitted on merits	Name of the Authorized Representative(s)	Date(s) on which hearing availed**
		in the Record of Proceedings		
58	Suruchi Jain (Noticee No. 167)	June 07, 2022	Hearing not availed	Hearing not availed
59	Tilak Raj Behal (Noticee No. 170)	June 18, 2022	Hearing not availed	Hearing not availed
60	Usha Goel (Noticee No. 172)	July 05, 2022	Mr Meit Shah, Advocate	July 14, 2022
61	Usha Rani Rustagi (Noticee No. 173)	Submitted during the course of hearing, recorded in the Record of Proceedings	Mr Sushil Rustagi (son)	June 22, 2022
62	Ved Prakash (Noticee No. 175)	July 05, 2022	Mr Meit Shah, Advocate	July 14, 2022
63	Vidya Devi (Noticee No. 176)	(death certificate submitted vide email dated June 07, 2022)		
64	Yoginder Kumar (Noticee No. 185)	June 30, 2022	Mr Rinku Valanju, Advocate	June 22, 2022

** Names of Noticees who appeared are arranged in seriatim eliminating those who failed to appear.*

*** Hearing commenced on June 20, 2022 and concluded on July 25, 2022, and the dates of appearances are shown against each Noticee's name.*

7. I note that Mr Robin Shah, Advocate, has submitted death certificate of Mrs (Late) Vidya Devi, Noticee No. 176 vide email dated June 07, 2022. It was submitted that in view of the settled position of law, the SCN issued against said Noticee must be disposed of. In this regard, I note that the Hon'ble Supreme Court in its judgment in the matter of Girija Nandini vs. Bijendra Narain Choudhury (AIR 1967 SC 2110) has held that in case of personal actions, i.e. the actions where the relief sought is personal to the deceased, the right to sue will not survive to or against the representatives, and in such cases the maxim "*actio personalis moritur cum persona*" (personal action dies with the death of the person) would apply. The Hon'ble Securities Appellate Tribunal has also held in the matter of Chandravadan J Dalal Vs. SEBI that "*The appeal abates since the appellant during the pendency of the appeal died on 29th November, 2004. The appeal accordingly abates. The penalty imposed on the original appellant being personal in nature also abates*". In the present case, I note from the copy of the Death Certificate registered on April 11, 2015 issued by the Uttar Pradesh Government, that the Noticee had passed away on March 07, 2015. The Adjudication Proceedings initiated against the Noticee will not survive and abates.

8. I further note that Noticees apart from those mentioned in Table No: 3 have neither submitted reply on merits, nor availed of the opportunity of personal hearing. However, the SCN dated May 18, 2022 as well as the hearing notices were duly delivered to them in terms of Rule 7 of the Adjudication Rules. Having complied with the requirements of natural justice, as laid down in the Adjudication Rules, I now proceed to deal with the matter on merits, based on available records.

D. FACTUAL MATRIX

9. As seen from the facts narrated under the heading '**BACKGROUND OF THE CASE**', the SCN was based on SEBI's investigation of the trading of certain entities in the scrip of Delta. Based on the findings of the investigation, it was alleged that 240 entities were connected to each other on basis of details including UCC details, Demat statements, KYC details, details of promoters/directors of Delta etc. Further, the following allegations were levelled against the Noticees, which were 'suspected entities', in the SCN and the same have been summarized below:

   9.1. It was alleged that the promoter entities transferred substantial quantity of shares to several suspected entities just prior to the listing of shares on BSE and also during the IP. Such transfers took place both, directly to the suspected entities and also indirectly, through layers of suspected entities. It was alleged that the promoter/promoter connected entities transferred a substantial portion of their holdings through off-market to the suspected entities, who in turn sold in the market the shares so received. The counter party buyers for these sale transactions on the market platform were also amongst the suspected entity who transferred back the shares so bought, to the promoter/promoter connected entities through off-market transfer either directly or indirectly through other suspected entities. It was alleged that the extent of shares received through off-market and sold in the market by the suspected entities and which were bought in the market by other suspected entities and transferred back to the promoters through off-market transfers, either directly or through other suspected entities, constituted the 'artificial volume' created in the market, since there was no actual change in the ownership of the securities in the said transactions. 176 entities, as listed below, were alleged to have created artificial volume in the market through the *modus operandi*:

Table No: 4

S.No.	Name of Entity		S.No.	Name of Entity
1	AANCHAL JINDAL		89	NEERAJ RATHOR (HUF)
2	ABHISHEK AHUJA		90	NEERAJ GOEL
3	AJAY SINGH		91	NEERAJ GOEL
4	AJAY GUPTA		92	NIRMALA DEVI
5	AJAY KUMAR JINDAL		93	NITIN HARISH AGARWAL
6	AJEET SINGH CHAUHAN		94	NITISH AHUJA
7	AJEET SINGH CHAUHAN		95	NITYANAND THAKUR
8	AKASH GUPTA		96	NOVAK EXIM OVERSEAS PRIVATE LIMITED
9	AKHILESH GOYAL		97	OM PRAKASH TANTIA
10	AKHILESH GOYAL HUF		98	PARMANAND YADAV
11	AMANJEET MADAN .		99	PARUL JAIN
12	ANIL NAGPAL		100	PAWAN BATRA .
13	ANIL KUMAR MISHRA		101	PLACIDO MARKETING PRIVATE LIMITED
14	ANIL SAHU		102	POONAM BAJAJ
15	ANJU PIPALWA		103	PRADEEP KUMAR JINDAL
16	ANSHU GOYAL		104	PRAVEEN GOYALPROP OF SHIVAM TRADING CO.
17	ANTIMONY MARKETING PRIVATE LIMITED		105	PRAVEEN GOYAL
18	ANURADHA DEVI		106	PRAVEEN KUMAR BANSAL HUF
19	APURVA AGARWAL		107	Prem Chand
20	ARCHIT JINDAL		108	PREM CHAND GUPTA (HUF)
21	ARJUN CHETRI		109	PRINCE JAISWAL
22	ARUN JAIN		110	PRINCE JAISWAL
23	ASHNA GROVER		111	PRIYA JAIN
24	ASHOK KUMAR MITTAL		112	PUSHP RAJ RAJ
25	ASHOK KUMAR MITTAL HUF .		113	RACHNA SHARMA
26	AURELIAN SUPPLIERS PVT LTD		114	RAJ KUMARI
27	BABA NANAK FINANCIAL SERVICES LIMITED		115	RAJ SAURABH SINGH
28	BABITA GOYAL		116	RAJAN BAJAJ
29	BALA GARG .		117	RAJAN VERMA
30	BALAJI STEEL TRADERS		118	RAJESH JAIN
31	BALPREET SINGH MADAN .		119	RAJESH MOHANBHAI SHETA
32	BHAGWATI CORPORATION PROP. KARAN		120	RAJINDER BANSAL
33	BINA JAIN		121	RAJNI GARG
34	BRAHMA NAND SHARMA HUF		122	RAJSHREE
35	BRYN COMMODITIES & DERIVATIVES PRIVATE LIMITED		123	RAJU AGARWAL
36	CARDER DISTRIBUTORS PRIVATE LIMITED		124	RAM YADAV SOLE PROP CAPITAL SECURITIES
37	CHANCHAL GOYAL		125	RIKHAB CHAND
38	DELPHINA DISTRIBUTORS PRIVATE LIMITED		126	RITA KATARIA
39	DINESH KUMAR		127	RITU KAPOOR
40	DINESH KUMAR BANSAL		128	RUCHI JAISWAL
41	DINESH RATHORE		129	RUCHI TANTIA
42	DIVESH KUMAR GOYAL HUF		130	RUCHIKA JAIN
43	DIVYA JAIN		131	SAGAR GUPTA
44	DORAEMON COMMODITIES & DERIVATIVES PRIVATE LIMITED		132	SAMYAK JAIN

45	FUSSY FINANCIAL SERVICES PVT LTD .		133	SANDEEP KUMAR
46	GAGAN KAPUR		134	SANJAY BANSAL HUF
47	GAGAN KAPUR		135	SANTOSH KUMAR
48	GOODPOINT IMPEX PRIVATE LIMITED		136	SAPNA SOLE PROP.OF SONI SALES INDIA
49	GOVIND SHARMA		137	SAROJ BANSAL
50	GREATSCOPE DISTRIBUTORS PRIVATE LIMITED		138	SAURABH AGARWAL
51	HAPPYSHOP DISTRIBUTORS PRIVATE LIMITED		139	SHAKUN BANSAL
52	HEMLATA BANSAL		140	SHARADA PRASAD
53	INDO CREDITOP PVT LTD .		141	SHASHI AGGARWAL
54	KAMINI AGARWAL		142	SHASHI YADAV
55	KANTA DEVI		143	SHILPA GARG .
56	KAPIL GUPTA		144	SHIMUL MITRA
57	KESRI INDUSTRIAL LAB PVT LTD .		145	SHITLAMATA COMMODITIES PVT. LTD.
58	KOMAL ENTERPRISES		146	SHIVSATHI MERCANTILE PRIVATE LIMITED
59	KRISHANU MUKHARJI		147	SHREE BALAJI ENTERPRISES PROP SACHIN KUMAR
60	KULDEEP SINGH RAIKHY AND SONS HUF		148	SHREE SAI CITY PROMOTERS & DEVELOPERS PVT LTD SHREE
61	LAKSHMI GOYAL		149	SHRUTI JAIN
62	LAXMAN SINGH SATYAPAL		150	SUDESH KAPOOR
63	LAXMI		151	SUDHIR PRASAD
64	MAITRI JAISWAL		152	SUMAN AGRAWAL
65	MAMTA JINDAL		153	SUNIL SINGH
66	MANISH GUPTA (HUF)		154	SURENDRA SHARMA
67	MANOJ SHARMA		155	SURUCHI JAIN
68	MANOJ MADAN		156	SUSANE TRADERS PRIVATE LIMITED
69	MANOJ TANTIA		157	TABASSUM FATIMA
70	MAYA GUPTA		158	TEAMPACK COMMODITIES PRIVATE LIMITED
71	MAYANK RAI JAIN		159	TILAK RAJ BEHAL
72	MEERA MISHRA		160	TUSHAR INDIA P LTD
73	MEETU AGGARWAL		161	TVF FINANCE AND INVESTMENTS PVT LTD
74	MEGHNA SRIVASTAVA		162	UMA SHANKAR
75	MILI GOEL		163	USHA GOEL
76	MOHD ASLAM PROP GLOBAL ENTERPRISES		164	USHA RANI RUSTAGI
77	MOHIT BEHAL		165	VANDNA CHAUHAN
78	MOONLIGHT UDYOG		166	VED PRAKASH
79	MUKESH JAIN		167	VIDYA DEVI
80	MULTIPLEX CAPITAL LTD.		168	VIJAY KUMAR AGGARWAL
81	N N FINANCIAL CONSULTANTS PRIVATE LIMITED		169	VINOD SHARMA
82	NAINADEVI COMMOTRADE PVT. LTD.		170	VIPIN GUPTA HUF .
83	NANON DISTRIBUTORS PRIVATE LIMITED		171	VIPUL GUPTA
84	NATRAJ CAPITAL CREDIT PVT LTD		172	VISHAKHA GUPTA
85	NAVNEET PAREEK		173	VISHAL GUPTA
86	NAWAL KISHORE		174	VIVEK KUMAR AGARWAL .
87	NEELAM JAIN		175	YASOMATI DISTRIBUTORS PVT LTD
88	NEERAJ CHAWALA SOND HUF		176	YOGINDER KUMAR

9.2. During the IP, 78 suspected entities executed synchronized trades among themselves, which resulted in generation of trade volume of 11,74,328 shares, comprising 13.04% of total market volume. It was alleged that the said trades, which were executed in a repetitive manner on 156 days on BSE (out of 327 trading days), resulted in creation of artificial volume in the market. Therefore, 176 entities, as listed below, were alleged to have created artificial volume in the market through the execution of synchronized trades:

Table No: 5

S.No.	Name of Entity		S.No.	Name of Entity
1	ABHISHEK AHUJA		40	NOVAK EXIM OVERSEAS PRIVATE LIMITED
2	AKASH GUPTA		41	PRAVEEN GOYALPROP OF SHIVAM TRADING CO.
3	AKHILESH GOYAL		42	PRAVEEN KUMAR BANSAL HUF
4	AKHILESH GOYAL HUF		43	Prem Chand
5	ANJU PIPALWA		44	PRINCE JAISWAL
6	ANSHU GOYAL		45	PUSHP RAJ RAJ
7	APURVA AGARWAL		46	RAJ SAURABH SINGH
8	ARJUN CHETRI		47	RAJAN BAJAJ
9	AURELIAN SUPPLIERS PVT LTD		48	RAJESH MOHANBHAI SHETA
10	BALAJI STEEL TRADERS		49	RAJSHREE
11	BHAGWATI CORPORATION PROP. KARAN		50	RAJU AGARWAL
12	BINA JAIN		51	RAM YADAV SOLE PROP CAPITAL SECURITIES
13	CHANCHAL GOYAL		52	RIKHAB CHAND
14	DINESH KUMAR BANSAL		53	RITA KATARIA
15	DIVESH KUMAR GOYAL HUF		54	RITU JAIN
16	GAGAN KAPUR		55	RUCHIKA JAIN
17	GOVIND SHARMA		56	SAGAR GUPTA
18	GREATSCOPE DISTRIBUTORS PRIVATE LIMITED		57	SANDEEP KUMAR
19	HAPPYSHOP DISTRIBUTORS PRIVATE LIMITED		58	SANJAY BANSAL HUF
20	HEMANT GOEL		59	SANTOSH KUMAR
21	HEMLATA BANSAL		60	SAPNA SOLE PROP.OF SONI SALES INDIA SAPNA SOLE PROP.OF SONI SALES INDIA
22	KAMINI AGARWAL		61	SAROJ BANSAL
23	KANTA DEVI		62	SAURABH AGARWAL
24	KESRI INDUSTRIAL LAB PVT LTD .		63	SHAKUN BANSAL
25	KOMAL ENTERPRISES		64	SHASHI AGGARWAL
26	KRISHANU MUKHARJI		65	SHIVSATHI MERCANTILE PRIVATE LIMITED
27	LAKSHMI GOYAL		66	SHREE BALAJI ENTERPRISES PROP SACHIN KUMAR
28	MADHUR JAIN		67	SURUCHI JAIN
29	MANOJ SHARMA		68	SUSANE TRADERS PRIVATE LIMITED
30	MANOJ TANTIA		69	TEAMPACK COMMODITIES PRIVATE LIMITED
31	MAYANK RAI JAIN		70	TUSHAR INDIA P LTD
32	MILI GOEL		71	USHA GOEL
33	MOHD ASLAM PROP GLOBAL ENTERPRISES		72	VAIBHAV JAIN
34	MOONLIGHT UDYOG		73	VED PRAKASH
35	MULTIPLEX CAPITAL LTD.		74	VINOD SHARMA
36	N N FINANCIAL CONSULTANTS PRIVATE LIMITED		75	VIPUL GUPTA
37	NATRAJ CAPITAL CREDIT PVT LTD		76	VISHAL GUPTA
38	NAVNEET PAREEK		77	YASOMATI DISTRIBUTORS PVT LTD
39	NEERAJ CHAWALA SOND HUF		78	YOGINDER KUMAR

9.3. Six patches were identified in the IP for analysis pertaining to price manipulation. Details of the said six patches are as below:

Table No: 6

Patch	Period	Open		High		Low		Close		Volume	
		Price (Rs.)	Vol.	Price (Rs.)	Vol.	Price (Rs.)	Vol.	Price (Rs.)	Vol.	Total Vol.	Avg. Vol.
1	April 18, 2013 to May 09, 2013	83	6331	183.6	53951	83	5	173.75	18135	223492	17192
(Price Rise)		April 18, 2013		May 09, 2013	May 08, 2013	April 18, 2013	May 03, 2013	May 09, 2013			
2	May 10, 2013 to June 28, 2013	173.75	16280	182	82848	34	10	34	850	836824	22617
(Price Fall)		May 10, 2013		May 10, 2013	June 05, 2013	June 28, 2013	June 18, 2013	June 28, 2013			
3	July 01, 2013 to Dec. 26, 2013	32.35	320	92.9	123100	31.75	1	88	14294	2510397	21096
(Price Rise)		July 01, 2013		Dec. 26, 2013	Sep. 03, 2013	July 05, 2013	Aug. 12, 2013	Dec. 26, 2013			
4	Dec. 27, 2013 to Jan. 31, 2014	86.3	474	91.75	50017	52	106	63.5	30010	438471	17539
(Price Fall)		Dec. 27, 2013		Jan. 06, 2014	Jan. 15, 2014	Jan. 21, 2014	Jan. 13. 2014	Jan. 31, 2014			
5	February 03, 2014 to June 26, 2014	64.9	25500	266	201064	62	15	254.2	47361	3193159	36703
(Price Rise)		February 03, 2014		June 26, 2014	March 25, 2014	February 07, 2014	April 02, 2014	June 26, 2014			
6	June 27, 2014 to September 04, 2014	250	18465	250	174300	68.6	2	71	119440	1799885	39128
(Price Fall)		June 27, 2014		June 27, 2014	September 02, 2014	September 04, 2014	August 01, 2014	September 04, 2014			

Based on the analysis done for each patch, viz. LTP analysis, New High Price/ New Low Price analysis and First Trade analysis, it was alleged that 30 suspected entities, as referred in Table No: 2, had indulged in manipulation of price of the scrip of Delta.

9.4. The shareholding of the promoter entities changed pursuant to market and off-market transfers, which required disclosures to be made by 11 promoters, viz. Aanchal Jindal (Noticee no: 1), Ajay Kumar Jindal (Noticee no: 3), Archit Jindal (Noticee no: 5), Hemant Goel (Noticee no: 14), Laxman Singh Satyapal (Noticee no: 17), Madhur Jain (Noticee no: 18), Mamta Jindal (Noticee no: 19), Meera Mishra (Noticee no: 20), Pradeep Kumar Jindal (Noticee no: 26), Ritu Jain (Noticee no: 30) and Vaibhav Jain (Noticee no: 39) mandated under the provisions of Regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992 and by 4 promoters viz. Archit Jindal (Noticee no: 5), Mamta Jindal (Noticee no: 19), Meera Mishra (Noticee no: 20) and Vaibhav Jain (Noticee no: 39) under the provisions of Regulation 29(1), (2) and (3) of the SAST Regulations, 2011. However, the said promoters failed to make the mandated disclosures, resulting in violation of aforesaid provisions.

9.5. To sum up, the thrust of the Investigation is on the artificial volume generated through the '*modus operandi'* brought out or identified by them. As an offshoot, the Investigation has also observed artificial generation through synchronized trades; price manipulation in the six patches comprising the IP and disclosure violations by certain promoter entities.

E. ISSUES

10. Based on the allegations levelled in the SCN, the following issues have been identified:

10.1. Whether ‘176 suspected entities’, referred in Table No: 4 above, entered into a chain of transactions as per some *modus operandi*, which resulted in transfer of shares without change in ownership thereby generating artificial volume in the scrip of Delta? If yes, whether it amounts to violation of provisions of Section 12A(a), (b) and (c) of the SEBI Act, 1992 and Regulations 3 (a),(b),(c),(d), 4(1), 4(2)(a) and (g) of the PFUTP Regulations, 2003?

10.2. Whether ‘78 suspected entities’, referred in Table No: 5 above, entered into synchronized trades which resulted in generation of artificial volume in the scrip of Delta? If yes, whether it amounts to violation of provisions of Section 12A(a), (b) and (c) of the SEBI Act, 1992 and Regulations 3 (a),(b),(c),(d), 4(1), 4(2)(a) and (g) of the PFUTP Regulations, 2003?

10.3. Whether some of the Noticees indulged in price manipulation during the six patches comprising the IP? If yes, whether it amounts to violation of provisions of Section 12A(a), (b) and (c) of the SEBI Act, 1992 and Regulations 3 (a),(b),(c),(d), 4(1), 4(2)(a) and (e) of the PFUTP Regulations, 2003?

10.4. Disclosure violations:

10.4.1. Whether 11 promoter entities failed to make disclosures mandated under the provisions of Regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992, resulting in violation of aforesaid provisions.

10.4.2. Whether 4 promoter entities failed to make disclosures mandated under the provisions of Regulation 29(1), (2) and (3) of the SAST Regulations, 2011, resulting in violation of aforesaid provisions.

F. CONSIDERATION OF ISSUES

11. I proceed to consider the issues on merits in *seriatim*. For each issue, the allegations made in the SCN are summarized, followed by the Noticees' submissions made in respect of the allegations and concluded by the findings made in that regard.

I. Issue 1: Generation of artificial volume via *modus operandi*

12. Allegations pertaining to the first issue:

12.1 The Investigation has stated that 240 entities were selected as 'suspected entities' on the basis of information including *interalia* the off-market transactions which took place just prior to and during the IP by certain entities, Unique Client Code and KYC of the entities, and the off-market and market transactions of the promoters of Delta. The details of alleged connections between the 240 entities is as follows:

Table No: 7

Sr. No.	Name of Noticee	Basis of Connection
1	Aanchal Jindal	Promoter of Delta; Off-market transactions with entities at serial no. 45,49 & 199
2	Abhishek Ahuja	Off-market transactions with entities at serial no. 173
3	Adhir Sachdeva	Off-market transactions with entities at serial no. 173
4	Ajay Singh	Common address as that of entity at serial no. 170; Off-market transactions with entities at serial no. 199
5	Ajay Gupta	Off-market transactions with entities at serial no. 125
6	Ajay Kumar Jindal	Promoter of Delta; Common director of entity at serial no. 45, 128 & 199; Off-market transactions with entities at serial no. 45,108,128,131 & 199
7	Ajeet Agarwal	Off-market transactions with entities at serial no. 77,110 & 204
8	Ajeet Singh Chauhan	Off-market transactions with entities at serial no. 110
9	Akansha Bansal	Off-market transactions with entities at serial no. 131
10	Akash Gupta	Off-market transactions with entities at serial no. 26
11	Akhilesh Goyal	Off-market transactions with entities at serial no. 95
12	Aman Gupta	Off-market transactions with entities at serial no. 95
13	Amanjeet Madan .	Off-market transactions with entities at serial no. 136
14	Anand Prakash Mittal	Off-market transactions with entities at serial no. 95
15	Anil Nagpal	Off-market transactions with entities at serial no. 136
16	Anil Kumar Mishra	Off-market transactions with entities at serial no. 26
17	Anil Sahu	Off-market transactions with entities at serial no. 95
18	Anita Mittal	Off-market transactions with entities at serial no. 95
19	Anita Aggarwal	Off-market transactions with entities at serial no. 95
20	Anju Pipalwa	Off-market transactions with entities at serial no. 26
21	Anshu Goyal	Off-market transactions with entities at serial no. 95
22	Antimony Marketing Private Limited	Off-market transactions with entities at serial no. 26,45,128 & 199
23	Anuradha Devi	Off-market transactions with entities at serial no. 110, 199 & 206
24	Naveen Sharma	Off-market transactions with entities at serial no. 26
25	Apurva Agarwal	Off-market transactions with entities at serial no. 173

Sr. No.	Name of Noticee	Basis of Connection
26	Archit Jindal	Promoter of Delta; Off-market transactions with entities at serial no. 10,16,20,22,32,36,40,42,45,46,52,58,66,73,81,83,84,85,88,95,106,107,108,111,117,119,128,137,145,155,159, 162,165,175,181,189,196,199,211 & 225
27	Arjun Chetri	Off-market transactions with entities at serial no. 33
28	Arun Jain	Off-market transactions with entities at serial no. 95
29	Ashna Grover	Off-market transactions with entities at serial no. 136
30	Ashok Kumar Mittal	Off-market transactions with entities at serial no. 125
31	Ashok Kumar Mittal HUF	Off-market transactions with entities at serial no. 125
32	Atul Agrawal HUF	Off-market transactions with entities at serial no. 26
33	Aurelian Suppliers Private Limited	Off-market transactions with entities at serial no. 27,77,139 & 195
34	Baba Nanak Financial Services Limited	Off-market transactions with entities at serial no. 195
35	Babita Goyal	Off-market transactions with entities at serial no. 45 & 133
36	Bal Kishan Sharma	Off-market transactions with entities at serial no. 26
37	Bala Garg	Off-market transactions with entities at serial no. 173
38	Balpreet Singh Madan	Off-market transactions with entities at serial no. 136
39	Bimal Aggarwal	Off-market transactions with entities at serial no. 95
40	Bina Jain	Off-market transactions with entities at serial no. 26
41	Brahma Nand Sharma HUF	Off-market transactions with entities at serial no. 110
42	Bryn Commodities & Derivatives Private Limited	Common address as that of entity at serial no. 61 & 202; Off-market transactions with entities at serial no. 26,45,125,128 & 199
43	Carder Distributors Private Limited	Common directors as that of entities at serial no. 52; Off-market transactions with entities at serial no. 45,125,128 & 199
44	Chanchal Goyal	Off-market transactions with entities at serial no. 95
45	Delphina Distributors Private Limited	Common address as that of Delta and entity at serial no. 128 & 199; Common email as that of entities at serial no. 108, 128, 164, 173 & 199; Common directors as that of entities at serial no. 108, 128 & 199; Off-market transactions with entities at serial no. 1,6,22,26,35,42,43,52,77,81,86,95,99,106,110,125,132,133,136,158,164,170,172, 185, & 206
46	Dharm Prakash	Off-market transactions with entities at serial no. 26
47	Dharmendra Verma	Off-market transactions with entities at serial no. 108
48	Dinesh Kumar	Off-market transactions with entities at serial no. 110
49	Dinesh Rathore	Off-market transactions with entities at serial no. 1
50	Divesh Goyal	Off-market transactions with entities at serial no. 95
51	Divya Jain	Off-market transactions with entities at serial no. 173
52	Doraemon Commodities & Derivatives Private Limited	Common address as that of entity at serial no. 62; Common email as that of entities at serial no. 61 & 202; Common directors as that of entities at serial no. 43; Off-market transactions with entities at serial no. 26,45,128 & 199
53	Drishti	Off-market transactions with entities at serial no. 95
54	Dusyant Sharma	Off-market transactions with entities at serial no. 95
55	Excellent Financial Advisory Private Limited	Off-market transactions with entities at serial no. 197
56	Shruti Gupta	Off-market transactions with entities at serial no. 26
57	Fussy Financial Services Pvt Ltd	Off-market transactions with entities at serial no. 68,77,110,142,199 & 206
58	Gagan Kapur	Off-market transactions with entities at serial no. 26 & 95
59	Goodpoint Impex Private Limited	Common address and email as that of entity at serial no. 187 & 179; Off-market transactions with entities at serial no. 195
60	Govind Sharma	Off-market transactions with entities at serial no. 95
61	Greatscope Distributors Private Limited	Common address as that of entity at serial no. 42 & 202; Common email as that of entities at serial no. 202 & 52; Off-market transactions with entities at serial no. 108
62	Happyshop Distributors Private Limited	Common address as that of entity at serial no. 52; Off-market transactions with entities at serial no. 108
63	Hargovind Tantia	Off-market transactions with entities at serial no. 95
64	Harvinder Singh Malhotra	Off-market transactions with entities at serial no. 173

Sr. No.	Name of Noticee	Basis of Connection
65	Hem Lata Bansal	Off-market transactions with entities at serial no. 95
66	Hitesh Mahavirprasad Jain	Off-market transactions with entities at serial no. 26
67	Indo Creditop Pvt Ltd	Off-market transactions with entities at serial no. 95
68	J & N Jaiswal Investments Pvt Ltd	Off-market transactions with entities at serial no. 56 & 57
69	Jagdish Chander	Off-market transactions with entities at serial no. 81
70	Kalpana Jain	Off-market transactions with entities at serial no. 74
71	Kamana Gupta	Off-market transactions with entities at serial no. 81
72	Kamini Agarwal	Off-market transactions with entities at serial no. 136
73	Kamlesh Agrawal	Off-market transactions with entities at serial no. 26
74	Kanta Devi	Off-market transactions with entities at serial no. 70,94 & 95
75	Kapil Gupta	Off-market transactions with entities at serial no. 102
76	Karan	Off-market transactions with entities at serial no. 136 & 173
77	Kesri Industrial Lab Pvt Ltd	Common telephone number as that of entity at serial no. 105 & 206; Off-market transactions with entities at serial no. 7,33,45,57,110,128,170,185 & 199
78	Krishanu Mukharji	Off-market transactions with entities at serial no. 195
79	Kuldeep Singh Raikhy And Sons HUF	Off-market transactions with entities at serial no. 173
80	Lakshmi Goyal	Off-market transactions with entities at serial no. 173
81	Laxman Singh Satyapal	Promoter of Delta; Off-market transactions with entities at serial no. 26,45,69,71,94,95,98,111,128,140,161,199,210,213,222,224
82	Laxmi	Off-market transactions with entities at serial no. 110
83	Lokesh Garg	Off-market transactions with entities at serial no. 26
84	Mahavirprasad Sumerchand Jain	Off-market transactions with entities at serial no. 26
85	Maitri Jaiswal	Off-market transactions with entities at serial no. 26
86	Mamta Jindal	Promoter of Delta; Off-market transactions with entities at serial no. 45,95,125,128,182 & 199
87	Manish Gupta HUF	Off-market transactions with entities at serial no. 133
88	Manju Sharma	Off-market transactions with entities at serial no. 26
89	Manoj Sharma	Off-market transactions with entities at serial no. 95
90	Manoj Madan	Off-market transactions with entities at serial no. 170
91	Manoj Sharma	Off-market transactions with entities at serial no. 95
92	Manoj Tantia	Off-market transactions with entities at serial no. 95
93	Maya Gupta	Off-market transactions with entities at serial no. 133
94	Mayank Rai Jain	Off-market transactions with entities at serial no. 74,81 & 95
95	Meera Mishra	Promoter and Executive Director of Delta; Off-market transactions with entities at serial no. 11,12,14,17,18,19,21,26,28,39,44,45,50,53,54,58,60,63,65,67,74,81,86,89,91,92, 94,103,104,124,128,129,134,140,148,150,151,153,154,156,163,168,177,183,189, 192,198,199,200,204,205,216,218,219,220,228
96	Meetu Aggarwal	Off-market transactions with entities at serial no. 173
97	Meghna Srivastava	Off-market transactions with entities at serial no. 173
98	Mili Goel	Off-market transactions with entities at serial no. 81
99	Mohd Aslam	Off-market transactions with entities at serial no. 45 & 199
100	Mohit Behal	Off-market transactions with entities at serial no. 195
101	Mukesh Jain	Off-market transactions with entities at serial no. 173
102	Multiplex Capital Ltd	Off-market transactions with entities at serial no. 75
103	Munni Lal Agarwal	Off-market transactions with entities at serial no. 95
104	Muskan Jaiswal	Off-market transactions with entities at serial no. 95
105	N & N Financial Consultants Private Limited .	Common director as that of entity at serial no. 206; Common telephone number as that of entity at serial no. 79 & 206; Off-market transactions with entities at serial no. 110,128,170,179,185 & 199
106	Nainadevi Commotrade Pvt. Ltd	Off-market transactions with entities at serial no. 26,45,125,128 & 199
107	Namrata Gupta	Off-market transactions with entities at serial no. 26

Sr. No.	Name of Noticee	Basis of Connection
108	Nanon Distributors Private Limited	Common email as that of entities at serial no. 45, 128, 164, 173 & 199; Common directors as that of entities at serial no. 45, 128 & 199; Off-market transactions with entities at serial no. 6,26,47,61,62,132,158,178,191,199,202 & 227
109	Ajeet Singh Chauhan	Off-market transactions with entities at serial no. 110
110	Natraj Capital & Credit Pvt Ltd	Off-market transactions with entities at serial no. 7,8,23,24,41,45,48,56,57,77,82,105,112,127,128,142,143,144,170,194,195,199,204,206,207, 208,209 &212
111	Naveen Sharma	Off-market transactions with entities at serial no. 26 & 81
112	Navneet Pareek	Off-market transactions with entities at serial no. 110
113	Nawal Kishore	Off-market transactions with entities at serial no. 133
114	Neelam Jain	Off-market transactions with entities at serial no. 173
115	Neeraj Rathor HUF	Off-market transactions with entities at serial no. 133
116	Neeraj Chawla & Sons HUF	Off-market transactions with entities at serial no. 173
117	Neeraj Goel	Off-market transactions with entities at serial no. 26
118	Nirmala Devi	Off-market transactions with entities at serial no. 173
119	Nisha Jain	Off-market transactions with entities at serial no. 26
120	Nitin Harish Agarwal	Off-market transactions with entities at serial no. 173
121	Nitish Ahuja	Off-market transactions with entities at serial no. 173
122	Nityanand Thakur	Off-market transactions with entities at serial no. 139 & 206
123	Novak Exim Overseas Private Limited	Off-market transactions with entities at serial no. 136
124	Om Prakash Tantia	Off-market transactions with entities at serial no. 95
125	Parmanand Yadav	Off-market transactions with entities at serial no. 5,30 31 42,43,45,86,106,128,164,182 & 226
126	Parul Jain	Off-market transactions with entities at serial no. 136
127	Pawan Batra	Off-market transactions with entities at serial no. 110,128,195 & 199
128	Placido Marketing Private Limited	Common address as that of Delta and entity at serial no. 45 & 199; Common email as that of entities at serial no. 108, 45, 164, 173 & 199; Common directors as that of entities at serial no. 108, 45 & 199; Off-market transactions with entities at serial no. 6,22,26,42,43,52,77,81,86,95,105,106,110,125,127,133,136,158,164,167,170,182,186,208
129	Poonam Bajaj	Off-market transactions with entities at serial no. 95
130	Pradeep	Off-market transactions with entities at serial no. 204
131	Pradeep Kumar Jindal	Promoter of Delta; Off-market transactions with entities at serial no. 6,9 & 217
132	Pradeep Kumar Jindal & Sons HUF	Promoter of Delta; Off-market transactions with entities at serial no. 45,108 & 199
133	Praveen Goyal	Off-market transactions with entities at serial no. 35,45,87,93,113,115,128,138,157,170,173,195,199 & 214
134	Praveen Kumar Bansal	Off-market transactions with entities at serial no. 95
135	Pravin Kumar Agarwal	Off-market transactions with entities at serial no. 199
136	Prem Chand	Off-market transactions with entities at serial no. 13,15,29,38,45,72,76,123,126,128,149,160,164,166,167 & 173
137	Prem Arora	Off-market transactions with entities at serial no. 26
138	Prem Chand Gupta HUF	Off-market transactions with entities at serial no. 133
139	Prem Lal Roy	Off-market transactions with entities at serial no. 33.122.169 & 197
140	Prince Jaiswal	Off-market transactions with entities at serial no. 81 & 95
141	Priya Jain	Off-market transactions with entities at serial no. 173
142	Pushp Raj	Off-market transactions with entities at serial no. 57,110 & 170
143	Akhilesh Goyal	Off-market transactions with entities at serial no. 95
144	Rachna Sharma	Off-market transactions with entities at serial no. 110
145	Raj Kumari	Off-market transactions with entities at serial no. 26
146	Raj Saurabh Singh	Off-market transactions with entities at serial no. 170
147	Rajan Verma	Off-market transactions with entities at serial no. 173
148	Rajan Bajaj	Off-market transactions with entities at serial no. 95
149	Rajesh Jain	Off-market transactions with entities at serial no. 136
150	Rajesh Kumar Gupta	Off-market transactions with entities at serial no. 95
151	Rajesh Mohanbhai Sheta	Off-market transactions with entities at serial no. 95

Sr. No.	Name of Noticee	Basis of Connection
152	Rajinder Bansal	Off-market transactions with entities at serial no. 173
153	Rajni Gupta	Off-market transactions with entities at serial no. 95
154	Rajni Garg	Off-market transactions with entities at serial no. 95
155	Rajshree	Off-market transactions with entities at serial no. 26
156	Raju Agarwal	Off-market transactions with entities at serial no. 95
157	Ram Yadav	Off-market transactions with entities at serial no. 133,173 & 199
158	Renu Jindal	Promoter and Director of Delta; Off-market transactions with entities at serial no. 45,108,128 & 199
159	Rikhab Chand	Off-market transactions with entities at serial no. 26
160	Rita Kataria	Off-market transactions with entities at serial no. 136
161	Ritu Kapoor	Off-market transactions with entities at serial no. 81
162	Ruchi Jaiswal	Off-market transactions with entities at serial no. 26
163	Ruchi Tantia	Off-market transactions with entities at serial no. 95
164	Sachin Kumar	Common email as that of entities at serial no. 108, 128, 45, 173 & 199; Common telephone number as that of entities at serial no. 173; Off-market transactions with entities at serial no. 45,125,128,136,167,172,173,172,185 & 199
165	Sagar Gupta	Off-market transactions with entities at serial no. 26
166	Samyak Jain	Off-market transactions with entities at serial no. 136
167	Sandeep Kumar	Off-market transactions with entities at serial no. 128,136,164 & 173
168	Sanjay Bansal	Off-market transactions with entities at serial no. 95
169	Sanjay Kumar Agarwal	Off-market transactions with entities at serial no. 139 & 206
170	Santosh Kumar	Common address as that of entity at serial no. 4; Off-market transactions with entities at serial no. 45,90,95,128,146,178,191 & 199
171	Gagan Kapur	Off-market transactions with entities at serial no. 26
172	Neeraj Goel	Off-market transactions with entities at serial no. 26
173	Sapna	Common email as that of entities at serial no. 108, 128, 164, 45 & 199; Common telephone number as that of entities at serial no. 164; Off-market transactions with entities at serial no. 2,3,25,37,45, 51,64,76,79,80,96,97,101,114,116,118,120,121,133,136,141,147,152,157,164.167, 170, 174,176,180,184,193,201,215
174	Saroj Bansal	Off-market transactions with entities at serial no. 173
175	Saroj Jain	Off-market transactions with entities at serial no. 26
176	Saurabh Agarwal	Off-market transactions with entities at serial no. 173
177	Seema Sharma	Off-market transactions with entities at serial no. 95
178	Seema Khandelwal	Promoter and Executive Director of Delta; Off-market transactions with entities at serial no. 108 & 170
179	Shallot Deal Trade Private Limited	Common address and email as that of entity at serial no. 187 & 59; Off-market transactions with entities at serial no. 105
180	Sharada Prasad	Off-market transactions with entities at serial no. 173
181	Shashi Alan	Off-market transactions with entities at serial no. 26
182	Shashi Yadav	Off-market transactions with entities at serial no. 86,125 & 128
183	Shashi Aggarwal	Off-market transactions with entities at serial no. 95
184	Shilpa Garg .	Off-market transactions with entities at serial no. 173
185	Shimul Mitra	Off-market transactions with entities at serial no. 45,77,105,164,208,221 & 223
186	Shitlamata Commodities Pvt. Ltd.	Off-market transactions with entities at serial no. 128
187	Shivsathi Mercantile Private Limited	Common address and email as that of entity at serial no. 179 & 59; Off-market transactions with entities at serial no. 195
188	Shree Sai City Promoters & Developers Pvt Ltd Shree	Off-market transactions with entities at serial no. 205
189	Shruti Gupta	Off-market transactions with entities at serial no. 26 & 95
190	Shruti Jain	Off-market transactions with entities at serial no. 81
191	Subodh Kumar Khandelwal	Chairman/MD and Promoter of Delta; Off-market transactions with entities at serial no. 108 & 170
192	Sudesh Kapoor	Off-market transactions with entities at serial no. 95
193	Sudhir Prasad	Off-market transactions with entities at serial no. 173
194	Suman Agrawal	Off-market transactions with entities at serial no. 110
195	Sunil Singh	Off-market transactions with entities at serial no. 33,34,59,78,100,110,127,133,187 & 203

Sr. No.	Name of Noticee	Basis of Connection
196	Sunita Gupta	Off-market transactions with entities at serial no. 26
197	Surendra Sharma	Off-market transactions with entities at serial no. 55,139,199 & 206
198	Suruchi Jain	Off-market transactions with entities at serial no. 95
199	Susane Traders Private Limited	Common address as that of Delta and entity at serial no. 45 & 128; Common email as that of entities at serial no. 108, 128, 164, 173 & 45; Common directors as that of entities at serial no. 108, 128 & 45; Off-market transactions with entities at serial no. 1,4,6,22,24,26,42,43,52,57,77,81,86,95,99,105,106,108,110,127,132,133,135,157,158,164,170,171,197,206 & 208
200	Sushma Gupta	Off-market transactions with entities at serial no. 95
201	Tabassum Fatima	Off-market transactions with entities at serial no. 173
202	Teampack Commodities Private Limited	Common address as that of entity at serial no. 42 & 61; Common email as that of entities at serial no. 61 & 52; Off-market transactions with entities at serial no. 108
203	Tilak Raj Behal	Off-market transactions with entities at serial no. 195
204	Nityanand Thakur	Off-market transactions with entities at serial no. 139 & 206
205	Praveen Goyal	Off-market transactions with entities at serial no. 45 & 199
206	Tushar India Private Limited	Common director as that of entity at serial no. 105; Common telephone number as that of entity at serial no. 105 & 79; Off-market transactions with entities at serial no. 7, 23,45,57, 95, 109, 110,122,130, 169, 188, 197 & 199
207	Tvf Finance And Investments Pvt Ltd	Off-market transactions with entities at serial no. 109
208	Uma Shankar	Common director of entity at serial no. 105 & 206; Off-market transactions with entities at serial no. 110,128,185 & 199
209	Prince Jaiswal	Off-market transactions with entities at serial no. 95
210	Usha Goel	Off-market transactions with entities at serial no. 81
211	Usha Rani Rustagi	Off-market transactions with entities at serial no. 26
212	Vandna Chauhan	Off-market transactions with entities at serial no. 110
213	Ved Prakash	Off-market transactions with entities at serial no. 81
214	Vidya Devi	Off-market transactions with entities at serial no. 133
215	Vijay Kumar Aggarwal	Off-market transactions with entities at serial no. 173
216	Vijay Kumar Gupta	Off-market transactions with entities at serial no. 95
217	Vijay Prakash Bansal	Off-market transactions with entities at serial no. 131
218	Vijay Prakash Gupta	Off-market transactions with entities at serial no. 95
219	Vinit Kumar Sharma	Off-market transactions with entities at serial no. 95
220	Vinod Sharma	Off-market transactions with entities at serial no. 95
221	Vipin Gupta HUF	Off-market transactions with entities at serial no. 185
222	Vipul Gupta	Off-market transactions with entities at serial no. 81
223	Vishakha Gupta	Off-market transactions with entities at serial no. 185
224	Vishal Gupta	Off-market transactions with entities at serial no. 81
225	Vishal Garg	Off-market transactions with entities at serial no. 26
226	Vivek Kumar Agarwal	Off-market transactions with entities at serial no. 125
227	Yasomati Distributors Private Limited	Off-market transactions with entities at serial no. 108
228	Yoginder Kumar	Off-market transactions with entities at serial no. 95
229	Shakun Bansal	Off-market transactions with entities at serial no. 81
230	Ruchika Jain	Off-market transactions with entities at serial no. 81
231	Dinesh Kumar Bansal	Off-market transactions with entities at serial no. 81
232	Hemant Goel	Promoter of Delta
233	Madhur Jain	Promoter of Delta
234	Ritu Jain	Promoter of Delta
235	Vaibhav Jain	Promoter of Delta
236	Reena Oil Industry P Ltd	Promoter of Delta
237	Synfonia Pharmaceuticals P Ltd	Promoter of Delta
238	Uttam Kumar Srivastava	Director in Delta; Common director of entity at serial no. 45, 128, 199 & 108
239	Pawan Kumar Poddar	Director in Delta
240	Pawansut Holdings Ltd.	Pawan Kumar Poddar is the common director as Delta

12.2. Further, it was alleged that the promoter entities transferred substantial quantity of shares to several entities forming part of the 'suspected entities' just prior to the listing of the shares on BSE and also during the IP, either directly or indirectly through layers of suspected entities.

12.3. Quantum of the shares transferred through off-market are as follows:

Table No: 8

No. of entities involved in off-market transactions	No. of off-market transactions	Total quantity of shares involved in off-market transactions	Quantity of shares in off-market transaction by promoters as transferor	Quantity of shares in off-market transaction by promoters as transferee
231	**802**	**21527544**	**4690406**	**6338066**

Further, the summary of quantum of off-market transfers carried out by each promoter is as follows:

Table No: 9

S.No.		As Transferee		As Transferor		Total	
		Qty of off-market transaction	% of all off-market quantity	Qty of off-market transaction	% of all off-market quantity	Qty of off-market transaction	% of all off-market quantity
1	Meera Mishra	1698630	8.00	1652500	7.78	3351130	15.79
2	Archit Jindal	713650	3.36	1612750	7.60	2326400	10.96
3	Laxman Singh Satyapal	1188831	5.60	621131	2.93	1809962	8.53
4	Mamta Jindal	479150	2.26	700000	3.30	1179150	5.55
5	Renu Jindal	580000	2.73	0	0.00	580000	2.73
6	Ajay Kumar Jindal	540000	2.54	0	0.00	540000	2.54
7	Pradeep Kumar Jindal & Sons Huf	418625	1.97	0	0.00	418625	1.97
8	Aanchal Jindal	316780	1.49	50000	0.24	366780	1.73
9	Subodh Kumar Khandelwal	233900	1.10	0	0.00	233900	1.10
10	Seema Khandelwal	168500	0.79	0	0.00	168500	0.79
11	Pradeep Kumar Jindal	0	0.00	54025	0.25	54025	0.25
	Total	6338066	29.86	4690406	22.10	11028472	51.95

12.4. On the basis of the above analysis, it was alleged that the promoter/promoter-connected entities transferred a substantial portion of their holdings through off-market to the 'suspected entities', who in turn sold in the market the shares so received. The counter party buyers for such transactions were also amongst the 'suspected entities' who transferred back the shares so bought, to the promoter/promoter-connected entities through off-market transfers either directly or indirectly through other suspected entities. In the facts of the instant case, the Investigation identified 'artificial volume' generation in the market, which was done by the promoters and the connected entities by stages of off-market transfers, followed by on-market transfers, and finally, routing it back to Promoters through off-market transfers. The extent of volume generated in the market constituted 'artificial volume' as finally, the promoters got back the shares. It was alleged that 176 suspected entities indulged in the transactions as per the *modus operandi* elaborated above, and thereby, created artificial volume in the market to the tune of 55.69% of the total market volume, without any intention of transfer of ownership of shares and gave a false and misleading appearance of trading in the scrip at BSE.

13. Common replies of all Noticees who appeared/ replied, pertaining to the allegation of generation of artificial volume through *modus operandi* are clubbed and summarized below:

13.1. Noticees have submitted that they were not SEBI registered intermediary. Also, they did not have any connection with Delta or its promoters. They received shares from counterparties against amount receivable in lieu of sale of some investments of the company. Any rise or fall in prevailing market price due to the said transactions, which were done in the ordinary course of business, was genuine and should not be suspected. Also, the Noticees had executed trades in due compliance with the provisions of law, and had paid taxes wherever applicable.

13.2. Noticees have denied connections as alleged in the SCN, with other Noticees/ suspected entities. Further, certain Noticees have submitted Demat statements reflecting transaction in the scrip of Delta, and asserted that the transactions executed by them were genuine.

13.3. Noticees have submitted that conduct of adjudication proceedings in the matter after 8 years of execution of transactions is arbitrary and prejudices the ability of Noticee to put up an adequate response. Noticees have relied upon judgement of the Hon’ble Supreme Court in the matter of Mohamad Kavi Mohamad Amin vs Fatmabai Ibrahim and of the Hon’ble SAT in the matter of Ashok Shivlal Rupani & Anr. Vs SEBI, Mr Rakesh Kathotia vs SEBI and Mr Yatin Pandya HUF vs SEBI, HB Stockholdings vs SEBI, Khandwala Securities Ltd vs SEBI and of the Hon’ble Supreme Court in the matter of State of Gujarat vs Patel Raghav Natha, and contended that a statutory authority must exercise its power within a reasonable time. Similarly, Noticees have also relied upon judgements of the Hon’ble SAT in the matters of HB Stockholdings Ltd vs SEBI, Sanjay Soni vs SEBI, Libord Finance Ltd vs Whole Time Member, SEBI, Rajeev Bhanot and Ors vs SEBI and contended that Noticee’s ability to reply has been prejudiced and the SCN must be set aside on this ground alone.

13.4. Also that, Noticees’ purchase of shares in the off-market was based on advice of a financial advisor. They were not aware of the counterparties to the entities in the off-market transactions.

13.5. Noticees have relied upon the judgement of the Hon’ble Supreme Court in the matter of Commissioner of Central Excise, Bangalore vs Brindavan Beverages Pvt Ltd and Ors, and of the Hon’ble SAT in the matters of Vikas Bengani vs SEBI and Dhanalakshmi Bank Ltd vs SEBI, and contended that the charges framed in the SCN are vague. Also that, the form and substance of the SCN has handicapped the ability to respond to the SCN, as the facts are vague, allegations too broa-based and and not coherently made out.

13.6. The SCN has not established connection of each Noticee with rest of the Noticees, or specifically with the counterparty to the trades. Noticees have relied upon the judgement of the Hon’ble SAT in the matter of Ashlesh Gunvantbhai Shah vs SEBI, wherein it was *interalia* held that connection and pattern of trading must have an inter connection to establish meeting of mind, premeditated motive or synchronized trading.

13.7. Noticees have relied upon judgement of the Hon’ble SAT in the matter of Nishith M Shah HUF vs SEBI, and contended that in absence of proof of connection between counterparties, the instant proceedings must be dropped.

13.8. Noticees have relied upon judgement of the Hon'ble SAT in the matter of Baldevsinh Zala vs SEBI and contended that there is no evidence to prove connection, other than off-market transfers, which does not establish collusion or meeting of mind.

13.9. Noticees have relied upon judgement of the Hon'ble SAT in the matter of Vipul Mohan Joshi vs SEBI and Rajendra G Parikh vs SEBI and contended that off-market trades could not be a ground to alleged fraud, and that off-market transfers are not illegal per se.

13.10. The evidence to prove that the trades of Noticees created artificial volume has not been brought out. For instance, as regards trades of Anil Nagpal (Noticee No: 48), counterparties to the trades were not part of the promoter group and there was no allegation of LTP/NHP contribution.

13.11. Noticees relied upon the judgement of the Hon'ble Supreme Court in the matters of Hanumat vs State of Madhya Pradesh and Maharashtra State Board of Secondary and Higher Education vs KS Gandhi, and of the Hon'ble SAT in the matter of Balram Garg vs SEBI and contended that circumstantial evidence must be fully established and should be consistent with the hypothesis of the guilt of the accused.

13.12. Noticees have submitted that the SCN levels serious charge of fraud on basis of mere suspicion, conjecture and surmise. Noticees have further relied upon judgement of the Hon'ble Supreme Court in the matters of Chief Engineer, MSEB and Anr. Vs Suresh Raghunath Bhokare and Nandakishore Prasad vs State of Bihar and of the Hon'ble SAT in the matter of KSL & Industries Ltd vs SEBI and contended that for alleging fraud, evidence should be brought out to show that Noticee was aware of the fraud and collusion with other entities. Noticees have relied upon judgement of the Hon'ble Supreme Court in the matter of Ram Sharan Yadav vs Thakur Muneshwar Nath Singh and contended that compelling evidence is required to charge someone of fraud.

13.13. Noticees have relied upon the judgements of the Hon'ble SAT in the matters of R.K. Global vs SEBI, Narendra Ganatra vs SEBI, Videocon International vs SEBI and Parsoli Corporation vs SEBI, and contended that the SCN has not established the element of fraud, as the required evidence and intention of the accused has not been brought out.

13.14. Noticees have relied upon judgement of the Hon'ble Supreme Court in the matter of Hindustan Steel Ltd vs State of Orissa, Bhavesh Pabari vs SEBI and Maharashtra State Board of Secondary Education and Higher Secondary Education vs KS Gandhi & Ors., and submitted that lenient view must be taken as regards the matter.

13.15. Noticees have also submitted that the alleged transactions were undertaken by them in normal course of business to earn profits, and that they were never involved in price or volume manipulation in the scrip of Delta.

13.16. Noticees had not received any query from any authority till the receipt of communication from SEBI. Therefore, they fail to understand the factors considered by SEBI for making sweeping allegations.

13.17. Noticees market trades were not concentrated, and were made with unconnected counterparties. Further, Noticees' trade volume was insignificant and diminutive. There was time gap between orders placed by buyers and sellers, so that there was fair chance for other entities to enter the transactions.

13.18. Noticee No. 11 has submitted that it is into the business of trading, jobbing and arbitrage with in-depth knowledge in securities market, and had traded in the scrip of Delta through "Momentum trading" strategy. Noticee was not connected to the 'suspected entities' as mentioned in the SCN. Noticee has further submitted that the alleged trades in Patch-VI were executed to exit the scrip of Delta. As the scrip was not in demand and Noticee was facing losses, lesser price was being quoted by the Noticee, which resulted in negative LTP contribution. Further, no fault could be found for the reason that Noticee's trades were executed first in the market. Noticee has relied upon the judgement of the Hon'ble SAT in the matter of Vintel Securities Pvt Ltd, decided on November 23, 2009, and submitted that there has to be some collusion or meeting of minds to substantiate findings of fraud.

13.19. Noticee No. 37 has contended that allegations in para 20.3 on page no 40 of the SCN are false, and name of the said Noticee does not appear in Annexure 18 to the SCN, which is referred therein.

13.20. Notice No: 39 undertook sale of shares of Delta on exchange platform through a registered share broker. Also, the SCN has not brought out meeting of mind of Noticee No: 39 with other Noticees. SCN has also not alleged inducement, and further, has not engaged in any fraudulent practice in terms of Regulation 2(c) of the PFUTP Regulations. The transactions of Noticee are with anonymous individuals on the exchange platform.

13.21. Noticee Nos. 74, 102 and 128 have submitted that they were not related to the promoters of Delta or to other suspected entities. They had no malafide intention while purchasing the shares of Delta. Further, they had only instructed their broker to execute the trades and were not aware of the counterparties to the trades. There was no meeting of mind with the alleged counterparties. Further, if Noticees wanted to benefit from increase in prices, they would have bought shares in larger numbers.

13.22. Noticee No: 81 has submitted that it traded in the scrip of Delta on advice of its share broker. When the scrip price started falling, Noticee also divested its stake. Also, Noticee had suffered huge loss from its transactions in Delta. Noticee also does not have any relation with the entity viz. Meera Mishra, with whom connection has been alleged in the SCN.

13.23. Noticee No. 76, 77, 90, 126, 127, 143, 144 and 162 have submitted that the trades of Noticees do not fall under any of the 4 illustration provided in the SCN to alleged presence of a *modus operandi*, and that the charge of creation of artificial volume merely stands on assumptions. Noticees have relied upon the judgement of Hon'ble SAT in the matter of Jagruti Securities vs SEBI and submitted that as there was no connection established between the counterparties, the transactions executed by Noticees could be termed as artificial. Noticees have relied upon the judgement of the Hon'ble SAT in the matter of Amaresh Pathak & Ors. Vs SEBI and submitted that the off-market trades executed by the Noticees were genuine. Noticees have relied upon the judgement of the Hon'ble SAT in the matter of Sanjay Agarwal vs SEBI, and submitted that a cogent and substantive evidence to establish connection between counterparties is absent in the instant matter. Further, Noticees' have relied on the judgement of the Hon'ble Supreme Court in the matter of Ketan

Parekh vs SEBI, and submitted that there was genuine transfer of beneficial ownership of shares through their alleged trades. Noticees have relied on the judgement of the Hon'ble SAT in the matter of Sanjay Agarwal vs SEBI and submitted that the trades executed by them created very minuscule volume, which could not have affected market volume in any way.

13.24. Noticee No. 94, 118, 138 and 145 have submitted that they were individual investors making intraday and swing transactions, and were not aware of the counterparty to the alleged trades.

13.25. Noticee No. 99, 111, 112, 139, 172 and 175 have submitted that they purchased shares of Delta on advise of a known person, who was a CA, and as a layman, had limited understanding of securities market. Noticees have also submitted that market volume generated by them was miniscule.

13.26. Noticee No: 84, 86 and 88 have submitted that they had not entered into any off-market transaction, and that they were was not related with Delta at any time. They had traded in the share market in normal course to earn profits.

13.27. Noticee No. 88 has submitted that the SCN does not explain intention behind generation of artificial volumes, and does not state the profits made vide alleged trades.

13.28. Noticee No: 103 has submitted that it traded in IP on only 10 days, and that if it had the intention to executed non-genuine trades, it would have executed the trades for longer duration. Further, it had never executed any off-market transaction.

13.29. Noticee No: 109 has submitted that it was not involved in any other trades, for instance, circular trades, reversal trades etc, and had entered into the transactions in the scrip of Delta only on a single day at the prevailing market price.

13.30. Noticee No: 136 has submitted that he is doing business of Diamond Trading and Manufacturing, and had transacted in the scrip of Delta in the ordinary course of business.

13.31. Noticee No. 154 and 185 have submitted that the trades executed by them were independent, standalone, and based on own research and analysis.

13.32. Noticee No: 160 has contended that it had purchased only 1,00,000 shares, contrary to 1,25,175 shares as alleged in the SCN.

13.33. Noticee No: 173 has contended that the off-market transfer of shares to the Noticee as stated in the SCN, was actually pertaining to the transmission of shares upon death of husband of the Noticee.

14. Findings with respect to generation of artificial volume by *modus operandi*:

14.1. Noticees have *interalia* contended that the instant SCN was issued after an inordinate delay, which has prejudiced their ability to reply to the SCN. I note in this regard that SEBI conducted preliminary investigation in trading in the scrip of Delta during the IP April 18, 2013 to September 04, 2014. Investigating Authority was appointed as regards the matter vide order dated February 23, 2018. Thereafter, due to administrative reallocation of cases, the matter was transferred to a new Investigating Authority vide order dated October 17, 2018. Adjudication Proceedings in the matter were approved vide order dated September 05, 2019 by the Competent Authority. Thereafter, the matter was transferred to Adjudicating Officers viz. Ms Sangeeta Rathod, Shri K Saravanan and Shri Parag Basu, vide communications dated November 15, 2019, October 28, 2020 and July 14, 2021 respectively, before being transferred to me vide communication dated March 11, 2022, as stated earlier. I note that investigations into allegations pertaining to violation of PFUTP Regulations of a large number of entities, for a period spanning beyond 16 months, requires detailed analysis of their connections and trades, among other things. Thereafter, the SCN has been issued along with all the relevant Annexures, and multiple opportunities for submitting replies and availing of the opportunity of hearing have been provided. Therefore, I note that prejudice has not been caused to the Noticees as has been contended, and the delay in the matter by itself does not vitiate the proceedings. Therefore, I reject the contentions of Noticees in this regard.

14.2. Before proceeding to consider the allegation of existence of *modus operandi* resulting in generation of artificial volume, it is important to consider the 'connections' sought to be established between the 240 suspected entities as alleged in the SCN. I note that the 'suspected entities' was alleged to be connected to each other by virtue of connections *interalia* as promoters of Delta, off-market transfers, common address and/or common directorship. The connections were observed on the basis of UCC details, KYC documents and Demat statements, which had been provided to the Noticees as annexures to the SCN. Vide said connections, Noticees were alleged to be directly or indirectly connected to each other.

14.3. In this regard, a cursory glance at the connection table (Table No: 7) of 240 entities shows that most of the connections have been alleged solely on the basis of off-market transfers between promoter entities and market participants. Through such connections, it has been alleged that the entities, who carried out transfers with a certain promoter, were connected to each other. I note that in case of 41 entities out the 240 'suspected entities', the Investigation has brought out some additional basis of connections beside the off-market transfer of shares. While these connections have been made out on the basis of common address, email ID, telephone number, promotership of Delta etc, as far as the remaining entities forming part of 'suspected entities', no connection apart from the off-market transfers have been brought out by the Investigation.

14.4. For instance, Meera Mishra (Noticee No: 95), one of the promoters of Delta, had executed transfers with Noticee Nos. 11,12,14,17,18,19,21,26, 28,39,44,45,50,53,54,58,60,63,65,67,74,81,86,89,91,92,94,103,104,124,128 ,129,134,140,148,150,151,153,154,156,163,168,177,183,189,192,198,199,2 00,204,205,216,218,219,220 and 228, and therefore, it has been alleged that all the said Noticees were connected to each other and were also part of the 'suspected entities' in general. However, I note that such connections alleged solely on the basis of off-market transfers, that the promoters had with certain entities prior to the listing of Delta at BSE, is not sufficient to convince one about them being connected to the promoters or to the other Noticees, who are alleged to be part of the scheme of volume generation. I note that no fund-flow analysis has been done to establish connections either. I also note that Ms Rinku Valanju, counsel appearing on behalf of Noticee No. 185 has submitted that the Noticee's off market purchase was a genuine transaction for value and consideration. Mr Robin Shah, counsel appearing on behalf of Noticee No. 95 has denied that he was connected to the person as alleged on the basis of off-market transfers. The off-market connections must be necessarily supported with other concrete evidence such as common address, email ID, etc, to conclusively establish that the entities were indeed connected to each other.

14.5. I further note that a few entities in the connection table i.e. 41 entities mentioned above, are alleged to be connected with each other by sharing common address/ email ID/ telephone number, being co-promoters of Delta etc. For instance, Noticees viz. Aanchal Jindal, Ajay Kumar Jindal, Archit Jindal, Laxman Singh Satyapal, Mamta Jindal, Meera Mishra, Pradeep Kumar Jindal, Hemant Goel, Madhur Jain, Ritu Jain and Vaibhav Jain are connected to each other by virtue of being promoters of Delta. Similarly, Ajay Kumar Jindal was common director of three companies viz. Delphina Distributors Pvt Ltd, Placido Marketing Pvt Ltd and Susane Traders Pvt Ltd, such that all the four entities can be reasonably inferred to be connected to each other.

14.6. Therefore, I note that the connections alleged in the instant matter for majority of entities (199 in number), as indicated in the Table No: 10 below, solely are on the basis of off-market transactions:

Table No: 10

Sr. No.	Name of Noticee	Basis of Connection
1	ABHISHEK AHUJA	OFF MARKET TRANSFERS WITH OTHER ENTITIES
2	ADHIR SACHDEVA	
3	AJAY GUPTA	
4	AJEET AGARWAL	
5	AJEET SINGH CHAUHAN	
6	AKANSHA BANSAL	
7	AKASH GUPTA	
8	AKHILESH GOYAL	
9	AMAN GUPTA	
10	AMANJEET MADAN .	
11	ANAND PRAKASH MITTAL	
12	ANIL NAGPAL	
13	ANIL KUMAR MISHRA	
14	ANIL SAHU	
15	ANITA MITTAL	
16	ANITA AGGARWAL	
17	ANJU PIPALWA	
18	ANSHU GOYAL	
19	ANTIMONY MARKETING PRIVATE LIMITED	
20	ANURADHA DEVI	
21	NAVEEN SHARMA	
22	APURVA AGARWAL	
23	ARJUN CHETRI	
24	ARUN JAIN	
25	ASHNA GROVER	
26	ASHOK KUMAR MITTAL	
27	ASHOK KUMAR MITTAL HUF .	
28	ATUL AGRAWAL HUF	
29	AURELIAN SUPPLIERS PRIVATE LIMITED .	
30	BABA NANAK FINANCIAL SERVICES LIMITED	
31	BABITA GOYAL	
32	BAL KISHAN SHARMA	
33	BALA GARG .	
34	BALPREET SINGH MADAN .	
35	BIMAL AGGARWAL	
36	BINA JAIN	
37	BRAHMA NAND SHARMA HUF	
38	CHANCHAL GOYAL	
39	DHARM PRAKASH	
40	DHARMENDRA VERMA	
41	DINESH KUMAR	
42	DINESH RATHORE	
43	DIVESH GOYAL	
44	DIVYA JAIN	
45	DRISHTI	
46	DUSYANT SHARMA	
47	EXCELLENT FINANCIAL ADVISORY PRIVATE LIMITED .	
48	SHRUTI GUPTA	
49	FUSSY FINANCIAL SERVICES PVT LTD .	
50	GAGAN KAPUR	
51	GOVIND SHARMA	
52	HARGOVIND TANTIA	
53	HARVINDER SINGH MALHOTRA	

54	HEM LATA BANSAL	OFF MARKET TRANSFERS WITH OTHER ENTITIES
55	HITESH MAHAVIRPRASAD JAIN	
56	INDO CREDITOP PVT LTD .	
57	J & N JAISWAL INVESTMENTS PVT LTD	
58	JAGDISH CHANDER	
59	KALPANA JAIN	
60	KAMANA GUPTA	
61	KAMINI AGARWAL .	
62	KAMLESH AGRAWAL	
63	KANTA DEVI	
64	KAPIL GUPTA	
65	KARAN .	
66	KRISHANU MUKHARJI	
67	KULDEEP SINGH RAIKHY AND SONS HUF	
68	LAKSHMI GOYAL	
69	LAXMI	
70	LOKESH GARG	
71	MAHAVIRPRASAD SUMERCHAND JAIN	
72	MAITRI JAISWAL	
73	MANISH GUPTA (HUF)	
74	MANJU SHARMA	
75	MANOJ SHARMA	
76	MANOJ MADAN	
77	MANOJ SHARMA	
78	MANOJ TANTIA	
79	MAYA GUPTA	
80	MAYANK RAI JAIN	
81	MEETU AGGARWAL	
82	MEGHNA SRIVASTAVA	
83	MILI GOEL	
84	MOHD ASLAM	
85	MOHIT BEHAL	
86	MUKESH JAIN	
87	MULTIPLEX CAPITAL LTD	
88	MUNNI LAL AGARWAL	
89	MUSKAN JAISWAL	
90	NAINADEVI COMMOTRADE PVT. LTD.	
91	NAMRATA GUPTA	
92	AJEET SINGH CHAUHAN	
93	NATRAJ CAPITAL & CREDIT PVT LTD .	
94	NAVEEN SHARMA	
95	NAVNEET PAREEK	
96	NAWAL KISHORE	
97	NEELAM JAIN	
98	NEERAJ RATHOR (HUF)	
99	NEERAJ CHAWLA & SONS HUF	
100	NEERAJ GOEL	
101	NIRMALA DEVI	
102	NISHA JAIN	
103	NITIN HARISH AGARWAL	
104	NITISH AHUJA	

105	NITYANAND THAKUR	OFF MARKET TRANSFERS WITH OTHER ENTITIES
106	NOVAK EXIM OVERSEAS PRIVATE LIMITED .	
107	OM PRAKASH TANTIA	
108	PARMANAND YADAV	
109	PARUL JAIN	
110	PAWAN BATRA .	
111	POONAM BAJAJ	
112	PRADEEP	
113	PRAVEEN GOYAL	
114	PRAVEEN KUMAR BANSAL	
115	PRAVIN KUMAR AGARWAL	
116	PREM CHAND	
117	PREM ARORA	
118	PREM CHAND GUPTA (HUF)	
119	PREM LAL ROY	
120	PRINCE JAISWAL	
121	PRIYA JAIN	
122	PUSHP RAJ	
123	AKHILESH GOYAL	
124	RACHNA SHARMA	
125	RAJ KUMARI	
126	RAJ SAURABH SINGH	
127	RAJAN VERMA	
128	RAJAN BAJAJ	
129	RAJESH JAIN	
130	RAJESH KUMAR GUPTA	
131	RAJESH MOHANBHAI SHETA	
132	RAJINDER BANSAL	
133	RAJNI GUPTA	
134	RAJNI GARG	
135	RAJSHREE .	
136	RAJU AGARWAL	
137	RAM YADAV .	
138	RIKHAB CHAND	
139	RITA KATARIA	
140	RITU KAPOOR	
141	RUCHI JAISWAL	
142	RUCHI TANTIA	
143	SAGAR GUPTA	
144	SAMYAK JAIN	
145	SANDEEP KUMAR	
146	SANJAY BANSAL	
147	SANJAY KUMAR AGARWAL	
148	GAGAN KAPUR	
149	NEERAJ GOEL	
150	SAROJ BANSAL	
151	SAROJ JAIN	
152	SAURABH AGARWAL	
153	SEEMA SHARMA	
154	SHARADA PRASAD	
155	SHASHI ALAN	
156	SHASHI YADAV	
157	SHASHI AGGARWAL	
158	SHILPA GARG .	
159	SHIMUL MITRA	

160	SHITLAMATA COMMODITIES PVT. LTD.	OFF MARKET TRANSFERS WITH OTHER ENTITIES
161	SHREE SAI CITY PROMOTERS & DEVELOPERS PVT LTD SHREE	
162	SHRUTI GUPTA	
163	SHRUTI JAIN	
164	SUDESH KAPOOR	
165	SUDHIR PRASAD	
166	SUMAN AGRAWAL	
167	SUNIL SINGH	
168	SUNITA GUPTA	
169	SURENDRA SHARMA	
170	SURUCHI JAIN	
171	SUSHMA GUPTA	
172	TABASSUM FATIMA	
173	TILAK RAJ BEHAL	
174	NITYANAND THAKUR	
175	PRAVEEN GOYAL	
176	TVF FINANCE AND INVESTMENTS PVT LTD	
177	PRINCE JAISWAL	
178	USHA GOEL	
179	USHA RANI RUSTAGI	
180	VANDNA CHAUHAN	
181	VED PRAKASH	
182	VIDYA DEVI	
183	VIJAY KUMAR AGGARWAL	
184	VIJAY KUMAR GUPTA	
185	VIJAY PRAKASH BANSAL	
186	VIJAY PRAKASH GUPTA	
187	VINIT KUMAR SHARMA	
188	VINOD SHARMA	
189	VIPIN GUPTA HUF .	
190	VIPUL GUPTA	
191	VISHAKHA GUPTA	
192	VISHAL GUPTA	
193	VISHAL GARG	
194	VIVEK KUMAR AGARWAL .	
195	YASOMATI DISTRIBUTORS PRIVATE LIMITED	
196	YOGINDER KUMAR	
197	Shakun Bansal	
198	Ruchika Jain	
199	Dinesh Kumar Bansal	

14.7. The aforesaid connections are nebulous and have no legs to stand on, since it is solely arising out of off-market purchases made by these entities. For the purposes of the instant matter, I find that these entities who merely entered into off-market transfers, cannot be stated to be connected to each other or to the Promoters, in absence of any proof. However, rest of the entities (41 in number), who are alleged to be connected on the basis of details like common directorship, common address etc are held to be connected for purpose of analyzing the trades in this order. The allegations pertaining to artificial volume or price manipulation in the later part of this order, will be considered and adjudged in light of the above observations with respect to connections.

14.8. In this context, I would like to rely on the order of the Hon'ble SAT in the matter of Baldevsinh Vijaysinh Zala and Others vs SEBI dated August 12, 2021, wherein the Hon'ble Tribunal held that despite there being a common introducer or common address, telephone number etc. between 13 entities who were alleged to be connected, "*The connection drawn in our opinion is patently vague and erroneous and does not inspire confidence.*" The Hon'ble SAT had also given the example that "*……..if 'A' is connected to 18 'B' and 'C' is connected to 'D' and 'D' is connected to 'F' it does not mean that 'A' to 'F' are all connected with each other or 'A' is connected to 'D' or 'A' is connected to 'E' or 'A' is connected to 'C'."*

14.9. Further, in the matter of Ashlesh Gunvantbhai Shah vs SEBI decided on July 09, 2019, the Hon'ble SAT was not convinced with the manner of connection sought to be established by the Adjudicating Officer between certain Noticees, based on common mobile number, bank statements etc., as there was no evidence to show that those Noticees were connected to one another. In other words, the Hon'ble SAT has laid down the law that inter se connections between the Noticees, who are alleged to be part of fraudulent scheme, should be established with reasonably credible evidence.

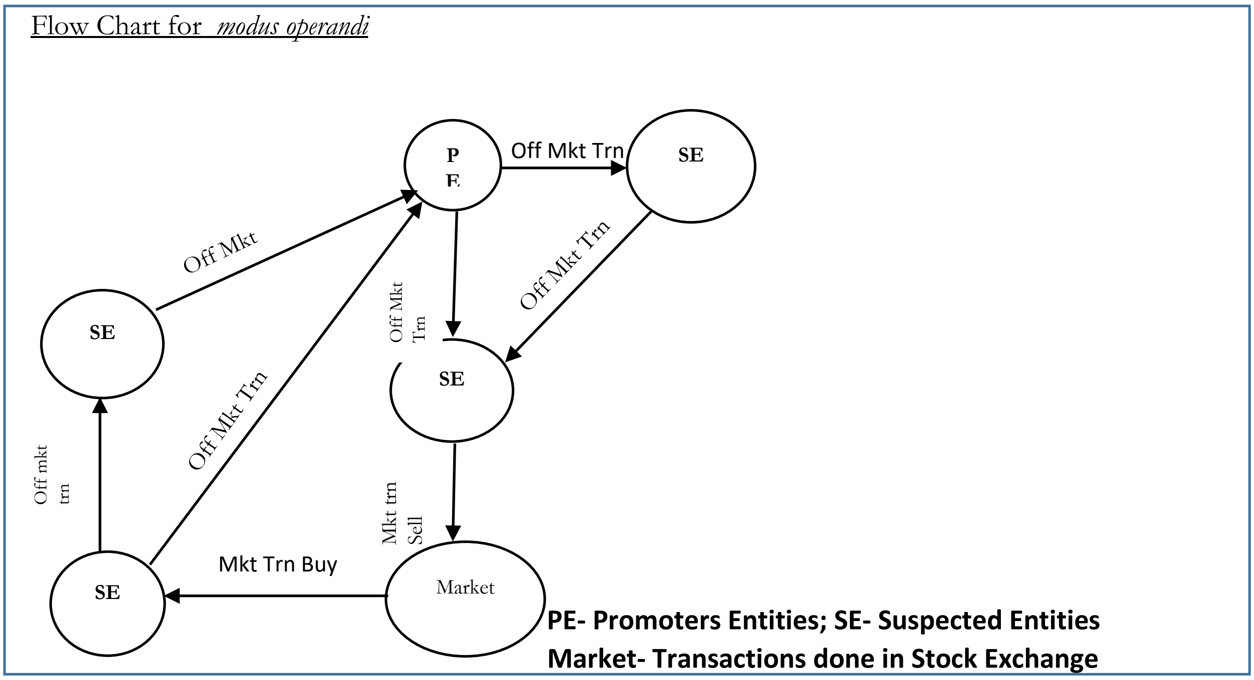
14.10. I also note that Mr Meit Shah, counsel for Noticee Nos. 99, 111, 112, 139, 172 and 175 has placed reliance on the verdict of the Hon'ble SAT in the matter of Rajendra G Parikh vs SEBI decided on January 21, 2010, wherein the Hon'ble SAT had held that, *"Apart from a bald assertion made in the show cause notice there is not an iota of material on the record to show that these persons formed a cartel or that the promoters of the company were in any way linked with the persons to whom the shares had been transferred in off-market transactions. He has not referred to any material which could substantiate these findings nor could it be pointed out to us by the learned counsel appearing for the Board. <u>Merely because the promoters transferred the shares to them in off-market transactions is no ground to hold that there was a link between the two. Off-market transactions are not per se illegal."</u>*

14.11. As such, I find that the allegations of fraudulent dealing in securities, can be substantiated only with such tenable evidence which establishes the existence of connections between the parties alleged to be connected, and the charges of artificial volume creation cannot be levelled against such large number of entities merely based on a limb of the whole transaction, which is an off-market purchase made from the promoters, and the subsequent sale executed through the market platform. As has been repeatedly laid down by the Hon'ble SAT, *"since charge of 'fraud' is serious, higher has to be degree of probability to establish the same. Thus, same cannot be pressed against an individual on random allegations based on surmises and conjectures.".* Further, Mr Ravi Prakash, counsel who appeared for Noticee Nos. 76, 77, 143 and 162 has relied on the judgement of the Hon'ble SAT in the matter of Jagruti Securities vs SEBI [2008 SCC Online SAT 194], wherein it was *interalia* held that, *"…we are of the view that in an artificial trade there has to be collusion between the buyer and seller and in the absence of any collusion, trade cannot be termed as 'artificial'."*

14.12. I now proceed to consider the allegation pertaining to the *modus operandi*, read along with the alleged connections, qua the charge of creation of artificial volume.

14.13. I note that allegedly the promoter/promoter connected entities transferred a substantial portion of their holdings through off-market to the suspected entities, who in turn sold the shares so received in the market. The counterparties were also part of the suspected entities, who then transferred back the shares so bought, to the promoter/promoter connected entities through off-market transfers, either directly or indirectly, through other suspected entities. Such transfers allegedly created artificial volume in the scrip of Delta during the IP, without resulting in change in ownership of the said shares. The pictorial representation of the said *modus operandi* is given below:

Flow Chart for *modus operandi*



14.14. I note that there were allegedly four steps in the *modus operandi*, as listed below:

I. Off-market transfer of shares by the promoter/ promoter connected entities to the suspected entities.

II. Matching of Quantity traded on market by the suspected entities.

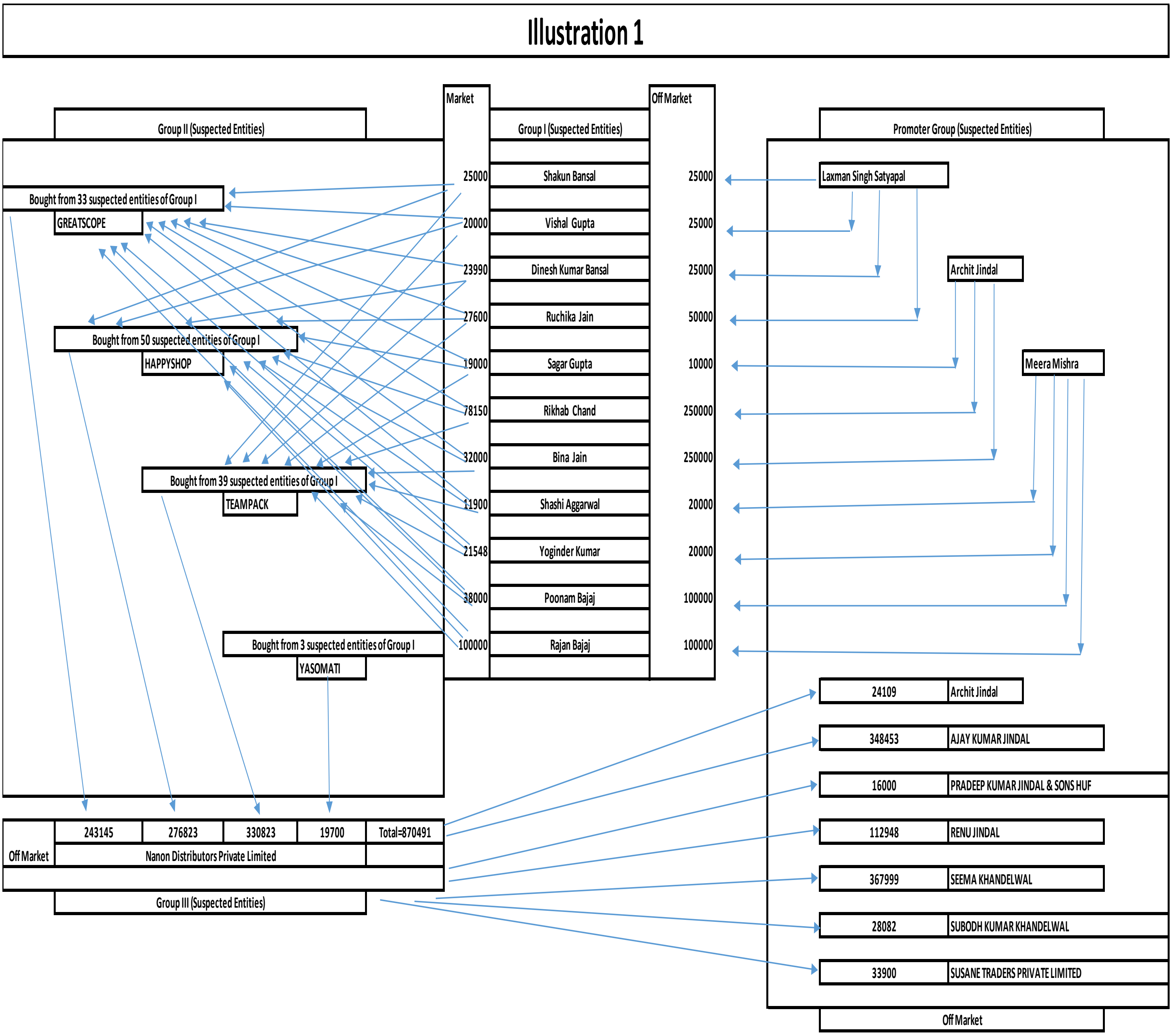
III. Off-market transfer of shares bought in the market to the suspected entities.

IV. Transfer back of shares to the promoter/ promoter connected entities through off-market.

14.15. To assess whether the *modus operandi* as stated above stands established, the 4 illustrations provided as Annexure 13 to the SCN are being examined or dissected:

Continued on next page

14.15.1. Illustration 1



14.15.2.14. Steps 1 and 2, comprising the *modus operandi* are depicted in Table Nos. 11 and 12 below:

Continued on next page

Table No: 11

***Step 1 of modus operandi** – off-market transfer of shares by the promoter/promoter connected entities to the suspected entities*					***Step 2 of modus operandi** - Qty traded on market by 4 suspected entities as counter party to the suspected entities in Step 1*					
	a	**b**	**c**	**d**	**e**	**f**	**g**	**h**	**i**	**j**
						Qty bought by suspected entities as counter party clients in the market in Step 2				
S. No	**Name of suspected entities who received shares off-market from promoter/promoter connected entities**	**Date of receipt of off-market trf**	**qty recd**	**promoter entity from whom received**	**Total Qty sold in market by suspected entities as given in column a**	**Qty bought by Great scope**	**Qty bought by Teampack**	**Qty bought by Happyshop**	**Qty bought by Yasomatti**	**Qty bought by other suspected entities**
1	Mayank Rai Jain	11-Jun-14	60000	Kanta Devi	60000	20300	7500	32200	0	0
2	Shakun Bansal	27-Feb-13	25000	Laxman Singh Satyapal	25000	10000	7500	7500	0	0
3	Vishal Gupta	10-Jun-13	20000	Laxman Singh Satyapal	20000	3500	9000	7500	0	0
4	Dinesh Kumar Bansal	27-Feb-13	25000	Laxman Singh Satyapal	25000	10000	13990	0	0	1010
5	Sagar Gupta	15-May-13	10000	Archit Jindal	10000	9500	0	9500	0	0
6	Shashi Aggarwal	14-May-13	20000	Meera Mishra	15900	2000	8400	1500	0	4000
7	Yoginder Kumar	14-May-13	20000	Meera Mishra		10500	6948	4100	0	2552
8	Ruchika Jain	07-Mar-13	50000	Laxman Singh Satyapal	32150	4400	13200	10000	0	4550
9	Rikhab Chand	14-May-13	250000	Archit Jindal	104900	13000	48400	16750	0	26750
10	Bina Jain	14-May-13	250000	Archit Jindal	45000	4300	17700	10000	0	13000
11	Poonam Bajaj	01-Mar-13	100000	Meera Mishra	38000	38000	0	0	0	0
12	Rajan Bajaj	01-Mar-13	100000	Meera Mishra	100000	44000	20000	36000	0	0

Table No: 12

Name of counter party buying entities	Period of market transactions		No. of suspected entities who sold the shares	Traded quantity by the 4 entities
	From	To		
Greatscope Distributors P Limited	19.05.2014	24.07.2014	33	243145
Happyshop Distributors Private Limited	21.05.2014	10.07.2014	50	276823
Teampack Commodities Private Limited	13.06.2014	24.07.2014	39	295703
Yasomati Distributors Private Limited	11.07.2014	22.07.2014	3	19700
Grand Total				835371

14.15.2.15. I note that firstly promoter entities as shown in column **d** of the Table No: 11, transferred shares to entities as shown in column **a**. Thereafter, said entities in column **a** transferred the shares to the 4 entities viz. Greatscope Distributors Pvt Ltd, Happyshop Distributors Pvt Ltd, Teampack Commodities Pvt Ltd and Yasomati Distributors Pvt Ltd, as shown in Table No: 12 above. I note that the entities shown in column **a**, were allegedly connected only on grounds of off-market transfers with the promoters at column **d**. Therefore, the transfer of shares from promoter to aforesaid entities cannot be held to be transfers between connected counterparties. Similarly, the transfers by said entities in column **a** of Table No: 11 to the 4 entities in Table No: 12 also cannot be held to be transfers between 'connected counterparties'. It is also relevant to observe that the entities in column **a** of Table No: 11 held the shares with them for around 1 year, before transferring them to the 4 entities as part of the step 2 of *modus operandi*. The explanation for such a long period taken by off-market buyers in executing the 2nd step of the *modus operandi* is not forthcoming in the Investigation Report. Also, certain Noticees in column **a** of Table No: 11, have made their submissions as regards the SCN. For instance, Rajan Bajaj and Poonam Bajaj have submitted that they had bought the shares as the seller had assured them that the scrip would be listed on BSE, and thereafter, its price would increase.

14.15.2.16. Further, steps 3 and 4 of the Illustration 1 are provided below:

Table No: 13

Step 3 of *modus operandi* Off-market transfer of shares bought in the market to suspected entities							
Name of entity who did market trns	Period of market transactions		Qty Bot	Qty tfd	Period of Transfer		Name of entity of to whom transferred
	From	To			From	To	
Greatscope Distributors P Ltd	19.05.2014	24.07.2014	243145	243145	17.06.2014	28.07.2014	Nanon Distributors
Happyshop Distributors P Ltd	21.05.2014	10.07.2014	276823	276823	13.06.2014	15.07.2014	

Teampack Commoditie P Ltd	13.06.2014	24.07.2014	295703	330823	13.06.2014	24.07.2014	Private Limited
Yasomati Distributors P Ltd	11.07.2014	22.07.2014	19700	19700	18.07.2014	24.07.2014	

Table No: 14

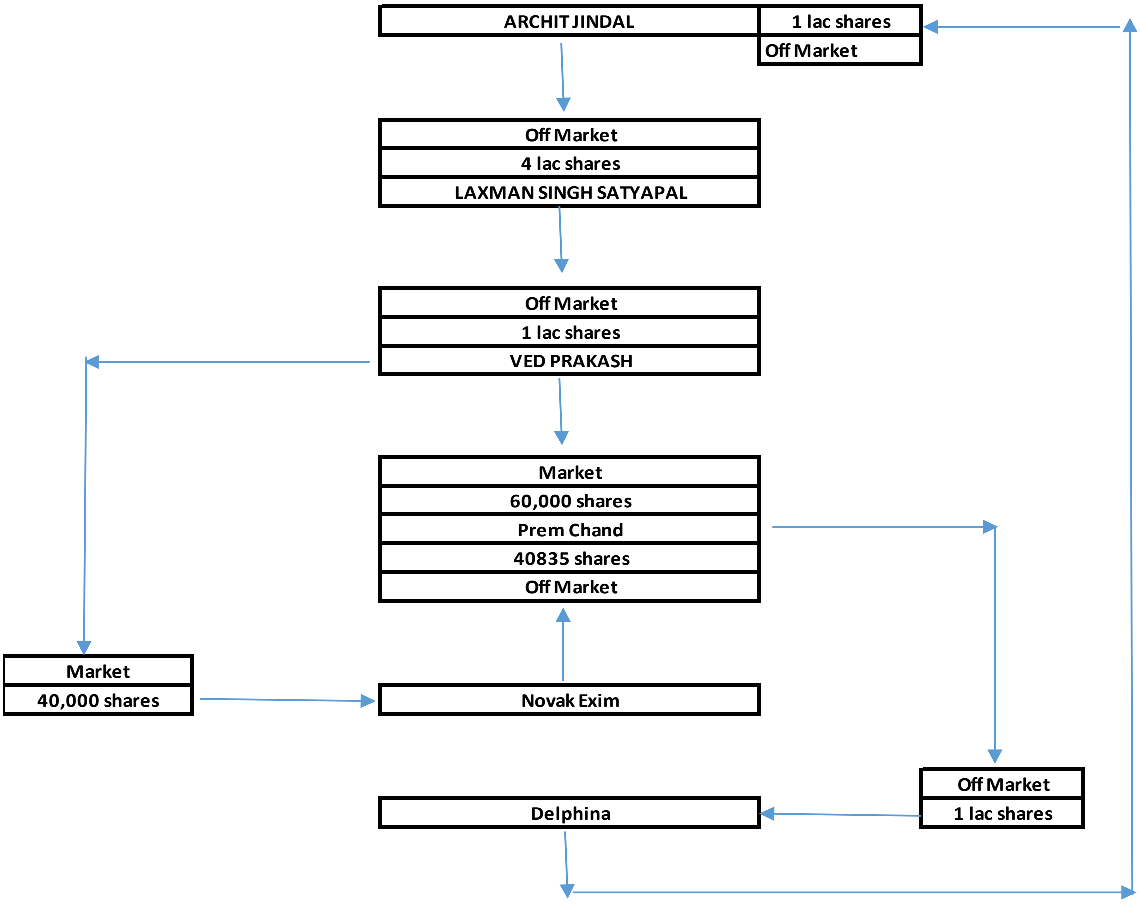
Step 4 of *modus operandi* Transfer back of shares to the promoter/promoter connected entities through off-market after trading in the market				
Name of the entity of transferring shares back to the promoter/promoter connected entities	Name of the promoter/promoter connected entities receiving the shares back through off-market	Period of transfers to promoter/promoter connected entities		Qty transferred
Nanon Distributors Private Limited		From	To	
	Ajay Kumar Jindal	27.06.2014	27.06.2014	24109
	Archit Jindal	27.06.2014	27.06.2014	16000
	Pradeep Kumar Jindal & Sons Huf	26.06.2014	13.09.2014	112948
	Renu Jindal	24.06.2014	27.06.2014	367999
	Seema Khandelwal	27.06.2014	27.06.2014	28082
	Subodh Kumar Khandelwal	27.06.2014	27.06.2014	33900
	Susane Traders Private Limited	08.08.2014	08.08.2014	348453

14.15.2.17. I note that the step 3 involved off-market transfers between the 4 entities shown in Table No. 12 to Nanon Distributors Pvt Ltd. Step 4 involved transfer of shares by Nanon Distributors Pvt Ltd to promoters shown in Table No. 13. I note that the said transactions, i.e. Steps 3 and 4, took place between promoter-connected entities. However, executing off-market transfers between connected entities does not *ipso facto* point to any manipulative or fraudulent intent resulting in generation of volumes in the market.

14.15.2.18. Thus, from the above sequence of events, it appears that there is no connection of the off-market purchasers with the Promoters. When the off-market purchasers traded on the blind market platform, it appears that four Promoter-connected entities have acquired the shares and then transferred to another Promoter connected entity (Nanon) and thereafter, Nanon has transferred the shares to seven Promoter and Promoter connected entities. In this illustration, the large number of off-market purchasers, i.e. the market participants, do not appear to have any knowledge of the alleged fraudulent scheme. The interlinkages in the flow chart of the *modus operandi* are not found to be established.

14.15.2.Illustration 2:

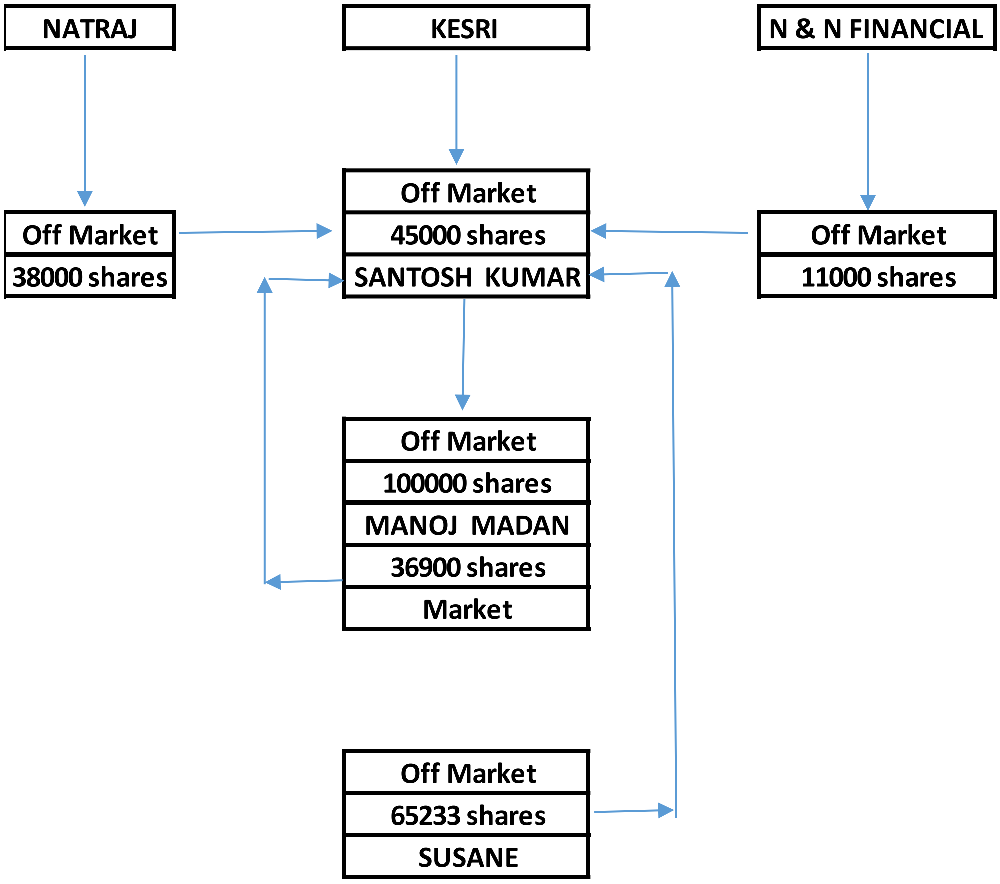
Illustration 2



14.15.3.14. In the above illustration, I note that Archit Jindal, a Promoter of Delta, transferred shares to Laxman Singh Satyapal, another Promoter. However, apart from the said two promoters, Prem Chand, Novak and Ved Prakash in the illustration were not connected, as they had undertaken only off-market transfers.

However, Delphina is a connected entity. Therefore, there is nothing on record to allege manipulative intention in the above transfers forming part of this illustration.

14.15.3.Illustration 3

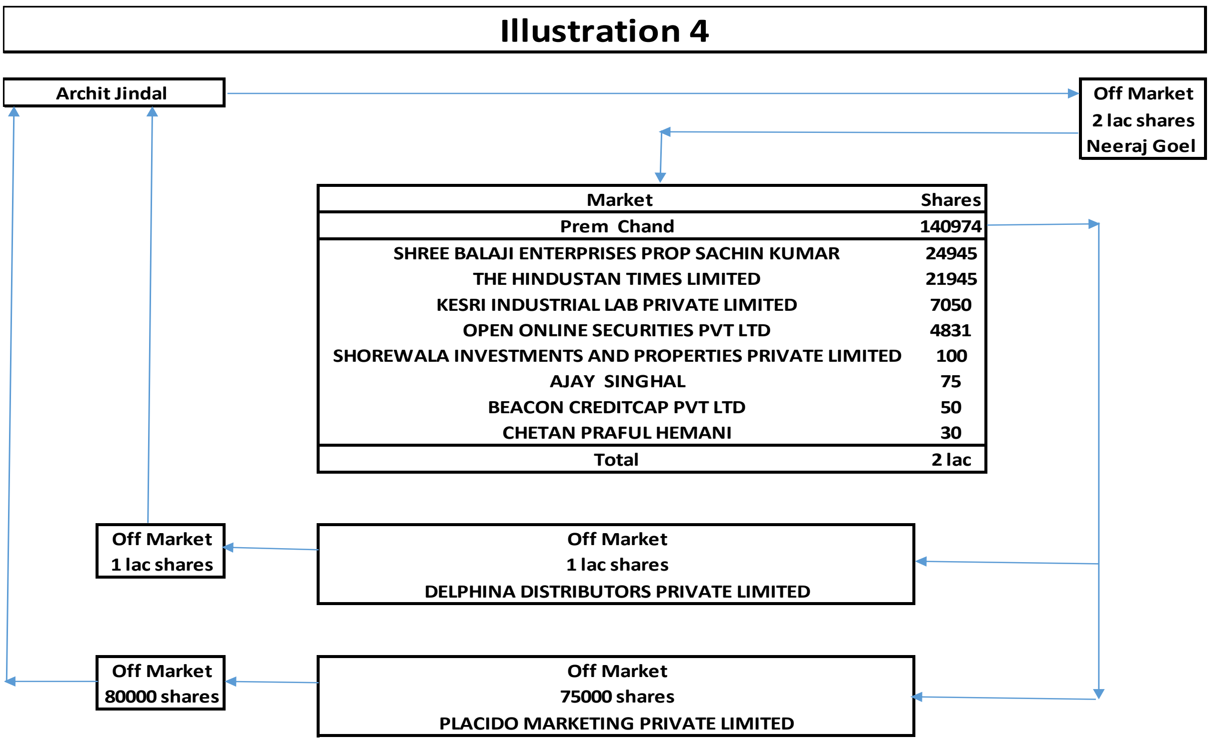


14.15.4.14. I note that, as alleged, the entities viz. Natraj, Kesri, N&N Financial and Susane transferred shares in the off-market to Santosh Kumar. Thereafter, Santosh Kumar had transfered shares in the off-market to Manoj Madan, and further Manoj Madan had transferred the shares back to Santosh Kumar via market. I note that apart from the off-market transfer between Santosh Kumar and Manoj Madan, there is no other proof on record to establish that Manoj Madan was connected with other entities, or that there was collusion between Manoj Madan and other entities involved in this illustration. It appears that the acquisition of shares by Santosh

Kumar through market, without knowing that the seller is Manoj Madan, has been portrayed as a transfer by Manoj Kumar to Santosh Kumar. Incidentally, I note that though the demat statements pertaining to transfers by Natraj, Kesri and N&N Financial to Santosh Kumar are on record, the demat statement pertaining to the transfer by Susane to Santosh Kumar is not on record.

14.15.4.15. In this context, I note that the Investigation has sought to establish that the artificial volumes were generated by the suspected entities on the market platform to the extent of 55.69% (refer Table No: 6 of the SCN). By studying the said illustration, I find that Manoj Madan has only transferred a part, close to 1/3rd of his off-market acquisition, through the market platform to the Santosh Kumar. This does not establish any pre meditated/ concerted action by the said entities. The selection of only certain transfers executed by Manoj Madan, for alleging execution of trades as part of *modus operandi* is not logical and acceptable.

14.15.4.<u>Illustration 4:</u>



14.15.4.1. It can be seen that Archit Jindal, Promoter, has transferred 2 Lakh shares to Neeraj Goel, an unconnected entity who sold the 2 lakh shares on market to several entities, as shown in the Illustration. I specifically note that out of the market transferees, one of the Noticees (Noticee No: 28) has acquired 1,40,974 shares and the remaining acquisition shown in the Illustration to reach upto 2 lakh have been made up by 7 other entities who are not Noticees in this matter.

14.15.4.2. Strangely, I find that Prem Chand and Kesri, who have acquired shares of the Company, from the market, have been alleged to be part of artificial volume generation, since, Prem Chand had transferred 1 Lakh shares to Delphina, a promoter connected entity, and 75,000 shares to Placido, another Promoter connected entity. It appears that there is no logic and rational adopted by Investigation to bring out the *modus operandi* for transfer of shares amongst the Noticees and Promoters. The fact that the transfer was effected between the Promoter, Promoter-connected entities and the other entities, whom I choose to call as 'market participants', is with knowledge of both sides, is not forthcoming in the Investigation Report. At this juncture, I rely on the judgement of the Hon'ble SAT in the matter of Sanman Consultants vs SEBI decided on January 31, 2011, wherein it was held that *"On the basis of a stray case of purchase or sale alone it cannot be concluded that it was a case of manipulation."*

15. Additionally, I note that the allegation relies upon the premise that promoter and promoter connected entities had transferred shares to the other suspected entities before the date of listing of Delta on BSE i.e. April 18, 2013. Thereafter, the shares were traded on market by the suspected entities after listing on BSE, and finally, returned to the promoter/ promoter group. However, I note from the perusal of Demat statements provided as Annexure 3 to the SCN that the promoter entities had transferred shares to market participants

through off-market during and after the listing date of Delta. There were other off-market transfers undertaken by the promoter entities during the IP, after the listing as well, which indicates that a clear pattern substantiating the premise as alleged by the Investigation cannot be inferred from the Demat statements on record.

16. I further note that role of only certain Noticees, out of the alleged 176 entities has been brought out in the alleged *modus operandi*, vide the 4 illustrations provided as Annexure 13 to the SCN. However, the Investigation Report has made generic and sweeping observations that all the promoter entities transferred shares in off-market to 'suspected entities', and except for shares received by 55 entities, all the other entities transferred back the shares to the promoter entity group. Since Investigation has not brought out a common understanding between the promoters and the off-market buyers, it appears the buyers entered the market to sell the shares and they were not aware of the buyers on the anonymous trading platform and or their connections with the promoters. The allegation levelled against such a large number of market participants is too farfetched in the absence of any other concrete evidence to establish the link. In this connection, it is again a concern that Noticee No. 99, 111, 112, 139, 172 and 175 have highlighted during the hearing that they had invested in the scrip of Delta on the advice of a financial adviser. The Investigation makes the said blanket allegation on the basis of presumption of existence of a *modus operandi* comprising layers of alleged transactions. However, role of each of the 176 Noticees has not been brought out to link their part in the *modus operandi*. There is no explanation of how each transfer along with the quantum of shares involved resulted in completion of the chain of transfers resulting in generation of artificial volume. It is also relevant to state that while alleging fraudulent transfers against a big group of entities, it is necessary to bring out the fact that they acted in concert and with knowledge. Or else, individual roles should be established. For instance, even though entities viz. Aanchal Jindal, Abhishek Ahuja, Ajay Singh and Ajay

Gupta allegedly were part of the *modus operandi*, their role in the *modus operandi*, via any of the illustrations or otherwise, has not been brought out.

17. The creation of alleged artificial volume to the tune of 55.69% has not been computed on the basis of a proper analysis of the fraudulent trades, but is a gross figure arrived at, by aggregating the quantum of shares transferred by Promoters off-market, the quantum traded by 'suspected entities' on market, and the quantum bought back by Promoters off-market, over a period of around 17 months. The motive of the Promtoer/ Promoter-connected entities is also not brought out.

18. Two aspects are glaringly missing in the Investigation. Firstly, the connection between the entities alleged to be forming part of the 'suspected entities' and secondly, the transfer of shares effected through the market platform between the suspected entities and/or with Promoter and Promoter-connected entities are not shown to have been done with a premeditated common objective. Thus, what emanates ultimately, when one looks at the entity specific contribution to the alleged market fraud is a scenario where some unconnected entities (around 199) purchased shares of Delta from the Promoter through off-market (based on market rumors or advice of financial advisors or market agents). Thereafter, the said 199 entities sold the shares in the market without knowing who the buyers were, and later the Promoters bought the shares back through off-market from the connected entities. Even though, the case appears to have been made out at the first blush, when the role of fraudulent trading is analyzed specifically so as to assess the role of each entity, I see that there is no evidence. Neither are the inter se connections established nor is a common motive to perpetrate a fraud brought out. Thus, in my view, the enormous volume of facts laboriously put together to weave a case of artificial volume generation or price manipulation in the market, is unsustainable. Therefore, the allegation of artificial volume generation made against the Noticees under Issue No. 1 are not established.

II. Issue 2: Generation of artificial volume via synchronized trades

19. Allegations pertaining to the second issue are summarized below:

19.1. It was alleged in the SCN that 78 suspected entities, as referred to in Table No: 5 of paragraph 9.1 above, executed synchronized trades among themselves. Details of such trades are as below:

Table No: 15

Market volume	Gross Buy Qty of suspected entities	Gross Sell Qty of suspected entities	Total traded qty among the suspected entities	Synchronized traded qty by suspected entities	Sync Trades qty. as % of total traded qty among the suspected entities	Sync Trades qty. as % of Total market volume	No. of synchronised trades	Sum of LTP at sync trades (Rs.)
9002228	7713109	5856807	5013513	1174328	23.42	13.04	673	89.25

The above mentioned trades, whose details have been provided as Annexure 9 to the SCN, were executed in a repetitive manner on 156 days on BSE by the said 78 suspected entities. It was alleged that the said synchronized trades created artificial/fictitious volume in the market without any intention of transfer of ownership of shares and gave a false and misleading appearance of trading in the scrip at BSE.

20. I note that out of 78 suspected entities alleged to have done synchronized trading, 16 have appeared before me or replied to the SCN. Summary of the contentions made by them is as below:

20.1. Noticees have denied execution of synchronized trades, while relying upon settled position of case laws in this regard.

20.2. Noticees have submitted that the time gap between buy and sell orders was larger, which does not qualify as synchronized trades. Also that, said trades were executed by the Noticees, only on few days out of the days comprising the IP.

20.3. Noticee No. 77 has submitted that only 1 out of 37 trades executed by him during the IP has been alleged to be synchronized trade. Further he stated, the alleged trade did not qualify as synchronized trade, as the time difference between buy and sell order of the alleged trade was more than 1 minute. Noticee has relied upon judgement of the Hon'ble Supreme Court in the matter of Rakhi Trading Pvt Ltd vs SEBI, and judgement of the Hon'ble SAT in the matter of Sanman Consultants vs SEBI, and submitted that to allege synchronization of trades, there has to be some form of collusion between counterparties, which has not been brought out in the instant matter.

20.4. Noticee No: 88 has submitted that synchronized trades are not illegal ipso facto. They are illegal only if done with a view to manipulate the market, are dubious in nature, intend to create artificial volume etc.

20.5. Noticee No. 99, 111, 112, 139, 172 and 175 have submitted that only a small proportion of total trades executed by them have been alleged to be synchronized. Also, they were not connected to counterparty to the alleged trades.

20.6. Noticee No. 103 has submitted that as regards its alleged synchronized trades, there was time difference of more than 3 minutes in 2 of the 4 alleged trades.

21. I proceed to consider the second issue on merits:

21.1. I note that 78 suspected entities allegedly executed synchronized trades amongst each other, leading to generation of artificial volume to the tune of 11,74,328 shares, comprising 13.04% of the total market volume. Such alleged trades were executed on 156 trading days (out of total 327 trading days).

21.2. I note that the details of synchronized trades were provided as Annexure 9 to the SCN. I note from the said Annexure, that 673 instances of transactions, comprising alleged synchronized trades between connected counterparties were undertaken, which resulted in generation of alleged artificial volume.

21.3. At the outset, there is no connection, as brought out in paragraphs 14.2 to 14.11 above. Besides that, on an analysis of a sample transactions executed, it is seen that there is no 100% synchronization, between the trades of the entities. Also, time gap between placement of buy and sell orders is high, and incorrect inference has been recorded in Annexure 9.

21.4. To assess whether synchronized trade had infact happened, the transactions undertaken between Noticees viz. Santosh Kumar and Vaibhav Jain, as buyer and seller respectively. I note that 266 alleged synchronized trades were executed between them, resulting in generation of volume to the tune of 4,34,838 shares. I further note from the Order log, provided as Annexure 8 to the SCN, that between the said entities, acting as buyer and seller, total 1,005 trades had been executed. The time difference between placement of buy and sell orders in the aforesaid trades, was in the range of 40 seconds to 04 hours, 48 minutes and 42 seconds. Further, the time difference in the buy and sell orders was less than 1 minute for 313 trades, out of the total 1,005 trades. As a sample check of the timings of buy and sell orders executed, between the said entities on April 23, 2013, the trades which were alleged to be synchronized, is extracted from Annexure 9:

Table No: 16

Trade Date	Buyer Name	Seller Name	Trade Time	Buy Order Time	Sell Order Time
23/04/2013	SANTOSH KUMAR	VAIBHAV JAIN	09:54:03	09:46:09	09:54:03
23/04/2013	SANTOSH KUMAR	VAIBHAV JAIN	09:54:03	09:46:21	09:54:03
23/04/2013	SANTOSH KUMAR	VAIBHAV JAIN	09:54:14	09:46:21	09:54:14

It is evident from the above Table No: 16 that the time difference between the buy and sell order was more than 1 minute, contrary to the ‘time difference’ of 00 seconds recorded in the relevant column of Annexure 9 to the SCN.

21.5. Further, I take another instance, pertaining to the trades executed between Noticees viz. Tushar India Pvt Ltd and Mili Goel, as buyer and seller respectively. It is alleged that 10 synchronized trades were executed between them, resulting in generation of artificial volume to the tune of 5,000 shares. However, from the TIO, I note that total 20 trades were executed between the said entities as buyer and seller, such that time difference of placement of buy and sell orders in such trades varied from 06 minutes 43 seconds to 29 minutes 05 seconds. I also note that Mr. Ravi Prakash, Advocate, has submitted on behalf of Noticee No. 77 that only 1 trade executed by him was alleged to be synchronized, and even for the said trade, the time difference between buy and sell orders was more than 1 minute.

21.6. I note from the trades executed between the above counterparties, which are representative of the trend observed in the alleged synchronized trades in the

Investigation Report, that the alleged synchronized trades comprised a small proportion of the total trades carried out between the allegedly connected counterparties. Also that, the time difference in even the alleged trades was not below 1 minute for all the transactions. Further, each of the Noticees had also executed trades with other counterparties in the scrip of Delta, which did not qualify as synchronized trades, during the IP.

21.7. The alleged trades amongst 78 entities constituted 13.04% of the market volume, executed over 156 trading days. The above fact shows that the alleged trades were spread over multiple days, not being capable of creating a substantial impact in terms of generation of market volume on any given day.

21.8. I note that synchronized trades have been made part of the allegation leading to generation of artificial volumes. In my view, synchronized trades may result in artificial volume, if the trades between entities are reversed, and there is no change in beneficial ownership. Investigation has not established this fact, and have merely relied on execution of synchronized trades to allege creation of artificial volume. Further, the buyer and seller do not know each other, to establish execution of trades in a synchronized manner.

21.9. Even though some of the Noticees have relied on case laws with respect to synchronization of trades, I do not find it relevant to discuss the applicability of those cases since the facts, in itself fail to establish the allegation of synchronized trades.

21.10. In view of the above facts, including the absence of connections between the Noticees and the trading pattern exhibited by the 78 Noticees, it is not established that there was generation of artificial volumes by synchronization. In the given circumstances, I find that the allegation levelled against the Noticees under Issue No. 2 are not established.

III. <u>Issue 3: Price Manipulation</u>

22. Allegations pertaining to the third issue in the SCN pertain to the six patches, as provided in Table No: 6 under paragraph 9.2 above, which comprise the IP. The said allegations are detailed below for each patch:

Patch-I (April 18, 2013 to May 09, 2013)

22.1. It was alleged that 2 suspected entities, viz. Nanon Distributors Pvt Ltd and Tushar India Pvt Ltd contributed 19.29% and 3.85%, respectively, to market positive LTP, and they had traded on the same day. Thus, the 'suspected entities' collectively contributed by 23.14% to market positive LTP through 30 positive LTP trades.

22.2. It was further observed that in case of 16 positive LTP trades of Nanon Distributors Pvt Ltd, sell orders were available when the buy orders were placed by Nanon Distributors Pvt Ltd at a higher price than the available sell orders and through these trades Nanon Distributors Pvt Ltd made LTP contribution. It was alleged that these trades were thereby, manipulative in nature.

22.3. Trades carried out by Tushar India P Ltd contributed Rs. 11.90 to positive LTP through 2 trades and there was only 1 counterparty entity to the 2 trades, viz. Ritu Jain, who was one of the promoters of Delta. Further, it was observed that all the orders were placed by Tushar on May 08, 2013, the same day when Nanon placed the orders as given above. These trades were thus manipulative in nature.

22.4. Therefore, it was alleged that the trades carried out by Nanon Distributors Pvt Ltd and Tushar India P Ltd, the two suspected entities, contributed significantly to the price rise during Patch I in the IP, and thereby manipulated the scrip price on BSE and indulged in an act which created false or misleading appearance of trading in the scrip.

Patch-II (May 10, 2013 to June 28, 2013)

22.5. It was alleged that 3 suspected entities, viz. Vaibhav Jain, Mamta Jindal and TVF Finance Investments Private Limited contributed 3.62%, 3.18% and 1.89%, respectively, to market negative LTP, collectively contributing 8.69% to market negative LTP. Additionally, Vaibhav Jain and TVF Finance were also involved in first trades contributing Rs. 6.10 and Rs. 16.50 to negative LTP. Further, in case of 2 negative LTP trades of Mamta Jindal (which were 8.70% of the trades of Mamta Jindal during the patch), buy orders were available when the sell orders were placed by Mamta Jindal at a price lower than the available buy orders and through these trades Mamta Jindal made LTP contribution. Therefore, it was observed that the trades carried out by Mamta Jindal, Vaibhav Jain and TVF Finance Investments Private Limited contributed significantly to the price fall during Patch II in IP, and manipulated the scrip price on BSE.

Patch-III (July 01, 2013 to December 26, 2013)

22.6. It was alleged that 8 suspected entities, viz. Santosh Kumar, N N Financial Consultants Private Limited, Sapna Sole Prop.Of Soni Sales India, Sandeep Kumar, Shree Balaji Enterprises Prop Sachin Kumar, Bryn Commodities Derivatives Pvt. Ltd., Doraemon Commodities Derivatives Pvt. Ltd. and Kesri Industrial Lab Private Limited contributed 11.99%, 11.94%, 7.92%, 5.22%, 2.12%, 2.02%, 1.97% and 1.51%, respectively, to market positive LTP, collectively contributing 44.69% to market positive LTP. Further, Santosh Kumar, N N Financial Consultants Private Limited, Sandeep Kumar, Bryn Commodities Derivatives Pvt. Ltd. and Doraemon Commodities Derivatives Pvt. Ltd. also contributed 11.73%, 10.73%, 1.90%, 1.73% and 1.99%, respectively, to market New High Price. Also, N N Financial Consultants Private Limited, Bryn Commodities Derivatives Pvt. Ltd. and Doraemon Commodities Derivatives Pvt. Ltd. were involved in first trades contributing to Rs. 3.10, Rs. 2.85 and Rs. 1.50 of positive LTP.

22.7. Further, in case of 83 positive LTP trades of the said Noticees (which are 18% of the positive LTP trades of these entities during the patch), sell orders were available when the buy orders were placed by these suspected entities at a higher price than the available sell orders and through these trades these entities made LTP contribution. Thus, it was observed that these trades were manipulative in nature.

22.8. It was also observed that the Noticee viz. Vaibhav Jain (who was a promoter of Delta), though appeared on the sell side, was counterparty to the above suspected entities, in the LTP analysis. Trades carried out by Vaibhav Jain contributed Rs. 6.40 to positive LTP (i.e. 10.69% to market positive LTP) through 16 trades. It was alleged that these trades were manipulative in nature.

22.9. It was also observed that among top 10 LTP contributors during the patch, 1 entity, namely Kakumanu Umamaheshwararao contributed 5.91% to market positive LTP. The entity also contributed 4.47% to market New High Price and had 11 first trades which contributed to Rs. 9.85 of positive LTP. Further, in case of 3 positive LTP trades of Kakumanu Umamaheshwararao (which are 8.33% of the positive LTP trades of Kakumanu Umamaheshwararao during the patch), sell orders were available when the buy orders were placed by Kakumanu Umamaheshwararao at a higher price than the available sell orders and through these trades Kakumanu Umamaheshwararao made LTP contribution. Further, there were 22 different counterparty entities to the 36 LTP trades, out of which 7 entities (Dinesh Kumar Rathore, Mili Goel, Sachin Kumar, Sandeep Kumar, Sapna Sole Prop.Of Soni Sales India, Usha Rani Rustagi Co., Vaibhav Jain) were part of 'suspected entities'. These 7 counterparties appeared in 42% of LTP trades of Kakumanu Umamaheshwararao and contributed 34% of positive LTP of Kakumanu Umamaheshwararao. Thus, it was observed that these trades of Kakumanu Umamaheshwararao were manipulative in nature.

22.10. Therefore, it was alleged that the trades carried out by Vaibhav Jain, Santosh Kumar, N N Financial Consultants Private Limited, Sapna Sole Prop.Of Soni Sales India, Shree Balaji Enterprises Prop Sachin Kumar, Sandeep Kumar, Bryn Commodities Derivatives Pvt. Ltd., Doraemon Commodities Derivatives Pvt. Ltd., Kesri Industrial Lab Private Ltd. and Kakumanu Umamaheshwararao contributed significantly to the price rise during Patch III in IP.

Patch-IV (December 27, 2013 to January 31, 2014)

22.11. It was alleged that 5 Noticeess, viz. Sapna Sole Prop.Of Soni Sales India, N N Financial Consultants Private Limited, Kesri Industrial Lab Private Limited, Vaibhav Jain and Santosh Kumar contributed 8.03%, 5.61%, 2.24%, 1.68% and 1.08%, respectively, to market negative LTP, collectively contributing 18.64% to market negative LTP.

22.12. Further, in case of 3 negative LTP trades of Sapna Sole Prop.Of Soni Sales India (which are 8.57% of the trades of Sapna Sole Prop. of Soni Sales India during the patch), buy orders were available when the sell orders were placed by Sapna Sole Prop. Of Soni Sales India at a lower price than the available buy orders and through these trades Sapna Sole Prop.Of Soni Sales India made LTP contribution. Trades carried out by Vaibhav Jain contributed Rs. 2.25 to negative LTP through 3 trades and 2 counterparties (Ajay Singh, Santosh Kumar) were part of 'suspected entities'. These 2 counterparties appeared in 67% of LTP trades of Vaibhav Jain and contributed 27% of negative LTP of Vaibhav Jain. Thus, it was observed that these trades were manipulative in nature.

22.13. Trades carried out by Kesri Industrial Lab Private Limited contributed Rs. 3 to negative LTP through 1 trade and the counterparty (Santosh Kumar) was part of 'suspected entities'. Kesri Industrial Lab Private Limited was a suspected entity which was also involved in off-market transactions leading to artificial creation of volumes. Thus, it was observed that the LTP trades of Kesri Industrial Lab Private Limited were manipulative in nature.

22.14. It was observed that among top 10 LTP contributors during the patch, 4 entities, viz. Nextgen Retail Private Limited and Kakumanu Umamaheshwararao contributed 14.95% and 9.12% respectively, to market negative LTP. Further, Nextgen Retail Private Limited and Kakumanu Umamaheshwararao also contributed 21.13% and 3.06%, respectively, to market New Low Price. Also, Nextgen Retail Private Limited was involved in first trades contributing to Rs. 10.30 of negative LTP. Further, in case of 13 negative LTP trades of Nextgen Retail Private Limited (which were 7.83% of the trades of Nextgen Retail Private Limited during the patch), buy orders were available when the sell orders were placed by Nextgen Retail Private Limited at a lower price than the available buy orders and through these trades Nextgen Retail Private Limited made LTP contribution. There were 11 different counterparty entities to the LTP trades, out of which 2 entities (N N Financial Consultants Private Limited and Santosh Kumar) are part of suspected entities. These 2 counterparties appeared in 13% of LTP trades of Nextgen

Retail Private Limited and contributed 4.25% of negative LTP of Nextgen Retail Private Limited. Thus, it was observed that these trades were manipulative in nature.

22.15. Trades carried out by Kakumanu Umamaheshwararao contributed Rs. 12.20 to negative LTP through 12 trades and there were 10 different counterparty entities to the 12 trades, out of which 4 entities (N N Financial Consultants Private Limited, Santosh Kumar, Sapna Sole Prop.Of Soni Sales India, Uma Shankar Shankar) were part of suspected entities. These 4 counterparties appeared in 42% of LTP trades of Kakumanu Umamaheshwararao and contributed 50% of negative LTP of Kakumanu Umamaheshwararao. Thus, it was observed that these trades were manipulative in nature.

22.16. Therefore, it was alleged that Sapna Sole Prop. of Soni Sales India (Noticee no: 33), Vaibhav Jain (Noticee no: 39), Kesri Industrial Lab Private Limited (Noticee no: 16), Nextgen Retail Private Limited (Noticee no: 24) and Kakumanu Umamaheshwararao (Noticee no: 15) contributed significantly to the price fall during Patch IV in the IP, and that they manipulated the scrip price on BSE and thus indulged in an act which created false or misleading appearance of trading in the scrip.

Patch-V (February 03, 2014 to June 26, 2014)

22.17. It was alleged that 14 suspected entities, viz. Happyshop Distributors Private Limited, Praveen Goyal, prop of Shivam Trading Co., Ram Yadav Sole Prop Capital Securities, Teampack Commodities Private Limited, Mohd Aslam Prop Global Enterprises, Greatscope Distributors Private Limited, Ajay Singh (A S Enterprises), Shree Balaji Enterprises Prop Sachin Kumar, Kesri Industrial Lab Private Limited , N N Financial Consultants Private Limited , Babita Goyal Prop Mahalaxmi Overseas , Prem Chand, Santosh Kumar and Pawan Batra contributed 11.27%, 10.79%, 8.63%, 8.58%, 5.70%, 5.63%, 5.20%, 5.19%, 3.48%, 2.67%, 2.13%, 1.74%, 1.67% and 1.54%, respectively, to market positive LTP, collectively contributing 73.96% to market positive LTP. Further, Teampack Commodities Private Limited, Happyshop Distributors Private Limited , Ajay Singh (A S Enterprises), Praveen Goyal, prop of Shivam Trading

Co. , Ram Yadav Sole Prop Capital Securities , Prem Chand , Mohd Aslam Prop Global Enterprises, Kesri Industrial Lab Private Limited , Shree Balaji Enterprises Prop Sachin Kumar , Greatscope Distributors Private Limited, N N Financial Consultants Private Limited , Babita Goyal Prop Mahalaxmi Overseas and Santosh Kumar also contributed 23.05%, 10.13%, 6.33%, 5.45%, 4.66%, 3.97%, 3.75%, 2.61%, 2.24%, 1.64%, 1.27% and 1.01%, respectively, to market New High Price. Also, Teampack Commodities Private Limited, Happyshop Distributors Private Limited, Kesri Industrial Lab Private Limited, Shree Balaji Enterprises Prop Sachin Kumar, Ajay Singh (A S Enterprises), Babita Goyal Prop Mahalaxmi Overseas , Praveen Goyal, prop of Shivam Trading Co. , Ram Yadav Sole Prop Capital Securities , Mohd Aslam Prop Global Enterprises and N N Financial Consultants Private Limited were also involved in first trades contributing to Rs. 26.65, Rs. 11.60, Rs. 8.20, Rs. 6.05, Rs. 5.35, Rs. 4.50, Rs. 4.25, Rs. 4.25, Rs. 3.50 and Rs. 1.40, respectively, of positive LTP.

22.18. Further, in case of 112 positive LTP trades of the above entities (which are 23.53% of the positive LTP trades of these entities during the patch), sell orders were available when the buy orders were placed by these suspected entities at a higher price than the available sell orders and through these trades these entities made LTP contribution. Thus, it was observed that these trades were manipulative in nature.

22.19. It was also observed that suspected entity, viz. Vaibhav Jain (who is a promoter of Delta), though appeared on the sell side, was counterparty to the above suspected entities, in the LTP analysis. Trades carried out by Vaibhav Jain contributed Rs. 17.10 to positive LTP (i.e. 15.31% to market positive LTP) through 8 trades. It was observed that these trades were manipulative in nature.

22.20. Trades carried out by Pawan Batra contributed Rs. 17.65 to positive LTP. Pawan Batra is a suspected entity who was also involved in off-market transactions leading to artificial creation of volumes. Thus, it was observed that the LTP trades of Pawan Batra were manipulative in nature.

22.21. Therefore, it was observed that the trades carried out by the 15 suspected entities, viz. Happyshop Distributors Private Limited (Noticee no: 13), Praveen Goyal, prop of Shivam Trading Co. (Noticee no: 27) , Ram Yadav Sole Prop Capital Securities (Noticee no: 29), Vaibhav Jain (Noticee no: 39), Teampack Commodities Private Limited (Noticee no: 35), Mohd Aslam Prop Global Enterprises (Noticee no: 21), Greatscope Distributors Private Limited (Noticee no: 12), Ajay Singh (A S Enterprises) (Noticee no: 2), Shree Balaji Enterprises Prop Sachin Kumar (Noticee no: 34), Kesri Industrial Lab Private Limited (Noticee no: 16), N N Financial Consultants Private Limited (Noticee no: 22), Babita Goyal Prop Mahalaxmi Overseas (Noticee no: 6), Prem Chand (Noticee no: 28), Santosh Kumar (Noticee no: 32) and Pawan Batra (Noticee no: 25) contributed significantly to the price rise during Patch V in the IP, and that the said entities manipulated the scrip price on BSE and thus indulged in an act which created false or misleading appearance of trading in the scrip.

Patch-VI (June 27, 2014 to September 04, 2014)

22.22. It was alleged that 2 suspected entities, namely Dinesh Kumar Rathore and Anil Kumar Mishra contributed 14.05% and 2.06%, respectively, to market negative LTP, collectively contributing 16.11% to market negative LTP. Further, Dinesh Kumar Rathore and Anil Kumar Mishra also contributed 9.84% and 4.77%, respectively, to market New Low Price. Also, Dinesh Kumar Rathore and Anil Kumar Mishra were also involved in first trades contributing to Rs. 11.60 and Rs. 8.65, respectively, of negative LTP. Trades carried out by Dinesh Kumar Rathore, contributed Rs. 60.85 to negative LTP through 15 trades. There were 9 different counterparty entities to the 15 trades, out of which 3 entities (Babita Goyal, Ram Yadav Sole Prop Capital Securities, Praveen Goyal prop of Shivam Trading Co.) were part of suspected entities. These 3 counterparties appeared in 27% of LTP trades of Dinesh Kumar Rathore and contributed 11% of negative LTP of Dinesh Kumar Rathore. Thus, it was observed that these trades were manipulative in nature. Trades carried out by Anil Kumar Mishra, contributed Rs. 8.65 to negative LTP through 1 trade. The counterparty to the trade was a suspected entity, viz.

Praveen Goyal prop Of Shivam Trading Co. Thus, it was observed that these trades were manipulative in nature.

22.23. It was observed by Investigation that among top 10 LTP contributors during the patch, 4 entities, viz. Dhansilk Vanijya Private Limited, Senthil Kumaran, Gajanan Enterprises and Umesh Singhal contributed 26.16%, 11.52%, 9.39% and 7.58%, respectively, to market negative LTP. Further, Dhansilk Vanijya Private Limited, Senthil Kumaran, Gajanan Enterprises and Umesh Singhal also contributed 30.09%, 4.08%, 21.72% and 3.83%, respectively, to market New Low Price. Also, Dhansilk Vanijya Private Limited, Senthil Kumaran and Gajanan Enterprises were involved in first trades contributing to Rs. 61.05, Rs. 10.90 and Rs. 39.40 of negative LTP. Further, in case of 2 negative LTP trades of Dhansilk Vanijya Private Limited (which were 4.55% of the trades of Dhansilk Vanijya Private Limited during the patch), buy orders were available when the sell orders were placed by the entity at a lower price than the available buy orders and through these trades Dhansilk Vanijya Private Limited made LTP contribution. Further, as regards 21 negative LTP trades of Dhansilk Vanijya Private Limited, it was observed that there were 13 different counterparty entities to the 21 trades, out of which 5 entities (Praveen Goyalprop Of Shivam Trading Co., Ram Yadav Sole Prop Capital Securities, Sandeep Kumar, Shri Ram Traders, Teampack Commodities Private Limited.) were part of 'suspected entities'. These 5 counterparties appeared in 52% of LTP trades of Dhansilk Vanijya Private Limited and contributed 61% of negative LTP of Dhansilk Vanijya Private Limited. Thus, it was observed that these trades were manipulative in nature.

22.24. As regards trades of Gajanan Enterprises, it was observed that there were 4 negative LTP trades, contributing to Rs. 39.40 of negative LTP. There were 3 different counterparty entities to the 4 trades, out of which all 3 entities (Praveen Goyalprop Of Shivam Trading Co., Ram Yadav Sole Prop Capital Securities, Teampack Commodities Private Limited.) were part of suspected entities. Thus, it was observed that these trades were manipulative in nature.

22.25. As regards trades of Umesh Singhal, it was observed that there were 4 negative LTP trades, contributing to Rs. 31.80 of negative LTP. There were 4 counterparties, out of which 1 entity (Ram Yadav Sole Prop Capital Securities) was part of suspected entities. This counterparty appeared in 25% of LTP trades of Umesh Singhal and contributed 14% of negative LTP of Umesh Singhal. Thus, it was observed that these trades were manipulative in nature.

22.26. Therefore, it was observed that the trades carried out by Dinesh Kumar Rathore (Noticee no: 9), Anil Kumar Mishra (Noticee no: 4), Dhansilk Vanijya Private Limited (Noticee no: 8), Gajanan Enterprises (Noticee no: 11) and Umesh Singhal (Noticee no: 38) contributed significantly to the price fall during Patch VI in the IP, and that the said entities manipulated the scrip price on BSE and thus indulged in an act which created false or misleading appearance of trading in the scrip.

23. I note that out of the 30 suspected entities against whom price manipulation had been alleged, 3 Noticees viz. Noticee No. 11, 37 and 39 have submitted replies to the SCN. Said replies have been summarized below. Further, the submissions which have been already stated, and are relevant herein, are not repeated for the sake of brevity.

23.1. Noticees have submitted that the price reduction or increase was small compared to the prevailing market price. For instance, in Patch-I, for Noticee No: 39, the price reduction of Rs 5.60 was very small considering the sale price of Rs 150.825 and execution of 52 trades.

23.2. Noticees’ trades had been selectively picked up for making allegations. Out of the total trades executed by the Noticees, only a small percentage is alleged to be contributing to positive or negative LTP. Further, as regards First trade analysis, Noticees have submitted that they were not aware of timing of trades as they had placed the orders only with the relevant broker, who they placed the market orders, on this behalf.

23.3. Noticees’ orders matched with the counterparty orders in normal course on the electronic trading platform of BSE. Further, no inducement has been alleged in the SCN.

23.4. Noticees engaged only in delivery based sale transactions in 100% cases through stock exchange and clearing corporation, and a duly registered Stock Broker.

23.5. Noticee No: 37 has submitted that the charges of violation of provisions of PFUTP Regulations are false and imaginary. Further, name of Noticee No: 37 does not appear in the Annexure 18, which has been referred in para 20.3.1 (allegations pertaining to Patch II). The allegation pertaining to involvement in off-market transfers leading to violation of provisions of PFUTP Regulations are based on mere suspicion, and are completely denied.

24. Findings as regards the allegation of price manipulation against 30 entities for the six patches comprising the IP.

24.1. I note that for each Patch, Investigation has identified the entities who have made largest contributions to LTP (positive or negative), and then carried out further analysis in terms of presence of connected counterparties, execution of First Trades, contribution to New High Price/ New Low Price etc. On the basis of said analysis, total 30 'suspected entities' are alleged to have carried out price manipulation, spread over the six patches. The trading pattern executed by each of the said entities, for each patch is considered and analyzed below.

<u>Patch-I</u>

24.2. Allegation of price manipulation have been made against Nanon Distributors Pvt Ltd and Tushar India Pvt Ltd in Patch-I. I note that the two entities, viz. Nanon Distributors Pvt Ltd and Tushar India Pvt Ltd contributed 19.29% and 3.85% through 28 and 2 trades, respectively, to market positive LTP on the same day i.e. May 08, 2013. I further note that all the alleged trades executed by Nanon Distributors Pvt Ltd were with entities who were not suspected entities. Similarly, Tushar India Pvt Ltd made the alleged LTP contribution through 2 trades, in which Ritu Jain (part of the suspected entities) was the counterparty. However, I also note from the Order log that Tushar India Pvt

Ltd had executed total 8 trades with Ritu Jain, and out of the said 8 trades, only the alleged 2 trades had resulted in positive LTP contribution.

Patch -II

24.3. Allegations of price manipulation have been made against Mamta Jindal, Vaibhav Jain and TVF Finance Investments Pvt Ltd in Patch-II. I note that the said Noticees viz. Vaibhav Jain, Mamta Jindal and TVF Finance Investments Pvt Ltd, contributed 3.62%, 3.18% and 1.89% to market negative LTP. Also, Vaibhav Jain and TVF Finance were also involved in first trades contributing to Rs. 6.10 and Rs. 16.50 of negative LTP. Details of the allegedly manipulative trades executed by the three Noticees and the counterparties therein is as below:

Table No: 17

Sr No	Name of entity (seller)	Contribution to negative LTP (Rs)	As %age to market negative LTP (%)	No of trades	No of counterparties	No of counterparties belonging to 'suspected entities'
1	Vaibhav Jain	33.25	3.62	15	4	2 (Santosh Kumar and Multiplex Capital Ltd)
2	Mamta Jindal	29.25	3.18	11	8	1 (Kesri Industrial Lab Pvt Ltd)
3	TVF Finance Investments Pvt Ltd	17.40	1.89	2	1	0

I further note from the Order log that the said 3 Noticees during Patch – II of the IP had executed 78 trades as seller, out of which only the 28 alleged trades have been selectively chosen to make the allegations.

Patch-III

24.4. Allegation of price manipulation have been made against Vaibhav Jain (Noticee no: 39), Santosh Kumar (Noticee no: 32), N N Financial Consultants Private Limited (Noticee no: 22), Sapna Sole Prop.Of Soni Sales India (Noticee no: 33), Shree Balaji Enterprises Prop Sachin Kumar (Noticee no: 34), Sandeep Kumar (Noticee no: 31), Bryn Commodities Derivatives Pvt. Ltd. (Noticee no: 7), Doraemon Commodities Derivatives Pvt. Ltd. (Noticee no: 10), Kesri Industrial Lab Private Ltd. (Noticee no: 16) and Kakumanu Umamaheshwararao (Noticee no: 15) in Patch –III. I note that the 8 Noticees, viz. Santosh Kumar, N N Financial Consultants Private Limited, Sapna Sole Prop. Of Soni Sales India, Sandeep Kumar, Shree Balaji Enterprises Prop Sachin Kumar, Bryn Commodities Derivatives Pvt. Ltd., Doraemon Commodities Derivatives Pvt. Ltd. and Kesri Industrial Lab Private Limited contributed 11.99%, 11.94%, 7.92%, 5.22%, 2.12%, 2.02%, 1.97% and 1.51%, respectively, to the market positive LTP. Details of the allegedly manipulative trades executed by the said 8 Noticees and the counterparties therein is as below:

Table No: 18

S No	Name of entity (buyer)	Contribution to positive LTP (Rs)	As %age to market positive LTP (%)	No of trades	No of counterparties	No of counterparties belonging to 'suspected entities'
1	Santosh Kumar	75.80	11.99	112	18	3
2	N N Financial Consultants Private	75.50	11.94	93	22	3
3	Sapna Sole Prop.Of Soni Sales India	50.10	7.92	88	25	3
4	Shree Balaji Enterprises Prop Sachin Kumar	13.40	5.22	50	18	7
5	Sandeep Kumar	33	2.12	49	20	6
6	Bryn Commodities Derivatives Pvt. Ltd.	12.80	2.02	22	10	3
7	Doraemon Commodities Derivatives Pvt. Ltd.	12.45	1.97	31	14	3
8	Kesri Industrial Lab Private Limited	9.55	1.51	23	16	4

I note from the Order log that the Noticees had executed other trades which resulted in negative LTP as well, and only some of the said trades were with counterparties who were 'suspected entities'.

24.5. I also note that Kakumanu Umamaheshwararao, against whom allegation of price manipulation has been levelled in Patch –III itself, was not a part of 'suspected entities'. The allegation has been made on the basis of the fact that the said entity was among top 19 LTP contributors during the Patch-III, and had contributed 5.91% to market positive LTP, 4.47% to market New High Price and had 11 first trades which contributed to Rs. 9.85 of positive LTP. However, I find it difficult to appreciate the intention of said Noticee towards execution of manipulative trades, in clear absence of any possibility of prior meeting of minds. Quantum of LTP contribution, without any attending circumstances, *interalia* including trading pattern, cannot *ipso facto* indicate price manipulation.

<u>Patch-IV</u>

24.6. Allegations of price manipulation have been made against Sapna Sole Prop. of Soni Sales India (Noticee no: 33), Vaibhav Jain (Noticee no: 39), Kesri Industrial Lab Private Limited (Noticee no: 16), Nextgen Retail Private Limited (Noticee no: 24) and Kakumanu Umamaheshwararao (Noticee no: 15) in Patch-IV. I note that the Noticees, viz. Sapna Sole Prop. of Soni Sales India, Kesri Industrial Lab Private Limited, Vaibhav Jain, Nextgen Retail Pvt Ltd and Kakumanu Umamaheshwararao contributed 8.03%, 2.24%, 1.68%, 14.95% and 9.12% respectively, to market negative LTP. Further, Nextgen Retail Private Limited and Kakumanu Umamaheshwararao contributed 21.13% and 3.06%, respectively, to market New Low Price. Also, Nextgen Retail Private Limited was involved in first trades contributing to Rs. 10.30 of negative LTP.

24.7. I note that only 3 Noticees viz. Sapna Sole Prop. Of Soni Sales India, Kesri Industrial Lab Pvt Ltd and Vaibhav Jain, out of the 5 Noticees against whom price manipulation has been alleged in Patch-IV, were 'suspected entities'. Details of the allegedly manipulative trades executed by the said 3 Noticees and the counterparties therein is as below:

<u>Table No: 19</u>

S No	**Name of entity (buyer)**	**Contribution to negative LTP (Rs)**	**As %age to market negative LTP (%)**	**No of trades**	**No of counterparties**	**No of counterparties belonging to 'suspected entities'**
1	Sapna Sole Prop. of Soni Sales India	10.75	8.03	8	7	0
2	Kesri Industrial Lab Private Limited	3	2.24	1	1	1
3	Vaibhav Jain	2.25	1.68	3	3	2

24.8. I note that majority of the trades executed by the 3 Noticees were with counterparties who were not 'suspected entities'. For instance, all trades by

Sapna Sole Prop. of Soni Sales India were executed with counterparties who were not 'suspected entities'. I also note that only one trade executed by Kesri Industrial Lab Pvt Ltd has been selectively chosen to allege price manipulation. Further, in case of Vaibhav Jain, out of total 179 sell orders placed by him in the patch-IV, only 3 orders resulted in negative LTP, which have been alleged to be manipulative.

24.9. Further, Noticees viz. Nextgen Retail Pvt Ltd and Kakumanu Umamaheshwar were not 'suspected entities'. The trades executed by them, even if resulted in positive LTP contribution, cannot be held to be manipulative in absence of any attending circumstances.

Patch-V

24.10. Allegations of price manipulation have been made against Happyshop Distributors Private Limited (Noticee no: 13), Praveen Goyal, prop of Shivam Trading Co. (Noticee no: 27) , Ram Yadav Sole Prop Capital Securities (Noticee no: 29), Vaibhav Jain (Noticee no: 39), Teampack Commodities Private Limited (Noticee no: 35), Mohd Aslam Prop Global Enterprises (Noticee no: 21), Greatscope Distributors Private Limited (Noticee no: 12), Ajay Singh (A S Enterprises) (Noticee no: 2), Shree Balaji Enterprises Prop Sachin Kumar (Noticee no: 34), Kesri Industrial Lab Private Limited (Noticee no: 16), N N Financial Consultants Private Limited (Noticee no: 22), Babita Goyal Prop Mahalaxmi Overseas (Noticee no: 6), Prem Chand (Noticee no: 28), Santosh Kumar (Noticee no: 32) and Pawan Batra (Noticee no: 25) in Patch-V. I note that 14 Noticees viz. Happyshop Distributors Private Limited, Praveen Goyal, prop of Shivam Trading Co., Ram Yadav Sole Prop Capital Securities, Teampack Commodities Private Limited, Mohd Aslam Prop Global Enterprises, Greatscope Distributors Private Limited, Ajay Singh (A S Enterprises), Shree Balaji Enterprises Prop Sachin Kumar, Kesri Industrial Lab Private Limited , N N Financial Consultants Private Limited , Babita Goyal Prop Mahalaxmi Overseas, Prem Chand, Santosh Kumar and Pawan Batra contributed 11.27%, 10.79%, 8.63%, 8.58%, 5.70%, 5.63%, 5.20%, 5.19%, 3.48%, 2.67%, 2.13%, 1.74%, 1.67% and 1.54%, respectively, to market positive LTP. Also, Vaibhav Jain, who is a part of the suspected entities, appeared on the sell side as counterparty to the above suspected entities and contributed Rs. 17.10 to positive LTP (i.e. 15.31% to market positive LTP) through 8 trades.

24.11. Details of the allegedly manipulative trades executed by the 14 Noticees and the counterparties therein is as below:

Table No: 20

S No	Name of entity (buyer)	Contribution to positive LTP (Rs)	As %age to market positive LTP (%)	No of trades	No of counterparties	No of counterparties belonging to 'suspected entities'
1	Happyshop Distributors Private Ltd	129.65	11.27	44	22	5
2	Praveen Goyal, prop of Shivam Trading Co.	124.45	10.79	57	34	1
3	Ram Yadav Sole Prop Capital Securities	99.20	8.63	67	31	8
4	Teampack Commodities Private Limited	95.90	8.34	37	17	5
5	Mohd Aslam Prop Global Enterprises	65.60	5.70	44	22	1
6	Greatscope Distributors Private Limited	64.75	5.63	15	13	0
7	Ajay Singh (A S Enterprises)	59.75	5.20	47	15	1
8	Shree Balaji Enterprises Prop Sachin Kumar	59.65	5.19	50	23	5
9	Kesri Industrial Lab Private Limited	40.05	3.48	17	9	0
10	N N Financial Consultants Private Limited	30.70	2.67	33	17	0
11	Babita Goyal Prop Mahalaxmi Overseas	24.45	2.13	11	9	3 (Vaibhav Jain, Sanjeev Kumar Garg, Gagan Kapur)
12	Prem Chand	20.00	1.74	25	5	1 (Vaibhav Jain)
13	Santosh Kumar	19.15	1.67	22	12	0
14	Pawan Batra	17.65	1.54	7	6	0

24.12. Also, for the trades executed by Vaibhav Jain, I note that he had executed 1,134 sell trades during the Patch-V, out of which only 8 trades executed as counterparty to alleged trades, have been singled out in the Investigation to allege price manipulation.

Patch-VI

24.13. Allegations of price manipulation have been made against Dinesh Kumar Rathore (Noticee no: 9), Anil Kumar Mishra (Noticee no: 4), Dhansilk Vanijya Private Limited (Noticee no: 8), Gajanan Enterprises (Noticee no: 11) and Umesh Singhal (Noticee no: 38) in Patch-VI.

24.14. I note that the 2 Noticees viz. Dinesh Kumar Rathore and Anil Kumar Mishra contributed 14.05% and 2.06% to market negative LTP. Further, Dinesh Kumar Rathore and Anil Kumar Mishra also contributed 9.84% and 4.77%, respectively to market New Low Price, and were involved in first trades contributing to Rs. 11.60 and Rs. 8.65, respectively, of negative LTP. I further note that for Dinesh Kumar Rathore, the trades were executed with 9 different counterparties, out of which only 3 counterparties were connected. Further, Anil Kumar Mishra had executed only 2 trades in Patch-VI, out of which 1 trade has been alleged to be manipulative.

24.15. Further, it was observed that among top 10 LTP contributors during the patch, 4 entities, viz. Dhansilk Vanijya Private Limited, Gajanan Enterprises and Umesh Singhal contributed 26.16%, 9.39% and 7.58%, respectively, to market negative LTP. Further, Dhansilk Vanijya Private Limited, Gajanan Enterprises and Umesh Singhal also contributed 30.09%, 21.72% and 3.83%, respectively, to market New Low Price. Also, Dhansilk Vanijya Private Limited and Gajanan Enterprises were involved in first trades contributing to Rs. 61.05 and Rs. 39.40 of negative LTP. I note that for the trades executed by Dhansilk Vanijya Private Limited, out of 13 counterparties to the said trades, only 5 were part of the suspected entities. Further, Gajanan Enterprises was not part of the suspected entities, and the 4 allegedly manipulative trades carried out by it was in the nature of sale transactions. Also, as submitted by Mr Ravi Ramaiya, counsel appearing on behalf of Gajanan Enterprises, said 4 transactions appear to be the attempt to sell holdings by the Noticee in the scrip of Delta, by quoting lower price for the scrip in absence of buyers.

Further, out of 4 alleged trades of Umesh Singhal, all the trades were executed with 4 different counterparties, of which only 1 counterparty was a 'suspected entity'.

<u>Conclusion: Allegations of price manipulation against 30 'suspected entities'</u>

24.16. I have perused the alleged trades executed by the Noticees in each patch during the IP. It is apparent that the pattern pertaining to the trades executed by Noticees, along with the attending circumstances, does not bring out price manipulation as alleged. Supporting facts or patterns like placement of orders in miniscule quantities to manipulate price or benefit/profits caused to any 'suspected entity' are absent. It is also evident that collusion among counterparties to the alleged trades has not been brought out. For instance, in Patch-II, 3 Noticees had executed the alleged trades with 13 entities. However, only 3 of the counterparties were 'suspected entities'. Similarly, in Patch-III, 8 Noticees had executed alleged trades with 143 counterparties, out of which only 32 counterparties were 'suspected entities'. Thus, the element of collusion among counterparties was clearly absent. Also, the alleged trades comprise only a small proportion of total trades executed by the Noticees in any given patch. For instance, while Vaibhav Jain had executed 1,134 sell trades during the IP, 8 of such trades have been selectively relied upon to alleged price manipulation. The intention or underlying objective behind the alleged trades and price manipulation has also not been brought out. Instead, a bald allegation has been made to the effect that the Noticees had made LTP contribution, positive or negative, and manipulated price of the scrip of Delta. The analysis provided based on mechanical interpretation of facts and numbers in tables is insufficient to hold the Noticees liable. It has to be certainly established that the contribution to LTP, both positive or negative, was done with the intention of defeating the market mechanism or the price discovery mechanism therein.

24.17. As regards the above findings made in respect of price manipulation, I note that the Hon'ble SAT in its order in the matter of KSL & Industries Ltd v. SEBI vide appeal no 9/2003 has held that *"I do not find any material on record in support of the said charge. A wild allegation of market manipulation, in* *particular the charge of fraudulent action unsupported with convincing evidence is not sustained.... Fraud cannot survive on mere conjecture and surmises.".* Further, the Hon'ble SAT in the matter of Bhagwat Singh Kitawat vs SEBI vide its order dated January 28, 2020 had held that *"…… the charge of raising the price artificially has to be established and the element of collusion between the buyer and seller is a sine quo non."*

24.18. In conclusion, allegation of Price manipulation made herein spreads across the 'suspected entities' who are the off market purchasers as well as the promoter related entities. Based on their trading pattern, as analyzed independently in each patch of the IP, Investigation has alleged execution of manipulative trades. However, such trades must be looked in entirety to examine whether a motive of market manipulation existed among the 'suspected entities'. In the instant matter, the trading pattern read along with the attending circumstances, does bring out such motive of manipulation. In view of the above findings made in this regard, I hold that Noticees are not liable for manipulation the price in the scrip of Delta, and allegations in this regard are not established.

IV. Issue 4: Disclosure violations

25. As part of the instant issue, disclosure violations have been alleged against certain promoter entities in terms of provisions of PIT Regulations, 1992 and SAST Regulations, 2011.

Sub-issue 1: Alleged Disclosure violations under PIT Regulations, 1992

26. Allegations pertaining to disclosure violations under PIT Regulations, 1992 are summarized below:

26.1. It was alleged on analysis of Demat statements of promoters of Delta, that consequent to several off-market transfers and market transactions, the shareholding of promoters viz. Aanchal Jindal (Noticee no: 1), Ajay Kumar Jindal (Noticee no: 3), Archit Jindal (Noticee no: 5), Hemant Goel (Noticee no: 14), Laxman Singh Satyapal (Noticee no: 17), Madhur Jain (Noticee no: 18), Mamta Jindal (Noticee no: 19), Meera Mishra (Noticee no: 20), Pradeep Kumar Jindal (Noticee no: 26), Ritu Jain (Noticee no: 30) and Vaibhav Jain

(Noticee no: 39), had undergone changes several times either in terms of value of shares or quantum of shares or percentage of their shareholding or their voting rights, which required disclosure to be made as mandated under Regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992, read with Regulation 12 of the PIT Regulations, 2015, within two working days.

26.2. Further, it was observed that BSE vide emails dated January 28, and February 06, 2019, and Delta vide email dated January 21, 2019, had confirmed that the said promoters had not disclosed the changes to the BSE in contravention of the aforesaid provisions of PIT Regulations, 1992. Therefore, it was alleged that the aforesaid Noticees violated provisions of Regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992 read with Regulation 12 of the PIT Regulations, 2015.

27. Out of the 11 Noticees against whom allegations have been levelled with respect to non-disclosures, only Noticee No: 39 submitted reply to the SCN and participated in the hearing. The summary of the reply of Noticee No: 39 is as below:

27.1. Noticee No: 39 was a shareholder of Juneja Nagpal Construction Pvt Ltd, which was merged with Delta vide order of Delhi High Court dated April 04, 2011. Noticee was not a promoter or director and did not have any managerial role in Juneja Nagpal Construction Pvt Ltd. By virtue of said merger, the Noticee was allotted shares of Delta. Noticee came to know about use of his name as a promoter only through the investigation conducted by SEBI. Therefore, all papers, documents etc mentioning his name as promoter are unauthorized. Noticee has also never participated in any shareholders' meeting, board meeting and has never participated in day to day operations of Delta. Noticee does not fall under the definition of promoter as per Regulation 2(oo) of SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018. Noticee has also relied on the Information Memorandum and submitted that he was not shown as a promoter therein. Noticee had submitted an undertaking dated June 23, 2014 to BSE, wherein he had *interalia* stated that he did not have any relation with promoter/director/management of Delta. SEBI vide email dated January 29, 2019 to BSE had also made observations along similar lines. Therefore, alleged provisions of PIT Regulations and SAST Regulations are not applicable to Noticee. Further, during FY 2013-14, Noticee sold 16,28,996 shares, and in FY 2014-15, Noticee sold 4,96,004 shares to multiple buyers in the normal course of divestment. Noticee has no connection with any other suspected entity. Also, the disclosure requirement for disposal of shares under Regulation 29(1), (2) and (3) of the SAST Regulations was only added with effect from September 11, 2018, therefore, the same are not applicable to Noticee's sale transactions.

28. Findings in respect of disclosure violations alleged under PIT Regulations are as below:

28.1. Before proceeding to consider the issue on merits, I note that Noticee No: 39 has contended that the he was never a promoter of Delta. He has submitted that he got shares of Delta by virtue of amalgamation of Delta with interalia Juneja Nagpal Construction Pvt Ltd. To buttress his claim, he has submitted copy of Information Memorandum which does not bear his name. Further, he has relied upon an email by SEBI to BSE, wherein discrepancy in promoter details was pointed out by SEBI. I note that the referred Information Memorandum mentions the names of directors of Delta at the relevant time, and not that of promoters. So Information Memorandum cannot be relied upon. Further, the email dated January 29, 2019 sent by SEBI to BSE was provided as Annexure 37 to the SCN. Upon a perusal of the said Annexure and the trailing email to the SEBI email dated January 29, 2019, I note that the discrepancy cited by SEBI was in the context of mismatch in the quantum of shareholdings shown in BSE website and the data received from depositories and it had nothing to do with the status of the Noticee as a promoter or otherwise. Therefore, I note that reliance of Noticee No: 39 on the SEBI email dated January 29, 2019 to substantiate its claim of not being a promoter is misguided. Noticee has also made blanket statements that it was never a promoter, and that all documents mentioning his name were unauthorized. He also submitted that, he came to know about his use of his name as a promoter only through the investigation conducted by SEBI. I note that said submissions by the Noticee appear to be fallacious, and do not instill credibility. I also note that certain disclosures under relevant provisions of the SEBI (PIT) Regulations, bearing Noticee's signature are available publicly on BSE website (https://www.bseindia.com/stock-share-price/delta-leasing--finance-ltd/deltaltd/535486/corp-announcements/). I also note that as per the record, Noticee had not taken any steps against Delta, to challenge usage of his name as the promoter, or for forging his signature on documents, etc. Given the said facts, I find it difficult to accept the submission of Noticee. Therefore, I reject the said contention, and proceed to consider the issue treating the Noticee as a promoter of Delta, as seen from BSE website. The remaining 10 promoters are also shown as promoters in BSE website. Additionally, the Noticee has contended that he was not a promoter of the Company in terms of Regulation 2(oo) of SEBI (Issue of Capital and Disclosure Requirements) Regulations, 2018. However, I note that the said contention is merely an additional and alternate submission and does not merit consideration, since the facts show otherwise. Further the copy of undertaking submitted by Noticee to BSE is a self-declaration, on which I do not wish to place reliance, in the light of given set of facts.

28.2. Therefore, I find that all the 11 Noticees were promoters in Delta during the IP as regards the instant considerations, when the relevant transactions took place. It was observed that pursuant to the trades in the scrip of Delta, the Noticees were obligated to make disclosures in terms of provisions of regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992 to Delta and to the stock exchange where shares of the company were listed viz. BSE.

28.3. I note from the provisions of Regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992, that a promoter is obligated to make disclosures as regards total number of shares or voting rights held and change in shareholding or voting rights, to the company and to the stock exchange, if there has been a change in such holdings from the last disclosure made under Listing Agreement or under Regulation 13(2A) or under Regulation 13(4A) of the PIT Regulations, 1992, and such change exceeds any of the following:

- Rs 5 lakh in value, or
- 25,000 shares, or
- 1% of total shareholding or voting rights, or whichever is lower.

28.4. In terms of Regulation 13(5) of the PIT Regulations, 1992, the above disclosure has to be made within two working days of

(a) The receipts of intimation of allotment of shares, or

(b) The acquisition or sale of shares or voting rights, as the case may be.

28.5. I note from the website of BSE, that none of the Noticees made any disclosure under the provisions of Regulation 13(2A) or 13(4A) of the PIT Regulations, 1992, before the IP. Accordingly, I note that for the transfers carried out by the Noticees, at least one of the three thresholds prescribed under Regulation 13(4A) of the PIT Regulations, 1992 was breached, as per the following details:

Table No: 21

Name of the promoter	Date	No of shares Acquired/ (disposed of)	No of shares Acquired/ (disposed of) as a % of paid up capital*	Value of transaction (Rs.)	Threshold breached in terms of provisions of Reg 13(4A) of PIT Regulation		
					No of shares acquired/ disposed of	No of shares acquired/ disposed of, as a %age of paid up capital	Value of transaction (Rs)
Aanchal Jindal (Noticee No: 1)	29-Apr-13	-50000	-0.43	5547500.00	Yes	No	Yes
	16-Jan-14	316780	2.73	18294045.00	Yes	Yes	Yes
Ajay Kumar Jindal (Noticee No: 3)	02-Apr-14	130625	1.13	11501531.25	Yes	Yes	Yes
	27-May-14	231164	1.99	42996504.00	Yes	Yes	Yes
	13-Jun-14	83212	0.72	16758896.80	Yes	No	Yes
	27-Jun-14	24109	0.21	5822323.50	No	No	Yes
Archit Jindal (Noticee No: 5)	24-Apr-13	-435000	-3.75	41781750.00	Yes	Yes	Yes
	14-May-13	-525000	-4.52	88095000.00	Yes	Yes	Yes
	15-May-13	-95000	-0.82	15119250.00	Yes	No	Yes
	28-May-13	-100000	-0.86	12100000.00	Yes	No	Yes
	06-Jun-13	-100000	-0.86	8515000.00	Yes	No	Yes
	10-Jun-13	-38500	-0.33	2656500.00	Yes	No	Yes
	27-Jun-13	23000	0.20	822250.00	No	No	Yes
	29-Jun-13	180000	1.55	6120000.00	Yes	Yes	Yes
	22-Jul-13	-120000	-1.03	4206000.00	Yes	Yes	Yes
	23-Jul-13	-100000	-0.86	3505000.00	Yes	No	Yes
	30-Jul-13	-28000	-0.24	940800.00	Yes	No	Yes
	24-Sep-13	147000	1.27	5681550.00	Yes	Yes	Yes
	25-Sep-13	192176	1.66	7629387.20	Yes	Yes	Yes
	29-Oct-13	50000	0.43	2415000.00	Yes	No	Yes
	30-Oct-13	-50000	-0.43	2400000.00	Yes	No	Yes
	12-Dec-13	50000	0.43	5810000.00	Yes	No	Yes
	16-Jan-14	59974	0.52	3463498.50	Yes	No	Yes

Name of the promoter	Date	No of shares Acquired/ (disposed of)	No of shares Acquired/ (disposed of) as a % of paid up capital*	Value of transaction (Rs.)	Threshold breached in terms of provisions of Reg 13(4A) of PIT Regulation		
					No of shares acquired/ disposed of	No of shares acquired/ disposed of, as a %age of paid up capital	Value of transaction (Rs)
Ritu Jain (Noticee No: 30)	08-May-13	-13883	-0.12	2124793.15	No	No	Yes
	09-May-13	-5489	-0.05	953713.75	No	No	Yes
	15-May-13	-7500	-0.06	1193625.00	No	No	Yes
	16-May-13	-4951	-0.04	790179.60	No	No	Yes
	21-May-13	-7640	-0.07	1116586.00	No	No	Yes
	27-May-13	-3890	-0.03	540126.50	No	No	Yes
	30-May-13	-10000	-0.09	892500.00	No	No	Yes
	31-May-13	-10000	-0.09	842000.00	No	No	Yes
	03-Jun-13	-19650	-0.17	1712497.50	No	No	Yes
	03-Sep-13	-15000	-0.13	573000.00	No	No	Yes
	02-Sep-14	-12000	-0.10	856800.00	No	No	Yes
Vaibhav Jain (Noticee No: 39)	22-Apr-13	-10500	-0.09	960750.00	No	No	Yes
	23-Apr-13	-30000	-0.26	2881500.00	No	No	Yes
	25-Apr-13	-7620	-0.07	768477.00	No	No	Yes
	26-Apr-13	-15000	-0.13	1587750.00	No	No	Yes
	29-Apr-13	-5000	-0.04	554750.00	No	No	Yes
	30-Apr-13	-14915	-0.13	1736851.75	No	No	Yes
	02-May-13	-4112	-0.04	502692.00	No	No	Yes
	17-May-13	-10000	-0.09	1560000.00	No	No	Yes
	20-May-13	-16000	-0.14	2254400.00	No	No	Yes
	24-May-13	-13500	-0.12	1939275.00	No	No	Yes
	30-May-13	-13988	-0.12	1248429.00	No	No	Yes
	31-May-13	-15500	-0.13	1305100.00	No	No	Yes
	03-Jun-13	-10000	-0.09	871500.00	No	No	Yes
	04-Jun-13	-16000	-0.14	1432000.00	No	No	Yes
	05-Jun-13	-25000	-0.22	2365000.00	Yes	No	Yes
	26-Aug-13	-30000	-0.26	1173000.00	Yes	No	Yes
	27-Aug-13	-30000	-0.26	1168500.00	Yes	No	Yes
	03-Sep-13	-63000	-0.54	2406600.00	Yes	No	Yes
	05-Sep-13	-60000	-0.52	2319000.00	Yes	No	Yes
	06-Sep-13	-24500	-0.21	961625.00	No	No	Yes
	10-Sep-13	-66000	-0.57	2461800.00	Yes	No	Yes
	13-Sep-13	-38498	-0.33	1339730.40	Yes	No	Yes
	16-Sep-13	-44549	-0.38	1626038.50	Yes	No	Yes
	17-Sep-13	-46270	-0.40	1772141.00	Yes	No	Yes
	18-Sep-13	-37999	-0.33	1500960.50	Yes	No	Yes
	19-Sep-13	-44950	-0.39	1696862.50	Yes	No	Yes
	20-Sep-13	-28848	-0.25	1104878.40	Yes	No	Yes
	23-Sep-13	-35618	-0.31	1661579.70	Yes	No	Yes
	21-Oct-13	-33681	-0.29	1606583.70	Yes	No	Yes
	22-Oct-13	-33194	-0.29	1551819.50	Yes	No	Yes
	23-Oct-13	-27900	-0.24	1344780.00	Yes	No	Yes
	24-Oct-13	-27200	-0.23	1321920.00	Yes	No	Yes
	25-Oct-13	-27200	-0.23	1321920.00	Yes	No	Yes
	03-Nov-13	-22294	-0.19	1079029.60	No	No	Yes
	05-Nov-13	-24500	-0.21	1243375.00	No	No	Yes
	06-Nov-13	-29000	-0.25	1539900.00	Yes	No	Yes
	19-Nov-13	-23247	-0.20	1687732.20	No	No	Yes
	20-Nov-13	-19369	-0.17	1312249.75	No	No	Yes
	22-Nov-13	-33105	-0.29	2279279.25	Yes	No	Yes
	25-Nov-13	-23200	-0.20	1583400.00	No	No	Yes
	26-Nov-13	-29050	-0.25	2136627.50	No	No	Yes
	27-Nov-13	-10078	-0.09	705460.00	No	No	Yes
	28-Nov-13	-11387	-0.10	853455.65	No	No	Yes
	29-Nov-13	-22873	-0.20	1745209.90	No	No	Yes
	05-Dec-13	-13525	-0.12	1056978.75	No	No	Yes

Name of the promoter	Date	No of shares Acquired/ (disposed of)	No of shares Acquired/ (disposed of) as a % of paid up capital*	Value of transaction (Rs.)	Threshold breached in terms of provisions of Reg 13(4A) of PIT Regulation		
					No of shares acquired/ disposed of	No of shares acquired/ disposed of, as a %age of paid up capital	Value of transaction (Rs)
	06-Dec-13	-40760	-0.35	3311750.00	Yes	No	Yes
	09-Dec-13	-16624	-0.14	1395584.80	No	No	Yes
	11-Dec-13	-34705	-0.30	3001982.50	Yes	No	Yes
	16-Dec-13	-18260	-0.16	1588620.00	No	No	Yes
	17-Dec-13	-29550	-0.25	2629950.00	Yes	No	Yes
	23-Dec-13	-24203	-0.21	2184320.75	No	No	Yes
	03-Jan-14	-9749	-0.08	866198.65	No	No	Yes
	06-Jan-14	-23137	-0.20	2063820.40	No	No	Yes
	07-Apr-14	-9000	-0.08	818100.00	No	No	Yes
	09-Apr-14	-38494	-0.33	3662704.10	Yes	No	Yes
	10-Apr-14	-39000	-0.34	3886350.00	Yes	No	Yes
	11-Apr-14	-25699	-0.22	2680405.70	Yes	No	Yes
	15-Apr-14	-26333	-0.23	2870297.00	Yes	No	Yes
	16-Apr-14	-34883	-0.30	3983638.60	Yes	No	Yes
	17-Apr-14	-36484	-0.31	4334299.20	Yes	No	Yes
	21-Apr-14	-36500	-0.31	4343500.00	Yes	No	Yes
	22-Apr-14	-45099	-0.39	5098441.95	Yes	No	Yes
	23-Apr-14	-41890	-0.36	4498986.00	Yes	No	Yes
	25-Apr-14	-34348	-0.30	3618561.80	Yes	No	Yes
	28-Apr-14	-42000	-0.36	4361700.00	Yes	No	Yes
	29-Apr-14	-28300	-0.24	3056400.00	Yes	No	Yes
	30-Apr-14	-27000	-0.23	2828250.00	Yes	No	Yes
	02-May-14	-16507	-0.14	1791009.50	No	No	Yes
Pradeep Kumar Jindal (Noticee No: 26)	23-May-13	-6500	-0.06	949975.00	No	No	Yes
	02-Apr-14	-47525	-0.41	4184576.25	Yes	No	Yes
Hemant Goel (Noticee No: 14)	18-Jul-14	-30000	-0.26	4366500.00	Yes	No	Yes
	05-Aug-14	-50000	-0.43	4750000.00	Yes	No	Yes
	02-Sep-14	-18704	-0.16	1335465.60	No	No	Yes
Mamta Jindal (Noticee NO: 19)	15-May-13	-300000	-2.59	47745000.00	Yes	Yes	Yes
	29-Jul-13	-400000	-3.45	13200000.00	Yes	Yes	Yes
	24-Sep-13	147000	1.27	5681550.00	Yes	Yes	Yes
	25-Sep-13	237919	2.05	9445384.30	Yes	Yes	Yes
	16-Jan-14	94231	0.81	5441840.25	Yes	No	Yes
Madhur Jain (Noticee No: 18)	27-May-13	-4000	-0.04	555400.00	No	No	Yes
	29-May-13	-10000	-0.09	984500.00	No	No	Yes
	30-May-13	-10300	-0.09	919275.00	No	No	Yes
	31-May-13	-10000	-0.09	842000.00	No	No	Yes
	03-Jun-13	-10000	-0.09	871500.00	No	No	Yes
	03-Sep-13	-15000	-0.13	573000.00	No	No	Yes
	08-Jan-14	-12500	-0.11	941250.00	No	No	Yes
	09-Jan-14	-12230	-0.11	829194.00	No	No	Yes
	14-Jan-14	-10000	-0.09	582000.00	No	No	Yes
	15-Jan-14	-10000	-0.09	595000.00	No	No	Yes
	17-Jan-14	-10000	-0.09	550000.00	No	No	Yes
	21-Jan-14	-15000	-0.13	791250.00	No	No	Yes
	22-Jan-14	-15000	-0.13	830250.00	No	No	Yes
	23-Jan-14	-16000	-0.14	910400.00	No	No	Yes
	01-Sep-14	-13300	-0.11	968905.00	No	No	Yes
	02-Sep-14	-17000	-0.15	1213800.00	No	No	Yes
	03-Sep-14	-20000	-0.17	1400000.00	No	No	Yes
	04-Sep-14	-2000	-0.13	1065000.00	No	No	Yes
Laxman Singh Satyapal	24-Apr-13	370000	3.19	41301500.00	Yes	Yes	Yes
	28-May-13	-50000	-0.43	6050000.00	yes	No	Yes

Name of the promoter	Date	No of shares Acquired/ (disposed of)	No of shares Acquired/ (disposed of) as a % of paid up capital*	Value of transaction (Rs.)	Threshold breached in terms of provisions of Reg 13(4A) of PIT Regulation		
					No of shares acquired/ disposed of	No of shares acquired/ disposed of, as a %age of paid up capital	Value of transaction (Rs)
(Noticee NO: 17)	06-Jun-13	-100000	-0.86	8515000.00	Yes	No	Yes
	10-Jun-13	-40000	-0.34	2760000.00	Yes	No	Yes
	28-Jun-13	-62500	-0.54	2125000.00	Yes	No	Yes
	29-Jun-13	-62500	-0.54	2125000.00	Yes	No	Yes
	22-Jul-13	-20000	-0.17	701000.00	No	No	Yes
	03-Aug-13	-20000	-0.17	658000.00	No	No	Yes
	24-Sep-13	40831	0.35	1578118.15	Yes	No	Yes
	16-Jan-14	114714	0.99	6624733.50	Yes	No	Yes
	13-Feb-14	324332	2.80	21081580.00	Yes	Yes	Yes
	20-Jun-14	73954	0.64	17564075.00	Yes	No	Yes
Meera Mishra (Noticee No: 20)	20-Apr-13	-14000	-0.12	1220100.00	No	No	Yes
	24-Apr-13	-45000	-0.39	4322250.00	Yes	No	Yes
	03-May-13	-40500	-0.35	5198175.00	Yes	No	Yes
	14-May-13	-365000	-3.15	61247000.00	Yes	Yes	Yes
	15-May-13	100000	0.86	47745000.00	Yes	No	Yes
	23-May-13	-125000	-1.08	18268750.00	Yes	Yes	Yes
	06-Jun-13	-6000	-0.05	9025900.00	No	No	Yes
	22-Jul-13	125000	1.08	5783250.00	Yes	Yes	Yes
	29-Jul-13	55000	0.47	24585000.00	Yes	No	Yes
	30-Jul-13	-57000	-0.49	1915200.00	Yes	No	Yes
	03-Aug-13	-110000	-0.95	3619000.00	Yes	No	Yes
	30-Sep-13	299793	2.58	11991720.00	Yes	Yes	Yes
	11-Nov-13	63576	0.55	4100652.00	Yes	No	Yes
	22-Nov-13	156455	1.35	10771926.75	Yes	Yes	Yes
	12-Dec-13	-20000	-0.17	6640000.00	No	No	Yes
	16-Jan-14	28806	0.25	1663546.50	Yes	No	Yes
	06-Mar-14	-100000	-0.86	8745000.00	Yes	No	Yes
	22-Mar-14	-150000	-1.29	13890000.00	Yes	Yes	Yes
	29-Mar-14	216841	1.87	20057792.50	Yes	Yes	Yes
	31-Mar-14	33159	0.29	7692207.50	Yes	No	Yes

28.6. I note that each of the transfers mentioned in the table above triggered the requirement to make disclosure by the Noticees, as at least one of the thresholds prescribed under Regulation 13(4A) of the PIT Regulations, 1992 was breached. The same necessitated disclosure by the Noticees to the exchange where the scrip of Delta was listed, i.e. BSE, as well as the company i.e. Delta.

28.7. I note from the record that vide emails dated January 28 and February 06, 2019, BSE confirmed that disclosures as regards impugned transactions by the Noticee were not received by it. Further, vide email dated January 21, 2019, Delta confirmed that the required disclosures from the Noticee were not received by it.

28.8. Therefore, based on the evidence available on record, it is held that the Aanchal Jindal (Noticee no: 1), Ajay Kumar Jindal (Noticee no: 3), Archit Jindal (Noticee no: 5), Hemant Goel (Noticee no: 14), Laxman Singh Satyapal (Noticee no: 17), Madhur Jain (Noticee no: 18), Mamta Jindal (Noticee no: 19), Meera Mishra (Noticee no: 20), Pradeep Kumar Jindal (Noticee no: 26), Ritu Jain (Noticee no: 30) and Vaibhav Jain (Noticee no: 39) failed to make necessary disclosures, and thereby, violated provisions of regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992. I am inclined to impose suitable penalty for the aforesaid violations.

<u>Sub-issue 2: Disclosure violations under SAST Regulations, 2011</u>

29. Allegations pertaining to disclosure violations under the SAST Regulations, 2011 are summarized below:

29.1. It was observed that on account of several transactions in market and off-market, there were changes in shareholding of the promoter group and individual promoter entities during the IP, such that individual promoter entities, were required to make disclosures under Regulation 29(1), (2) and (3) of SAST Regulations, 2011.

29.2. As per information received from BSE vide email dated January 28, 2019 and February 06, 2019, and from Delta vide email dated January 21, 2019, the Noticees failed to make the aforesaid disclosures. Therefore, by not making the required disclosures, it was alleged that Archit Jindal (Noticee no: 5), Mamta Jindal (Noticee no: 19), Meera Mishra (Noticee no: 20) and Vaibhav Jain (Noticee no: 39) violated provisions of Regulation 29(1), (2) and (3) of SAST Regulations, 2011.

30. Out of the 4 Noticees against whom allegations have been levelled in this sub-issue, only Noticee No: 39 submitted reply to the SCN. The summary of relevant contentions made vide said reply are as below:

30.1. During the IP, Regulation 29(1), (2) and (3) of the SAST Regulations, 2011 was applicable only in case of acquisition. The requirement to make disclosure required in case of disposal of shares was added only vide SEBI (Substantial Acquisition of Shares and Takeovers) (Second Amendment) Regulations, 2018, effective from September 11, 2018. As transactions of Noticee No. 39 were in the nature of disposal of shares only, he was not mandated to make disclosures under the said provisions of the SAST Regulations.

31. Findings in respect of disclosure violations alleged under SAST Regulations are as below:

31.1. I note that the shareholding of Noticees viz. Archit Jindal (Noticee no: 5), Mamta Jindal (Noticee no: 19), Meera Mishra (Noticee no: 20) and Vaibhav Jain (Noticee no: 39), who were promoters, changed during the IP as per the following details:

Table No: 22

Date	No of shares held - pre Acquisition/ disposal	% of shareholding held - pre Acquisition/ disposal	Cumulative No of shares Acquired/ (disposed of)	Cumulative No of shares Acquired/ (disposed of) as a % of paid up capital	No of shares held - post Acquisition /disposal	% of shareholdin g held - post Acquisition/ disposal	Violation of SEBI (SAST) Regulation, 2011
MEERA MISHRA							
14-May-2013	623870	5.38	-269500	-2.32	354370	3.05	Reg. 29 (2) & 29(3)
3-Feb-2014	354370	3.05	245630	2.12	600000	5.17	Reg. 29 (1) & 29(3)
22-Mar-2014	600000	5.17	-300000	-2.59	300000	2.59	Reg. 29 (2) & 29(3)
MAMTA JINDAL							
15-May-2013	791050	6.82	-249115	-2.15	541935	4.67	Reg. 29 (2) & 29(3)
ARCHIT JINDAL							
24-Apr-2013	1547500	13.34	-510000	-4.40	1037500	8.94	Reg. 29 (2) & 29(3)
14-May-2013	1037500	8.94	-275000	-2.37	762500	6.57	Reg. 29 (2) & 29(3)
14-May-2013	762500	6.57	-275000	-2.37	487500	4.20	Reg. 29 (2) & 29(3)
12-Dec-2013	487500	4.20	110926	0.96	598426	5.16	Reg. 29 (1) & 29(3)
VAIBHAV JAIN							
26-Aug-13	2125000	18.32	-242131	-2.09	1882869	16.23	Reg. 29 (2) & 29(3)
10-Sep-13	1882869	16.23	-243500	-2.10	1639369	14.13	Reg. 29 (2) & 29(3)
20-Sep-13	1639369	14.13	-263266	-2.27	1376103	11.86	Reg. 29 (2) & 29(3)
05-Nov-13	1376103	11.86	-233235	-2.01	1142868	9.85	Reg. 29 (2) & 29(3)
06-Dec-13	1142868	9.85	-255594	-2.20	887274	7.65	Reg. 29 (2) & 29(3)
10-Apr-14	887274	7.65	-245822	-2.12	641452	5.53	Reg. 29 (2) & 29(3)
23-Apr-14	641452	5.53	-246888	-2.13	394564	3.40	Reg. 29 (2) & 29(3)

31.2. In terms of the provisions of Regulation 29(1) of the SAST Regulations, 2011, if the shares acquired by an acquirer taken together with shares held by him/her and by persons acting in concert with him/her in a target company, aggregate to more than 5% of the shares of the target company, then the acquirer is obligated to disclose their aggregate shareholding and voting rights in the target company. In terms of provisions of Regulation 29(2) of the SAST Regulations, 2011, any person, who together with persons acting in concert with him, holds shares or voting rights entitling them to five per cent or more of the shares or voting rights in a target company, shall disclose the number of shares or voting rights held and change in shareholding or voting rights, even if such change results in shareholding falling below five per cent, if there has been change in such holdings from the last disclosure made under sub-regulation (1) or under this sub-regulation; and such change exceeds two per cent of total shareholding or voting rights in the target company. Further, as per regulation 29(3) of the SAST Regulations, 2011, the acquirer is obligated to make the aforesaid disclosure within two working days of the acquisition of shares to every stock exchange where shares of the target company are listed, and to the target company at its registered office.

31.3. I also note that two Noticees viz. Mamta Jindal and Vaibhav Jain had only disposed of the shares during the IP and not acquired any. In this regard, I accept the submission made by the representative of Vaibhav Jain viz. Mr Vinod Jain, that the mandate for making disclosure under Regulation 29(1) and (2) of the SAST Regulations, 2011 was made applicable to disposal of shares, only with effect from September 11, 2018, pursuant to amendment to the SAST Regulations. I find that penalty may not be warranted on the Noticees viz. Mamta Jindal and Vaibhav Jain for the alleged violation of Regulation 29(1) and (2) read with 29(3) Regulations, 2011, as a result of disposal of shares by them. Similarly, I note that the other two Noticees viz. Meera Mishra and Archit Jindal executed certain sale transfers which did not trigger the requirement to make disclosures pertaining to the instant issue. However, I note that the Noticees viz. Meera Mishra and Archit Jindal were obligated to make disclosures for the acquisitions made by them, as per following details:

Table No: 23

Date	No of shares held - pre Acquisition/ disposal	% of shareholding held - pre Acquisition/ disposal	Cumulative No of shares Acquired/ (disposed of)	Cumulative No of shares Acquired/ (disposed of) as a % of paid up capital	No of shares held - post Acquisition /disposal	% of shareholdin g held - post Acquisition/ disposal	Violation of SEBI (SAST) Regulation, 2011
MEERA MISHRA							
3-Feb-2014	354370	3.05	245630	2.12	600000	5.17	Reg. 29 (1) & 29(3)
ARCHIT JINDAL							
12-Dec-2013	487500	4.20	110926	0.96	598426	5.16	Reg. 29 (1) & 29(3)

31.4. The above stated acquisitions of Meera Mishra dated February 03, 2014 and of Archit Jindal dated December 12, 2013 breached the stipulated threshold of 5% in terms of Regulation 29(2) of the SAST Regulations, and the two Noticees were required to make disclosure to BSE and Delta, in terms of the said provisions.

31.5. I note that vide emails dated January 28 and February 06, 2019, BSE confirmed that disclosures regarding the alleged transactions by the Noticees were not received by it. Further, vide email dated January 21, 2019, Delta confirmed that the required disclosures from the Noticees were not received by it.

31.6. Therefore, I hold that the Noticees viz. Meera Mishra and Archit Jindal violated the provisions of Regulation 29(2) read with 29(3) of the SAST Regulations, 2011.

Continued on next page

G. ORDER

32. I hereby hold the Noticees liable for penalty as shown below:

Table No: 24

<table>
<tr><th>S No</th><th>Noticees</th><th>Violation of provisions</th><th>Actions Recommended</th><th>Penalties</th></tr>
<tr><td>1</td><td>Aanchal Jindal (Noticee no: 1),</td><td rowspan="9">Regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992 read with Regulation 12 of the PIT Regulations, 2015.</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>2</td><td>Ajay Kumar Jindal (Noticee no: 3)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>3</td><td>Hemant Goel (Noticee no: 14)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>4</td><td>Laxman Singh Satyapal (Noticee no: 17)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>5</td><td>Madhur Jain (Noticee no: 18)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>6</td><td>Mamta Jindal (Noticee no: 19)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>7</td><td>Pradeep Kumar Jindal (Noticee no: 26)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>8</td><td>Ritu Jain (Noticee no: 30)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>9</td><td>Vaibhav Jain (Noticee no: 39)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>10</td><td>Archit Jindal (Noticee no: 5)</td><td rowspan="2">Regulation 13(4A) and 13(5)(b) of the PIT Regulations, 1992 read with Regulation 12 of the PIT Regulations, 2015.
Regulation 29(2) read with 29(3) of SAST Regulations, 2011</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td>11</td><td>Meera Mishra (Noticee no: 20)</td><td>Section 15A(b) of the SEBI Act</td><td>INR 1,00,000/- (Rs One Lakh only)</td></tr>
<tr><td></td><td colspan="3">Total</td><td>INR 11,00,000/- (Rs Eleven Lakhs only)</td></tr>
</table>

I note that the penalties imposed on the Noticees is commensurate with the violations committed by them.

33. The Noticees shall remit / pay the said amount of penalty within 45 days of receipt of this order either by way of Demand Draft in favor 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

34. The Noticee shall forward said Demand Draft or the details / confirmation of penalty so paid to "The Division Chief (Enforcement Department-1 DRA-5), 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:
    - Name and PAN of the Noticee
    - Name of the case / matter
    - Purpose of Payment – Payment of penalty under AO proceedings
    - Bank Name and Account Number
    - Transaction Number

35. 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.

36. In terms of the provisions of Rule 6 of the Adjudication Rules, a copy of this order is being sent to the Noticees and also to the SEBI.

Date: July 29, 2022 **GEETHA G**

Place: Mumbai **ADJUDICATING OFFICER**