



S.V. KRISHNAMOHAN
CHIEF GENERAL MANAGER &
ADJUDICATING OFFICER
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**भारतीय प्रतिभूति
और विनियम बोर्ड**
**Securities and Exchange
Board of India**

EAD-5/ADJ/SVKM/DS/OW/38307/2015

27.10.2015

By **SPAD A/D**

1. Exelon Infrastructure Limited	2. Shri Rahul Kolugiri, Compliance Officer & Additional Director
3. Shri Rahmatulla Shaik Director	4. Shri Shaik Ameer Basha Managing Director
5. Miyati Gousal Adam Director	6. Shri Nagendra Komera Additional Director
7. Shri Srinivas Yadav Sher, Director	✓ 8. Shri Ravinder Deshpande Additional Director
9. Shri Srinivasa Rao Marupadi, Director & CEO	10. Shri Rama K Makkena Director

All having address at:

3-6-154, Victory Vision, 5th Floor,
Himayat Nagar,
Hyderabad
Telangana- 500 029.

Notice under Rule 4(1) of SEBI (Procedure for holding inquiry and imposing penalties by Adjudicating Officer) Rules, 1995 (SEBI Adjudication Rules) read with Section 15I of Securities and Exchange Board of India Act, 1992 in the matter of investigation in the scrip of Exelon Infrastructure Limited.



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1. The undersigned is appointed as the Adjudicating Officer vide order dated August 17, 2015 (copy enclosed at Annexure I) to inquire into and adjudge under Section 15A(a) of the SEBI Act, the alleged violation of the provisions of Section 11C(2) read with Section 11C(3) of SEBI Act, 1992 (hereinafter referred to as 'SEBI Act') by
 - i) Exelon Infrastructure Limited
 - ii) Shri Rahul Kolugiri
 - iii) Shri Rahamathulla Shaik
 - iv) Shri Shaik Ameer Basha
 - v) Shri Miyati Gousal Adam
 - vi) Shri Nagendra Komera
 - vii) Shri Srinivas Yadav Sher
 - viii) Shri Ravinder Deshpande
 - ix) Shri Srinivasa Rao Marupadi
 - x) Shri Rama K Makkena

(hereinafter referred to individually by their name and collectively as Noticees) in connection with the investigation into the trading activities in the scrip of Exelon Infrastructure Limited (hereinafter referred to as Exelon / company).

Background:

2. The scrip of Exelon had shot up from ₹42.75 to ₹112.85 during January 21, 2011 to March 18, 2011. Subsequently, SEBI conducted investigation into the trading activities in the scrip of Exelon during the period December 08, 2010 to January 20, 2012 (hereinafter referred to as investigation period) and observed that major corporate announcements such as sub-division of share capital, issue of Global Depository Receipts and/or American Depository Receipts and entering into



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power sector were made by the company during the said period. The investigation revealed that Noticees 2-9 are the Directors of the company.

3. In order to conduct a thorough investigation into the unusual price rise and in order to ascertain the exact role played by each entity, The investigating Authority (IA) called upon Noticees vide various summonses to furnish information such as status of implementation of various corporate announcements made by Exelon, disclosures made by certain entities etc. The details of the information sought is given in the Annexure attached to each summons. The details of the summonses issued to Noticees are as under:

Sl. No	Name of the Noticee	Details of the Summons	Information sought
1.	Exelon	i. IVD- ID8/SS/JR/Exelon/34226/ 2013 dated December 30, 2013 ii. IVD- ID8/SS/JR/Exelon/3246/2 014 dated January 29, 2014 iii. IVD- ID8/SS/JR/Exelon/28196/ 2014 dated September 22, 2014	Implementation status of the corporate announcements made by the company during the investigation period along with the documentary proof.



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2.	Srinivas Sher Yadav (Noticee No. 7)	i. IVD- ID8/SS/JR/Exelon/34293/ 2013 dated December 31, 2013	a. The details of Noticee's shareholding in the company during the investigation period.
		ii. Reminder IVD/ID8/SS/JR/OW/1128/ 2014 dated January 10, 2014	b. Proof of disclosures made to the stock exchange as well as to the company under SEBI (SAST) Regulations, 1997 and SEBI (SAST) Regulations, 2011 and SEBI (PIT) Regulations, 1992.
3.	Ravindra Deshpande (Noticee No. 8)	i. IVD/ID8/SS/JR/Exelon/34 290/2013 dated December 31, 2013	a. The details of Noticee's shareholding in the company during the investigation period.
		ii. IVD/ID8/SS/JR/Exelon/O W/3052/2014 dated January 28, 2014	b. Proof of disclosures made to the stock exchange as well as to the company under SEBI (SAST) Regulations, 1997 and SEBI (SAST) Regulations, 2011 and SEBI (PIT) Regulations, 1992.
		iii. IVD/ID8/SS/JR/Exelon/28 217/2014 dated September 22, 2014	
		iv. Reminder IVD/ID8/SS/JR/OW/1116/	



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		2014 dated January 10, 2014	
4.	Srinivasa Rao Marupudi (Noticee No. 9)	i. IVD- ID8/SS/JR/Exelon/34278/ 2013 and IVD- ID8/SS/JR/Exelon/34377/ 2013 dated December 31, 2013 ii. IVD- ID8/SS/JR/Exelon/OW/28 194/2014 dated September 22, 2014 Reminders iii. IVD/ID8/SS/JR/OW/1089/ 2014 iv. IVD/ID8/SS/JR/OW/1101/ 2014 dated January 10, 2014	a. The details of Noticee's shareholding in the company during the investigation period. b. Proof of disclosures made to the stock exchange as well as to the company under SEBI (SAST) Regulations, 1997 and SEBI (SAST) Regulations, 2011 and SEBI (PIT) Regulations, 1992.
5.	Rama Krishna Makkena (Noticee No. 10)	i. IVD- ID8/SS/JR/Exelon/001/20 14 dated March 13, 2014 ii. IVD- ID8/SS/JR/Exelon/OW/28 191/2014 dated September 22, 2014 iii. Email reminder dated March 19, 2014	a. The details of Noticee's shareholding in the company during the investigation period. b. Proof of disclosures made to the stock exchange as well as to the company under SEBI (SAST) Regulations, 1997 and



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		iv. Email reminder dated September 24, 2014	SEBI (SAST) Regulations, 2011 and SEBI (PIT) Regulations, 1992.
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Copies of the summonses are enclosed at Annexure-II

4. With respect to Noticee 1, first summon dated January 29, 2014 was sent by the speed post and was served on the Noticee. Since Noticee failed to furnish the details as sought by the said summons, second summons dated September 22, 2014 was sent to Noticee 1 by the Sped Post, however the said summons returned undelivered. Further, e-mail reminders dated February 02, 2014, February 04, 2014 and September 24, 2014 were sent to Noticee 1. Subsequently, delivery of summons was arranged through the RTA of Exelon, CIL Securities Ltd. RTA vide letter dated December 24, 2014 delivered the aforementioned summons to Exelon and forwarded the acknowledgment received on delivery of summons. However, despite receiving summons, the company did not submit any details sought by the IA. Further, Noticees 2-10, being the Directors of the company did not respond to the aforesaid summonses despite reminders.
5. With respect to Noticee No.7, Summons dated December 31, 2013 and reminder dated January 10, 2014 were sent by the Speed Post and were served on Noticee No. 7. However, despite receiving summons, Noticee No. 7 failed to submit the proof of disclosures made to the stock exchange as well as to the company, as sought by SEBI.
6. With respect to Noticee No.8, Summonses dated December 31, 2013, January 28, 2014 and September 22, 2014 and reminder dated January 10, 2014 were



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sent by the Speed Post and were served on Noticee No. 8. Vide letter dated January 18, 2014 replied to the summons dated December 31, 2013, but, Noticee No. 8 failed to submit the proof of disclosures made to the stock exchange as well as to the company, as sought by summonses dated January 28, 2014 and September 22, 2014 and reminder dated January 10, 2014.

7. With respect to Noticee No.9, Summonses dated December 31, 2013, September 22, 2014 and reminder dated January 10, 2014 were sent by the Speed Post and were served on Noticee No. 9. However, despite receiving summons, Noticee No. 9 failed to submit the proof of disclosures made to the stock exchange as well as to the company, as sought by SEBI.
8. With respect to Noticee No.10, Summonses dated March 13, 2013 and September 22, 2014 were sent by the Speed Post as well as the courier. Further, e-mail reminders dated January 10, 2014 and September 24, 2014 were also sent to the noticee. However, Noticee No. 10 failed to submit the details of his shareholding during the investigation period and proof of disclosures made to the stock exchange as well as to the company, as sought by summonses.
9. It is, therefore, alleged that Noticees, by not furnishing the information sought vide said summonses as detailed above, had hampered the investigation into the unusual and abnormal price rise in the scrip of Exelon. In view of the same, it is alleged that the Noticees have violated the provisions of Section 11C(2) read with Section 11C(3) of SEBI Act which, If established, make them liable for penalty under Section 15A(a) of SEBI Act.
10. Noticees are therefore, called upon to show cause as to why an inquiry should not be held against them in terms of Rule 4 of SEBI Adjudication Rules and



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penalty be not imposed under section 15A(a) of the SEBI Act for the aforesaid alleged contravention of the provisions of sections Section 11C(2) read with Section 11C(3) of SEBI Act.

11. Noticees' reply, if any, should reach the undersigned, at the address given below as well as through email at "krishnam@sebi.gov.in", within 14 days from the date of the receipt of this notice, failing which it shall be presumed that they have no reply to submit and the matter would be further proceeded ex – parte.

Securities and Exchange Board of India

SEBI Bhavan, C4-A, 'G' Block,
Bandra Kurla Complex, Bandra (East)
Mumbai – 400 051

12. Noticees are advised to provide copy of its PANs and email ids and also to keep the undersigned informed about the change in their correspondence address, if any, till the proceedings are complete.


S. V. Krishnamohan
Chief General Manager &
Adjudicating Officer

Encl.:-

Annexure I - Appointment order dated 17.08.2015

Annexure II – Copy of summonses