

BEFORE THE SECURITIES AND EXCHANGE BOARD OF INDIA, MUMBAI

CONSENT ORDER

ON THE APPLICATION SUBMITTED BY

**SUSHIL FINANCIAL SERVICES PRIVATE LIMITED
(PAN.AAACS8454K)**

IN THE MATTER OF

PYRAMID SAIMIRA THEATRE LIMITED.

(CONSENT APPLICATION NO.1964/2010.)

1. Securities and Exchange Board of India(hereinafter referred to as 'SEBI') had passed an *ex parte* interim Order dated April 23, 2009 restraining certain persons/entities from buying selling or dealing in the securities market until further order, pending investigation in the matter of Pyramid Saimira Theatre Ltd.(hereinafter referred to as 'PSTL'). It was observed that Sushil Financial Services Private Limited (hereinafter referred to as 'the applicant'), a trading member of Bombay Stock Exchange Ltd.(Registration Nos.INB010982338, INF010982338 and INE010607435), National Stock Exchange India Ltd.(Registration Nos.INB230607435 and INF230607435), MCX Stock Exchange Ltd.(Registration No.INE260607435) and a Depository Participant of Central Depository Services (India) Ltd. (Registration No.IN-DP-CDSL-194-2002) executed trades on behalf of a client named Ranmalji Jivarajji Bhansali who was restrained from dealing in the securities market vide the above order dated April 23, 2009, resulting into non-compliance of the SEBI Order dated April 23, 2009 by the applicant. It was, therefore, alleged that the applicant had violated Regulations 27(xv) and 27(xvii) of the SEBI (Stock Brokers and Sub-brokers)

Regulations, 1992 (hereinafter referred to as 'Stock Broker Regulations') read with Clauses A(1), A(2) and A(5) of Code of Conduct for the stock brokers as specified in Schedule II under Regulation 7 of the Stock Broker Regulations.

2. Pursuant to the above non-compliance, SEBI issued a show cause notice dated February 16, 2010 to the applicant under Regulation 25 of the SEBI (Intermediaries) Regulations, 2008. The applicant replied to the show cause notice vide letter dated March 11, 2010.

3. While the above proceedings were in progress, the applicant vide letter dated April 15, 2010 proposed settlement of the said proceedings through a consent order in terms of SEBI circular No. EFD/ED/Cir-1/2007 dated April 20, 2007. The applicant proposed revised consent terms vide letter dated August 17, 2010. The High Powered Advisory Committee, constituted by SEBI, considered the consent terms proposed by the applicant and after taking into account the facts and circumstances of the case, recommended the case for settlement. As per the terms of settlement, the applicant shall pay ₹10,00,000/- (Rupees ten lakh only) towards settlement charges. The said recommendation of the HPAC was accepted by SEBI and communicated to the applicant vide letter dated November 3, 2010.

4. Accordingly, the applicant, without admitting or denying the charges, has remitted a sum of ₹10,00,000/- (Rupees ten lakh only) towards settlement charges vide pay order No.323358 dated November 10, 2010 drawn on HDFC Bank payable at Mumbai.

5. In view of the above, it is hereby ordered that this consent order disposes of the proceedings initiated against the applicant vide show cause notice dated February 16, 2010 under Regulation 25 of the SEBI (Intermediaries) Regulations, 2008 in the matter of PSTL.

6. This order is without prejudice to the right of SEBI to take enforcement action, including commencing/reopening of the pending proceedings 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 filed in this consent proceeding.

7. A copy of this order shall be served on Bombay Stock Exchange Ltd., National Stock Exchange India Ltd. and MCX Stock Exchange Ltd. of which the applicant is a trading member and on Central Depository Services (India) Ltd. of which the applicant is a depository participant.

8. This consent order is passed on this day, the 24th of November 2010 and shall come into force with immediate effect.

**Dr. K. M. ABRAHAM
WHOLE TIME MEMBER**

**PRASHANT SARAN
WHOLE TIME MEMBER**