

Nov 20, 2007 | Orders: Settlement Order

CONSENT ORDER

IN THE MATTER OF
OJAS TECHNOCHEM LTD. (PDF)

1. SEBI conducted an investigation into the price manipulation and irregularities in the trading of the shares of Ojas Technochem Limited. Pursuant to the investigation, enforcement proceedings were initiated against various entities/ persons in the matter. Accordingly, enquiry proceedings were initiated against the applicant, M/s. Jyotish Bhogilal Stock Pvt. Ltd., Member, Ahmedabad Stock Exchange. The applicant was alleged to have contravened the provisions of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 1995 and SEBI (Stock Brokers and Sub-brokers) Regulations, 1992. Pursuant to the submission of the enquiry report to the Enforcement Officer, show cause notice dated 12-06-2007 was issued to the applicant, requiring it to show cause as to why action as recommended by the enquiry officer should not be taken. The enquiry proceedings are pending against the applicant.
2. The Applicant made an application dated 09-07-2007 and an affidavit of "undertakings and waivers" in the matter in terms of SEBI Circular No. EFD/Cir.-1/2007 dated 20-07-2007. Pursuant to the said application, applicant vide letter dated 02-08-2007 has proposed revised consent terms submitting that "we now propose to modify our offer and are willing to pay a sum of Rs.1,50,000/- (Rupees one lakh and fifty thousand only) for arriving at a consent order". The revised consent terms as proposed by the applicant have been placed before the High Powered Advisory Committee (HPAC) and HPAC after deliberation recommended the case for settlement on the consent terms proposed by the applicant.
3. 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 conclusion of law, applicant has remitted a sum of Rs.1,50,000/- (Rupees one lakh and fifty thousand only), vide Demand Draft No. 966899 dated 11-10-2007 drawn on HDFC Bank Ltd., Mumbai, towards the consent terms in the matter.
4. In view of the above, it is hereby ordered that:
 - i) this consent order disposes of the said enquiry proceedings pending before SEBI against the applicant in the matter of Ojas Technochem Ltd., and
 - ii) passing of this order by SEBI is without prejudice to the right of SEBI to take enforcement actions 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 discovered to be untrue.
 - b. the applicant has breached any of the clauses / conditions of undertakings / waivers filed during the current consent proceedings.

This consent order is passed on this the 20th of November, 2007 and shall come into force with immediate effect.

G. Anantharaman	T. C. Nair
Whole Time Member	Whole Time Member

