

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

SC3/342/2023/Home Dated,Thiruvananthapuram (21-11-2023)

Sub: Home Department - Banning of Unregulated Deposit Schemes Act, 2019 - Provisional attachment of all movable & immovable properties of Finsere Nidhi Limited, Race Complex, Sankarayar Road, West Fort, Thrissur West and Finsere Kuries Private Limited, Kodungallur - 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. 56/TDR/CBEOW/TSR dated 26.10.2023 and letter No.500/TDR/CBEOW/TSR dated 20.09.2023 from the Deputy Superintendent of Police, Crime Branch EOW, Thrissur Unit.

ORDER

The Deputy Superintendent of Police, Crime Branch EOW, Thrissur Unit has submitted report u/s 29 of BUDS Act regarding the crime cases registered against M/s Finsere Nidhi Limited and Finsere Kuries Private Limited, Kodungallur.

1. Finsere Nidhi Limited

The Company FINSERE NIDHI LIMITED is registered with the Registrar of Companies and incorporated on 28.04.2016. However the Company has not filed the mandatory forms in NDH I, NDH -II, NDH -III and NDH IV. The amended provisions of the Companies Act (Section 406) and Nidhi Rules (as amended w.e.f. 15.08.2019) require that Nidhi companies have to apply to the

Ministry of Corporate Affairs for updation of their status/ declaration as Nidhi Company in Form NDH-4. The Registrar of Companies have also reported that Finsere Nidhi Limited has not filed NDH 4. As per Nidhi Rules, 2014, the Nidhi Companies cannot accept deposits from or lend to any person, other than its members and issue or cause to be issued any advertisement in any form for soliciting deposits. M/s Finsere Nidhi Limited have blatantly violated all these Rules and solicited deposits through advertisements and accepted deposits from the general public offering higher returns. As such Crime No. 174/2021 u/s 406, 420 r/w 34 IPC and section 3 r/w 21, 5 r/w 23 of BUDS Act 2019 was registered against the firm for conducting unregulated Deposit Schemes. The investigation has revealed that the Company accepted deposit to the tune of around 3 crores from public.

The details of accused in Crime Branch Crime No. 174/2021

1. Binu K P, S/o Prabhakaran, Kondiyara House, Anchangadi Desom, West Vemballur Village, Thrissur.
2. Sudhirkumar T C, S/o Chennan, Therpurackal House, Pozhakavu Shappu Desom, Sreenarayanapuram Village, Thrissur.
3. Muraleedharan E R, S/o Ramakrishnan, Illathuparambil House, Kozhikkada Desom, Pullutt Village, Thrissur.
4. Satheesh Babu K S, S/o Sadanandan, Kalapurackal House, Thiruvallur Desom, Lokamalleswaram Village, Kodungallur, Thrissur.

2. Finsere Kuries Private Limited

Finsere Kuries Private Limited was registered with Registrar of Companies as a Private Limited Company on 13.10.2011 with CIN No. U65992KL2011PTC029571. The Directors of the firm conducted chit schemes (kuries) without obtaining necessary sanction from the Registration Department and made the public believe that the chit scheme namely *Grihalakshmi - 101* got approval from the District Registrar of Societies, Faridabad and accepted subscriptions from public. The amount collected was diverted to another Company **Finsere Insurance Consultants** and in real estate business. A crime case was registered as Crime Branch Crime No. 220/2021 u/s 406, 420 r/w 34 IPC and section 3 r/w 21, 5 r/w 23 of BUDS Act, 2019 against the following accused.

1. Muraleedharan E R, S/o Ramakrishnan, Illathuparambil House, Kozhikkada Desom, Pullutt Village, Thrissur.
2. Binu K P, S/o Prabhakaran, Kondiyara House, Anchangadi Desom, West Vemballur Village, Thrissur.
3. Sudhirkumar T C, S/o Chennan, Therpurackal House, Pozhakavu Shappu Desom, Sreenarayanapuram Village, Thrissur.
4. Satheesh Babu K S, S/o Sadanandan, Kalapurackal House, Thiruvallur Desom, Lokamalleswaram Village, Kodungallur, Thrissur.
5. Sabu T P, S/o Padmanabhan, Thaikkatt House, Kara P O, Kathiyalam Desom, Edavilangu Village, Thrissur.

Whereas provisions of BUDS Act are invoked in the crime cases registered against Finsere Nidhi Limited, Race Complex, Sankarayar Road, West Fort, Thrissur West and Finsere Kuries Private Limited, Kodungallur and the accused,

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
Deputy Superintendent of Police, Crime Branch EOW, Thrissur Unit.
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.
Stock File/Office Copy