

THE COURT OF MS. MADHU JAIN, A.C.M.M. TIS HAZARI, DELHI.

COMPLAINT NO. 38 /2004.

IN THE MATTER OF:

14/01/04

SECURITIES AND EXCHANGE BOARD OF INDIA,
a statutory body established under the
provisions of Securities and Exchange
Board of India Act, 1992, having its
Regional Office at New Delhi, represented
by its Legal Officer/Manager/Asst.
General Manager Mr. Sharad Bansode.

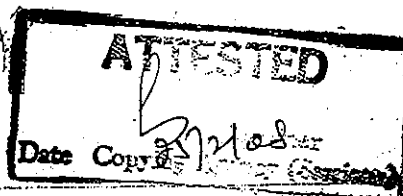
COMPLAINANT

VERSUS

1. SAMPOORNA plantations (I) LTD.
SCO 821, Manimajra,
Chandigarh-160101.
2. Shri. Jaswinder Singh Sudan, s/o Sathnam Singh Hor → PO
S/o. Late S. S. Sudan, P.O. Char. Cast & Ward dealer 16-8-97
R/o. A-9, HMT Town Ship, G.T. Road, Rajpura, Patiala
Pinjore, Distt. Panchkula, s/o. Nishu Singh, s/o. Nishu Singh
Haryana. New Bus Stand, Rajpura Road, Patiala.
3. Shri. Baljit Singh Chehal,
S/o. Not Known,
R/o. 2090, Sector-15,
Chandigarh.
4. Shri. Malvinder Singh Brar, *Dead*
S/o. Sh. Avtar Singh Brar,
R/o. 1308, Sector-15,
Chandigarh.
5. Shri. Gurjit Singh,
S/o. Sh. Surjit Singh,
R/o. 2090, Sector-15,
Chandigarh.

ACCUSED

COMPLAINT UNDER SECTION 200 OF THE CODE OF CRIMINAL
PROCEDURE, 1973 READ WITH SECTION 24(1), 27 OF SECURITIES
EXCHANGE BOARD OF INDIA ACT, 1992.



(A) The Number of Registration in the C.D. Register

(B) Date of Registration

(C) Name of the Officer

(D) Date of

(E) Date of

(F) Date of

(G) Date of

(H) Date of

(I) Date of

(J) Date of

(K) Date of

(L) Date of

(M) Date of

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(Z) Date of

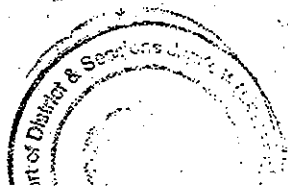
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CC No. 24/2004

21.02.2008

Present: Shri Ashish Aggarwal, advocate for SEBI.

Accused no.2 is P.O.

Accused no.4 is already dead.

On behalf of SEBI an application has been filed seeking substitution of Shri Manish Vasisth, Agarwal, Asstt. General Manager of the complainant in place of Shri Sarad Bansode who is stated to have left the service of complainant. The said application is also supported by photocopy of a delegation of powers. Heard. In view of the fact that the said application is formal in nature, the same is allowed.

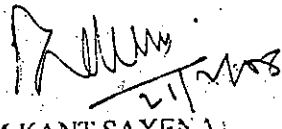
Ld. Counsel for SEBI has filed certain documents.

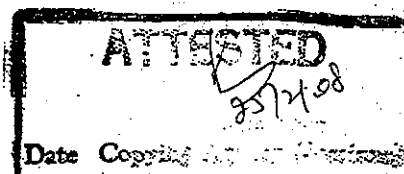
Despite service of notice of accused no.1 and processes of accused nos. 3 & 5 under Sections 82/83 Cr.P.C. nobody has appeared on their behalf. I am satisfied that accused nos. 3 & 5 have either concealed themselves or absconded. Therefore, they are declared proclaimed offenders. In view of the non-service of accused no.1, ld. Counsel for SEBI states that no further action is called for with regard to this accused.

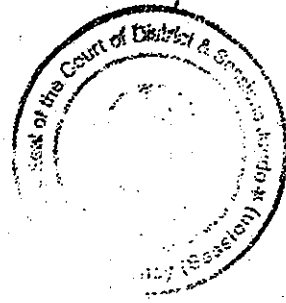




Shri Manish Vashist is present, examined as CW.1. On request of Ld. Counsel for SEBI this file be consigned to record room under Section 299 Cr.P.C. with a liberty to the complainant to get it reopened as and when the accused is/are arrested


(PADAM KANT SAXENA)
ADDL. SESSIONS JUDGE
Delhi/21.02.2008





CC No. 24/2004

FW.1, Shri Manish Vashist, S/O Late Shri Ram Gopal Vashist,
AGM SEBI.

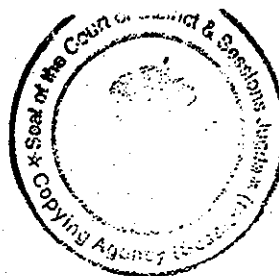
On S.A.

The company M/s. Sampoorna Plantation (I) Ltd. vide letter dated 15.01.1998 submitted inter alia details of its directors i.e. Shri Jaswinder Singh Sudan, Baljeet Singh Chahal, Sh. Malvinder Singh Brar, Shri Gurjit Singh and details of schemes floated by accused no.1. Certified true copy of the said letter already stands filed. I have brought with me the original thereof. Alongwith the said letter accused no.1 had also sent its list of directors and the investments to the tune of Rs. 0.06 Crores(Rs. 6.00 Lakhs) collected by it. The said letter is Ex.CW1/1 and annexures are Memorandum and Articles of Association of company is Ex.CPW1/2(Pages 1 to 26) containing Certificate of commencement of business & Certificate of incorporation. Two brochures of the company are Ex.CW1/3 and Ex.CW1/4.

Manish Vashist

27

27/1/08
ATTESTED
27/1/08
Date Copying done



Particulars of the directors of accused no.1 is Ex.CW1/5. SEBI vide letter dated 21.10.1999, had intimated to accused no.1 company about notification on 15.10.1999 of SEBI CIS Regulations but the said letter came back unserved. The said letter is Ex. CW1/6 while the relevant sealed envelope along with AD card containing the said letter is Ex.Ex.CW1/7. Copy of the press release dated 20.10.1999 is Ex.CW1/8 was also sent to the company, accused no.1 along with Ex.CW1/6. SEBI vide public notice dated 10.12.1999 directed all CIS entities to comply with the SEBI CIS Regulations, 1999 copy of public notice is Ex.CW1/9. SEBI letter dated 10.12.1999 sent to accused no.1, company advising it to comply with SEBI CIS Regulations, 1999. The same was returned undelivered with remarks, "No such firm at this address". True copy of the said letter is already on record and I have brought with me the original thereof as also the relevant envelope along with AD card. The said letter is Ex.CW-1/10 which runs into two pages and the relevant envelope is

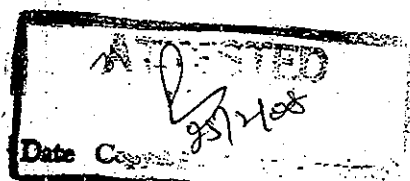
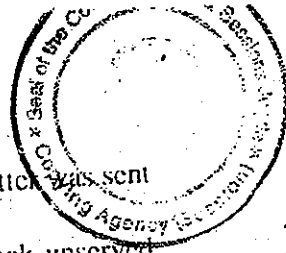
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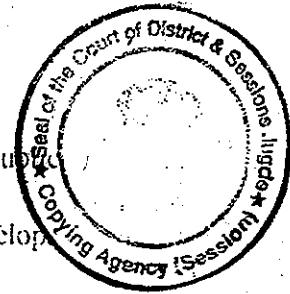
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ATTACHED
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Ex.CW1/11. Similarly for the said purpose another letter was sent by SEBI to accused no.1 which was also returned back unserved for the same reason and the said letter is Ex.CW1/12 running into two pages and the relevant envelope is Ex.CW1/13. SEBI had issued a show cause notice to the company accused no.1 to explain as to why action under SEBI Act, 1992 and SEBI Collective Investment Scheme Regulations be not initiated against it for failure to comply the Regulations. Office copy of the show cause notice is Ex.CW1/14 and undelivered envelope along with AD card is Ex.CW1/15. SEBI vide letter dated 31.7.2000 advised the company to file WRR in format enclosed. Office copy of letter dated 31.7.2000 is Ex.CW1/16 and undelivered envelope along with AD card is Ex.CW1/17. Public notice dated 7.12.2000 had also been issued by the SEBI Chairman directing accused no.1 to refund money collected under various schemes within one month from the date of the order, the name of accused no.1 appeared at Sl. no. 388, copy of which is Ex.CW1/18. Letter dated



18.12.2000 wherein SEBI had forwarded copy of the said public notice to the company accused no.1. The undelivered envelope containing aforesaid public notice dated 18.12.2000 is Ex.CW1/19. As accused no.1, company failed to comply the directions of SEBI Chairman, action was initiated against it and the present complaint case was filed. I am authorised to continue this complaint and an order to that effect already stands passed by this Court. Copy of the delegation of powers is Ex.CW1/20. The present complaint is signed and filed by Shri Sarad Bansode for and on behalf of SEBI. He was authorised to file complaints on behalf of SEBI vide letter of authority dated 5th March, 2001. the copy of the same is Ex.CW1/21.



RO & AGT
Mamta

(PADAM KANT SAXENA)
ADDITIONAL SESSIONS JUDGE
Delhi/21.02.2008

