

**CONSENT ORDER IN THE ADJUDICATION PROCEEDINGS
AGAINST SHRI AKEEL RASAI.**

1. Securities and Exchange Board of India (hereinafter referred to as "SEBI") has initiated adjudication proceedings against Shri Akeel Rasai (hereinafter referred to as "the applicant") for the violations of the provisions of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices) Regulations, 2003 by the applicant in respect of his dealings in the scrip of Vyapar Industries Ltd.(hereinafter referred to as 'VIL').
2. SEBI conducted an investigation into the trading in the scrip of VIL, during the period from October1, 2003 to May 3, 2004. It was alleged on the basis of the findings of the investigation report that, during the investigation period, the applicant created artificial volume and manipulated the price of the scrip of VIL. It was further alleged that the above actions amounted to violation of Regulation 4(1) & 4(2) (a) (b) (e) and (g) of SEBI (Prohibition of Fraudulent and Unfair Trade Practices) Regulations, 2003.
3. A Show Cause Notice A&E/BS/ASG/1082372007 was issued to the applicant on November 08, 2007 requiring the applicant to show cause as to why an inquiry should not be held against him in terms of Rule 4 of SEBI (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995 read with Section 15I of the SEBI Act and why penalty prescribed under Section 15HA of the SEBI Act, 1992 should not be imposed on him for the alleged violations. The applicant submitted a reply to the same on November 17, 2007.

4. The applicant made an application dated November 17, 2007 along with an affidavit of “undertakings / waivers” in the matter in terms of SEBI Circular no. EFD/Cir-1/2007 dated April 20, 2007 pursuant to the Show cause notice sent with Reference Number A&E/BS/ASG/1082372007 dated November 08, 2007. Pursuant to the above application, the applicant vide letter dated August 28, 2008 proposed revised consent terms where the applicant, without admitting or denying guilt and subject to the clauses of the undertakings and the waivers, proposed to offer Rs. 1,00,000 (Rupees one lakh only) in the matter.
5. The consent terms proposed by the applicant were placed before the High Powered Advisory Committee (HPAC) and HPAC after deliberation recommended the case for settlement on payment of Rs. 1,00,000 (Rupees one lakh only) towards settlement charges.
6. In terms of the applicant’s proposal for the sole purpose of settling the matter on hand and without admission or denial of guilt on the part of the applicant to the finding of fact or conclusion of law, applicant has remitted a sum of 1,00,000 (Rupees one lakh only) vide Demand Draft No. 059382 dated 13.10.2008 drawn on HDFC Bank, Khar (West), Mumbai, towards the terms of consent in the matter.
7. In view of the above, it is hereby ordered that:
 - i) this consent order disposes of the said adjudication proceedings initiated vide Show cause notice with Reference Number A&E/BS/ASG/1082372007 dated November 08, 2007 against the applicant, and
 - ii) passing of this order by SEBI is without prejudice to the right of SEBI to take enforcement action including commencing/reopening of the pending proceedings against the applicant, if SEBI finds that:

- a. any representations made by the applicant in the consent proceedings are subsequently found to be untrue.
- b. the applicant has breached any of the clauses / conditions of undertakings/waivers filed during the current consent proceedings.

8. This consent order is passed on this 21st of October, 2008 and shall come into force with immediate effect.

Biju. S

Place: Mumbai

Adjudicating Officer