



বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন

সিকিউরিটিজ কমিশন ভবন, ই-৬/সি আগারগাঁও, শের-ই-বাংলা নগর প্রশাসনিক এলাকা, ঢাকা-১২০৭, বাংলাদেশ।

নং-বিএসইসি/এনফোর্সমেন্ট/২৬২৮/২০১৮/১১৭

তারিখঃ ২৪ মার্চ, ২০১৯ ইং

আদেশ

যেহেতু, as per section 2 (cc) of the Securities and Exchange Ordinance, 1969 Commission means Bangladesh Securities and Exchange Commission constituted under the Bangladesh Securities and Exchange Act, 1993;

Whereas, As per section 17(e) (v) of the Securities and Exchange Ordinance, 1969 “No person shall, for the purpose of inducing dissuading, effecting, preventing or in any manner influencing or turning to his advantage, the sale or purchase of any security, directly or indirectly,-

(e) do any act or practice or engage in a course of business, or omit to do any act which operates or would operate as fraud, deceit or manipulation upon any person, in particular-

(v) directly or indirectly effect a series of transaction in any security creating the appearance of active trading therein or of raising of price for the purpose of inducing its purpose by others or depressing its price for the purpose of inducing its sale by others; ”

Mentionable that As per enquiry order no. BSEC/Surveillance/2018-911/30, dated-August 16, 2018. The enquiry team of BSEC conducts the enquiry on recent unusual movement of price and volume of shares of the Bangladesh Autocars Limited and Legacy Footwear Ltd. in the stock exchanges in favor of its Clients and other related parties. From the enquiry report it appears, among others, that:

The following persons/group of persons and institution was involved in manipulative transactions (Data taken from the transaction ledgers, instrument ledgers and the Instant Watch Market Surveillance System).

1) Mr. Abdul Quaium and his associates:

SL.	BO ID	Name	Name of the DP	Relationship
1	1203000043601247	ABDUL QUAUIM	Commerce Bank Securities And Investment Ltd.	Own account
2	1203000064850215	ABDUL QUAUIM	Commerce Bank Securities And Investment Ltd.	Own account
3	1203000058756223	QUAIUM & SONS	Commerce Bank Securities And Investment Ltd.	Own business account
4	1203000045795679	MORIUM NESSA	Commerce Bank Securities And Investment Ltd.	Spouse's account

BDAUTOCA at DSE (public market):

a) Individual trade patterns (Mr. Abdul Quaium and his associates):

Date	1				2				3				4				Total			
	120300064850215				120300043601247				120300045795679				120300058756223							
	ABDUL QUAIMUM				ABDUL QUAIMUM				MORIUM NESSA				QUAIUM & SONS							
	Commerce Bank Securities And Investment Ltd.				Commerce Bank Securities And Investment Ltd.				Commerce Bank Securities And Investment Ltd.				Commerce Bank Securities And Investment Ltd.							
	BQ	BR	SQ	SR	BQ	BR	SQ	SR	BQ	BR	SQ	SR	BQ	BR	SQ	SR	BQ	BR	SQ	SR
4-Jun-18	153,598	128.29	-	-	-	-	-	-	-	-	-	-	-	-	-	-	153,598	128.29	-	-
5-Jun-18	151,402	141.97	-	-	-	-	83	144.00	1,000	142.92	-	-	-	-	-	-	152,402	141.98	83	144.00
6-Jun-18	17,000	151.25	-	-	-	-	-	-	11,000	155.85	-	-	10,108	157.58	-	-	38,108	154.26	-	-
7-Jun-18	-	-	-	-	-	-	-	-	-	-	1,000	173.30	13,000	169.00	-	-	13,000	169.00	1,000	173.30
11-Jun-18	2,420	174.90	322,000	179.08	-	-	-	-	-	-	11,000	173.27	-	-	-	-	2,420	174.90	333,000	178.89
12-Jun-18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	23,108	176.82	-	-	23,108	176.82
18-Jun-18	-	-	-	-	-	-	-	-	50,000	194.90	-	-	-	-	-	-	50,000	194.90	-	-
19-Jun-18	106,581	217.64	-	-	24,000	213.24	-	-	4,200	214.44	-	-	160	218.20	-	-	134,941	216.75	-	-
20-Jun-18	-	-	-	-	-	-	-	-	-	-	-	-	18,000	236.21	-	-	18,000	236.21	-	-
24-Jun-18	-	-	300	273.61	-	-	-	-	-	-	-	-	-	-	-	-	-	-	300	273.61
25-Jun-18	-	-	-	-	-	-	24,000	285.60	-	-	256	285.00	-	-	-	-	-	-	24,256	285.59
26-Jun-18	-	-	-	-	20,000	309.72	-	-	-	-	-	-	-	-	-	-	20,000	309.72	-	-
3-Jul-18	-	-	275	397.80	-	-	-	-	10,800	391.63	-	-	-	-	-	-	10,800	391.63	275	397.80
5-Jul-18	-	-	-	-	-	-	-	-	1,200	446.74	-	-	-	-	-	-	1,200	446.74	-	-
8-Jul-18	-	-	74,425	417.36	-	-	-	-	-	-	-	-	-	-	-	-	-	-	74,425	417.36
10-Jul-18	-	-	8,584	420.85	-	-	-	-	-	-	-	-	-	-	-	-	-	-	8,584	420.85
11-Jul-18	-	-	1,808	414.07	-	-	-	-	-	-	-	-	-	-	-	-	-	-	1,808	414.07
12-Jul-18	-	-	10,701	348.06	-	-	-	-	-	-	-	-	-	-	-	-	-	-	10,701	348.06
15-Jul-18	-	-	27,000	370.10	-	-	-	-	-	-	-	-	-	-	5,400	370.10	-	-	32,400	370.10
16-Jul-18	-	-	-	-	-	-	105	382.00	-	-	-	-	-	-	-	-	-	-	105	382.00
17-Jul-18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	6,000	344.10	-	-	6,000	344.10
18-Jul-18	-	-	-	-	-	-	4,387	346.50	-	-	1,000	353.00	-	-	6,700	345.87	-	-	12,087	346.69
26-Jul-18	-	-	-	-	2,850	326.05	-	-	-	-	-	-	-	-	-	-	2,850	326.05	-	-
29-Jul-18	41,500	325.15	-	-	300	320.90	-	-	500	321.00	-	-	-	-	-	-	42,300	325.07	-	-
30-Jul-18	28,952	352.58	-	-	-	-	-	-	-	-	-	-	-	-	-	-	28,952	352.58	-	-
31-Jul-18	69,000	382.08	-	-	-	-	-	-	-	-	-	-	-	-	-	-	69,000	382.08	-	-
1-Aug-18	777	407.30	-	-	3,290	405.71	-	-	-	-	-	-	-	-	-	-	4,067	406.01	-	-
2-Aug-18	-	-	-	-	35,000	400.12	-	-	-	-	-	-	-	-	-	-	35,000	400.12	-	-
5-Aug-18	3,260	385.00	-	-	-	-	-	-	-	-	-	-	-	-	-	-	3,260	385.00	-	-
6-Aug-18	75,159	409.32	-	-	71,824	411.03	-	-	-	-	-	-	-	-	-	-	146,983	410.16	-	-
7-Aug-18	-	-	13,870	422.33	-	-	-	-	-	-	-	-	-	-	-	-	-	-	13,870	422.33
8-Aug-18	-	-	62,309	428.62	-	-	15,105	421.50	-	-	500	430.30	-	-	-	-	-	-	77,914	427.25
9-Aug-18	-	-	19,027	431.15	-	-	-	-	-	-	-	-	-	-	-	-	-	-	19,027	431.15
12-Aug-18	-	-	8,585	458.14	-	-	20,210	455.41	-	-	-	-	-	-	-	-	-	-	28,795	456.22
13-Aug-18	-	-	-	-	-	-	-	-	7,648	454.11	-	-	-	-	-	-	7,648	454.11	-	-
14-Aug-18	-	-	6,027	463.40	8,318	452.87	49	463.40	2,400	462.60	-	-	-	-	-	-	10,718	455.05	6,076	463.40
16-Aug-18	-	-	-	-	55,588	462.47	-	-	-	-	-	-	-	-	-	-	55,588	462.47	-	-
Total	649,649	230.57	554,911	278.41	221,170	391.88	63,939	375.67	88,748	248.03	13,756	197.76	41,268	195.71	41,208	253.99	1,000,835	266.33	673,814	284.50

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ned effects-BDAUTOCA at DSE (public market) by Mr. Abdul Quaium and his associates

ng balance:83 shares

Buy		Sale		Cost of shares sold		Stock position			Comparison with the market						
Price	Amount	Qty	Price	Amount	Price (W.Avg)	Amount	Qty	Price (W.Avg)	Amount	Mkt trade Qty (DSE- Public market)	Mkt price (DSE- Public market)	Market price changed by	Client Buy (%)	Client sale (%)	Client Trade (%)
2	3 (1*2)	4	5	6 (4*5)	7	8 (4*7)	9 (9+1-4)	10	11 (9*10)	12	13	14	15 (1/12)	16 (4/12)	17 (15+16)
128.29	19,705,174	-	-	-	-	-	153,681	128.29	19,715,068	333,140	127.68	0.00%	46.11%	0.00%	46.11%
141.98	21,637,432	83	144.00	11,952	135.10	11,213	306,000	135.10	41,341,286	757,569	141.83	11.08%	20.12%	0.01%	20.13%
154.26	5,878,533	-	-	-	137.22	-	344,108	137.22	47,219,819	331,360	151.77	7.01%	11.50%	0.00%	11.50%
169.00	2,197,022	1,000	173.30	173,300	138.38	138,381	356,108	138.38	49,278,459	449,782	166.64	9.79%	2.89%	0.22%	3.11%
174.90	423,258	333,000	178.89	59,570,330	138.63	46,162,843	25,528	138.63	3,538,874	536,859	178.44	-0.94%	0.45%	62.03%	62.48%
-	-	23,108	176.82	4,086,042	138.63	3,203,396	2,420	138.63	335,478	173,246	179.60	0.65%	0.00%	13.34%	13.34%
194.90	9,744,922	-	-	-	-	-	52,420	192.30	10,080,400	222,858	189.74	0.00%	22.44%	0.00%	22.44%
216.75	29,249,121	-	-	-	-	-	187,361	209.91	39,329,521	393,633	215.79	13.73%	34.28%	0.00%	34.28%
236.21	4,251,729	-	-	-	-	-	205,361	212.22	43,581,250	126,551	233.39	8.16%	14.22%	0.00%	14.22%
-	-	300	273.61	82,083	212.22	63,665	205,061	212.22	43,517,584	155,544	256.02	0.00%	0.00%	0.19%	0.19%
-	-	24,256	285.59	6,927,360	212.22	5,147,554	180,805	212.22	38,370,031	169,678	284.13	10.98%	0.00%	14.30%	14.30%
309.72	6,194,433	-	-	-	-	-	200,805	221.93	44,564,464	94,646	308.95	8.74%	21.13%	0.00%	21.13%
391.63	4,229,568	275	397.80	109,395	230.59	63,412	211,330	230.59	48,730,619	201,652	396.22	-0.72%	5.36%	0.14%	5.49%
446.74	536,083	-	-	-	-	-	212,530	231.81	49,266,702	152,964	451.12	6.42%	0.78%	0.00%	0.78%
-	-	74,425	417.36	31,061,905	231.81	17,252,502	138,105	231.81	32,014,200	225,286	439.59	0.00%	0.00%	33.04%	33.04%
-	-	8,584	420.85	3,612,580	231.81	1,989,862	129,521	231.81	30,024,338	130,339	403.66	-1.42%	0.00%	6.59%	6.59%
-	-	1,808	414.07	748,632	231.81	419,114	127,713	231.81	29,605,225	127,518	397.02	-1.65%	0.00%	1.42%	1.42%
-	-	10,701	348.06	3,724,604	231.81	2,480,605	117,012	231.81	27,124,620	139,949	345.70	-12.93%	0.00%	7.65%	7.65%
-	-	32,400	370.10	11,991,240	231.81	7,510,663	84,612	231.81	19,613,957	293,297	369.19	0.00%	0.00%	11.05%	11.05%
-	-	105	382.00	40,110	231.81	24,340	84,507	231.81	19,589,617	110,091	357.91	-3.06%	0.00%	0.10%	0.10%
-	-	6,000	344.10	2,064,600	231.81	1,390,863	78,507	231.81	18,198,753	246,168	328.15	-8.31%	0.00%	2.44%	2.44%
-	-	12,087	346.69	4,190,435	231.81	2,801,894	66,420	231.81	15,396,859	172,684	343.19	4.58%	0.00%	7.00%	7.00%
326.05	929,247	-	-	-	-	-	69,270	235.69	16,326,106	138,377	318.25	-3.74%	2.06%	0.00%	2.06%
325.07	13,750,355	-	-	-	-	-	111,570	269.57	30,076,460	106,458	322.94	0.00%	39.73%	0.00%	39.73%
352.58	10,207,889	-	-	-	-	-	140,522	286.68	40,284,350	229,802	346.98	7.44%	12.60%	0.00%	12.60%
382.08	26,363,193	-	-	-	-	-	209,522	318.09	66,647,543	287,276	380.99	9.80%	24.02%	0.00%	24.02%
406.01	1,651,242	-	-	-	-	-	213,589	319.77	68,298,785	221,693	401.29	5.33%	1.83%	0.00%	1.83%
400.12	14,004,176	-	-	-	-	-	248,589	331.08	82,302,961	157,976	402.27	0.25%	22.16%	0.00%	22.16%
385.00	1,255,100	-	-	-	-	-	251,849	331.78	83,558,061	117,111	403.64	0.00%	2.78%	0.00%	2.78%
410.16	60,286,265	-	-	-	-	-	398,832	360.66	143,844,326	226,549	409.96	1.57%	64.88%	0.00%	64.88%
-	-	13,870	422.33	5,857,769	360.66	5,002,409	384,962	360.66	138,841,917	125,562	421.65	2.85%	0.00%	11.05%	11.05%
-	-	77,914	427.25	33,288,552	360.66	28,100,771	307,048	360.66	110,741,145	187,215	425.18	0.84%	0.00%	41.62%	41.62%
-	-	19,027	431.15	8,203,413	360.66	6,862,353	288,021	360.66	103,878,792	165,364	425.07	-0.02%	0.00%	11.51%	11.51%
-	-	28,795	456.22	13,136,935	360.66	10,385,319	259,226	360.66	93,493,474	182,109	451.18	0.00%	0.00%	15.81%	15.81%
454.11	3,473,012	-	-	-	-	-	266,874	363.34	96,966,485	165,159	448.03	-0.70%	4.63%	0.00%	4.63%
455.05	4,877,205	6,076	463.40	2,815,618	366.88	2,229,179	271,516	366.88	99,614,511	114,246	459.82	2.63%	9.38%	5.32%	14.70%
462.47	25,707,553	-	-	-	-	-	327,104	383.13	125,322,064	155,955	454.42	0.00%	35.64%	0.00%	35.64%
266.33	266,552,510	673,814	284.50	191,696,854	209.61	141,240,340	327,104	383.13	125,322,064	8,125,666	296.11	131.93%	12.32%	8.29%	20.61%

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বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন

সিকিউরিটিজ কমিশন ভবন, ই-৬/সি আগারগাঁও, শের-ই-বাংলা নগর প্রশাসনিক এলাকা, ঢাকা-১২০৭, বাংলাদেশ।

b) Gain/loss by Mr. Abdul Quaium and his associates from the trading of BDAUTOCA at DSE (Public +Block) :

Buy			Sale			Cost of shares sold		Stock position		
Qty	Price	Amount	Qty	Price	Amount	Price (W.Avg)	Amount	Qty	Price (W.Avg)	Amount
1,128,577	256.62	289,609,941	1,054,646	318.90	336,321,892	242.85	256,118,003	74,014	452.64	33,501,832

Realized capital gain/(loss) per unit	76.05
Realized capital gain/(loss) %	31.32%
Realized capital gain (loss) Tk.	80,203,889
Closing price at DSE- 16-Aug-2018	436.00
Unrealized gain (loss) per unit	(16.64)
Unrealized gain/(loss) %	-3.68%
Unrealized gain (loss) Tk.	(1,231,728)

Findings: It is observed that Mr. Abdul Quaium and his associates effected manipulative transactions. They effected a series of transactions through the aforesaid 4 (four) BO accounts in the shares of **BDAUTOCA** creating the appearance of active trading therein.

Contraventions: It appears that Mr. Abdul Quaium and his associates have violated section 17 (e) (v) of Securities and Exchange Ordinance, 1969 by directly or indirectly effecting a series of transactions in the shares of **BDAUTOCA** creating the appearance of active trading therein.

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i) LEGACYFOOT at DSE (public market):

a) Individual Trade patterns (Mr. Abdul Quaium and his associates):

Date	1				2				3				Total			
	1203000064850215				1203000043601247				1203000045795679							
	ABDUL QUAUUM				ABDUL QUAUUM				MORIUM NESSA							
	Commerce Bank Securities And Investment Ltd.				Commerce Bank Securities And Investment Ltd.				Commerce Bank Securities And Investment Ltd.							
	BQ	BR	SQ	SR	BQ	BR	SQ	SR	BQ	BR	SQ	SR	BQ	BR	SQ	SR
3-Jun-18	-	-	-	-	60,871	90.41	-	-	-	-	-	-	60,871	90.41	-	-
4-Jun-18	-	-	-	-	-	-	-	-	30,000	86.40	-	-	30,000	86.40	-	-
5-Jun-18	-	-	-	-	6,000	86.40	-	-	-	-	-	-	6,000	86.40	-	-
6-Jun-18	-	-	-	-	-	-	101,500	84.76	-	-	20,000	87.25	-	-	121,500	85.17
10-Jun-18	-	-	-	-	-	-	-	-	-	-	10,777	94.08	-	-	10,777	94.08
11-Jun-18	-	-	-	-	-	-	-	-	-	-	20,000	92.05	-	-	20,000	92.05
12-Jun-18	-	-	-	-	-	-	130,666	87.78	-	-	172,618	88.28	-	-	303,284	88.06
18-Jun-18	-	-	-	-	-	-	141,000	89.72	-	-	169,000	88.69	-	-	310,000	89.16
3-Jul-18	163,469	90.06	-	-	205,000	91.00	-	-	-	-	-	-	368,469	90.58	-	-
4-Jul-18	200,000	98.29	-	-	4,000	99.19	-	-	200,000	98.68	-	-	404,000	98.49	-	-
11-Jul-18	-	-	648	160.20	-	-	-	-	-	-	-	-	-	-	648	160.20
12-Jul-18	288,000	150.45	-	-	-	-	-	-	-	-	-	-	288,000	150.45	-	-
15-Jul-18	79,216	158.76	-	-	-	-	-	-	-	-	-	-	79,216	158.76	-	-
17-Jul-18	-	-	159,104	184.80	-	-	-	-	-	-	-	-	-	-	159,104	184.80
19-Jul-18	47,000	190.23	-	-	23,000	190.85	-	-	12,000	190.10	-	-	82,000	190.39	-	-
22-Jul-18	50,000	198.81	-	-	-	-	-	-	-	-	-	-	50,000	198.81	-	-
30-Jul-18	-	-	76,761	217.30	-	-	-	-	-	-	-	-	-	-	76,761	217.30
31-Jul-18	-	-	27,325	226.90	-	-	-	-	-	-	-	-	-	-	27,325	226.90
1-Aug-18	-	-	-	-	13,020	213.16	-	-	-	-	-	-	13,020	213.16	-	-
2-Aug-18	-	-	83,700	229.10	-	-	-	-	-	-	-	-	-	-	83,700	229.10
5-Aug-18	9,628	217.39	5,122	234.10	-	-	-	-	-	-	-	-	9,628	217.39	5,122	234.10
6-Aug-18	-	-	36,785	211.59	-	-	73,678	216.09	-	-	-	-	-	-	110,463	214.59
7-Aug-18	71,745	228.75	-	-	-	-	45,000	226.00	-	-	-	-	71,745	228.75	45,000	226.00
8-Aug-18	235,000	243.60	-	-	68,000	239.55	-	-	89,493	241.76	-	-	392,493	242.48	-	-
9-Aug-18	33,900	250.20	-	-	-	-	-	-	-	-	-	-	33,900	250.20	-	-
14-Aug-18	24,158	277.22	-	-	10,033	269.88	-	-	-	-	4,000	278.60	34,191	275.07	4,000	278.60
Total	1,202,116	166.45	389,445	206.82	389,924	131.40	491,844	119.58	331,493	139.51	396,395	90.67	1,923,533	154.70	1,277,684	137.20

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Combined effects-LEGACYFOOT at DSE (public market) by Mr. Abdul Quaium and his associates:

Opening balance: 6,11,124 shares

Amount	Sale			Cost of shares sold		Stock position			Comparison with the market					
	Qty	Price	Amount	Price (W.Avg)	Amount	Qty	Price (W.Avg)	Amount	Mkt trade Qty (DSE- Public market)	Mkt price (DSE Normal)	Market price changed by	Client Buy (%)	Client sale (%)	Client Trade (%)
(1*2)	4	5	6 (4*5)	7	8 (4*7)	9 (9+1-4)	10	11 (9*10)	12	13	14	15 (1/12)	16 (4/12)	17 (15+16)
303,260	-	-	-	-	-	671,995	91.49	61,482,219	1,240,719	91.11	0.00%	4.91%	0.00%	4.91%
592,000	-	-	-	-	-	701,995	91.27	64,074,219	1,173,740	89.67	-1.58%	2.56%	0.00%	2.56%
18,400	-	-	-	-	-	707,995	91.23	64,592,619	764,268	85.22	-4.97%	0.79%	0.00%	0.79%
-	121,500	85.17	10,347,939	91.23	11,084,828	586,495	91.23	53,507,790	829,374	85.54	0.38%	0.00%	14.65%	14.65%
-	10,777	94.08	1,013,948	91.23	983,220	575,718	91.23	52,524,570	1,063,379	93.32	0.00%	0.00%	1.01%	1.01%
-	20,000	92.05	1,841,052	91.23	1,824,663	555,718	91.23	50,699,907	1,140,091	89.82	-3.76%	0.00%	1.75%	1.75%
-	303,284	88.06	26,708,137	91.23	27,669,557	252,434	91.23	23,030,351	851,237	88.03	-1.99%	0.00%	35.63%	35.63%
-	252,434	89.16	22,506,652	91.23	23,030,351	-	91.23	-	1,269,590	90.94	0.00%	0.00%	24.42%	24.42%
376,379	-	-	-	-	-	368,469	90.58	33,376,379	1,934,996	90.45	13.31%	19.04%	0.00%	19.04%
790,827	-	-	-	-	-	772,469	94.72	73,167,206	1,967,708	98.74	9.16%	20.53%	0.00%	20.53%
-	648	160.20	103,810	94.72	61,378	771,821	94.72	73,105,828	1,595,286	159.68	9.69%	0.00%	0.04%	0.04%
328,899	-	-	-	-	-	1,059,821	109.86	116,434,728	1,519,404	151.27	-5.27%	18.95%	0.00%	18.95%
576,608	-	-	-	-	-	1,139,037	113.26	129,011,336	539,183	163.00	0.00%	14.69%	0.00%	14.69%
-	159,104	184.80	29,402,419	113.26	18,020,679	979,933	113.26	110,990,658	843,974	177.68	-0.26%	0.00%	18.85%	18.85%
611,728	-	-	-	-	-	1,061,933	119.22	126,602,385	1,144,625	194.07	1.72%	7.16%	0.00%	7.16%
940,695	-	-	-	-	-	1,111,933	122.80	136,543,080	701,403	202.40	0.00%	7.13%	0.00%	7.13%
-	76,761	217.30	16,680,165	122.80	9,426,093	1,035,172	122.80	127,116,987	649,338	215.78	12.09%	0.00%	11.82%	11.82%
-	27,325	226.90	6,200,100	122.80	3,355,454	1,007,847	122.80	123,761,534	667,168	221.00	2.42%	0.00%	4.10%	4.10%
775,392	-	-	-	-	-	1,020,867	123.95	126,536,926	389,201	212.82	-3.70%	3.35%	0.00%	3.35%
-	83,700	229.10	19,175,832	123.95	10,374,653	937,167	123.95	116,162,273	663,795	226.33	6.35%	0.00%	12.61%	12.61%
093,066	5,122	234.10	1,199,064	124.90	639,741	941,673	124.90	117,615,598	423,375	226.94	0.00%	2.27%	1.21%	3.48%
-	110,463	214.59	23,704,562	124.90	13,796,904	831,210	124.90	103,818,694	521,152	213.62	-5.87%	0.00%	21.20%	21.20%
411,936	45,000	226.00	10,170,000	133.15	5,991,858	857,955	133.15	114,238,771	529,882	225.56	5.59%	13.54%	8.49%	22.03%
170,314	-	-	-	-	-	1,250,448	167.47	209,409,085	936,978	243.29	7.86%	41.89%	0.00%	41.89%
481,843	-	-	-	-	-	1,284,348	169.65	217,890,928	567,698	254.93	4.79%	5.97%	0.00%	5.97%
404,748	4,000	278.60	1,114,400	172.38	689,538	1,314,539	172.38	226,606,138	380,028	275.33	1.49%	9.00%	1.05%	10.05%
7,576,095	1,220,118	137.20	167,402,422	104.05	126,948,915	1,314,539	172.38	226,606,138	24,307,592	145.10	59.25%	7.91%	5.26%	13.17%

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বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন

সিকিউরিটিজ কমিশন ভবন, ই-৬/সি আগারগাঁও, শের-ই-বাংলা নগর প্রশাসনিক এলাকা, ঢাকা-১২০৭, বাংলাদেশ।

c) Gain/loss by Mr. Abdul Quaium and his associates from the trading of LEGACYFOOT at DSE(Public + Block):

Buy			Sale			Cost of shares sold		Stock position		
Qty	Price	Amount	Qty	Price	Amount	Price (W.Avg)	Amount	Qty	Price (W.Avg)	Amount
2,223,533	161.49	359,076,095	2,230,124	140.46	313,252,715	122.01	272,096,151	604,533	236.48	142,958,902

Realized capital gain/(loss) per unit	18.45
Realized capital gain/(loss) %	15.13%
Realized capital gain (loss) Tk.	41,156,564
Closing price at DSE- 14-Aug-2018	271.10
Unrealized gain (loss) per unit	34.62
Unrealized gain/(loss) %	14.64%
Unrealized gain (loss) Tk.	20,929,994

Findings: It is observed that Mr. Abdul Quaium and his associates effected manipulative transactions. They effected a series of transactions through the aforesaid 3 (three) BO accounts in the shares of LEGACYFOOT creating the appearance of active trading therein.

Contraventions: It appears that Mr. Abdul Quaium and his associates have violated section 17 (e) (v) of Securities and Exchange Ordinance, 1969 by directly or indirectly effecting a series of transactions in the shares of LEGACYFOOT creating the appearance of active trading therein.

যেহেতু, জনাব আবদুল কাইয়ুম অ্যান্ড এসোসিয়েটস্ (জনাব আবদুল কাইয়ুম, বিওআইডি : ১২০৩০০০০৪৩৬০১২৪৭, ১২০৩০০০০৬৪৮৫০২১৫, কাইয়ুম অ্যান্ড সনস্, বিওআইডি: ১২০৩০০০০৫৮৭৫৬২২৩, মরিউম নেসা, বিওআইডি: ১২০৩০০০০৪৫৭৯৫৬৭৯) কে উপরোক্ত ব্যর্থতার জন্য কমিশন কর্তৃক ৩১ অক্টোবর ২০১৮ ইং তারিখের নং বিএসইসি/এনফোর্সমেন্ট/২৬২৮/ ২০১৮/৪৬৩ নম্বর স্মারকমূলে জনাব আবদুল কাইয়ুম অ্যান্ড এসোসিয়েটস্-কে নির্ধারিত তারিখে উপরোক্ত ব্যর্থতার কারণ প্রদর্শনসহ শুনানীতে উপস্থিত হতে বলা হয় এবং জনাব আবদুল কাইয়ুম অ্যান্ড এসোসিয়েটস্ উক্ত শুনানীতে ১২ নভেম্বর, ২০১৮ তে উপস্থিত হয়ে তার নিম্ন লিখিত বক্তব্য দাখিল করেন;

“Please refer to your letter no SEC/Enforcement/2621/2018/444 AND SEC/Enforcement/2621/2018/463, dated 24 October, 2018 AND 31 October, 2018 on the captioned subject.

In the above referred letter, BSEC has provided trade description of share transaction of the shares of (1) LEGACYFOOT (09 May to 04 July, 2018), (2) BDAUTOCA (04 June to 19 June, 2018), (3) QUEENSOUTH (30 April to 07 May, 2018), (4) AIL (29 May to 03 June, 2018), (5) MONNOCERA, (6) EASTRN LUB. Therefore, we (BO ID: 1203000043601247, 1203000064850215, 1203000045795679 and 1203000058756223) have been accused of being directly involved in a series of transaction in the shares of the aforementioned companies.



বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন

সিকিউরিটিজ কমিশন ভবন, ই-৬/সি আগারগাঁও, শের-ই-বাংলা নগর প্রশাসনিক এলাকা, ঢাকা-১২০৭, বাংলাদেশ।

Before my explanation, I would like to draw your kind attention to my investment position in capital market from the date of account opening till 31/12/2017:

Capital Gain/(Loss) in my reported portfolios from opening date to 31/12/2017 is as under:

Sl.	Code No.	Account open date	Net Investment Size	Total Capital Gain/ (Loss) up to 31.12.2017	ROI (Cumulative)	Investment Duration ; about
1	2	3	4	5=4/3	6	
1	7813	10/07/2011	4,56,77,600	(11,691,572)	(25.60%)	6.5 years
4	*25928	15/04/2018	-	-	-	-
2	8354	30/10/2012	2,78,12,175	(8,287,823)	(29.80%)	5.2 years
3	22022	08/07/2015	8,065,000	(3,050,097)	(37.82%)	2.5 years
Total			8,15,54,775	(2,30,29,495)	(28.24%)	

* Code no. 25928 was opened on 15/04/2018.

From above table, it is very clear that I had invested a cumulative amount of about **Tk. 8.15** crore for time period ranging from 2.5 years to long 6.5 years where I have managed to earn a net capital loss of **Tk. 2.30 crore (loss of 28.24% of capital)**. If anyone considers the effect of inflation, the return would be further negative. I had investment that money taking fund from my business from bank loan and certainly it had operating costs.

In last 6 to 7 years I have obtained nothing from the market. Not a single penny could I take from the market as capital gain. I was living in a hardship and a very tough life for such long period. During this long 6 to 7 years, I have tried to learn the stock business with sincerity and dedication. I attended multiple seminars, training courses, had a few visits to the market experts who had sufficient knowledge and expertise in the market of different organizations. And finally, during 2018, I was fortunate to be amongst the few profitable investors of this highly volatile stock market of our country. However, I solemnly declare that I never involved in any activity to intentionally abuse the price or volume of the stocks under report.

EXPLANATION AGAINST THE ALLEGED VIOLATION OF SECTION 17(e) (ii), 17 (e) (iii) and 17 (e) (v) herein under reads below:

17 (ii) create a false and misleading appearance of active trading in any security;

17 (iii) effect any transaction in such security which involves no change in its beneficial ownership;

17 (v) directly or indirectly effect a series of transactions in any security creating the appearance of active trading therein or of raising of price for the purpose of inducing its purchase by others or depressing its price for the purpose of inducing its sale by others;

- 1. Explanation of alleged violation of section 17 (ii) AND 17 (v) of SEC Ordinance 1969 of creating a false and misleading appearance of active trading in any security; AND directly or indirectly effect a series of transactions in any security creating the appearance of active trading therein or of raising of price for the purpose of inducing its purchase by others or depressing its price for the purpose of inducing its sale by others;**



বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন

সিকিউরিটিজ কমিশন ভবন, ই-৬/সি আগারগাঁও, শের-ই-বাংলা নগর প্রশাসনিক এলাকা, ঢাকা-১২০৭, বাংলাদেশ।

I also solemnly declare you that I did not buy or sell shares under report for the purpose of inducing, dissuading, effecting, preventing or in any manner influencing or turning to his advantage, the sale or purchase of any security, directly or indirectly.

Again, I did not do any act or practice or engage in a course of business or omit to do any act which operates or would operate as a fraud, direct or manipulation upon any person, in particular-

During 01/01/2017 to 31/10/2018 I have transacted about 65 to 70 stocks. In most of the stocks I have suffered huge realized loss. Some of the biggest losses is given hereunder :

Sl.	Instrument	Realized Loss
1	LHBL	(9,169,677.07)
2	RFL	(5,476,340.19)
3	KDS	(13,282,665.45)
4	NLIFE	(735,679.34)
6	BPML	(3,517,843.54)
7	BERGERPBL	(1,131,492.72)
8	POPULARLIF	(2,045,711.61)
	Total Loss	(35,359,409.92)

From above, it might be observed that I suffered capital loss of Tk. 3.53 crore during 01/01/2017 to 31/12/2018.

Again, I did not commit anything directly or indirectly effect a series of transactions in any security creating the appearance of active trading therein or raising of price for the purpose of inducing its purchase by others or depressing its price for the purpose of inducing its sale by others.

I simply followed the generally accepted principle in the trading of stocks and securities – "buy low, sell high". It may also be noted I never maintained only one way traffic for a long time. I have played an active role as both buyers and sellers of shares of reported stocks. By doing so, neither did BCB manipulate the share prices of the stocks under investigation and jeopardized the interest of the investors, nor has it violated Section 17 (e)(ii) of the SEC Ordinance, 1969.

2. Explanation of alleged violation of section 17 (iii) effect any transaction in such security which involves no change in its beneficial ownership;

I participate in stock trading through my stock brokers over telephone in most of the times. Sometimes, I could not the real time price movement of the stocks I order to purchase or sale. There were instances where I placed my orders of sale at higher rate and orders of buy at a lower rate. During trading session I might have requested my AR to modify my orders and sale or buy a share instantly which might have resulted the unintended violation of the aforesaid rule. I was absolutely in no intention to violate any rules of the regulators. Hence, I request you to withdraw the allegation brought against my BO accounts.



বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন

সিকিউরিটিজ কমিশন ভবন, ই-৬/সি আগারগাঁও, শের-ই-বাংলা নগর প্রশাসনিক এলাকা, ঢাকা-১২০৭, বাংলাদেশ।

Under the above circumstances, I/we humbly submit that I/we have not acted contrary to Section 17 of the SEC Ordinance, 1969.

Therefore, we humbly request you to kindly accept our explanation and withdraw allegations of being in violation of Section 17 (e) (ii), (iii) and (v) of the SEC Ordinance, 1969. ”

Mr. Abdul Quaium and his associates (MORIUM NESSA, Spouse of Abdul Quaium, QUAIMUM & SON) এর লিখিত বক্তব্য কমিশনের বিচেনায় গ্রহণযোগ্য হয়নি।

যেহেতু, Mr. Abdul Quaium and his associates এর লিখিত বক্তব্য কমিশনের বিবেচনায় গ্রহণযোগ্য হয়নি, যা সিকিউরিটিজ আইন পরিপালনে ব্যর্থতা বিধায় section 22 of the Securities and Exchange Ordinance, 1969 অনুযায়ী শাস্তিযোগ্য অপরাধ এবং যা ক্ষমার অযোগ্য;

যেহেতু, কমিশনের বিবেচনায়, সিকিউরিটিজ আইন পরিপালনে উল্লিখিত ব্যর্থতার জন্য, তথা পুঁজিবাজারের উন্নয়নের পাশাপাশি বাজারের শৃংখলা ও স্বচ্ছতা রক্ষার স্বার্থে জনাব আবদুল কাইয়ুম অ্যান্ড এসোসিয়েটস্ কে জরিমানা করা প্রয়োজন ও সমীচীন;

অতএব, সেহেতু, কমিশন, উল্লিখিত যাবতীয় বিষয় বিবেচনাপূর্বক, Securities and Exchange Ordinance, 1969 (Ordinance No. XVII of 1969) এর section 22 [যা The Securities and Exchange (Amendment) Act, 2000 দ্বারা সংশোধিত] এ প্রদত্ত ক্ষমতাবলে জনাব আবদুল কাইয়ুম অ্যান্ড এসোসিয়েটস (জনাব আবদুল কাইয়ুম, বিওআইডি : ১২০৩০০০০৪৩৬০১২৪৭, ১২০৩০০০০৬৪৮৫০২১৫, কাইয়ুম অ্যান্ড সনস্, বিওআইডি: ১২০৩০০০০৫৮৭৫৬২২৩, মরিউম নেসা, বিওআইডি: ১২০৩০০০০৪৫৭৯৫৬৭৯) এর উপর ২ (দুই) কোটি টাকা জরিমানা ধার্য করা হল। উক্ত জরিমানার অর্থ আদেশের তারিখ হতে ১৫ (পনের) দিনের মধ্যে ' বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন' এর অনুকূলে ব্যাংক ড্রাফট/পে-অর্ডারের মাধ্যমে জমা করতে হবে।

বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশনের আদেশক্রমে,

২৪/০৬/২০১৯

খোন্দকার কামালউজ্জামান
কমিশনার

বিতরণঃ

জনাব আবদুল কাইয়ুম অ্যান্ড এসোসিয়েটস্:

(জনাব আবদুল কাইয়ুম, বিওআইডি : ১২০৩০০০০৪৩৬০১২৪৭, ১২০৩০০০০৬৪৮৫০২১৫,

কাইয়ুম অ্যান্ড সনস্, বিওআইডি: ১২০৩০০০০৫৮৭৫৬২২৩,

মরিউম নেসা, বিওআইডি: ১২০৩০০০০৪৫৭৯৫৬৭৯)

কমার্স ব্যাংক সিকিউরিটিজ অ্যান্ড ইনভেস্টমেন্ট লি:

তরঙ্গ কমপ্লেক্স, ওয় তলা, ১৯ রাজউক এ্যাভিনিউ,

মতিঝিল, ঢাকা-১০০০।