

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

CONSENT ORDER

**ON THE APPLICATION SUBMITTED BY
M/s. YASH FINANCE**

**IN THE MATTER OF
SUN INFOWAYS LIMITED**

(CONSENT APPLICATION NO. 1631/2009)

1. SEBI had conducted investigations into the scrip of Sun Infoways Limited (hereinafter referred to as 'the company') for the period February 05, 2001 – May 02, 2001. The investigations *prima facie* revealed that M/s. Yash Finance, a registered sub-broker with registered office at 571/14, Pocketwala Building, Near Bharat Cinema, Kurla (West), Mumbai 400 070 (hereinafter referred to as 'applicant') had aided and abetted its clients in executing certain irregular trades in the scrip. Therefore, it was alleged that the applicant violated the provisions of Regulations 4(a), (b), (c) and (d) of SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 1995, Regulation 4 (1), 4(2) (a), (b), (e), (g) and (n) of SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 and Clauses A(1), A(2) and D (1), (4) & (5) of Code of Conduct prescribed for Stock brokers in Schedule II of the SEBI (Stock Brokers and Sub-Brokers) Regulations, 1992.
2. Pursuant to the said investigations, SEBI initiated enquiry proceedings for the violation of Regulations 4(a), (b), (c) and (d) of SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 1995, Regulation 4 (1), 4(2) (a), (b), (e), (g) and (n) of SEBI

(Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 and Clauses A(1), A(2) and D (1), (4) & (5) of Code of Conduct prescribed for Stock brokers in Schedule II of the SEBI (Stock Brokers and Sub-Brokers) Regulations, 1992 vide Show Cause Notice dated June 26, 2008. While the said proceeding was in progress, the applicant proposed settlement of the said proceedings vide letter dated November 10, 2009, in terms of Circular No. EFD/ED/Cir-1/2007 dated April 20, 2007. The applicant proposed revised consent terms vide letter dated February 10, 2010 whereby the applicant undertook to pay Rs. 1,00,000/- (Rupees One Lakh only) towards settlement charges. The consent terms proposed by the applicant were placed before the High Powered Advisory Committee which after deliberations, recommended that the case may be settled on the terms proposed by the applicant. SEBI accepted the said recommendations and communicated the same to the applicant vide letter dated April 22, 2010.

3. For the sole purpose of settling the matter on hand and without admitting or denying guilt, the applicant has remitted a sum of Rs. 1,00,000/- (Rupees One Lakh only) vide Demand Draft No. 001394 dated April 27, 2010 drawn on ICICI Bank payable at Mumbai.
4. 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 for the violation of Regulations 4(a), (b), (c) and (d) of SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 1995, Regulation 4 (1), 4(2) (a), (b), (e), (g) and (n) of SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 and Clauses A(1), A(2) and D (1), (4) & (5) of Code of Conduct prescribed for Stock brokers in Schedule II of the SEBI (Stock Brokers and Sub-Brokers) Regulations, 1992.

5. This order is without prejudice to the right of SEBI to initiate enforcement actions, including commencing or 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.
6. This consent order is passed on this day, the 2nd of June 2010.

K. M. ABRAHAM
WHOLE TIME MEMBER

PRASHANT SARAN
WHOLE TIME MEMBER