



IN THE COURT OF THE ADDL. CHIEF METROPOLITAN  
MAGISTRATE,  
TEES HAZARI, DELHI

CC NO: 1306/02  
21/12/02

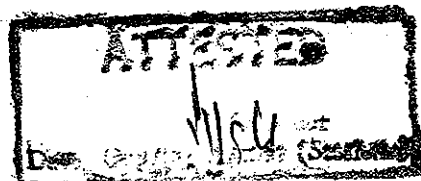
\* Securities and Exchange Board of India, a  
statutory body established under the  
provisions of Securities and Exchange  
Board of India Act, 1992, having its Head  
Office at Mittal Court, B - Wing, 224  
Nariman Point, Mumbai - 400 021  
represented by its Legal Officer, Shri  
Sharad Bansode.

...Complainant

Vs.

1. RK Satyadarshi Plantations India Ltd.,  
a company incorporated under the  
provisions of Companies Act, 1956 and  
having its Regd. Office at 2<sup>nd</sup> Floor,  
Sangam Complex, Milap Chowk,  
Jalandhar City.
2. Sh. R. K Raman, , S/o Not known to the  
complainant; Occupation Director of the  
Accused No.1; resident of 44, New  
Jawahar Nagar, Jalandhar City, Punjab.

Pa 13  
21/12/02





3. Sh. R K Tiwari, S/o Not known to the complainant; Occupation Director of the Accused No.1; resident of 44, New Jawahar Nagar, Jalandhar City Punjab.

PC  
20/8/07

4. Shri Sunil Kant Jha, S/o Not known to the complainant; Occupation Director of the Accused No.1; resident of 44, New Jawahar Nagar, Jalandhar City Punjab.

PC  
20/8/07

5. Sh. R K Pandey, S/o Not known to the complainant; Occupation Director of the Accused No.1; resident of Gurudwara Road, Purnea, Bihar.

PC

6. Sh. R. U. Singh Ravi S/o Not known to the complainant; Occupation Director of the Accused No.1; resident of Purnea, Bihar.

PC

7. Sh. P B Tiwari, , S/o Not known to the complainant; Occupation Director of the Accused No.1; resident of Tetrahar, PO Simaria, Bhagalpur, Bihar.

PC

15  
...Accused





3

COMPLAINT UNDER SECTION 190 and 200 OF THE CODE OF  
CRIMINAL PROCEDURE, 1973 READ WITH SEC. 24(1) AND  
27 OF SECURITIES AND EXCHANGE BOARD OF INDIA ACT,

1992

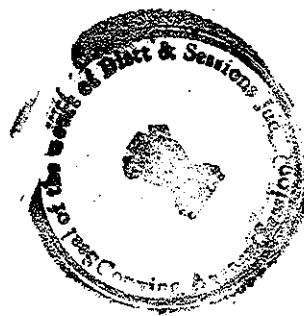
It may please Your Honour:



(A) The Number of An... on the C. D. 2 Register  
 (B) Date  
 (C)

Receipt  
 Ashish  
 Agg  
 15/12/18  
 17/12/18

10/6/25  
 8/9/08  
 M...  
 11/9/08  
 Pf - to  
 Agg - us  
 55/



CC No. 81/2005

05.09.2008

Present: Shri Pradeep Kumar legal officer of SEBI along  
with Shri Ashish Aggarwal, advocate.

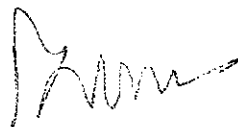
Accused nos. 2 to 4 are P.Os.

Processes of accused nos. 5 to 7 under Section 82  
Cr.P.C. were served by way of publication on 29.6.2008 but  
despite this nobody has appeared on their behalf. Therefore  
they are declared proclaimed offenders.

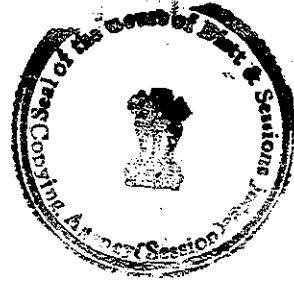
Ld. counsel for SEBI has filed an application  
seeking substitution of Shri Manish Vashisht, Asstt. General  
Manager in place of Shri Sharad Bansode who is reported to  
have left. This application is of a formal nature and is  
therefore allowed.

Ld. counsel for SEBI has also filed list of  
documents along with copies of documents.

Shri Manish Vashist is present, examined as CW.1 .  
On request of Ld. Counsel for SEBI this file be consigned to  
record room under Section 299 Cr.P.C. with a liberty to  
the complainant to get it reopened as and when the  
accused is/are arrested or as and when required by SEBI .



(PADAM KANT SAXENA)  
ADDITIONAL SESSIONS JUDGE:  
DELHI/05.09.2008





CC No. 81/2005

SEBI Vs. R.K. Satyadarshi Plantations (P) Ltd. &amp; others

CW-1 Statement of Sh. Manish Vashist, AGM, SEBI on S.A.

I have been working as the Assistant General Manager in SEBI. I am the Authorised Representative of SEBI by virtue of delegation of powers issued by Chairman, SEBI on 21.04.2003. Certified copy of the same is Ex. CW-1/1 which runs into two pages. As per the said delegation of powers, officers of the rank of legal officers/managers and above were authorised to sign complaint, affidavits, petitions, appeals etc. on behalf of SEBI. Since I have been working as Assistant General Manager and therefore, by virtue of Ex. CW1/1, I am authorised to do the aforesaid acts.

Govt. of India vide press release dated 18.11.1997 directed that bonds inter alia pertaining to plantation bonds and agro bonds issued by companies would be considered as collective investment schemes as stipulated under Section 11A of SEBI Act, 1992. Thereafter SEBI issued press release dated 26.11.1997 and public notice dated 18.12.1997 directing companies which were running collective investment schemes to file information with SEBI regarding their schemes such as details of fund mobilized, names of directors/promoters etc. and in case they were desirous of obtaining benefits under Section 12 (1 B) of SEBI Act., 1992.

*Manish Vashist**Manish Vashist*



Pursuant to this, accused no. 1 company filed information vide their letter dated 14.1.1998 signed by Managing director, which is collectively exhibited as Ex. CW-1/2 which runs into nine pages. As per the said letter accused no. 1 company had mobilized Rs.48.25 lacs under its collective investment schemes.

Accused no. 1 company vide their letter dated 28.4.1998 signed by Managing director addressed to SEBI, which is collectively exhibited as Ex. CW-1/3 which runs into sixteen pages. As per the said letter the directors were accused nos. 2 to 7 of accused no. 1 Company. Subsequently, SEBI CIS regulations 1999 were notified on 15.10.1999. Intimation regarding these regulations was forwarded to accused no.1 company vide letter dated 21.10.1999. The letter returned undelivered with the remarks 'left without address'. The letter was addressed to the accused no. 1 company on its address as mentioned in Ex CW1/2 and Ex.CW1/3. The returned envelope with AD card is Ex. CW-1/4 and the office copy of the letter dated 21.10.1999 is Ex. CW1/5. In terms of the said regulations accused no. 1 company was required to file for registration or windup schemes in terms of regulations 73 and 74 given in Chapter IX of the Regulations. Accused nos. 2 to 7 being directors or persons incharge and responsible to the accused no.1 for the conduct of its day to day affairs at the relevant time.

*Mandir Varsh*

*Mandir Varsh*





SEBI Public notice dated 10.12.1999 calling upon all CIS companies to comply with the provisions of SEBI CIS Regulations failing which action would be taken against them under SEBI Act and other Rules. Photocopy of the same is Ex.CPW1/6.

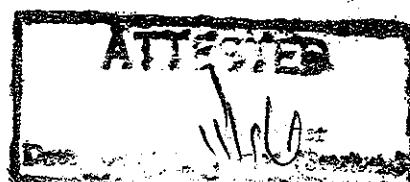
SEBI letter dated 10.12.1999 whereby accused no.1 company has informed about public notice dated 10.12.99 and was advised to comply with SEBI CIS Regulations or it would be liable for prosecution under SEBI Act. The letter was returned undelivered. The sealed envelope with AD card is Ex.CW1/7 and office copy of the letter is Ex.CW1/8.

Vide another letter of SEBI dated 29.12.1999 advised accused no.1 company about public notice dated 10.12.99 and to comply with SEBI CIS Regulations or it would be liable for prosecution under SEBI Act. The letter was returned undelivered with the remarks "Address Left without address". The sealed envelope is Ex.CW1/9 and office copy of the letter is Ex.CW1/10.

SEBI vide letter dated 12.5.2000 informed accused no.1 company to show cause as to why action under Section 11B of SEBI Act should not be initiated against it for violation of SEBI CIS Regulations. The letter was returned undelivered with the remarks "Left without address". The sealed envelope with AD card is Ex.CW1/11 and office copy of the letter is Ex.CW1/12.

*Harish Yadav*

*[Signature]*







SEBI vide letter dated 31.7.2000 advised accused no.1 company to file Winding Up and Repayment Report in the specific format which was enclosed along with the aforesaid letter. The letter was returned undelivered with the remarks " Addressee Left without address". The sealed envelope is Ex.CW1/13 and office copy of the letter is Ex.CW1/14.

SEBI Chairman vide its order dated 07.12.2000 issued directions to CIS companies to refund money collected under various schemes with returns to the investors within a period of one month from the date of the order. SEBI vide its letter dated 18.12.2000 informed the accused no.1 company about the aforesaid directions issued by the SEBI Chairman. The orders of the SEBI Chairman was enclosed along with the said letter dated 18.12.2000. The letter was returned undelivered. The sealed envelope is Ex.CW1/15 and office copy of the letter along with directions of the SEBI Chairman consisting of three pages is Ex.CW1/16.

The aforesaid order dated 7.12.2000 was also communicated vide public notice which was published on 14.01.2001. The name of the accused no.1 company appears at Sl.no. 372 in the said public notice. The copy of the said public notice is Ex.CW1/17.

*Handwritten signature*

*Handwritten signature*



ROC sent a letter dated 13.5.2008 to SEBI thereby enclosing details of accused no.1, company, the copy of which is Ex.CW1/18.

The present complaint is signed by Shri Sharad Bansode whose signatures I identify since I had worked with him. He was authorised to sign and file the present complaint vide letter of authority dated 5.3.2001. The copy of the said letter is Ex.CW1/19.

Accused are Proclaimed offenders,

RO & AC

*Manish Vohra*

*Manish Vohra*  
(PADAM KANT SAXENA)  
ADDITIONAL SESSIONS JUDGE  
Delhi/05.09.2008

