

BEFORE THE ADJUDICATING OFFICER
SECURITIES AND EXCHANGE BOARD OF INDIA

CONSENT ORDER

ON THE APPLICATION SUBMITTED BY

M/s MUNOTH FINANCIAL SERVICES LIMITED

PAN NO : AAACM5284D

CO/MIRSD-DPS 1/ 2105/PKB/EAD-4/43/2009

Under section 15-I of Securities and Exchange Board of India Act, 1992
read with Rule 5 of SEBI (Procedure for Holding Inquiry and Imposing
Penalties by Adjudicating Officer) Rules, 1995

1. SEBI, vide order dated March 12, 2006 initiated adjudication proceedings against M/s Munoth Financial Services Limited, (hereinafter referred to as "noticee") Depository Participant of National Securities Depository Limited having registration number IN-DP-NSDL-30-97 for violating the clauses 3 and 22 of the code of conduct prescribed under Regulation 20A of SEBI (Depositories and Participants) Regulations, 1996. Shri. Amit Pradhan was appointed as the Adjudicating Officer vide order dated March 16, 2006. Subsequently, Shri. D. S. Reddy was appointed as the Adjudicating Officer vide order dated June 12, 2007. A Show Cause Notice dated June 19, 2008 was issued to the noticee by Shri. D. Sura Reddy.
2. Pursuant to the transfer of Shri. D. S. Reddy, the undersigned was appointed as Adjudicating Officer vide order dated December 10, 2008.
3. Pending the adjudication proceedings, the noticee made an application dated November 21, 2008 alongwith affidavit in the format prescribed by SEBI for settlement in the matter in terms of SEBI Circular No. EFD/Cir.-1/2007 dated April 20, 2007. Pursuant to the said application, the noticee vide letter dated February 13, 2009 proposed revised consent terms submitting that they were willing to pay a consolidated amount of Rs. 25,000/- (Rupees Twenty Five Thousand only) towards consent terms and Rs. 25,000/- (Rupees Twenty Five Thousand only) towards administrative expenses.

4. The revised consent terms were placed before the High Powered Advisory Committee (hereinafter referred to a “HPAC”) and HPAC after deliberation recommended the case for settlement on the revised consent terms proposed by the noticee.
5. In terms of the 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 finding of fact or conclusion of law, the noticee vide letter dated April 29, 2009 remitted consolidated sum of Rs. 50,000/- (Rupees Fifty Thousand only) vide two Demand Drafts of Rs. 25,000/- (Rupees Twenty Five Thousand only) each , both dated April 25, 2009 bearing Nos. 787746 and 787747 respectively, drawn on the HDFC Bank Ltd , Chennai towards the terms of consent in the matter.
6. 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 have breached any of the clauses / conditions of undertakings / waivers filed during the current consent proceedings.
7. This consent order is passed on the 7th day of May, 2009 and shall come into force with immediate effect.
8. In terms of Rule 6 of the Adjudication Rules, copies of this order are sent to the noticee and also to the Securities and Exchange Board of India.

P.K.BINDLISH
ADJUDICATING OFFICER

Place: Mumbai