

Department: Investigation	Segment: All
Circular No: MSE/ID/14978/2024	Date : March 01, 2024

Subject: SEBI Order in respect of Mr.Heet Manish Bafna (Proprietor-Standard Chartists) in the matter of Unregistered Investment Advisory Services.

To All Members,

SEBI vide order no. QJA/AA/WRO/WRO/30066/2023-24 dated February 29, 2024 has issued the following directions in the matter of Mr. Heet Manish Bapna alias Heet Manish Bafna (Proprietor-Standard Chartists) in the matter of Unregistered Investment Advisory Services (PAN: EWEPB1991R).

1. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna shall, within a period of three months from the date of coming into force of SEBI direction, refund the money received from any complainant / investors, as fees or consideration or in any other form, in respect of the unregistered investment advisory activities;
2. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna shall issue public notice in all editions of two National Dailies (one English and one Hindi) and in one local daily with wide circulation, detailing the modalities for refund, including the details of contact person such as names, addresses and contact details, within 15 days of coming into force of SEBI direction ;
3. The repayments to the complainants/ investors shall be effected only through Bank Demand Draft or Pay Order or electronic fund transfer or through any other appropriate banking channels, which ensures audit trails to identify the beneficiaries of repayments;
4. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna shall cease and desist from carrying out the investment advisory services immediately;
5. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna is prevented from selling his assets, properties and holding of mutual funds/shares/securities held by him in demat and physical form except for the sole purpose of making the refunds as directed in SEBI order. Further, the banks are directed to allow debit only for the purpose of making refunds to the clients/ investors/ complainants who were availing the investment advisory services from the Noticee, as directed in SEBI order, from the bank accounts of the Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna;
6. After completing the aforesaid repayments, the Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna shall file a report of such completion with SEBI as mentioned in SEBI order.
7. The remaining balance amount shall be deposited with SEBI which will be kept in an escrow account for a period of one year for distribution to clients/complainants/investors who were availing the investment advisory services from the Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna. Thereafter, remaining amount if any will be deposited in the Investors Protection and Education Fund maintained by SEBI;

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8. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna is debarred from accessing the securities market, directly or indirectly, and is prohibited from buying, selling or otherwise dealing in the securities market, directly or indirectly, in any manner whatsoever, for a period of three (3) years from the date of SEBI order or till the expiry of three (3) years from the date of completion of refunds to complainants/ investors along with depositing of balance amounts, if any, with SEBI, as directed in para 35.1 and 35.7 of SEBI order, whichever is later;
9. It is hereby clarified that if the Noticee has any open position in any exchange traded derivative contracts, as on the date of SEBI order, he can close out/ square off such open positions within 3 months from the date of order or at the expiry of such contracts, whichever is earlier. The Noticee is permitted to settle the pay in and pay out obligations in respect of transactions, if any, which have taken place before the close of trading on the date of SEBI order;
10. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna shall not undertake, either during or after the expiry of the period of debarment/restraint as mentioned in para 35.8 of SEBI order, either directly or indirectly, investment advisory services or any activity in the securities market without obtaining a certificate of registration from SEBI as required under the securities laws;
11. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna is hereby imposed with a monetary penalty of Rs. 5,00,000 (Rupees Five Lakh Only) under Section 15EB of the SEBI Act, 1992 for the violation of the provision of Regulation 3(1) of the IA Regulations, 2013 read with Section 12 of the SEBI Act, 1992 and further is directed to pay the said penalty within a period of forty-five (45) days from the date of SEBI order.
12. The Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna shall remit / pay the said amount of penalty through online payment facility available on the website of SEBI.
13. In case of failure of the Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna to comply with the aforesaid directions in paras 35.1, 35.6, 35.7 and 35.11 of SEBI order, SEBI, on the expiry of the stipulated time period therein from the date of coming into force of SEBI order, may recover such amounts, from the Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna, in accordance with Section 28A of the SEBI Act, 1992, including such other provisions contained in securities laws;

The direction for refund, as given in para 35.1 of SEBI order, does not preclude the clients/investors to pursue the other legal remedies available to them under any other law, against the Noticee for refund of money or deficiency in service before any appropriate forum of competent jurisdiction.

A copy of this order shall be sent to the Noticee / Mr. Heet Manish Bapna alias Heet Manish Bafna, recognized Stock Exchanges, the relevant Banks, Depositories and Registrar and Transfer Agents of mutual funds to ensure that the directions given in SEBI order are strictly complied with.

This order shall come into force with immediate effect.

For and on behalf of
Metropolitan Stock Exchange of India Limited

Vipul Vaishnav
Assistant Vice President