

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

CONSENT ORDER

**ON THE APPLICATION SUBMITTED BY
SAMIR R. SHAH**

**IN THE MATTER OF
HINDUSTAN BIO SCIENCES LTD.**

(CONSENT APPLICATION No. 797/2008)

1. Securities and Exchange Board of India (SEBI) had conducted investigations into the abnormal price movement in the shares of Hindustan Bio Sciences Ltd. ('Company') for the period April 1, 2004 – May 10, 2004. The investigations, *prima facie*, revealed that Shri Samir R. Shah (hereinafter referred to as the 'applicant'), had indulged in creation of artificial volumes and increase in the price of the shares of the Company.
2. Pursuant to the said investigations, SEBI initiated proceedings under Section 11 and 11B of the SEBI Act, 1992 read with Regulation 11 of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices relating to the Securities Market) Regulations, 2003 against the applicant. It issued a show cause notice dated June 28, 2007 alleging that the applicant had violated provisions of Regulation 3 and 4 of the said regulations. He appeared for a hearing on June 03, 2008 when he submitted that he wished to settle the proceedings through the consent.
3. Accordingly, vide letter dated June 05, 2008, the applicant proposed settlement of the said proceedings through a consent order in terms of circular No.EFD/ED/Cir.-01/2007 dated April 20, 2007. Vide letter dated September 24, 2008, he submitted the revised consent terms proposing to pay Rs.2,00,000/- (Rupees two lakh only) as settlement charges.
4. High Powered Advisory Committee (HPAC) appointed by SEBI considered the consent terms proposed by the applicant and recommended the case for settlement on the terms proposed by the applicant. The said terms of settlement were accepted by SEBI and communicated to the applicant vide letter dated October 21, 2008.
5. For the sole purpose of settling the matter on hand and without admission or denial of guilt on the part of the applicant to the finding of fact or conclusion of the law, the applicant has remitted a sum of Rs.2,00,000/- (Rupees two lakh only) vide demand draft No. 031615 dated November 19, 2008 drawn on HDFC Bank, Mumbai.

6. In view of the above, it is hereby ordered that this consent order disposes of the said proceedings under Section 11 and 11B of the SEBI Act, 1992 against the applicant in the matter of Hindustan Bio Sciences Ltd.
7. This order is without prejudice to the right of SEBI to take enforcement actions, including commencing / reopening of the proceedings pending against the applicant, if:
 - a. any representation made by the applicant in this consent proceeding is subsequently discovered to be untrue;
 - 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 28th November, 2008 and shall come into force with immediate effect.

Sd/-
Dr. T. C. Nair
Whole Time Member

Sd/-
M. S. Sahoo
Whole Time Member