

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

SC3/357/2023/Home Dated,Thiruvananthapuram (21-11-2023)

Sub: Home Department - Banning of Unregulated Deposit Schemes Act,
2019 - Provisional attachment of all movable & immovable properties of
the accused in Crime Branch crime No. 204/CB- EOW/MPM/2022 -
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.539/Des/EOW/MPM/2023 dated 29.09.2023 from the
Deputy Superintendent of Police, EOW, Malappuram.

ORDER

The Deputy Superintendent of Police, Economic Offence Wing,
Malappuram furnished report u/s 29 of BUDS Act in Crime Branch crime No.
204/CB- EOW/MPM/2022 filed u/s 420, 418 r/w 34 IPC and section 3 r/w 21(1)
(2) (3) , 5 r/w 23 of BUDS Act, registered against Sajitha P K and Abdul Nazar.

The brief of the case is that the accused persons (Accused 1) Sajitha P.K. W/o Abdul Nazar, Valachettiyil House, Cherumuttam, Valiyaparambu, Pulikkal started a franchisee of Indian Infoline Securities LTD (Broker Licence Holder of SEBI for conducting share trade business) at Edavannappara in Malappuram District. Al Sajitha is the Registered Sub Broker of SEBI. She obtained sub broker licence from SEBI in the year 2010. The franchisee of IIFL started in the name of Sajitha in the year 2010 at Edavannappara. A2. Abdul Nazar S/o Moosa, Valachettiyil House, Cherumuttam, Valiyaparambu, Pulikkal is Sajitha's husband and he worked as office staff at IIFL office, Edavannappara. The allegation against the accused persons is that they solicited and collected huge sums of money from public from Malappuram and Kozhikode Districts by making a false promise that they will pay 2% interest on monthly basis by depositing their money in share trade business. They never disclosed the fact that profit from share trade is subject to market risk and also did not open a demat account for the depositors which is compulsory to conduct share trading in stock market for individuals. Later they misappropriated the money amounting to Rs 4,86,90,000/- (Four Crore Eighty Six Lakhs and Ninety thousand rupees only) collected from around 61 depositors.

In this regard a crime case was registered at Vazhakkad Police station on the complaint of P.V. Ibrahim Haji , S/o Kadhar Haji, Velliyattu House, Akkodu, Vazhayur PO. Vazhakkad as Crime No. 297/2020 u/s 420 IPC and later it was handed over to Crime Branch Economic Offence Wing Malappuram for further investigation. The case was re registered at Crime Branch Police Station, Thiruvananthapuram as Cr. No 204/2022 u/s 420, 34 IPC. During investigation of the case sections 3 r/w 21(1), (2), (3) and 5 r/w 23 of The Banning Of Unregulated Deposit Schemes Act 2019 was incorporated.

Accused A2 (Abdul Nazar M) possesses 0.0870 hectare land (8 Are 70 sqm) in Block Number 008 resurvey No 96/3-96 of Pulikkal Village in Kondotty Taluk.

He also owns a Toyota Etios Liva Motor Car bearing No KL 10 AV 1757 registered at SRTO Malappuram.

The bank account details of the accused are furnished below.

Sl. No.	Name of Accused	Bank Account Number	Name of Bank
1	A1. Sajitha P. K	4361000100082294	Punjab National Bank, Edavannappara
2	A1. Sajitha P. K	16000100134099	Federal Bank, Edvannappara
3	A1. Sajitha P. K	266601500561	ICICI Bank, Edavannappara
4	A1. Sajitha P. K	31531011013787	Canara Bank, Kondotty
5	A2. Abdul Nazar M	3153101013788, 3153101013787	Canara Bank, Kondotty
6	A2. Abdul Nazar M	626505500241 626501517358	ICICI Bank, Kozhikode
7	A2. Abdul Nazar M	090241200408110	Malappuram District Co-operative Bank, Vazhakkad
8	A2. Abdul Nazar M	090251200401183	Malappuram District Co-operative Bank, Ikkarapadi
9	A2. Abdul Nazar M	090251200401183	Malappuram District Co-operative Bank, Kondotty.
10	A2. Abdul Nazar M	0301003154	Co-operative Bank Ramanattukara.

The investigation has disclosed that accused A1 and A2 have defrauded about 61 depositors by offering a false promise of profit and collected an amount of 4,86,90,000. (Four crores eighty six lakshs ninety thousand rupees only) from

them.

Whereas provisions of BUDS Act are invoked in the crime cases registered against the accused in Crime Branch crime No. 204/CB- EOW/MPM/2022,

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 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 Deputy Superintendent of Police, EOW, Malappuram.

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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