

**BEFORE THE ADJUDICATING OFFICER
SECURITIES AND EXCHANGE BOARD OF INDIA
Consent Order No. A&E/MK/AO-03/ 2010**

CONSENT ORDER

(Consent Application No.1493/2009)
ON THE APPLICATION SUBMITTED BY

DWS Securities Trust
(Formerly known as Scudder Securities Trust)
{SEBI Registration No.- IN-US-FA-0651-00.}

1. Securities and Exchange Board of India (hereinafter referred to as 'SEBI'), vide order dated February 06, 2009 had initiated adjudication proceedings against DWS Securities Trust (Formerly known as Scudder Securities Trust), (hereinafter referred to as the 'DWST'), to inquire into and adjudge under Section 15HB of the Securities and Exchange Board of India Act, 1992 (hereinafter referred to as the 'SEBI Act'), the violation of the provisions of Regulation 10 (c) of Securities and Exchange Board of India (Foreign Institutional Investors) Regulations, 1995 alleged to have been committed by the DWST on account of the delay in intimating SEBI about its name change.
2. I was appointed as the Adjudicating Officer for the aforesaid adjudication proceedings, vide order dated February 06, 2009 under section 15 I of SEBI Act read with Rule 3 of Securities and Exchange Board of India {Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995. Show cause notice dated May 08, 2009 was served on the DWST.
3. Pending adjudication proceedings, DWST along with other FII DWSG(DWS Global/International Fund Inc) and FII DWSV (DWS Variable Series I); (hereinafter referred to as the noticees) made a

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consolidated application dated August 18, 2009 (Consent application Regn. No. 1493 of 2009) and undertakings in the format prescribed by SEBI for settlement in the matter in terms of SEBI Circular No. EFD/ED/Cir-1/2007 dated April 20, 2007. Pursuant to the said application, the noticees submitted their revised consent terms vide their letter dated February 01, 2010 wherein they proposed an amount of Rs. 40,00,000/- (Rupees Forty lakhs only) towards settlement charges.

4. The consent terms were placed before the High Powered Advisory Committee (hereinafter referred to as "HPAC") on March 30, 2010 and the HPAC considered the facts and circumstances of the case, the proposed settlement terms offered by the noticees and the other material brought before the HPAC. HPAC after deliberation recommended the case for settlement on the consent terms proposed by the noticees and the same was communicated vide SEBI's letter dated 21.04.2010.
5. In terms of the revised proposal of the noticees for the sole purpose of settling the matter on hand and without admission or denial of guilt on the part of the Noticees to the findings of fact or conclusions of law, the noticees have remitted a sum of Rs.40,00,000/- (Rupees Forty lakhs only) favouring Securities and Exchange Board of India vide Demand Draft no 030526 dated 13/05/2010 drawn on Citi Bank towards the terms of consent in the matter.
6. I note that vide the consent order no. IMD/DWS/AO/DRK/AS/EAD-3/CO-49/09-10/2010 dated June 04, 2010 the concerned Adjudicating Officer has disposed of the adjudication proceedings against DWS Global/International Fund Inc. and DWS Variable Series I.

7. In view of the above, it is hereby ordered that:
- i. this consent order disposes of the adjudication proceedings initiated against DWS Securities Trust 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 DWS Securities Trust, if SEBI finds that
 - a. any representations made by the DWST in the consent proceedings are subsequently discovered to be untrue.
 - b. DWST have breached any of the clauses / conditions of undertakings / waivers filed during the current consent proceedings.
8. This consent order is passed on the 14th day of June, 2010 and shall come into force with immediate effect.
9. In terms of Rule 6 of Securities and Exchange Board of India (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995, copies of this order are being sent to DWS Securities Trust and also to the Securities and Exchange Board of India, Mumbai.

Date : June 14, 2010

Place : Mumbai

Manoj Kumar

Adjudicating Officer