ATTACHMENT ORDER NO. RO/HO/815/2023
Recovery Certificate No. 4487 of 2022

Mr. Franz Gotz (Defaulter)
Address:
C/o M/s Goldwaren Fabrikation
210 Tiefenstreiner Strass 6580 Idar
Oberstein West Germany
AND
Tiefensteiner Strabe 210,
D-55743 Idar
Oberstein, Germany

Attachment of shares and dividend in terms of section 28A (1) of SEBI Act, 1992 read with section 226 (3) and Rule 16 and 26 of Second Schedule of the Income-tax Act, 1961

1. Recovery proceedings were initiated against Mr. Franz Gotz ("**Defaulter**") vide Recovery Certificate No. 4487 of 2022. A Notice of Demand dated February 01, 2022 was issued by the Recovery Officer to Defaulter demanding payment of penalty amount of Rs. 1,96,737 (Rupees One Lakh Ninety Six Thousand Seven Hundred and Thirty Seven Only) along with further interest, all costs, charges, expenses etc.

2. However, no amount could be recovered from the Defaulter as on date. As per the details received from the company - Alankit Ltd. (CIN – L74900DL1989PLC036860) having registered address at *205-208, Anarkali Complex, Jhandewalan Extension, New Delhi – 110055*, it is noticed that the Defaulter holds 44,400 equity shares in Alankit Ltd. Upon examination, it is noted that 44,400 shares (in physical form) of said company are lying unclaimed by Defaulter. Since these shares and dividend accrued thereto remained unclaimed, therefore, the company has transferred 22,200 shares including the dividend accrued of Rs. 2220 for the Financial Year 2014-15 and interim dividend accrued of Rs. 2220 for the Financial Year 2015-16 to the Investor Education and Protection Fund Authority (**IEPFA**) established by Ministry of Corporate Affairs (MCA) in compliance with section 124 (6) of Companies Act, 2013.

3. In exercise of the powers under Section 226 (3), Rules 16 and 26 of the Second Schedule of Income-tax Act, 1961 read with Section 28A of the SEBI Act, 1992, the aforesaid 44,400 equity shares along with accrued dividend as shown at paragraph 2 above, are hereby attached. Accordingly, the Defaulter- Mr Franz Gotz is prohibited from disposing/transferring/alienating/ charging the said equity shares or receiving any dividend thereon.

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और विनिमय बोर्ड
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4. It is further directed that all persons are hereby prohibited from taking any benefit under such disposal/ transfer/ alienation/ charge/pledge in respect of these equity shares and accrued dividend which stands attached in execution of present Recovery Certificate.

5. As per section 125 (4) and (5) of Companies Act, 2013, the amount already transferred to IEPF may be claimed subsequently from IEPFA. As the said shares and dividends are attached, therefore, the rights of Defaulter over such shares and dividends vests with SEBI in this recovery proceeding. Accordingly, in terms of section 226 (3) read with rule 26 of Second Schedule of the Income-tax Act, 1961, the same may be demanded by SEBI from IEPFA.

6. This order shall be served on the Defaulter (Franz Gotz) and to –

(i) The company Alankit Ltd (CIN – L74900DL1989PLC036860)
with a direction not to transfer/charge/pledge the said attached 44,400 shares and dividends to anyone else until further orders of Recovery Officer SEBI and to remit the total dividend accrued as on date in respect of these shares by way of **EFT/NEFT/RTGS** in **"SEBI RECOVERY PROCEEDS" A/c No. SEBIRRDPEN4487 of ICICI Bank, IFS Code– ICIC0000106** within 15 days from receipt of this order. Further, the company shall also update in its record about SEBI's encumbrance over these shares and dividend;

(ii) Investor Education and Protection Fund Authority (IEPFA)
with a direction to remit the amount of total dividend accrued as on date of Rs. 4440 (Rupees Four Thousand Four Hundred and Forty only) in respect of these attached shares, into SEBI Recovery Proceeds Account which were transferred by company to IEPFA on October 2022 and March 2023. Further, the IEPFA shall record SEBI's encumbrance w.r.t these attached shares so transferred by company and all future dividend accrued may be transferred to SEBI till recovery of outstanding dues;

(iii) Federal Financial Supervisory Authority (BaFin), Germany
with a request to serve this order upon the Defaulter.

Given under my hand and seal at Mumbai this the 25th day of August, 2023.

25.08.2023

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SEBI
वसूली प्रभाग
Recovery Division
Securities and Exchange Board of India

RECOVERY OFFICER

जय प्रकाश
Jai Parkash
वसूली अधिकारी
Recovery Officer
भारतीय प्रतिभूति और विनिमय बोर्ड
Securities and Exchange Board of India
मुंबई
Mumbai