

## SECURITIES AND EXCHANGE BOARD OF INDIA

## ORDER

Under Sections 11(1), 11(4) & 11B of the Securities and Exchange Board of India Act, 1992.

In the matter of fund diversions and/or improper transactions in United Spirits Limited.

In respect of:

Sr. No.	Noticees	PAN
1.	Paramjeet Singh Gill	ANJPG8261F
2.	Sowmiyanarayanan	AJAPS4294F
3.	S.N. Prasad	ADWPP7032J
4.	Ainapur S.R.	ACSPA7910M
5.	P.A. Murali	ADBPM6778K

1. Securities and Exchange Board of India (SEBI) had passed an interim order dated January 25, 2017 (Interim Order) under Section 11(1), 11(4) and 11B of the SEBI Act, 1992 in the matter of United Spirits Limited, against *inter alia* the above-named Noticees (i.e. Shri Paramjeet Singh Gill, Shri Sowmiyanarayanan, Shri S.N. Prasad, Shri Ainapur S.R. and Shri P.A. Murali) whereby they were *inter alia* restrained from accessing the securities market and were further prohibited from buying, selling or otherwise dealing in securities in any manner whatsoever, either directly or indirectly.
2. In the Appeal No. 52 of 2017, filed by Shri Paramjeet Singh Gill (Noticee no. 1) against the Interim Order, the Hon'ble Securities Appellate Tribunal (SAT) vide an order dated January 08, 2018, has observed *inter alia* that Shri Gill may prefer an application setting out in detail his grievances before SEBI and may seek interim relief as regards restraint from entering the market. The Hon'ble SAT has further directed that SEBI shall pass an appropriate order as per law within a period of one month from the date of receipt of the application which may be preferred by Shri Paramjeet Singh Gill. Accordingly, Shri

Paramjeet Singh Gill has submitted a representation dated February 06, 2018 requesting SEBI to suspend the directions passed against him vide the Interim Order.

3. Shri Sowmiyanarayanan, Shri S.N. Prasad and Shri Ainapur S.R. (Noticee nos. 2, 3 & 4), vide common letters dated September 01, 2017 and January 22, 2018 filed by their advocates, have submitted *inter alia* that they are currently unemployed / retired and have various liabilities in the nature of educational expenses of children, expenses towards dependents, housing loans and medical expenses, besides financing expenditure towards their day-to-day living. Since they are currently unemployed, they are dependent on their savings from investments in securities to make their ends meet. The said Noticees have thus requested SEBI to permit them to sell the mutual funds units held by them, to enable them to access their personal savings for their day-to-day living. They have also referred to the order dated July 21, 2017 of the Hon'ble SAT wherein it had observed that if SEBI considers it appropriate to relax any of the conditionalities prescribed in the Interim Order, it shall be free to do so as early as possible and according to law.
4. Similarly, Shri P.A. Murali (Noticee no. 5), in his submissions dated February 10, 2017 and April 30, 2017 has submitted that he is currently retired and the freezing of his demat accounts pursuant to the directions contained in the Interim Order, is causing severe financial misery to him. Shri Murali has thus requested SEBI for lifting the directions passed against him in the Interim Order.
5. All the above-mentioned five persons, during the personal hearings before me on February 08, 2018 have reiterated their submissions and have requested for granting of interim relief to them as regards the directions contained in the Interim Order.
6. I have taken note of the observations of the Hon'ble SAT, as mentioned above, and the submissions made by the above-mentioned persons regarding grant of interim relief in respect of the directions contained in the Interim Order. While the adjudication on merits of the charges against the Noticees, as contained in the Interim Order, is underway and is likely to take some time, taking into consideration the abovementioned facts and

circumstances, I am inclined to grant a limited relief to the abovementioned Noticees by relaxing the directions issued against them in the Interim Order, as an interim measure.

**DIRECTIONS**

7. In view of the foregoing, I, in exercise of the powers conferred upon me in terms of Section 19, read with Sections 11 and 11B of the SEBI Act, 1992, hereby modify the directions as contained in para 4.1.i. of the Interim Order, to the extent as stated below:
  - (a) The Noticees, namely Shri Paramjeet Singh Gill, Shri Sowmiyanarayanan, Shri S.N. Prasad, Shri Ainapur S.R. and Shri P.A. Murali, may sell / redeem / liquidate the securities held by them as on date, and utilize the proceeds thereof to mitigate their financial constraints.
  - (b) The above-named Noticees shall continue to remain restrained from buying or dealing in securities in any other manner whatsoever, either directly or indirectly, except selling or redeeming as permitted at (a) above.
8. The above directions shall come into force with immediate effect and shall remain in force till further directions.
9. Copy of this Order shall be forwarded to the recognized stock exchanges and depositories for information and to ensure compliance with above directions.

**DATE: FEBRUARY 15, 2018**

**PLACE: MUMBAI**

**G. MAHALINGAM**  
**WHOLE TIME MEMBER**  
**SECURITIES AND EXCHANGE BOARD OF INDIA**