

BEFORE THE ADJUDICATING OFFICER
SECURITIES AND EXCHANGE BOARD OF INDIA
SO/SG-VS/EAD/27/2017

SETTLEMENT ORDER

On the Application No. 3061 of 2016

Submitted by

Mr. Brundavanam Srinivas Vijayamohan

(PAN: AGDPB0182D)

In the matter of:

M/s ING Vysya Bank Limited

1. A reference was received from M/s ING Vysya Bank Limited (hereinafter referred to as "ING") pursuant to which SEBI conducted an examination in respect of buying, selling and dealing in the shares of ING during the period from August 26, 2011 to May 20, 2013 (hereinafter referred to as "Examination Period"). The shares of ING were listed on BSE Limited (hereinafter referred to as "BSE").
2. Upon perusal of the trading details of Mr. Brundavanam Srinivas Vijayamohan, (hereinafter referred to as "Noticee") during the examination period, following transactions were observed:

Date	Gross Buy Volume	Gross Sell Volume	Gross Traded Volume	Gross Sell Value(₹)
12-03-2013	0	500	500	275000.00
02-05-2013	0	2220	2220	1332000.00

3. From the above table, it was observed that on May 02, 2013, Noticee had sold shares of ING which were valued more than ₹ 5 Lakh.
4. Shri Jayanta Jash was appointed as Adjudicating Officer vide order dated April 09, 2014 under section 15-I of Securities and Exchange Board of India Act,1992 & Rule

3 of SEBI (Procedure for holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995 (hereinafter referred to as "Rules, 1995") to inquire into and adjudge under section 15A(b) of the Securities and Exchange Board of India Act, 1992, the alleged violations of regulations 13(4) read with regulation 13(5) of SEBI (Prohibition of Insider Trading) Regulations, 1992 (hereinafter referred to as "PIT Regulations") by the Noticee. Accordingly, a Show Cause Notice no. EAD-5/JJ/AK/26134/2014 dated September 05, 2014 (hereinafter referred to as "SCN") in terms of the provisions of Rule 4 of the Rules, 1995 was issued to the Noticee, seeking his reply as to why an inquiry should not be held in respect of the violations alleged to have been committed by him.

5. It was alleged in the SCN that the Noticee being an officer of ING, upon selling the shares of ING for more than ₹ 5 Lakh in value was required to make the disclosures to the company i.e. ING and to the stock exchanges in accordance with the provisions of regulation 13(4) read with regulation 13(5) of PIT Regulations within two working days from the date of transaction, which Noticee had failed to do. Thus, it was alleged that Noticee had violated the provisions of regulation 13(4) read with regulation 13(5) of PIT Regulations.
6. Pursuant to transfer of Shri Jayanta Jash, the undersigned has been appointed as Adjudicating Officer vide order dated June 22, 2015 to inquire and adjudge the matter.
7. While the Adjudication Proceedings were in progress, an application dated February 15, 2016 was submitted by the Noticee before SEBI in terms of SEBI (Settlement of Administrative and Civil Proceedings) Regulations, 2014 (hereinafter referred to as "Settlement Regulations") proposing to settle the aforementioned adjudication proceedings on payment of a fair sum in line with the object and purpose of the Settlement Regulations. Form B dated April 12, 2016 signed by the concerned

department of SEBI, *inter alia*, confirming that the Noticee has subsequently filed disclosure(s) in relation to the alleged violations is also on record.

8. Pursuant to the meeting of the Internal Committee of SEBI held on June 16, 2016, the Noticee vide letter dated June 21, 2016 proposed to settle the aforesaid adjudication proceedings on payment of ₹ 2,04,000/- (Rupees Two Lakh Four Thousand only) without admitting or denying any violation.
9. The revised settlement terms proposed by the Noticee were placed before the High Powered Advisory Committee (hereinafter referred to as “HPAC”). HPAC during its meeting held on August 03, 2016 considered and recommended the case for settlement on payment of ₹ 2,04,000/- (Rupees Two Lakh Four Thousand only) towards settlement terms. The Panel of Whole Time Members of SEBI accepted the said recommendation of the HPAC on September 27, 2016. The Noticee’s letter dated December 14, 2016 confirming that he has received communication in this regard from SEBI is also on record.
10. Accordingly, the Noticee has remitted a sum of ₹ 2,04,000/- (Rupees Two Lakh Four Thousand only) in favour of “Securities and Exchange Board of India” vide a Banker’s Cheque bearing no. 174363 dated December 14, 2016 drawn on the Bank of Bahrain & Kuwait B.S.C. payable at Mumbai.
11. In view of the above, in terms of Regulation 15(1) of Settlement Regulations, it is hereby ordered that this settlement order disposes of the adjudication proceedings initiated against the Noticee vide the aforesaid show cause notice dated September 05, 2014.
12. This Order is without prejudice to the right of SEBI to take enforcement actions including commencing/ reopening of these proceedings against the Noticee, if SEBI finds that:

- i. any representation made by the Noticee in the settlement proceedings is subsequently discovered to be untrue.
- ii. the Noticee has breached any of the clauses/conditions of undertakings/waivers filed during the current settlement proceedings.

13. This Settlement Order passed on this the 12th day of January, 2017 shall come into force with immediate effect.

14. In terms of Regulation 17 of Settlement Regulations, a copy each of this order is being sent to the Noticee and for publishing on the website of Securities and Exchange Board of India.

January 12, 2017
Place: Mumbai

Suresh Gupta
Adjudicating Officer