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कल्याणकारी लोकशाहीचा.... लोकाभिमुख चेहरा....!

मुदतीनंतर किंवा मागणी केल्यानंतर गुंतवणूकीची रक्कम परत न मिळाल्यास
गुंतवणूक रक्कम परत मागणीसाठी सुविधा सेवा केंद्राकडून
तांत्रिक सहाय्य मागणीसाठीचा अर्जाचा नमुना नं. २९

**Application for Seeking Technical Support for Demanding Refund
To Investor about Amount After it's Maturity or as per Demand
Prescribed format No. 29**

अर्ज पाठविण्याचा पत्ता

सुविधा सेवा केंद्र, युनिट नं. ४०७/४०८, मास्टरमाईड बिल्डींग नं. १, आय.टी. पार्क,
रॉयल पाम्स, आरे दूध वसाहत, मयुर नगर, गोरेगांव (पुर्व), मुंबई - ४०० ०६५.

दूरध्वनी : ०९२७२५३०२८८/०९२७०३६०३४८

०९२०९६३७०३१/०९२०९६३७६३०/०९२०९६३७७२७

Law Of Land For Reference...

Aug 28, 2015

Notifications under Finance Act, 2015 - Merger of FMC with SEBI

Aug 22, 2014

Securities Laws (Amendment) Act, 2014

Mar 28, 2014

The Securities Laws (Amendment) Ordinance, 2014

Oct 03, 2013

Notification under section 16 and 28 of Securities Contracts (Regulation) Act, 1956

Sep 16, 2013

The Securities Laws (Amendment) Second Ordinance, 2013

Sep 13, 2013

The Securities and Exchange Board of India (Amendment) Act, 2013

Jul 18, 2013

The Securities Laws (Amendment) Ordinance, 2013

Sep 20, 1995

The Depositories Act, 1996 [As amended by the Securities Laws(Amendment) Act, 2014]

Jan 30, 1992

Securities and Exchange Board of India Act, 1992 [As amended by the Securities Laws(Amendment) Act, 2014]

Feb 16, 1957

The Securities Contracts (Regulation) Act, 1956 [As amended by Finance Act, 2015]

Aug 28, 2015

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Jan 30, 1992

Securities and Exchange Board of India Act, 1992 [As amended by the Securities Laws(Amendment) Act, 2014]

Feb 16, 1957The Securities Contracts (Regulation) Act, 1956 [As amended by Finance Act, 2015]Indian Penal Code - 1860

Pearls (PACL) Case For Reference -

SEBI attaches assets of M/s PACL Ltd. (Mumbai December 14, 2015)

SEBI has initiated recovery proceedings on December 11, 2015 against (1) M/s PACL Ltd. and its Promoters/Directors, viz., (2) Mr Tarlochan Singh (3) Mr Sukhdev Singh (4) Mr Gurmeet Singh (5) Mr Subrata Bhattacharya (6) Mr Nirmal Singh Bhangoo (7) Mr Tyger Joginder (8) Mr Gurnam Singh (9) Mr Anand Gurwant Singh (10) Mr Uppal Devinder Kumar (“Defaulters”) for their failure to refund an amount of Rs. 49,100 Crores (Rupees Forty Nine Thousands One Hundred Crores) with return due to investors, along with further interest and all costs, charges and expenses incurred in the recovery proceedings. The recovery proceedings have been initiated for their failure to comply with the directions of SEBI vide order dated August 22, 2014 wherein SEBI had directed the defaulters to wind up the schemes, and refund money to the investors within a period of three months from the date of the order. In the said recovery proceedings SEBI has attached all bank and demat accounts and Mutual Funds folios of the aforesaid Defaulters with immediate effect and communicated the same to all the banks, depositories and mutual fund houses. The recovery notices were also sent to the aforesaid Defaulters. All the banks / financial institutions / depositories or any other persons holding assets of the defaulters have been advised not to part with the same and report the same to the Recovery Officer, at SEBI’s Northern Regional Office, New Delhi. The mobilisation of funds by M/s PACL Ltd. traces back prior to 1997. Upon receipt of a complaint, SEBI issued letters dated November 30, 1999 and December 10, 1999 to PACL inter alia advising it to comply with the provisions of the CIS Regulations. PACL challenged these letters before the Hon’ble High Court of Rajasthan in December 1999, claiming inter alia therein that its scheme does not fall under the definition of CIS as defined under the CIS Regulation/ SEBI Act. PACL also challenged the constitutional validity of the CIS Regulations. The Hon’ble High Court of Rajasthan vide its order dated November 28, 2003, held that PACL’s schemes were not CIS as defined under Section 11AA of the SEBI Act and quashed SEBI’s letters dated November 30, 1999 and December 10, 1999, issued to PACL. SEBI preferred an appeal before the Hon’ble Supreme Court of India against the order of Hon’ble High Court of Rajasthan. Hon’ble Supreme Court vide its order dated February 26, 2013 while allowing the appeal upheld the constitutional validity of CIS Regulations, and directed SEBI to investigate the matter and take appropriate actions. After conducting inquiry, SEBI passed the order dated August 22, 2014, wherein, inter-alia, PACL Limited, its promoters and directors were directed to wind up all the existing Collective Investment Schemes of PACL Limited and refund the monies collected by the said company under its schemes with returns which are due to its investors as per the terms of offer within a period of three months from the date of the said Order. The appeal filed by the Defaulters before the Hon’ble Securities Appellate Tribunal (SAT) against the said order dated August 22, 2014 was dismissed on August 12, 2015 directing the Defaulters to refund the money within a period of three months. Since the defaulters failed to refund the money to the investors as per the directions of SEBI and SAT, SEBI has initiated the recovery proceedings. The attachment orders are available on SEBI website: www.sebi.gov.in

CBI -The Central Bureau of Investigation has arrested then CMD & Promoter Director (New Delhi, 08.01.2016)

The Central Bureau of Investigation has arrested then CMD & Promoter Director of Chandigarh based private company & also Ex-Chairman of an Australia based company; then MD & Promoter Director of Jaipur based private company and then Executive Director (Finance) & then Executive Director, both of said Jaipur based company in an on-going investigation of a case relating to alleged collection of huge funds to the tune of Rs.45,000 crore(approx) from 5.5 crore(approx) investors spread all over the country.

CBI had registered the case on 19.02.2014 U/s 120-B r/w 420 of IPC and Section 4 of PCMCSB Act after conversion of a Preliminary Enquiry registered earlier on the directions of the Hon'ble Supreme Court of India to enquire into the said allegations. The enquiry revealed prima-facie evidence of said private company having raised investments by issuing bogus land allotment letters to induce the investors. It was revealed that when the said company, on being directed by the Hon'ble High Court of Punjab & Haryana to wind up the scheme and refund the investors, a similar fraudulent scheme was operated under the name of other/second private company. Funds collected from new investors of this second company were used to repay the earlier investors of first private company to stave off criminal prosecution. Funds have been raised by the two companies through a vast network of lakhs of commission agents spread all over the country who were being paid hefty commissions for luring the investors. It was further alleged that the accused persons i.e. Promoter / Directors of said private companies & others illegally collected huge funds amounting to the tune of Rs. 45,000 crore(approx) from 5.5 crore Investors(approx) spread all over the country under the garb of sale & purchase of agricultural land and promise of high returns. These schemes were running illegally and both the companies were allegedly engaged in fraudulent activities including forgery in their day-to-day operations. A series of raids were conducted by CBI during February, 2014 at the office premises & residences of Directors and other suspected places in Delhi, Jaipur(Rajasthan), Chandigarh, Punjab & Haryana, which led to recovery of huge records & data relating to deposits from public and their mis-utilisation & diversion of funds, besides other incriminating documents. Investigation also revealed that the accused persons fraudulently diverted the alleged funds collected under the aegis of Jaipur based private company for purported investment in Australian companies. So far 132.99 mn AUD (approx) found to have been diverted to Australian Companies.

The arrested accused persons will be produced tomorrow before the competent Court, Delhi.

Further investigation is continuing to unearth the entire conspiracy of siphoning off funds collected from innocent investors

मुदतीनंतर किंवा मागणी केल्यानंतर गुंतवणूकीची रक्कम परत न मिळाल्यास गुंतवणूक रक्कम परत मागणीसाठी सुविधा सेवा केंद्राकडून तांत्रिक सहाय्य मागणीसाठीचा अर्जाचा नमुना नं. २९

दिनांक :

प्रति,
मा. व्यवस्थापकिय संचालक,
सुविधा सेवा केंद्र,
युनिट नं. ४०७/४०८, मास्टरमाईड बिल्डींग नं. १,
आय.टी. पार्क, रॉयल पाम्स, आरे दूध वसाहत,
मयुर नगर, गोरेगांव (पुर्व), मुंबई - ४०० ०६५.
दूरध्वनी : ०९२७२५३०२८८/०९२७०३६०३४८
०९२०९६३७०३१/०९२०९६३७६३०/०९२०९६३७७२७

विषय :- मुदतीनंतर किंवा मागणी केल्यानंतर गुंतवणूकीची रक्कम परत न मिळाल्यास गुंतवणूक रक्कम परत मागणीसाठी सुविधा सेवा केंद्राकडून तांत्रिक सहाय्य मिळणेबाबत.....

महोदय,

कारणे विनंती अर्ज करतो की मी _____ या कंपनीकडे रक्कम रूपये अक्षरी रूपये _____ एवढ्या रकमेची गुंतवणूक केली असून माझी रक्कम अद्याप मला व्याजासह व मानसिक खर्चासह परत मिळालेली नाही. माझे कुटुंबावर याचा फार मोठा विपरित परिणाम होत असून माझे त्यामुळे कधीही भरून न येणारे नुकसान होत आहे. माझी गुंतवणूकीची रक्कम परत मिळवण्यासाठी लवकरात लवकर सर्व कायदेशिर मार्गाने माझी रक्कम मला व्याजासह नुकसान भरपाईसह परत मिळवून द्यावी. ही विनंती त्यासाठी आवश्यक सेवा शुल्क या अर्जासोबत जमा करित आहे.

आपला,

अर्जदाराची स्वाक्षरी

सोबत

- १) अर्जदाराची संपूर्ण माहिती व गुंतवणूकीचा तपशिल - प्रपत्र अ
- २) गुंतवणूकीबाबतची सर्व छायांकित साक्षांकित कागदपत्रे
- ३) सेवा शुल्क रकमेचा धनाकर्ष (डिमांड ड्राफ्ट) / बँक खात्यावर पैसे भरल्याची बँक स्लिप

गुंतवणुकदाराची माहिती प्रपत्र - अ

गाव / शहराचे नांव	
जिल्हा	

तालुका	
पोस्टल पिनकोड	

१) नांव :- आडनांव स्वतःचे नांव पती/वडीलांचे नांव

पत्रव्यवहाराचा संपुर्ण पत्ता :- घर क्र./फ्लॉट क्र./प्लॉट क्र./घराचे नांव परिसर/उपनगर/चाळ/गल्ली/इमारतीचे नांव

जवळचे महत्वाचे सर्वपरिचित स्थळ	चौक/रस्ता/अन्य महत्वाचे ठिकाण	गांव/उपनगर/शहराचे नांव
तालुका	जिल्हा	पिन कोड :

भ्रमणध्वनी क्रं.: 0 0

व्यवसाय : जन्मतारीख:- D D M M Y Y Y Y वय : वर्षे

शिक्षण : जन्माचे ठिकाण : रक्तगट :

ई-मेल : व्हाट्सअप क्रं. 0

वैवाहिक स्थिती : (✓) विवाहित अविवाहित धर्म : जात :

शारिरिक स्थिती : सुदृढ अंशतःअपंग पुर्णतःअपंग रोग/व्याधीग्रस्त मनो रूग्ण

निवास करित असलेले घर - स्वतःचे भाड्याचे कुटुंबातील सदस्यांची एकूण संख्या

एकत्रित कुटुंबाचे अंदाजे वार्षिक उत्पन्न :-

कुटुंब प्रमुखाच्या वडिलांचे संपुर्ण नांव :-

कुटुंब प्रमुखाच्या आईचे संपुर्ण नांव :-

अर्जदाराने गुंतवणूक केलेल्या कंपनीचे नाव

पत्ता :-

कंपनीचे अधिकृत संकेतस्थळ :

गुंतवणुकीची रक्कम ₹ अक्षरी रक्कम रूपये

गुंतवणुकीची तारीख गुंतवणुकीची मुदत संपल्याची तारीख

गुंतवणुकदाराचा बँक तपशिल:	शाखा :	खाते क्रं.:
खातेदाराचे नाव :		
बँकेचे नांव :	आय.एफ.एस.सी.कोड :	

व्यवसाय स्थळ/कामाचे स्थळ/द्वितीय प्राधान्य तात्पुरता पत्ता :

घर क्र./फ्लॅट क्र./प्लॉट क्र./घराचे नांव

परिसर/उपनगर/चाळ/गल्ली/इमारतीचे नांव

जवळचे महत्वाचे सर्वपरिचित स्थळ

चौक/रस्ता/अन्य महत्वाचे ठिकाण

गांव/उपनगर/शहराचे नांव

तालुका

जिल्हा

पिन कोड :

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गुंतवणूकदारावर अवलंबून असलेल्या कुटूंबातील इतर सदस्यांचा तपशिल

अ.नं.	कुटूंबातील सदस्याचे नांव	वय	व्यवसाय

हमी पत्र (UNDERTAKING)

मी वरिल अर्जदार कारणे ज्ञापन ज्ञात व मान्य असल्याचे ज्ञापन देतो की, माझे कार्यव्यस्ततेमुळे व इतर अडचणींमुळे मला माझी वर नमुद कंपनीकडे केलेली गुंतवणुकीची रक्कम परत मागणी करण्यासाठी वेळोवेळी विविध कार्यालयात जाणे न्यायालयिन प्रक्रियेसाठी वकील नेमणे तसेच गुंतवणुक रक्कम परत मागणीसाठी विविध प्रकारच्या कार्यालयिन औपचारिकता पार पाडणे जास्त त्रासदायक होत असल्याने या कामी मी सुविधा सेवा केंद्राकडे वर नमुद कार्याची सुलभपणे कार्यवाही व्हावी यासाठी अर्ज केला आहे. सदर अर्जासोबत मी सुविधा सेवा केंद्राकडे सेवा शुल्कापोटी जमा केलेली रक्कम रूपये (अक्षरी _____) ही रक्कम विनापरतावा स्वरूपाची असुन न्यायालयिन कामी कोर्ट फी स्टॅम्प अथवा अन्य आवश्यक कार्यालयिन खर्चासाठी आवश्यकता पडल्यास वेळोवेळी मी खर्चाची पुर्तता करीन तसेच आवश्यक त्या ठिकाणी सक्षम अधिकारी अथवा न्यायालयिन कामी मी मुळकागदपत्रांसह सुविधा सेवा केंद्राने सुचित केल्याप्रमाणे स्वतः उपस्थित राहीन.

दिनांक :

स्वाक्षरी

**VAKALATNAMA
IN THE COURT OF**

In the matter of;

Plaintiff/petitioner/Applicant

VERSUS

Respondent/

Know all to whom these presents shall come that I/We _____

Them above named the _____ do hereby appoint

Legal Action and Protection Law firm (Advocate/Advocates)

1. _____
2. _____
3. _____

Advocate(s), to be my/ our true and lawful attorney (s), in the matter noted above, to do all the following acts, deeds and things, or any of them, (jointly and severally) and also ratify anything already done on our behalf that is to say: -

1. To sign, verify and present and send notices, replies rejoinders, pleadings, appeals, cross-objections or petitions for execution, review, revision, other petitions or affidavit or other documents as shall be deemed necessary or advisable for the prosecution of the case or in relation thereto in all its stages.
2. To appear, act, and plead in the above-mentioned case in any court or tribunal etc, in which the same be heard or tried in the 1st instance or in appeal or review or revision or execution or in any other stage of its progress until its final decision.
3. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise to or in any manner relating to the said case.
4. To receive documents, papers, records, orders etc. and to do all other acts all things, which may be necessary or proper to be done for the progress and in all course of the prosecution of the said case.
5. To employ any other legal practitioner, advocate or consultant authorizing him to exercise the power and authority hereby conferred on the Advocate (s) whenever he/they may think fit to do so.

And I/We hereby agree that whatever the Advocate (s) or his/ there substitute shall do in the premises shall be binding on me in all intents and purposes just as if it would have been done by me.

And I/We hereby agree not to hold the Advocate (s) or his/their substitute responsible for the said case in consequence of his absence from the court when the said case is called up for hearing.

And I/We hereby agree that in the event of the whole or any part of the fee agreed by me/ us to be paid to the Advocate (s) remaining unpaid he/they shall be entitled to withdraw from the prosecution of the said case, or not to appear until the same is paid.

In witness whereof I/We hereunto set my/our hand to these presents the contents of which have been explained to and understood by me/us.

Date: _____

गुंतवणुकदाराचे नाव : _____

Advocate (s)

Client Signature/ स्वाक्षरी

गुंतवणुकदार अर्जदाराने या पानावर फक्त 'स्वाक्षरी' असे लिहिलेल्या रेषेवर स्वाक्षरी करावी उर्वरित माहिती वकिलांमार्फत भरली जाईल.

१६. अर्जासोबत जोडावयाच्या आवश्यक कागदपत्रांची यादी.

अ.क्र.	कागदपत्राचा तपशिल	जोडले (✓) आहे/नाही
१.	शिधापत्रिका (रेशन कार्ड) किंवा, आधार कार्ड किंवा, बँक खात्याची पासबुक किंवा, निवडणुक आयोगाने प्रदान केलेले मतदान ओळखपत्र किंवा, वीज बिल किंवा, टेलिफोन बिल किंवा, घर भाड्याने असल्यास घरमालकासोबत झालेला भाडेकरार किंवा, वाहन चालविण्याचा परवाना (ड्रायव्हिंग लायसन्स) या पैकी कोणत्याही एकाची छायांकित प्रत (झेरॉक्स).	
२.	फोटोप्रुफसाठी निवडणुक आयोगाचे ओळखपत्र किंवा, ड्रायव्हिंग लायसन्स किंवा आधार कार्ड, किंवा पॅन कार्ड या पैकी कोणतेही एकाची छायांकित (झेरॉक्स) प्रत.	
३.	गुंतवणुकीविषयीचे सर्व दस्तऐवजांची साक्षांकित छायांकित प्रत (उदा. गुंतवणुक रकमेची पावती, करार, गुंतवणुक प्रमाणपत्र, गुंतवणुक रकम परताव्यासाठी मिळालेला धनादेश, धनादेश बँकेत जमा केल्यानंतर परत अनादरित होवून आल्याबाबतची बँकेचे सुचना पत्र, गुंतवणुकीबाबत कंपनीकडून प्राप्त झालेली पत्रे, गुंतवणुकदाराने कंपनीस पाठवलेली पत्रे, कंपनी कडून प्राप्त झालेले ई-मेल, कंपनीने गुंतवणुकीच्या योजनेबाबत दिलेली माहिती पत्रके, माहिती पुस्तिका, गुंतवणुकीविषयी उपलब्ध असणाऱ्या कागदपत्रांची छायांकित (झेरॉक्स) प्रत (मुळ प्रत जोडू नये.)	
४.	सुविधा सेवा केंद्राकडून तांत्रिक सेवा घेण्यासाठीच्या सेवा शुल्कासाठी 'Suvidha Seva Kendra A/C No. 50200006865835' या नावे मुंबई येथे देय असलेला (Payable at Mumbai) विना परतावा धनाकर्ष (डिमांड ड्राफ्ट) किंवा सुविधा सेवा केंद्र, एच.डी.एफ.सी. बँक, खाते क्र. 50200006865835 (IFSC Code : HDFC 0000159 Branch-Lokhandwala Complex, Andheri (W.), किंवा बँक ऑफ इंडिया खाते क्र.:071410110002612 (IFSC Code : BKID0000714 Branch Barshi), किंवा आय.डी.बी.आय. बँक खाते क्र.:0461102000003834 (IFSC Code : IBKL0000461 Br. Barshi) यापैकी कोणत्याही एका बँक खात्यावर सेवा शुल्क रकम भरल्याची पावती किंवा संचालक, सुविधा सेवा केंद्र, गोरगांव (पूर्व) मुंबई या नावे सेवाशुल्क मनीऑर्डर पाठविल्याची पावती (खालील सेवा शुल्क तक्त्याप्रमाणे.)	

सेवा शुल्क तक्ता

गुंतवणुकीची रकम	सेवा शुल्काची रकम (विनापरतावा)
रकम रू. ०१ ते रकम रू. १०,०००/-	५५०/- रू.
रकम रू. १०,००१/- ते रकम रू. २५,०००/-	९५०/- रू.
रकम रू. २५,००१/- ते रकम रू. ५०,०००/-	१८५०/- रू.
रकम रू. ५०,००१/- ते रकम रू. ७५,०००/-	२७५०/- रू.
रकम रू. ७५,००१/- ते रकम रू. १,००,०००/-	२९५०/- रू.
रकम रू. १,००,००१/- ते रकम रू. १,५०,०००/-	३८५०/- रू.
रकम रू. १,५०,००१/- ते रकम रू. २,००,०००/-	४८००/- रू.
रकम रू. २,००,००१/- ते रकम रू. ३,००,०००/-	६,३००/- रू.
रकम रू. ३,००,००१/- ते रकम रू. ५,००,०००/-	७,३००/- रू.

पाच लाखापासून पुढे प्रत्येक लाखास रकम रू. ६००/- या प्रमाणे (मुदतीनंतर अर्ज पाठविला असल्यास विलंब शुल्क रू. ५० अतिरिक्त सेवा शुल्क जमा करावा.)