

BEFORE THE ADJUDICATING OFFICER

SECURITIES AND EXCHANGE BOARD OF INDIA

Consent Order. IVD-ID5/PPD/AO/DRK/SS/EAD-3/CO- 09/2009

CONSENT ORDER

(Consent Application No.833/2008)

In the matter of

Prime Property Development Corporation Ltd.

1. Securities and Exchange Board of India (hereinafter referred to as '**SEBI**'), vide order dated 17.01.2008 initiated adjudication proceedings against Prime Property Development Corporation Ltd. (hereinafter referred to as the '**Noticee**'), to inquire and adjudge under Section 15HA and 15HB of the Securities and Exchange Board of India Act, 1992 (hereinafter referred to as the '**SEBI Act**'), the violations of the provisions of the SEBI Act, the Securities and Exchange Board of India (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 and the Securities and Exchange Board of India (Prohibition of Insider Trading) Regulations, 1992, alleged to have been committed by it in respect of its dealings in the scrip of **Prime Property Development Corporation Ltd.** (hereinafter referred to as '**PPD**'). Show Cause Notice No. EAD4/ADJ/DSR/EIF-58/125808/2008 dated May 15, 2008 was issued to the Noticee by the Adjudicating Officer. The Noticee replied to the Show Cause Notice vide its letter dated June 16, 2008.
2. I was appointed as the Adjudicating Officer in the present case subsequent to the transfer of this case from the earlier Adjudicating Officer vide order dated February 24, 2009, under section 15 I of the SEBI Act read with Rule 3 of

Securities and Exchange Board of India (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995.

3. Pending adjudication proceedings, the Noticee made an application dated July 14, 2008 (Consent application Regn. No. 833 of 2008) and an undertaking in the format prescribed by SEBI for settlement 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 submitted its revised consent terms vide its letter dated September 12, 2008, wherein it proposed an amount of Rs.5,00,000/- (Rupees Five Lakhs only) towards settlement charges. The Noticee again revised its consent terms vide its letter dated January 15, 2009 and proposed an amount of Rs.6,00,000/- (Rupees Six Lakhs only) towards settlement charges. The consent terms were placed before the High Powered Advisory Committee (hereinafter referred to as “**HPAC**”) on January 20, 2009 and the HPAC considered the facts and circumstances of the case, the proposed settlement terms offered by the Noticee and the other material brought before the HPAC. HPAC after deliberation recommended the case for settlement on the consent terms proposed by the Noticee.
4. In terms of the revised proposal of the Noticee 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 findings of fact or conclusions of law, the Noticee has remitted a sum of Rs.6,00,000/- (Rupees Six Lakhs only) favoring SEBI vide Demand Draft No. 632222 dated 05/03/2009 drawn on Indian Overseas Bank, payable at Mumbai, towards the terms of consent in the matter.
5. In view of the above, it is hereby ordered that:
 - i. this consent order disposes of the said adjudication proceedings pending against the Noticee under SEBI Act, 1992, and
 - ii. 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:
 - a. any representations made by the Noticee in the consent

proceedings are subsequently discovered to be untrue.

- b. the Noticee has breached any of the clauses / conditions of undertakings / waivers filed during the current consent proceedings.

- 6. This consent order is passed on the 24th day of March, 2009 and shall come into force with immediate effect.
- 7. In terms of Rule 6 of Securities and Exchange Board of India (Procedure for Holding Inquiry and Imposing Penalties by Adjudicating Officer) Rules, 1995, copies of this order are sent to the Noticee and also to the Securities and Exchange Board of India.

Place: Mumbai

**D. RAVI KUMAR
CHIEF GENERAL MANAGER &
ADJUDICATING OFFICER**