

**GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS**

**LOK SABHA
UN-STARRED QUESTION NO. 961
ANSWERED ON Monday, July 29, 2024
7 Shravan, 1946 (Saka)**

REFUND OF INVESTORS MONEY BY SAHARA

QUESTION

961. Shri Abhay Kumar Sinha:

Shri Arun Bharti:

Shri Sudama Prasad:

Shri Ramashankar Rajbhar:

Smt. Joba Majhi:

**Will the Minister of CORPORATE AFFAIRS
be pleased to state:**

(a) whether due to the Sahara-SEBI dispute, the money of lakhs of small investors has remained stuck in Sahara for years and if so, the details thereof along with the present status of Sahara India Company case;

(b) whether the Government has decided to refund the money stuck in Sahara, if so, the steps taken by the Government in this regard along with the number of account holders of Sahara India and the quantum of money deposited in the accounts;

(c) whether it is true that the maximum refund which can be claimed by Sahara Depositors was capped at Rs. 10,000 irrespective of the investment and if so, the reasons therefor;

(d) whether the Government proposes to make payment of Rs. 5,000 crores collected through the Central Registrar of Cooperative Societies (CRCS) and if so, the details thereof;

(e) whether the Portal launched for the payment of said money has many technical glitches and refund of only Rs. 500 crores has been made so far; and

(f) whether the Government has any plan/policy to avoid such financial mishaps in the future and if so, the details thereof?

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ANSWER

Minister of State in the Ministry of Corporate Affairs; Minister of State in the Ministry of Road Transport and Highways.

(Shri Harsh Malhotra)

(a) to (f): Ministry vide order dated 31.10.2018 has assigned investigation u/s 212(1)(a) & (c) of the Companies Act, 2013 to Serious Fraud Investigation Office (SFIO) in following companies:

- a) Sahara Q Shop Unique Products Range Limited (SQSUPRL)**
- b) Sahara Q Gold Mart Limited (SQGML)**
- c) Sahara Housing Investment Corporation Limited (SHICL)**

Ministry has further assigned investigation under Section 212(1) (c) r/w 219 of the Companies Act, 2013 to SFIO vide order dated 27-10-2020, in following companies:

- a) Aamby Valley Limited**
- b) Qing Ambay City Developers Corporation Ltd**
- c) Sahara India Commercial Corporation Limited**
- d) Sahara Prime City Limited**
- e) Sahara India Financial Corporation Limited**
- f) Sahara India Real Estate Corporation Limited**

Hon'ble Supreme Court vide Order dated 31.08.2012 inter-alia directed Sahara India Real Estate Corporation Limited (SIRECL) and Sahara Housing Investment Corporation Limited (SHICL) and their promoter-directors (collectively referred to as Saharas) to refund the amount aggregating to Rs 25,781.37 Crores collected from around 3.07 Crores Optionally Fully Convertible Debenture holders, along with interest @ 15% per annum to SEBI from the date of receipt of the subscription amount till the date of repayment, within a period of three months from 31.08.2018, to be deposited in a Nationalized Bank bearing maximum rate of interest.

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Pursuant to various Orders passed by the Supreme Court and the attachment Orders of SEBI dated 13.02.2013, an aggregate amount of Rs. 15,775.50 Crores (against the Principal Amount Rupees 25,781.37 Crores) has been realized by SEBI as on 31.03.2024. The amount realized from Saharas are being invested/re-invested in FDs of Nationalized Banks on periodical basis. The total amount invested along with interest as on 31.03.2024 is Rs. 20,894 crores.

SEBI received 19,650 Applications in total involving 53,687 accounts. On the basis of verifiable documents, SEBI made refunds with respect to 17,526 eligible bondholders involving 48,326 accounts for an aggregate amount of Rupees 138.07 Crores (i.e. Rupees 70.09 Crores as Principal and Rupees 67.98 Crores as an Interest).

In the I.A.56308 of 2023 filed by Ministry of Cooperation in WP 191 of 2022, the Hon'ble Supreme Court vide order dated March 29, 2023 inter alia directed;

“.....Out of the total amount of Rs. 24,979.67 Crores lying in the “Sahara-SEBI Refund Account”, Rs. 5000 Crores be transferred to the Central Registrar of Cooperative Societies, who, in turn, shall disburse the same against the legitimate dues of the depositors of the Sahara Group of Cooperative Societies which shall be paid to the genuine depositors in the most transparent manner and on proper identification and on submitting proof of their deposits and proof of their claims and to be deposited in their respective bank accounts directly. The disbursement shall be supervised and monitored by Justice R. Subhash Reddy, Former Judge of this Court with the able assistance of Shri Gaurav Agarwal, learned Advocate, who is appointed as Amicus Curiae to assist Justice R. Subhash Reddy as well as the Central Registrar of Cooperative Societies in disbursing the amount to the genuine depositors of the Sahara Group of Cooperative Societies. The manner and modalities for making the

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payment is to be worked out by the Central Registrar of Cooperative Societies in consultation with Justice R. Subhash Reddy, Former Judge of this Court and Shri Gaurav Agarwal, learned Advocate...

In accordance with the aforesaid Order dated March 29, 2023 of the Hon'ble Supreme Court, an amount of Rs 5000 Crore was transferred from "SEBI-Sahara Refund Account" to the Central Registrar of Cooperative Societies on 19.05.2023.

Central Registrar of Cooperative Societies (CRCS) has informed that in reference to the question related to depositors of Sahara Group of Cooperative Societies: -

In compliance of the Hon'ble Supreme Court's Order dated 29.03.2023, an Online Portal "CRCS-Sahara refund portal" <https://mocrefund.crcs.gov.in> has been launched on 18.07.2023 for submission of claims by the genuine depositors of four Multi-State Cooperative Societies of Sahara Group, namely; Sahara Credit Cooperative Society Ltd., Lucknow, Saharayn Universal Multipurpose Society Ltd., Bhopal, Humara India Credit Cooperative Society Ltd., Kolkata and Stars Multipurpose Cooperative Society Ltd., Hyderabad for refund of their legitimate deposits. Entire process of disbursement is digital and paperless and is being carried out under the supervision and monitoring of Justice R. Subhash Reddy, Former Judge of Hon'ble Supreme Court.

The payment is being deposited directly in Aadhaar seeded bank account of the genuine depositors. Presently, payment upto Rs.10,000/- is being disbursed to each genuine depositor of the Sahara Group of Cooperative Societies against all his verified claims through Aadhaar seeded Bank account after submitting proof of deposits and proof of claims. In case of deficiencies found in the application, opportunity is given to the applicant for resubmitting the application after rectifying the deficiencies on the resubmission portal (<https://mocresubmit.crcs.gov.in>)

So far, an amount of Rs. 369.91 Crore has been released to 4,29,166 depositors of Sahara Group of Cooperative Societies

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through the portal. Hon'ble Supreme Court has granted extension till 31.12.2024 for implementation of Supreme Court order dated 29.03.2023.

The Multi-State Cooperative Societies (MSCS) Act, 2002 has been amended and implemented with effect from 03.08.2023 to bring the Act in conformity with the 97th Constitutional Amendment and also to make reforms to strengthen democratic member control, protect members' interest, improve governance and enhance transparency. The office of Central Registrar is also computerized to strengthen the monitoring of multi-State cooperative societies.
