



August 16, 2019

To  
The Listing Department,

<b>BSE Limited</b> 25 <sup>th</sup> Floor, P J Towers, Dalal Street, Mumbai, Maharashtra- 400001	<b>National Stock Exchange of India Ltd.</b> Exchange Plaza, Plot no. C/1, G Block, Bandra-Kurla Complex Bandra (E) Mumbai – 400051
<b>Scrip Code:</b> 517080	<b>Symbol:</b> HIGHGROUND

**Sub: Updates about the discrepancies faced by the Company due to recent Regulatory actions**

**Ref.: High Ground Enterprise Limited, Scrip Code – 517080**

Dear Sirs,

With reference to the captioned matter, we wish to draw your attention towards our letter dated 29<sup>th</sup> April, 2019 addressed to your good office, informing about the search carried out by Director General of GST Intelligence (DGGI) on January 9, 2019 at the Registered office of the Company, a copy of the letter sent to your good office is attached herewith as **Exhibit - I**.

We wish to reiterate here that DGGI while conducting the search have seized / taken over the possession of the books of accounts, accounting data and other records of the Company. Due to this drastic and unfounded action by the Authority, the Company was not able to finalise the Audited Financial Results and close the books of accounts for the period and year ended March 31, 2019. In this regards, we have been receiving various letters / correspondence from our Statutory Auditors demanding the books of accounts / records for carrying out the Audit for the quarter and year ended March 31, 2019, which unfortunately we were not in possession to provide the same. The copies of various letters / correspondence received from the Statutory Auditors are also attached herewith and marked as **Exhibit – II**.

We have been repeatedly requesting the DGGI for granting our books of accounts or allowing us the access to the records kept in their possession in order to finalise our financial results to be disclosed to the stock exchanges in order to comply with the provisions of SEBI (Listing Obligation and Disclosure Requirement) Regulation, 2015 and stop the heavy penalties being levied on us, however even after regular chase and reminders throughout the months since Feb-June to our absolute disappointment, there was no favorable response from the Authority which has led the Company to disparity.





Moreover, while the Company was already been struggling with one Authority for getting the necessary compliance done, another Authority, i.e. Income Tax Department vide their letter dated March 18, 2019 issued a notice for freezing of Bank Accounts of the Company, a copy of which is attached herewith as **Exhibit - III**, which has affected the day to day operations and have maligned the reputation of the Company before the supplier, creditors and stakeholders at large. The reply to the notice of Income Tax Department was immediately filed by the Company on March 20, 2019, however, the matter is still pending in CIT appeal and the Company is continuously taking a hit on its revenue due to this severe action. A copy of the reply submitted by the Company to the Income Tax Department is attached herewith and marked as **Exhibit - IV**.

Due to the aforesaid actions by the Regulatory Authorities and consequent impact on the stakeholders of the Company, the creditors started losing faith and the closure of bank accounts affecting operations of the company added the fuel to the fire. Consequently we received a letter from Tata Capital Financial Services Limited, one of the creditors on July 1, 2019 further slandering the image and making a direct attack on the Directors of the Company by threatening to publishing their names and photographs in the newspaper due to irregularity in the Lease Account maintained with them.

Due to the aforesaid scenario, four Directors of the Company have tendered their resignation from the Company due to the aforesaid notice and actions taken by the Regulatory Authorities. The details of resignation of the Independent Directors are available on your website and are also provided below for your ready reference:

Sr. No.	Name of Director	Date of Resignation	Reason
1.	Mataprasad B Sharma (ID)	31 <sup>st</sup> July, 2019	Notice from TCFS for Non payment of EMI and Loan Amount, freezing of Bank Account by IT and GST search.
2.	Sudhir Yashwant Rao (ID)	8 <sup>th</sup> July, 2019	Notice from TCFS for non payment of EMI or Loan amount by the Company.
3.	Anupam Kumar (ID)	5 <sup>th</sup> August, 2019	GST raid and non submission of Financials with stock exchange.
4.	Arun Kumar Tyagi (WTD)	25 <sup>th</sup> June, 2019	





Failing to put all stones in place, the company had no other option and in July we filed a petition to Honorable High Court – Mumbai, against DGGI for obtaining the Books of Account of the company. The matter finally came on board on August 6, 2019 for hearing the plea of both the parties which was adjourned on August 8, 2019 and then finally concluded on August 14, 2019, wherein the Honourable High Court has passed an impugned order in favor of the Company and have directed the DGGI to hand over the books of accounts and all the other relevant documents/records which have been taken over by them. The final copy of the order is still to be received by the Company. Hopefully before the end of this month (30<sup>th</sup> August-19) we will be in a position to file all our pending statutory returns and compliances in full.

The hearing on CIT appeal in the Income tax demand matter also happened on various dates in June and July whereby necessary submissions and arguments have been concluded; a favorable order is expected in a week or two in this matter as well which will hopefully regain our trust in the market and with our Bankers and will regularize our business and workings.

As you might have understood, the Company is going through a very rough patch due to radical and unsympathetic actions by the Regulatory Authorities and other stakeholders, we hereby request you to kindly allow the Company some time to comply with the necessary requirements and not to initiate any actions against the Company, which would further worsen the situation.

The aforesaid facts have been provided to also apprise the large number of stakeholders about the struggle of the management to keep the Company a going concern and avoid any unfortunate situation. We humbly request our stakeholders to retain the faith on us and standby to sail through these tough times.

Kindly take note of the above information and acknowledge the same.

**Yours Faithfully  
Thanking You**

**For High Ground Enterprise Limited**



**Neha Kothiyal  
Company Secretary & Compliance Officer**



April 29, 2019

To  
Mr. Santosh Bhosle,  
Sr. Intelligence Officer,  
Director General of GST Intelligence,  
Mumbai Zonal Unit,  
NTC House, 3<sup>rd</sup> Floor, 15, N.M. Rd,  
Ballard Estate, Mumbai - 400001

**Sub: Request for return of Original Documents and records of the Company**

**Ref.: Our earlier letters dated February 2, 2019 and 15<sup>th</sup> March, 2019 in relation to the captioned matter**

Sir,

With reference to the captioned matter and in furtherance to our earlier communication with your good office in this regard, we regret to inform that we are still awaiting your positive response on the earlier correspondence.

We wish to reiterate that our Company is facing severe problems in running our day to day business in terms of account reconciliation and client / vendor contract and other allied documents. We also wish to inform you that our Company is a Listed Entity, having its securities listed at Recognised Stock Exchanges i.e. BSE Limited (BSE) and National Stock Exchange of India Limited (NSE) having more than 10,000 (ten thousand) shareholders. By virtue of our listing status, we are required to comply with the laws laid by Securities & Exchange Board of India (SEBI).

In this regards, we wish to appraise you that the Regulation 33 of SEBI (Listing Obligation and Disclosure Requirement) Regulation, 2015, requires every listed entity of submit the quarter / half yearly / yearly financial results with the Stock Exchange within a period of 45 days from the end of the quarter and 60 days in case of the financial results for the March end quarter.



The relevant provisions of SEBI (Listing Obligation and Disclosure Requirement) Regulation, 2015 is attached herewith and marked as Exhibit - I for your ready reference.

In context to the above, we further wish to inform that the Company is in receipt of a letter dated 24<sup>th</sup> April 2019 from M/s. Jain Chowdhary & Associates, Statutory Auditor of the Company, who have raised serious concerns about filing of financial results within the stipulated timeframe, as the original records and documents of the Company are in your possession and the Company do not even have a photocopy of all the required documents. The letter received from the Statutory Auditor is attached herewith and marked as Exhibit - II

In this regard, we wish to inform you that the Companies which fails to meet the timeline for filing the aforesaid reports / results with the stock exchange shall be exposed to huge penalties which increases every day till the compliance is done. The copy of the SEBI Circular providing the SOP Penalties is attached herewith and marked as Exhibit - III

Thus, in context to the aforementioned fact, we have been repeatedly informing you that the Company is unable to carry on its day to day business due to unavailability of information / records / documents which are lying in your possession, but now, due to this scenario, our Company would have to bear an additional penalty which could run into lakhs and thus we hereby request you to kindly release the document and records from your possession or at least provide photocopies of the same, so that the Statutory Auditors can carry on the Audit and we could submit the financial results within the stipulated time.

We would also wish to state here that as a principal of natural justice, since no default on our part has been proved till date, we should be provided an opportunity to look into our records and take copies of the same so that we could not fall under the burden.



of regulatory non compliance and be exposed to huge penalties for no default on the part of the Company

We are also marking a copy of this letter to the Stock exchanges where the securities of our Company are listed to appraise them about the present situation of the Company and justify our cause of delay, if any.

To conclude, we hereby cordially request you to kindly look into the matter and save the Company from any unfortunate situation.

Request you to kindly take the same on record and acknowledge the same

**Thanking You**

**For High Ground Enterprises Limited**

  
Authorized Signatory



CC:  
National stock exchange of India Ltd.  
Exchange Plaza, C-1, Block G  
Bandra Kurla Complex  
Bandra East Mumbai - 400051

CC:  
BSE Limited  
Phiroze Jeejeebhoy Towers  
Dalal Street, Mumbai - 400001

document or explanatory statement to the notice for the general meeting, as applicable and the actual utilisation of funds.

- (2) The statement(s) specified in sub-regulation (1), shall be continued to be given till such time the issue proceeds have been fully utilised or the purpose for which these proceeds were raised has been achieved.
  - (3) The statement(s) specified in sub-regulation (1), shall be placed before the audit committee for review and after such review, shall be submitted to the stock exchange(s).
  - (4) The listed entity shall furnish an explanation for the variation specified in sub-regulation (1), in the directors' report in the annual report.
  - (5) The listed entity shall prepare an annual statement of funds utilized for purposes other than those stated in the offer document/prospectus/notice, certified by the statutory auditors of the listed entity, and place it before the audit committee till such time the full money raised through the issue has been fully utilized.
  - (6) Where the listed entity has appointed a monitoring agency to monitor utilisation of proceeds of a public or rights issue, the listed entity shall submit to the stock exchange(s) any comments or report received from the monitoring agency.
  - (7) Where the listed entity has appointed a monitoring agency to monitor the utilisation of proceeds of a public or rights issue, the monitoring report of such agency shall be placed before the audit committee on an annual basis, promptly upon its receipt.  
Explanation.- For the purpose of this sub-regulation, "monitoring agency" shall mean the monitoring agency specified in regulation 16 of the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2009.
- <sup>59</sup> [(7A) Where an entity has raised funds through preferential allotment or qualified institutions placement, the listed entity shall disclose every year, the utilization of such funds during that year in its Annual Report until such funds are fully utilized.]
- (8) For the purpose of this regulation, any reference to "quarterly/quarter" in case of listed entity which have listed their specified securities on SME Exchange shall respectively be read as "half yearly/half year".

### **Financial results.**

- 33.** (1) While preparing financial results, the listed entity shall comply with the following:
- (a) The financial results shall be prepared on the basis of accrual accounting policy and shall be in accordance with uniform accounting practices adopted for all the periods.
  - (b) The quarterly and year to date results shall be prepared in accordance with the recognition and measurement principles laid down in Accounting Standard 25 or

---

<sup>59</sup> Inserted by the SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2018, w.e.f. 1.4.2019.

Indian Accounting Standard 31 (AS 25/ Ind AS 34 – Interim Financial Reporting), as applicable, specified in Section 133 of the Companies Act, 2013 read with relevant rules framed thereunder or as specified by the Institute of Chartered Accountants of India, whichever is applicable.

- (c) The standalone financial results and consolidated financial results shall be prepared as per Generally Accepted Accounting Principles in India:  
Provided that in addition to the above, the listed entity may also submit the financial results, as per the International Financial Reporting Standards notified by the International Accounting Standards Board.
- (d) The listed entity shall ensure that the limited review or audit reports submitted to the stock exchange(s) on a quarterly or annual basis are to be given only by an auditor who has subjected himself to the peer review process of Institute of Chartered Accountants of India and holds a valid certificate issued by the Peer Review Board of the Institute of Chartered Accountants of India.
- (e) The listed entity shall make the disclosures specified in Part A of Schedule IV.

(2) The approval and authentication of the financial results shall be done by listed entity in the following manner:

- (a) The quarterly financial results submitted shall be approved by the board of directors:  
Provided that while placing the financial results before the board of directors, the chief executive officer and chief financial officer of the listed entity shall certify that the financial results do not contain any false or misleading statement or figures and do not omit any material fact which may make the statements or figures contained therein misleading.
- (b) The financial results submitted to the stock exchange shall be signed by the chairperson or managing director, or a whole time director or in the absence of all of them; it shall be signed by any other director of the listed entity who is duly authorized by the board of directors to sign the financial results.
- (c) The limited review report shall be placed before the board of directors, at its meeting which approves the financial results, before being submitted to the stock exchange(s).
- (d) The annual audited financial results shall be approved by the board of directors of the listed entity and shall be signed in the manner specified in clause (b) of sub-regulation (2).

(3) The listed entity shall submit the financial results in the following manner:

- (a) The listed entity shall submit quarterly and year-to-date standalone financial results to the stock exchange within forty-five days of end of each quarter, other than the last quarter.



(b) In case the listed entity has subsidiaries, in addition to the requirement at clause (a) of sub-regulation (3), the listed entity <sup>60</sup>[shall] also submit quarterly/year-to-date consolidated financial results <sup>61</sup>[.]  
<sup>62</sup>[\*\*\*]

(c) The quarterly and year-to-date financial results may be either audited or unaudited subject to the following:

(i) In case the listed entity opts to submit unaudited financial results, they shall be subject to limited review by the statutory auditors of the listed entity and shall be accompanied by the limited review report.

Provided that in case of public sector undertakings this limited review may be undertaken by any practicing Chartered Accountant.

(ii) In case the listed entity opts to submit audited financial results, they shall be accompanied by the audit report.

(d) **The listed entity shall submit [annual]<sup>63</sup> audited standalone financial results for the financial year, within sixty days from the end of the financial year along with the audit report and [Statement on Impact of Audit Qualifications (applicable only)]<sup>64</sup> for audit report with modified opinion):**

Provided that if the listed entity has subsidiaries, it shall, while submitting annual audited standalone financial results also submit annual audited consolidated financial results along with the audit report and [Statement on Impact of Audit Qualifications (applicable only)]<sup>65</sup> for audit report with modified opinion[:]<sup>66</sup>

[Provided further that, in case of audit reports with unmodified opinion(s), the listed entity shall furnish a declaration to that effect to the Stock Exchange(s) while publishing the annual audited financial results.]<sup>67</sup>

---

<sup>60</sup> Substituted for the word “may” by the SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2018, w.e.f. 1.4.2019.

<sup>61</sup> Substituted *ibid* for the words “subject to following:”

<sup>62</sup> Sub-clauses (i) and (ii) omitted by the SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2018, w.e.f. 1.4.2019. Prior to the omission, the said sub-clauses read as follows:

*“(i) the listed entity shall intimate to the stock exchange, whether or not listed entity opts to additionally submit quarterly/year-to-date consolidated financial results in the first quarter of the financial year and this option shall not be changed during the financial year.*

*Provided that this option shall also be applicable to listed entity that is required to prepare consolidated financial results for the first time at the end of a financial year in respect of the quarter during the financial year in which the listed entity first acquires the subsidiary.*

*(ii) in case the listed entity changes its option in any subsequent year, it shall furnish comparable figures for the previous year in accordance with the option exercised for the current financial year.”*

<sup>63</sup> Inserted by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016.

<sup>64</sup> Substituted for ‘either Form A (for audit report with unmodified opinion) or Form B (’ by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016

<sup>65</sup> Substituted for ‘either Form A (for audit report with unmodified opinion) or Form B (’ by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016

<sup>66</sup> Substituted for the symbol ‘.’ by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016.

<sup>67</sup> Inserted by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016.

- (e) The listed entity shall also submit the audited <sup>68</sup>[or limited reviewed] financial results in respect of the last quarter along-with the results for the entire financial year, with a note stating that the figures of last quarter are the balancing figures between audited figures in respect of the full financial year and the published year-to-date figures upto the third quarter of the current financial year.
- (f) The listed entity shall also submit as part of its standalone or consolidated financial results for the half year, by way of a note, a statement of assets and liabilities as at the end of the half-year.
- <sup>69</sup>[(g) The listed entity shall also submit as part of its standalone and consolidated financial results for the half year, by way of a note, statement of cash flows for the half-year.
- (h) The listed entity shall ensure that, for the purposes of quarterly consolidated financial results, at least eighty percent of each of the consolidated revenue, assets and profits, respectively, shall have been subject to audit or in case of unaudited results, subjected to limited review.
- (i) The listed entity shall disclose, in the results for the last quarter in the financial year, by way of a note, the aggregate effect of material adjustments made in the results of that quarter which pertain to earlier periods.]
- (4) The applicable formats of the financial results and [Statement on Impact of Audit Qualifications (for audit report with modified opinion)]<sup>70</sup> shall be in the manner as specified by the Board [\*\*\*]<sup>71</sup>.
- (5) For the purpose of this regulation, any reference to “quarterly/quarter” in case of listed entity which has listed their specified securities on SME Exchange shall be respectively read as “half yearly/half year” and the requirement of submitting ‘year-to-date’ financial results shall not be applicable for a listed entity which has listed their specified securities on SME Exchange.
- (6) The [Statement on Impact of Audit Qualifications (for audit report with modified opinion)]<sup>72</sup> and the accompanying annual audit report submitted in terms of clause (d) of sub-regulation (3) shall be reviewed by the stock exchange(s) [\*\*\*]<sup>73</sup>.

---

<sup>68</sup> Inserted by the SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2018, w.e.f. 1.4.2019.

<sup>69</sup> Inserted *ibid*.

<sup>70</sup> Substituted by ‘Form A (for audit report with unmodified opinion) & Form B (for audit report with modified opinion)’ by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016

<sup>71</sup> The words ‘from time to time’ omitted by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016.

<sup>72</sup> Substituted for ‘Form B’ by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016

<sup>73</sup> The words ‘and Qualified Audit Report Review Committee in manner as specified in Schedule VIII’ omitted by SEBI (Listing Obligations and Disclosure Requirements) (Amendment) Regulations, 2016, w.e.f. 01.04.2016.



To,  
CFO,  
High Ground Enterprise Ltd,  
Om Heera Panna mall,  
Oshiwara,  
Mumbai

Date: 24.04.19

**Sub: Statutory Audit for F.Y. 2018-19 of High Ground Enterprise Ltd**

Dear Sir,

We are the Statutory Auditor of High Ground Enterprise Ltd. For F.Y. 2018-19. It has been given to understand that in January 2019 a survey/search was conducted by DGGI on the company during which the original bills, invoices and other related documents were taken in custody by the authorities. It was informed that the said documents are still not available with the company.

Since the company is a listed company, it is mandatory to finalize the audit by 31<sup>st</sup> May 2019 and upload the results on BSE site. In present scenario, when bills, invoices and other important documents are not available for verification, statutory audit cannot be conducted.

We have been constantly following up with your goodself for past 3 weeks for the said data to be provided for audit. However, despite repeated follow up and reminders we have not yet received any such records/data from your end. Sir, in order to conduct the Statutory audit the company management should either arrange for the documents to be available by 5<sup>th</sup> May 2019 or appropriate time extensions should be sought from the regulators to publish the results as we would be unable to conduct the audit on time in absence of necessary records.

Also, the list of documents/information available for verification should be provided to the auditors.

Thanking You,

For Jain Chowdhary & Co.  
Chartered Accountants

FR. NO.113267 W

  
Siddharth Jain  
Partner  
M. No. 104709





**CIRCULAR**

SEBI/HO/CFD/CMD/CIR/P/2018/77

May 3, 2018

To,

**All the Recognized Stock Exchanges**  
**All Depositories**

Dear Sir/Madam,

**Sub: Non-compliance with certain provisions of the SEBI (Listing Obligations and Disclosure Requirements) Regulations, 2015 and the Standard Operating Procedure for suspension and revocation of trading of specified securities.**

1. In exercise of powers under Section 11A(2) of the SEBI Act, 1992 read with Section 9 and 21 of the Securities Contracts (Regulation) Act, 1956 and read with regulation 98 of the the Securities and Exchange Board of India (Listing Obligations and Disclosure Requirements) Regulations, 2015 (“Listing Regulations”), SEBI had issued a Circular bearing reference number CIR/CFD/CMD/12/2015 dated November 30, 2015, specifying the uniform structure for imposing fines as a first resort for non-compliance with certain provisions of the Listing Regulations and the standard operating procedure for suspension of trading in case the non-compliance is continuing and/or repetitive.
2. Thereafter, SEBI had issued another Circular bearing reference number SEBI/HO/CFD/CIR/P/2016/116 dated October 26, 2016 advising the manner of freezing of holdings of the promoter and promoter group of a listed entity that failed to pay fines levied by the stock exchange(s).
3. On the basis of the experience gained and to streamline the process, to maintain consistency and to adopt a uniform approach in the matter of levy of fines for non-compliance with certain provisions of the Listing Regulations, the manner of suspension of trading of securities of a listed entity and the manner of freezing the holdings of the promoter and promoter group of a non-compliant listed entity, it has been decided to issue the present Circular, in supersession of the said Circulars bearing reference numbers CIR/CFD/CMD/12/2015 dated November 30, 2015 and SEBI/HO/CFD/CIR/P/2016/116 dated October 26, 2016.



4. Henceforth, the stock exchanges shall, having regard to the interests of investors and the securities market:
  - a) take action in case of non-compliances with the Listing Regulations as specified in **Annexure I** of this Circular, and.
  - b) follow the Standard Operating Procedure (“SOP”) for suspension and revocation of suspension of trading of specified securities as specified in **Annexure II** of this Circular.

Stock Exchanges may deviate from the above, if found necessary, only after recording reasons in writing.

5. In order to ensure effective enforcement of the Listing Regulations, the depositories, on receipt of intimation from the concerned recognized stock exchange, shall freeze or unfreeze, as the case may be, the entire shareholding of the promoter and promoter group in such non-compliant listed entity as well as all other securities held in the demat account of the promoter and promoter group. Further, if a non-compliant entity is listed on more than one recognized stock exchange, the concerned recognized stock exchanges shall take uniform action under this Circular in consultation with each other.
6. The recognized stock exchanges shall take necessary steps to implement this circular. The recognized stock exchanges shall disclose on their website the action(s) taken against the listed entities for non-compliance(s); including the details of the respective requirement, amount of fine levied, the period of suspension, details regarding the freezing of shares, etc.
7. The recognized stock exchanges may keep in abeyance the action or withdraw the action in specific cases where specific exemption from compliance with the requirements under the Listing Regulations/moratorium on enforcement proceedings has been provided for under any Act, Court/Tribunal Orders etc.
8. The above provisions are without prejudice to the power of SEBI to take action under the securities laws.
9. The recognized stock exchanges are advised to bring the provisions of this Circular to the notice of listed entities and the listed entities shall in turn bring the same to the notice of their promoter/promoter group.





**ANNEXURE I**  
**ACTION TO BE TAKEN IN CASE OF NON-COMPLIANCES**

1. The recognized stock exchanges shall take action for non-compliance with the provisions of the Listing Regulations by a listed entity as under:

<b>Sl. No.</b>	<b>Regulation</b>	<b>Fine payable and/or other action to be taken for non-compliance in respect of listed entity</b>
1.	<b>Regulation 6(1)</b>  Non-compliance with requirement to appoint a qualified company secretary as the compliance officer	₹ 1,000 per day
2.	<b>Regulation 7(1)</b>  Non-compliance with requirement to appoint share transfer agent	₹ 1,000 per day
3.	<b>Regulation 13(1)/ 13(3)</b>  Failure to ensure that adequate steps are taken for expeditious redressal of investor complaints  Non-submission of the statement on shareholder complaints within the period prescribed under this regulation or under any circular issued in respect of redressal of investor grievances	₹ 1,000 per day
4.	<b>Regulation 17(1)</b>  Non-compliance with the requirements pertaining to the composition of the Board including failure to appoint woman director	₹ 5,000 per day
5.	<b>Regulation 18(1)</b>  Non-compliance with the constitution of audit committee	₹ 2,000 per day



6.	<b>Regulation 19(1)/ 19(2)</b> Non-compliance with the constitution of nomination and remuneration committee	^ 2,000 per day
7.	<b>Regulation 20(2)</b> Non-compliance with the constitution of stakeholder relationship committee	^ 2,000 per day
8.	<b>Regulation 21(2)</b> Non-compliance with the constitution of risk management committee	^ 2,000 per day
9.	<b>Regulation 27(2)</b> Non-submission of the Corporate governance compliance report within the period provided under this regulation	^ 2,000 per day
10.	<b>Regulation 29(2)/29(3)</b> Delay in furnishing prior intimation about the meeting of the board of directors	^ 10,000 per instance of non-compliance per item
11.	<b>Regulation 31</b> Non-submission of shareholding pattern within the period prescribed	^ 2,000 per day
12.	<b>Regulation 32(1)</b> Non-submission of deviations/ variations in utilization of issue proceeds	^ 1,000 per day
13.	<b>Regulation 33</b> Non-submission of the financial results within the period prescribed under this regulation	^ 5,000 per day





14.	<b>Regulation 34</b> Non-submission of the Annual Report within the period prescribed under this regulation	~ 2,000 per day
15.	<b>Regulation 39(3)</b> Non-submission of information regarding loss of share certificates and issue of the duplicate certificates within the period prescribed under this regulation	~ 1,000 per day
16.	<b>Regulation 42(2)/42(3)/42(4)/42(5)</b> Delay in/ non-disclosure of record date/ dividend declaration or non-compliance with ensuring the prescribed time gap between two record dates/ book closure dates	~ 10,000 per instance of non-compliance per item
17.	<b>Regulation 44(3)</b> Non-submission of the voting results within the period provided under this regulation	~ 10,000 per instance of non-compliance
18.	<b>Regulation 46</b> Non-compliance with norms pertaining to functional website	Advisory/warning letter per instance of non-compliance per item ~ 10,000 per instance for every additional advisory/warning letter exceeding the four advisory/ warning letters in a financial year

2. Concerned recognized stock exchange(s) shall display on their website non-compliance by the listed entity and details of fine levied/ action taken.
3. The amount of fine realized as per the above structure shall be credited to the "Investor Protection Fund" of the concerned recognized stock exchange.
4. The fines specified above shall continue to accrue till the time of rectification of the non-compliance to the satisfaction of the concerned recognized stock



exchange or till the scrip of the listed entity is suspended from trading for non-compliance with aforesaid provisions. Such accrual shall be irrespective of any other disciplinary/enforcement action(s) initiated by recognized stock exchange(s)/SEBI.

5. Every recognized stock exchange shall review the compliance status of the listed entities within 15 days from the date of receipt of information and shall issue notices to the non-compliant listed entities to ensure compliance and collect fine as per this circular within 15 days from the date of such notice. While issuing the said notice, the recognized stock exchange shall also send intimation of notice to other recognized stock exchange(s) where the shares of the non-compliant entity are listed.
6. If the non-compliant listed entity fails to comply with the aforesaid requirement(s) and/or pay fine levied within the stipulated period as per the notice stated above, the concerned recognized stock exchange(s) shall, upon expiry of the period indicated in the notice, forthwith intimate the depositories to freeze the entire shareholding of the promoter and promoter group in such entity as well as all other securities held in the demat account of the promoter and promoter group.
7. If the non-compliant listed entity subsequently complies with the respective requirement(s) and pays the fine levied, in terms of this Circular, the concerned recognized stock exchange(s) shall display on their website compliance and status of fines paid by the listed entity. Simultaneously, the recognized stock exchange(s) shall intimate the depositories to unfreeze the entire shareholding of the promoter and promoter group in such entity as well as all other securities held in the demat account of the promoter and promoter group, after one month from the date of compliance.
8. If any non-compliant listed entity fails to pay the fine despite receipt of the notice as stated above, the recognized stock exchange(s) may also initiate appropriate enforcement action.
9. The recognised stock exchange(s) shall also advise the non-compliant listed entity to ensure that the subject matter of non-compliance which has been identified and indicated by the recognised stock exchange(s) and any subsequent action taken by the recognised stock exchange(s) in this regard shall be placed before the Board of Directors of the company in its next meeting. Comments made by the board shall be duly informed to the recognised stock exchange(s) for dissemination.



**ANNEXURE II  
STANDARD OPERATING PROCEDURE (SOP)**

1. If a listed entity is non-compliant with the provisions of the Listing Regulations as specified under paragraph 2 below, the concerned recognized stock exchange(s) shall:
  - (a) move the scrip of the listed entity to "Z" category wherein trades shall take place on 'Trade for Trade' basis by following procedure prescribed at paragraph A below and
  - (b) suspend trading in the shares of such listed entity by following procedure prescribed at paragraph B below.
  
2. Criteria for suspension of the trading in the shares of the listed entities:
  - (a) Failure to comply with regulation 17(1) with respect to board composition including appointment of woman director for two consecutive quarters;
  - (b) Failure to comply with regulation 18(1) with respect to constitution of audit committee for two consecutive quarters;
  - (c) failure to comply with regulation 27(2) with respect to submission of corporate governance compliance report for two consecutive quarters;
  - (d) failure to comply with regulation 31 with respect to submission of shareholding pattern for two consecutive quarters;
  - (e) failure to comply with regulation 33 with respect to submission of financial results for two consecutive quarters;
  - (f) failure to comply with regulation 34 with respect to submission of Annual Report for two consecutive financial years;
  - (g) failure to submit information on the reconciliation of shares and capital audit report, for two consecutive quarters;
  - (h) receipt of the notice of suspension of trading of that entity by any other recognized stock exchange on any or all of the above grounds.
  
3. If the non-compliant listed entity complies with the aforesaid requirement(s) after the date of suspension and pays the applicable fine, the recognized stock exchange(s) shall revoke the suspension of trading of its shares by following the procedure prescribed at paragraph C below.
  
4. If the non-compliant listed entity fails to comply with the aforesaid requirement(s) or fails to pay the applicable fine within 6 months from the date of suspension, the recognized stock exchange(s) shall initiate the process of compulsory delisting of the non-compliant listed entity in



accordance with the provisions of the Securities Contracts (Regulation) Act, 1956, the Securities Contracts (Regulation) Rules, 1957 and the Securities and Exchange Board of India (Delisting of Equity Shares) Regulations, 2009 as amended from time to time.

#### **A. Standard operating procedure for moving the scrip to "Z" Category**

- i. If a listed entity commits default in complying with the provisions of the Listing Regulations as specified under paragraph 2 above, the concerned recognised stock exchange(s) shall, in addition to imposing fine under paragraph 1 in Annexure I of this Circular, move the scrip of the listed entity to "Z" category wherein trades shall take place on 'Trade for Trade' basis.
- ii. The recognized stock exchange(s) shall give 7 days prior public notice to investors before moving the scrip to "Z" category or while moving the scrip out of "Z" category. While issuing the notice, the recognized stock exchange(s) shall intimate the other recognized stock exchange(s) where the shares of the non-compliant entity are listed.
- iii. The recognised stock exchange(s) shall move back the scrip of the listed entity from "Z" category to the normal trading category (if not suspended as specified in paragraph B below), provided it complies with respective provisions of the Listing Regulations and pays the fine imposed as stated above. While moving the scrip back to normal trading category the recognized stock exchange(s) shall intimate the other recognized stock exchange(s) where the shares of the non-compliant entity are listed.

#### **B. Standard operating procedure for suspending the trading**

- i. Before suspending the trading of a scrip, the concerned recognized stock exchange(s) shall send written intimation to the non-compliant listed entity calling upon it to comply with respective requirement(s) and pay the applicable fine within 21 days of the date of the intimation. While issuing the said intimation, the recognized stock exchange(s) shall also inform other recognized stock exchange(s) where the shares of the non-compliant entity are listed to ensure that the date of suspension is uniform across all the recognised stock exchange(s). Simultaneously, the recognized stock exchange(s) shall give a public notice on its website proposing possible suspension of trading in the shares of the non-compliant listed entity.



- ii. If the non-compliant listed entity complies with respective requirement(s) and pays fine two working days before the proposed date of suspension, the trading in its shares shall not be suspended and the concerned recognized stock exchange(s) shall give a public notice on its website informing compliance by the listed entity. While issuing the said notice, the recognized stock exchange(s) shall send intimation of notice to other recognized stock exchange(s) where the shares of the entity are listed. Simultaneously, the recognized stock exchange(s) shall intimate the depositories to unfreeze the entire shareholding of the promoter and promoter group in such entity as well as all other securities held in the demat account of the promoter and promoter group, after one month from the date of compliance.
- iii. In case of failure to comply with respective requirement(s) and/or pay fine within stipulated period, the recognized stock exchange(s) shall suspend the trading in the shares of a non-compliant listed entity. The entire shareholding of the promoter and promoter group in the non-compliant listed entity as well as all other securities held in the demat account(s) of the promoter and promoter group shall remain frozen during the period of suspension.
- iv. While suspending trading in the shares of the non-compliant entity, the recognized stock exchange(s) shall send intimation of suspension to other recognized stock exchange(s) where the shares of the non-compliant entity are listed to ensure that the date of suspension is uniform across all the recognised stock exchange(s).
- v. After 15 days of suspension, trading in the shares of non-compliant entity may be allowed on 'Trade for Trade' basis, on the first trading day of every week for 6 months. In this regard, the recognized stock exchange(s) shall give instruction to its trading members to obtain confirmation from clients before accepting an order for purchase of shares of the non-compliant listed entity on 'Trade for Trade' basis.
- vi. The recognized stock exchange(s) shall put in place a system to publish a caution message on its trading terminals, as follows: "*Trading in shares of the <Name of the Listed Entity> is presently under 'suspension and trade to trade basis' and trading shall stop completely and compulsory delisting may be initiated if <Name of the Listed Entity> does not become compliant by <Date> "*



**C. Standard operating procedure for revocation of suspension of trading.**

- i. If the non-compliant listed entity complies with the aforesaid requirement(s) and pays the applicable fine after trading is suspended in the shares of the non-compliant entity, the recognized stock exchange(s) shall, on the date of compliance, give a public notice on its website informing compliance by the listed entity. The recognized stock exchange(s) shall revoke the suspension of trading of its shares after a period of 7 days from the date of such notice. While issuing the said notice, the recognized stock exchange(s) shall send intimation of notice to other recognized stock exchange(s) where the shares of the entity are listed. After revocation of suspension, the trading of shares shall be permitted only in 'Trade for Trade' basis for a period of 7 days from the date of revocation and thereafter, trading in the shares of the entity shall be shifted back to the normal trading category.
- ii. The recognized stock exchange(s) shall intimate the depositories to unfreeze the entire shareholding of the promoter and promoter group in such entity as well as all other securities held in the demat account of the promoter and promoter group, after three months from the date of revocation of the suspension.

\*\*\*\*\*



To,  
CFO,  
High Ground Enterprise Ltd,  
Om Heera Panna mall,  
Oshiwara,  
Mumbai

Date: 24.04.19

**Sub: Statutory Audit for F.Y. 2018-19 of High Ground Enterprise Ltd**

Dear Sir,

We are the Statutory Auditor of High Ground Enterprise Ltd. For F.Y. 2018-19. It has been given to understand that in January 2019 a survey/search was conducted by DGGI on the company during which the original bills, invoices and other related documents were taken in custody by the authorities. It was informed that the said documents are still not available with the company.

Since the company is a listed company, it is mandatory to finalize the audit by 31<sup>st</sup> May 2019 and upload the results on BSE site. In present scenario, when bills, invoices and other important documents are not available for verification, statutory audit cannot be conducted.

We have been constantly following up with your goodself for past 3 weeks for the said data to be provided for audit. However, despite repeated follow up and reminders we have not yet received any such records/data from your end. Sir, in order to conduct the Statutory audit the company management should either arrange for the documents to be available by 5<sup>th</sup> May 2019 or appropriate time extensions should be sought from the regulators to publish the results as we would be unable to conduct the audit on time in absence of necessary records.

Also, the list of documents/information available for verification should be provided to the auditors.

Thanking You,

For Jain Chowdhary & Co.  
Chartered Accountants

FR. NO.113267 W

  
Siddharth Jain  
Partner  
M. No. 104709





To  
M/s High Ground Enterprise Ltd  
Shop No. 2, Om HeeraPanna Mall,  
Oshiwara, Andheri (W)  
Mumbai - 400053

Date: 17<sup>th</sup> July, 2019

**Subject: Audit of FY2018-2019 books of accounts of your company M/s High Ground enterprise ltd.**

Dear Sir,

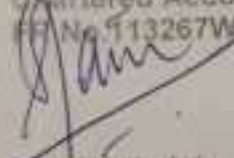
As discussed with you couple of weeks back and on your persuasive request we have started the audit of accounts for FY18-19 without any physical supporting documents and invoices. We understand that since the search by Directorate General of GST Investigation (DGGI) was conducted at your premises in first week of January 2019 your books and invoices along with supporting documents were seized by the department and yet you still haven't received the documents back from the department and neither the copies of the same, we also understand that you are trying your level best to get the documents and have even approached high court for the same.

Hence hereby I want to re-instate that though we have started the audit only on the tally/digital data given to us, but unfortunately we won't be able to complete and sign off these accounts and provide our Audit report without the verification of supporting documents (sale & purchase invoices, contract notes, agreements, etc.).

We understand your predicament but being a professional auditors bound by the regulatory procedures we are helpless.

Please arrange soon atleast the copies of all supporting documents for us to complete the audit and submit the report.

For and on behalf of  
Jain Chowdhary & Co.  
Chartered Accountants  
FR No. 113267W

  
Siddharth Jain  
Partner  
M.No. 104709







OFFICE OF THE  
ASSISTANT COMMISSIONER OF INCOME TAX, CIRCLE-11(2),  
ROOM NO 419, CENTRAL REVENUE BUILDING, I.P. ESTATE, NEW DELHI-110002

Email id: [delhi.dcit11.2@incometax.gov.in](mailto:delhi.dcit11.2@incometax.gov.in)

Ph. No. 011-23370095

F. No. ACIT/Circle-11(2)/Attachment/2018-19/ 2830

Dated 18.03.2019

PAN-AAACW4614R

NOTICE U/S 226(3) OF THE INCOME TAX ACT, 1961

To,

The Branch Manager,  
**BANK OF BARODA,**  
16 Khasra No 332-M, Vill- Morna, Tehsil Dadri  
Gautambudh Nagar, Uttar Pradesh-201301.

Sub: **A/c no. 47810200000048, and any other accounts whether current/ FDR etc should be attached- regarding.**

A sum of Rs. 22,34,82,718/- (excluding interest) is due from **M/s HIGH GROUND ENTERPRISE LIMITED. (PAN -AAACW4614R)** on account of Income-tax/Penalty. You are hereby required under section 226(3) of the Income tax Act, 1961, to pay to me forthwith any amount due from you or, held by you for or on account of the said assessee upto the amount of arrears shown above, and also request you to pay any money which may subsequently become due from you to him/them or which you may subsequently hold for an account of him/them upto the amount of arrears still remaining unpaid, forthwith on the money becoming due or being held by you as aforesaid as such payment is required to meet the amount due by the tax-payer in respect of arrears of income-tax/super tax/penalty/interest /fine. I am to say that any payment made by you in compliance with this Notice is in law deemed to have been made under the authority of the tax-payer and my receipt will constitute a good and sufficient discharge of your liability to the person to the extent of the amount referred to in the receipt.

I am to observe that if you discharge any liability to the tax-payer after receipt of this Notice, you will be personally liable to me as **Assistant Commissioner of Income Tax, Circle-11(2), New Delhi** to the extent of the liability discharged, or to the extent of the liability of the tax-payer for tax/penalty/interest/fine referred to in the preceding para, whichever is less.

Further if you fail to make payment in pursuance of this Notice to me as Income-tax Officer, you shall be deemed to be an **assessee in default in respect of the amount specified on the notice** and further proceeding may be taken against you for the realization of the amount as if it were an arrear of tax due from you in the manner provided in Sections 222 to 225 of the Income Tax Act, 1961 and this notice shall have the same effect as an attachment of a debt by the Tax Recovery Officer in exercise of his powers under Section 222 of the said Act.

✓ A Copy of this notice is being sent to **M/s HIGH GROUND ENTERPRISE LIMITED. (Tax Payer).**

**Note:-**Please attach the aforesaid account and send pay order of the balance amount (exclude paisa) upto Rs. 22,34,82,718/- favoring "**Assistant Commissioner of Income Tax, Circle-11(2), New Delhi**" immediately and the amount of balance in the said account at the time of receipt of this notice should be intimated to the undersigned.

Yours faithfully,

  
(Krishan Kumar)  
Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi

(KRISHAN KUMAR)  
Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi-110002



OFFICE OF THE  
ASSISTANT COMMISSIONER OF INCOME TAX, CIRCLE-11(2),  
ROOM NO 419, CENTRAL REVENUE BUILDING, I.P. ESTATE, NEW DELHI-110002

Email id: [delhi.dcit11.2@incometax.gov.in](mailto:delhi.dcit11.2@incometax.gov.in)

Ph. No. 011-23370095

F. No. ACIT/Circle-11(2)/Attachment/2018-19/ 2071

Dated 18.03.2019

PAN-AAACW4614R

**NOTICE U/S 226(3) OF THE INCOME TAX ACT, 1961**

To,

The Branch Manager,  
**BANK OF BARODA,**  
VERSOVA-BOM, BRANCH, MANISH SHOPPING  
CENTRE J P RD FOUR BUNGALOW ANDHERI WEST, MUMBAI-400053.

Sub: **A/c no. 17050500000052, 170502000000785 and any other accounts whether current/ FDR etc should be attached- regarding.**

A sum of Rs. 22,34,82,718/- (excluding interest) is due from **M/s HIGH GROUND ENTERPRISE LIMITED. (PAN -AAACW4614R)** on account of Income-tax/Penalty. You are hereby required under section 226(3) of the Income tax Act, 1961, to pay to me forthwith any amount due from you or, held by you for or on account of the said assessee upto the amount of arrears shown above, and also request you to pay any money which may subsequently become due from you to him/them or which you may subsequently hold for an account of him/them upto the amount of arrears still remaining unpaid, forthwith on the money becoming due or being held by you as aforesaid as such payment is required to meet the amount due by the tax-payer in respect of arrears of income-tax/super tax/penalty/interest /fine. I am to say that any payment made by you in compliance with this Notice is in law deemed to have been made under the authority of the tax-payer and my receipt will constitute a good and sufficient discharge of your liability to the person to the extent of the amount referred to in the receipt.

I am to observe that if you discharge any liability to the tax-payer after receipt of this Notice, you will be personally liable to me as **Assistant Commissioner of Income Tax, Circle-11(2), New Delhi** to the extent of the liability discharged, or to the extent of the liability of the tax-payer for tax/penalty/interest/fine referred to in the preceding para, whichever is less.

Further if you fail to make payment in pursuance of this Notice to me as Income-tax Officer, you shall be deemed to be an **assessee in default in respect of the amount specified on the notice** and further proceeding may be taken against you for the realization of the amount as if it were an arrear of tax due from you in the manner provided in Sections 222 to 225 of the Income Tax Act, 1961 and this notice shall have the same effect as an attachment of a debt by the Tax Recovery Officer in exercise of his powers under Section 222 of the said Act.

✓ A Copy of this notice is being sent to **M/s HIGH GROUND ENTERPRISE LIMITED.**(Tax Payer).

**Note:-**Please attach the aforesaid account and send pay order of the balance amount (exclude paise) upto Rs. 22,34,82,718/- favoring "**Assistant Commissioner of Income Tax, Circle-11(2), New Delhi**" immediately and the amount of balance in the said account at the time of receipt of this notice should be intimated to the undersigned.



Yours faithfully,

  
(Krishan Kumar)

Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi

(KRISHAN KUMAR)

Assistant Commissioner of Income Tax  
Circle-11(2), New Delhi-110002



OFFICE OF THE  
ASSISTANT COMMISSIONER OF INCOME TAX, CIRCLE-11(2),  
ROOM NO 419, CENTRAL REVENUE BUILDING, I.P. ESTATE, NEW DELHI-110002

Email id: [delhi.dcit11.2@incometax.gov.in](mailto:delhi.dcit11.2@incometax.gov.in)

Ph. No. 011-23370095

F. No. ACIT/Circle-11(2)/Attachment/2018-19/ 3073

Dated 18.03.2019

PAN-AAACW4614R

**NOTICE U/S 226(3) OF THE INCOME TAX ACT, 1961**

To,

The Branch Manager,  
**AXIS BANK LIMITED,**  
GROUND FLOOR MUMBAI EDUCATION TRUST OPP LILAVATI  
HOSP BANDRA RECLAMATION BANDRA WEST MUMBAI-400050.

Sub: **A/c no. 911020037499793, and any other accounts whether current/ FDR etc should be attached- regarding.**

A sum of **Rs. 22,34,82,718/- (excluding interest)** is due from **M/s HIGH GROUND ENTERPRISE LIMITED. (PAN -AAACW4614R)** on account of Income-tax/Penalty. You are hereby required under section 226(3) of the Income tax Act, 1961, to pay to me forthwith any amount due from you or, held by you for or on account of the said assessee upto the amount of arrears shown above, and also request you to pay any money which may subsequently become due from you to him/them or which you may subsequently hold for an account of him/them upto the amount of arrears still remaining unpaid, forthwith on the money becoming due or being held by you as aforesaid as such payment is required to meet the amount due by the tax-payer in respect of arrears of income-tax/super tax/penalty/interest /fine. I am to say that any payment made by you in compliance with this Notice is in law deemed to have been made under the authority of the tax-payer and my receipt will constitute a good and sufficient discharge of your liability to the person to the extent of the amount referred to in the receipt.

I am to observe that if you discharge any liability to the tax-payer after receipt of this Notice, you will be personally liable to me as **Assistant Commissioner of Income Tax, Circle-11(2), New Delhi** to the extent of the liability discharged, or to the extent of the liability of the tax-payer for tax/penalty/interest/fine referred to in the preceding para, whichever is less.

Further if you fail to make payment in pursuance of this Notice to me as Income-tax Officer, you shall be deemed to be an **assessee in default in respect of the amount specified on the notice** and further proceeding may be taken against you for the realization of the amount as if it were an arrear of tax due from you in the manner provided in Sections 222 to 225 of the Income Tax Act, 1961 and this notice shall have the same effect as an attachment of a debt by the Tax Recovery Officer in exercise of his powers under Section 222 of the said Act.

✓ A Copy of this notice is being sent to **M/s HIGH GROUND ENTERPRISE LIMITED, (Tax Payer)**.

**Note:-**Please attach the aforesaid account and send pay order of the balance amount (exclude paisa) upto **Rs. 22,34,82,718/-** favoring "**Assistant Commissioner of Income Tax, Circle-11(2), New Delhi**" immediately and the amount of balance in the said account at the time of receipt of this notice should be intimated to the undersigned.

Yours faithfully,



  
(Krishan Kumar)  
Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi

(KRISHAN KUMAR)  
Assistant Commissioner of Income Tax  
Circle-11(2), New Delhi-110002



OFFICE OF THE  
ASSISTANT COMMISSIONER OF INCOME TAX, CIRCLE-11(2),  
ROOM NO 419, CENTRAL REVENUE BUILDING, I.P. ESTATE, NEW DELHI-110002

Email id: [delhi.dcit11.2@incometax.gov.in](mailto:delhi.dcit11.2@incometax.gov.in)

Ph. No. 011-23370095

F. No. ACIT/Circle-11(2)/Attachment/2018-19/2076

Dated 18.03.2019

PAN-AAACW4614R

**NOTICE U/S 226(3) OF THE INCOME TAX ACT, 1961**

To,

The Branch Manager,  
**AXIS BANK LIMITED,**  
LAXMI THE MALL BLD NO.5 LAXMI INDUSTRIAL ESTATE  
NEW LINK ROAD ANDHERI WEST MUMBAI-400053.

Sub: A/c no. 917020071602988, 916020060083542, 913020044884171, 914020049698736,  
914020050091818, 915020050120528, 915020050124012, 911020065709040,  
911020037499793 and any other accounts whether current/ FDR etc should be attached-  
regarding.

A sum of Rs. 22,34,82,718/- (excluding interest) is due from **M/s HIGH GROUND ENTERPRISE LIMITED. (PAN -AAACW4614R)** on account of Income-tax/Penalty. You are hereby required under section 226(3) of the Income tax Act, 1961, to pay to me forthwith any amount due from you or, held by you for or on account of the said assessee upto the amount of arrears shown above, and also request you to pay any money which may subsequently become due from you to him/them or which you may subsequently hold for an account of him/them upto the amount of arrears still remaining unpaid, forthwith on the money becoming due or being held by you as aforesaid as such payment is required to meet the amount due by the tax-payer in respect of arrears of income-tax/super tax/penalty/interest /fine. I am to say that any payment made by you in compliance with this Notice is in law deemed to have been made under the authority of the tax-payer and my receipt will constitute a good and sufficient discharge of your liability to the person to the extent of the amount referred to in the receipt.

I am to observe that if you discharge any liability to the tax-payer after receipt of this Notice, you will be personally liable to me as **Assistant Commissioner of Income Tax, Circle-11(2), New Delhi** to the extent of the liability discharged, or to the extent of the liability of the tax-payer for tax/penalty/interest/fine referred to in the preceding para, whichever is less.

Further if you fail to make payment in pursuance of this Notice to me as Income-tax Officer, you shall be deemed to be an **assessee in default in respect of the amount specified on the notice** and further proceeding may be taken against you for the realization of the amount as if it were an arrear of tax due from you in the manner provided in Sections 222 to 225 of the Income Tax Act, 1961 and this notice shall have the same effect as an attachment of a debt by the Tax Recovery Officer in exercise of his powers under Section 222 of the said Act.

A Copy of this notice is being sent to **M/s HIGH GROUND ENTERPRISE LIMITED,** (Tax Payer).

**Note:-**Please attach the aforesaid account and send pay order of the balance amount (exclude paisa) upto Rs. 22,34,82,718/- favoring "**Assistant Commissioner of Income Tax, Circle-11(2), New Delhi**" immediately and the amount of balance in the said account at the time of receipt of this notice should be intimated to the undersigned.

Yours faithfully,



  
(Krishan Kumar)  
Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi

(KRISHAN KUMAR)  
Assistant Commissioner of Income Tax  
Circle-11(2), New Delhi



OFFICE OF THE  
ASSISTANT COMMISSIONER OF INCOME TAX, CIRCLE-11(2),  
ROOM NO 419, CENTRAL REVENUE BUILDING, I.P. ESTATE, NEW DELHI-110002

Email id: [delhi.dcit11.2@incometax.gov.in](mailto:delhi.dcit11.2@incometax.gov.in)

Ph. No. 011-23370095

F. No. ACIT/Circle-11(2)/Attachment/2018-19/ 2079

Dated 18.03.2019

PAN-AAACW4614R

**NOTICE U/S 226(3) OF THE INCOME TAX ACT, 1961**

To,

The Branch Manager,  
**KARNATAKA BANK LIMITED,**  
OSHIWARA JOGESHWARI WEST MUMBAI-400102.

Sub: **A/c no. 5142000100069700, and any other accounts whether current/ FDR etc should be attached- regarding.**

A sum of Rs. 22,34,82,718/- (excluding Interest) is due from **M/s HIGH GROUND ENTERPRISE LIMITED. (PAN -AAACW4614R)** on account of Income-tax/Penalty. You are hereby required under section 226(3) of the Income tax Act, 1961, to pay to me forthwith any amount due from you or, held by you for or on account of the said assessee upto the amount of arrears shown above, and also request you to pay any money which may subsequently become due from you to him/them or which you may subsequently hold for an account of him/them upto the amount of arrears still remaining unpaid, forthwith on the money becoming due or being held by you as aforesaid as such payment is required to meet the amount due by the tax-payer in respect of arrears of income-tax/super tax/penalty/interest /fine. I am to say that any payment made by you in compliance with this Notice is in law deemed to have been made under the authority of the tax-payer and my receipt will constitute a good and sufficient discharge of your liability to the person to the extent of the amount referred to in the receipt.

I am to observe that if you discharge any liability to the tax-payer after receipt of this Notice, you will be personally liable to me as **Assistant Commissioner of Income Tax, Circle-11(2), New Delhi** to the extent of the liability discharged, or to the extent of the liability of the tax-payer for tax/penalty/interest/fine referred to in the preceding para, whichever is less.

Further if you fail to make payment in pursuance of this Notice to me as Income-tax Officer, you shall be deemed to be an **assessee in default in respect of the amount specified on the notice** and further proceeding may be taken against you for the realization of the amount as if it were an arrear of tax due from you in the manner provided in Sections 222 to 225 of the Income Tax Act, 1961 and this notice shall have the same effect as an attachment of a debt by the Tax Recovery Officer in exercise of his powers under Section 222 of the said Act.

✓ A Copy of this notice is being sent to **M/s HIGH GROUND ENTERPRISE LIMITED.** (Tax Payer).

**Note:-**Please attach the aforesaid account and send pay order of the balance amount (exclude paisa) upto Rs. 22,34,82,718/- favoring "**Assistant Commissioner of Income Tax, Circle-11(2), New Delhi**" immediately and the amount of balance in the said account at the time of receipt of this notice should be intimated to the undersigned.

Yours faithfully,

  
(Krishan Kumar)

Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi

(KRISHAN KUMAR)  
Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi-110002





OFFICE OF THE  
ASSISTANT COMMISSIONER OF INCOME TAX, CIRCLE-11(2),  
ROOM NO 419, CENTRAL REVENUE BUILDING, I.P. ESTATE, NEW DELHI-110002

Email id: [delhi.dcit11.2@incometax.gov.in](mailto:delhi.dcit11.2@incometax.gov.in)

Ph. No. 011-23370095

F. No. ACIT/Circle-11(2)/Attachment/2018-19/ 294

Dated 18.03.2019

PAN-AAACW4614R

**NOTICE U/S 226(3) OF THE INCOME TAX ACT, 1961**

To,

The Branch Manager,  
**UNION BANK OF INDIA,**  
SECTOR 6 NOIDA UPFC BUILDING NEAR NOIDA AUTHORITY, NOIDA.

Sub: **A/c no. 677801110050000, and any other accounts whether current/ FDR etc should be attached- regarding.**

A sum of Rs. 22,34,82,718/- (excluding Interest) is due from **M/s HIGH GROUND ENTERPRISE LIMITED. (PAN -AAACW4614R)** on account of Income-tax/Penalty. You are hereby required under section 226(3) of the Income tax Act, 1961, to pay to me forthwith any amount due from you or, held by you for or on account of the said assessee upto the amount of arrears shown above, and also request you to pay any money which may subsequently become due from you to him/them or which you may subsequently hold for an account of him/them upto the amount of arrears still remaining unpaid, forthwith on the money becoming due or being held by you as aforesaid as such payment is required to meet the amount due by the tax-payer in respect of arrears of income-tax/super tax/penalty/interest /fine. I am to say that any payment made by you in compliance with this Notice is in law deemed to have been made under the authority of the tax-payer and my receipt will constitute a good and sufficient discharge of your liability to the person to the extent of the amount referred to in the receipt.


I am to observe that if you discharge any liability to the tax-payer after receipt of this Notice, you will be personally liable to me as **Assistant Commissioner of Income Tax, Circle-11(2), New Delhi** to the extent of the liability discharged, or to the extent of the liability of the tax-payer for tax/penalty/interest/fine referred to in the preceding para, whichever is less.

Further if you fail to make payment in pursuance of this Notice to me as Income-tax Officer, you shall be deemed to be an **assessee in default in respect of the amount specified on the notice** and further proceeding may be taken against you for the realization of the amount as if it were an arrear of tax due from you in the manner provided in Sections 222 to 225 of the Income Tax Act, 1961 and this notice shall have the same effect as an attachment of a debt by the Tax Recovery Officer in exercise of his powers under Section 222 of the said Act.

A Copy of this notice is being sent to **M/s HIGH GROUND ENTERPRISE LIMITED,** (Tax Payer).

**Note:-**Please attach the aforesaid account and send pay order of the balance amount (exclude paisa) upto Rs. 22,34,82,718/- favoring "**Assistant Commissioner of Income Tax, Circle-11(2), New Delhi**" immediately and the amount of balance in the said account at the time of receipt of this notice should be intimated to the undersigned.

Yours faithfully,

  
(Krishan Kumar)

Assistant Commissioner of Income Tax,  
Circle-11(2), New Delhi



Ref.....

Dated 20<sup>th</sup> March 2019

The Asstt. Commissioner of Income Tax  
Circle-11(2), Room No. 419,  
C.R. Building, I.P. Estate  
New Delhi-110002.

Sub: Revocation of the attached bank account - 17050500000052, 17050200000785 & 677801110050000 and other bank accounts / FDR.

Assessee Name : M/s High Ground Enterprise Limited  
PAN : AAACW4614R

Dear Sir,

Most respectfully, it is submitted that we are in receipt of notice dated 18.03.2019 issued u/s 226(3) of the Income Tax Act, 1961 regarding attachment of the bank account - 17050500000052, 17050200000785 maintained with Bank of Baroda & account - 677801110050000 maintained with Union Bank of India and other bank accounts/FDR in this regard, it is hereby submitted that the said bank accounts are overdraft accounts and attachment of same would cause irreparable losses and dent in the liquidity position of the company. It may also cause temporary lull in the business of the company and at worse, may also results in permanent shut down of the business of the company.

It is further submitted that attachment has been made in relation to the demand outstanding for A.Y. 2014-15 Rs. 16,28,38,070/-and A.Y. 2016-17 Rs. 5,53,64,315/- Demand pertaining to A.Y. 2014-15 has been stayed by the Hon'ble Pr. Commissioner of Income Tax, Delhi-04 on payment of 20% of demand i.e. Rs. 3.25 Crores as under :-

- (a) Rs. 1 Crore to be paid by 28.02.2019
- (b) Rs. 1 Crore to be paid by 25.03.2019
- (c) Rs. 1 Crore to be paid by 30.05.2019
- (d) Balance Rs. 25 lakhs by 30.07.2019.



Therefore the amount due as on date for A.Y. 2014-15 is Rs. 1.00 Crore which could not be paid by the assessee company within stipulated time as managing director of the company Mr. Sandeep R Arora could not devote time to the business operations of the company as he was busy in look after of his ill father.

It is further stated that the final hearing of the appeal for the concerned assessment year i.e. A.Y. 2014-15 has already been made on 15.03.2019 and final judgement for the same could be deliver at any time. Therefore we request you to kindly stay the demand till the delivery of final appeal order.

Further regarding demand pertaining to A.Y. 2016-17 is Rs. 5,53,64,315/- which has been stayed by your honour vide letter dated 13.03.2019 on payment of 20% of disputed demand in two equal installments, latest by 15<sup>th</sup> March and 25<sup>th</sup> March, 2019. However due to negligible time involved i.e. just one day, the assessee company could not make payment of the same. The amount due as on date for such assessment year is Rs. 55,36,431/-.

Total amount due as on date for both the assessment years are Rs. 1,55,36,431/-. We request your honour to collect such amount from the attached bank account and revoke the attachment order passed by your honour in such regard.

It is further stated that the liquidity position of the company is not in such position to pay the next installment for both the assessment years on or before 25.03.2019. Therefore we request your honour to kindly provide some more time to pay the same.

Hope our request will be acceded to.

Thanking You

Yours Faithfully

FOR HIGH GROUND ENTERPRISES LTD

  
DIRECTOR

