

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

**CONSENT ORDER**

**ON THE APPLICATION SUBMITTED BY**

**JCL SECURITIES PVT. LTD.  
(Regn No. INB 011068663)**

**IN THE MATTER OF**

**SUN INFOWAYS LIMITED**

**(CONSENT APPLICATION No. 1034/2008)**

1. Securities and Exchange Board of India (SEBI) had conducted investigations into the alleged irregularities in the trading of the shares of Sun Infoways Limited (hereinafter referred to as the 'company') for the period from February 09, 2000 to November 01, 2000. The investigations, *prima facie*, revealed that JCL SECURITIES PVT. LTD. (PAN AAACJ5988P) (hereinafter referred to as 'applicant'), by allowing several entities that were connected to the company and also to each other to enter into matched trades and cross deals, failed to exercise due care and diligence. Therefore, it was alleged that the applicant has violated the provisions of Regulations 4 (a) and (b) of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 1995 and Regulation 7 read with Schedule II of the SEBI (Stock Brokers and Sub-Brokers) Regulations, 1992.
2. Pursuant to the said investigations, SEBI initiated enquiry proceedings against the applicant under the SEBI (Procedure for Holding Enquiry by Enquiry Officer and Imposing Penalty) Regulations 2002. The Enquiry Officer submitted the Enquiry Report on March 07, 2006 and recommended a minor penalty of suspension of the Certificate of Registration (INB011068633) of the applicant for a period of 15 days. A copy of the said Enquiry Report was sent to the applicant vide letter dated April 26, 2006 advising the applicant to make its submissions on the findings of the Enquiry Officer. The applicant replied to the said show cause notice vide letter dated June 11, 2007.
3. While further proceedings in the matter were in progress, the applicant, vide letter dated October 22, 2008, proposed settlement of the said proceedings through a consent order in terms of SEBI circular No.EFD/ED/Cir.01/2007 dated April 20, 2007. Vide letter dated January 15, 2009, the applicant submitted the revised consent terms. The High Powered Advisory Committee, appointed by SEBI,

considered the consent terms proposed by the applicant and recommended the case for settlement, on the terms proposed by the applicant. Accordingly, the applicant shall pay Rs. 1,50,000/- (Rupees one lakh fifty thousand only) towards settlement charges. SEBI accepted the said terms of settlement and communicated the same to the applicant vide letter dated March 20, 2009.

4. 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. 1,50,000/- (Rupees one lakh fifty thousand only) vide Manager's Cheque no. 061011 dated March 24, 2009 drawn on HDFC Bank Limited, 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 in the matter of Sun Infoways Limited.
6. 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; or
  - b. the applicant breaches any of the consent terms or undertakings filed in this consent proceeding.
7. A copy of this order shall be served on The Bombay Stock Exchange Limited of which the applicant is a broker.
8. This consent order is passed on this day, the 20<sup>th</sup> of April, 2009 and shall come into force with immediate effect.

**M. S. Sahoo**  
**Whole Time Member**

**K. M. Abraham**  
**Whole Time Member**