

**BEFORE THE ADJUDICATING OFFICER**

**SECURITIES AND EXCHANGE BOARD OF INDIA**

**Consent Order. IVD-ID8/WOL/AO/ DRK/ ASG/EAD-3/03/2009**

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**CONSENT ORDER**

In the matter of  
**Padmakant Devidas Securities Ltd**  
Member, BSE  
SEBI Registration No. INB010896334.

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1. Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”), vide order dated February 14, 2008 initiated adjudication proceedings against Padmakant Devidas Securities Ltd. (hereinafter referred to as ‘**the Noticee**’) to inquire into and adjudge under Section under Section 15HA and 15HB of the Securities and Exchange Board of India Act, 1992 (hereinafter referred to as ‘**SEBI Act**’) the violations of the provisions of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices relating to Securities Market) Regulations, 2003 and SEBI (Stock Brokers and Sub-brokers) and Regulations, 1992 alleged to have been committed by it in respect of its dealings in the scrip of **Wellworth Overseas Ltd.** (hereinafter referred to as ‘**WOL**’). Show Cause Notice No. A&E/BS/ASG/124246/2008 dated April 29, 2008 was issued to the Noticee by the Adjudicating Officer, Shri Biju S.
2. I was appointed as the Adjudicating Officer subsequent to the transfer of Shri Biju S. vide order dated December 10, 2008, under section 15 I of the SEBI Act read with Rule 3 of Securities and Exchange Board of India (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995.

3. Pending adjudication proceedings, the Noticee made an application dated May 15, 2008 (Consent application Regn. No. 685 of 2008) and an undertaking in the format prescribed by SEBI for settlement in the matter in terms of SEBI Circular No. EFD/Cir.-1/2007 dated April 20, 2007 proposing to pay Rs. 1,00,000/- (Rupees One Lakh only) towards settlement charges. Pursuant to the said application, as requested by the Noticee a meeting was granted to it before the Internal Committee on Consent on October 16, 2008 and the consent terms were settled at a consolidated amount of Rs.1, 00,000/- (Rupees One Lakh only) towards settlement charges and a voluntary suspension of certificate of registration as a broker for a period of three months of the Noticee. The consent terms were placed before the High Powered Advisory Committee (hereinafter referred to as “**HPAC**”) on December 24, 2008 and the HPAC considered the facts and circumstances of the case, proposed settlement terms offered by the Noticee and the other material brought before the HPAC. HPAC after deliberation recommended the case for settlement on the consent terms proposed by the Noticee.
4. In terms of the proposal of the Noticee for the sole purpose of settling the matter on hand and without admission or denial of guilt on the part of the Noticees to the findings of fact or conclusions of law, the Noticee has remitted a sum of Rs.1, 00,000/- (Rupees One Lakh only) favoring SEBI vide Demand Draft No. 513729 dated February 27, 2009 drawn on Axis Bank, payable at Mumbai, towards the terms of consent in the matter.
5. In view of the above, it is hereby ordered that:
  - i. this consent order disposes of the said adjudication proceedings mentioned in para 1 pending against the Noticee under SEBI Act, 1992 and
  - ii. passing of this order is without prejudice to the right of SEBI to take enforcement actions including commencing / reopening of the pending proceedings against the Noticee , if SEBI finds that:

- a. Any representations made by the Noticee in the consent proceedings are subsequently discovered to be untrue.
  - b. The Noticee has breached any of the clauses / conditions of undertakings / waivers filed during the current consent proceedings.
6. This consent order is passed on the **6<sup>th</sup> day of March, 2009** and shall come into force with immediate effect.
7. In terms of Rule 6 of Securities and Exchange Board of India (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995, copies of this order are sent to the Noticee and also to the Securities and Exchange Board of India.

**Place: Mumbai**

**D. RAVI KUMAR  
CHIEF GENERAL MANAGER &  
ADJUDICATING OFFICER**