

SECURITIES AND EXCHANGE BOARD OF INDIA**SETTLEMENT ORDER****IN RESPECT OF SUMMARY SETTLEMENT APPLICATIONS**

SUMMARY SETTLEMENT APPLICATION NUMBER	NAME OF THE APPLICANT	PAN
SS-10/2023	WHITESPACE ALPHA TRUST	AAATW5453D
SS-11/2023	WHITESPACE FUND LLP	AADFW1831G
SS-12/2023	PRAVEEN DWARAKANATH	ANKPD7583J
SS-13/2023	RAMASWAMY SHIVARAMAN	BZOPS3579J

**IN THE MATTER OF BREACH OF INVESTMENT LIMIT AND SUBMISSION OF
INACCURATE INFORMATION IN THE COMPLIANCE TEST REPORT TO THE
TRUSTEES**

1. Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”) observed that Whitespace Alpha - Fund 1 scheme of Whitespace Alpha Trust (hereinafter referred to as “**AIF**”) breached the concentration limit of 10% of investable funds in a single investee company for Reliance Industries Limited from December 06, 2022 till April 21, 2023. Further, the AIF also failed to submit correct information in the Compliance Test Report with the Trustees. The same was in non-compliance with Regulation 15(1)(d) of the SEBI (Alternate Investment Funds) Regulations, 2012 (hereinafter referred to as the “**AIF Regulations**”) resulting in violation of Regulations 15(1)(d), 20(1) and 20(5) read with Clauses 2(a) and 2(c) of Code of Conduct for Managers and Key Management Personnel in Fourth Schedule of the AIF Regulations, Circular bearing no. SEBI/HO/IMD/IMD-I/DOF6/P/CIR/2021/663 dated November 22, 2021, Circular bearing no. SEBI/HO/IMD/IMD-I/DOF6/P/CIR/2022/0000000037 dated March 28, 2022 and Circular bearing no.

CIR/IMD/DF/14/2014 dated June 19, 2014 by the AIF, Manager and the Key Management Personnel of the AIF.

2. In terms of Regulation 16 of the SEBI (Settlement Proceedings) Regulations, 2018 (hereinafter referred to as “**Settlement Regulations**”), SEBI issued a ‘Notice of Summary Settlement’ dated October 19, 2023 (hereinafter referred to as the “**Notice**”) to the AIF, its Manager and the Key Management Personnel (hereinafter collectively referred to as the “**Applicants**”) intimating them that the relevant provisions of the AIF Regulations, as mentioned in paragraph 1, have been violated and that, if the Applicants so desired, the enforcement proceedings to be initiated for the same may be settled and disposed of upon filing of an application under the Settlement Regulations along with remittance of the settlement amount of ₹15,00,000/- (Rupees Fifteen lakhs only) to be paid jointly and severally within 30 calendar days from the date of receipt of the Notice in terms of Chapter VII of the Settlement Regulations.
3. In response to the same, the Applicants filed applications proposing to settle the enforcement proceedings that may be initiated against them for the violation of the provisions of the AIF Regulations, mentioned in paragraph 1 above, through a settlement order and remitted the settlement amount of ₹15,00,000/- (Rupees Fifteen lakhs only) on December 08, 2023. SEBI has confirmed credit of the same.
4. On the basis of the facts stated above, in exercise of the powers conferred under Section 15JB read with Section 19 of the Securities and Exchange Board of India Act, 1992 and in terms of Regulations 23 of the Settlement Regulations, it is hereby ordered that the specified proceedings in respect of which the Notice was issued are hereby settled in respect of the Applicants on the following terms:
 - i. SEBI shall not initiate any enforcement action against the Applicants for the said violations, and

ii. passing of this Settlement Order is without prejudice to the right of SEBI under Regulation 28 of the Settlement Regulations to initiate appropriate action against the Applicants, if SEBI finds that:

(a) any representation made by the Applicants in the present settlement proceedings is subsequently found to be untrue;

(b) the Applicants have breached any of the clauses/ conditions of undertakings/ waivers filed during the present settlement proceedings; and

(c) there is a discrepancy while arriving at the settlement terms.

5. This Settlement Order is passed on this 15th day of February, 2024 and shall come into force with immediate effect.

6. In terms of Regulation 25 of the Settlement Regulations, a copy of this Order shall be sent to the Applicants and shall also be published on the website of SEBI.

Sd/-

KAMLESH C. VARSHNEY
WHOLE TIME MEMBER

Sd/-

AMARJEET SINGH
WHOLE TIME MEMBER