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SURVEYORS, ASSESSORS & VALUERS
Licence No. 63215 * Valid up to 15-03-2018

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Ref No. 053/2017 E-mail: jparikh27@yahoo.com 05-10-2017

FINAL SURVEY REPORT

Under advices received on 20-07-2017 from ICICI Lombard General Insurance Company Limited, we visited Insured's affected showroom located at Zaveri Bazaar immediately on the same day i.e. on 20-07-2017 to survey and assess the loss, if any, caused to the Insured due to reported 'Theft' which occurred between 0430 hours and 0530 hours on Sunday, 16-07-2017 of stock of gold ornaments allegedly belonging to the Insured viz. Rishabh Gold whilst in transit in Bus from Solapur to Mumbai whilst in the close personal custody and control of the proprietor and employee of Insured.

We have now to submit our report as under: -

THE INSURED : Rishabh Gold.
Risk Address/ : Shop No. 107, 1st Floor, D. D. Image Building,
Mailing Address : 16/22, Champa Galli, Zaveri Bazar Mumbai 400 002.

THE INSURANCE

Insurer : ICICI Lombard General Insurance Company Limited.
ICICI Lombard House, 414, Veer Savarkar Marg,
Near Siddhi Vinayak Temple, Prabhadevi,
Mumbai - 400 025.
Policy Number : 4082/118400124/01/000
Period of Insurance : 19-06-2017 to 18-06-2018
Sum Insured/ : Under Section 2 of the Policy
Property Covered : ₹ 1,50,00,000
{Property excluding cash and currency in Custody of Insured/Partner/Employee with appropriate documentary evidence}

Property excluding cash and currency whilst in the close personal custody and control of the Insured, his Partners, Directors, Employees, duly constituted attorneys or authorised representatives with appropriate documentary evidence

Perils Covered : As per Jewellers Block Insurance Policy
Basis of Valuation : As per Market Rate + 10% Increase in Cost

INTRODUCTION:

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|----|-------------------------------|--|
| a. | Constitution | : Proprietary Concern. |
| b. | Person/s Contacted | : Mr. Rupesh Shantilal Dhakad, Proprietor. |
| c. | Year of starting the business | : Since year 2003. |
| d. | Nature of Business | : Trading in Gold Ornaments. |



- e. Weekly off : Sunday.
- f. Timings : 02.00 p.m. to 08.00 p.m.
- g. Number of employees : 1.
- h. Income Tax PAN Number : ADYPD5380P.
- i. GSTIN Registration Number : 27ADYPD5380P1ZM.
- j. Shops & Establishment Registration Number: 760025096/Commercial II Ward C.
- k. Yearly Turnover : ₹ 12 Crores app.
- CC TV System : Yes.
- a) Camera : Yes.
- b) Monitor : Yes.
- c) Video recording : Yes.

CAUSE & CIRCUMSTANCES OF THE LOSS:

The cause of loss of stock of gold ornaments in transit in Bus from Solapur to Mumbai of ₹ 60,89,443 is 'Theft' whilst in the possession of Mr. Rupesh Shantilal Dhakad, being proprietor and employee of the Insured vide FIR No. 00/17 (Zero FIR) dated 17-07-2017 of Govandi Police Station, Mumbai, FIR No. 0375 dated 24-07-2017 of Hinjewadi Police Station, Pune and FIR No. 116 dated 03-09-2017 of Kamshet Police Station, Pune.

TIME, DAY AND DATE OF LOSS:

Exact time of the loss is not known to the Insured but it might happen between 0430 hours and 0530 hours on Sunday, 16-07-2017.

THE INCIDENT:

As reported by Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured that he purchase gold bars/biscuits from markets and makes gold ornaments from the same to sell the same in various parts of Maharashtra. On Friday, 14-07-2017, in the company of his employee Mr. Lalit Roshanlal Lodha (being first day of his appointment) left the office carrying gold ornaments weighing 2587.300 grams in a bag. At about 2100 hours on 14-07-2017 they boarded bus of Siddhanath Travels from Yogi Hotel, Chembur and reached to Solapur on 0730 hours on 15-07-2017. On the same day i.e. on 15-07-2017 they showed gold ornaments carried by them in brown colour bag to 1. Rohit Bitla, Balaji Temple 2. Shinghvi Jewellers, Sharaf Market 3. Aapte Jewellers, Sharaf Market 4. Narayan Petkar Jewellers, Sharaf Market 5. Anup Jewellers, Sharaf Market 6. Karjigar Jewellers, Sharaf Market 7. Bhimanpalli Jewellers, Sharaf Market. However, none of the stock of gold ornaments was sold. They manage to sold 400 grams of gold ornaments to Khadilkar Jewellers, South Kasba, Solapur. Thereafter, carrying balance gold ornaments weighing 2187.300 grams in a brown colour bag they boarded bus of Vijayanand Roadlines (VRL AC Sleeper) having Registration No. PY01CG6205 from Super Market, Solapur on 2330 hours on 15-07-2017 to return to Mumbai. Due to technical problem in said bus, at Chandni Chawk, Pune they were shifted to another bus having Registration No. KA25C9345 at about 0430 hours on 16-07-2017 to travel to Mumbai. They were allotted Seat No. 10 & 11. Mr. Lalit Roshanlal Lodha occupied window seat and Mr. Rupesh Shantilal Dhakad occupied seat next to him.

Mr. Rupesh Shantilal Dhakad kept brown colour bag containing gold ornaments under his seat and tied its belt in his feet. Due to tiring task on whole day of 15-07-2017, they both slept after boarding in bus having Registration No. KA25C9345 at Vakad.



During transit, at Food Mall, near Indian Oil Petrol Pump, before Lonavala, the bus stopped at about 0530 hours. Mr. Rupesh Shantilal Dhakad and Mr. Lalit Roshanlal Lodha both went to toilet one after another. Thereafter, the bus started and Mr. Rupesh Shantilal Dhakad was awake till the bus reached to Mumbai. Cleaner alerted the passengers that bus reached to Chembur. So, Mr. Rupesh Shantilal Dhakad and Mr. Lalit Roshanlal Lodha got up from seat to get down from bus at Maitry Park, Chembur and pulled bag containing gold ornaments being kept near legs of Mr. Rupesh Shantilal Dhakad. At that point of time, to his surprise, Mr. Rupesh Shantilal Dhakad noticed that the said bag was cut by a blade or sharp instrument and mix gold ornaments weighing 2187.300 grams kept inside the same were stolen. Mr. Rupesh Shantilal Dhakad immediately realised that between 0430 hours and 0530 hours on Sunday, 16-07-2017 during transit between Vakad to Lonavala, when Mr. Rupesh Shantilal Dhakad and Mr. Lalit Roshanlal Lodha were sleeping, culprit managed to made away with booty.

Mr. Rupesh Shantilal Dhakad therefore, called his brother Arvind and in his company went first to Sion Police Station, thereafter went to Chembur Police Station and lastly went to Govandi Police Station on 16-07-2017. After verifying relevant papers about the lost gold ornaments in transit, Govandi Police Station lodged Zero FIR on 17-07-2017.

Action taken by the Insured:

1. Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured went to Govandi Police Station and filed a complaint at about 1310 hours on 17-07-2017 that stock of gold ornaments in transit in Bus from Solapur to Mumbai of ₹ 60,89,443 was stolen. The police registered the complaint.
2. Insurers were intimated 19-07-2017.
3. Later on, as instructed by police, Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured went to Hinjewadi Police Station and filed a complaint at about 2229 hours on 24-07-2017 that stock of gold ornaments in transit in Bus from Solapur to Mumbai of ₹ 60,89,443 was stolen. The police registered the complaint.
4. Later on, as instructed by police, Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured went to Kamshet Police Station and filed a complaint at about 1837 hours on 03-09-2017 that stock of gold ornaments in transit in Bus from Solapur to Mumbai of ₹ 60,89,443 was stolen. The police registered the complaint.

EXTENT OF LOSS:

Due to the incident of reported 'Theft', the Insured lost their stock of mix gold ornaments weighing 2187.300 grams worth ₹ 60,89,443 vide Statement of Mr. Rupesh Shantilal Dhakad, Proprietor filed vide FIR. No. 00/17 (Zero FIR) dated 17-07-2017 of Govandi Police Station.

INSPECTION & VERIFICATION:

1. We received the instruction on 20-07-2017 from ICICI Lombard General Insurance Company Limited and visited Insured's premises situated at Shop No. 107, 1st Floor, D. D. Image Building, 16/22, Champa Galli, Zaveri Bazar Mumbai 400 002 immediately on the same day i.e. on 20-07-2017.
2. At the time of our visit, we met Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured and discussed about the possible cause & circumstances in which the said loss has occurred.



3. On our verification, we have observed as under: -
- a. The incident of theft took place between 0430 hours and 0530 hours on Sunday, 16-07-2017 of stock of gold ornaments worth ₹ 60,89,443 when Mr. Rupesh Shantilal Dhakad and Mr. Lalit Roshanlal Lodha both were sleeping between Vakad to Lonavala in bus having Registration No. KA25C9345. The same can also be clearly seen, confirmed & verified from the Police FIR lodged by three different police stations.
 - b. The matter was reported to Govandi Police Station on 19-07-2017 at about 1310 hours by Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured.
 - c. Further, Govandi Police Station has registered the Insured's case Under Section 379 of the Indian Penal Code vide their First Information Report (Under Section 154 Cr. P. C.) Number: 00/17 (Zero FIR) dated 17-07-2017 and General Diary Reference Entry Number 31/17.
 - d. Later on, Hinjewadi Police Station has registered the Insured's case Under Section 379 of the Indian Penal Code vide their First Information Report (Under Section 154 Cr. P. C.) Number: 0375 dated 24-07-2017 and General Diary Reference Entry Number 017.
 - e. Later on, Kamshet Police Station has registered the Insured's case Under Section 379 of the Indian Penal Code vide their First Information Report (Under Section 154 Cr. P. C.) Number: 116 dated 03-09-2017 and General Diary Reference Entry Number 36.
 - f. The referred Section 379 of the Indian Penal Code deals with "intending to take dishonestly a certain moveable property wit, out of the possession of a person, without his consent, moved it in order to such taking and thereby committed the offence of Theft punishable Under Section 379".
 - g. Further, vide FIR Number: 00/17 (Zero FIR) and General Diary Reference Entry No. 31/17 dated 17-07-2017 of Govandi Police Station; Statement of Mr. Rupesh Shantilal Dhakad, Proprietor of Insured is recorded on 17-07-2017 that stock of gold ornaments of ₹ 60,89,443 was in his possession whilst transit in Bus from Solapur to Mumbai is lost.
 - h. Further, whatever we have discussed about the incident has been also noted by the Police as per F.I.R. lodged by three different police stations stated above.
 4. Mr. Lalit Roshanlal Lodha, employee who accompanied Mr. Rupesh Shantilal Dhakad, being proprietor of the Insured whilst travelling to Mumbai – Solapur – Mumbai was allegedly employed on 14-07-2017.
 5. We have verified the CCTV footage and found that the incidence of reported 'Burglary' is recorded in the cameras installed inside the bus having Registration No. KA25C9345. The same is in agreement with the Statement of Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured recorded by Govandi Police Station vide their First Information Report (Under Section 154 Cr. P. C.) Number: 00/17 (Zero FIR) & General Diary Reference Entry Number: 36/17 dated 17-07-2017 except at the time of incidence, Mr. Lalit Roshanlal Lodha was not sleeping, when Mr. Rupesh Shantilal Dhakad went to toilet as recorded in the said CCTV footage. Therefore, the Insured contended that there was no carelessness/negligence from their part.
 6. The reported incidence is widely known, published & appeared in print media.
 7. We have verified Insured's Claim Bill and assessed the loss in utmost good faith, strictly without any bias or prejudice, based mainly on the available details/documents submitted by Insured and relying on the Insured's Statement and Police FIR lodged by three different police stations etc.



8. We have verified Claim Bill, Copy of Authority Letter No. 389 dated 14-07-2017, Copies of Purchase Invoices of the items lost, Valuation of Total Stock as on the date of incidence, Ledger Accounts of the Parties from whom the Insured purchased the lost stock, Provisional Trading Account for the period from 01-04-2014 till the date of loss i.e. on 16-07-2017 duly certified by Chartered Accountant, New Gold Ornaments Account duly certified by Chartered Accountant vis-à-vis Issue and Receipt Vouchers to check the rate of items claimed by the Insured and also to verify insurable interest of the Insured in the same.
9. We have verified the available purchase invoices of the Insured to verify the purchases made and also to check the rate of items claimed by the Insured vis-à-vis rate of the gold as on the date of the incidence.
10. Further, we have minutely verified said purchase invoices with Ledger Account of the Supplier submitted to us by the Insured and found that the Insured is not only purchasing the stocks from the supplier/s and but also making regular payments towards the said purchases to their supplier/s. The said supplier/s have also confirmed/affirmed towards purchases made by the Insured from them vide their Ledger Account.
11. The Insured's loss is assessed on value at cost and no profit margin has been allowed.
12. The Insured is registered regular Income Tax and GST Assessee. Further, we have minutely verified Annual Accounts for the Year Ending 31-03-2016 and Provisional Trading for the Year Ending 31-03-2017, Provisional Trading for the Period Ending 16-07-2017 duly certified by Chartered Accountant vis-à-vis books of accounts maintained by Insured & no major discrepancies were noticed. Further, it is clear that Insured is not in loss for the consecutive last three financial years.
13. Please note that Mr. Jayantilal M. Thadeshwar, Government Approved Valuer vide his Valuation Report Dated 14-09-2017 have certified Gold Rates per 10 Gram as on 17-07-2017, details of which are as follows: -

999 Gold Bar (24 Carat)	₹ 28,200
916 Gold Bar (22 Carat)	₹ 25,831
750 Gold Bar (18 Carat)	₹ 21,150
14. The Insured purchases gold bars, makes gold jewellery from the same through goldsmith and sells the gold jewellery in various parts of Maharashtra.
15. Insured possessed valid Licence to run business as on the day of incidence.
16. We have also verified copy of bus ticket reflecting travelling of Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured in the company of his employee Mr. Lalit Roshanlal Lodha from Mumbai to Solapur on 14-07-2017.
17. We have also verified copy of bus ticket reflecting travelling of Mr. Rupesh Shantilal Dhakad, Proprietor of the Insured in the company of his employee Mr. Lalit Roshanlal Lodha from Solapur to Mumbai on 15-07-2017.
18. We have also verified copy of bill of Hotel Ashraya of Solapur dated 15-07-2017, being booked by Mr. Rupesh Shantilal Dhakad, Proprietor of Insured.
19. On enquiry, the Insured vide their letter dated 08-09-2017, under Point No. 5, allegedly stated "The reason for delay in lodging the Police F. I. R. as neither we nor the police were aware about the exact location of the theft. Therefore, when I first visited to Sion Police Station, they sent us to Chembur Police Station & Chembur Police Station sent us to Govandi Police Station where our Zero F. I. R. was lodged after proper investigation."



20. On enquiry, the Insured vide their letter dated 08-09-2017, under Point No. 7, allegedly stated “Pen drive of CCTV Footage being recorded at the risk address whilst keeping gold ornaments weighing 2587.300 grams in a bag on 14-07-2017 before leaving to Solapur cannot be availed as we were busy lodging the F. I. R. at various police stations as we were unaware about the theft location which took nearly 8-10 days for lodging the same. The CCTV recording in the DVR remains for 7 days & therefore gets auto deleted. The time when we were asked to provide it already exceeded that time. Therefore cannot provide the same.”
21. On enquiry, the Insured vide their letter dated 08-09-2017, under Point No. 8, allegedly stated “Pen Drive / VCD of CCTV Footage of showing/selling gold ornaments to various jewellers of Sholapur on 15-07-2017 is not available.”
22. On verification of Statements of Mr. Santosh Shekhar Patanshetty and Mr. Mahantesh Ishwar Ashode, being Drivers bus of VRL having Registration No. KA25C9345, it was revealed that the two unknown culprits were not the passengers of said bus and were not travelling with the Insured. The said culprits took advantage of bus stopped at Food Mall, near Indian Oil Petrol Pump, before Lonavala and taking advantage of situation, made away with booty i.e. Gold Jewellery.
23. The gold stocks lost in transit on 16-07-2017 were mix gold jewellery ornaments.
24. The matter is still under investigation and the police have not yet closed the Insured’s case. Therefore the Insurer is requested to obtain the Final Investigation Report of Police from the Insured directly.
25. On inquiry we were informed by the Insured that they have not taken any insurance cover for the above property from any other underwriters for the same period.
26. The delay in issuing this report has been due to long time taken by Insured in providing all the necessary documents/information required by us.

CLAIMED BY THE INSURED:

The Insured vide their Claim Bill has estimated for ₹ 62,15,016 towards loss of their stock of mix gold ornaments weighing 2187.300 grams at Kamshet, Pune, whilst in transit in bus from Solapur to Mumbai, details of which are as under: -

<u>Item Description</u>	<u>Purity</u>	<u>Weight in Grams</u>	<u>Claimed</u>	
			<u>Rate per 10 Grams</u>	<u>Amount Claimed</u>
Mix Gold Ornaments	22 Carat	2187.300	25831	5650015
Add: Labour/Making Charges @ 10 %				565001
Total amount claimed by the Insured				6215016

NOTE:

We have verified copies of the Receipt Vouchers submitted to us by the Insured and observed that Purity of Gold Ornaments were not mentioned on most of the said Receipt Vouchers. Further, the Insured have not substantiated with documentary evidence/proof that the lost gold were of 916 (22 Carat) purity. Therefore, it was found to be prudent to reduce the claimed rate/amount by a conservative 5 %, in our assessment of loss and assessed the Insured’s loss on value at cost and no profit margin has been allowed. In view of the circumstances, we have deducted ₹ 2,82,501 in our loss assessment of stolen/lost mix gold ornaments.

**ASSESSMENT OF LOSS:**

Sum Insured/ : Under Section 2 of the Policy
 Property Covered : ₹ 1,50,00,000
 {Property excluding cash and currency in Custody of Insured/Partner/Employee with appropriate documentary evidence}

LOSS ASSESSMENT:

We are assessing the loss, without any bias or prejudice, in utmost good faith, on the basis of papers/documents submitted by the Insured subject to admission of liability by the Underwriters under the terms and conditions of the Jewellers Block Insurance Policy.

VALUATION:

The value of the total stock in transit as on the day of the incidence i.e. on 16-07-2017 was found at ₹ 62,15,016 (also as reflected by the self-attested Valuation of Total Gold Stock in Transit as on the date of incidence i.e. on 16-07-2017). The Insured is therefore treated as adequately covered.

LOSS: The loss is worked out as under: -

<u>Item Description</u>	<u>Purity</u>	<u>Weight in Grams</u>	<u>Allowed Rate per 10 Grams</u>	<u>Amount Allowed</u>
Mix Gold Ornaments	22 Carat	2187.300	24540	5367634
Add: Labour/Making Charges @ 10 %				536763
Gross Assessed Loss / Insured's Claim Admissible				<u>5904398</u>
(Rupees Fifty Nine Lacs Four Thousand Three Hundred Ninety Eight Only)				

Remarks:

Excess &/or Special Excess (if any) under the policy may be verified by the Insurers.

ADMISSIBILITY OF THE LOSS AND LIABILITY:

The cause of loss, 'Theft' {as recorded by Kamshet Police Station} of mix gold ornaments weighing 2187.300 grams while in transit whilst in the close personal custody and control of the proprietor and employee (means that the property insured shall be held by, or attached to, or within sight and not more than arms length reach of the designated individual at all times whilst in transit) is an insured peril under Section 2 of the Jewellers Block Insurance Policy issued to and held by the Insured. The Insured's claim therefore, is admissible under the Jewellers Block Insurance Policy subject to Final Investigation Report of the Police.

However this report is issued, "Strictly Without Prejudice" to the rights of the Insurer and subject to the terms, conditions, warranties, exclusions and limitations of the policy duly issued to and held by the Insured, under which this claim is lodged and is under consideration and reserving the right to alter or amend unintentional error if any. Our liability is restricted to exercise of reasonable care and diligence.

For J. H. PARIKH & ASSOCIATES

PROPRIETOR