

**BEFORE THE SECURITIES AND EXCHANGE BOARD OF INDIA  
MUMBAI**

**CONSENT ORDER**

**ON THE APPLICATION SUBMITTED BY**

**NIRMAL BANG SECURITIES PRIVATE LIMITED  
(Regn No. INB 011072759, INF 011072759,  
INB 230939139, INF 230939139)**

**IN THE MATTER OF**

**SUN INFOWAYS LIMITED**

**(CONSENT APPLICATION No. 1033/2008)**

1. Securities and Exchange Board of India (SEBI) had conducted investigations into the alleged irregularities in the trading of the shares of Sun Infoways Limited (hereinafter referred to as the 'company') for the period from February 05, 2001 to May 02, 2001. The investigations, *prima facie*, revealed that Nirmal Bang Securities Pvt. Ltd. (PAN AAACN7369L) (hereinafter referred to as the 'applicant'), allegedly aided and abetted its clients in creating artificial volumes and prices of the shares of the company. It was, therefore, alleged that the applicant violated the provisions of Regulation 4 (a), (b), (c) and (d) of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 1995 read with Regulation 4(1), 4(2) (a), (b), (e) , (g) and (n) of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 and Clause A (1) to (5) of Schedule II of the SEBI (Stock Brokers and Sub-Brokers) Regulations, 1992.
2. Pursuant to the investigations, SEBI initiated enquiry proceedings vide order dated March 18, 2008 and issued a show cause notice no. A&E/BS/ASG/129297 dated June 18, 2008 to the applicant.
3. While further proceedings in the matter were in progress, the applicant, vide letter dated October 25, 2008, proposed settlement of the said proceedings through a consent order in terms of SEBI circular No.EFD/ED/Cir.01/2007 dated April 20, 2007. Vide letter dated March 30, 2009, the applicant submitted the revised consent terms. The High Powered Advisory Committee, constituted by SEBI, considered the consent terms proposed by the applicant and recommended the case for settlement, on the terms proposed by the applicant. Accordingly, the applicant shall pay Rs. 4,00,000/- (Rupees four lakh only) towards settlement

charges. SEBI accepted the said terms of settlement and communicated the same to the applicant vide letter dated June 02, 2009.

4. 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 the law, the applicant has remitted a sum of Rs. 4,00,000/- (Rupees four lakh only) vide demand draft no. 930540 dated June 04, 2009 drawn on HDFC Bank Limited, Mumbai.
5. In view of the above, it is hereby ordered that this consent order disposes of the said enquiry proceedings pending against the applicant in the matter of Sun Infoways Limited.
6. This order is without prejudice to the right of SEBI to take enforcement actions, including commencing / reopening of the proceedings pending against the applicant, if:
  - a. any representation made by the applicant in this consent proceeding is subsequently discovered to be untrue; or
  - b. the applicant breaches any of the consent terms or undertakings filed in this consent proceeding.
7. A copy of this order shall be served on The Bombay Stock Exchange Limited and National Stock Exchange of India Limited of which the applicant is a member.
8. This consent order is passed on this day, the 15<sup>th</sup> of June, 2009 and shall come into force with immediate effect.

**M. S. Sahoo**  
**Whole Time Member**

**K. M. Abraham**  
**Whole Time Member**