



**BEFORE THE ADJUDICATING OFFICER  
SECURITIES AND EXCHANGE BOARD OF INDIA**

**[ADJUDICATION ORDER NO.: Order/AK/GN/2025-26/32129-32138]**

**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) RULES, 1995, IN RESPECT OF;**

<b>Noticee No.</b>	<b>Noticee Name</b>	<b>PAN</b>
1	Oriental Trimex Limited	AAACO1556G
2	Rajesh Punia	AVNPP5342G
3	Savita Punia	AALPP0729L
4	Om Prakash Sharma	ATEPS0439A
5	Mirage Marble Private Limited	AAFCEM1894A
6	Nirmal Marble Limited	AAACN6944R
7	Abhishek Jain	AEJPG9045B
8	Vivek Seth	AACPS3800Q
9	Jitendra Surendra Gupta	AEJPG1171R
10	Rakesh Takyar	AACPT0679E

**In the matter of Investigation in the Financial Statements of Oriental Trimex Limited**

**Background**

1. Securities and Exchange Board of India (hereinafter referred to as **SEBI**) carried out an investigation to ascertain whether there were any misrepresentation/ misstatement in the financial statements of Oriental Trimex Limited and whether the same were in violation of the SEBI (Prohibition of Fraudulent and Unfair Trade Practices Relating to Securities Market) Regulations, 2003 (hereinafter referred to as the “**PFUTP Regulations**”) and the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 (hereinafter referred to as the “**LODR Regulations**”) r/w the SEBI Act, 1992 (hereinafter referred to



as the “SEBI Act”). The investigation period was from April 01, 2017 to March 31, 2020 (hereinafter referred as the “Investigation period” or “IP”).

### **Appointment of Adjudicating Officer**

2. Upon being satisfied that Oriental Trimex Limited (hereinafter referred to as **OTL/Noticee 1/Company**), Rajesh Punia (hereinafter referred to as **Noticee 2**), Mrs. Savita Punia (hereinafter referred to as **Noticee 3**), Om Prakash Sharma (hereinafter referred to as **Noticee 4**), Mirage Marble Private Limited (hereinafter referred to as **Noticee 5**), Nirmal Marble Limited (hereinafter referred to as **Noticee 6**), Abhishek Jain (hereinafter referred to as **Noticee 7**), Vivek Seth (hereinafter referred to as **Noticee 8**), Jitendra Surendra Gupta (hereinafter referred to as **Noticee 9**), Rakesh Takyar (hereinafter referred to as **Noticee 10**) (Noticee 1 to Noticee 10 shall hereinafter be collectively referred to as **Noticees**) have violated various provisions of SEBI Act, PFUTP Regulations and LODR Regulations, SEBI approved initiation of adjudication proceedings against them and vide communique dated March 20, 2025, appointed the undersigned as Adjudicating Officer u/s 19 of the SEBI Act r/w Sub-section (1) of Section 15-I of SEBI Act and Rule 3 of SEBI (Procedure for Holding Inquiry and Imposing Penalties) Rules, 1995 (hereinafter referred to as ‘**Adjudication Rules**’) to inquire into and adjudge the following alleged violations;

<b>Noticee No.</b>	<b>Provisions allegedly violated</b>	<b>Penalty attracted under</b>
1	Regulation 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act. Regulation 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a), 33(1)(c) and Regulation 48 of LODR Regulations.	Section 15HA of SEBI Act for violation of PFUTP Regulations and
2 and 3	Regulation 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act. Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a), 33(1)(c) and 48 of LODR Regulations r/w Section 27 of SEBI Act Regulations 4(2)(f)(i)(2), 4(2)(f)(ii)(2), 4(2)(f)(ii)(6) 4(2)(f)(ii)(7), 4(2)(f)(iii)(1), 4(2)(f)(iii)(3), 4(2)(f)(iii)(6), 4(2)(f)(iii)(7) of LODR Regulations	Section 15HB of the SEBI Act for violation of LODR Regulations.
2	Regulation 17(8) of LODR Regulations	



	Regulation 18(3) r/w Para A of Part C of Schedule II of LODR Regulations	
4	Regulations 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act Regulation 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)e, 33(1)(a), 33(1)(c) and 48 of LODR Regulations r/w Section 27 of SEBI Act. Regulation 17(8) of LODR Regulations	
5 and 6	Section 12A (b) & (c) of the SEBI Act r/w regulations 3 (c) & (d) and 4(1) of the PFUTP Regulations.	Section 15HA of SEBI Act for violation of PFUTP Regulations.
7	Section 12A (b) & (c) of the SEBI Act r/w regulations 3 (c) & (d) and 4(1) of the PFUTP Regulations r/w Section 27 of the SEBI Act  Section 11C (3) of SEBI Act.	Section 15HA of SEBI Act for violation of PFUTP Regulations and u/s 15 A(a) of SEBI Act for non- compliance of summons.
8, 9 and 10	Regulation 18(3) r/w Para A of Part C of Schedule II of SEBI (LODR) Regulations, 2015	Section 15HB of SEBI Act for violation of LODR Regulations.

### **SHOW CAUSE NOTICE, REPLY AND HEARING**

3. Show Cause Notice (hereinafter being referred to as the “**SCN**”) dated April 29, 2025 was issued to Noticees in terms Rule 4(1) of Adjudication Rules to show cause as to why an inquiry should not be initiated against it and why penalty, if any, should not be imposed upon it u/s 15HA, 15HB and 15A(a) of SEBI Act for the alleged violations.
4. The SCN was sent to Noticees through Speed Post AD and via digitally signed Email on May 02, 2025 and was duly served upon Noticees. Vide email dated May 15, 2025 Noticee 2 sought extension for submission of reply. In view of the same, vide email dated May 21, 2025, time till June 06, 2025 was granted for submission of reply.



5. Vide email dated June 04, 2025, Noticee 4 and Noticee 8 and vide email dated June 05, 2025 Noticee 9 sought extension for submission of reply, therefore, vide email dated June 10, 2025 time till July 06, 2025 to all the Noticees for submission of reply. Vide email dated June 18, 2025, Noticee 10 sought copy of SCN and annexures, in view of the same, vide email dated June 18, 2025 copy of the digitally signed SCN was sent to Noticee 10 and the annexures were sent in CD through SPAD.
6. Vide email dated July 05, 2025 Noticee 10 submitted its reply and vide email dated July 06, 2025 Noticee 9 submitted its reply.
7. Vide email dated July 07, 2025 Noticee 1, 2, 3 and 4 and vide email dated July 08, 2025 Noticee 6 sought extension for submission of reply. In view of the same, time till July 18 was granted to the aforesaid Noticees for submission of reply. Vide email dated July 09, 2025 Noticee 8, submitted its reply. Vide email dated July 18, 2025 Noticee 1 to Noticee 6 submitted its reply. Vide email dated July 30, 2025, Noticee 7 submitted its reply.
8. In the interest of natural justice, an opportunity of hearing was provided to Noticees on September 03, 2025 and September 04, 2025 vide Hearing Notice dated August 13, 2025 sent via SPAD and email dated August 13, 2025. Vide email dated August 31, 2025, Authorised Representative (AR) of the Noticee 1 to Noticee 9 sought adjournment of hearing for two weeks. In view of the same, vide email dated September 01, 2025 hearing was rescheduled to September 17 and 18 for Noticee 1 to Noticee 9. Noticee 10 attended the hearing on scheduled day i.e. September 04, 2025 and reiterated the submissions already made vide his reply dated July 05, 2025. AR of Noticee 1 to Noticee 9 attended the hearing on September 18, 2025 and sought another opportunity of hearing for detailed submission. In view of the same another hearing was scheduled on October 10, 2025 for Noticee 1 to Noticee 9. Vide email dated September 19, 2025 AR sought to prepone the hearing to October 09, 2025. In view of the same, vide email dated September 22, 2025 hearing was prepone to October 09, 2025.
9. Vide email dated October 07, 2025 AR made the additional submissions.
10. AR of the Noticee 1 to Noticee 9 attended the hearing on October 09, 2025 and reiterated the submissions made vide reply dated July 18, 2025 and email dated October 07, 2025



and sought time for making additional submissions. Vide email dated October 30, 2025 AR made the additional submissions.

11. The details of the reply submitted by the Noticees, are summarised below-

Noticee No.	Reply Date	Additional reply date (if any)
1	July 18, 2025	October 07, 2025 and October 30, 2025
2	July 18, 2025	October 07, 2025 and October 30, 2025
3	July 18, 2025	October 07, 2025 and October 30, 2025
4	July 18, 2025	October 07, 2025 and October 30, 2025
5	July 18, 2025	-
6	July 18, 2025	-
7	July 30, 2025	-
8	July 09, 2025	-
9	July 06, 2025	-
10	July 05, 2025	-

### **CONSIDERATION FOR ISSUES, EVIDENCE AND FINDINGS**

12. I have taken into consideration the replies of the Noticees, facts and circumstances of the case and the material available on record. The issues that arise for consideration in the present case are:

**ISSUE I: Whether Noticees have violated the provisions as alleged in the SCN?**

**ISSUE II- Does the violation, if any, attract monetary penalty u/s Sections 15HA, 15HB and 15A(a) of the SEBI Act, 1992?**

**ISSUE III- If so, how much penalty should be imposed taking into consideration the factors mentioned in Section 15J of the SEBI Act?**

13. Before proceeding further, it will be appropriate to refer the provisions alleged to be violated by the Noticee-

#### ***SEBI Act***

***Regulation 12A of SEBI Act- Prohibition of manipulative and deceptive devices, insider trading and substantial acquisition of securities or control.***

***Regulation 12A- No person shall directly or indirectly—***



*(a) use or employ, in connection with the issue, purchase or sale of any securities listed or proposed to be listed on a recognized stock exchange, any manipulative or deceptive device or contrivance in contravention of the provisions of this Act or the rules or the regulations made thereunder;*

*(b) employ any device, scheme or artifice to defraud in connection with issue or dealing in securities which are listed or proposed to be listed on a recognised stock exchange;*

*(c) engage in any act, practice, course of business which operates or would operate as fraud or deceit upon any person, in connection with the issue, dealing in securities which are listed or proposed to be listed on a recognised stock exchange, in contravention of the provisions of this Act or the rules or the regulations made thereunder;*

***Section 27 - Contravention by companies***

*(1) Where a contravention of any of the provisions of this Act or any rule, regulation, direction or order made thereunder has been committed by a company, every person who at the time the contravention was committed was in charge of, and was responsible to, the company for the conduct of the business of the company, as well as the company, shall be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly:*

*Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act, if he proves that the contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such contravention.*

*(2) Notwithstanding anything contained in sub-section (1), where an contravention under this Act has been committed by a company and it is proved that the contravention has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of the contravention and shall be liable to be proceeded against and punished accordingly. Explanation : For the purposes of this section,— (a) “company” means any body corporate and includes a firm or other association of individuals; and*

*(b) “director”, in relation to a firm, means a partner in the firm.*



### ***PFUTP Regulation***

#### ***Regulation 3 of PFUTP Regulation- Prohibition of certain dealings in securities***

*Regulation 3- No person shall directly or indirectly—*

- (a) buy, sell or otherwise deal in securities in a fraudulent manner;*
- (b) use or employ, in connection with issue, purchase or sale of any security listed or proposed to be listed in a recognized stock exchange, any manipulative or deceptive device or contrivance in contravention of the provisions of the Act or the rules or the regulations made there under;*
- (c) employ any device, scheme or artifice to defraud in connection with dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange;*
- (d) engage in any act, practice, course of business which operates or would operate as fraud or deceit upon any person in connection with any dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange in contravention of the provisions of the Act or the rules and the regulations made there under.*

#### ***Regulation 4 of PFUTP Regulation - Prohibition of manipulative, fraudulent and unfair trade practices***

*Regulation 4(1)- Without prejudice to the provisions of regulation 3, no person shall indulge in a manipulative, fraudulent or an unfair trade practice in securities markets.*

*Explanation.—For the removal of doubts, it is clarified that any act of diversion, misutilisation or siphoning off of assets or earnings of a company whose securities are listed or any concealment of such act or any device, scheme or artifice to manipulate the books of accounts or financial statement of such a company that would directly or indirectly manipulate the price of securities of that company shall be and shall always be deemed to have been considered as manipulative, fraudulent and an unfair trade practice in the securities market.*

*Regulation 4(2)- Dealing in securities shall be deemed to be a manipulative fraudulent or an unfair trade practice if it involves any of the following:—*

- (f) knowingly publishing or causing to publish or reporting or causing to report by a person dealing in securities any information relating to securities, including financial results, financial statements, mergers and acquisitions, regulatory approvals, which is not true or which he does not believe to be true prior to or in the course of dealing in securities;*



*(k) disseminating information or advice through any media, whether physical or digital, which the disseminator knows to be false or misleading in a reckless or careless manner and which is designed to, or likely to influence the decision of investors dealing in securities;*

*(r) knowingly planting false or misleading news which may induce sale or purchase of securities.*

### ***LODR Regulations***

*Regulation 4- Principles governing disclosures and obligations.*

*(1) The listed entity which has listed securities shall make disclosures and abide by its obligations under these regulations, in accordance with the following principles:*

*(a) Information shall be prepared and disclosed in accordance with applicable standards of accounting and financial disclosure.*

*(b) The listed entity shall implement the prescribed accounting standards in letter and spirit in the preparation of financial statements taking into consideration the interest of all stakeholders and shall also ensure that the annual audit is conducted by an independent, competent and qualified auditor.*

*(c) The listed entity shall refrain from misrepresentation and ensure that the information provided to recognised stock exchange(s) and investors is not misleading.*

*(d) The listed entity shall provide adequate and timely information to recognised stock exchange(s) and investors.*

*(e) The listed entity shall ensure that disseminations made under provisions of these regulations and circulars made thereunder, are adequate, accurate, explicit, timely and presented in a simple language.*

*(f) Channels for disseminating information shall provide for equal, timely and cost efficient access to relevant information by investors.*

*(g) The listed entity shall abide by all the provisions of the applicable laws including the securities laws and also such other guidelines as may be issued from time to time by the Board and the recognised stock exchange(s) in this regard and as may be applicable.*

*(h) The listed entity shall make the specified disclosures and follow its obligations in letter and spirit taking into consideration the interest of all stakeholders.*



(2) *The listed entity which has listed its specified securities shall comply with the corporate governance provisions as specified in chapter IV which shall be implemented in a manner so as to achieve the objectives of the principles as mentioned below.*

*e)Disclosure and transparency: The listed entity shall ensure timely and accurate disclosure on all material matters including the financial situation, performance, ownership, and governance of the listed entity, in the following manner:*

*(i) Information shall be prepared and disclosed in accordance with the prescribed standards of accounting, financial and non-financial disclosure.*

*(ii)Channels for disseminating information shall provide for equal, timely and cost efficient access to relevant information by users.*

*(iii)Minutes of the meeting shall be maintained explicitly recording dissenting opinions ,if any.*

**Regulation 33 - Financial results.**

*(1) While preparing financial results, the listed entity shall comply with the following:*

*(a)The financial results shall be prepared on the basis of accrual accounting policy and shall be in accordance with uniform accounting practices adopted for all the periods.*

*(c)The standalone financial results and consolidated financial results shall be prepared as per Generally Accepted Accounting Principles in India:*

*Provided that in addition to the above, the listed entity may also submit the financial results, as per the International Financial Reporting Standards notified by the International Accounting Standards Board.*

**Regulation – 48 - Accounting Standards.** *The listed entity shall comply with all the applicable and notified Accounting Standards from time to time.*

**Regulation 4 - Principles governing disclosures and obligations.**

(2) *The listed entity which has listed its specified securities shall comply with the corporate governance provisions as specified in chapter IV which shall be implemented in a manner so as to achieve the objectives of the principles as mentioned below.*

*(f)Responsibilities of the board of directors: The board of directors of the listed entity shall have the following responsibilities:*

*(i) Disclosure of information:*



*(2) The board of directors and senior management shall conduct themselves so as to meet the expectations of operational transparency to stakeholders while at the same time maintaining confidentiality of information in order to foster a culture of good decision-making.*

*(ii) Key functions of the board of directors-*

*(2) Monitoring the effectiveness of the listed entity's governance practices and making changes as needed.*

*(6) Monitoring and managing potential conflicts of interest of management, members of the board of directors and shareholders, including misuse of corporate assets and abuse in related party transactions.*

*(7) Ensuring the integrity of the listed entity's accounting and financial reporting systems, including the independent audit, and that appropriate systems of control are in place, in particular, systems for risk management, financial and operational control, and compliance with the law and relevant standards.*

*(iii) Other responsibilities:*

*(1) The board of directors shall provide strategic guidance to the listed entity, ensure effective monitoring of the management and shall be accountable to the listed entity and the shareholders.*

*(3) Members of the board of directors shall act on a fully informed basis, in good faith, with due diligence and care, and in the best interest of the listed entity and the shareholders.*

*(6) The board of directors shall maintain high ethical standards and shall take into account the interests of stakeholders.*

*(7) The board of directors shall exercise objective independent judgement on corporate affairs.*

**Regulation 17 – Board of Directors.**

*(8) The chief executive officer and the chief financial officer shall provide the compliance certificate to the board of directors as specified in Part B of Schedule II.*

**Regulation 18 - Audit Committee.**

*(3) The role of the audit committee and the information to be reviewed by the audit committee shall be as specified in Part C of Schedule II.*



## *SCHEDULE II: CORPORATE GOVERNANCE*

### *PART C: ROLE OF THE AUDIT COMMITTEE AND REVIEW OF INFORMATION BY AUDIT COMMITTEE*

*A. The role of the audit committee shall include the following:*

*(1) oversight of the listed entity's financial reporting process and the disclosure of its financial information to ensure that the financial statement is correct, sufficient and credible;*

*(2) recommendation for appointment, remuneration and terms of appointment of auditors of the listed entity;*

*(3) approval of payment to statutory auditors for any other services rendered by the statutory auditors;*

*(4) reviewing, with the management, the annual financial statements and auditor's report thereon before submission to the board for approval, with particular reference to:*

*(a) matters required to be included in the director's responsibility statement to be included in the board's report in terms of clause (c) of sub-section (3) of Section 134 of the Companies Act, 2013;*

*(b) changes, if any, in accounting policies and practices and reasons for the same;*

*(c) major accounting entries involving estimates based on the exercise of judgment by management;*

*(d) significant adjustments made in the financial statements arising out of audit findings;*

*(e) compliance with listing and other legal requirements relating to financial statements;*

*(f) disclosure of any related party transactions;*

*(g) modified opinion(s) in the draft audit report;*

*(5) reviewing, with the management, the quarterly financial statements before submission to the board for approval;*

*(6) reviewing, with the management, the statement of uses / application of funds raised through an issue (public issue, rights issue, preferential issue, etc.), the statement of funds utilized for purposes other than those stated in the offer document / prospectus / notice and the report submitted by the monitoring agency monitoring the utilisation of proceeds of a public issue or*



*rights issue or preferential issue or qualified institutions placement, and making appropriate recommendations to the board to take up steps in this matter;*

*(7) reviewing and monitoring the auditor's independence and performance, and effectiveness of audit process;*

*(8) approval or any subsequent modification of transactions of the listed entity with related parties;*

*(9) scrutiny of inter-corporate loans and investments;*

*(10) valuation of undertakings or assets of the listed entity, wherever it is necessary;*

*(11) evaluation of internal financial controls and risk management systems;*

*(12) reviewing, with the management, performance of statutory and internal auditors, adequacy of the internal control systems;*

*(13) reviewing the adequacy of internal audit function, if any, including the structure of the internal audit department, staffing and seniority of the official heading the department, reporting structure coverage and frequency of internal audit;*

*(14) discussion with internal auditors of any significant findings and follow up there on;*

*(15) reviewing the findings of any internal investigations by the internal auditors into matters where there is suspected fraud or irregularity or a failure of internal control systems of a material nature and reporting the matter to the board;*

*(16) discussion with statutory auditors before the audit commences, about the nature and scope of audit as well as post-audit discussion to ascertain any area of concern;*

*(17) to look into the reasons for substantial defaults in the payment to the depositors, debenture holders, shareholders (in case of non-payment of declared dividends) and creditors;*

*(18) to review the functioning of the whistle blower mechanism;*

*(19) approval of appointment of chief financial officer after assessing the qualifications, experience and background, etc. of the candidate;*

*(20) Carrying out any other function as is mentioned in the terms of reference of the audit committee.*

*(21) reviewing the utilization of loans and/ or advances from/investment by the holding company in the subsidiary exceeding rupees 100 crore or 10% of the asset size of the subsidiary,*



*whichever is lower including existing loans / advances / investments existing as on the date of coming into force of this provision.*

*(22) consider and comment on rationale, cost-benefits and impact of schemes involving merger, demerger, amalgamation etc., on the listed entity and its shareholders.*

## **FINDINGS**

14. Before proceeding further in the matter, I would like to first deal with the preliminary submissions of the Noticees that Rule 4(1) has not been complied as the SCN was issued without recording the statement of Noticee 1 and Noticee 2. In this regard, I note that Rule 4(1) of the adjudication rules provides that in holding an inquiry for the purpose of adjudging u/s 15HA, 15HB and 15A(a) of the SEBI Act, the adjudicating officer shall, in the first instance, issue a notice to such person requiring him to show cause within such period as may be specified in the notice (being not less than fourteen days from the date of service thereof) why an inquiry should not be held against him. In compliance with the aforesaid rule, upon appointment of the undersigned as an Adjudicating Officer in the matter, SCN dated April 29, 2025 was issued to the Noticees requiring them to show cause why an inquiry should not be held against them. Pursuant to which all the Noticees made their submissions and opportunity of hearing was provided to them and the same was availed by them. Therefore, the aforesaid contention of the Noticees that Rule 4(1) of the adjudication rules has not been complied with is devoid of merits and is not tenable.

### **ISSUE I: Whether Noticees have violated the provisions as mentioned in SCN?**

#### **15. Alleged violations committed by OTL**

15.1. I note that during investigation it was observed that OTL has manipulated its books of accounts/ financial statement for the FY18 to FY 20 by booking fictitious sales and purchases and thereafter, published and disseminated such false and misleading financial statements of the company to the stock exchange. The act/ practice of misrepresentation of the company's financial statements, which operated as a device/ scheme to defraud the investors in the securities market, which was trading in securities based on manipulated financial statements. Therefore, it was alleged that the Noticee 1 has violated Regulations 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP



Regulations r/w Section 12A (a), (b), (c) of SEBI Act and Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a), 33(1)(c) and 48 of LODR Regulations.

15.2. I note that in reply to the SCN, Noticee 1 to Noticee 4 made common submission and they submitted that observations are wrong, unsubstantiated, without iota of evidence, imaginary and out of context. Noticee also submitted that Investigating Officer formed an opinion without seeking documents which are mandatorily required to verify the authenticity and genuineness of transactions. In support of its contention aforesaid Noticees submitted all the sale and purchase transactions covering ledgers, sale bills, purchase bills, e-way bills and GR of all the 22 parties for the period 2017-18, 2018-19 and 2019-20.

15.3. I note that as per Regulations 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act, no person shall directly or indirectly, buy, sell or otherwise deal in securities in a fraudulent manner, use or employ, in connection with issue, purchase or sale of any security listed or proposed to be listed in a recognized stock exchange, any manipulative or deceptive device or contrivance in contravention of the provisions of the Act or the rules or the regulations made there under, employ any device, scheme or artifice to defraud in connection with dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange, engage in any act, practice, course of business which operates or would operate as fraud or deceit upon any person in connection with any dealing in or issue of securities which are listed or proposed to be listed on a recognized stock exchange in contravention of the provisions of the Act or the rules and the regulations made there under. Dealing in securities shall be deemed to be a manipulative fraudulent or an unfair trade practice if it involves knowingly publishing or causing to publish or reporting or causing to report by a person dealing in securities any information relating to securities, including financial results, financial statements, mergers and acquisitions, regulatory approvals, which is not true or which he does not believe to be true prior to or in the course of dealing in securities, disseminating information or advice through any media, whether physical or digital, which the disseminator knows to be false or misleading in a



reckless or careless manner and which is designed to, or likely to influence the decision of investors dealing in securities and knowingly planting false or misleading news which may induce sale or purchase of securities.

15.4. Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a), 33(1)(c) and 48 of LODR Regulations provides that Information shall be prepared and disclosed in accordance with applicable standards of accounting and financial disclosure, The listed entity shall refrain from misrepresentation and ensure that the information provided to recognised stock exchange(s) and investors is not misleading, The listed entity shall make the specified disclosures and follow its obligations in letter and spirit taking into consideration the interest of all stakeholders and the standalone financial results and consolidated financial results shall be prepared as per Generally Accepted Accounting Principles in India.

#### 15.5. Revenue (sales) and purchase

15.5.1. I note that during investigation it was observed that revenue trend of OTL from FY18 to FY20 was as follows:

Amt. in Rs. crore

Particulars	FY18	FY19	FY20
Revenue from Operations	54.46	72.68	74.83
Trade Receivables	28.38	27.34	40.34
Trade Receivables as % of Revenue	<b>52</b>	38	<b>54</b>
Average Debtor Collection days	<b>191</b>	138	<b>197</b>
Raw Material Consumption (RMC)	44.46	64.27	62.98
Trade Payables	9.12	20.71	18.83
Trade Payables as % of RMC	20.51	32.23	29.90
RMC cost as % of Revenue	81.63	88.43	84.16

15.5.2. Based on the data provided by the company, during investigation it was observed that there were 22 entities with whom there were purchase as well as sale transactions between April 1, 2017 to March 31, 2020 and then minimal transactions were noted



with these 22 entities in FY21 and FY22. Party wise and year wise summary of sale and purchase transactions between these 22 entities are tabulated below:

Amt. in Rs. crore

Sr. No.	Party Name	Sales						Purchase					
		FY18	% of sales	FY19	% of sales	FY20	% of sales	FY18	% of Purchase	FY19	% of Purchase	FY20	% of Purchase
1	Aaas Marketing & Manufacturing Private Limited	18.13	33.29	4.15	5.71	-	-	0	-	1.52	1.87	0.34	0.54
2	Omake Enterprises	4.12	7.57	16.32	22.46	-	-	0	-	-	-	3.25	5.18
3	Nikira Enterprises Private Limited	1.59	2.92	16.15	22.22	-	-	0	-	-	-	2.2	3.51
4	Aaas Technology Express	7.78	14.29	2.61	3.59	-	-	0	-	1.43	1.76	1.89	3.01
5	Venture Enterprises	-	-	7.17	9.87	-	-	0	-	-	-	4.78	7.62
6	Tushar Rightway Private Limited	-	-	0.52	0.72	4.09	5.47	0	-	13.14	16.19	-	-
7	Jd Overseas	-	-	-	-	4.25	5.68	0	-	-	-	4.53	7.22
8	Maya Overseas	-	-	-	-	3.89	5.20	0	-	-	-	3.7	5.90
9	Vansessa International	-	-	0.21	0.29	2.5	3.34	0	-	7.07	8.71	-	-
10	Tylax Traders Private Limited	-	-	-	-	1.68	2.25	0	-	10.86	13.38	-	-
11	Colombus Enterprises	-	-	0.84	1.16	-	-	1.28	2.77	9.35	11.52	-	-
12	Vinay Constructions And Services LLP	-	-	0.02	0.03	-	-	0	-	3.66	4.51	0.87	1.39
13	True Enterprises	-	-	-	-	-	-	1.32	2.86	3.80	4.68	-	-
14	Vaishali Overeas Limited	-	-	-	-	2.21	2.96	1.83	3.95	-	-	-	-
15	Royal Enterprises	-	-	-	-	-	-	4.04	8.74	9.97	12.28	-	-
16	Vijay Laxmi Granites	12.01	22.06	-	-	-	-	-	-	0.13	0.16	-	-
17	Accumen Enterpeises	-	-	-	-	-	-	-	-	2.07	2.55	1.77	2.82
18	Accumen Overseas	-	-	-	-	-	-	-	-	2.44	3.01	2.43	3.87
19	Mirage Marble Pvt. Ltd. (Mirage)	-	-	1.04	1.43	17.32	23.15	-	-	1.54	1.90	3.73	5.95
20	Fortune International	-	-	-	-	-	-	-	-	1.15	1.42	-	-
21	Mittal Traders	-	-	13.06	17.97	-	-	-	-	-	-	-	-
22	Nirmal Marble Limited (Nirmal)	-	-	3.01	4.14	-	-	-	-	1.25	1.54	1.42	2.26
Grand total		<b>43.63</b>	<b>80.12</b>	<b>65.10</b>	<b>89.58</b>	<b>35.94</b>	<b>48.03</b>	<b>8.47</b>	<b>18.32</b>	<b>69.39</b>	<b>85.49</b>	<b>30.90</b>	<b>49.27</b>



15.5.3. I note from the above table that sales and purchase with the 22 entities were approximately 80% to 85% in FY18, 85-89% in FY19, 48-49% in FY20 of total revenue and purchases of the respective financial years.

15.5.4. During investigation, basic details of these entities were gathered and summary of the same is placed as under

	Party Name	Connection	GST Cancelled/ Suspended	Different Business as per GST	Struck off from MCA	Observations on Financial	Not found on site visit	directors did not appear before IA
1	Vansessa International	Inter- connected based on common director, shareholder, auditor or/and address	✓		✓	✓	✓	✓
2	Omake Enterprises		✓		✓		✓	✓
3	Aaas Marketing & Manufacturing Pvt Ltd		✓	✓	✓	✓	✓	✓
4	Aaas Technology Express (Aaas Tech)		✓				✓	
5	Tushar Rightway Pvt Ltd. (Tushar)		✓	✓	✓	✓	✓	✓
6	Tylax Traders Pvt Ltd		✓			✓	✓	✓
7	Nikira Enterprises Pvt Ltd. (Nikira)		✓	✓	✓	✓	✓	✓
8	Vinay Constructions And Services LLP					✓	✓	✓
9	Royal enterprises		✓				✓	
10	Maya Overseas	Same address	✓				✓	✓
11	JD Overseas		✓				✓	✓
12	Venture Enterprises		✓				✓	
13	Colombus Enterprises	Same address	✓				✓	✓
14	Fortune International		✓				✓	✓
15	True enterprises		✓	✓			✓	✓
16	Vijay Laxmi Granites		✓					
17	Accumen Enterprises	Inter- connected based on common director, shareholder,	✓				✓	
18	Accumen Overseas		✓	✓			✓	
19	Mirage Marble Pvt Ltd.							
20	Mittal Traders		✓	✓				✓
21	Nirmal Marble Limited (Nirmal)						✓	



22	Vaishali Ovearseas Limited (Vaishali)	auditor or/and address	✓					
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15.5.5. During investigation it was observed that out of total 22 entities, GSTN registration was cancelled of 19 entities. Details of the same are as under:

Name	No.	Reg date	Cancellation date	Reason for cancellation
Omake Enterprises	09AJRPK0082G1Z1	01-Jul-17	28-Sep-20	Suo-moto
Aaas Marketing & Manufacturing P Ltd	07AANCA5598F1Z8	01-Jul-17	19/09/2023	Suspended
Aaas Technology Express	07ABCFA5031G1ZX	01-Jul-17	01-Jul-17	Suo-moto
Tushar Rightway Pvt Ltd	07AAGCT1874Q1ZM	01-Jul-17	01-Jul-17	Suo-moto
Vinay Constructions And Services LLP	07AAPFV0404J1Z3	01-Jul-17	-	-
True enterprises	09ACDPA3659C1ZZ	01-Jul-17	05-Mar-18	Application of Taxpayer
Vijay Laxmi Granites	07ASLPK8790N1ZR	01-Jul-17	11-Oct-23	Suspended
Mirage Marble Pvt Ltd.	09AAFPM1894A1ZJ	01-Jul-17	-	-
Mittal Traders	07DIQPM6809G1ZS	01-Jul-17	20-Apr-19	Application of Taxpayer
Nirmal Marble Limited	08AAACN6944R1ZP	01-Jul-17	-	-
Colombus Enterprises	07AJHPK1329C1ZN	30-Sep-17	31-May-19	Application of tax payer
Fortune International	07AGYPK7312B1ZC	18-Oct-17	05-Mar-19	Application of Taxpayer
Venture Enterprises	09AAOFV9094M1ZY	27-Oct-17	20-Mar-19	Application of tax payer
Accumen Enterprises	09ALYPK7520N1Z6	16-Nov-17	19-Apr-23	Suo-moto
Accumen Overseas	09BNAPS9420C1Z1	23-Nov-17	16-Feb-23	Suo-moto
Vaishali Ovearseas Limited	07AAACV3349N2ZX	01-Dec-17	22/04/2019	Application of Taxpayer
Nikira Enterprises Pvt Ltd	07AAFPM6362G2ZC	08-Dec-17	17-Jul-19	Application of tax payer
Vansessa International	07AAGCV1853R1ZN	16-Jan-18	17-Jul-19	Application of tax payer
Tylax Traders Pvt Ltd	07AAGCT6384B1ZA	01-Mar-18	03-Apr-18	suo-moto
Maya Overseas	07JFKPK8034L1ZT	01-Jan-20	13-Jan-23	Suspended
Jd Overseas	07JFKPK8038G1Z0	01-Jan-20	13-Jan-23	Suspended

Source: GST WEBSITE

15.5.6. I note that during investigation, it was observed from the GST database that out of total 22 entities, 6 entities were not in the business of Marble, rather they were dealing in Garments, Sanitary-pads, Soya-Bean, Oilginger, Saffron, Sunflower Seed, Aluminous Cement, Slag Cement, etc.

15.5.7. Out of 22 entities, 5 entities were struck off by MCA. 18 entities were not found at their available addresses during the site visit.

15.5.8. As sale and purchase transactions with 22 entities were significant, accordingly, their bank statements were examined in detail during investigation



### 15.6. Aaas Marketing & Manufacturing Private Limited (Aaas MM)

Particulars	Remarks
Aaas MM	<p>i. As per OTLs explanation, sales and purchase were made of Marble and Monuments with Aaas MM. However, as per GST portal, Aaas MM was dealing in Waters, Toilet and Facial Tissue Stock.</p> <p>ii. Summons dated October 12, 2024 and December 14, 2024 were issued to directors of the Aaas MM i.e. Yuvraj Panchal and Mahesh Kumar to appear in person before investigation authority. However, both the directors did not appear before the investigation authority.</p> <p>iii. In FY18, company reported nominal fixed assets of 53,215. Company did not file the financial statements after FY18. Further, company was struck off from MCA.</p> <p>iv. Company registered office was situated at B 5/20 Feet Road Meet Nagar East Delhi - 110093. During the site visit of the registered office conducted by the NSE on December 18, 2024, it was observed NSE person that entity was not available at the mentioned location.</p> <p>v. All the bank accounts of the AAAS were opened in 2017 and were closed by FY22.</p>

From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL were found as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Rec	Op. Payable	Purchase	Payment	Closing Payable
Aaas	FY18	-	18.13	10.17	7.96	-	-	-	-
MM	FY19	7.96	4.15	11.18	0.92	-	1.52	1.52	-
	FY20	0.92	-	0.91	0.01	-	0.34	0.34	-

From the above table I note that OTL reported sales to Aaas MM in FY18 and FY19. Further, OTL had reported purchase from Aaas MM in FY 19 and FY 20. During investigation, bank statements of OTL and Aaas MM were analyzed, observations of the same are as under:

- Aaas MM had paid total Rs. 24.56 crore to OTL as against sales of Rs. 22.28 crore during the IP.
- During investigation, Bank statements of Aaas MM, were further analysed to examine source of the funds transferred by Aaas MM to OTL, details of the same are as under:  
Bank account no. 39605002729 held with "ICICI Bank"

Amt. in Rs. crore

Date	Mittal Traders to Aaas MM	Omake Enterprises to Aaas MM	Tushar to Aaas MM	Aaas MM to OTL
20/12/2017	-	0.15	0.15	-



21/12/2017	-	-	-	0.15
22/12/2017	-	0.35	0.15	0.15
26/12/2017	-	-	0.15	0.15
27/12/2017	-	-	0.11	0.16
28/12/2017	-	-	0.07	0.15
29/12/2017	-	-	0.08	0.08
01/01/2018	-	-	0.14	0.15
04/01/2018	-	-	0.07	-
05/01/2018	-	-	0.18	0.48
06/01/2018	-	-	0.30	0.29
08/01/2018	-	-	0.30	0.30
09/01/2018	-	-	0.30	0.30
15/01/2018	-	-	0.29	0.26
16/01/2018	-	-	0.26	0.14
17/01/2018	-	-	0.26	0.26
18/01/2018	-	-	0.53	0.26
19/01/2018	-	-	0.21	0.53
20/01/2018	-	-	0.26	0.26
22/01/2018	-	-	0.26	0.26
23/01/2018	-	-	0.26	0.26
27/04/2018	0.25	-	-	0.25
<b>Total</b>	<b>0.25</b>	<b>0.50</b>	<b>4.18</b>	<b>4.84</b>

Bank account no. 50200031126162 held with HDFC Bank

Amt. in Rs. crore

Tx. Date	Dushyant + Mittal Traders to Aaas MM	Omake Enterprises to Aaas MM	Fortune International to Aaas MM	True Enterprises to Aaas MM	Tushar to Aaas MM	Venture Enterprises to Aaas MM	Aaas MM to OTL
10/01/2018	-	-	-	-	0.58	-	0.58
11/01/2018	-	-	-	-	0.29	-	0.29
24/01/2018	-	-	-	-	0.53	-	0.26
25/01/2018	-	-	-	-	-	-	0.26
29/01/2018	-	-	-	-	0.26	-	0.26
30/01/2018	-	-	-	-	0.26	-	0.26
31/01/2018	-	-	-	-	0.26	-	0.26
01/02/2018	-	-	-	-	0.26	-	0.26
02/02/2018	-	-	-	-	0.26	-	0.26
03/02/2018	-	-	-	-	0.45	-	0.20
05/02/2018	-	-	-	-	0.26	-	0.52
06/02/2018	-	-	-	-	0.26	-	0.26
07/02/2018	-	-	-	-	0.26	-	0.26
08/02/2018	-	-	-	-	0.26	-	0.26



09/02/2018	-	-	-	-	0.26	-	0.26
12/02/2018	-	-	-	-	0.78	-	0.52
13/02/2018	-	-	-	-	0.26	-	0.26
14/02/2018	-	-	-	-	-	-	0.26
28/02/2018	-	-	-	0.25	-	-	-
01/03/2018	-	-	-	-	-	-	0.25
03/03/2018	-	-	-	0.25	-	-	0.25
05/03/2018	-	-	-	0.50	-	-	0.25
06/03/2018	-	-	-	0.25	-	-	-
08/03/2018	-	-	-	0.17	-	-	0.04
09/03/2018	-	-	-	-	-	-	0.17
12/03/2018	-	-	-	0.05	-	-	-
13/03/2018	-	-	-	-	-	-	0.55
15/03/2018	-	-	0.70	-	-	-	0.95
16/03/2018	-	-	0.25	-	-	-	0.59
21/03/2018	-	-	-	-	0.16	-	-
22/03/2018	-	-	-	-	-	-	0.64
23/03/2018	0.22	-	-	-	1.00	-	0.05
03/04/2018	-	-	-	-	-	1.00	-
05/04/2018	-	-	-	-	-	-	0.33
10/04/2018	-	-	-	-	-	-	1.00
12/04/2018	-	-	-	-	-	1.00	-
19/05/2018	0.10	-	-	-	-	-	0.10
25/07/2018	-	-	-	-	0.51	-	-
31/07/2018	0.43	-	-	-	-	-	0.50
02/08/2018	0.75	-	-	-	-	-	0.43
03/08/2018	0.46	-	-	-	-	-	0.77
07/08/2018	0.13	-	-	-	-	-	-
08/08/2018	-	-	-	-	-	-	0.13
13/08/2018	-	-	-	-	-	-	0.05
20/08/2018	-	-	-	-	-	-	0.07
05/09/2018	0.29	-	-	-	-	-	-
10/09/2018	-	-	-	-	-	-	0.05
14/11/2018	0.13	-	-	-	-	-	-
15/11/2018	0.25	0.04	-	-	-	-	0.36
16/11/2018	0.38	-	-	-	-	-	0.40
19/11/2018	0.41	-	-	-	-	-	0.41
20/11/2018	0.45	-	-	-	-	-	0.45
21/11/2018	0.10	-	-	-	-	-	0.11
22/11/2018	0.40	-	-	-	-	-	0.40
23/11/2018	0.09	-	-	-	-	-	0.08
29/11/2018	-	-	-	-	-	-	0.27



17/12/2018	-	0.59	-	-	-	-	-
18/12/2018	-	0.44	-	-	-	-	1.02
19/12/2018	-	0.66	-	-	-	-	0.66
20/12/2018	-	0.07	-	-	-	-	0.08
21/12/2018	-	0.56	-	-	-	-	0.55
24/12/2018	-	0.60	-	-	-	-	0.60
27/12/2018	-	0.37	-	-	-	-	0.29
Grand Total	4.56	3.32	0.95	1.47	7.19	2.00	18.35

I note from the above table that money paid by Aaas MM to OTL were financed by Group entities i.e. Tushar Rightway Private Limited, True Enterprises, Omake Enterprises and Mittal Traders. I note that on majority of the days, funds were transferred by Aaas MM to OTL on the same date when it received from the aforesaid group entities that too in exact denomination.

#### 15.7. Tushar Rightway Private Limited (Tushar)

Tushar Rightway Private Limited (Tushar)	<ul style="list-style-type: none"> <li>i. As per OTLs explanation, sales and purchase were made of Marble and Monuments with Tushar. However, as per GST portal, Tushar was dealing in Soya-Bean, Oilginger, Saffron and Sunflower Seed.</li> <li>ii. Summons dated November 08, 2024 and November 27, 2024 were issued to directors of the Tushar i.e. Ravi Kumar and Sukhdev to appear in person before investigation authority. However, both the directors did not appear before the investigation authority.</li> <li>iii. In FY18: Nominal fixed assets of Rs.82,928. Loss of Rs.0.72 crore against revenue of Rs.33 crore. Company did not file the financial statements after FY18. Further, company was struck off from MCA.</li> <li>iv. Company registered office was situated at Plot No. 1, G/F, Kh No. 22/5/3/2 Laxmi Park Ranhola Extn, Nangloi New Delhi 110041. During the site visit of the registered office conducted by the NSE on December 13, 2024, it was observed that NSE person was unable to locate the address.</li> <li>v. Bank accounts of the Tushar were opened in July 2017 and May 2018 and closed during the period April 2018 to May 2019 respectively.</li> </ul>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase B			
		Opening Receivable	Sales	Recovered	Closing Receivable	Opening Payable	Purchases	Payments	Closing Payable
Tushar	FY18	-	-	-	-	-	-	-	-
	FY19	-	0.52	0.52	-	-	13.14	8.94	4.20
	FY20	-	4.09	4.09	-	4.20	-	4.20	-



I observe from the above table that OTL had made payment of Rs. 13.14 crore to Tushar. During investigation bank statements of OTL and Tushar were analyzed, observations of the same are as under:

- OTL had paid total Rs. 20.29 crore to Tushar.
- During investigation bank statements of Tushar, were analyzed to see utilization made by the Tushar of the said amount, details of the same are as under:

Amt. in Rs. crore

Date	OTL to Tushar	Tushar to Aaas MM	Tushar to Aaas tech	Tushar to Mirage
21/12/2017	0.15	-	-	-
22/12/2017	0.16	0.15	-	-
26/12/2017	0.31	0.15	-	-
27/12/2017	0.07	0.16	-	-
28/12/2017	0.08	0.07	-	-
29/12/2017	0.15	0.08	-	-
30/12/2017	-	-	-	0.15
01/01/2018	-	0.14	-	0.15
02/01/2018	0.15	-	-	0.08
03/01/2018	-	-	-	0.07
04/01/2018	0.04	0.07	-	0.09
05/01/2018	0.48	0.18	-	-
06/01/2018	0.29	0.30	-	-
08/01/2018	0.30	0.29	-	-
09/01/2018	0.29	0.30	-	-
10/01/2018	0.39	0.58	-	-
11/01/2018	0.49	0.29	-	-
15/01/2018	0.26	0.29	-	-
16/01/2018	0.26	0.26	-	-
17/01/2018	-	0.26	-	-
18/01/2018	0.53	0.53	0.74	-
19/01/2018	0.53	0.26	-	-
20/01/2018	0.26	0.26	-	-
22/01/2018	0.26	0.26	-	-
23/01/2018	0.26	0.26	-	-
24/01/2018	0.26	0.53	-	-
25/01/2018	0.26	-	-	-
29/01/2018	-	0.26	-	-



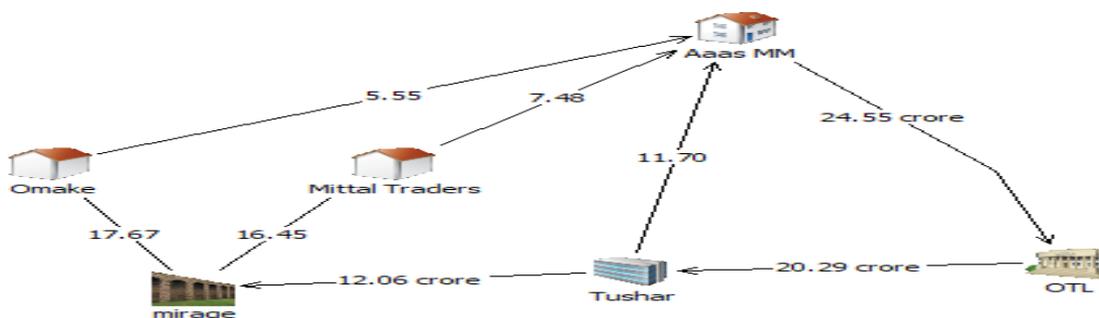
30/01/2018	0.52	0.26	-	-
31/01/2018	0.26	0.26	0.11	-
01/02/2018	-	0.26	-	-
02/02/2018	0.26	0.26	-	-
03/02/2018	0.46	0.45	-	-
05/02/2018	0.42	0.26	-	-
06/02/2018	0.36	0.26	-	-
07/02/2018	0.26	0.26	-	-
08/02/2018	-	0.26	-	-
09/02/2018	0.52	0.26	-	-
12/02/2018	0.52	0.78	-	-
13/02/2018	0.26	0.26	-	-
17/02/2018	-	-	0.11	-
19/02/2018	0.47	-	0.05	-
17/03/2018	-	-	0.15	-
21/03/2018	-	0.16	-	-
23/03/2018	-	1.00	-	-
27/03/2018	-	-	-	0.30
03/04/2018	-	-	-	0.15
10/04/2018	0.74	-	-	-
16/04/2018	-	-	0.50	-
18/05/2018	0.27	-	-	0.17
22/05/2018	-	-	-	0.05
27/06/2018	-	-	0.10	-
28/06/2018	0.07	-	-	-
29/06/2018	-	-	-	0.07
03/07/2018	0.31	-	-	-
04/07/2018	0.48	-	-	0.31
05/07/2018	0.25	-	-	0.47
06/07/2018	-	-	-	0.26
07/07/2018	0.21	-	-	-
09/07/2018	-	-	-	0.21
10/07/2018	0.07	-	-	-
11/07/2018	-	-	-	0.06
13/07/2018	0.03	-	-	-
25/07/2018	-	0.51	-	-
26/07/2018	-	0.07	-	-
10/08/2018	0.45	-	-	-
13/08/2018	-	-	-	0.33
04/09/2018	0.45	-	-	-



12/09/2018	0.28	-	-	-
13/09/2018	0.59	-	-	0.68
14/09/2018	0.65	-	-	-
15/09/2018	0.41	-	-	0.66
17/09/2018	0.50	0.01	-	0.90
18/09/2018	0.45	-	-	-
19/09/2018	0.15	-	-	0.60
27/09/2018	0.45	-	-	-
28/09/2018	-	-	-	0.45
03/10/2018	0.45	-	-	-
04/10/2018	0.08	-	-	0.45
05/10/2018	0.15	-	-	-
08/10/2018	0.30	-	-	-
09/10/2018	-	-	-	0.32
16/10/2018	-	0.01	-	-
14/11/2018	0.40	-	-	-
15/11/2018	-	-	-	0.40
16/11/2018	0.75	-	-	0.35
17/11/2018	-	-	-	0.40
19/11/2018	0.24	-	-	-
20/11/2018	-	-	-	0.24
21/11/2018	0.33	-	-	-
22/11/2018	-	-	-	0.33
21/12/2018	0.25	-	-	-
24/12/2018	-	-	-	0.25
<b>Grand Total</b>	<b>20.29</b>	<b>11.55</b>	<b>1.76</b>	<b>8.94</b>

I note from the above table that Tushar had transferred funds to Aaas MM, Noticee 5 and Aaas tech on the same date/next day when it received from OTL.

Further, I note that funds received by Aaas MM from Tushar were transferred to OTL on the same day that too in exact denomination as indicated in Table above. Pictorial presentation of the same is as under:



### 15.8. Omake Enterprises

Omake Enterprises	<p>i. Summons dated November 08, 2024 and November 27, 2024 were issued to proprietor of the Omake i.e. Pankaj Kumar to appear in person before investigation authority. However, he did not appear before the investigation authority.</p> <p>ii. It was observed that GST registration of Omake Enterprises has been cancelled suo-moto with effect from September 28, 2020.</p> <p>iii. Company registered office was situated at Omake Enterprises, 1111, Near Shastri Ki Kothi Meerut.</p> <p>iv. During the site visit of the registered office conducted by the NSE on December 18, 2024, it was observed that address was a residential property, but it was found locked.</p> <p>v. All the bank accounts of the Omake were closed by July 2021</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Omake Enterprises	FY18	-	4.12	0.34	3.78	-	-	-	-
	FY19	3.78	16.32	14.63	5.47	-	-	-	-
	FY20	5.47	-	5.47	-	-	3.25	3.25	-

I observe from the above table that company had reported sales to Omake in FY 18 and FY 19. Further, company had reported purchase from Omake in FY 20. During investigation bank statements of OTL and Omake Enterprises were analysed, observations of the same are as under:

- Omake Enterprises had paid total Rs. 22.78 crore to OTL
- During investigation bank statements of Omake Enterprises, were further analysed to see from which entities it had received the said amount (source of finance) which was ultimately transferred to OTL, details of the same are as under:

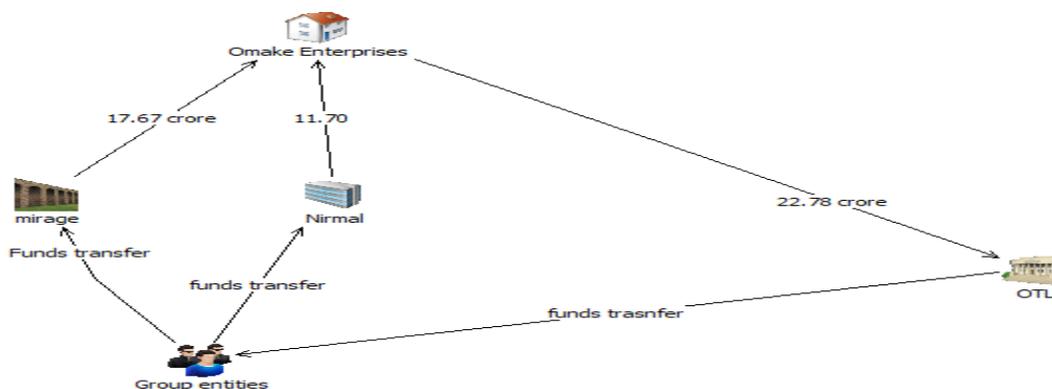


Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)
Mirage	17.67	OTL	22.78
Nirmal	12.58	Aaas MM	5.55
Aaas MM	1.11	Aaas Tech	1.35
Aaas Tech	0.02	Tushar	0.60
		Mirage	0.50
		Mittal Traders	0.32
		Oriental Buildmat	0.32
		Omake Enterprises	0.26
		Royal Enterprises	0.20
		True Enterprises	0.01
<b>Total</b>	<b>31.38</b>		<b>31.89</b>

From the above table, I note that majority of amounts credited and debited in the bank accounts of Omake Enterprises were from/to the group entities only. I also note that funds transferred by Omake Enterprises to OTL were financed by Group entities i.e. Noticee 5 and Noticee 6. In majority of the cases, funds were transferred by Omake Enterprises to OTL on the same date/ next day when it received from the aforesaid group entities i.e. Noticee 6 and Noticee 5. During investigation it was also observed from the bank statement of Noticee 6 and Noticee 5 that funds were received by them from other group entities which were transferred to Omake enterprises. Further, these other group entities received money from OTL.

**Pictorial presentation of the same is as under:**



### 15.9. Nikira Enterprises Private Limited (Nikira)



Nikira Enterprises Private Limited (Nikira)	<p>i. As per OTLs explanation, sales and purchase were made of Marble and Monuments with Nikira. However, as per GST portal, Nikira was dealing in Base Metal Mountings and Finishing Agents.</p> <p>ii. Summons dated November 08, 2024 and November 27, 2024 were issued to directors of the Nikira Enterprises i.e. Ravi Kumar and Mahesh Kumar to appear in person before investigation authority. However, both the directors did not appear before the investigation authority.</p> <p>iii. It was observed that GST registration of Nikira has been cancelled suo-moto with effect from July 17, 2019.</p> <p>iv. For FY18: revenue was Rs. 8.78 crore and PAT was Rs. -0.46 crore. Fixed Assets were Rs. 72,569. Company did not file the financial statements after FY18. Further, company was struck off from MCA.</p> <p>v. Company's registered office was situated at House No 75-B F/F, Kh. No-218 Gali No. 9, Railway Road Main, Jagat Puri East Delhi 110093. During the site visit of the registered office conducted by the NSE on December 18, 2024, it was observed by NSE person that the entity was not available at the mentioned location.</p> <p>vi. Bank accounts of the Nikira were opened in FY 2017 and were closed by May 2019.</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Nikira	FY18	-	1.59	0.21	1.37	-	-	-	-
	FY19	1.37	16.15	14.72	2.80	-	-	-	-
	FY20	2.80	-	2.80		-	2.20	2.20	-

I observe from the above table that OTL had reported sales to Nikira in in FY18 and FY19. Further, OTL had reported purchase from Nikira in FY 20. During investigation bank statements of OTL and Nikira were analysed, observations of the same are as under:

- Nikira had paid total Rs. 20.31 crore to OTL against purchases from OTL of Rs. 17.74 crore (contrary to company submission)
- During investigation bank statements of Nikira, were further analysed to see from which entities Nikira had received the said amount which was ultimately paid to OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
Mirage	12.51	46.91	OTL	20.31	76.15
Nirmal	5.55	20.81	Royal Enterprises	1.64	6.15



Aaas MM	0.27	1.01	Aaas MM	0.94	3.52
			Tushar	0.25	0.94
			Fortune International	0.21	0.79
<b>Group Total</b>	<b>18.33</b>	<b>68.73</b>	<b>Group Total</b>	<b>23.35</b>	<b>87.55</b>
<b>Grand Total</b>	<b>26.67</b>	<b>100</b>	<b>Grand Total</b>	<b>26.67</b>	<b>100</b>

From the above table, I observe that 68.73% of amount credited and 87.55 % of amount debited in the bank accounts of Nikira were from/to the group entities only.

I observe from the above table that funds transferred by Nikira to OTL were majorly financed by Group entities i.e. Noticee 6 and Noticee 5. It is important to note that in majority of the cases, funds were transferred by Nikira to OTL on the same date/ next day when it received from the aforesaid group entities i.e. Noticee 6 and Noticee 5.

I also note from the bank statement of Noticee 6 and Noticee 5 that funds were received by them from other group entities which were transferred to Nikira. Further, these other group entities had received money from OTL.

#### 15.10. Columbus Enterprises (Columbus)

Columbus Enterprises (Columbus)	<ul style="list-style-type: none"> <li>i. Summons dated November 27, 2024 was issued to proprietor of the Columbus Enterprises i.e. Ruby Kharbanda to appear in person before investigation authority. However, she did not appear before the investigation authority.</li> <li>ii. It was observed that GST registration of Columbus Enterprises was cancelled on application of Taxpayer with effect from May 31, 2019</li> <li>iii. The proprietor appears to be a director in 5 private limited companies of which 3 are struck-off. Further, these 5 companies have either not filed financial statements or have reported nil revenue</li> <li>iv. Entity's registered office was situated at B-4/43, Paschim Vihar, West Delhi, Delhi, 110063. During the site visit of the registered office conducted by the NSE on December 13, 2024, it was observed that the location turned out to be a housing society. No such entity existed there.</li> <li>v. Bank account of Columbus was opened in November 2017 and closed by November 2020.</li> </ul>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recover ed	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Columbus	FY18	-	-	-	-	-	1.28	1.28	-
	FY19	-	0.84	0.84	-	-	9.35	9.35	-
	FY20	-	-	-	-	-	-	-	-



I observe from the above table that OTL had reported purchases from Columbus in FY18 and FY19. Further, OTL also reported sales to Columbus in FY 19. During investigation bank statements of OTL and Columbus were analysed, observations of the same are as under:

- OTL has paid total Rs. 2.58 crore to Columbus (contrary to the Company's submission of payment of Rs. 10.63 crore as per above Table.)

Accordingly, during investigation bank statements of Columbus, were analyzed to see utilization made by the Columbus. It was observed that Columbus had transferred funds to Noticee 5 on the same day or the next day when it received funds from OTL. Details of the same are as under:

Amt. in Rs. crore

Date	OTL to Columbus (Rs.)	Columbus to Mirage (Rs.)
17/03/2018	2500000	2500000
19/03/2018	2500000	
20/03/2018	1500000	4000000
22/03/2018	4316057	4250000
12/07/2018		1235672
16/07/2018		1221406
31/07/2018	4493862	
01/08/2018		4495862
14/08/2018	4405672	
16/08/2018	2119141	4405672
18/08/2018		2119141
20/08/2018	2500000	
23/08/2018		2500000
25/09/2018		1222503
04/04/2019	1500000	
<b>Grand Total</b>	<b>25834732</b>	<b>27950256</b>

As observed above, Mirage had transferred funds to other group entities who in turn transferred funds to OTL.

#### 15.11. Vansessa international (Vansessa)

Vansessa International	<p>i. Summons dated November 08, 2024 and November 27, 2024 were issued to directors of the Vansessa International i.e. Ravi Kumar and Mahesh Kumar to appear in person before investigation authority. However, both the directors did not appear before the investigation authority.</p> <p>ii. It was observed that GST registration of Vansessa International was cancelled on application of Taxpayer with effect from July 17, 2019.</p>
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	iii.	For FY18: Nil revenue/transactions/ fixed assets. Further, company was struck off from MCA. Company did not file financial statement after FY18.
	iv.	Company's registered office was situated at C-61, Gali No-6 Ambika Vihar Shiv Vihar North East Delhi 110094. During the site visit of the registered office conducted by the NSE on December 14, 2024, it was observed that NSE person was unable to locate the address.
	v.	Bank account of the Vansessa was opened in January 2018 and closed by March 2019

From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Vansessa International	FY18	-	-	-		-	-	-	-
	FY19	-	0.21	0.21		-	7.07	2.16	4.91
	FY20	-	2.50	2.50		4.91	-	4.91	-

I observe from the above table that OTL had reported purchases from Vansessa in FY19. Further, sales were also reported to Vansessa in FY19 and FY20. During investigation bank statements of OTL and Vansessa were analysed, observations of the same are as under:

- OTL has paid total Rs. 3.19 crore to Vansessa (contrary to the company's submission of payment of Rs. 7.07 as indicated in the above table)

Accordingly, during investigation bank statements of Vansessa, were analyzed to see utilization of funds received from OTL made by the Vansessa. It was observed that Vansessa had transferred funds to Noticee 6 on the same date/next day when it received funds from OTL. Details of the same are as under:

Date	OTL to Vansessa (Rs.)	Vansessa to Nirmal (Rs.)	Nirmal to other group entities (Rs.)	Group Entity name
14/11/2018	3800000	3750000	2500000	Mittal trades
16/11/2018	3700000	3750000	2500000	Mittal trades
19/11/2018	7500000	7400000	3100000 3300000	Mittal trades Oriental Buildmart
22/11/2018	4000000	4100000	2605680	Oriental Buildmart
17/12/2018	2500000	2500000	5900000	Omake Enterprises



18/12/2018	2000000	2000000	4350000	Omake Enterprises
30/01/2019	4500000	4400000	1804676	Fortune International
16/02/2019	2400000	2350000	1057621 1292379	Omake Enterprises Oriental Buildmart
26/02/2019	1500000			
27/02/2019		1545700	1545700	Omake Enterprises
<b>Grand Total</b>	<b>31900000</b>	<b>31795700</b>		

I observe from the above table that funds transferred by OTL to Vansessa were further transferred to other group entities on the same day/next day. Further, these group entities transferred money to OTL.

#### 15.12. Aaas Technology Express (Aaas Tech)

Aaas Technology Express (Aaas Tech)	i.	It was observed that GST registration of Aaas Tech has been cancelled suo-moto with effect from July 01, 2017.
	ii.	Company's registered office was situated at B-5, G/F, 20 Ft. Road, Meet Nagar, East Delhi, 110094. During the site visit of the registered office conducted by the NSE on December 14, 2024, it was observed by NSE person that the entity was not available at the mentioned location.
	iii.	All the bank accounts of the Aaas Tech were closed by June 2019

From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Aaas Tech	FY18	-	7.78	-	7.78	-	-	-	-
	FY19	7.78	2.61	8.16	2.22	-	1.43	1.43	-
	FY20	2.22	-	2.22	-	-	1.89	1.89	-

I observed from the above table that OTL had reported sales to Aaas Tech in FY18 and FY19 and purchases in FY19 and FY20. During investigation bank statements of OTL and Aaas Tech were analysed, observations of the same are as under:

- Aaas Tech had paid total Rs. 5.10 crore to OTL
- During investigation bank statements of Aaas Tech, were further analysed to see from which entities Aaas Tech had received the said amount which was ultimately paid to OTL, details of the same are as under:

Amt. in Rs. crore



Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Total Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
True Enterprises	3.35	24.58	OTL	5.10	37.17
Tushar	1.76	12.91	Mirage	2.11	15.38
Omake Enterprises	1.35	9.90	Venture Enterprises	0.52	3.79
Mittal Traders	0.51	3.74	Aaas Tech	0.26	1.90
Aaas MM	0.40	2.93	Mittal Traders	0.12	0.87
<b>Group Total</b>	<b>7.37</b>	<b>54.06</b>	<b>Group Total</b>	<b>8.11</b>	<b>59.11</b>
<b>Grand Total</b>	<b>13.63</b>	<b>100</b>	<b>Grand Total</b>	<b>13.72</b>	<b>100</b>

From the above table, I observe 54.06% of the amount credited and 59.11 % of the amount debited in the bank accounts of Aaas Tech were from/to the group entities only.

I observe from the above table that funds transferred by Aaas Tech to OTL were majorly financed by the Group entities i.e. True Enterprises, Tushar, Omake Enterprises, Mittal Traders and Aaas MM.

### 15.13. Tylax Traders Private Limited (Tylax)

Tylax Traders Private Limited (Tylax)	<p>i. Summons dated November 8 and 27, 2024 were issued to director of the Tylax Traders Private Limited i.e Sukhdev to appear in person before the investigation authority. However, the director did not appear before the investigation authority.</p> <p>ii. It was observed that GST registration of Tylax has been cancelled suo-moto with effect from April 03, 2018</p> <p>ii. For FY19: Revenue was Rs.13.5 crore and purchases by OTL were Rs. 10.86 crore. For FY20: Purchase was Rs. 0.25 crore and sale was Rs. 1.68 crore. Hence there was mismatch in the purchase recorded by Tylax and sales reported by OTL. PAT was Rs. 1,432. Fixed Assets were Rs. 91,510.</p> <p>v. Company's registered office was situated at Plot No.1,G/F,Kh No.-22/5/3/2,Laxmi Park Ranhola Ext.Near Kumar Dharam Kanta Nangloi West Delhi 110041. During the site visit of the registered office conducted by the NSE on December 13, 2024, it was observed that NSE person was unable to locate the address.</p> <p>v. Bank account of Tylax was opened in May 2018 and closed by March 2019</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovere d	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Tylax	FY18	-	-	-	-	-	-	-	-
	FY19	-	-	-	-	-	10.86	6.12	4.74
	FY20	-	1.68	1.68	-	4.74	-	4.74	-



I observe from the above table that OTL had reported purchases from Tylax in FY19 and sales to Tylax in FY20. Bank statements of OTL and Tylax were analysed, observations of the same are as under:

- OTL had paid total Rs. 8.08 crore to Tylax.
- Bank statements of Tylax , were analysed to see utilization made by the Tylax of the said amount received from OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
OTL	8.08	99.63 %	Surya (Further transfer to Nirmal)	4.40	54.25
			Nirmal	3.67	45.25
<b>Group total</b>	<b>8.08</b>	<b>99.63%</b>	<b>Group total</b>	<b>8.07</b>	<b>99.5</b>
<b>Grand total</b>	<b>8.11</b>	<b>100</b>	<b>Grand total</b>	<b>8.11</b>	<b>100</b>

From the above table, I observe that 99.63% of the amount credited and 99.50% of the amount debited in the bank accounts of Tylax were from/to the group entities only.

I observe from the above table that funds received by Tylax to OTL were further transferred to Surya and Noticee 6. During investigation bank statement of Surya was further analyzed. Details of the same are as under:

Date	Tylax To Surya (Rs.)	Surya To Nirmal (Rs.)
29/11/2018	4400000	4400000
30/11/2018	7100000	7100000
01/12/2018	5400000	5400000
05/12/2018	2597486.6	2597486
17/12/2018	4400000	4400000
18/12/2018	4250000	4250000
19/12/2018	4450500	4450500
21/12/2018	5547092	5547092
24/12/2018	3500000	3500000 (Vaishali Overseas Limited)
27/12/2018	2350000	2350000

I observe from the above table that funds received by Surya from Tylax were transferred to Noticee 6 on the same day/next day (except in case of the transaction dated December 24, 2018).

Hence, all the funds transferred by OTL to Tylax were further transferred to Noticee 6.



### 15.14. Royal Enterprises (Royal)

Royal Enterprises	<p>i. It was observed that GST Registration of Royal Enterprises has been cancelled suo-moto effective from November 17, 2017. Hence, GST was cancelled from the day of registration.</p> <p>ii. Company's registered office was situated At 75-B G/F, Gali No- 9, Railway Road, Main Jagat Puri, New Delhi, Delhi, 110093. During the site visit of the registered office conducted by the NSE on December 18, 2024, it was observed by NSE person that the entity was not available at the mentioned location.</p> <p>iii. Bank account of Royale was opened in November 2017 and closed by October 2018</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Royal Enterprises	FY18	-	-	-	-	-	4.04	0.52	3.52
	FY19	-	-	-	-	3.52	9.97	13.21	0.27
	FY20	-	-	-	-	0.27	-	0.27	-

I observe from the above table that OTL had reported purchases from Royal in FY18 and FY-19. Accordingly, during investigation bank statements of OTL and Royal were analysed, observations of the same are as under:

- OTL had paid total Rs. 25.18 crore to Royal against purchases of Rs. 14.03 crore.
- During investigation bank statements of Royal, were analysed to see utilization made by the Royal of the said amount received from OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	Withdrawal Party	Total Withdrawal Amount (Debit)
OTL	25.18	Mirage	16.46
Nikira	1.64	Nirmal	8.46
Mirage	0.70	Aaas MM	0.46
Tushar	0.68		
mittal traders	0.35		
Aaas MM	0.21		
Omake enterprises	0.20		
<b>Group Total</b>	<b>28.96</b>	<b>Group Total</b>	<b>25.38</b>

I observe from the above table that funds received by Royal from OTL were further transferred to Noticee 5 and Nirmal.



I also note from the bank statement of Noticee 6 and Noticee 5 that funds received from Royal were transferred to other group entities, which were in turn transferred to OTL.

### 15.15. Mittal Traders (Mittal)

Mittal Traders	i. It is a proprietorship firm of Dushyant Kumar Mittal ii. As per OTLs explanation, <b>Annexure 3</b> , sales and purchase were made of Marble and Monuments with Mittal Traders However, as per GST portal, Mittal Traders was dealing in Cereal Grains and Rice Sem-Milled. iii. Summons dated November 28, 2024 was issued to proprietor of the Mittal Traders i.e. Dushyant Kumar Mittal to appear in person before investigation authority. However, he did not appear before the investigation authority. iv. It was observed that GST registration of Mittal Traders has been cancelled on application of Taxpayer with effect from April 20, 2019. v. Company's registered office was situated Nehru Vihar C-113/114, Civil Lines Delhi, DELHI-110054 vi. Bank account of Mittal Traders was opened in May 2017 and closed by March 2024
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Mittal Traders	FY18	-	-	-	-	-	-	-	-
	FY19	-	13.06	10.78	2.28	-	-	-	-
	FY20	2.28	-	2.28	-	-	-	-	-

I observe from the above table that OTL had reported sales to Mittal in FY19. Accordingly, during investigation bank statements of OTL and Mittal were analysed, observations of the same are as under:

- Mittal had paid total Rs. 16.45 crore to OTL (contrary to the company's submission of recovery of Rs. 13.06 crore as indicated in the above table)
- During investigation bank statements of Mittal, were further analysed to see from which entities Mittal had received the said amount which was ultimately paid to OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)



Mirage	16.45	49.46	OTL	15.48	46.54
Nirmal	6.01	18.07	Aaas MM	7.48	22.49
Aaas MM	1.03	3.10	Mirage	0.73	2.19
Tushar	0.68	2.04	fortune international	0.66	1.98
omake enterprises	0.32	0.96	Nirmal	0.52	1.56
Tylax	0.05	0.15	Aaas Tech	0.51	1.53
Aaas Tech	0.12	0.36	Tushar	0.5	1.50
			- Royal enterprises	0.35	1.05
			- oriental tiles limited	0.18	0.54
<b>Group total</b>	<b>24.66</b>	<b>74.14</b>	<b>Group total</b>	<b>26.41</b>	<b>79.40</b>
<b>Grand Total</b>	<b>33.26</b>	<b>100</b>	<b>Grand Total</b>	<b>33.26</b>	<b>100</b>

From the above table, I observe that 74.14% of the amount credited and 79.40% of the amount debited in the bank accounts of Mittal were from/to the group entities only.

I note from the above table that funds transferred by Mittal to OTL were majorly financed by Group entities i.e. Noticee 5 and Noticee 6.

#### 15.16. True Enterprises (True)

True Enterprises	<ul style="list-style-type: none"> <li>i. It is a proprietorship firm of Mahesh Chand Agarwal</li> <li>ii. As per OTLs explanation, sales and purchase were made of Marble and Monuments with True Enterprises. However, as per GST portal, True Enterprises was dealing in gymnastics, cotton yarn, instruments and appliances used in medical, surgical</li> <li>iii. It was observed that GST registration of True Enterprises has been cancelled on application of Taxpayer with effect from March 05, 2018.</li> <li>iv. Company's registered office was situated 1111, Near Shastri Ki Kothi, Brahampuri, Meerut, Meerut, Uttar Pradesh, 250002. During the site visit of the registered office conducted by the NSE on December 18, 2024, it was observed that NSE person was unable to locate the address.</li> <li>v. Bank account of true enterprises was opened in April 2017 and closed by September 2019.</li> </ul>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
True Enterprises	FY18	-	-	-	-	-	1.32	1.32	-
	FY19					-	3.80	3.80	-
	FY20	-	-	-	-	-	-	-	-



It was observed from the above table that OTL had reported purchases from True in FY18 and FY19. Accordingly, during investigation bank statements of OTL and True were analysed, observations of the same are as under:

- OTL had paid total Rs. 5.24 crore to True.
- During investigation bank statements of True, were analysed to see utilization made by True of the said amount received from OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
OTL	6.04	56.77	Aaas Tech	3.35	31.48
Mirage	0.29	2.73	Mirage	2.78	26.13
			Aaas MM	2.19	20.58
			OTL	0.80	7.52
			Tushar	0.61	5.73
<b>Group total</b>	<b>6.33</b>	<b>59.49</b>	<b>Group total</b>	<b>9.73</b>	<b>91.45</b>
<b>Grand Total</b>	<b>10.64</b>	<b>100</b>	<b>Grand Total</b>	<b>10.64</b>	<b>100</b>

I observe from the above table that funds received by True from OTL were further transferred to other group entities Mirage, Aaas MM and Aaas Tech.

As explained above, these group entities Aaas MM and Aaas Tech had transferred funds to OTL.

#### 15.17. Vaishali Overseas Limited (Vaishali)

Vaishali Overseas Limited (Vaishali)	<p>i. Director of the Vaishali Overseas Limited Vivek Jain appeared in person before investigation authority. During the statement recording on December 06, 2024, he has submitted that he was a broker of OTL. He has submitted that goods purchased from the Mirage were sold to the OTL. However, he was not aware about the goods movement between Mirage to OTL. He has further submitted that Goods movement between Mirage and OTL was managed by Sukhdev.( Sukhdev was director of the many companies i.e. Tylax and Tushar).</p> <p>ii. Company's registered office was situated at 3rd Floor, Room No.-5, 4805/24, Bharat Ram Road, Darya Ganj, New Delhi, Central Delhi, Delhi, 110002. Site visit of the registered office is conducted by the NSE on December 14, 2024. Director of the company was present there at the said address. Company is not doing any operations.</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

FY	Sales by OTL	Purchase by OTL
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Party Name		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Vaishali	FY18	-	-	--	-	-	1.83	0.65	1.18
Overeas	FY19		-	-	-	1.18	5.71	4.67	2.22
Limited	FY20		2.21	2.21	-	2.22	-	2.22	-

I observe from the above table that OTL had reported purchases from Vaishali in FY18 and FY19. Further, sales were reported to Vaishali by OTL in FY20. Accordingly, during investigation bank statements of OTL and Vaishali were analysed, observations of the same are as under:

- OTL had paid total Rs. 6.68 crore to Vaishali.

During Investigation bank statements of Vaishali, were analyzed to see utilization made by the Vaishali of the said amount received from OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
OTL	6.68	78.04	Nirmal	7.46	87.15
Tushar	0.70	8.18	Mirage	0.59	6.89
Surya	0.59	6.89			
Mittal traders	0.12	1.40			
<b>Group total</b>	<b>8.09</b>	<b>94.51</b>	<b>Group total</b>	<b>8.05</b>	<b>94.04</b>
<b>Grand Total</b>	<b>8.56</b>	<b>100.00</b>	<b>Grand Total</b>	<b>8.56</b>	<b>100.00</b>

From the above table, I observe that 94.51% of the amount credited and 94.04% of the amount debited in the bank accounts of Vaishali were from/to the group entities only.

I observe from the above table that funds received by Vaishali from OTL were further transferred to group entities viz. Noticee 5 and Nirmal.

### 15.18. Accumen Overseas

Accumen Overseas	<ol style="list-style-type: none"> <li>i. It is a proprietorship firm of Ravinder Singh Saluja</li> <li>ii. As per OTLs explanation, sales and purchase were made of Marble and Monuments with Accumen Overseas. However, as per GST portal, Accumen Overseas was dealing in Cereal Grains and Rice.</li> <li>iii. It was observed that GST registration of Accumen Overseas has been cancelled suo-moto with effect from February 16, 2023.</li> <li>iv. Company's registered office was situated 28/3, B/2, SITE-IV, INDL. AREA, SAHIBABAD. During the site visit of the registered office conducted by the NSE on December 14, 2024, it was observed by NSE person that the entity was not available at the mentioned address.</li> <li>v. Bank account of Accumen Overseas was opened in June 2018 and closed by November 2020.</li> </ol>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Accumen Overseas	FY18	-	-	-	-	-	--	-	-
	FY19	-	-	-	-	-	2.44	2.13	0.31
	FY20	-	-	-	-	0.31	2.43	-	2.87

I observe from the above table that OTL had reported purchases from Accumen Overseas in FY19 and FY20. During investigation bank statements of OTL and Accumen Overseas were analysed, observations of the same are as under:

- OTL had paid total Rs. 2.67 crore to Accumen Overseas.

During investigation bank statements of Accumen Overseas, were analyzed to see utilization made by the Accumen Overseas for the said amount, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
OTL	2.67	86.12	Mirage	2.66	85.80
<b>Grand total</b>	<b>3.10</b>	<b>100</b>		<b>3.10</b>	<b>100</b>

From the above table, I observe that 86.12% of the amount credited and 85.80% of the amount debited in the bank accounts of Accumen Overseas were from/to the group entities only.

I observe from the above table that funds received by Accumen Overseas from OTL were further transferred to Mirage.

### 15.19. Accumen Enterprises

Accumen Enterprises	<ol style="list-style-type: none"> <li>It is a proprietorship firm of Vijay Kumar</li> <li>It was observed that GST registration of Accumen Enterprises has been cancelled suo-moto effective from April 19, 2023.</li> <li>Company registered office was situated 28/3, B/2, Site-IV, Indl. Area Sahibabad. During the site visit of the registered office conducted by the NSE on December 14, 2024, it was observed by NSE person that the entity was not available at the mentioned address.</li> <li>Bank account of Accumen Enterprises was opened in October 2018 and closed by January 2024.</li> </ol>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Accumen Enterprises	FY18	-	-	-	-	-	--	-	-
	FY19	-	-	-	-	-	2.07	2.07	-
	FY20	-	-	-	-	-	1.77	-	2.03

I observe from the above table that OTL had reported purchases from Accumen Enterprises in FY19 and FY20. Accordingly, bank statements of OTL and Accumen Enterprises were analysed, observations of the same are as under:

- OTL had paid total Rs. 2.51 crore to Accumen Overseas.

During investigation bank statements of Accumen Enterprises, were analyzed to see utilization made by the Accumen Enterprises of the said amount received from OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
OTL	2.51	31.06	Mirage	3.28	40.59
Tushar	1.80	22.28			
Nirmal	0.40	4.95			
Mirage	0.37	4.58			
<b>Group total</b>	<b>5.08</b>	<b>62.87</b>	<b>Group total</b>	<b>3.28</b>	<b>40.59</b>
<b>Grand total</b>	<b>8.08</b>	<b>100</b>	<b>Grand total</b>	<b>8.08</b>	<b>100</b>

From the above table, I observe that 62.87% of the amount credited and 40.59% of the amount debited in the bank accounts of Accumen Enterprises were from/to the group entities only.

I observe from the above table that funds received by Accumen Enterprises from OTL were further transferred to Mirage.

#### 15.20. Vijay Laxmi Granites (Vijay Laxmi)

Vijay Laxmi Granites	i. It is a proprietorship firm of Sunil Kumar
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	ii. It was observed that GST registration of Vijay Laxmi Granites has been suspended effective from October 11, 2023. iii. Company's registered office was situated At 7B-2 Chattarpur Enclave, Delhi iv. Bank account of Vijay Laxmi Granites was opened in April 2017 and closed by July 2022
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Vijay Laxmi	FY18	-	12.01	7.27	4.74	-	--	-	-
	FY19	4.74	-	4.74	-	-	0.13	0.13	-
	FY20	-	-	-	-	-	-	-	-

I observe from the above table that OTL had reported sales to Vijay Laxmi in FY18. Further, minimal purchase was also reported by OTL from Vijay Laxmi in FY19. Accordingly, during investigation bank statements of OTL and Vijay Laxmi were analysed, observations of the same are as under:

- Vijay Laxmi had paid total Rs. 20.07 crore to OTL (contrary to company submission)
- During investigation bank statements of Vijay Laxmi, were further analysed to see from which entities Vijay Laxmi had received the said amount which was ultimately paid to OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
Oriental Tiles Limited	11.38	54.67	OTL	20.07	96.44
Oriental Buildmat	8.41	40.76			
<b>Group Total</b>	19.79	95.43	<b>Group Total</b>	20.07	96.44
<b>Grand Total</b>	20.63	100	<b>Grand Total</b>	20.81	100

From the above table, I observe that 95.43% of the amount credited and 96.44% of the amount debited in the bank accounts of Vijay Laxmi were from/to the group entities only.

I observe from the above table that funds transferred by Vijay Laxmi to OTL were financed by Group entities i.e. Oriental Tiles Limited and Oriental Buildmat Exports Private Limited (both these entities are promoters of the company). Details of the same are as under:



Amt. in Rs. crore

Tx. Date	Oriental Buildmat to Vijay Laxmi	Oriental Tiles Limited to Vijay Laxmi	Vijay Laxmi to OTL
02/04/2017	-	-	0.10
03/04/2017	-	0.10	0.09
04/04/2017	-	0.12	0.08
06/04/2017	-	-	0.10
07/04/2017	-	0.20	0.10
10/04/2017	-	-	0.10
11/04/2017	-	0.09	0.10
13/04/2017	-	0.10	0.10
15/04/2017	-	0.10	-
17/04/2017	-	-	0.10
19/04/2017	-	0.10	-
20/04/2017	-	-	0.10
21/04/2017	-	0.10	0.10
24/04/2017	-	0.19	0.10
25/04/2017	-	-	0.10
26/04/2017	-	0.10	-
27/04/2017	-	-	0.10
28/04/2017	-	0.20	0.10
29/04/2017	-	-	0.10
01/05/2017	-	0.10	-
02/05/2017	-	0.19	0.10
03/05/2017	-	-	0.10
04/05/2017	-	0.19	0.10
05/05/2017	-	-	0.10
06/05/2017	-	0.10	0.09
08/05/2017	-	0.19	0.09
09/05/2017	-	-	0.10
10/05/2017	-	0.09	0.09
11/05/2017	-	0.10	0.09
12/05/2017	-	0.10	0.10
13/05/2017	-	-	0.10
15/05/2017	-	0.10	0.10
16/05/2017	-	0.19	0.10
17/05/2017	-	0.10	0.10
18/05/2017	-	0.10	0.10
19/05/2017	-	0.10	0.10
20/05/2017	-	0.10	0.10
21/05/2017	-	-	0.10
22/05/2017	-	0.10	0.10
23/05/2017	-	0.10	0.10



24/05/2017	-	0.10	0.10
26/05/2017	-	0.10	0.10
29/05/2017	-	0.10	0.10
30/05/2017	-	0.10	0.10
31/05/2017	-	0.10	0.10
01/06/2017	-	0.10	0.10
02/06/2017	-	0.10	0.10
03/06/2017	-	0.10	0.10
05/06/2017	-	0.10	0.10
06/06/2017	-	0.10	0.10
07/06/2017	-	0.10	0.10
08/06/2017	-	0.10	0.10
09/06/2017	-	0.10	-
10/06/2017	-	-	0.10
12/06/2017	-	0.10	0.10
13/06/2017	-	0.10	0.10
14/06/2017	-	0.10	0.10
15/06/2017	-	0.10	0.08
16/06/2017	-	0.09	0.09
17/06/2017	-	0.08	0.09
19/06/2017	-	0.10	0.10
20/06/2017	-	0.10	0.10
21/06/2017	-	0.10	0.10
22/06/2017	-	0.08	0.08
23/06/2017	-	0.06	0.05
27/06/2017	-	0.10	0.10
28/06/2017	-	0.08	0.08
29/06/2017	-	0.10	0.09
30/06/2017	-	0.08	0.07
01/07/2017	-	0.09	-
02/07/2017	-	-	0.09
04/07/2017	-	0.06	-
05/07/2017	-	-	0.06
06/07/2017	-	0.09	0.09
07/07/2017	-	0.09	0.09
10/07/2017	-	0.07	0.07
11/07/2017	0.08	-	0.09
12/07/2017	-	0.07	0.07
13/07/2017	0.09	-	0.09
14/07/2017	-	0.09	0.09
15/07/2017	-	0.09	0.09
17/07/2017	-	0.09	0.09



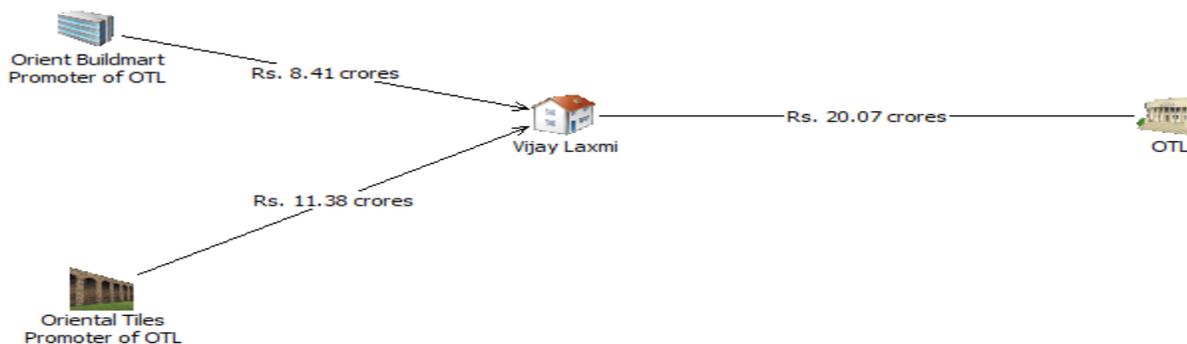
18/07/2017	0.09	-	0.09
19/07/2017	0.10	-	0.10
20/07/2017	0.09	-	0.09
24/07/2017	0.08	-	0.09
04/01/2018	0.10	-	0.10
05/01/2018	0.10	0.07	0.34
06/01/2018	0.10	-	0.10
08/01/2018	0.20	-	0.10
09/01/2018	-	-	0.10
10/01/2018	0.10	-	0.10
11/01/2018	0.10	-	0.10
12/01/2018	0.10	-	0.10
15/01/2018	0.10	-	0.10
16/01/2018	0.41	-	0.40
18/01/2018	0.35	-	0.36
19/01/2018	0.10	-	0.10
22/01/2018	0.10	-	0.10
23/01/2018	0.34	-	0.24
24/01/2018	0.10	-	0.10
25/01/2018	0.10	-	0.10
27/01/2018	-	-	0.10
29/01/2018	0.49	-	0.48
05/02/2018	0.85	-	0.84
06/02/2018	0.51	-	0.52
07/02/2018	0.65	-	0.65
08/02/2018	0.78	-	0.68
09/02/2018	0.57	-	0.67
12/02/2018	0.68	-	0.68
13/02/2018	0.65	-	0.65
14/02/2018	0.10	-	0.10
15/02/2018	0.10	-	0.10
16/02/2018	0.10	-	0.10
18/06/2018	-	0.02	-
21/09/2018	-	0.10	-
24/09/2018	-	0.10	0.10
25/09/2018	-	0.10	0.10
26/09/2018	-	-	0.10
27/09/2018	-	0.10	0.10
28/09/2018	-	0.10	0.10
29/09/2018	-	0.11	0.10
01/10/2018	-	0.12	0.10
03/10/2018	-	0.09	0.10



04/10/2018	-	0.58	0.58
05/10/2018	-	0.50	0.50
06/10/2018	-	0.60	0.49
07/10/2018	-	-	0.10
08/10/2018	-	0.60	0.61
09/10/2018	-	0.08	0.08
11/10/2018	-	0.10	0.10
12/10/2018	-	0.10	0.10
16/10/2018	-	0.10	0.10
17/10/2018	-	0.60	0.58
18/10/2018	-	0.08	0.10
22/10/2018	-	0.46	0.45
26/10/2018	-	-	0.01
27/10/2018	-	-	0.00
Grand Total	8.41	11.38	20.07

I observe from the above table that funds received by Vijay Laxmi from Oriental Buildmart and Oriental Tiles were transferred to OTL in exact denomination on the same day/next day.

Pictorial presentation of the same is as under:



### 15.21. Vinay Constructions and Services LLP (Vinay Constructions)

Vinay Constructions And Services LLP	<ol style="list-style-type: none"> <li>i. GSTIN is 07AAPFV0404J1Z3</li> <li>ii. As per OTLs explanation, <b>Annexure 3</b>, sales and purchase were made of Marble and Monuments with Vinay Constructions. However, as per GST portal, Vinay Constructions was dealing in glass cubes and other glass small wares.</li> <li>iii. Summons dated November 08 and 27 ,2024 were issued to partner of the Vinay Constructions and Services LLP i.e. Vinay Kumar to appear in person before investigation authority. However, he did not appear before the investigation authority.</li> <li>iv. It was observed that Statutory auditor of the company was Neha Jawa.</li> <li>v. Total balance sheet size was Rs. 2.22 crore, NIL employee cost, revenue in FY19 was Rs. 4.36 crore and purchase by OTL is Rs. 3.66 crore.</li> </ol>
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	vi. Company's registered office was situated at 31-34, Jena House Commercial Complex, Dr Muherjee Nagar, Delhi. During the site visit of the registered office conducted by the NSE on December 14, 2024, it was observed that NSE person went to the mentioned address, but the location turned out to be a bookstore. The NSE person entered the bookstore and inquired with the shopkeeper about the entity Vinay Constructions and Services LLP. The shopkeeper confirmed the address and stated that no such entity is currently located there, but it might have been there in the past and has since closed.
	vii. Bank account of Vinay was opened in July 2018

From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Rec.	Sales	Recover ed	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Vinay Constructions	FY18	-	-	-	-	-	-	-	-
	FY19	-	0.02	0.02	-	-	3.66	2.91	0.74
	FY20	-	-	-	-	0.74	0.87	0.74	1.03

I observe from the above table that OTL had reported purchases from Vinay Construction in FY19 and FY20. Further, negligible sales were also reported by OTL to Vinay Constructions in FY19. During investigation bank statements of OTL and Vinay Constructions were analysed, observations of the same are as under:

- OTL had paid total Rs. 6.10 crore to Vinay Constructions.

During investigation, bank statements of Vinay Constructions, were analyzed to see utilization made by the Vinay Constructions of the said amount received from OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
OTL	6.10	82.99	Mirage	6.64	90.34
<b>Grand Total</b>	<b>7.35</b>	<b>100</b>	<b>Grand Total</b>	<b>7.35</b>	<b>100</b>

From the above table, I observe that 82.99% of the amount credited and 90.34% of the amount debited in the bank accounts of Vinay Constructions were from/to the group entities only.



I observe from the above table that funds received by Vinay Constructions from OTL were further transferred to Mirage.

#### 15.22. Venture Enterprises (Venture)

Venture Enterprises	<p>i. It was observed that GST registration of Venture Enterprises has been cancelled suo-moto with effect from March 20, 2019.</p> <p>ii. Company's registered office was situated at No Gh-1, Plot No 25 Meenal Appt.M Rajnagar Ghaziabad. During the site visit of the registered office conducted by the NSE on December 18, 2024 it was observed by NSE person that the entity was not available at the mentioned location.</p> <p>iii. Bank account of the Venture was opened in November 2017 and closed in June 2018</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recover ed	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Venture	FY18	-	-	-	-	-	-	-	-
	FY19	-	7.17	2.37	4.80	-	-	-	-
	FY20	4.80	-	4.78	0.02	-	4.78	4.78	-

I observe from the above table that OTL had reported purchases from Venture in FY20 and sales to Venture in FY19. During investigation bank statements of OTL and Venture, were analysed, observations of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Total Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
Aaas MM	3.24	46.48	Aaas MM	2.01	28.84
Mirage	2.25	32.28	Mirage	0.15	2.15
Tushar	0.91	13.06			
Aaas Tech	0.52	7.46			
<b>Group Total</b>	<b>6.92</b>	<b>99.28</b>	<b>Group Total</b>	<b>2.16</b>	<b>30.99</b>
<b>Grand Total</b>	<b>6.97</b>	<b>100</b>	<b>Grand Total</b>	<b>6.97</b>	<b>100</b>

From the above table, I observe that 99.28% of the amount credit and 30.99% of the amount debited in the bank accounts of Venture were from/to the group entities only.

I observe from the bank statement of Venture and OTL that there were no transactions between them. However, company has submitted that OTL had received Rs. 2.37 crore from Venture in FY19 and Rs. 4.78 crore was adjusted against sales and purchase in FY20. Hence,



claim made by the company that it received Rs. 2.37 crore from Venture in FY19 was incorrect.

### 15.23. Maya Overseas and JD Overseas

Jd Overseas	<ul style="list-style-type: none"> <li>i. It is a proprietorship firm of Shiv Kumar.</li> <li>ii. As per OTLs explanation, <b>Annexure 3</b>, sales and purchase were made of Marble and Monuments with JD Overseas. However, as per GST portal, JD Overseas was dealing in Ortland Cement, Aluminous Cement and Slag Cement.</li> <li>iii. Company's registered office was situated Gt Road, Ubrai Compund F Block F-485 Dilshal Garden, Delhi. During the site visit of the registered office conducted by the NSE on December 18, 2024, it was observed by NSE person that the entity was not available at the mentioned location.</li> </ul>
Maya Overseas	<ul style="list-style-type: none"> <li>i. It is a proprietorship firm of Shri Raj Kumar</li> <li>ii. As per OTLs explanation, <b>Annexure 3</b>, sales and purchase were made of Marble and Monuments with Maya Overseas. However, as per GST portal, was dealing in portland cement, aluminous cement, slag cement and supersulphate cement.</li> <li>iii. Company's registered office was situated at Gt Road, Ubrai Compund F Block F-485 Dilshal Garden, Delhi. During the site visit of the registered office conducted by the NSE on December 18, 2024, it was observed by NSE person that the entity was not available at the mentioned location..</li> </ul>

During investigation it was observed that both Maya Overseas and JD Overseas were registered on the same address. They were registered with GST on the same date January 01, 2020 and their GST registration were cancelled on the same date January 13, 2023. From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recover ed	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Jd Overseas	FY18	-	-	-		-	-	-	
	FY19	-	-	-		-	-	-	
	FY20	-	4.25	4.25		-	4.53	4.53	

As per company's submission, sales and purchase were adjusted against each other and no payment was made. During investigation OTL's bank statements, were also examined, it was observed that no transaction was executed with JD Overseas.

During investigation it was also observed that, as per GST -1 of JD Overseas gathered from GST department, no sales was recorded to OTL in FY20.



From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovere d	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Maya Overseas	FY18	-	-	-		-	-	-	
	FY19	-	-	-		-	-	-	
	FY20	-	3.89	3.89		-	3.70	3.70	

As per company's submission, sales and purchase of Maya Overseas were adjusted against each other and no payment was made. During investigation OTL's bank statements were also examined, it was observed that no transaction was executed with Maya Overseas.

I observe that considering the no banking transactions, entities were not found during site visit, proprietors did not appear before IA, cancellation of GST registration, the sales and purchase booked OTL with Maya Overseas and JD Overseas were fictitious.

#### 15.24. Fortune International (Fortune)

Fortune International	<ul style="list-style-type: none"> <li>i. It is a proprietorship firm of Shri Jitender Kumar</li> <li>ii. Summons dated November 28, 2024 was issued to proprietor of the Fortune International i.e. Jitender Kumar to appear in person before investigation authority. However, he did not appear before the investigation authority.</li> <li>iii. It was observed that GST registration of Fortune International has been cancelled on application of Taxpayer with effect from March 05, 2019.</li> <li>iv. Company registered office was situated B-4/43, Paschim Vihar, Delhi.</li> <li>v. During the site visit of the registered office conducted by the NSE on December 13, 2024, it was observed that NSE person went to the mentioned address, but the location turned out to be a housing society, no such entity existed there.</li> </ul>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovere d	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Fortune	FY18	-	-	-		-	-	-	
	FY19	-	-	-		-	1.15	1.15	
	FY20	-	-	-		-	-	-	



I observe from the above table OTL had reported purchases from Fortune in FY19. Accordingly, during investigation bank statements of OTL and Fortune were analysed, observations of the same are as under:

- OTL had paid total Rs. 2.73 crore to Fortune.

During investigation bank statements of Fortune were analyzed to see utilization made by the Fortune International for the said amount received from OTL, details of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
OTL	2.73	25.59	Mirage	1.40	13.12
Mittal traders	0.66	6.19	Aaas MM	1.15	10.78
Nirmal	0.51	4.78	Nirmal	0.16	1.50
Nikira	0.21	1.97			
Aaas MM	0.17	1.59			
Mirage	0.11	1.03			
<b>Group Total</b>	<b>4.39</b>	<b>41.14</b>	<b>Group Total</b>	<b>2.71</b>	<b>25.4</b>
<b>Grand Total</b>	<b>10.67</b>	<b>100</b>	<b>Grand Total</b>	<b>10.67</b>	<b>100</b>

From the above table, I observe that 41.14% of the amount credited and 25.40% of amount debited in the bank accounts of Fortune International were from/to the group entities only.

I note that amount paid by OTL to Fortune were financed by group entities.

#### 15.25. Nirmal Marble Limited (Noticee 6)

Nirmal Marble Limited	<p>i. Summons dated November 27, 2024 and December 9, 2024 were issued to Directors of the Nirmal Marble Limited i.e. Shri Abhishek Jain and Shri Animesh Jain to appear in person before investigation authority. Details of their submission have been given in para 4 below.</p> <p>ii. Company registered office was situated 194, Gunjolph-8 Nathdwara. Rajsamand Rajasthan 313001 India.</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales by OTL				Purchase by OTL			
		Op. Receivable	Sales	Recovered	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Nirmal	FY18								



	<b>FY19</b>	00	3.01	0.28	2.73	-	1.25	1.25	-
	<b>FY20</b>	2.73	0.24	2.20	0.76	-	1.42	1.42	-

I observe from the above table OTL had reported purchases and sales from/to Noticee 6 in FY19 & FY20. Accordingly, bank statements of OTL and Nirmal, were analyzed, observations of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
royal enterprises	8.46	8.52	omake enterprises	12.58	12.71
Surya	8.45	8.51	mittal traders	6.01	6.07
Vaishali overseas ltd.	7.46	7.51	Nikira	5.55	5.61
Mirage	3.69	3.71	Tushar	5.45	5.50
Tylax	3.67	3.69	OTL	1.82	1.84
Vansessa	3.18	3.20	Surya	1.65	1.67
OTL	1.79	1.80	Mirage	1.1	1.11
Tushar	1.34	1.35	anand jain marbles pvt ltd	0.75	0.76
Aaas MM	0.94	0.95	Oriental Buildmat	0.72	0.73
Mittal traders	0.52	0.52	fortune international	0.51	0.52
fortune international	0.16	0.16	accumen enterprises	0.4	0.40
omake enterprises	0.06	0.06	Aaas MM	0.15	0.15
<b>Group Total</b>	<b>39.72</b>	<b>39.98</b>	<b>Group Total</b>	<b>36.69</b>	<b>37.06</b>
<b>Grand Total</b>	<b>99.34</b>	<b>100</b>	<b>Grand Total</b>	<b>99.01</b>	<b>100.00</b>

From the above table, I observe that 39.72% of the amount credited and 37.06% of the amount debited in the bank accounts of Nirmal were from/to the group entities only.

I observe from the above table that Noticee 6 had transferred to 1.82 crore to OTL and received Rs. 1.79 crore from OTL. Contrary to submission made by the company wherein they have claimed that OTL had received Rs. 2.48 crore and paid Rs. 2.67 crore to Noticee 6.

### 15.26. Noticee 5

Mirage Marble Pvt. Ltd	<p>i. Summons dated November 27, 2024 and December 9, 2024 were issued to Directors of the Mirage i.e. Shri Abhishek Jain and Shri Animesh Jain to appear in person before investigation authority. Details of their submission have been given in para 4 below.</p> <p>ii. Company registered office is situated at 28/3/B-2, Site-4, Sahibabad, Ghaziabad Ghaziabad Uttar Pradesh 201010 India.</p>
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From the purchase and sales register submitted by the OTL, sales and purchase made by the OTL are as under:

Amt. in Rs. crore

Party Name	FY	Sales				Purchase			
		Op. Receivable	Sales	Recovere d	Clo. Receivable	Op. Payable	Purchase	Payment	Closing Payable
Mirage	FY18	-	-	-	-	-	-	-	-
Marble Pvt. Ltd.	FY19	-	1.04	1.04	-	-	1.54	0.10	1.45
	FY20	-	17.32	5.54	11.78	1.45	3.73	3.73	1.45

I observe from the above table OTL had reported purchases and sales from/to Noticee 5 in FY19 & FY20. Accordingly, during investigation bank statements of OTL and Mirage, were analyzed, observations of the same are as under:

Amt. in Rs. crore

Deposit party	Total Deposit Amount (Credit)	% of Total Deposits (Credit)	Withdrawal Party Name	Total Withdrawal Amount (Debit)	% of Total Withdrawals (Debit)
royal enterprises	16.46	11.85	omake enterprises	17.67	11.87
Tushar	12.06	8.68	mittal traders	16.45	11.05
Aaas MM	6.96	5.01	Nikira	12.51	8.40
vinay construction	6.64	4.78	Surya	11.3	7.59
accumen enterprises	3.28	2.36	OTL	4.46	3.00
columbus enterprises	2.8	2.02	Nirmal	3.69	2.48
true enterprises	2.78	2.00	venture enterprises	2.25	1.51
accumen overseas	2.66	1.91	anand jain marbles pvt ltd	2.24	1.50
OTL	2.29	1.65	royal enterprises	0.7	0.47
Aaas Tech	2.11	1.52	accumen enterprises	0.37	0.25
Surya	1.56	1.12	true enterprises	0.29	0.19
Oriental Buildmat	1.56	1.12	Aaas MM	0.12	0.08
fortune international	1.4	1.01	fortune international	0.11	0.07
Nirmal	1.1	0.79			-
Mittal traders	0.73	0.53			-
vaishali overseas ltd.	0.59	0.42			-
omake enterprises	0.5	0.36			-
venture enterprises	0.15	0.11			-
<b>Group Total</b>	<b>65.63</b>	<b>47.24</b>	<b>Group Total</b>	<b>72.16</b>	<b>48.48</b>
<b>Grand Total</b>	<b>138.93</b>	<b>100</b>	<b>Grand Total</b>	<b>148.85</b>	<b>100.00</b>



From the above table, I observe that 47.24% of the amount credited and 48.48% of the amount debited in the bank accounts of Mirage were from/to the group entities only.

I also observe from the above table that Noticee 5 had transferred to Rs. 4.46 crore to OTL and received Rs. 2.29 crore from Mirage. This is contrary to the submission made by the company wherein they have claimed that OTL had received Rs. 6.68 crore from Noticee 5 and paid Rs. 3.83 crore to Mirage.

## Consolidated analysis

### 15.27. GST data and analysis

15.27.1. During investigation vide email dated August 08, 2024 information was sought from the Directorate General of GST Intelligence (HQ). In reply, vide email dated September 01, 2024 GST Intelligence provided information pertaining to 11 entities for FY 19 and FY 20.

15.27.2. Accordingly, the findings of the analysis done of the data received from GST department are as under:

Amt. in Rs. crore

Sl no.	Entity name	Total sales	Sales to non-group entities	Sales to Group entities	% from group entities	Sales to OTL	% OF Sales to OTL to total sales
1	Aaas MM	19.09	0.83	18.26	95.66	1.86	9.76
2	Aaas Tech	16.51	0.41	16.10	97.51	3.32	20.09
3	Colombus	14.99	3.34	11.65	77.71	9.35	62.40
4	Jd Overseas	4.28	-	4.28	100.00		-
5	Maya	3.70	-	3.70	100.00	3.70	100.00
6	Nikira	26.45	1.63	24.82	93.83		-
7	Tushar	26.19	5.46	20.73	79.15	15.10	57.64
8	Tylax	13.54	-	13.54	100.00	10.86	80.23
9	Vansessa	9.67	0.21	9.46	97.80	7.07	73.11
10	Venture	11.22	2.07	9.15	81.58		-
11	Vinay Constructions	7.08	1.95	5.13	72.46	4.88	68.91
	<b>Grand Total</b>	156.87	15.90	136.83		56.15	35.79

15.27.3. I note from the table above that these 11 entities had recorded total Rs. 156.87 crore sales in the FY 19 and FY 20. It is important to note that all these entities have



recorded almost 90% sales to the group entities only. Hence, it was found during investigation that they were trading among themselves only. I further note that 36% of the sales of these entities were made to OTL.

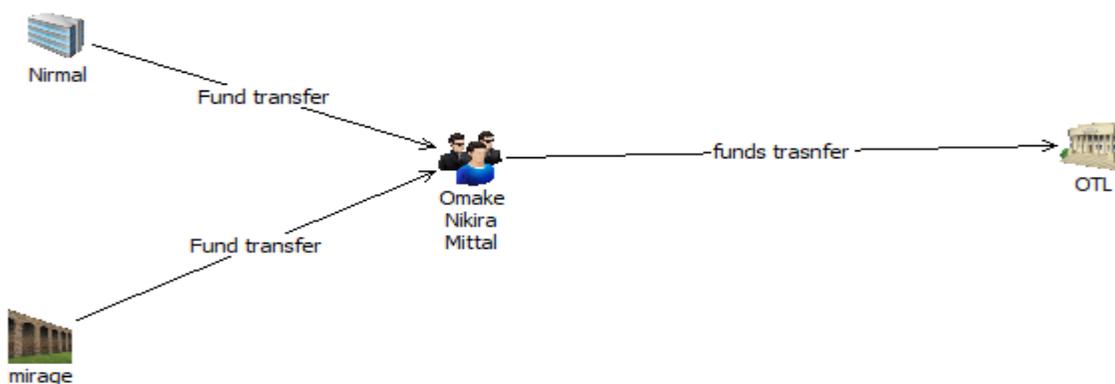
### 15.28. Summary of bank statement analysis

15.28.1. During investigation it was observed from the analysis of the bank statements that money received by OTL from the group entities was originally received by them from Noticee 5 and Noticee 6 and on the other side, the money paid by OTL to the group entities was ultimately transferred to Noticee 5 and Noticee 6.

15.28.2. Details of the same are as under:

Amt. in Rs. crore

Money transferred by	Amount	Intermediate entity	Money received by	Amount
Mirage	17.67	Omake	OTL	22.78
Nirmal	12.58			
Mirage	12.51	Nikira	OTL	20.31
Nirmal	5.55			
Mirage	16.45	Mittal	OTL	15.48
Nirmal	6.01			

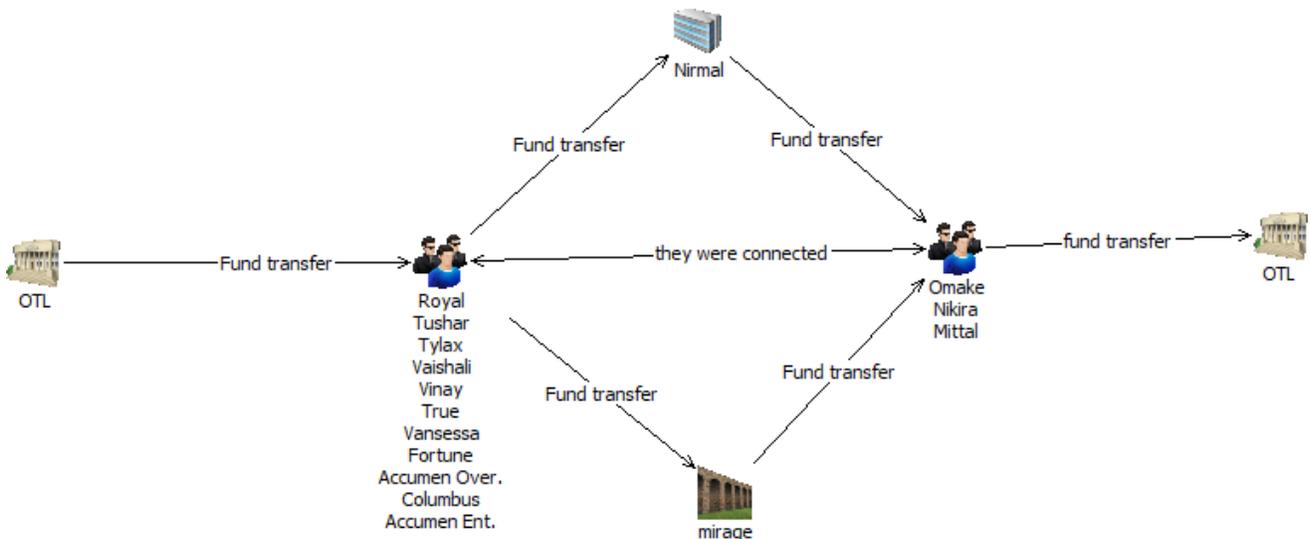


Amt. in Rs. crore

Money transferred by	Intermediate entity	Amount	Money received by	Amount
OTL	Royal	25.18	Mirage	16.46
			Nirmal	8.46
OTL	Tushar	20.29	Mirage	12.06
			Nirmal	1.34
OTL	Tylax	8.08	Nirmal	3.67
OTL	Vaishali	6.68	Mirage	7.46



			Nirmal	0.59
OTL	Vinay Construction	6.10	Mirage	6.64
OTL	True	6.04	Mirage	2.78
OTL	Vansessa	3.19	Nirmal	3.18
OTL	Fortune	2.73	Mirage	1.40
			Nirmal	0.16
OTL	Accumen Overseas	2.67	Mirage	2.66
OTL	Columbus	2.58	Mirage	2.80
OTL	Accumen Enterprises	2.51	Mirage	3.28



15.28.3. I note that during investigation it was observed that all these entities i.e. Royal, Tushar, Tylax, Nikira, Mittal and Vanessa were connected.

15.28.4. Consolidated analysis of Bank statement of 22 entities along with bank statement of OTL are presented in pictorial and tabular manner as given below:







extension. Again summons dated December 09, 2024 was issued to Abhishek Jain and Animesh Jain to appear before the Investigation Authority.

15.29.3. Animesh Jain, vide email dated December 11, 2024, informed that day-to-day activities of both the companies viz. Noticee 5 and Noticee 6 was looked after by the Abhishek Jain. He further stated that he was not connected/ aware about the sales and purchase made by Noticee 5 and Noticee 6.

**Explanation provided by Abhishek Jain, (Director of the Noticee 5 and Noticee 6) during the statement recording on December 12, 2024:**

15.29.4. Noticee 5 is in the business of Import & trading and was not doing any manufacturing or production.

15.29.5. Mr Abhishek Jain further submitted that *“I know Mr Rajesh Punia from 35 years. However, I personally met him in FY 2007. We have very good relationship with Noticee 2.”*

15.29.6. Abhishek Jain submitted that he had known one Sukhdev and his companies worked with companies/ parties of Sukhdev.

15.29.7. It was also observed during investigation that Sukhdev was Director in Tylax and Tushar. Tylax and Tushar were connected to other companies i.e. Aaas MM, Nikira and Vanessa through common directors. Further, vide email dated October 10, 2024, Ms. Neha Jawa (Statutory Auditor of Aaas MM, Nikira, Tushar and Vansessa) submitted that contact person of these entities was Sukhdev for auditing and payment purposes.

15.29.8. Vivek Jain (director of Vaishali Overseas Limited) also submitted that Sukhdev was managing the goods movement between OTL and Noticee 6 (for his company Vaishali Overseas Limited). Based on the information available, it was observed that these companies were managed by Sukhdev.

**Explanation provided by Noticee 2 (MD of the OTL), during the statement recorded on November 06, 2024**

15.29.9. Rajesh Punia submitted with regard to sales and purchase to 22 entities that *“he came to know later that Vanessa, Omake, Aaas MM, Aaas Tech, Tushar, Tylax, Nikira, Vinay constructions, Maya Overseas, JD overseas, Venture and Columbus were under common*



*ownership and managed by agents/ marble brokers. These brokers were unknown to the company.”*

15.29.10. As per MD’s submission it was observed that company has sold/ purchased goods from/ to these entities which were managed by the agents. However, in some cases, money was not received by the company in same financial year. Despite not knowing them (agents) company had given credit to these entities, which was very unusual. It is also confirmed by the Noticee 2 that despite not knowing the entities, OTL had given credit to them on the case to case basis.

15.29.11. He further submitted that *“I accept this that despite not knowing the agent/ broker, company has squared off sales and purchase transaction with these entities in different financial year. However, this has happened case to case basis.”*

15.30. I note that in reply to the SCN Noticee 1 to Noticee 4 submitted that in the business of marble, they are dependent of other marble suppliers to fulfil the requirements of customers. Noticee also submitted that show cause notice has been prepared on the basis of incomplete GST data.

15.31. In this regard, I note that as per normal market practice agent/ broker plays a bridge between buyers and sellers and charge commission on the same. Normally, goods are delivered by sellers to buyers and sales and purchase recorded by the sellers and buyers in their respective books. In the instant case, instead of accounting only the commission charged for these transactions in their books, these agents/ brokers/ entities i.e. Nikira, Royal, True, Tushar, Aas MM, etc. accounted these transactions as sales and purchases in their books.

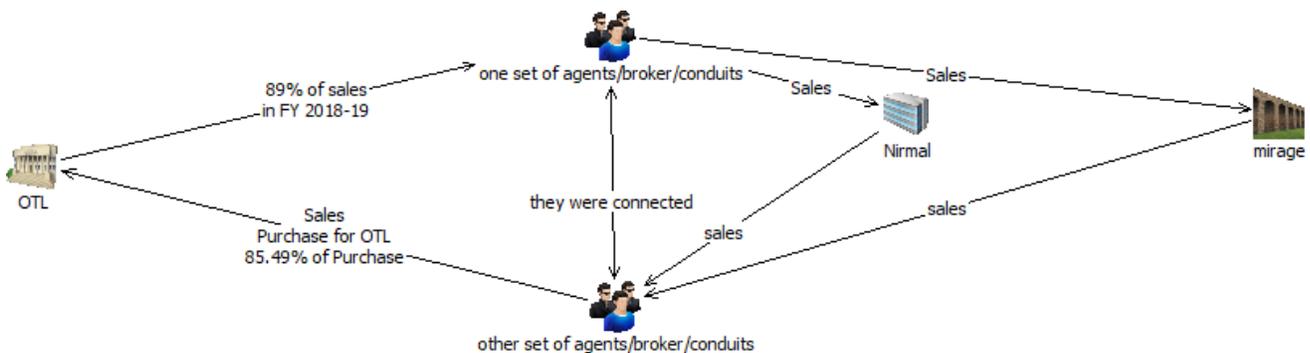
15.32. If these entities are marble broker/ agents, then they should have done business (purchase and sales) with other entities also. In the instant matter, it was observed that 90% of the purchase and sale was made within group only, which ultimately resulted in sales and purchase for OTL and Mirage/ Noticee 6. Therefore, the aforesaid contentions of the Noticee 1 to Noticee 4 is not tenable.

15.33. I note that after booking sales and purchase by these entities with OTL and Mirage/ Noticee 6 (brokers), following events took place:



- i. GST registration of the entities were cancelled.
- ii. Name of the companies were struck off from MCA.
- iii. Bank accounts of the entities were closed.
- iv. Entities did not file financial statements to MCA.

15.34. The submission of Abhishek Jain that he knew Noticee 2 for a long time and had very good relationship with him raises doubts about the genuineness of transactions done by their companies with each other through these agents/ brokers which were managed by Sukhdev and others.



15.35. In view of above and considering the analysis of GST return data of OTL and 11 group entities which indicated that 90% of sales and purchases were among themselves, the analysis of the bank statements of OTL and 22 group entities which indicated circular movement of funds among themselves and in the absence of data of sales / purchases data in respect of 11 other entities either due to their non-cooperation or due to non-delivery of summons to them (being their non-existence at the registered addresses), I observe that goods sold by the OTL to the group entities were ultimately sold to Noticee 5 and Noticee 6 and further, the same goods were sold back to the OTL by Noticee 5 and Noticee 6 through the other group entities in circular.

15.36. Based on the above, I note that OTL had booked fictitious purchase and sales with 22 entities. Details of the same tabulated below:

Amt. in Rs. crore			
Particulars	FY18	FY19	FY20
Fictitious Revenue from 22 entities	43.63	65.10	35.94
Total Revenue	54.46	72.67	74.83



In % of the total revenue	<b>80.12</b>	<b>89.58</b>	<b>48.03</b>
Fictitious Purchase from 22 entities	<b>8.47</b>	<b>69.39</b>	<b>30.90</b>
Total Purchases	46.23	81.17	62.72
In % of the total purchase	<b>18.32</b>	<b>85.49</b>	<b>49.27</b>

15.37. I note that in reply to the SCN, Noticee 1 – 4 submitted that in the matter of M/s Ecom Gill Coffee Trading Private Limited, Hon'ble Supreme Court has allowed the Revenue's appeal and held that if the purchasing dealer fails to establish and prove the actual physical movement of the goods, it is not entitled to the input tax credit (ITC). In this regard, I note that in the aforesaid judgement although the Hon'ble Supreme Court observed that if the purchasing dealer fails to establish and prove the actual physical movement of the goods, it is not entitled to the ITC, however the claiming of ITC is not the evidence of actual physical movements of the goods. Further, I note that in the instant matter the actual physical movement of goods is not in question, but as observed above there is fictitious sales and purchase with the 22 entities. Therefore, the aforesaid contention of the Noticee is irrelevant and is not tenable.

15.38. I also note that in reply to the SCN, Noticee 1 – 4 submitted sales invoices, purchase invoices, Eway bill, bank statements, ledger of the transactions with the 22 parties. In this regard, as already noted above, Noticee 1 has manipulated its accounts by booking a fictitious sales and purchases and for the same purpose sales-purchase invoices and ledger may be manipulated by the Noticee as the same are prepared by the Noticees only. Therefore, the sales-purchase invoices and ledger cannot be relied upon. With regard to the bank statements submitted by the Noticee, it is noted that the same has been analysed during investigation and in the above paragraphs as well, therefore, the bank statements have already been considered.

15.39. With regard to the E-way bills, I note that as per Rule 138 of the E-way rules, every registered person who causes movement of goods of consignment value exceeding fifty thousand rupees the e-way bill shall be generated. Therefore, I note that the e-way bill rules cast responsibility on the sender to generate e-way bill, however, the e-way bills are not the conclusive evidence that the goods have been moved from one place



to the other place. Further, on sample checking the vehicle number mentioned in e-way bills provided by the AR of the Noticee 1-9 with the vehicle details available online, the following has been noted;

E-way Bill No.	Date	Vehicle No.	Vehicle Details	Product description	Quantity (Sq.ft.)	Amount (in Rs.)
491025330946	06/09/2018	UP16T7929	Wagon R Lxi	Rough Marble Slabs	4,262	16,62,180/-
421025886815	10/09/2018	UP16T7929	Wagon R Lxi	Rough Marble Slabs	3,153	9,93,195/-
401033025277	23/10/2018	UP16T7929	Wagon R Lxi	Rough Marble Slabs	4,347	14,56,245/-
491032054068	17/10/2018	UP16T7929	Wagon R Lxi	Rough Marble Slabs	3,658	11,04,836/-
491018517134	20/07/2018	UP16T7929	Wagon R Lxi	Rough Marble Slabs	-	13,82,653/-
451002573744	17/03/2018	HR38R8979	Innova	-	4,214	18,75,230/-

15.40. From the above table, I note that as per E-way bills submitted by the AR of the Noticee 1-9, it has transferred 3,153 sq. ft. to 4,347 sq.ft. rough marble slabs on different dates in Wagon R Lxi, amounting to Rs. 9,93,195/- to Rs 16,62,180/- and 4,214 sq.ft. marbles in Innova. I note that this much amount of marble is impossible to carry in a small car. I observe that Noticee 1 to 4 by making false entries while generating E-way bills and submitting the same to SEBI, has tried to mislead the instant proceedings. Therefore, the documents submitted by Noticee cannot be relied upon.

15.41. In view of the above, I noted that OTL had reported fictitious sales and purchase with the 22 entities approx. 80% to 85% in FY18, 85-89% in FY19, 48-49% in FY20 of total revenue and purchases of the respective financial years, which were very significant.

15.42. I also note that in terms of provisions of IND AS 115 sales and purchase should have commercial substance. I note that the sale/purchase transactions by OTL with 22 entities did not have any commercial substance since they were merely booking fictitious purchase and sales entries in their books of accounts without any movement



of stock of goods. Therefore, I observe that the same is in violation in terms of provisions of IND AS 115.

### Impact of fictitious purchase and sales on the financial statement of OTL

15.43. As observed above OTL inflated its revenue by booking fictitious sales and purchase transactions with 22 entities. The contribution of fictitious sales & purchase transactions in the books of the OTL is summarized below:

Amt. in Rs. crore

Particulars	FY 18	FY19	FY20
Total Revenue	54.46	72.67	74.83
Fictitious revenue	<b>43.63</b>	<b>65.1</b>	<b>35.94</b>
<b>Fictitious revenue /total Revenue in %</b>	<b>80.12</b>	89.58	<b>48.03</b>
Revenue excluding fictitious revenue	10.83	7.57	38.89
Total Purchases	46.23	81.17	62.72
Fictitious purchase	<b>8.47</b>	<b>69.39</b>	<b>30.9</b>
<b>Fictitious purchase/total purchase in %</b>	18.32	85.49	49.27
Purchase excluding fictitious purchases	37.76	11.78	31.82

15.44. I note that during FY18 to FY20 OTL had booked fictitious sales and purchase, thereby misleading the stakeholders, including investors of the company, which induced them to trade in the scrip of OTL based on misleading financials.

### 15.45. Shareholding Pattern:

From the analysis of shareholding pattern of the company, I observe that the promoter's shareholding had decreased from 35.83% for the quarter ended September 2017 to 28.08% for the quarter ended March 2020 with corresponding increase in the public shareholding. A summary of the shareholding in the promoters' category and public category over the years has been tabulated as below.

Category	Mar 2017	Mar 2018	Mar 2019	Mar 2020
Promoters (%)	35.83	32.37	28.08	28.08
FIIIs (%)	0.00	0.63	8.24	8.85
DIIIs (%)	2.16	0.42	0.35	0.36
Public (%)	62.01	66.58	63.32	62.71
No. of Shareholders	8,777	8,204	7,913	7,520



15.46. In view of the above, I note that OTL has manipulated its books of accounts/ financial statement for the FY18 to FY 20 by booking fictitious sales and purchases and thereafter, published and disseminated such false and misleading financial statements of the company to the stock exchange. The act/practice of misrepresentation of the company's financial statements, which operated as a device/scheme to defraud the investors in the securities market, which was trading in securities based on manipulated financial statements.

**Based on the above, it is established that the Noticee 1 has violated Regulations 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act and Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a), 33(1)(c) and 48 of LODR Regulations.**

**16. Role of Noticee 2, Promoter & Managing Director of OTL and Noticee 3, Promoter & Whole time Director,**

16.1. I note that during investigation it was observed that Noticee 2 and Noticee 3 were in charge of operations and decision-making process and therefore, responsible for the violation committed by the OTL. Accordingly, Noticee 2 and Noticee 3 failed to perform their duties and obligations which resulted in publication of misrepresented/ misstated and misleading financial statements of OTL. Based on the above, it was alleged that Noticee 2 and Noticee 3 violated Regulations 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act and Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a), 33(1)(c) and 48 of LODR Regulations r/w Section 27 of SEBI Act. Further, it has also been alleged that Noticee 2 and Noticee 3 violated regulation 4(2)(f)(i)(2), 4(2)(f)(ii)(2), 4(2)(f)(ii)(6) 4(2)(f)(ii)(7), 4(2)(f)(iii)(1), 4(2)(f)(iii)(3), 4(2)(f)(iii)(6), 4(2)(f)(iii)(7) of LODR Regulations.

16.2. Further during investigation it was observed that Noticee 2 in FY18 to FY20 incorrectly signed the certificate, under Regulation 17(8) of LODR Regulations. Hence, it was alleged that Noticee 2 has also violated the Regulation 17(8) of LODR Regulations.

16.3. Details of OTL's Board meetings held during the investigation period and the Whole Time/Executive Directors who attended the meetings are provided below:



Name of the director	FY18		FY19		FY20	
	7		7		6	
	Eligible to attend	Attended	Eligible to attend	Attended	Eligible to attend	Attended
Noticee 2	7	7	7	7	6	6
Noticee 3	7	7	7	7	6	6

Source: Annual report

- 16.4. I note that Noticee 2 is the Promoter, Managing Director of OTL and Noticee 3 (promoter) whole time director of OTL. They were the Key Managerial Personnel (“KMP”) of OTL as per the Companies Act 2013. Further, they were also disclosed as KMPs in the annual report of OTL for FY 18 to FY 20.
- 16.5. I note that Noticee 2, being Promoter/ Managing Director of OTL and Noticee 3 being Whole time director of OTL had attended all the Board meetings of OTL held during the investigation period. Further, Noticee 2 was part of Stakeholders’ Grievances and Relationship Committee from FY 2018 to FY 20.
- 16.6. Noticee 2 and Noticee 3, who were signatories of OTL’s financial statements for the FY18 to FY20 failed to discharge their duty in ensuring that the published financial statements were in accordance with the applicable and notified Accounting Standards and that the financial statements present a true and fair view of the company’s affairs.
- 16.7. Despite the same, Noticee 2 in FY18 to FY20 incorrectly signed the certificate, under Regulation 17(8) of LODR Regulations.
- 16.8. During the statement recording before the investigation authority on November 06, 2024 Noticee 2 has submitted with regard to purchase and sales with group entities that *“we came to know at the later date that some of the entities were with common ownership and basically they were working as agent/marble broker. They were unknown to company. Despite not knowing them, company has given credit to them case to case basis.”*
- 16.9. I note that MD and Whole time director of the company are key persons in the hierarchy of the company to work properly in the interest of the company and its shareholders. Further, it is the duty and responsibility of the MD/Directors to ensure that proper systems and controls are in place for financial reporting and to monitor the efficacy of such systems and controls. The MD/ Directors of the listed companies have greater responsibility as they have access to inside information such as the financial position of



the company, annual accounts, etc., and they take major decisions on behalf of the company, which affect the investors. Therefore, they are expected to exercise the powers in bona fide manner and in the interest of all stakeholders of the company.

16.10. It was the responsibility of Noticee 2 and Noticee 3 to ensure that the company's financial statements present true and fair picture of the company's state of financial affairs. Such irregularities/ manipulation in the company's books of accounts could not have taken place without approval (either written or oral) or knowledge of the MD/ Executive director, who headed the corporate hierarchy of the company. They were, therefore, very much involved in falsification/ fabrication of books of the accounts and thus, manipulated OTL's financial statements with knowledge and intention to deceive or induce investors and shareholders for carrying out fraud.

16.11. They were in charge of operations and decision-making process and therefore, responsible for the violation committed by the OTL. Accordingly, I observe that Noticee 2 and Noticee 3 failed to perform their duties and obligations and deliberately manipulated the books of accounts and published misleading financial statements of OTL.

**Based on the above, it is established that Noticee 2 and Noticee 3 violated Regulations 3(a),3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act and Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a), 33(1)(c) and 48 of LODR Regulations r/w Section 27 of SEBI Act. Further, I also observe that Noticee 2 and Noticee 3 violated regulation 4(2)(f)(i)(2), 4(2)(f)(ii)(2), 4(2)(f)(ii)(6) 4(2)(f)(ii)(7), 4(2)(f)(iii)(1), 4(2)(f)(iii)(3), 4(2)(f)(iii)(6), 4(2)(f)(iii)(7) of LODR Regulations.**

**Noticee 2 in FY18 to FY20 incorrectly signed the certificate, under Regulation 17(8) of LODR Regulations. Hence I observe that Noticee 2 has also violated the Regulation 17(8) of LODR Regulations.**

#### **17. Role of Noticee 4, Chief Financial Officers (CFO):**

17.1. I note that during investigation it was observed that Noticee 4 was in charge of finance and decision-making process and therefore, responsible for the violation committed by



the OTL. Accordingly, Noticee 4 failed to perform his duties and obligations which resulted in publication of misrepresented/ misstated and misleading financial statements of OTL. Noticee 4 in FY18 to FY20 signed a false certificate as required under Regulation 17(8) of LODR Regulations. Based on the above, it has been alleged that Noticee 4 violated Regulations 3(a), 3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act and Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a),33(1)(c) and 48 of LODR Regulations r/w Section 27 of SEBI Act. Further, it has been alleged that Noticee 4 has also violated the Regulation 17(8) of LODR Regulations

17.2. I note that Noticee 4 was Chief Financial Officer (“CFO”) of OTL from October 24, 2017. He was KMP in the company by virtue of his designation as the CFO in terms of the Companies Act, 2013.

17.3. Noticee 4 was one of the signatories of OTL’s financial statements, for FY18 to FY20 and failed to discharge his duty in ensuring that the published financial statements were in accordance with the applicable and notified Accounting Standards and that the financial statements presented a true and fair view of OTL’s affairs

17.4. I note that during the statement recording on December 05, 2024 Noticee 4 submitted that he was working in the company from FY 1997 and became CFO of the company in FY 14. With regard to parties to which OTL had booked sales and purchase he has submitted that “*these are genuine parties*” despite these parties are not traceable.

17.5. I note that despite the fictitious purchase and sales booked by the OTL, Noticee 4 in FY18 and FY20 signed a false certificate as required under Regulation 17(8) of LODR Regulations.

17.6. I note that a Chief Financial Officer is a person heading and discharging the finance function of the listed entity. Therefore, he was expected to exercise the powers in bona fide manner and in the interest of all stakeholders of the company. CFO is expected to exercise due care and diligence in ensuring that the transactions are genuine and that they are in the best interests of the company, including the minority shareholders of the company. In the instant matter, OTL booked fictitious purchase and sale transactions.



17.7. He was in charge of finance and decision-making process and therefore, responsible for the violation committed by the OTL. Accordingly, I observe that Noticee 4 failed to perform his duties and obligations which resulted in publication of misrepresented/ misstated and misleading financial statements of OTL. Noticee 4 in FY18 to FY20 signed a false certificate as required under Regulation 17(8) of LODR Regulations.

**Based on the above, it is established that Noticee 4 violated Regulations 3(a), 3(b),3(c),3(d), 4(1), 4(2)(f), 4(2)(k), 4(2)(r) of PFUTP Regulations r/w Section 12A (a), (b), (c) of SEBI Act and Regulations 4(1) (a), (b), (c), (d), (e), (g), (h), (i) and (j), 4(2)(e), 33(1)(a),33(1)(c) and 48 of LODR Regulations r/w Section 27 of SEBI Act. Further, I observe that Noticee 4 has also violated the Regulation 17(8) of LODR Regulations.**

**18. Role of Audit Committee Members (Independent directors) of OTL:**

18.1. During investigation it was also observed that Noticee 8, Noticee 9, Noticee 10 and Noticee 2, have allegedly failed to perform their duties and obligations required to be performed under Regulation 18(3) r/w Para A of Part C of Schedule II of LODR Regulations.

18.2. I note that in any listed company, the Audit Committee (AC) is expected to play a vital role as far as ensuring compliance with existing accounting standards, true and fair presentation of the financial statement, approving related party transactions, monitoring the financial health of the company, apart from ensuring compliances with applicable laws and regulations, are concerned.

18.3. Also, under LODR Regulations, the Audit Committee is entrusted with oversight of the company's financial reporting process and the disclosure of its financial information to ensure that the financial statement is correct, sufficient, and credible.

18.4. I note that the role of the Audit Committee of the listed company includes oversight of the listed entity's financial reporting process and the disclosure of its financial information to ensure that the financial statement is correct, sufficient, and credible. Further, they are also mandated for approving as well as reviewing the disclosure of any related party transaction. They have to review the major accounting amount involving estimates based on the exercise of judgment by management. They are expected to be



independent, vigilant, and cautious against any fraudulent acts committed by the company and raise their concerns.

18.5. As per the annual reports of OTL, summary of attendance of the audit committee members in audit committee meetings held during investigation period is as below:

Name of the audit committee member	Number of the Audit committee meeting attended		
	2017-18	2018-19	2019-20
Vivek Seth	4	4	4
Noticee 2	4	4	4
Jitendra Surendra Gupta		4	4
Rakesh Takyar	4		

18.6. I observe from the above table that the Audit Committee members namely, Noticee 8, Rakesh Takyar, Noticee 9 and Noticee 2 attended Audit Committee meetings held during the investigation period.

18.7. Considering the extensive misrepresentation in the books of OTL, summons were issued on November 22, 2024 to Noticee 9, Rakesh Takyar and Noticee 8 to appear in person before the investigating authority.

18.8. Submissions made by Vivek Seth during the statement recorded on December 06, 2024:  
“I have *not* raised any question in the audit committee meetings with regard to debtors.”  
“*This kind of industry generally have large amounts of stock so we did not found abnormality in the stock reported by the company*”

18.9. Submissions made by Rakesh Takyar during the statement recorded on October 16, 2024:  
“*Sales reported by the company was Rs. 50-60 crore approx, I do not know details of the sales and purchase parties*”  
*I have not raised any question in the audit committee meetings with regard to debtors.*  
*We did not find abnormality in the stock reported by the company*”

18.10. Submissions made by Noticee 9 (audit committee chairman) during the statement recorded on October 16, 2024:  
“*Sales reported by the company was Rs. 50-70 crore approx, I do not know details of the sales and purchase parties.*”



*“I have not raised any question in the audit committee meetings with regard to debtors. As an audit committee meeting members we did not ask for the list of debtors. I have relied internal audit reports which did not discuss about the ageing of the debtors.”*

*“We have not taken any action on the debtors.”*

- 18.11. Audit Committee members of OTL did not know the customers of the company. None of the audit committee members raised question on the high receivables of the company despite statutory auditor of the company had qualified the debtors in the FY19.
- 18.12. I note that in reply to the SCN, Noticee 8 submitted that Audit committee members are not involved in day to day operations of the company and they review the performance of the company on quarterly basis. In this regard, I note that financial statements of the OTL was published quarterly, half yearly and annually which was manipulated. Therefore, the aforesaid contention of the Noticee is irrelevant and is not tenable.
- 18.13. Noticee 8 and Noticee 9, in reply to the SCN, submitted that the statement recorded on December 06, 2024 was made under unreasonable pressure, without considering their health issues and undermining the principles of natural justice, thus Noticee 8 and Noticee 9 changed their statement on specific points. In this regard, I note that Statement recording dated December 06, 2024 and December 02, 2024 of Noticee 8 and 9 respectively was duly signed and acknowledged by the Noticee 8 and 9 and no objection was raised by the Noticee 8 and 9 post recording of statement and made this submission of unreasonable pressure and retracted its statement only after the issuance of SCN. Therefore, the aforesaid submissions of Noticee 8 and 9 is just an afterthought.
- 18.14. I note that in reply to the SCN, Noticee 10 submitted that he had resigned as Independent Director from the Board of OTL with effect from March 31, 2018. Noticee 10 also submitted that when the results of FY18 (2017-18) were considered and taken on records after March 31, 2018, Noticee 10 had already resigned from the board of OTL.



- 18.15. In this regard, I note that financial results are prepared at the end of the 12-month cycle. Therefore, in the instant matter for FY 2017 – 18 financial year results must have been prepared after March 31, 2018 i.e. after the resignation of Noticee 10.
- 18.16. In view of the same, I note that allegations made in the SCN against Noticee 10 are not true.
- 18.17. With regard to Noticee 8 and Noticee 9, I note that they failed to raise basic question in the audit committee meetings despite sufficient red flags were there i.e. High receivables, high debtor's collection period and high inventory compared to sales.
- 18.18. In view of above, I note that audit committee members i.e. Noticee 8 and Noticee 9 failed to discharge their basic duties as a member of Audit Committee and their failure to discharge their obligations has led to the erosion of the interest of minority shareholders of OTL which could have been prevented from happening or getting further aggravated.
- 18.19. This indicates gross misconduct, negligence, and professional wrongdoing on the part of namely Noticee 8 (FY 18 to FY 20), Noticee 2 (FY 18 to FY 20), and Noticee 9 (FY19 to 20). I observe that these directors failed to fulfil their duties and obligations as Audit Committee members in terms of LODR Regulations.

**Based on the above, it is established that Noticee 8, Noticee 9, and Noticee 2, have failed to perform their duties and obligations required to be performed under Regulation 18(3) r/w Para A of Part C of Schedule II of LODR Regulations**

#### **19. Role of Noticee 5, Noticee 6 and Noticee 7**

- 19.1. I note that during investigation it has been alleged that Noticee 5, Noticee 6 and Noticee 7 aided and abetted OTL in a scheme of inflation of purchase and sales wherein they had provided fictitious purchase and sales entries to OTL. Therefore, it was alleged that Noticee 5 and Noticee 6 have violated Section 12A (b) & (c) of the SEBI Act r/w regulations 3 (c) & (d) and 4(1) of the PFUTP Regulations. It has been alleged that Noticee 7 has violated Section 12A (b) & (c) of the SEBI Act r/w regulations 3 (c) & (d) and 4(1) of the PFUTP Regulations r/w Section 27 of SEBI Act.



- 19.2. Further, Noticee 7 failed to furnish various information, details etc. as sought vide email dated December 11, 18, 2024 and summons dated December 20, 2024, reminder emails dated December 21, 24 & 26, 2024 and January 03, 2024 without any justifiable reasons for such failure and thus, it was alleged that Noticee 7 has violated Section 11C (3) of SEBI Act.
- 19.3. I note that in reply to the SCN, Noticee 5-7 submitted that materials purchased was raw in nature whereas the sold materials was finished products / slabs / idols. Noticee 7 also denied that he has not co-operated with the investigation authority
- 19.4. I note that, as observed above, goods sold by the OTL to brokers/ agents were ultimately sold to Noticee 5 and Noticee 6. Further, same goods were sold back to the OTL by Noticee 5 and Noticee 6 through broker/agent entities in circular manner.
- 19.5. Accordingly, during investigation summon dated December 09, 2024 was issued to Abhishek Jain (director of Noticee 5 and Noticee 6). Further, an email has been sent to Abhishek Jain on December 11, 2024 to provide GST data of Noticee 5 and Noticee 6.
- 19.6. During statement recorded on December 12, 2024, Abhishek Jain (director of Noticee 5 and Noticee 6) submitted that he will provide the GST data of Noticee 6 and Noticee 5 by December 14, 2024. Further, vide email dated December 12, 2024 Abhishek Jain was asked to provide the invoice and transportation expenses record of Noticee 5 and Noticee 6. However, Abhishek Jain did not provide the required data in due course of time.
- 19.7. Accordingly, during investigation again reminder email was sent on December 18, 2024. Further, purchase and sales register of Noticee 5 and Noticee 6 were also sought through the said email. However, Abhishek Jain did not provide the required data in due course of time.
- 19.8. Thereafter, summon dated December 20, 2024 was issued to Abhishek Jain to provide GST data, transportation details and purchase and sales register of Noticee 5 and Noticee 6 by December 24, 2024.



Sr. No.	Information asked in Summon
1	GST data of Mirage and Nirmal
2	Purchase and sales register of Mirage and Nirmal
3	Transportation details of Mirage and Nirmal

19.9. Vide email dated December 21, 2024, Abhishek Jain provided GSTR1 acknowledgement and did not provide invoice wise details which was asked, same was conveyed to him by December 21, 2024 through email.

19.10. Again vide email dated December 24, 2024, reminder email was sent to him. Vide email dated December 24, 2024 Abhishek Jain has provided certain data, details of the same are as under:

Sr. No.	Information asked in Summon	Reply provided by Abhishek Jain
1	GST data of Mirage and Nirmal	GST data of Mirage (not in proper format)
2	Purchase and sales register of Mirage and Nirmal	Not provided
3	Transportation details of Mirage and Nirmal	Not provided

19.11. Accordingly, same was informed to Abhishek Jain by email dated December 26, 2024 and was asked to provide the data in excel format. However, vide email dated December 30, 2024 Abhishek Jain provided certain data, analysis of the same are as under:

Sr. No.	Information asked in Summon	Reply provided by Abhishek Jain
1	GST data of Mirage and Nirmal	GST data of Mirage and Nirmal (not provided in excel format)
2	Purchase and sales register of Mirage and Nirmal	Not provided
3	Transportation details of Mirage and Nirmal	Not provided

19.12. Accordingly, vide email dated January 03, 2024 another reminder was sent to Abhishek Jain. However, he did not provide the data in due course of time.

19.13. I note that in reply to the SCN, Noticee 5 and 6 submitted that materials purchased was raw in nature whereas the sold materials were finished products / slabs / idols. In this regard, as analysed and explained above how Noticee 5 and 6 aided and abetted



OTL in a scheme of inflation of purchase and sales and had provided fictitious purchase and sales entries to OTL, therefore, the aforesaid contention of Noticee 5 and 6 is not relevant.

19.14. I note that in reply to the SCN, Noticee 7 denied that he has not co-operated with the investigation authority, however, from the documents available before me, I observe that despite providing repeated reminders during investigation, Noticee 7 did not provide transportation details and purchase and sales register of Noticee 5 and Noticee 6. Therefore, the aforesaid contention of the Noticee is not tenable.

**Based on the above, it is established that Noticee 5, Noticee 6 and Noticee 7 aided and abetted OTL in a scheme of inflation of purchase and sales wherein they provided fictitious purchase and sales entries to OTL. Therefore, it is established that Noticee 5 and Noticee 6 have violated Section 12A (b) & (c) of the SEBI Act r/w regulations 3 (c) & (d) and 4(1) of the PFUTP Regulations and Noticee 7 has violated Section 12A (b) & (c) of the SEBI Act r/w regulations 3 (c) & (d) and 4(1) of the PFUTP Regulations r/w Section 27 of SEBI Act.**

**Further, I observe that Noticee 7 failed to furnish various information, details etc. as sought vide email dated December 11, 18, 2024 and summons dated December 20, 2024, reminder emails dated December 21, 24 & 26, 2024 and January 03, 2024 without any justifiable reasons for such failure and thus, it is established that Noticee 7 has violated Section 11C (3) of SEBI Act.**

**ISSUE II: Does the violation, if any, on part of the Noticees attract penalty u/s 15HA, 15HB and 15A(a) of SEBI Act?**

20. Noticees were under statutory obligation to abide by the provisions of the SEBI Act, Rules and Regulations and Circulars/directions issued thereunder etc. which they failed to do. The very purpose of the said regulations is to deter wrong doing and promote ethical conduct in the securities market. In view of the violations as established above, I find that this is a fit case for penalty u/s 15HA, 15HB and 15A(a) of the SEBI Act, which reads as given below:



**15HA - Penalty for fraudulent and unfair trade practices:-** *If any person indulges in fraudulent and unfair trade practices relating to securities, he shall be liable to a penalty which shall not be less than five lakh rupees but which may extend to twenty-five crore rupees or three times the amount of profits made out of such practices, whichever is higher.*

**15HB. Penalty for contravention where no separate penalty has been provided -** *Whoever fails to comply with any provision of this Act, the rules or the regulations made or directions issued by the Board thereunder for which no separate penalty has been provided, shall be liable to a penalty which shall not be less than one lakh rupees but which may extend to one crore rupees.*

**15A-Penalty for failure to furnish information, return, etc.-** *If any person, who is required under this Act or any rules or regulations made thereunder, —*

*(a) to furnish any document, return or report to the Board, fails to furnish the same or who furnishes or files false, incorrect or incomplete information, return, report, books or other documents, he shall be liable to a penalty which shall not be less than one lakh rupees but which may extend to one lakh rupees for each day during which such failure continues subject to a maximum of one crore rupees;*

**ISSUE III: If so, how much penalty should be imposed on the Noticees taking into consideration the factors mentioned in Section 15J of the SEBI Act?**

21. While determining the quantum of penalty u/s 15HA, 15HB and 15A(a) of the SEBI Act, it is important to consider the factors stipulated in section 15J of SEBI Act, which reads as under:-

*15J - Factors to be taken into account by the adjudicating officer*

*While adjudging quantum of penalty under section 15-I, the adjudicating officer shall have due regard to the following factors, namely:-*

*(a) the amount of disproportionate gain or unfair advantage, wherever quantifiable, made as a result of the default;*

*(b) the amount of loss caused to an investor or group of investors as a result of the default;*

*(c) the repetitive nature of the default.”*

22. In the present matter, I note that no quantifiable figures are available to assess the disproportionate gain or unfair advantage made as a result of the defaults by Noticees.



Further, from the material available on record, it may not be possible to ascertain the exact monetary loss to the investors/ clients on account of default by the Noticee. Further, as per the available records, no past action has been taken by SEBI against the Noticee. Noticees was under a statutory obligation to abide by the provisions of the SEBI Act, 1992, Rules and Regulations and Circulars/ directions issued thereunder etc. which it failed to do. The very purpose of the said regulations is to deter wrong doing and promote ethical conduct in the securities market, which was not done by the Noticees. Further, the Noticees attempted to mislead the instant proceedings by producing fake documents in support of their contentions which is a grievous matter. Therefore, violations, as established above, by the Noticees attracts commensurate penalty.

### **ORDER**

23. Having considered the facts and circumstances of the case, the material available on record, the submissions made by the Noticees, the factors mentioned in Section 15J of the SEBI Act, and also taking into account judgment of the Hon'ble Supreme Court in *SEBI vs. Bhavesh Pabari (2019) 5 SCC 90* and in exercise of power conferred upon the undersigned u/s 15-I of the SEBI Act r/w rule 5 of the Adjudication Rules, 1995, the following penalty is imposed u/s 15HA, 15HB and 15A(a) of the SEBI Act on the Noticees:

<b>Noticee No.</b>	<b>Name of Noticee</b>	<b>Penalty Provisions</b>	<b>Penalty</b>
1	Oriental Trimex Limited	Section 15HA of SEBI Act for violation	Rs. 50,00,000 (Rs. Fifty Lacs Only)
2	Rajesh Punia	of PFUTP	Rs. 50,00,000 (Rs. Fifty Lacs Only), to be paid jointly and severally
3	Savita Punia	Regulations and Section 15HB of the	
4	Om Prakash Sharma	SEBI Act for violation of LODR Regulations.	
5	Mirage Marble Private Limited	Section 15HA of SEBI Act for violation	Rs. 20,00,000 (Rs. Twenty Lacs Only) to be paid jointly and severally
6	Nirmal Marble Limited		



		of PFUTP Regulations.	
7	Abhishek Jain	Section 15HA of SEBI Act for violation of PFUTP Regulations and u/s 15 A(a) of SEBI Act for non-compliance of summons.	
8	Vivek Seth	Section 15HB of SEBI Act for violation	Rs. 5,00,000 (Rs. Five Lacs Only)
9	Jitendra Surendra Gupta	of LODR Regulations.	Rs. 5,00,000 (Rs. Five Lacs Only)

I am of the view that the said penalty is commensurate with the violations by the Noticees.

24. The Noticees shall remit / pay the said amount of penalty within 45 days of receipt of this order through online payment facility available on the website of SEBI, i.e. [www.sebi.gov.in](http://www.sebi.gov.in) on the following path, by clicking on the payment link:

**ENFORCEMENT → Orders → Orders of AO → PAY NOW**

25. In case of any difficulties in payment of penalties, Noticees may contact the support at [portalhelp@sebi.gov.in](mailto:portalhelp@sebi.gov.in).

26. In the event of failure to pay the said amount of penalty within 45 days of the receipt of this Order, SEBI may initiate consequential actions including but not limited to recovery proceedings u/s 28A of the SEBI Act for realization of the said amount of penalty along with interest thereon, inter alia, by attachment and sale of movable and immovable properties.



27. In terms of the provisions of rule 6 of the Adjudication Rules, 1995, a copy of this order is being sent to the Noticees and also to SEBI.

**PLACE: MUMBAI**

**DATE: February 18, 2026**

**AMIT KAPOOR**

**ADJUDICATING OFFICER**