

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

CONSENT ORDER

ON THE APPLICATION SUBMITTED BY

SAMINDRA RATILAL SHAH

IN THE MATTER OF

ENQUIRY PROCEEDINGS AGAINST SAMINDRA RATILAL SHAH

(CONSENT APPLICATION NO. 1083 OF 2008)

1. Securities and Exchange Board of India (SEBI) had conducted an inspection of the books of accounts and other records of Samindra Ratilal Shah (hereinafter referred to as “the applicant”), a trading member (INB020444021) of the Ahmedabad Stock Exchange Limited for the period April 2000 to October 2002. The inspection, prima facie, revealed irregularities, such as, dealing as an unregistered sub-broker at BSE and NSE prior to obtaining sub-broker registration from SEBI.
2. In view of the above findings, SEBI initiated enquiry proceedings under the SEBI (Procedure for Holding Enquiry by Enquiry Officer and Imposing Penalty) Regulations, 2002, alleging violation of provisions of the SEBI Act, 1992, SEBI (Stock Brokers and Sub-Brokers) Regulations, 1992 and various circulars issued by SEBI. Based on the enquiry report, a show cause notice dated May 27, 2005 was issued to the applicant. The applicant replied to the show cause notice vide letter dated June 27, 2005.

3. While further proceedings in the matter were in progress, the applicant, vide application dated November 12, 2008, requested for settlement of the proceedings through a consent order in terms of SEBI circular No.EFD/ED/Cir.01 dated April 20, 2007. The applicant proposed revised terms of consent vide letter dated June 23, 2009. The High Powered Advisory Committee, constituted by SEBI, considered the terms proposed by the applicant and recommended the case for settlement. As per the terms of settlement, the applicant shall pay Rs. 1,00,000/- (Rupees One Lakh only) as settlement charges. SEBI accepted the said terms of settlement.
4. For the sole purpose of settling the matter on hand and without admission or denial of guilt on the part of the applicant, the applicant has remitted a sum of Rs. 1,00,000/- (Rupees One Lakh only) vide demand draft No. 017006 dated August 19, 2009 drawn on Central Bank of India, Mumbai towards the settlement charges.
5. In view of the above, it is hereby ordered that this consent order disposes of the said enquiry proceedings pending before SEBI against the applicant for the violations mentioned above.
6. This order is without prejudice to the right of SEBI to take enforcement actions, including commencing or reopening pending proceedings against the applicant, if:
 - i. any representation made by the applicant in this consent proceeding is subsequently discovered to be untrue; or
 - ii. the applicant breaches any of the clauses/conditions of undertakings/ waivers filed during this consent proceeding.
7. A copy of the order shall be served on Ahmedabad Stock Exchange Limited of which the applicant is a trading member.

8. This consent order is passed on the 2nd day of September, 2009 and shall come into force with immediate effect.

M. S. SAHOO
WHOLE TIME MEMBER

K. M. ABRAHAM
WHOLE TIME MEMBER