

PROCEEDINGS OF COMPETENT AUTHORITY & SECRETARY
TO GOVERNMENT, UNDER SECTION 7(3) OF BANNING OF
UNREGULATED DEPOSIT SCHEMES ACT (BUDS), 2019.
PRESENT : SRI. SANJAY M KAUL IAS

HOME (SC) DEPARTMENT

SC3/31/2022/Home

Dated, Thiruvananthapuram (18-11-2023)

Sub: Home Department - Banning of Unregulated Deposit Schemes Act, 2019 - Provisional attachment of all movable & immovable properties of Pooram Finserve Private Limited, Thrissur - Orders issued.

Ref: 1.G.O(P) No. 69/2020/Home, dated 18.12.2020 published as S.R.O No.887/2020.

2.G.O(Rt) No.2959/2020/Home, dated 22.12.2020 published as S.R.O No. 894/2020.

3. Letter No. K5 - 227689/2022/PHQ dated 05.01.2023 from the State Police Chief.

4. Letter No. D1 - 25465/2022/RC dated 14.05.2022 from the District Police Chief, Thrissur City.

5. Letter No. TVM.DOS.SED.No.I/02.03.130/2023-24 dated 16.08.2023 from the Reserve Bank of India.

ORDER

Several complaints were filed by depositors that M/s Pooram Finserve Private Limited, a non - deposit taking Non Banking Finance Company registered with the Reserve Bank of India has failed to repay investments taken in the form of secured non - convertible debentures(NCDs). The Reserve Bank of India, the Regulator concerned in this case has cancelled the Certificate of Registration (CoR) issued to Pooram Finserve Private Limited, Thrissur as per its order dated 11.08.2023. The RBI has noted that the company had issued Non-Convertible Debentures (NCDs) to 553 investors with an aggregate

subscription value of 12.66 crore. It was observed that the company had circumvented Bank's guidelines on "Private Placement of NCDs" - Annex XVII (2) of Master Direction - NBFCs wherein it has been stipulated that in case of NCDs with subscription value below 1 crore, the maximum number of subscribers permissible in a financial year will be limited to 200. The company, in order to circumvent the extant instructions, had privately placed NCDs with Pooram Fin Services, a proprietorship concern owned by Shri C K Anil Kumar, the promoter director and then these NCDs were reissued to the actual investors. The RBI noted several discrepancies in the functioning of the Company.

The State Police Chief as per letter read as third paper above reported that Crime No.1294/2022 of Thrissur East Police Station has been registered against the Managing Directors of the firm on the basis of complaints received from the depositors.

The details of accused in the case is as follows:

1. Anil Kumar, S/o Krishnan, Chozhikkunnath Veed, F-3 Mayur Vihar Apartment, Ist Floor, Cheroor, Thrissur.
2. Sunil Kumar, S/o Krishnan, Chozhikkunnath Veed, F-3 Mayur Vihar Apartment, Ist Floor, Cheroor, Thrissur.

Whereas the M/s Pooram Finserve Private Limited, 25/395/27 First Floor, Pathayapura Round South, Thrissur, accepted deposits in the form of Non - Convertible Debentures and fraudulently defaulted its repayment, provisions of Banning of Unregulated Deposit Schemes Act, 2019 can be invoked against the Deposit taker,

Now, therefore in exercise of powers conferred under section 7(3) of BUDS Act, 2019, I, Sanjay M Kaul IAS, Competent Authority, hereby order the provisional attachment of all movable/immovable properties and all other deposits held by the Deposit Taker and the money or other property acquired either in the name of the deposit taker or in the name of any other person on behalf of the deposit taker.

The Inspector General of Registration Department is hereby directed to freeze the sale/mortgage or any other transaction of immovable properties of the firm and the Deposit Taker. The Transport Commissioner, Motor Vehicles Department is directed to seize all vehicles owned by the firm/deposit taker/its

partners or allied firms and to take necessary steps to prohibit the transfer of registration of vehicles and to report to the respective District Collectors.

The Lead Bank Managers of all Districts concerned/Registrar of Co - operative Societies/General Managers of KSFE/ District Managers of KFC and all other financial institutions are directed to take necessary steps to freeze all the accounts of the financial institution and its allied firms, for which the Police Authorities shall identify the accounts of the firm and the deposit takers and take action to freeze the accounts by intimating the provisional attachment orders to the respective Banks wherein the accounts are maintained. The Police shall also report the details of the accused to the District Collectors for provisionally attaching the properties within the stipulated time limit.

The District Collectors appointed as officers to assist the Competent Authority under section 7(2) of BUDS Act is directed to file application with particulars of the attachment effected before the Designated Courts constituted as per reference 2nd cited, of the respective Districts, for making the provisional attachment absolute and for permission to sell the property so attached by public auction or, if necessary, by private sale according to section 14 of Banning of Unregulated Deposit Schemes Act, 2019.

(Sd.)

SANJAY M KAUL

Forwarded/By order

Section Officer.

To:

The Managing Director, M/s Pooram Finserve Private Limited, 25/395/27
First Floor, Pathayapura Round South, Thrissur, PIN 680001.

The State Police Chief

All District Collectors

The Additional Director General of Police (Crimes)

The Inspector General of Police (EOW), PHQ

All District Police Chiefs
The Inspector General of Registration Department
The Transport Commissioner
Registrar of Co-operative Societies
General Managers of KSFE/District Managers of KFC/All Banks etc
(through the District Collectors)
The Finance/ Law/Revenue/Taxes Departments
I & PR (Web & New Media) Department.
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