

BEFORE SECURITIES AND EXCHANGE BOARD OF INDIA

CORRIGENDUM TO THE ORDER DATED 18.11.2022 BEARING REFERENCE NUMBER ED/MK/NRO/NRO/21306/2022-23 IN RESPECT OF APPLICATION SUBMITTED BY MULTIBAGGER SECURITIES RESEARCH & ADVISORY PVT. LTD. SEEKING REGISTRATION AS A PORTFOLIO MANAGER UNDER SECURITIES AND EXCHANGE BOARD OF INDIA (PORTFOLIO MANAGERS) REGULATIONS, 2020

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1. Securities and Exchange Board of India passed an Order dated 18.11.2022 bearing reference number ED/MK/NRO/NRO/21306/2022-23 (hereinafter referred to as “**Order**”) in respect of application submitted by Multibagger Securities Research & Advisory Pvt. Ltd. (PAN No. AAKCM8779K) seeking registration as a Portfolio Manager under Securities and Exchange Board of India (Portfolio Managers) Regulations, 2020. Post passing of the Order, following errors in the order have been observed in paragraph nos. 1, 14, 18, 30, 38 and 40 of the Order, the details of the same are as under:

Sr. No.	Paragraph no. in the Order	Error
1.	Paragraph no. 1	“(Reference Number-84309)”
2.	Paragraph no. 14	“Upon receipt of SCN” “13.05.2021”
3.	Paragraph no. 18	“01.06.2006”

4.	Paragraph no. 30	“16.06.2017”
5.	Paragraph no. 38	“01.06.2006”
6.	Paragraph no. 40	“31.12.2006”

2. I find it appropriate to emend the aforesaid errors and accordingly, paragraph nos. 1, 14, 18, 30, 38 and 40 of the order should be read as under:

“1. Multibagger Securities Research & Advisory Pvt. Ltd. (PAN No. AAKCM8779K) (hereinafter referred to as MSRAPL) submitted an application for registration as Portfolio Manager with Securities and Exchange Board of India (“SEBI”) on 30.10.2020 (Reference Number-843049). MSRAPL is also registered with SEBI as an Investment Adviser (IA) since 29.05.2017 (SEBI Registration no. INA100007736) with Shri Manish Kumar Goyal (PAN No. AHWPG4252B) as its Principal Officer and its Director, Shri Manish Kumar Goyal is also registered with SEBI as an individual Research Analyst since 16.05.2017 (SEBI Registration no. INH100004775).

14. In the interest of principles of natural justice, vide Hearing Notice dated 05.05.2022 MSRAPL was granted an opportunity of personal hearing on 18.05.2022. Upon receipt of Hearing Notice, MSRAPL vide email dated 13.05.2022 requested for adjournment and sought inspection of documents inter-alia mentioning statements of witness, and other records which were relied upon by SEBI while making allegations on MSRAPL in the impugned SCN. Acceding to its request, MSRAPL was granted inspection of documents on 21.06.2022 at SEBI NRO. Shri Shailesh Goyal, director, MSRAPL inspected the documents and requested for copies of all the documents shown to him. After inspection of all the documents, acceding to the request of Shri Shailesh Goyal, Director of MSRAPL, all the copies of documents sought were provided to him.

18. SEBI in its letter dated 09.09.2022 has mentioned that in the SCN dated 31.03.2022 it has been inter-alia, alleged that MSRAPL have been found to have misrepresented and deliberately submitted false information regarding experience of principal officer of the applicant. Vide letter dated 16.02.2021 and attachments, thereunder, as uploaded by MSRAPL in the SI portal, it has been informed by MSRAPL and its compliance officer that during the period 01.08.2004 to 30.05.2006, Shri Manish Kumar Goyal was employed with MACO Securities Pvt. Ltd., whereas, SPIL vide email dated 09.09.2021 has informed that Shri Manish Goyal was working with CA firm, S. C. Associates from 05.04.2006. Shri Manish Kumar Goyal resigned from S. C. Associates on 18.06.2006. Copy of resignation letter given by Shri Manish Kumar Goyal to S. C. Associates has also been provided by SPIL. Prior to the same, Shri Manish Kumar Goyal had worked with CA firm, Mitra, Gupra and Aggarwal in Delhi from August 2005 to 4th April, 2006. In view of the same, MSRAPL was advised to make further submissions, if any by 14.09.2022 failing which SEBI shall proceed further in the said matter.

30. I find from the records that MSRAPL registered with SEBI as an Investment Adviser on 29.05.2017 (SEBI Registration no. INA100007736) with Shri Manish Kumar Goyal as its Principal Officer and Director. Shri. Manish Kumar Goyal is also registered with SEBI as an Individual Research Analyst since 16.05.2017. In view of the same, I am cognizant of the fact that as on today's date Shri Manish Kumar Goyal fulfills the experience criteria of five years as required under regulation 7(2)(d) of PMS Regulations.

38. However, in the interest of principle of natural justice, SEBI vide its letter dated 09.09.2022 informed MSRAPL that in the SCN dated 31.03.2022 it has been inter-alia, alleged that MSRAPL have been found to have misrepresented and deliberately submitted false information regarding experience of Principal Officer of the applicant. Vide letter dated 16.02.2021 and attachments, thereunder, as uploaded by MSRAPL on the SEBI Intermediary Portal, it has been informed by MSRAPL

and its compliance officer that during the period 01.08.2004 to 30.05.2006, Shri Manish Kumar Goyal was employed with MACO Securities Pvt. Ltd., whereas, SPIL vide email dated 09.09.2021 has informed that Shri Manish Goyal was working with CA firm, S. C. Associates from 05.04.2006. Shri Manish Kumar Goyal resigned from S. C. Associates on 18.06.2006. Copy of resignation letter given by Shri Manish Kumar Goyal to S. C. Associates has also been provided by SPIL. Prior to the same, Shri Manish Kumar Goyal had worked with CA firm, Mitra, Gupta and Aggarwal in Delhi from August 2005 to 04.04.2006. In view of the same, MSRAPL was advised to make further submissions, if any by 14.09.2022, failing which SEBI shall proceed further in the said matter. Along with said SEBI letter, once again the documents mentioned at aforesaid paragraph no. 37 (a), (b) and (c) were provided to MSRAPL.

40. In view of the above, I find that MSRAPL through its director Mr. Shailesh Goyal vide email dated 16.02.2021 has submitted the purported experience letter dated 30.12.2006 and Forms 16 without TDS. Further, from the email dated 17.08.2021, I have noticed that Mr. Manish Kumar Goyal has sought the confirmation of his employment from Maco Securities Pvt. Ltd. at 5:29 p.m. through his email ID i.e. mnshgoyal@gmail.com and immediately at 5:38 p.m. on the same day within 8 minutes got the confirmation of his employment from Maco Securities Pvt. Ltd. through email ID i.e. sureshbajaj65@gmail.com. I find that, other than experience letter dated 30.12.2006 and Forms 16, there was no other document on record till the email dated 17.08.2021 showing the experience of Shri. Manish Kumar Goyal received from Maco Securities Pvt. Ltd. I note that within 8 minutes, Maco Securities Pvt. Ltd. has confirmed the employment of Shri Manish Kumar Goyal for the period way back to August 2004 to May 2006 which in turn was submitted to SEBI. I have also noted that from time to time, Mr. Manish Kumar Goyal and Shri. Shailesh Goyal has submitted the information to SEBI including the replies/clarifications.”

3. The order dated 18.11.2022 bearing reference number ED/MK/NRO/NRO/21306/2022-23 shall always be read along with this Corrigendum.
4. A copy of this Corrigendum shall be sent to Multibagger Securities Research & Advisory Pvt. Ltd. along with the copy of the Order dated 18.11.2022 bearing reference number ED/MK/NRO/NRO/21306/2022-23.

DATE: 23.01.2023
PLACE: MUMBAI

Sd/-
MANOJ KUMAR
EXECUTIVE DIRECTOR
SECURITIES AND EXCHANGE BOARD OF INDIA