



**DIRECTORATE OF ENFORCEMENT
FOREIGN EXCHANGE MANAGEMENT ACT &
PREVENTION OF MONEY LAUNDERING ACT
MINISTRY OF FINANCE - DEPT. OF REVENUE
GOVERNMENT OF INDIA**

Gram: ENFERA

**2nd Floor, Mittal Chambers,
Nariman Point,
Mumbai-400 021.**

Phone: 2202 4820

Fax : 2282 8930

S.C.N. No. T-4/19-B/DD(SB)/FEMA/2010

SHOW CAUSE NOTICE

To

Shri Lalit Kumar Modi,
3rd Floor, Nirlon House,
Dr. Annie Besant Road, Worli,
Mumbai.

1. Whereas a complaint under sub-section (3) of Section 16 of the Foreign Exchange Management Act, 1999 (for short 'FEMA') has been filed before me for contravention of the provisions of FEMA (as specified in the enclosed complaint).
2. On perusal of the said complaint and after considering the causes shown by the complainant in his complaint bearing No. T-3/47-B/2010 dated 16/09/2010, there appears to be a contravention of Section 37 of the Foreign Exchange Management Act, 1999 and read with Section 131(1) and 272-A (1) of Income Tax Act, 1961 in the said complaint filed against you.
3. You are, therefore, required to show cause in writing within 10 days from the date of receipt of this notice as to why adjudication proceedings as contemplated under Section 13 of the Foreign Exchange Management Act, 1999 should not be held against you for the aforesaid contravention of the provisions of Foreign Exchange Management Act, 1999.
4. Your attention in this connection is invited to Rule (4) of the Foreign Exchange Management (Adjudication proceedings and Appeals) Rules, 2000.
5. In view of the above, you are required to appear either in person or through legal Practitioner/Chartered Accountant duly authorized by you to explain and produce such documents or evidence as may be useful for or relevant to the subject matter of enquiry before me.



6. In case you fail, neglect or refuse to appear before me on the appointed day, the adjudication proceedings shall proceed against you ex parte.
7. Reliance has been placed inter alia on the documents listed in Annexure 'A' to the complaint (copies enclosed).

GIVEN UNDER MY HAND AND SEAL ON THIS 20th DAY OF September, 2010.




(SAMIR BAJAJ)
DEPUTY DIRECTOR

1

Complaint under Section 16(3) of the Foreign Exchange Management
Act, 1999 (for short FEMA, 1999)

F.No.T-3/47 B/2010/AD(DKS)

Before the Deputy Director of Enforcement, Mumbai
Adjudicating Authority.

In the matter of investigations against Shri Lalit Kumar Modi.

D.K. Sinha,
Assistant Director,
Directorate of Enforcement,
Govt. of India,
Mittal Chambers, 2nd floor,
Nariman Point,
Mumbai-400
021.....Complainant.

V/s

Shri Lalit Kumar Modi,
3rd Floor, Nirlon House,
Dr. Annie Besant Road, Worli,
Mumbai.
..... Noticee.

Complaint under section 16(3) of the Foreign Exchange Management
Act, 1999.

The above named complainant most respectfully submits as
under:

That the complainant is the Assistant Director, Directorate of
Enforcement (FEMA), Ministry of Finance, Government of India,
Mumbai, and is authorized to file the present complaint as per the
authorization vide Central Government Order S.O.No.1157(E) dated
26.12.2000 in exercise of power conferred upon me under section 47
of FEMA, 1999.

The facts and circumstances leading to the present complaint
are as under:-

WHEREAS Shri Lalit Kumar Modi is under investigation by this
Directorate for contraventions of the Foreign Exchange Management
Act, 1999 (hereinafter referred to as 'FEMA, 1999') and punishable
under Section 13 of the FEMA, 1999. In connection with the said
investigation a Summons under the provisions of Section 37 of FEMA,
1999 was issued to Shri Modi vide F.No. T-3/81-

B/2008/PKN/AD(DKS)/4137 dated 02nd August, 2010 requiring him to appear before the undersigned in person on 10/08/2010. Shri Modi did not appear in person. Instead a letter dated 09th August, 2010 was received from Shri Mehmood M. Abdi, General Counsel & Constituted Attorney of Shri Lalit Kumar Modi under which he attached a fax message of Shri Modi stating that he was not in a position to appear in person because of serious security concerns. It was further stated in the fax communication that there is a threat perception to his life and he has been advised to stay outside the Country until this threat perception alters.

The communication received in this office through the advocate of Shri Modi was duly considered. It was observed that Shri Modi had not furnished any evidence showing existence of any threat perception to his life. Accordingly, a letter was issued to Shri Modi vide F.No.T-3/46-B/10/AD(DKS)/4860 dated 13/08/10 requiring Shri Modi to provide evidence for threat to his life and the details of any complaint filed in this respect with any government authority. He was further required to provide the names of the persons who had advised the notice to stay outside the country. In response to the said letter a reply was received from Shri Modi vide his letter dated 23 August 2010 in which he inter alia, submitted that on 14/10/09 he received an email from an unknown source threatening him of dire consequences. It was further stated that the Mumbai Police had intercepted communications which indicated existence of a plan, by operatives from the underworld for his assassination. It was further claimed that the Mumbai Police had therefore provided him and his family with police protection. He also referred to certain media reports under which the issue of threat to his life was reported. It was further stated that he could not have "hard evidence" of the threat evidence but the Mumbai Police was aware of the same.

The submissions made by Shri Lalit Modi were taken into consideration. It was observed that the email purportedly sent to him threatening his assassination was sent as back as on 14/10/2009. For a long period since then Shri Modi was in India organising IPL matches and attending public and private functions. As claimed by him he has been provided Police protection by Mumbai Police. Thus it appears that Shri Modi was avoiding the process of law under the pretext of security concerns. Accordingly a fresh Summons was

issued vide F.No. T-3/81-B/2008/PKN/AD(DKS) dated 24th August, 2010 requiring Shri Modi to appear in person before the undersigned on 07th September, 2010 for tendering evidence and for producing documents as mentioned in the Schedule thereto.

Shri Modi did not appear before the undersigned and therefore, failed to comply with the Summons. However, a letter dated 07th September, 2010 was received from Shri Mehmood M. Abdi, General Counsel & constituted Attorney of Shri Lalit Kumar Modi enclosing copy of a letter dated 07th Sept., 2010 from Shri Modi. In the said letter Shri Modi stated that due to elevated security threat perception involving a risk to his life from members of the underworld, he had been advised not to travel to India. He also furnished certain documents to support his claim that he and his family members were facing a threat to life. He also informed that, while in India, he had been provided round the clock police security protection by Mumbai Police. Further it was stated that it would be difficult for him to provide clinching evidence to establish the security threat.

The submissions of Shri Modi and the documents furnished by him to support his claim of threat to his life have been carefully considered. Most of the documents are communications made by him to the Police Authorities seeking police protection. It is a known fact that Shri Modi had been making public appearances and participating in crowded functions in connection with the 3rd edition of the Indian Premier League Tournament which concluded in the month of April, 2010. Further the documents provided by him show that whenever required by him a security cover was provided to him by the police authorities. Further he has not disclosed who has advised him not to travel to India. The security threat as claimed by Shri Modi, did not come in the way of his hectic schedule in connection with the IPL tournament. Therefore, it appears that Shri Modi is willfully avoiding his examination on oath under the provisions of section 37 of FEMA, 1999.

In view of the above it appears that Shri Modi was present all along in India and carrying on his day to day activities unhindered by the threat perception. The documents furnished by him do not indicate any compelling reasons for his travel outside India. It is understood that Shri Modi left India only after the irregularities

committed in the conduct of IPL came to surface and investigations were intensified by the agencies of the government in respect of alleged violations committed by him under different statutes. The grounds raised for his non-appearance in compliance of the Summons issued under section 37 of FEMA are not tenable and it clearly appears that the grounds of security concerns have been raised by him only for the purpose of stalling the process of investigation being conducted by this office. Therefore, his failure to appear before the undersigned is without any valid reason and it clearly amounts to non-compliance a legal process.

By his willful avoidance of the Summons, Shri Modi appears to have contravened the provisions of Section 37 of FEMA, 1999 read with Section 131(1)(c) of Income Tax Act, 1961 and has thereby rendered himself liable to be proceeded with under law. Above provisions of FEMA, 1999 & Income Tax 1961 are appended below for purpose of reference.

Section 37 of the Foreign Exchange Management Act, 1999 stipulates as under:

- (1) The Director of Enforcement and other officers of Enforcement not below the rank of an Assistant Director shall take up for investigation the contravention referred to in section 13.
- (2) Without prejudice to the provisions of sub-section (1), the Central Government may also, by notification, authorize any officer or class of officers in the Central Government, State Government or the Reserve Bank, not below the rank of an Under Secretary to the Government of India, to investigate any contravention referred to in section 13.
- (3) The officers referred to in sub-section (1) shall exercise the like powers which are conferred on Income-tax Authorities under the Income Tax Act, 1961 (43 of 1961) and shall exercise such powers, subject to such limitations laid down under the Act.

Section 131 (1) of the Income Tax Act, 1961 stipulates as under:

“ The [Assessing]Officer, [Deputy Commissioner(Appeals)] [Joint Commissioner], [Commissioner(Appeals)]and [Chief Commissioner or Commissioner] shall, for the purposed of this Act, have the same powers as are vested in a court under the Code of Civil Procedure,

1908 (5 of 1908), when trying a suit in respect of the following matters, namely:-

- (a) discovery and inspection;
- (b) enforcing the attendance of any person, including any officer of a banking company and examining him on oath;
- (c) compelling the production of books of account and other documents; and
- (d) issuing commissions.

Section 272 A(1) of the Income Tax Act, 1961 stipulates as under :

If any person:-

- (a) being legally bound to state truth of any matter touching to the subject of his assessment, refuses to answer any question put to him by an Income Tax Authority in exercise of its powers under this Act; or
- (b) refuses to sign any statement made by him in the course of any proceedings under this Act, which an Income Tax authority may legally require him to sign; or
- (c) to whom a summons is issued under sub-section (1) of section 131 of the Income Tax Act, 1961 either to attend to give evidence or produce books of account or other documents at a certain place and time, omits to attend or produce books of account or documents at the place or time; or
- (d) fails to comply with the provisions of section 139A

He shall pay, by way of penalty, a sum which shall not be less than five hundred rupees but which may extend to ten thousand rupees for each such default or failure.

It is, therefore, in view of above facts, clear that the above mentioned person is deliberately and intentionally avoiding the summons, in order to stall the investigation and therefore it is prayed that a penalty as may be deemed fit be imposed on Shri Lalit Kumar Modi.

That the above mentioned person, has contravened the provisions of Section 37 of the Foreign Exchange Management Act, 1999 r/w Section 131 (1) and 272-A (1) of the Income Tax Act, 1961 and thereby rendered himself liable to be proceeded against under section 13 (1) of FEMA, 1999.

That the complainant seeks permission of the Adjudicating Authority to refer to and inter alia rely on the documents mentioned in **Annexure "A"** of this complaint.

That it is prayed that this complaint may be taken on record and Shri Lalit Kumar Modi be dealt with as per law.

Complainant



(D.K. SINHA)

ASSISTANT DIRECTOR

Mumbai

Dated: 16th September, 2010.

ANNEXURE 'A' to Complaint
(Relied upon documents referred)

- (1) Summons dated 02/08/2010.
- (2) Summons dated 24/08/2010.
- (3) Letter of Shri Mehmood M. Abdi dated 09th August, 2010 along with the enclosures.
- (4) Letter of Shri Mehmood M. Abdi dated 07th Sept, 2010.
- (5) Letter of Shri Lalit Kumar Modi dated 07th Sept, 2010 along with all the enclosures.
- (6) Letter to Shri Lalit Kumar Modi dated 13-08-2010.



*Recd. from
Sh. Anil A. A.*
Lalit Kumar Modi *24/8/10*
Chairman &
Commissioner
(Suspended) *24/8/10*

NIRLON HOUSE
DR. ANNIE BESANT
ROAD
WORLI, MUMBAI-400 030
PHONE: 91-022-66637373
FAX : 91-022-24932260

26 September, 2010

Shri. D. K. Sinha,
Assistant Director,
Directorate of Enforcement,
23-24, 2nd Floor, Mittal Chambers,
Nariman Point, Mumbai - 400 021.

Dear Sir,

Re - Your Summons dated 24/08/2010 bearing No. T-3/81-
B/2008/PKN/AD(DKS) and your letter dated 27/08/10
addressed to Mr. Mehmood M. Abdi.

1. I am in receipt of your Summons dated 24/08/2010. I have also seen a copy of your letter dated 27/08/2010 addressed to my Constituted Attorney Mr. Mehmood M. Abdi.

2. By my earlier letter dated 23/08/2010 (in response to your letter dated 16/08/2010) I had stated that due to an elevated security threat perception involving a risk to my life from members of the underworld, I have been advised not to travel to India. In fact, whilst in India, for a considerable period, in light of a prior elevated security threat perception, my family and I had been provided round the clock security protection by the Mumbai Police. As stated in my letter dated 23/08/2010, it is difficult for me to produce "clinching evidence" to establish this. This will only be available with the Mumbai Police. I am confident that they will share this with you; the Enforcement Directorate also being a state investigation agency. May I therefore request your goodself to confirm this fact from the Mumbai Police so that no doubts remain about the existence of an elevated security threat perception and risk to my life. The concerned persons, in the Mumbai police, who are aware of the same, are the office of the Joint Commissioner of Police (Crime Branch) Mumbai.

3. In addition to the same, I am enclosing along with this reply (under Tab 1) letters, documents, in my possession, which clearly indicate that there are serious

concerns about a threat to my life and that of my family. This material is in addition to what was forwarded to you earlier.

4. I therefore trust that you will dispense with my personal appearance before you. I am ready and willing to fully co-operate with the Enforcement Directorate by supplying all documents and answering all questions. I shall make myself available by video link, whenever required. I am in London and can personally appear before any office of the Enforcement Directorate (Overseas Investigation Wing) in London or at the Indian Embassy, should you so desire.

5. I have already handed over a photocopy of my Passport under cover of my letter dated 7th August 2010.

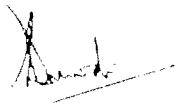
6. I am forwarding herewith, under Tab 2, photocopies of the agreements called for in your Summons, which are available with me. I trust this will meet your requirements.

7. I hastly apologise for the inconvenience caused by Mr. Parosh Shah declining to accept your Summons. Mr. Abdi is my Constituted Attorney and is attending to the Enforcement Directorate proceedings. In these circumstances, Mr. Shah, who is an employee of a Modi group company, declined to accept the Summons. I am informed that Mr. Abdi, who was at the relevant time travelling in Jodhpur and my uncle made arrangements to ensure that the same was collected from your office in his absence, by an associate from Wadia Ghandy & Co (my Mumbai Solicitors). Mr. Abdi is separately addressing a letter to you clarifying this position.

8. I assure of my full co-operation in the matter.

9. I am filing a scanned version of this letter through Mr. Mehmood Abdi, my General Counsel and Constituted Attorney. The original letter shall be sent to you by courier service.

Thanking you,



LALLIT KUMAR MODI

Chairman & Commissioner, PI (Suspended)

MOST URGENT

O.W. No. 111 A/C BXP 50010
Office of Sr. Inspector of Police
Anti Extortion Cell,
Detection Crime Branch, C.I.D.
Mumbai
Date 27/05/2010

Sr. Rajat Kumar Modi
President & Managing Directors,
Modi Enterprises
12, G. House, D. N. N. B. and Road,
Mumbai - 400025

Subject: Personal Presence for enquiry.

Reference your letter dated 23/05/2010 addressed to C. P. of Mux.

With reference to the above caption, it is hereby to inform you that
C. P. of Mux has received your complaint regarding the threat perception of your
son Sr. Rajat Modi. According to the complaint, the presence Alvin
Porter, personal body guard of Ruchir Modi is required at this cell for
thorough enquiry for the incident occurred on 23/05/2010 at Prive lounge at
Cotaba.

It is therefore, requested you to direct Alvin Porter, to remain present
at this cell and see undersigned on 31/05/2010 by 11.00 am for enquiry
about the threat perception.



Rajat Modi
C.B. Parane
Inspector of Police
Anti Extortion Cell,
D.C.B, C.I.D. Mumbai.
09870546746

From -

Office St.
Sr. Inspector of Police
Anti Extortion Cell
D.C.B.C.I.D. Mumbai
D.N. Road,
Mumbai 400001.



MODI ENTERPRISES

Lalit Kumar Modi

PRESIDENT & MANAGING DIRECTOR

To Mr. D. Sivanandan

Sunday 25 May 2010

Police Commissioner Mumbai

Lok Manya Tilak Marg,

Mumbai.

Dear Mr. Sivanandan,

I would like to thank the Mumbai Police for providing us with full assistance on the new turn of events that have taken place with my son Ruchir and resuming my sons police protection for 12 hrs during the day. Yesterday my legal advisor Mr. Mahmood Abdi and my son's personal security officer from NSA South Africa Alvin Porter had met with Mr. Himanshu Roy who had been very supportive and helpful towards this issue. I would like to express my concern on the police protection that is provided to my son, as you may know he currently is only being provided with an armed police officer from 8am to 8pm daily who is armed with a 9mm weapon. I would be grateful if you could provide him with police protection 24x7 who are armed with carbine weapon if possible.

Thanking you

Kind Regards,

Lalit K Modi



MODI ENTERPRISES

Lalit Kumar Modi

PRESIDENT & MANAGING DIRECTOR

To Mr. D. Sivanandan

Sunday 23 May 2010

Police Commissioner Mumbai

Lok Manya Tilak Marg,

Mumbai.

Dear Mr. Sivanandan

I am writing this letter to you in concern of my Son & Wife's protection with regards to the new turn of events. From the 26th of April 2010 Alvin Porter from NSA South Africa has been working with my son Ruchir. Since he has started to work with Ruchir there has been a few events that have taken place and he has just addressed these events to me this morning. Turn of events reported to me by Alvin this morning follow –

1. The protection office on the 11th of May 2010 called Subeesh Soman who is Ruchir's other Personal Security Officer and had mentioned that effective 11th May 2010 Ruchir will not be getting 24hrs protection and he will only receive protection from 8am to 8pm.
2. Morning of 20th of May 2010 Ruchir's protection constable Sugriva Kamble who had been reporting to the 8am to 8pm duty since the beginning of the IPL tournament had been replaced by Rakesh Jagtap.
3. Morning of 21st of May 2010 No personal from the protection branch had reported to Ruchir's duty.
4. Morning of 21st of May 2010 we had received 3 letters delivered by Rajesh Wakkar (constable of Mumbai Police Protection Branch). I have attached all 3 letters.



MODI ENTERPRISES

Lalit Kumar Modi

PRESIDENT & MANAGING DIRECTOR

- a. First & Second letter stated the payment due for my Police Protection, which will be, cleared ASAP from the DY. Commr. Of Police (protection) Bombay.
 - b. The third letter dated 20th of May 2010 from the Sr. Inspector of Police (Protection) Bombay S.R.Ranchevre mentioned that Ruchir's protection will be canceled effective 21st May 2010.
5. 21st of May 2010 Ruchir was driving in a black BMW 740iLi which is usually my car and was escorted by a Honda Accord which is usually Ruchir's car. In the BMW Ruchir was seated along with the driver Roney D'Souza and Alvin Porter (Ruchir's Bodyguard), in the Honda Accord there were 3 people seated in the car, the driver Vijay Chowgule, Subeesh Soman (Ruchir's bodyguard) & Viswanath Jawlekar (Ruchir's 3rd bodyguard from Ace Security & Protection) on route from Cuffe Parade to our apartment building Westmore on Sir. Porchkanwala Road Worli, Mumbai, Alvin Porter noticed a Silver-Grey Mahindra Scorpio with his lights off which began to tail behind Ruchir's escort vehicle, Honda Accord for approx. 3km from half way point to the apartment in Worli. The second Alvin noticed the vehicle had tailed us to our street where the apartment building is located, Alvin then immediately instructed Ruchir's driver Roney D'Souza to drive past the apartment and continue straight along Sir. Porchkanwala Road while instructing Subeesh Soman who was in the escort vehicle, Honda Accord to stay back and stall the Mahindra Scorpio that was tailing us. Ruchir's driver then rerouted towards Worli Seaface rendezvous to the apartment. Subeesh then informed Alvin that the vehicle that was tailing us had noticed the Honda stalling him, then had speed off into a nearby ally way. Subeesh did not engage and had rerouted to the apartment and made sure that he was not being tailed by changing his route.
6. 22nd of May 2010 Ruchir had attended an American School of Bombay function where he attends school, the function took place at the Taj Lands End, Bandra, Mumbai. Ruchir then departed to Cuffe Parade then



MODI ENTERPRISES

Lalit Kumar Modi

PRESIDENT & MANAGING DIRECTOR

to Privé a lounge in Colaba to meet with friends. Ruchir had booked a table at Privé in his name; Subeesh noticed then informed Alvin that there was a group of 4-5 men standing nearby his table the whole time Ruchir was there. A member of the same group of 4-5 men standing nearby his table had taken a photo of Ruchir, Alvin and Subeesh then walked off into the crowd. The rest of the group remained nearby Ruchir's table, where one of the men in the group (a bald man in a green t-shirt) began pointing at Ruchir this was noticed by Subeesh and Alvin. Then Alvin approached a random patron in the crowd and asked he knew about the group standing by the table, the patron quoted to Alvin that "Those guys are gangsters, they are Indian mafia you do not want to mess with them". Alvin then immediately informed Subesh and evacuated Ruchir with help from 3 of the Privé Security through the rear service area. Ruchir was then seated in a Black BMW 750LI, which I used to use for the past 2 years. Immediately from Privé Ruchir departed to the apartment in Worli escorted by his security team Alvin, Subeesh, and Viswanath.

I urgently request you to assist me in this matter and provide Ruchir and my wife Minal Modi with a high level of police protection 24 hours. I am willing to bear costs for the protection that you provide my family.

Kind Regards,

Lalit K Modi

cc. Mr Himanshu Roy

Joint Commissioner of Police (crime) Mumbai

LALIT KUMAR MODI

CL/WH/28/10/09

To

The Deputy Commissioner of Police
Protection and Security
Vandana, Marol
Mumbai - 400 001

Dear Mr. Modi

Subj: Security cover at Nagpur

This is to inform you that I will be traveling to Nagpur on 30th September 2009

Kindly make the necessary security arrangements

Any change in the schedule shall be intimated

With kindest regards

Lalit Kumar Modi

Received
1. H. H. H.
2. H. H. H.
3. H. H. H.
28/09/09

वरिष्ठ पोलीस निरीक्षक
राक्षस शाखा- १, मुंबई.

NRI ON HOUSE, DR. ANNIE BESANT ROAD, MUMBAI 400 025, INDIA
TEL: 4937391, CABLE: RHOTHANE, TELEX: 011-71376, FAX: 022-4937992

LALIT KUMAR MODI

September 28, 2009

To

The Deputy Commissioner of Police
Protection and Security
Vero Kotal, Mumbai
Mumbai - 400 025

Dear Mr. Sharma

Sub: Security cover at Tirupathi

This is to inform you that I will be traveling to Tirupathi tomorrow morning at 10 AM and will be reaching there by 11 AM.

Kindly make the necessary security arrangements.

Any change in the schedule shall be intimated.

With kind regards,

Lalit Kumar Modi

वरिष्ठ पावोस निरीक्षक
संरक्षण शाखा १, मुंबई.

VERLON HOUSE, DR. ANNIE BESANT ROAD, MUMBAI 400 025, INDIA.
TEL: 4937391, CABLE: RHOTHANE, TEL/FX: 011-71376, FAX: 022-4937992

LALIT KUMAR MODI

September 11, 2009

To

The Deputy Commissioner of Police
Protection and Security
Vaju Kotak Marg
Mumbai -1

Dear Mr. Shintre,

Sub: Security cover outside Maharashtra

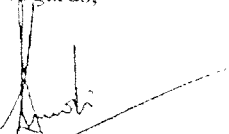
Further to my letter regards my Personal Security, this is an application for the Personal Security of my son - **Master. Ruchir Modi.**

He would be accompanied by **Mr. Shaji Jacob.** Mobile number : **+91 97699 66109.**

Any change in the schedule shall be intimated.

Kindly make the necessary arrangements.

With kind regards,



LALIT KUMAR MODI

✓ Cc: Senior Inspector, Protection-I Branch

NIRJON HOUSE, DR. ANNIE BESANT ROAD, MUMBAI 400 025, INDIA.
TEL: 4937391, CABLE: RHOTHANE, TEL/FX: 011-71376, FAX: 022-4937992

वरिष्ठ पोलीस निरीक्षक
संरक्षण शाखा-१, मुंबई.

3/9/09
154519
154519

LALIT KUMAR MODI

September 11, 2009

To

The Deputy Commissioner of Police
Protection and Security
Vaju Kotak Marg
Mumbai -1

Dear Mr. Shintre,

Sub: Security cover outside Maharashtra

Further to my letter regards my Personal Security, this is an application for the Personal Security of my wife **Mrs. Minalini Modi.**

She would be accompanied by *Mr. Tushar Shinde*. Mobile number: +91 99694 60949.

Any change in the schedule shall be intimated.

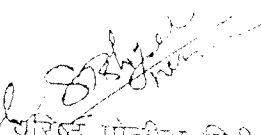
Kindly make the necessary arrangements.

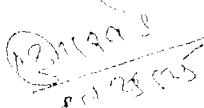
With kind regards,


LALIT KUMAR MODI

Cc: Senior Inspector, Protection-I Branch

NIRLON HOUSE, DR. ANNIE BESANT ROAD, MUMBAI 400 025, INDIA.
TEL: 4937392, CABLE: KROTHANE, TELEX: 011-71376, FAX: 022-4937992


परिष्कृत पोलीस निरीक्षक
संरक्षण शाखा - १ मंत्रालय


12/11/09
8.11.09

0.15
1.15/09
1.15/09

LALIT KUMAR MODI

September 11, 2009

To

The Deputy Commissioner of Police
Protection and Security
Vaju Kotak Marg
Mumbai -1

Dear Mr. Shintre,

Sub: Security cover outside Maharashtra

The Police Force has been doing a very good job by providing a high level Security to me and my family in Maharashtra. Since Security outside Maharashtra is a concern during the Champions League T20 to be held from 8th -23rd of October, 2009, (Delhi, Hyderabad, Bangalore), I had sent Mr. Christopher Malkhany and Mr. Sujith Kumar to your office to discuss the possibilities of getting Security cover outside Maharashtra.

According to your suggestion I am sending this application with my schedule. I am also attaching two separate applications for my family.

Mr. Sujith Kumar will be accompanying me during the matches and his mobile number is +91 98198 00055.

Any change in the schedule shall be intimated.

Kindly make the necessary arrangements.

With kind regards,



LALIT KUMAR MODI

Cc: Senior Inspector, Protection-I Branch

NIRLON HOUSE, DR. ANNIE BESANT ROAD, MUMBAI 400 025, INDIA.
TEL: 4937391, CABLE: RHOTHANE, TEL EX: 011-71376, FAX: 022 4937992

वरिष्ठ पोलीस निरीक्षक
संरक्षण शाखा- १, मुंबई.

10/09/09
P-105015

8 IV
DT 10/12/09
15/09/09

LALIT KUMAR MODI

July 9, 2009

To,
Shri Jayant Paul
Minister for Home
Government of Maharashtra
Mantralaya
Mumbai 400 032

Dear Jayantji,

I hope this letter finds you well.

I am writing to you in regard to the security situation for my family and me. As you might know there is a perception of threat with regard to us.

In this regard, I have had my office try to acquire permission for 100% sun control film for the five cars at my residence, from the RTO and the Police Department. Unfortunately, both these departments are not able to give me the requisite permissions. I would request you to provide me the permission for my cars, so that when either my family or me travel in it, the passengers cannot be seen from the outside.

Further, I would like to hire the services of Sdema Group from Israel to do a survey on the status of security at my residence and my office. They require a NOC from our government to provide this service. Could I please request you to provide me this NOC, so that I could get them to survey the security situation for me.

My apologies for bothering you with such small matters.

Warm regards,

Lalit Modi

(Dictated by Mr. Lalit Modi and signed in his absence)

LALIT KUMAR MODI

July 2, 2009

To,

Mr. Deven Bharti
Addl. Commissioner of Police (Crime),
Mumbai

Dear Mr. Bharti,

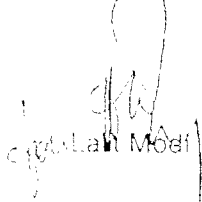
First and foremost I would like to thank you for the security arrangements at my residence and the NOC for the import of an armoured car.

Given the perceived threat on my life, my family members have been very anxious, due to which I had involved Dr. Joseph Draznin to look into the security arrangements. Dr. Draznin would like to involve the services of the Sdema Group out of Israel to survey the situation and make recommendations, so that my family feels secure and comfortable.

The Sdema Group requires a no objection from you to carry out this survey and make their recommendations. I would request you to kindly issue a letter in this regard.

Thank you for all your help.

Best regards,



Lalit Modi

NIRLON HOUSE, DR. ANNIE BESANT ROAD, MUMBAI 400 025, INDIA
TEL: 4937391, CABLE: RHOTHANE, TEL X: 911-71376, FAX: 022-4937592



GODFREY PHILLIPS
INDIA LIMITED

Nelson House, III Floor, Dr. Ambedkar Road, Worli, Mumbai - 400 030.
Phones - 5663 7333 / 2496 0000 Fax - 2493 2260
Website - <http://www.godfreysphillips.com>

July 1, 2009

To

The Regional Transport Officer
Regional Transport Office,
Near Central Jail
Thane - West 400 601

Dear Sir,

Sub: Sanction for 100% Sun control film

I am writing this letter on behalf of Shri Lalit K Modi, who is the Executive Director of Godfrey Phillips India Ltd

In view of the recently perceived threat to the life of Shri Lalit K Modi and his family, round the clock Armed Police Guard at his residence and Armed body guard protection for each and every member of the family has been provided by the Police.

Shri Lalit Modi's family has two cars registered from your office which are used by his wife and children. We would request your approval for 100% Sun control film on all the car windows and wind screens, so as to protect the family when they travel.

The details of the cars are as follows

1. MH 04 BW 7878 - BLACK MERCEDES
2. MH 04 BS 800 - BLACK MERCEDES

We would be grateful if you could provide the approval for the above mentioned cars at your earliest convenience.

With kind regards,

Yours Sincerely,
For Godfrey Phillips India Ltd.

Authorized Signatory

O.S.

*Plz inform & issue
a letter according to
provisions of M.V. Act
& Rules made thereunder.*

For

We aim to satisfy

May 23, 2014

The Hon of Police Inspector
Juhu Police Station, Juhu
Mumbai - 400 049

Dear Sir,

Sub - Raising of Compound Wall

Our Director Mr. Lalit Modi (Vice President of BCCI and Commissioner of Indian Premier League) stays at following address

Ananda Bungalow
41, Gandhigram Road,
Juhu, Mumbai - 400 049

As you may be aware Mr. Lalit Modi has received threats from underworld and notorious elements. Security for hour Police Protection has been provided to him and his family by Mumbai Police (Protection 1 unit at Horniman Circle and Marol Police Headquarters)

As the said bungalow is surrounded by high buildings, Mr. Modi and his family's security is at stake. To counter this threat we want to raise the compound wall of the bungalow. A proposal in this regard has been forwarded to BMC (EEBP - Western Suburbs office) through our Architect, Mahesh Pitale and Associates

Considering the gravity of the matter, we kindly request you to give your No Objection to BMC in this regard at the earliest.

Thank you.

Yours faithfully,

Jitendra Khanvilkar
Sr. Manager (Real Estate)



GODFREY PHILLIPS INDIA LIMITED

Sirion House, III Floor, Dr. Ambedkar Road, Worli, Mumbai - 400 026
Phones : 2493 7311 / 2496 0000 Fax : 2493 2260
Website : <http://www.godfreyphillips.com>

CONFIDENTIAL

May 19, 2009

To
Mr. Deven Bharti
Addl. Commissioner of Police (Crime),
Office of the Addl. Commissioner of Police (Crime)
Mumbai

Dear Sir,

Sub: Mr. Lalit Modi and Family

I am writing this letter on behalf of Shri Lalit K Modi, who is the Executive Director of Godfrey Phillips India Ltd. Shri Lalit K Modi is currently camping in South Africa in connection with the conduct of Cricket T-20 Series of the IPL.

We are grateful to you for having provided round the clock Armed Police Guard at his residential bungalow in Mumbai, in view of the recently perceived threat to his life. And, providing the NOC for the import of a bullet-proof car.

Registered Office: Charkala Andheri - East, Mumbai - 400 099

We aim to satisfy



GODFREY PHILLIPS

INDIA LIMITED

Nirlon House, III Floor, Dr Annie Besant Road, Worli, Mumbai - 400 030
Phones : 5663 7373 / 2496 0000 Fax : 2493 2260
Website : <http://www.godfreyphillips.com>

Shri Lalit Modi's family has five cars, which is used by his wife and children. We would request for your approval to allow for hundred per cent security film to be put on all the cars windows and wind screens, so as to protect the family when they travel in the these cars


The details of the cars are as follows:

1. MH 04 BW 7878 - BLACK MERCEDES
2. MH 04 BS 800 - BLACK MERCEDES
3. MH 43 V 9592 - BLACK HONDA ACCORD
4. MH 43 V 9588 - BLACK HONDA CRV

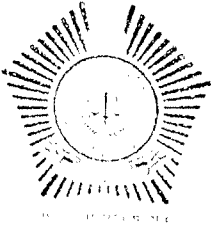
We would be grateful if you could provide the approval for the above mentioned cars at your earliest convenience.

With kind regards,

Yours sincerely,
For Godfrey Phillips India Ltd.


Authorised Signatory

Confidential



No. 307/Addl. C.P. (Crime)/09

अतिरिक्त आयुक्त (जिं), गुंडा वगैराह, मुंबई
Office of the Addl. Commissioner of Police
(Crime), Mumbai.

दुताई नं. / Tel. No. 2600960

फैक्स नं. / Fax No. 2612830

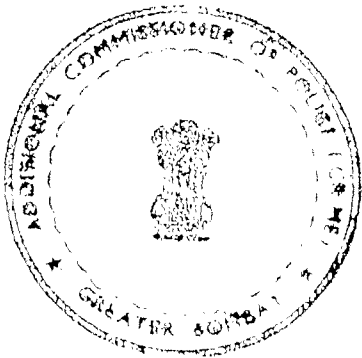
दिनांक Date 13/04/2009

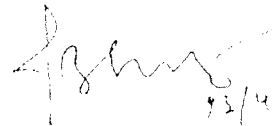
TO WHOM IT MAY REFER

This is to convey "No Objection" to M/s Godfrey Phillips India Ltd having office at Nilon House 3rd floor, Dr. A.B. Road, Worli, Mumbai 400 030 to import a 'Bullet Proof Car' for the use of Shri Lalit K. Modi being the Executive Director of the aforesaid company, subject to following conditions.

Conditions

1. The company will ensure that all taxes/duties of customs, MCGM and other departments are duly paid.
2. The company will ensure that the Bullet Proof Car, so imported will suit to all rules and regulations of Regional Transport Authority.
3. All other mandatory provisions under the prevailing laws in country, in this regard.




13/4/09

(Devan Bharti)

Addl. Commissioner of Police (Crime),
Mumbai



**GODFREY PHILLIPS
INDIA LIMITED**

Plot No. 11, Phase II, E-1, Dr. Ambedkar Road, Worli, Mumbai - 400 024
Phone: 2493 7373 / 2496 0060 Fax: 2493 2260
Website: <http://www.godfreyphillips.com>

April 9, 2009

To

CONFIDENTIAL

The Commissioner of Police,
Mumbai

Dear Sir,

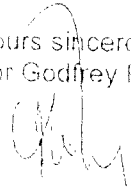
Sub: Threat to the life of Shri Lalit K Modi,
Chairman & Commissioner, IPL

I am writing this letter on behalf of Shri Lalit K Modi, who is the Executive Director of Godfrey Phillips India Ltd. Shri Lalit K Modi is currently camping in South Africa in connection with the conduct of Cricket T-20 Series of the IPL. We are grateful to you for having provided round the clock Armed Police Guard at his residential bungalow in Mumbai, in view of the recently perceived threat to his life from the underworld.

Because of the threat to his life from the underworld, our Company has decided to import an appropriate bullet proof car (which can provide protection against AK-56 rifle and B6 and B7 category of protection) for the use of Shri Lalit K Modi, while he travels by road. It is requested that NOC for importing the appropriate bullet proof car for the use of Shri Lalit K Modi may kindly be issued to us. For this act of kindness, we shall always remain indebted to you.

With kind regards,

Yours sincerely
For Godfrey Phillips India Ltd.


Authorised Signatory

Mehmood M. Abdi

M.A. LL.B.

General Counsel & Constituted Attorney of Mr. Lalit Kumar Modi

7th September, 2010

Shri. D. K. Sinha,
Assistant Director,
Directorate of Enforcement,
23-24, 2nd Floor, Mittal Chambers,
Nariman Point, Mumbai - 400 021.

Dear Sir,

Re:

Your letter dated 27/08/10 forwarding Summons
dated 24/08/2010.

1. I am in receipt of your letter dated 27/08/2010 addressed to me as General Counsel and Constituted Attorney for Mr. Lalit Kumar Modi along with the Summons dated 24/08/2010.

2. May I first express my sincere apologies for the inconvenience caused by Mr. Paresh Shah declining to accept your Summons on 25th August, 2010. This was not (and may not be regarded as) an attempt to avoid service of any process.

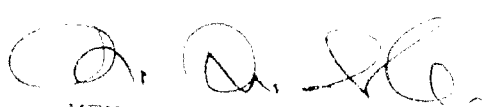
3. Mr. Paresh Shah, to whom the Summons was sought to be delivered as an employee of a Modi Group company and had not been specifically authorized by Mr. Modi to accept proceedings on his behalf. I am the Constituted Attorney of Mr. Modi and have been interacting with the Enforcement Directorate and you. As I was travelling and as Mr. Shah, as a mark of prudence, felt that the Summons be accepted by an authorized person, the Summons was not accepted by Mr. Shah.

4. You will recall that on 25th August, 2010, when you spoke to me about delivery of the Summons addressed to Mr. Modi, I had informed you that I was travelling but assured you that the Summons would be collected by a duly authorized person deputed by me. As I was in Jaipur and Jodhpur, I requested Mr. Modi's Mumbai Solicitors Wadia Ghandy & Co, to depute their associate to your office for collecting the Summons. I also spoke to your colleague Mr. Joshi. On 27th August 2010, the associate from Wadia Ghandy & Co, with an authority letter, visited your office and collected the Summons.

5. In view of the above I earnestly hope that you will not regard this as an intentional attempt/decision to avoid service of any process. Any inconvenience caused to you, is regretted.

Thanking you,

Your faithfully,


MEHMOOD M. AEDI

07/9/10
General Counsel & Constituted Attorney of Mr. Lalit Kumar Modi



By (Speed Post/Registered) AD



DIRECTORATE OF ENFORCEMENT
FOREIGN EXCHANGE MANAGEMENT ACT
PREVENTION OF MONEY LAUNDERING ACT
DEPARTMENT OF REVENUE – MINISTRY OF FINANCE
GOVERNMENT OF INDIA

Gram: ENFERA
Phone: 022-22886182
Fax : 022-22828930

2nd Floor, Mittal Chambers
Marina Point
Mumbai - 400 021

T-3/81-B/2008/PKN/AD(DKS)

SUMMONS

TO APPEAR IN PERSON

[REFER SECTION 37(1) AND (3) OF THE FOREIGN EXCHANGE MANAGEMENT ACT, 1999, READ WITH SECTION 131(1) OF THE INCOME TAX ACT, 1961 AND SECTION 30 OF THE CODE OF CIVIL PROCEDURE, 1908]

To

Shri Lalit Kumar Modi,
3rd Floor, Nirlon House,
Dr. Annie Besant Road, Worli,
Mumbai.

WHEREAS, an investigation is being conducted against you under the provisions of the Foreign Exchange Management Act, 1999 (42 of 1999)

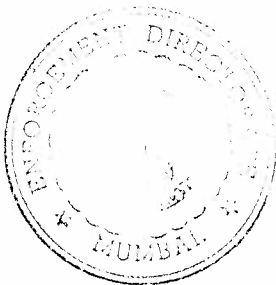
AND WHEREAS in connection with the said investigation, you are hereby summoned to appear before me in person on 7th September, 2010 at 11.00Hrs for tendering evidence and producing documents as mentioned in the Schedule below.

SCHEDULE

1. Passport for identification
2. Copies of all agreements signed by you on behalf of Cricket South Africa/IPL South Africa.
3. Copies of all agreements (not submitted so far) including those entered into with Pioneer Digadysys, Red Partners, Ticket Genie, Ireland Davenport etc.

Take notice that, in default of your appearance on the day mentioned here in before, you shall be liable to action under Section 13 of the Foreign Exchange Management Act, 1999 and/or Section 32 of the Code of Civil Procedure, 1908.

Given under my hand and the seal on this 24th day of August 2010.



(Signature)
(D.K.Sinha)
Assistant Director

FAX : 022- 22828930

To,
The Assistant Director,
Directorate of Enforcement,
23-24, 2nd Floor, Mittal Chambers,
Nariman Point, Mumbai – 21.

9th August 2010

For the attention of Mr. D. K. Sinha, Asst Director.

Subject : Reply to your Summons

Ref: - Your Summons dated 2nd August 2010: Ref No. T- 3/81-B/2008/AD(DKS)

Dear Sir,

With reference to your above referred summons I am attaching herewith reply dated 7th August, 2010 of Mr. Lalit Kumar Modi as attachment to this fax message. However, I shall deliver the hard copy along with enclosures to your good self tomorrow.

Thanking You,

Yours Sincerely,


MEHMOOD M. ABDI

General Counsel & Constituted Attorney of Mr. Lalit Kumar Modi



Lalit Kumar Modi
Chairman & Commissioner
(Suspended)

NIRLON HOUSE
DR. ANNIE BESANT ROAD
WORLI, MUMBAI-400 030
PHONE: 91-022-66637373
FAX : 91-022-24932260

To,
The Assistant Director,
Directorate of Enforcement,
23-24, 2nd Floor, Mittal Chambers,
Nariman Point, Mumbai - 21.

7th August 2010

For the attention of Mr. D. K. Sinha, Asst Director.

Subject : Reply to your Summons

Ref: - Your Summons dated 2nd August 2010: Ref No. T-3/81-B/2008/AD(DKS)

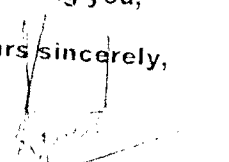
Dear Sir,

1. I am in receipt of your above-mentioned Summons. In compliance thereof, I wish to state as under.
2. I apologize for not being in a position to appear before you, in person, on 10.08.2010 at 11.00 hours. This is because of serious security concerns. There is a threat perception to my life and I have been advised to stay outside the country until this threat perception alters. Please therefore excuse my absence. My General Counsel and Constituted Attorney, Mr. Mehmood Abdi will attend on my behalf and provide all necessary information and assistance in the meantime .
3. As required in your Summons, I am submitting the following documents which may be placed on record: -
 - a. Photocopy of my Passport for your record (Annexure "1" to this letter);
 - b. Details of all my Bank Accounts in India (Annexure "2" to this letter). I do not have any foreign Bank Accounts;

- c. Photocopies of all Invitations to Tender (I.T.T.) floated by the B.C.C.I. in connection with the I.P.L. (Tab "1" of the Compilation of Documents submitted along with this letter);
 - d. Photocopies of all agreements executed by B.C.C.I. in connection with the I.P.L. which are available with me (Tab "2" of the Compilation of Documents submitted along with this letter);
 - e. Photocopies of all Minutes and Attendance Sheets of the I.P.L. Governing Council Meetings (Tab "3" of the Compilation of Documents submitted along with this letter);
4. Your Summons requires that I produce all e-mails/communications exchanged in connection with auction of Franchisees in 2008 and 2010; sale of commercial and Media Rights of I.P.L.-2. In this connection, I wish to point out the following: -
- a. At the relevant time, e-mails/communications were, typically, sent from my e-mail accounts with I.P.L./B.C.C.I. (being lkm@ipit20.com and lkm@bccci.tv). The B.C.C.I. has however blocked my access to these accounts with the result I am not able to access them;
 - b. Fortunately for me, I had retained copies of a large number of e-mails/communications for submitting them with my Reply to the Show Cause Notice issued by the B.C.C.I. Many of these pertain to auction of franchisees in 2008 and 2010 and sale of commercial/media rights of I.P.L.-2 and are available with me;
 - c. For your convenience I am therefore forwarding to you, my Reply and the voluminous documents submitted along with it to the B.C.C.I. I trust that these will be of assistance to you in your ongoing inquiry/investigation
 - d. Should I come across any more information or documents or records, I shall submit the same to you at the earliest.
5. I assure you of my full co-operation. Should you require any more information or assistance from my end, please send me directives / questionnaire and I will respond to the same.

Thanking you,

Yours sincerely,


Lalit Kumar Modi

Chairman and Commissioner IPL (suspended)

Cc- Director, Enforcement Directorate (FEMA) ,

Lok Nayak Bhawan, 6th Floor, New Delhi.

भारत सरकार Government of India.

प्रवर्तक निदेशालय

DIRECTORATE OF ENFORCEMENT

दूरभाष Tel: 22886182

फैक्स Fax: 22828930

23-24, दुसरा तल, मिटल चेंबरस, नारीमन पॉइंट, मुंबई- 21

23-24, 2nd Floor, Mittal Chambers,
Nariman Point, Mumbai-400 021.

F-3/81-B/2008/AD(DKS) 14137

SUMMONS

TO APPEAR IN PERSON

REFER SECTION 37(1) AND (3) OF THE FOREIGN EXCHANGE MANAGEMENT ACT, 1999, READ WITH SECTION 131(1) OF THE INCOME TAX ACT, 1961 AND SECTION 30 OF THE CODE OF CIVIL PROCEDURE, 1908.

To

Shri Lalit Kumar Modi,
3rd Floor, Nirlon House,
Dr. Annie Besant Road, Worli,
Mumbai.

WHEREAS, an investigation is being conducted against you under the provisions of the Foreign Exchange Management Act, 1999 (42 of 1999).

AND WHEREAS in connection with the said investigation, you are hereby summoned to appear before me in person on **10.08.2010** at **11.00Hrs** to tender evidence in respect of various agreements executed by the BCCI-IPL, alongwith the documents listed in the Schedule below:-

SCHEDULE

1. Passport in original for verification.
2. Details of all bank accounts in India and abroad.
3. Copies of all Invitations to Tender (ITT) floated by the BCCI in connection with IPL.
4. Copies of all Agreements executed by the BCCI in connection with IPL.
5. Copies of all minutes and attendance sheets of the IPL Governing Council meetings.
6. Copies of all e-mails/communications exchanged in connection with auction of Franchises in 2008 & 2010, sale of commercial & Media Rights and IPL-2.

Take notice that, in default of your appearance on the day mentioned here-in-before, you shall be liable to action under Section 13 of the Foreign Exchange Management Act, 1999 and/or Section 32 of the Code of Civil Procedure, 1908.

Given under my hand and the seal on this 2nd day of August 2010.

* MODI ENTERPRISES *
Nirlon House 3rd Fl. Dr. A. B. Road
Worli, Mumbai-400 032.

(D. K. SINHA)
ASSISTANT DIRECTOR