

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

SC3/473/2023/Home Dated,Thiruvananthapuram (25-11-2023)

Sub: Home Department - Banning of Unregulated Deposit Schemes Act, 2019 - Provisional attachment of all movable & immovable properties of the accused in Crime Branch EOW Crime No. 2576/CB - EOW/MLPM/R/2023- 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. 643/CB - EOW/2023 dated 14.11.2023 from the Deputy Superintendent of Police (EOW), Malappuram.

ORDER

The Deputy Superintendent of Police, Economic Offence Wing, Malappuram as per letter read as 3rd paper above, has furnished report u/s 29 of BUDS Act regarding the crime case registered into the financial fraud committed by an employee of Federal Bank, Malappuram in the name of a non – existent mutual fund **“Pure Growth Fund”**.

The brief of the case is that, the accused (A1) Fsalu Rahman, S/o Moideen, Veral Thodiyil House, Kadungallur, Puliyakode Post, near GUP School, Kadungallur, Malappuram, employed with Federal Bank Branch at Malappuram, as Priority Relationship Manager, along with his brother Ajmal (A2) had defrauded the customers of the bank under the pretext of investing their funds in a fake/non existent mutual fund named "Pure Growth Fund"

during the period from 01-01-2019 to 30-08-2022. The amount misappropriated was credited either to the account of Mr. Fasalur Rahman or to the account of Ajmal. The misappropriated amount was invested in M/s Tummy and Me LLP, which operated a chain of restaurants across Kerala, of which the accused Fasalur Rahman is the Chairman and his brother, Ajmal, Managing Director. Fasalur Rahman collected an amount of Rs.24 crore from the customers of the Federal Bank under a fake mutual fund called "Pure Growth Fund". He made the customers believe that this fund is operated by Federal Bank directly and offered 10 to 14 percentage monthly profit. Around 130 customers invested their money in this mutual fund and thus lost an amount of Rs.24 Crore. For giving assured profit returns, he created a UPI ID "pure fund @ Paytm" and connected that UPI-ID with the bank accounts of Fasalur Rahman at HDFC bank.

On the basis of the complaint from the Branch Head, Federal Bank, Malappuram, a crime case was registered as Malappuram Police Station Cr.849/2022 u/s 420,408, 468, 471 IPC. During the course of investigation, it is revealed that the accused persons have collected money from several persons by offering high amount as dividend if they deposit money into the Mutual Fund thus created. Accordingly sec. 3 r/w 21(1) (2) (3) Sec,5 r/w 23 of the Banning of Unregulated Deposit Schemes Act, 2019 (BUDS Act) was incorporated in the crime case. Later the case was transferred to the Crime Branch, Economic Offence Wing, Malappuram and re- registered as Crime Branch Crime. 2576/CB EOW MLPM/R/2023 u/s 406, 408, 409, 468, 471, 420 r/w 34 IPC, and Sec. 3 r/w 21 (1) (2) (3), Sec.5 r/w 23 of The Banning of Unregulated Deposit Schemes Act 2019.

The following persons are arrayed as accused in the case.

1. Fasalur Rahman, S/o Moideen, Veral Thodiyil House, Kadungallur, Puliyakode Post, near GUP School, Kadungallur, Malappuram, PIN 673 641.
2. Ajmal K K, S/o Moideen, Veral Thodiyil House, Kadungallur, Puliyakode Post, near GUP School, Kadungallur, Malappuram, PIN 673 641.

Accused A1 (Fasalur Rahman) possesses 04 Are 46 sqm in Block Number 33 resurvey No 36 Kuzhimanna Village in Kondotty Taluk and his wife Shahana possesses 0.0409 hectare land (04 Are 09 sqm in Block No.33 resurvey No.36 sub - division 6 in Pulivakkode Kuzhimanna Village Kondotty Taluk), 0.0227 hectare land (02 Are 27 sqm in Block No.33 resurvey No.36 in

sub division 3/2 Puliyakkode Kuzhimanna Village Kondotty Taluk) and 0.0162 hectare land (01 Are 62 sqm in Block No.33 resurvey No.36 sub - division 3/7 in Pulivakkode Village Kondotty Taluk.

The available bank account details of the accused are furnished below .

Sl. No.	Name of Accused	Bank Account Number	Name of Bank
1.	Fasalu Rahman (A1)	11665000121209	Federal Bank
	Fasalu Rahman (A1)	50100232650600	HDFC Bank
	Fasalu Rahman (A1)	919010058908613	AXIS Bank
2.	Ajmal KK	50100398084451	HDFC Bank
	Ajmal K K	11666400050048	Federal Bank
	Ajmal K K	11026400015931	Federal Bank
	Ajmal K K	11020100287114	Federal Bank
3.	Tummy And Me	50200053264240	HDFC Bank
	Tummy And Me	50200053763568	HDFC Bank
	Tummy And Me	11020200020654	Federal Bank
4.	Lets Repeat Global Private LTD	50200059488910	HDFC Bank
5.	Domera Holdings Private LTD.	50200064581424	HDFC Bank
6.	Burger Thoughts Private Limited	50200063616771	HDFC Bank
7.	Hugs India Private Limited	50200063726230	HDFC Bank

Details of Vehicle Owned by the accused shown below

Sl. No.	Registration Number	Type of Vehicle
1.	KL 10 BG 3927	Wagon R Car
2.	KL 20 N 9995	Bajaj Motor Cycle
3.	KL 29 M 9241	Bajaj Motor Cycle
4.	KL 09 AS 8469	Hero Motor Cycle
5.	KL 61 D 2476	Bajaj Motor Cycle
6.	TN 56 M 5271	Bajaj Motor Cycle
7.	KL 27 J 8067	Bajaj Motor Cycle
8.	KL 53 Q 5486	Bajaj Motor Cycle

9.	KL 10 BF 1116	Tata Nexon Car
10.	KL 02 AW 8502	Bajaj Motor Cycle
11.	KL 02 BM 2262	Hero Motor Cycle

The Investigating Officer has reported that the accused A1 and A2 defrauded around 130 customers of the Federal Bank and collected an amount of Rs.24 Crores and with this money they started 22 Burger Shops in various places under the name 'Tummy and Me' with Corporate Office at Manjeri.

Whereas the accused committed offences violating the provisions of Banning of Unregulated Deposit schemes Act,

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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