

**BEFORE THE ADJUDICATING OFFICER
THE SECURITIES AND EXCHANGE BOARD OF INDIA, MUMBAI**

CONSENT ORDER

**ON THE APPLICATION SUBMITTED BY
Mr. Jitendra Kumar Kasera**

**IN THE MATTER OF
M/s SBEC SUGAR LIMITED**

CO/ISD/1705/AO/SD/16/2008

1. Securities and Exchange Board of India (hereinafter referred to as 'SEBI') had initiated adjudication proceedings against Mr. Jitendra Kumar Kasera (hereinafter referred to as 'noticee') to enquire into and adjudge under Section 15HA of the SEBI Act, 1992 (hereinafter referred to as 'the said Act') read with the Regulation 3, 4(1), 4(2)(a),(b),(g) and (n) of the SEBI(Prohibition of Fraudulent and Unfair Trade Practices) Regulations, 2003 (hereinafter 'the said Regulations'). Accordingly, a show cause notice bearing no. EAD/SD/114993/2008 was issued under Rule 4 of the SEBI (Procedure for Holding Enquiry & Imposing Penalties by Adjudicating Officer) Rules, 1995 to the noticee, for the alleged violation of the abovementioned provisions of law by the noticee.
2. Pending the adjudication proceedings, the noticee made an application dated May 22, 2008 and an affidavit of "Undertakings and Waivers" in the matter in terms of SEBI Circular No. EFD/ED/Cir-1/2007 dated April 20, 2007. Pursuant to the said application, the noticee vide letter dated August 1, 2008 had

proposed to pay Rs. 50,000/- (Rupees Fifty Thousand only) and a voluntary debarment from dealing in securities market directly or indirectly for a period of 3 months towards consent terms in the present matter. The terms as proposed by the noticee were placed before the High Powered Advisory Committee (HPAC) meeting held on August 25, 2008 and after considering the facts and circumstances of the case, consent terms offered by the noticee and material put forth before the HPAC by SEBI, the HPAC recommended that the case may be settled on payment of Rs. 50,000/- (Rupees Fifty Thousand only) and a voluntary debarment from dealing in securities market directly or indirectly for a period of 3 months, which has been approved by the Committee of Members vide RNI 1095/2008 dated September 12, 2008.

3. In terms of the noticee's proposal for the sole purpose of settling the matter on hand and without admission or denial of guilt on the part of the noticee to the finding of fact or conclusion of law, the noticee has remitted a sum of Rs. 50,000/- (Rupees Fifty Thousand only), vide two Demand Drafts of Rs. 30, 000/- and Rs. 20,000/- bearing no. 541361 & 541383 respectively dated October 10, 2008 and October 11, 2008 respectively drawn on Indian Bank Ltd. and accepted a voluntary debarment from dealing in securities market directly or indirectly for a period of 3 months, towards the terms of consent in the matter.
4. In view of the above, it is hereby ordered that:
 - (a) this consent order disposes of the said adjudication proceedings pending against the noticee under the SEBI Act, 1992 in the matter of M/s SBEC Sugar Limited, and

(b) passing of this order is without prejudice to the right of SEBI to take enforcement actions including commencing/reopening of the pending proceedings against the noticee, if SEBI finds that

- I. any representations made by the noticee in the consent proceedings are subsequently discovered to be untrue.
- II. the noticee has breached any of the clauses/conditions of undertakings/waivers filed during the current consent proceedings.

This consent order is passed on the 16th day of December, 2008 and shall come into force with immediate effect.

SANDEEP DEORE
ADJUDICATING OFFICER

MUMBAI
16.12.2008