BEFORE THE ADJUDICATING OFFICER

SECURITIES AND EXCHANGE BOARD OF INDIA
[ADJUDICATION ORDER NO: EAD-3/VSS/2019-20/5119

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

In respect of:
Negotium International Trade Limited
(formerly known as Mahadushi International Trade Ltd / Kuber Jewels Ltd)

In the matter of alleged Failure to redress Investor Complaints and File Action Taken Report

1. Securities and Exchange Board of India (hereinafter referred to as "**SEBI"**) had issued Circular No. CIR/OIAE/2/2011 dated June 03, 2011 dealing with the processing of investor complaints against listed companies through SEBI Complaints Redress System (hereinafter referred to as **"SCORES")** advising all listed companies whose securities are listed on various stock exchanges to comply with the provisions of the said circular. This was followed by various circulars/directions to redress the pending investor grievances within the stipulated time.

2. SEBI observed that M/s Negotium International Trade Limited (hereinafter referred to as the **"Noticee"**) failed to redress four investor complaints and file Action Taken Report (hereinafter referred to as "**ATR")** with SCORES, in accordance with the aforesaid circular/s**.**

3. SEBI appointed Shri Vijayant Kumar Verma, as the Adjudicating Officer vide Order dated December 10, 2014 and communique order dated December 17, 2014, to inquire and adjudge under Section 15-I of SEBI Act, 1992 r/w Rule 3 of SEBI (Procedure of Holding Inquiry and Imposing Penalties) Rules, 1995 (hereinafter referred to as the **'Rules'**) to inquire into and adjudge under Section 15C SEBI Act, 1992, the aforesaid alleged violation. Subsequently, Shri Sahil Malik, was appointed as Adjudicating Officer vide Order dated January 08, 2019 and communique order dated May 09, 2019. Pursuant to his transfer, the undersigned has been appointed as Adjudicating Officer vide Order dated August 09, 2019 and communique order dated August 13, 2019.

4. A Show Cause Notice No. SEBI-NRO/AO/VK/DT/809/2015 dated April 20, 2015 (hereinafter referred to as "SCN") was issued to the Noticee under Rule 4 of the Rules to show cause as to why an inquiry should not be held against it in terms of Rule 4 of the Rules r/w with Section 15-I of SEBI Act, 1992 and penalty be not imposed under Section 15C of the SEBI Act, 1992 for the aforesaid alleged violation.

The SCN was sent to the last known address of the Noticee. However, the SCN was undelivered. Public Notice vide newspaper publication dated February 24, 2016 was issued in English and Hindi Edition of undelivered SCN in terms of Rule 7(d) of the Rules. In the interest of natural justice, Hearing Notice No. SEBI/NRO/OW/AO/VKVDL/HN/2063/2015 dated December 08, 2015 was issued granting an opportunity of personal hearing on December 23, 2015. However, the Noticee did not appear on the specified date. Another opportunity of personal hearing was granted on March 02, 2016.

5. The Noticee vide letter dated March 04, 2016, replied stating, inter-alia, that the alleged complaints in the SCN have been resolved except one complaint. The Noticee was granted another opportunity of personal hearing on March 29, 2016. The Authorized Representative of Noticee appeared on the said date and undertook to submit action taken on the pending complaints by March 31, 2016. Vide letter dated April 17, 2017, the Noticee was advised to make written submission in respect of the allegation stated in the SCN. The Noticee vide e-mail dated April 25, 2017 forwarded letter dated April 25, 2017, and informed that it has resolved all the alleged complaints and the same was informed to SEBI vide its letter dated March 29, 2016.

6. Upon perusal of the documents available on record, the following are observed:

6.1 The equity shares of the Noticee is listed on BSE.
6.2 The Noticee has resolved all the alleged investor complaints and filed ATR with SCORES.
6.3 Upon enquiry with the Office of Investor Assistance and Education (OIAE) of SEBI, OIAE vide email dated October 15, 2019 confirmed that the pending complaints have been resolved/disposed of by the Noticee and ATR has been filed by the Noticee.

7. In view of the above, I am of the view that the case does not warrant imposition of any monetary penalty under Section 15C of SEBI Act, 1992. Accordingly, the adjudication proceedings initiated against the Noticee vide Order dated December 10, 2014 and the SCN dated April 20, 2015 is disposed of.

8. In terms of Rule 6 of the Rules, copy of this order is sent to the Noticee and also to SEBI.

Date: October 22, 2019
Place: Mumbai

V.S.SUNDARESAN
ADJUDICATING OFFICER