

## SECURITIES AND EXCHANGE BOARD OF INDIA

## ORDER

UNDER SECTIONS 11(1), 11(4) AND 11B(1) OF THE SECURITIES AND EXCHANGE BOARD OF INDIA ACT, 1992 READ WITH REGULATION 3(1) OF THE SEBI (INVESTMENT ADVISERS) REGULATIONS, 2013

In respect of:

Sr. No.	Noticee Name	PAN
1.	Investor India Research, Proprietor: Mr. Rahul Goswami	AXUPG5665L

***In the matter of Unregistered Investment Advisory Services***

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**BACKGROUND:**

1. The Securities and Exchange Board of India (hereinafter referred to as “SEBI”) received complaints against Investor India Research, a sole proprietorship concern of Mr. Rahul Goswami (hereinafter referred to as ‘the Noticee’), *inter alia*, alleging that the complainants had got calls from the Noticee providing trading tips and that they have incurred loss on the basis of advice received from the Noticee.
2. In order to ascertain the veracity of the said complaints, an examination was conducted by SEBI into the activities of the Noticee to ascertain whether there has been any violation of the provisions of the Securities and Exchange Board of India Act, 1992 (hereinafter referred to as “SEBI Act, 1992”), the SEBI (Investment Advisers) Regulations, 2013 (hereinafter referred to as “IA Regulations, 2013”) and any Rules and/or Regulations made thereunder. On the basis of the examination conducted, it was, *prima facie*, observed that the Noticee was engaged in ‘investment advisory services’ without obtaining the certificate of registration as required under the provisions of IA Regulations, 2013.

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

3. A Show Cause Notice dated July 19, 2024 (hereinafter referred to as “**SCN**”) was issued to the Noticee by Inland Speed Post calling upon it to show cause as to why suitable direction(s), including directions for refund of monies collected as fees, under Sections 11(1), 11(4) and 11B(1) of the SEBI Act, 1992 should not be issued against it for the alleged violations of the provisions of Regulation 3(1) of the IA Regulations, 2013 read with Section 12(1) of the SEBI Act, 1992. As per the proof of delivery available on record, the aforesaid SCN was delivered to the Noticee on July 23, 2024.

4. I note that the SCN, *inter alia*, alleged the following:

4.1. In order to conduct examination and collect information, an attempt was made to browse the website of the Noticee viz. [www.investorindiaresearch.com](http://www.investorindiaresearch.com). However the same was found to be inactive. Accordingly, the archive of the website as available on [www.archive.org](http://www.archive.org) was accessed wherein it was observed that the Noticee had claimed the following on its website [www.investorindiaresearch.com](http://www.investorindiaresearch.com):

*“(a) Investor India Research is a professionally run company with a long term goal to provide maximum return on investment (ROI) on every investors money.*

*(b) Investor India Research is now a leading stock analysis and commodity analysis advisory company which provides expert recommendations for Stock Cash and Stock Futures traded in NSE.*

*(c) We provide share market recommendations through SMS and strong and committed support team which helps the client in trading as well as understanding the market well.*

*(d) Vision: to be the world’s best research house in terms of quality, profitability and client satisfaction.*

*(e) Various packages are being offered for subscription at specified rates and for specific products viz. Intraday cash, HNI cash, Delivery Pack, Future Positional, Option BTST, etc.*

(f) The fees ranged from Rs. 5,000 per month to Rs. 7.80 lakh per annum.”

4.2. It was further observed that the Noticee received the fees from investors in the following three bank accounts mentioned on its website:

**Table 2**

S.No	Account Number	Bank Name	IFSC Code	Account Holder Name	Account Type
1.	XXXXXXXX0539	Bank of Maharashtra	MAHB00012XX	Investor India Research	Current Account
2.	XXXXXXXX6283002	HDFC Bank	HDFC00004XX		
3.	657505500125	ICICI Bank	ICIC00065XX		

4.3. Further, the bank account statements, KYC documents and Account Opening Forms of the aforesaid bank accounts were examined and it was observed that Mr. Rahul Goswami was the sole proprietor of the Noticee and during the period under examination, the said bank accounts held in the name of Mr. Rahul Goswami were credited with amounts of Rs. 10.38 Lakhs (HDFC Bank), Rs. 21.33 Lakhs (ICICI Bank) and Rs. 25.42 lakhs (Bank of Maharashtra).

4.4. In view of the above, it was alleged in the SCN that the Noticee alongwith its proprietor Mr. Rahul Goswami carried out unregistered investment advisory services without obtaining a certification of registration of SEBI and therefore, allegedly have violated the provisions of Regulation 3(1) of IA Regulations, 2013 read with Section 12(1) of the SEBI Act, 1992.

5. I note that the following documents were enclosed as annexures along with the SCN:

Annexures to SCN	
Annex. No.	Particulars
A.	Copy of Complaints
B.	Archive pages of website viz. <a href="http://www.investorindiaresearch.com">www.investorindiaresearch.com</a> as obtained from <a href="http://www.archive.org">www.archive.org</a>

C.	Account statement received from HDFC Bank
D.	Account statement received from ICICI Bank
E.	Account statement received from Bank of Maharashtra

6. The Noticee submitted its reply to the SCN vide letter dated August 10, 2024, *inter alia*, admitting to the charge of providing investor advisory services without obtaining the certification of registration as required under the IA Regulations, 2013 and further requested for an opportunity of personal hearing. Accordingly, an opportunity of personal hearing was granted to the Noticee on August 27, 2024, vide hearing notice and email dated August 16, 2024.
7. On the scheduled date of hearing i.e. on August 27, 2024, the Noticee firm appeared for the hearing through webex and reiterated submissions made in the reply dated August 10, 2024. During the hearing, the Noticee, in addition to the submissions made in its reply, sought additional time to submit details pertaining to segregation of his personal transactions from the fees received from investors in the bank accounts mentioned in Paragraph no. 4.2 above. Accordingly, the Noticee was granted time to make additional submissions in the matter. The Noticee made the additional submissions vide email dated September 10, 2024.
8. The submissions made by the Noticee, in its replies dated August 10, 2024 and September 10, 2024 and during the hearing held on August 27, 2024 in brief, are as under:
- 8.1.** It is submitted that the Noticee had started the operations by incorporating the firm '*Investor India Research*' in January, 2016 and was unaware of the requirement for registration and hence, started the said business without obtaining the certificate of registration from SEBI. Further, it is submitted that it operated roughly for a year, post which operations were voluntarily closed.
- 8.2.** That the Noticee had created a website namely *investorindiaresearch.com* through which the Noticee used to manage the business. However, it is submitted that on the said website, it was neither claimed by the Noticee to be registered with SEBI in any capacity nor had it made any false claims to the clients.

- 8.3.** That the clients used to analyse the performance of the firm through Free Trial before taking any subscription and upon getting satisfied completely, they used to take the services of the Noticee firm.
- 8.4.** The Noticee provided recommendations to its clients in the share market by charging certain amount of fee from them and it was not involved in any malpractice such as promising assured returns or handling the client's Demat accounts, etc.
- 8.5.** During the tenure of the business, only three clients had complained, of which the Noticee was unaware as the client had made the complaint directly to SEBI. No intimation was given by SEBI that registration is required for carrying out investment advisory services.
- 8.6.** That an aggregate amount of Rs. 2,64,800/- credited to bank accounts held with HDFC Bank, ICICI Bank and Bank of Maharashtra in multiple tranches may not be considered to be associated with investment advisory services as the same are amounts paid towards account opening and amounts returned due to failed NEFT transactions.
- 8.7.** The Noticee, in addition to the above submissions, *inter alia*, prayed for the following:
- 8.7.1.** Not to take action against the Noticee including imposition of monetary penalty and to dispose of the proceedings without any adverse action against the Noticee.
- 8.7.2.** To issue a 'warning' to the Noticee in respect of the unregistered investment advisory activities undertaken.

### **CONSIDERATION OF ISSUES AND FINDINGS**

- 9.** I have carefully considered the allegation levelled against the Noticee in the SCN, the submissions made by the Noticee vide its replies dated August 10, 2024 and September 10, 2024 and the other relevant documents as available on record.
- 10.** I note that the issue that arises for consideration in the present proceeding is whether the Noticee firm/ Mr. Rahul Goswami has acted as an unregistered investment adviser in violation of the provisions of Section 12 (1) of the SEBI Act, 1992 read with Regulation 3 (1) of the IA Regulations, 2013.

11. In this regard, I note that the definition of 'Investment Adviser' as given under Regulation 2(1)(m) of the IA Regulations is as follows:

*"investment adviser means any person, who for consideration, is engaged in the business of providing investment advice to clients or other persons or group of persons and includes any person who holds out himself as an investment adviser, by whatever name called;"*

12. Further, Regulation 2(1)(l) of the IA Regulations, which defines 'investment advice', reads as follows:

*"investment advice means advice relating to investing in, purchasing, selling or otherwise dealing in securities or investment products, and advice on investment portfolio containing securities or investment products, whether written, oral or through any other means of communication for the benefit of the client and shall include financial planning:*

*Provided that investment advice given through newspaper, magazines, any electronic or broadcasting or telecommunications medium, which is widely available to the public shall not be considered as investment advice for the purpose of these regulations;"*

13. For ease of reference, the provisions of the SEBI Act, 1992 and IA Regulations, 2013 alleged to have been violated by the Noticee are reproduced as under:

**SEBI ACT, 1992**

***"Registration of stock brokers, sub-brokers, share transfer agents, etc.***

*12.(1) "No stock broker, sub-broker, share transfer agent, banker to an issue, trustee of trust deed, registrar to an issue, merchant banker, underwriter, portfolio manager, investment adviser and such other intermediary who may be associated with securities market shall buy, sell or deal in securities except under, and in accordance with, the conditions of a certificate of registration obtained from the Board in accordance with the regulations made under this Act"*

**IA REGULATIONS, 2013**

***Application for grant of certificate***

*"3.(1) On and from the commencement of these regulations, no person shall act as an investment adviser or hold itself out as an investment adviser unless he has obtained a certificate of registration from the Board under these regulations:*

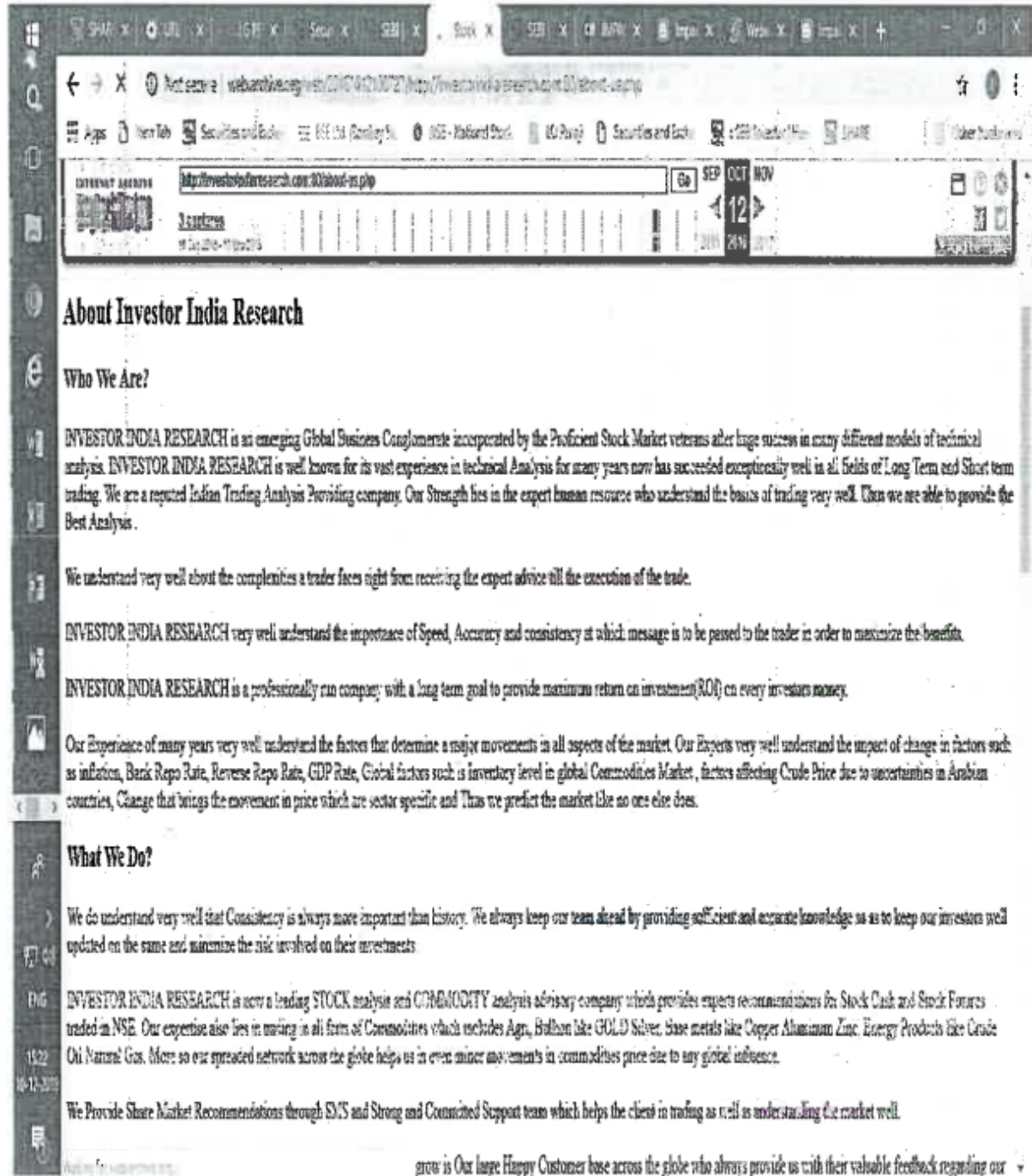
*Provided that a person acting as an investment adviser immediately before the commencement of these regulations may continue to do so for a period of six months from such commencement or, if it has made an application for a certificate under sub regulation (2) within the said period of six months, till the disposal of such application”.*

14. I note from the material available on record that SEBI had received three complaints during the period of February 2016- June 2016 in respect of the trading tips given by the Noticee, *inter alia*, stating that the representatives of the firm reached out to the complainants providing trading tips and that they have incurred loss on the basis of the advice received from the Noticee. The details of the Complaints in brief are as under:

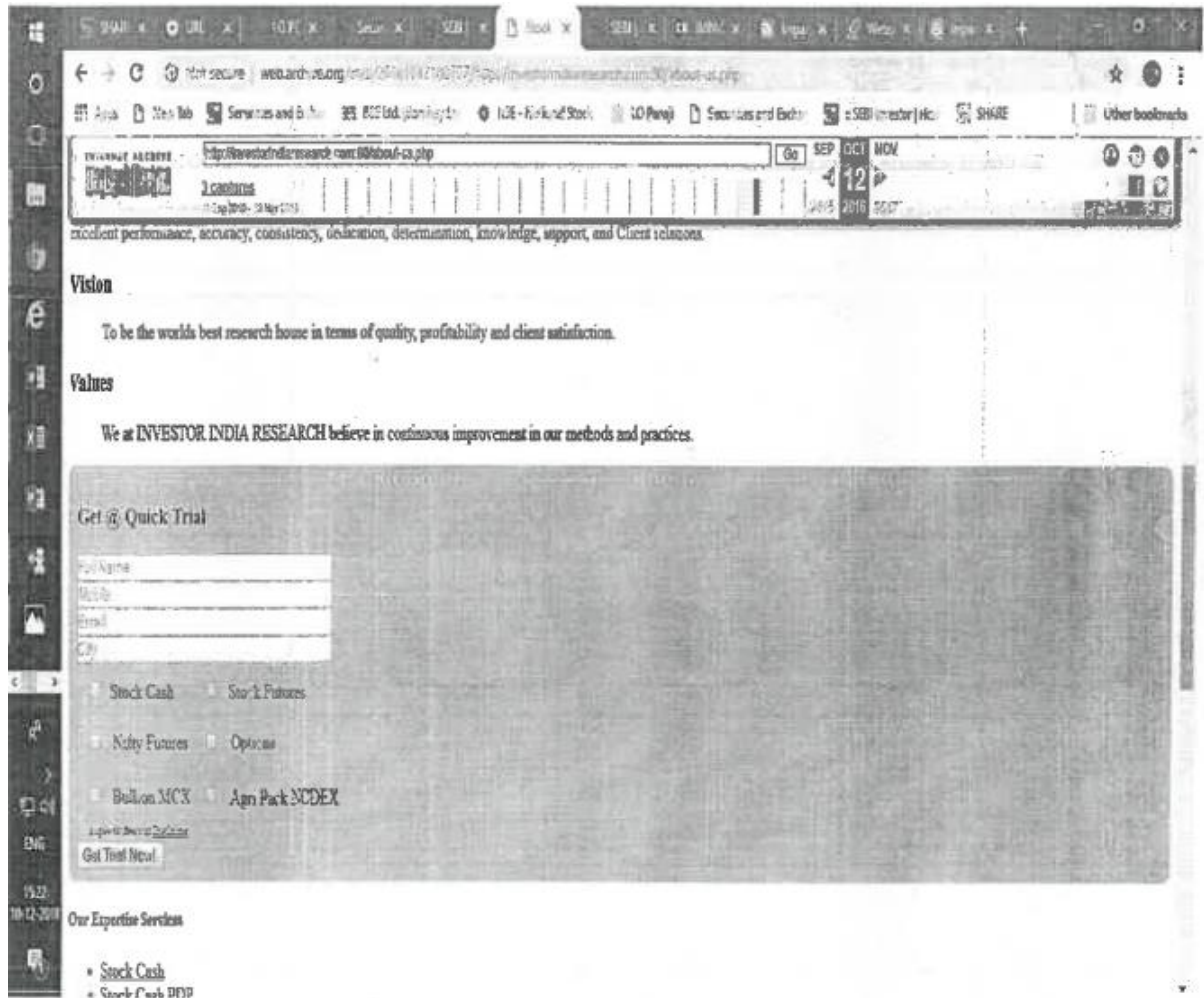
<b>Sl. No.</b>	<b>Complaint Details in brief</b>
1.	<i>Complained of getting continuous calls from the Noticee to take trading advice and trade in the market. That almost 6 trading calls were provided by the firm which led to a total loss of Rs. 1,30,000/- because of the advice.</i>
2.	<i>Complained of having faced huge loss due to the trading advice given by the Noticee.</i>
3.	<i>Complained of getting multiple calls from the Noticee and requested to take strict action against the Noticee for unregistered investment advisor. Complainant provided the website link for Noticee as <a href="http://investorindiaresearch.com/index.php">http://investorindiaresearch.com/index.php</a></i>

15. Upon examination, I note that the Noticee was indeed providing the investment advisory services through a website viz. [www.investorindiaresearch.com](http://www.investorindiaresearch.com), the pages thereof being archived from [www.archive.org](http://www.archive.org) as the said website was found to be inactive. On examination of the webpages of the website of the Noticee, I note that the Noticee had *inter alia* declared itself as an ‘*emerging Global Business Conglomerate incorporated by the Proficient Stocks, Commodities and Forex Market veterans after huge success in many different models of technical analysis*’ and further stated that its ‘*strength lies in the expert human resource who understand the basics of trading very well*’ the Noticee claimed to provide best trading analysis and to understand the complexities faced by the investors right from receiving expert advice till execution of the trade. The website further stated that ‘*Investor India Research is a professionally run company with a long term goal*

to provide maximum return on investment (ROI) on every investors money' and that they 'provide share market recommendations through SMS and strong and committed support team which helps the client in trading as well as understanding the market well.' The screen shot of the relevant webpage is as under:







16. Further, upon accessing the said webpages, it was also noted that the Noticee firm was providing investment advisory services by offering subscription at specified rates and for specific products viz. 'Intraday cash', 'HNI cash', 'Delivery Pack', 'Future Positional', 'Option BTST', etc. with fees ranging from Rs. 5,000/- per month to Rs. 7.80 lakh per annum. Further, the said website viz. [www.investorindiaresearch.com](http://www.investorindiaresearch.com) displayed the details of the bank accounts as mentioned at paragraph no. 4.2 above under the head 'payment options' for receiving fees/ subscription monies from its clients.

The screenshot of the website displaying the aforesaid bank accounts and the various packages offered by the Noticee are reproduced below:

Not secure | web.archive.org | web/20190926105010/http://investorindia.com/india-research/2019/09/26/

Investor India Research | <http://investorindia.com/india-research/2019/09/26/> | 26 | 2019

### Featured Service Pricing

Equity Market

Intraday Cash

• Monthly	5000.00	Pay
• Quarterly	12000.00	Pay
• Half-Yearly	20000.00	Pay
• Yearly	30000.00	Pay

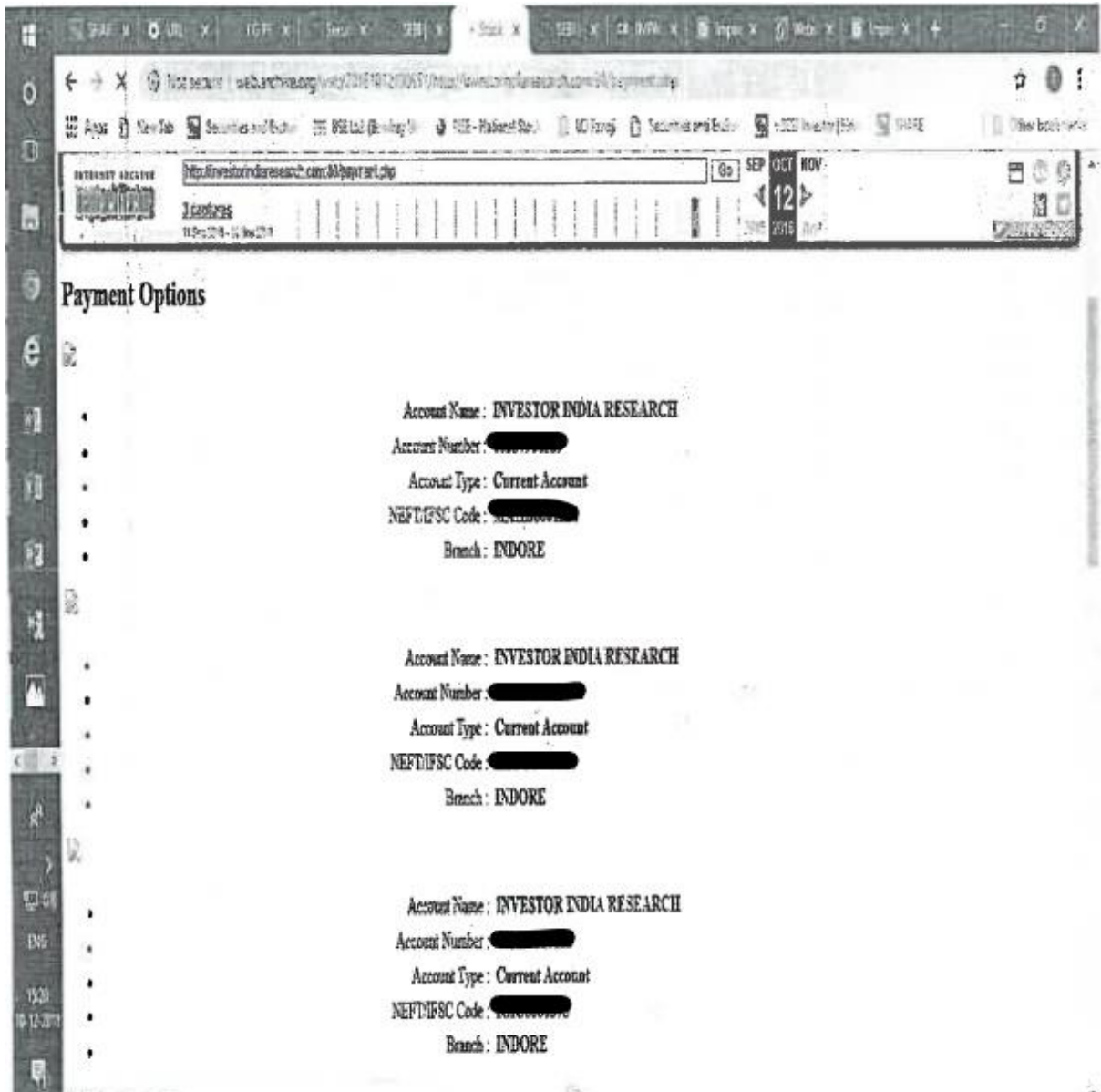
HNI Cash

• Monthly	20000.00	Pay
• Quarterly	45000.00	Pay
• Half-Yearly	60000.00	Pay
• Yearly	100000.00	Pay

Delivery Pack

• Monthly	10000.00	Pay
• Quarterly	27000.00	Pay
• Half-Yearly	36000.00	Pay
• Yearly	90000.00	Pay

19-12-2019



17. I further note from the KYC documents, Account Opening Forms and Bank Account Statements of the aforesaid bank accounts, as sought from respective banks, that one Mr. Rahul Goswami (PAN: AXUPG5665L) was the sole proprietor of the Noticee and during the period under examination, the said bank accounts were credited with the following amounts:

S.No.	Account Number	Bank Name	Period	Date of Last Transaction	Credits Received
1.	XXXXXXXX0539	Bank of Maharashtra	June 2015 to December 2016	December 23, 2016	Rs. 25,42,040

2.	XXXXXXXX6283002	HDFC Bank	January 2016 to February 2017	February 07, 2017	Rs. 10,38,705
3.	657505500125	ICICI Bank	January 2016 to December 2016	December 21, 2016	Rs. 21,33,062
<b>Total</b>					<b>Rs. 57,13,807/-</b>

18. In order to further examine into the activities of the Noticee firm, I note that SEBI vide letter dated December 08, 2021 had advised the Noticee/ Mr. Rahul Goswami to provide details with respect to the names of the clients, amounts collected, Bank accounts in which the amounts were collected, date on which the amounts were collected, etc. However, no response to the aforesaid letter was received.
19. On perusal of the above screenshots of the website mentioned above, I note that the Noticee was indeed involved in offering investment advisory services for fees/ consideration. I note from the reply dated August 10, 2024 submitted by the Noticee/ Mr. Rahul Goswami that it/he has explicitly admitted that it/he was providing investment advisory services through the proprietorship concern viz. 'Investor India Research' and that the firm had operated from January 2016 to December 2016. It has also been admitted by the Noticee/ Mr. Rahul Goswami that the Noticee used to provide recommendations in the share market by charging fee from investors and that SEBI has summed up the entire credit entries appearing in the bank accounts of the Noticee and has provided details with respect to the amounts /entries which are not related to advisory fees. Further, it is submitted by the Noticee/ Mr. Rahul Goswami that he was not aware of any SEBI registration and has further admitted that the said investment advisory services were being offered without obtaining any certificate of registration from SEBI. It is a well settled principle of law and a legal maxim that "*Ignorantia Juris Non Excusat*" which means ignorance of law cannot be an excuse to avoid liability of an illegal act. The rationale of the said doctrine is that if ignorance were an excuse, a person charged with any criminal or civil offence would merely claim that one was unaware of the law in question to avoid liability. Also, wilful blindness cannot become the basis of exculpation. In light of the above, I am of the considered view that taking plea of

unawareness of the act of the Noticee being in violation to SEBI Regulations is not tenable and thus, not acceptable.

- 20.** On analyzing the facts and circumstances of the case explained above, including the admission of the Noticee, it is established beyond doubt that the Noticee firm, which is the sole proprietorship concern of Mr. Rahul Goswami, has been providing investment advice through its website for fees and was engaged in giving advice relating to investing in, purchasing, selling or otherwise dealing in securities or investment products during the relevant period. Therefore, I find that in terms of Regulation 2(1)(l) of the IA Regulations, the Noticee was providing '*investment advice*' through its website and was acting as an '*investment advisor*' within the ambit of the definition in terms of Regulation 2(1)(m) of the IA Regulations, 2013 without having a SEBI registration.
- 21.** I note that for seeking a certificate of registration and for acting as an investment adviser, an entity is required to satisfy, *inter alia*, the following requirements, as provided under IA Regulations:

  - 21.1.** An application for seeking certificate of registration to be made to Local Office, Regional Office or Head Office, of SEBI, as the case may be, in Form A as specified in the First Schedule to IA Regulations, 2013 along with requisite non-refundable application fee;
  - 21.2.** The applicant, in case of an individual investment adviser or its principal officer in case of a non-individual investment adviser shall be appropriately qualified and certified as under:

    - 21.2.1.** A professional qualification or post-graduate degree or post graduate diploma (minimum two years in duration) in finance, accountancy, business management, commerce, economics, capital market, banking, insurance or actuarial science from a university or an institution recognized by the Central Government or any State Government or a recognized foreign university or institution or association or a professional qualification by completing a Post

Graduate Program in the Securities Market (Investment Advisory) from NISM of a duration not less than one year or a professional qualification by obtaining a CFA Charter from the CFA Institute;

**21.2.2.** An experience of at least five years in activities relating to advice in financial products or securities or fund or asset or portfolio management;

**21.2.3.** Applicant in case of individual investment adviser or its principal officer in case of a non-individual investment adviser, and persons associated with investment advice shall have, at all times a certification on financial planning or fund or asset or portfolio management or investment advisory services, from (a) NISM; or (b) any other organization or institution including Financial Planning Standards Board of India or any recognized stock exchange in India provided such certification is accredited by NISM.

**21.3.** Individual applicant must have net worth of not less than 5 lakh rupees and non-individual applicant must have net worth of not less than 50 lakh rupees.

**22.** I note that the safeguards provided under IA Regulations, 2013 requires continued minimum professional qualification and net-worth requirement for investment adviser, including disclosure of all conflict of interest, prohibition on entering into transactions which are contrary to advice given for 15 days, risk profiling of investors, maintaining documented process for selecting investment for client based on client's objective and risk profile, understanding the nature and risks of products or assets selected for clients, etc. These requirements are aimed at protection of investor's interest.

**23.** As per Regulation 3(1) of IA Regulations the registration of the investment advisers is mandatory. It provides that, *"On and from the commencement of these regulations, no person shall act as an investment adviser or hold itself out as an investment adviser unless he has obtained a certificate of registration from the Board under these regulations"*.

- 24.** As per paragraph 17 above, total credits of Rs. 57,13,807/- were received in the bank accounts of the Noticee. With respect to the amounts collected by the Noticee/ Mr. Rahul Goswami towards fees for the said investment advisory services given to its/ his clients, Noticee has submitted, vide his additional submissions, that an amount of Rs. 2,64,800/- credited to the aforesaid bank accounts should not be considered towards advisory fees by stating that '*The amount of Rs.11,000 credited to the HDFC Bank account represents the initial account opening amount, and the Rs.50,000 credited to the ICICI Bank account is also for account opening. Furthermore, Rs.1,31,800, credited in seven tranches, is the amount returned due to a failed NEFT transaction, and Rs. 72,000, credited to the Bank of Maharashtra in four tranches, is also a return of failed NEFT transactions.*' On perusal of bank account statements of the aforesaid bank accounts, I note that the transactions as stated by the Noticee indeed are towards account opening fees and certain amounts returned due to failed NEFT transaction. In view of the same, I am of the considered view that the said amount of Rs. 2,64,800/- need not be considered as monies / fees collected for the unregistered investment advisory services.
- 25.** In view of the above, I conclude that the Noticee has collected an amount of Rs. 54,49,007/- (Rupees fifty-four lakhs forty nine thousand and seven rupees) i.e. Rs. 57,13,807 (-) Rs. 2,64,800 as consideration for the investment advisory services provided by him / it without obtaining a certification of registration from SEBI as required under the securities laws.
- 26.** In view of the foregoing, I do not have any hesitation to conclude that the Noticee/ Mr. Rahul Goswami was acting as an investment advisor. I find that neither the Noticee firm nor its proprietor i.e. Mr. Rahul Goswami were registered with SEBI in the capacity of Investment Advisor. Hence, I find that these activities were being carried out by the Noticee/ Mr. Rahul Goswami without obtaining the necessary certificate of registration as an investment adviser and therefore, the Noticee has violated the provisions of Section 12(1) of the SEBI Act, 1992 read with Regulation 3(1) of the IA Regulations.

27. As mentioned in Paragraph No. 25 above, total amount of Rs. 54,49,007/- (Rupees fifty four lakhs forty nine thousand and seven rupees) has been received / collected by the Noticee in the bank account/s for the investment advisory services provided by it. Thus, in the light of the findings in the preceding paragraphs, I am of the considered view that the Noticee is liable for directions under Section 11(1), 11(4) and 11B(1) of the SEBI Act, 1992, including a direction to refund the aforementioned amount collected by him/ it as an unregistered investment adviser.

### **ORDER AND DIRECTIONS**

28. In view of the foregoing, I, in exercise of the powers conferred upon me in terms Sections 11(1), 11(4) and 11B (1) do hereby pass the following directions:

28.1. The Noticee, Mr. Rahul Goswami (*Proprietor of Investor India Research*) shall, within a period of three (3) months from the date coming into force of this direction, refund the money received from any complainants/ investors/ clients, as fees or consideration or in any other form, in respect of their unregistered investment advisory activities;

28.2. The Noticee, Mr. Rahul Goswami (Proprietor of Investor India Research) shall issue public notice in all editions of two National Dailies (one English and one Hindi) and in one local daily with wide circulation, detailing the modalities for refund, including the details of contact person such as names, addresses and contact details, within 15 days of coming into force of this direction;

28.3. The repayments to the complainants/ investors shall be effected only through Bank Demand Draft or Pay Order or electronic fund transfer or through any other appropriate banking channels, which ensures audit trails to identify the beneficiaries of repayments;

28.4. The Noticee, Mr. Rahul Goswami (Proprietor of Investor India Research) is prevented from selling his / its assets, properties and holding of mutual funds / shares / securities held by him/ it in demat and physical form except for the



sole purpose of making the refunds as directed above. Further, the banks are directed to allow debit only for the purpose of making refunds to the clients/ investors/ complainants who were availing the investment advisory services from the Noticee, as directed in this order, from the bank accounts of the Noticee;

- 28.5.** After completing the aforesaid repayments, the Noticee shall file a report of such completion with SEBI addressed to the “Division Chief, Division of Post - Inspection Enforcement Action, Market Intermediaries Regulation and Supervision Department, SEBI Bhavan II, Plot No. C7, G Block, Bandra Kurla Complex, Bandra (East) Mumbai – 400051”, within a period of 15 days, after completion of three months from the coming into force of the directions at paragraph 28.1 and 28.2 above, duly certified by an independent Chartered Accountant and the direction at paragraph 28.4 above shall cease to operate upon filing of such report on completion of refunds to complainants/ investors;
- 28.6.** The remaining balance amount shall be deposited with SEBI which will be kept in an escrow account for a period of one year for distribution to clients/complainants/investors who were availing the investment advisory services from the Noticee. Thereafter, remaining amount, if any, will be deposited in the ‘Investors Protection and Education Fund’ maintained by SEBI;
- 28.7.** In case of failure of the Noticee i.e. Mr. Rahul Goswami to comply with the aforesaid directions in paragraphs 28.1 and 28.5 above, SEBI, on the expiry of the stipulated time period therein from the date of coming into force of this order, may recover such amounts, from the Noticee, in accordance with Section 28A of the SEBI Act, 1992 including such other provisions contained in securities laws;
- 28.8.** The Noticee i.e. Mr. Rahul Goswami is debarred from accessing the securities market, directly or indirectly, and is prohibited from buying, selling or otherwise dealing in the securities market, directly or indirectly in any manner

whatsoever, for a period of one (1) year from the date of this order or till the expiry of one (1) year from the date of completion of refunds to complainants/ investors as directed in paragraphs 28.1 and 28.6 above, whichever is later;

- 28.9.** The Noticee shall not undertake, either during or after the expiry of the period of debarment / restraint as mentioned in paragraph 28.8 above, either directly or indirectly, investment advisory services or any activity in the securities market without obtaining a certificate of registration from SEBI as required under the securities laws.
- 29.** It is hereby clarified that if the Noticee has any open position in any exchange traded derivative contracts, as on the date of this order, he can close out/ square off such open positions within 3 months from the date of order or at the expiry of such contracts, whichever is earlier. The Noticee is permitted to settle the pay in and pay out obligations in respect of transactions, if any, which have taken place before the close of trading on the date of this order.
- 30.** The direction for refund, as given in paragraph 28.1 above, does not preclude the clients/investors to pursue the other legal remedies available to them under any other law, against the Noticee for refund of money or deficiency in service before any appropriate forum of competent jurisdiction.
- 31.** This order shall come into force with immediate effect.
- 32.** A copy of this order shall be sent to the Noticee, recognized Stock Exchanges, banks, Depositories and Registrar and Transfer Agents of mutual funds to ensure that the directions given above are strictly complied with.

**Date: September 26, 2024**  
**Place: Mumbai**

**Dr. ANITHA ANOOP**  
**CHIEF GENERAL MANAGER**  
**SECURITIES AND EXCHANGE BOARD OF INDIA**