

BEFORE THE ADJUDICATING OFFICER

SECURITIES AND EXCHANGE BOARD OF INDIA

Consent Order IVD-ID3/AIL/AO/ DRK/AKS /EAD-3/ CO-53-09/14-10/2010

CONSENT ORDER

(Application No. 1596 of 2009)

In the matter of

ALPS INDUSTRIES LTD.

57/2, Site IV Industrial Area

Sahibabad, Ghaziabad- 201007

1. Securities and Exchange Board of India (hereinafter referred to as “**SEBI**”), vide order dated November 4, 2008 initiated adjudication proceedings against Alps Industries Ltd. (hereinafter referred to as ‘**the Noticee**’) to inquire into and adjudge under Section 15 A(b) of the Securities and Exchange Board of India Act, 1992 (hereinafter referred to as ‘**SEBI Act**’) the violations of the provisions of Regulation 13 (6) of the Securities and Exchange Board of India (Prohibition of Insider Trading) Regulations, 1992 (hereinafter referred to as ‘**SEBI Insider Trading Regulations**’) alleged to have been committed by the noticee in the scrip of Alps Industries Ltd. It was alleged that the noticee had failed to make proper disclosures to the stock exchanges regarding the promoters trading in the scrip under the SEBI Insider Trading Regulations. It was alleged that the noticee had failed to comply with provisions of Regulation 13 (6) of the SEBI Insider Trading Regulations. Show Cause Notice No. A&E/DRK/AKS/178450/2009 dated September 10, 2009 was issued to the noticee.
2. I was appointed as the Adjudicating Officer vide order dated December 10, 2008, 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 submitted an Application for Consent which was received on October 12, 2009 (Consent application Regn. No. 1596 of 2009) and an undertaking 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, as requested by the Noticee a meeting was granted to it before the Internal Committee on Consent on January 21, 2010 and the consent terms were settled at an amount of ₹ 2,00,000/- (Rupees Two Lakhs Only) towards settlement charges. The consent terms were placed before the High Powered Advisory Committee on Consent (hereinafter referred to as “**HPAC**”) on October 20, 2010 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 deliberations recommended the case for settlement on the consent terms proposed by the Noticee which was approved by the panel of Whole Time Members on November 22, 2010.
4. 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 findings of fact or conclusions of law, the Noticee has remitted a sum of ₹ 2,00,000/- (Rupees Two Lakhs Only) favoring SEBI vide Demand Draft No. 723841 dated December 07, 2010 drawn on State Bank of India 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 initiated against the Noticee mentioned in para 1, 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 **16th day of December, 2010** 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 being sent to Alps Industries Ltd. and also to the Securities and Exchange Board of India, Mumbai.

Place: Mumbai
Date: 16.12.2010

D. RAVI KUMAR
CHIEF GENERAL MANAGER &
ADJUDICATING OFFICER