

BEFORE THE ADJUDICATING OFFICER
SECURITIES AND EXCHANGE BOARD OF INDIA

CONSENT ORDER

ON THE APPLICATION SUBMITTED BY

M/s ASE CAPITAL MARKETS LIMITED

PAN : AADCA4629D

CO/MIRSD-DPS 1/ 2204/PKB/EAD-4/78/2009

Under section 15-I of Securities and Exchange Board of India Act, 1992
read with Rule 5 of SEBI (Procedure for Holding Inquiry and Imposing
Penalties by Adjudicating Officer) Rules, 1995

1. SEBI, vide order dated December 5, 2006 initiated adjudication proceedings against M/s ASE Capital Markets Limited, (hereinafter referred to as "noticee"), having SEBI Registration No. INB231107435, INB031107437 , INF 011107431 & INB 011107431 for violating Regulation 15A of the SEBI (Stock Brokers and Sub-Brokers) Regulations , 1992 , Regulation 26(xx) of SEBI (Stock Brokers and Sub-Brokers) Regulations , 1992 , SEBI Circular SMD/POLICY/CIR-04/2003 , Regulation 52 , 20A & 19A of the SEBI (Depositories and Participants) Regulations 1996.
2. Shri. Amit Pradhan was appointed as the Adjudicating Officer vide order dated December 5, 2006. Subsequently, Shri. D. S. Reddy was appointed as the Adjudicating Officer vide order dated June 12, 2007. A Show Cause Notice dated June 24, 2008 was issued to the noticee by Shri. D. Sura Reddy.
3. Pursuant to the transfer of Shri. D. S. Reddy, the undersigned was appointed as Adjudicating Officer vide order dated December 10, 2008.
4. Pending the adjudication proceedings, the noticee made an application dated January 28, 2009 alongwith affidavit 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. Pursuant to the said application, the noticee vide letter dated April 17, 2009 proposed revised consent terms submitting that they were willing to pay a consolidated amount of Rs. 1,00,000/- (Rupees One Lakh only) towards consent settlement terms and

Rs. 25,000/- (Rupees Twenty Five Thousand only) towards administrative expenses.

5. The revised consent terms were placed before the High Powered Advisory Committee (hereinafter referred to a "HPAC") and HPAC after deliberation recommended the case for settlement on the revised consent terms proposed by the noticee.
6. 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 noticee to the finding of fact or conclusion of law, the noticee vide letter dated June 17, 2009 remitted consolidated sum of Rs. 1,25,000/- (Rupees One Lakh and Twenty Five Thousand only) vide two Demand Drafts , both dated June 16, 2009 and both drawn on the HDFC Bank , Ahmedabad , bearing No. 032575 for Rs. 1,00,000 (Rupees One Lakh only) towards consent settlement terms and No. 032576 for Rs. 25, 000(Rupees Twenty Five Thousand only), towards administrative expenses.
7. In view of the above, it is hereby ordered that:
 - i) this consent order disposes of the said adjudication proceedings 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 have breached any of the clauses/conditions of undertakings / waivers filed during the current consent proceedings.
8. This consent order is passed on the 29th day of June, 2009 and shall come into force with immediate effect.
9. In terms of Rule 6 of the Adjudication Rules, copies of this order are sent to the noticee and also to the Securities and Exchange Board of India.

P.K.BINDLISH
ADJUDICATING OFFICER

Place: Mumbai