

BEFORE THE SECURITIES AND EXCHANGE BOARD OF INDIA, MUMBAI

CONSENT ORDER

ON THE APPLICATION SUBMITTED BY

**ACTIVE FINSTOCK PRIVATE LIMITED
(SEBI Regn. No. INB010849331)**

IN THE MATTER OF

DESIGN AUTO SYSTEMS LIMITED

(CONSENT APPLICATION NO. 481 of 2008)

1. Securities and Exchange Board of India (SEBI) had conducted investigations into the dealings in the shares of Design Auto Systems Ltd.(DASL) for the period August 2001 - January 2002. The investigations, *prima facie*, revealed that Active Finstock Private Limited (hereinafter referred to as 'applicant'), a broker registered with the Bombay Stock Exchange Ltd. had violated provisions of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 1995 read with the provisions of the Code of Conduct as specified in SEBI (Stock Brokers and Sub-Brokers) Regulations, 1992.
2. Pursuant to the investigation, SEBI initiated enquiry proceedings under the SEBI (Procedure for Holding Enquiry by Enquiry Officer and Imposing Penalty) Regulations, 2002 against the applicant. A post enquiry show cause notice dated October 21, 2005 was issued to the applicant. The applicant replied to the said show cause notice on December 06, 2005. It appeared for a personal hearing on July 10, 2006. SEBI subsequently issued a supplementary show cause notice on July 08, 2008.
3. While the above proceedings were in progress, the applicant submitted the application received by SEBI on February 05, 2008 for the settlement of the above proceedings

through consent in terms of SEBI circular no. EFD/ED/Cir-1/2007 dated April 20, 2007. The applicant proposed revised consent terms vide letter dated September 10, 2009 proposing Rs.6,50,000 (Rupees Six Lakh Fifty Thousand only). The High Powered Advisory Committee constituted by SEBI, considered the consent terms proposed by the applicant and recommended the case for settlement. Accordingly, the applicant shall pay Rs.6,50,000 (Rupees Six Lakh Fifty Thousand only) towards settlement of the case. SEBI accepted the said recommendations and communicated the same to the applicant vide letter dated December 10, 2009.

4. Accordingly, the applicant without admitting or denying the charges, has remitted a sum of Rs.6,50,000 (Rupees Six Lakh Fifty Thousand only) towards settlement charges vide demand draft no. 107947 dated December 14, 2009, drawn on HDFC Bank payable at Mumbai.
5. In view of the above, it is hereby ordered that this consent order disposes of the said enquiry proceedings pending against the applicant (PAN - AAACA8798G) in the matters of Design Auto Systems Limited.
6. A copy of this order shall be served on the Bombay Stock Exchange Ltd. of which the applicant is the broker.
7. This order is without prejudice to the right of SEBI to initiate enforcement actions, including commencing or reopening of the proceedings pending against applicant, if:
 - a. any representation made by the applicant in this consent proceeding is subsequently discovered to be untrue; or
 - b. the applicant breaches any of the consent terms or undertakings filed in this consent proceeding.

8. This consent order is passed on this day, the 21st of December 2009 and shall come into force with immediate effect.

M. S. SAHOO
WHOLE TIME MEMBER

Dr. K. M.ABRAHAM
WHOLE TIME MEMBER