

Consent Order in the matter of M/s Kausar India Limited - Kausar Leasing Limited

Apr 21, 2008 | Orders : Settlement Order

BEFORE THE SECURITIES AND EXCHANGE BOARD OF INDIA
MUMBAI

CONSENT ORDER

ON THE APPLICATION SUBMITTED BY M/s. KAUSAR LEASING LI MITED

IN THE MATTER OF M/s. KAUSAR INDIA LIMITED

CO/CFD/ DCR/ 1238 / 3 /2008

1. M/s Kausar Leasing Limited, the applicant herein, was found to have not complied with Regulation 7 (IA) of the SEBI (Substantial Acquisition of Shares and Takeovers) Regulations 1997 (hereinafter "Takeover Regulations") while acquiring the shares of Kausar India Limited (Target Company) on September 24, 2003, making it liable for suitable enforcement action in terms of the Takeover Regulations.

2. The applicant made an application dated October 24, 2007 along with an affidavit of 'Undertakings / Waivers' in the matter in terms of SEBI Circular No. EFD/Cir.-1/2007 dated 20th April, 2007. Thereafter, vide letter dated January 16, 2008 the applicant proposed consent terms thereby agreeing to pay an amount of Rs. 50,000/- (Rupees Fifty Thousand only) for settlement of the matter. The consent terms proposed by the applicant were placed before the High Powered Advisory Committee (HPAC) and the HPAC, after deliberations, recommended the case for settlement on the consent terms proposed by the applicant.

3. In terms of the applicant's proposal 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 law, applicant has remitted a sum of Rs 50,000/- (Rupees Fifty Thousand only) vide Demand Draft No. 736058 dated March 25, 2008 drawn on Centurion Bank of Punjab Limited, New Delhi towards the terms of consent in the matter.

4. In view of the above, it is hereby ordered that:

1. This consent order disposes of the said proceedings pending before SEBI against Kausar Leasing Limited, applicant herein, in the matter of M/s. Kausar India Limited.

2. Passing of this order by SEBI is without prejudice to the right of SEBI to take enforcement action including commencing / reopening of the pending proceedings against the applicant if

i. Any representation made by the applicant in the consent proceedings is subsequently discovered to be untrue.

ii. The applicant has breached any of the clauses/ conditions of undertakings/ waivers filed during the current consent proceedings with SEBI.

This consent order is passed on this day, April 21st, 2008 and shall come into force with immediate effect.

C. B. Bhave
Chairman

T. C. Nair
Whole Time Member

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