

THE SECURITIES AND EXCHANGE BOARD OF INDIA, MUMBAI

CONSENT ORDER

ON THE APPLICATION SUBMITTED BY

SHRI NAGESH SAYAJI RAO WALIMBE

IN THE MATTER OF

IRREGULAR TRADING IN THE SCRIP OF ANU LABORATORIES LTD.

(CONSENT APPLICATION NO. 1447 OF 2009)

1. Shri Nagesh Sayaji Rao Walimbe ('the applicant') (PAN AALPW2104N) vide his letter dated June 30, 2009 voluntarily filed a consent application under SEBI Circular No. EFD/ED/Cir-1/2007 dated April 20, 2007.
2. It is noted that –
 - (a) The applicant is one of the promoters/directors of Anu Laboratories Ltd. ('the company'). As per the company's Code of Conduct for Prevention of Insider Trading ('code'), the trading window of the company is closed from the date of the announcement of the meeting of the Board of Directors for considering price sensitive matters till the elapse of 24 hours from the time when the decision taken by the Board is made public. The directors, officers and designated employees and all connected persons of the company are prohibited from trading in the securities of the company during the closure of trading window.
 - (b) On May 27, 2009 at 10.45 AM, the company announced that a meeting of its Board of Directors would be held on June 03, 2009 to consider *inter alia* the issue of bonus shares and raise additional funds. The applicant sold 10,07,510 shares of the company on May 28, 2009 during the period of 10:02:41 AM to 10:17:09 AM, when the trading window was closed.
 - (c) Anticipating that his above mentioned transaction may attract enforcement action under the SEBI Act, 1992 read with regulation 14 (1) of the SEBI (Prohibition of Insider Trading) Regulations, 1992 ('PIT Regulations'), the applicant has proposed settlement of possible violation through a consent order.

3. Vide letter dated July 2, 2010, the applicant proposed revised consent terms for settling the matter through consent order. The High Powered Advisory Committee, constituted by SEBI, has recommended settlement of the case on payment of ₹ 36, 00,000 (Rupees thirty six lakh only) towards settlement charges in view of the facts and circumstances of the case. SEBI accepted the said recommendations and communicated the same to the applicant vide letter dated December 7, 2010.
4. Accordingly, the applicant has remitted a sum of ₹36,00,000 (Rupees thirty six lakh only) towards settlement charges vide Demand Draft No. 958030 dated December 13, 2010 drawn on Syndicate Bank payable at Mumbai.
5. In view of the above, the violation of PIT Regulations in respect of trading by the applicant in the shares of the company as mentioned in para 2 (b) is settled by this order in terms of the consent terms as mentioned in para. 3 above and SEBI shall not initiate any enforcement proceedings against the applicant for the said violation.
6. This order is without prejudice to the right of SEBI to initiate enforcement actions against the applicant, if:
 - a. any representation made by the applicant in this consent proceeding is subsequently discovered to be untrue; or
 - b. the applicant breaches any of the consent terms or undertaking filed in this consent proceeding.
7. This consent order is passed on this day, the 29th of December 2010 and shall come into force with immediate effect.

K. M. ABRAHAM
WHOLE TIME MEMBER

PRASHANT SARAN
WHOLE TIME MEMBER