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Enforcement Division
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Market, Market Intermediaries and Other Affairs Section
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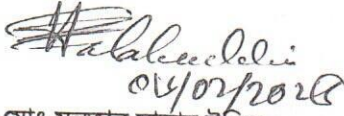
বিএসইসি/এনফোর্সমেন্ট/৩২৫২/২০২২/২৭০
তারিখঃ ফেব্রুয়ারি ০৬, ২০২৫

Mr. Md. Abul Khayer
(BOID: 1605110071091116, 1204590067712781,
1605530052137148, 1201950062164535,
1202600071091116, 1205950071091116)
House # 356/2, Road # 20,
Block # A, Khilgaon, Dhaka.

বিষয়: আদেশ।

কমিশনের আদেশ নং- বিএসইসি/এনফোর্সমেন্ট/৩২৫২/২০২২/২৬৯ তারিখঃ তারিখঃ ফেব্রুয়ারি ০৬, ২০২৫ এর সত্যায়িত অনুলিপি আপনার অবগতি ও প্রয়োজনীয় ব্যবস্থা গ্রহণের জন্য এতদসঙ্গে সংযুক্ত করা হলো।

বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশনের পক্ষে,


০৬/০২/২০২৫

মোঃ সুলতান সালাহ উদ্দিন

উপপরিচালক (এনফোর্সমেন্ট)

IP PABX: 88-02-09609-100600, Ext- 1220

ই-মেইল- ssuddin@sec.gov.bd

অবগতির জন্য অনুলিপি:

১. চেয়ারম্যান মহোদয়ের দপ্তর, বিএসইসি।
২. পিও টু সকল কমিশনার, বিএসইসি।
৩. পিও টু নির্বাহী পরিচালক, এনফোর্সমেন্ট, বিএসইসি।
৪. পিও টু নির্বাহী পরিচালক, এমএসআই, বিএসইসি।
৫. পিও টু নির্বাহী পরিচালক, এমআইএডি, বিএসইসি। [BSEC/MSI/2022-1067]
৬. পিও টু পরিচালক, এনফোর্সমেন্ট, বিএসইসি।

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নং-বিএসইসি/এনফোর্সমেন্ট/৩২৫২/২০২২/২৬৯

তারিখঃ ফেব্রুয়ারি ০৬, ২০২২

আদেশ

যেহেতু, Securities and Exchange Ordinance, 1969 এর Section 2 (cc) মোতাবেক কমিশন অর্থ বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন যা বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন আইন, ১৯৯৩-এর অধীনে গঠিত;

যেহেতু, অক্টোবর ১৭, ২০২১ তারিখের Surveillance Note-63/2021 অনুযায়ী এবং Regulation 16(3)(c)(ii) and (d)(v) of Dhaka Stock Exchange (Board and Administration) Regulations, 2013 দ্বারা প্রদত্ত ক্ষমতাবলে ঢাকা স্টক এক্সচেঞ্জ লিমিটেড ০৩.১০.২০২১ থেকে ২৬.১০.২০২১ পর্যন্ত সময়ে Fortune Shoes Limited (FORTUNE)-এর শেয়ার লেনদেন সংক্রান্ত তদন্ত (investigation) কার্যক্রম পরিচালনা করেছে এবং কমিশনে এ সংক্রান্ত একটি প্রতিবেদন দাখিল করেছে। তদন্ত প্রতিবেদন থেকে অন্যান্যের মধ্যে নিম্নলিখিত বিষয়গুলি উপস্থাপিত হয়:

A. Top Traders:

I. Major buyers of the period (Both Public and Block Market):

The price of FORTUNE shares was increased Tk. 74.10 to Tk. 110.60, which was increased by 49.26% from 03/10/2021 to 26/10/2021. Major buyers of the period were as follows (as per DSE trade data):

Buy Position	Client Code	Client Name	BOID	Name of Depository Participant	Buy Quantity	Sell Quantity	Total Trade	Total Trade Volume in the market	% of total Trade
2	ABM645	Md. Abul Khayer	1605110071091116	Agrani Equity & Investment Limited	4647820	860000	5507820	97466342	5.65%
3	ABM663	Abul Kalam Matber	1605110073447222	Agrani Equity & Investment Limited	3893355	2700217	6593572	97466342	6.76%
5	002396	Md. Abul Khayer	1204590067712781	Premier Bank Securities Ltd.	2600000	1682715	4282715	97466342	4.39%

Findings:

Mr. Md. Abul Khayer (Client code # ABM645 of Agrani Equity & Investment Limited) was the second top buyer of "FORTUNE" shares from 03/10/2021 to 26/10/2021. It is observed that the said client was involved with another 17 (seventeen) accounts from which they traded shares of FORTUNE during the investigation period.

II. Major sellers of the period (Both Public and Block Market):

The list of major sellers of FORTUNE shares from 03/10/2021 to 26/10/2021 are as follows (as per surveillance data):

Sell Position	Client Code	Client Name	BOID	Name of Depository Participant	Buy Quantity	Sell Quantity	Total Trade	Total Trade Volume in the market	% of total Trade
2	3898	Kazi Sadia Hasan	1205590068284973	UCB Stock Brokerage Limited	200000	4485000	4685000	97466342	4.81%
3	7677	Konika Afroze	1205590072553290	UCB Stock Brokerage Limited	0	3103093	3103093	97466342	3.18%
4	ABM663	Abul Kalam Matber	1605110073447222	Agrani Equity & Investment Limited	3893355	2700217	6593572	97466342	6.76%
8	002396	Md. Abul Khayer	1204590067712781	Premier Bank Securities Ltd.	2600000	1682715	4282715	97466342	4.39%
13	7022	D I T Co-Operative Ltd.	1205590065757811	UCB Stock Brokerage Limited	205000	1519716	1724716	97466342	1.77%
15	42080	Md. Abul Khayer	1201950062164535	EBL Securities Limited	607857	1381180	1989037	97466342	2.04%

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Findings:

- Ms. Kazi Sadia Hasan (Client code # 3898 of UCB Stock Brokerage Limited) was the second top seller of “FORTUNE” shares from 03/10/2021 to 26/10/2021. It is observed that the said client was involved with another 17 (seventeen) accounts from which they traded shares of FORTUNE during the investigation period.

B. Trade details of Md. Abul Khayer and his associates:

Observation-1:

Mr. Md. Abul Khayer was one of the top buyers of “FORTUNE” share for the period from 03/10/2021 to 26/10/2021. After examining the relevant documents, it was found that the said client is associated with eighteen accounts from which they traded shares of FORTUNE during the investigation period. Details are as follows:

Sl. No.	Client Name	BO ID	Client Code	Name of Depository Participant	Remarks
1	Md. Abul Khayer and Kazi Sadia Hasan	1605110071091116	ABM645	Agrani Equity & Investment Limited	Joint Account
2	ABUL KALAM MATBER	1605110073447222	ABM663	Agrani Equity & Investment Limited	Md. Abul Khayer is the son and nominee of the account
3	Md. Abul Khayer	1204590067712781	002396	Premier Bank Securities Ltd.	Kazi Sadia Hasan is the spouse and nominee of the account
4	Md. Abul Khayer	1605530052137148	S11118	Southeast Bank Capital Services Ltd	Kazi Sadia Hasan is the spouse and nominee of the account
5	Md. Abul Khayer	1201950062164535	42080	EBL Securities Limited	Single Account of the spouse of Kazi Sadia Hasan
6	D I T CO-OPERATIVE LTD.	1201950065757811	43319	EBL Securities Limited	Md. Abul Khayer is the chairman and Kazi Sadia Hasan is the treasurer
7	Kazi Sadia Hasan	1201950066385504	43685	EBL Securities Limited	Md. Abul Khayer is the spouse and nominee of the account
8	Abul Kalam Matber	1201950068001021	43878	EBL Securities Limited	Md. Abul Khayer is the authorized person and nominee of the account
9	Md. Abul Khayer and Kazi Sadia Hasan	1202600071091116	A12485	Remons Investment & Securities Limited	Joint Account
10	D I T CO-OPERATIVE LTD.	1205590065757811	7022	UCB Stock Brokerage Limited	Md. Abul Khayer is the chairman and Kazi Sadia Hasan is the treasurer
11	KAZI SADIA HASAN	1205590068284973	3898	UCB Stock Brokerage Limited	Md. Abul Khayer is the spouse and nominee of the account
12	KONIKA AFROZE	1205590072553290	7677	UCB Stock Brokerage Limited	Abul Kalam Matber is the father and nominee of the account
13	ABUL KALAM MATBER	1205590073447222	9166	UCB Stock Brokerage Limited	Father of Md. Abul Khayer
14	Md. Abul Khayer and Kazi Sadia Hasan	1205950071091116	1689	NRBC Bank Securities Limited	Joint Account
15	D I T CO-OPERATIVE LTD.	1604530065757811	S2116	SBL Capital Management Limited	Md. Abul Khayer is the chairman and Kazi Sadia Hasan is the treasurer
16	Kazi Sadia Hasan	1604530066385504	S2131	SBL Capital Management Limited	Md. Abul Khayer is the spouse and nominee of the account
17	SAJED MADBAR	1604650073870641	B4767	BRAC EPL Investments Limited	Abul Kalam Matber is the father and Konika Afroze is the nominee of the account
18	KONIKA AFROZE	1604530072553290	S2194	SBL Capital Management Limited	Abul Kalam Matber is the father and nominee of the account

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Individual Trade Patterns, Trade monitoring screenshots, Effects of "FORTUNE" at DSE in public market by the said client and gain and loss statement of Md. Abul Khayer and his associates are given below:

4) Individual Trade Patterns of Md. Abul Khayer and his associates (Only Public Market):

Date	Code # ABM645				Code # ABM663				Code # 002396				Code # S11118				Code # 42080				Code # 43319			
	BO ID # 1605110071091116				BO ID # 1605110073447222				BO ID # 1204590067712781				BO ID # 1605530052137148				BO ID # 1201950062164535				BO ID # 1701950065757811			
	Md. Abul Khayer and Kazi Sadia Hasan				ABUL KHAYER MATBER				Md. Abul Khayer				Md. Abul Khayer				Md. Abul Khayer				DIT CO-OPERATIVE LTD.			
Agrani Equity & Investment Limited				Agrani Equity & Investment Limited				Premier Bank Securities Ltd.				Southeast Bank Capital Services Ltd				EBL Securities Limited				EBL Securities Limited				
	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate
04-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	450000	84.00	0	0.00	0	0.00	0	0.00	0	0.00
05-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
06-10-2021	0	0.00	0	0.00	0	0.00	206862	87.99	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
07-10-2021	0	0.00	0	0.00	0	0.00	100000	87.50	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
11-10-2021	0	0.00	0	0.00	0	0.00	50000	90.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
12-10-2021	0	0.00	860000	94.57	0	0.00	50000	93.93	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
13-10-2021	0	0.00	0	0.00	243355	93.06	0	0.00	1600000	93.90	800000	95.13	960000	94.18	0	0.00	607857	96.66	630179	94.09	0	0.00	0	0.00
14-10-2021	0	0.00	0	0.00	0	0.00	150000	96.11	0	0.00	0	0.00	100000	99.90	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
17-10-2021	0	0.00	0	0.00	1900000	108.80	43355	107.61	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
18-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	1000000	110.00	882715	111.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	44421	108.41
19-10-2021	0	0.00	0	0.00	0	0.00	550000	104.48	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	136000	106.00	0	0.00	0	0.00
21-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
24-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
25-10-2021	2960000	104.32	0	0.00	1750000	103.90	850000	110.66	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
26-10-2021	1022820	110.70	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
31-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	3982820		860000		3893355		2000217		2600000		1682715		1060000		450000		607857		766179		0		44421	

Date	Code # 43685				Code # 43878				Code # A12485				Code # 7022				Code # 3898				Code # 7677			
	BO ID # 1201950066385504				BO ID # 1201950068001021				BO ID # 1202600071091116				BO ID # 1205590065757811				BO ID # 1205590068284973				BO ID # 1205590073850200			
	KAZI Sadia Hasan				Abul Kalam Matber				Md. Abul Khayer and Kazi Sadia Hasan				DIT CO-OPERATIVE LTD.				KAZI SADIA HASAN				KONIKA AFROZE			
EBL Securities Limited				EBL Securities Limited				Remons Investment & Securities Limited				UCB Stock Brokerage Limited				UCB Stock Brokerage Limited				UCB Stock Brokerage Limited				
	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate
04-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
05-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
06-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
07-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
11-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
12-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
13-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	1000000	98.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
14-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	5000	96.90	305000	96.18	0	0.00	0	0.00	0	0.00	0	0.00
17-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	200000	108.26	4300000	109.00	0	0.00	0	0.00
18-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
19-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	121500	109.68	200000	113.57	832000	112.00	0	0.00	0	0.00	0	0.00	0	0.00
21-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	382716	108.21	0	0.00	0	0.00	0	0.00	1878093	107.42
24-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
25-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
26-10-2021	135000	111.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
31-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1070000	110.70
Total	135000		0		0		1000000		121500		205000		1519716		200000		4300000		0		0		2948093	

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Date	Code # 9166				Code # 1689				Code # S2116				Code # S2131				Code # B4767				Code # S2194			
	BO ID # 1205590073447222				BO ID # 1205950071091116				BO ID # 160453006575811				BO ID # 1604530066385504				BO ID # 1604650073870641				BO ID # 1604530072553290			
	ABIR KALAM MATHEP UCB Stock Brokerage Limited				MD. ABUL KHAVER NRBC Bank Securities Limited				D I T CO-OPERATIVE LTD. SDL Capital Management Limited				Kazi Sadia Hasan SDL Capital Management Limited				SAJED MADBAR INVESTMENTS LIMITED				KONIKA AFROZE SDL Capital Management Limited			
	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate	Buy Qty	Rate	Sale Qty.	Rate
04-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
05-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	19846	81.65	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
07-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	75000	89.61	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
11-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
12-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
13-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	1000000	96.00	0	0.00	0	0.00	0	0.00	0	0.00
14-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	3880	99.30	0	0.00	98670	99.93	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
17-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
18-10-2021	630000	110.00	554695	111.96	0	0.00	0	0.00	0	0.00	0	0.00	19250	108.97	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
19-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	253075	105.06	0	0.00	13425	103.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
21-10-2021	147500	105.48	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	24008	105.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
24-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	108470	104.56	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
25-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	30139	111.90	0	0.00	0	0.00	117000	111.69	0	0.00	0	0.00	0	0.00
26-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	560203	111.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
31-10-2021	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00
Total	777500		554695		0		0		256955		665342		283669		1000000		117000		0		0		13489	

Date	Total					
	Buy Qty	Buy Rate	Total	Sale Qty.	Sale Rate	Total
04-10-2021	0	0.00	0.00	450000	84.00	37800000.00
05-10-2021	19846	81.65	1620348.30	0	0.00	0.00
06-10-2021	0	0.00	0.00	220351	87.90	19367944.90
07-10-2021	0	0.00	0.00	175000	88.41	15470895.00
11-10-2021	0	0.00	0.00	50000	90.00	4500000.00
12-10-2021	0	0.00	0.00	210000	90.00	18900000.00
13-10-2021	4411212	95.22	420056610.80	2430179	95.22	231391443.90
14-10-2021	207550	99.83	20719819.60	455000	96.16	43750537.90
17-10-2021	2100000	108.75	228372171.10	4387776	108.98	478181127.50
18-10-2021	1849250	110.38	204112110.20	2390910	111.50	266597232.30
19-10-2021	266500	104.96	27971579.00	2946809	106.91	315045346.80
21-10-2021	171508	105.42	18079567.90	0	0.00	0.00
24-10-2021	108470	104.56	11342012.00	0	0.00	0.00
25-10-2021	4827000	104.35	503674019.20	880139	110.71	97437640.70
26-10-2021	1157820	110.73	128211174.00	1630203	110.80	180631533.00
31-10-2021	0	0.00	0.00	0	0.00	0.00
Total	15119156			16926367		

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b) Effects of "FORTUNE" at DSE (both Public Market and Block Market) by Md. Abul Khayer and his associates:

Date	Buy			Sell			Bonus Share Credited	Cost of shares sold	
	Qty.	Price	Amount	Qty.	Price	Amount		Price (W.Avg.)	Amount
16	1	2	3	4	5	6	7	8	9
Opening Balance									
04-10-2021	0	0.00	0.00	450000	84.00	37800000.00			
05-10-2021	0	0.00	0.00	0	0.00	0.00			
06-10-2021	0	0.00	0.00	220351	87.90	19367944.90		0.00	0.00
07-10-2021	0	0.00	0.00	175000	88.41	15470895.00		46.40	10224569.21
11-10-2021	0	0.00	0.00	67000	88.99	5962000.00		46.40	8120224.61
12-10-2021	0	0.00	0.00	910000	94.54	86030576.50		46.40	3108885.99
13-10-2021	4411212	95.22	420056610.80	2430179	95.22	231391443.90		46.40	42225167.95
14-10-2021	207550	99.83	20719819.60	635000	95.36	60550537.90		56.55	137431570.67
17-10-2021	2100000	108.75	228372171.10	4795777	108.25	519150730.50		57.02	36210831.26
18-10-2021	1849250	110.38	204112110.20	2390910	111.50	266597232.30		62.33	298939602.31
19-10-2021	2231500	106.62	237913579.00	5061809	106.88	541002346.80		67.41	161163528.05
21-10-2021	171508	105.42	18079567.90	0	0.00	0.00		72.45	366721344.95
24-10-2021	108470	104.56	11342012.00	0	0.00	0.00		0.00	0.00
25-10-2021	4827000	104.35	503674019.20	1035139	109.85	113712640.70		0.00	0.00
26-10-2021	1157820	110.73	128211174.00	1630203	110.80	180631533.00		81.82	84698154.66
31-10-2021	0	0.00	0.00	0	0.00	0.00		83.73	136502571.93
Total	17084156	103.84	1774101412.10	19801368	104.93	2077667881.50	0	65.97	1306209695.08

Date	Stock Position			Comparison with the Market					
	Qty.	Price (W.Avg.)	Amount	Mkt Trade Qty at DSE	Mkt Close Price at DSE	Market price Changed by	Client Buy (%)	Client Sale (%)	Client Trade (%)
16	10	11	12	13	14	15	16	17	18
Opening Balance	18608509	46.36	862741898.47						
04-10-2021	18158509	46.36	841878654.98	2860878	81.80	1.11%	0.00%	15.73%	15.73%
05-10-2021	18178355	46.40	843499003.28	2306438	85.30	4.28%	0.86%	0.00%	0.86%
06-10-2021	17958004	46.40	833274434.06	1633992	87.70	2.81%	0.00%	13.49%	13.49%
07-10-2021	17783004	46.40	825154209.46	1669269	87.50	-0.23%	0.00%	10.48%	10.48%
11-10-2021	17716004	46.40	822045323.47	1943900	91.80	4.44%	0.00%	3.45%	3.45%
12-10-2021	16806004	46.40	779820155.51	5379350	96.10	4.68%	0.00%	16.02%	16.02%
13-10-2021	18387007	50.55	1062443195.04	21993901	92.80	-3.43%	20.06%	11.05%	31.11%
14-10-2021	18359587	57.02	1046954183.99	11982129	99.50	7.22%	1.73%	5.30%	7.03%
17-10-2021	15663810	62.33	976386752.78	12808121	108.50	9.05%	16.40%	37.44%	53.84%
18-10-2021	15122150	67.41	1019335334.93	5986817	110.50	1.84%	30.89%	39.94%	70.82%
19-10-2021	12291841	72.45	890527568.98	8446649	103.50	-6.33%	26.42%	59.93%	86.35%
21-10-2021	12463349	72.90	908607136.88	2233997	105.00	1.45%	7.68%	0.00%	7.68%
24-10-2021	12571819	73.18	919949148.88	1546103	103.90	-1.05%	7.02%	0.00%	7.02%
25-10-2021	16363680	81.82	1338925013.42	8419979	110.90	6.74%	57.33%	12.29%	69.62%
26-10-2021	15891297	83.73	1330633615.49	5074216	110.60	-0.27%	22.82%	32.13%	54.94%
31-10-2021	15891297	83.73	1330633615.49	3946235	110.40	-6.12%	0.00%	0.00%	0.00%
Total	15891297	83.73	1330633615.49						



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c) Trade monitoring screenshots of Md. Abul Khayer and his associates (public market):

IED collected Trade monitoring screenshots from Surveillance Department on some trading date(s) where appearance of active trading of Md. Abul Khayer and his associates were observed which influenced the price of FORTUNE.

After scrutinizing the trade monitoring screenshots collected from Surveillance Department, it is found that Md. Abul Khayer and his associates were involved in trading of shares of FORTUNE which influenced price of the said shares on several dates:

BOIDs: 1605110071091116, 1605110073447222, 1204590067712781, 1605530052137148, 1201950062164535, 1201950065757811, 1201950066385504, 1201950068001021, 1202600071091116, 1205590065757811, 1205590068284973, 1205590072553290, 1205590073447222, 1205950071091116, 1604530065757811, 1604530066385504, 1604650073870641 and 1604530072553290 (combined):

- ❖ It was observed that on 13-10-2021, total number of trades of FORTUNE in the market was 3126, whereas number of trades executed by Md. Abul Khayer and his associates were 277 which is approximately 8.90% of the total number of trades in the market. Again, total volume of FORTUNE in the market on that day was 19,127,901 whereas buy volume by the said client was 4,411,212 which is approximately 23.10% of the total volume in the market.

On 13-10-2021, trading of FORTUNE share was started at Tk. 98.50 which is Tk. 2.40 more than the YCP of Tk. 96.10. On that day, Md. Abul Khayer and his associates started series of trading at 14:28:07 at price Tk. 90.50 and induced the same to rise to Tk. 93.00 up to 14:28:48. It can also be observed from the above graph that Md. Abul Khayer and his associates executed significant trades during this time period. It is mentionable here that from 14:28:07 to 14:28:48, Md. Abul Khayer and his associates bought 138,313 shares of FORTUNE compared to the total traded share of 147,313.

It is also found that during the aforementioned period, Md. Abul Khayer and his associates executed 57 howlas to purchase of shares of FORTUNE compared to the total number of howlas of 63

It is observed that Md. Abul Khayer and his associates bought 93.89% of the total trades of FORTUNE shares by executing 57 of total 63 howlas from 14:28:07 to 14:28:48 on 13-10-2021. From 14:28:07 to 14:28:48, Md. Abul Khayer and his associates induced the price to rise from Tk. 90.50 to Tk. 93.00. Thus it seems that Md. Abul Khayer and his associates were actively trying to lift the price of FORTUNE share.



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- ❖ It was observed that on 17-10-2021, total number of trades of FORTUNE in the market was 3364, whereas number of trades executed by Md. Abul Khayer and his associates were 206 which is approximately 6.10% of the total number of trades in the market. Again, total volume of FORTUNE in the market on that day was 12,389,320 whereas buy volume by the said client was 2,100,000 which is approximately 17.00% of the total volume in the market.

On 17-10-2021, trading of FORTUNE share was started at Tk. 100.00 which is Tk. 0.50 less than the YCP of Tk. 99.50. On that day, Md. Abul Khayer and his associates started series of trading at 10:01:00 at price Tk. 104.50 and induced the same to rise to Tk. 109.40 up to 10:02:09. It can also be observed from the above graph that Md. Abul Khayer and his associates executed significant trades during this time period. It is mentionable here that from 10:01:00 to 10:02:09, Md. Abul Khayer and his associates bought 200,000 shares of FORTUNE compared to the total traded share of 517,478.

It is also found that during the aforementioned period, Md. Abul Khayer and his associates executed 78 howlas to purchase of shares of FORTUNE compared to the total number of howlas of 205.

It is observed that Md. Abul Khayer and his associates bought 38.65% of the total trades of FORTUNE shares by executing 78 of total 205 howlas from 10:01:00 to 10:02:09 on 17-10-2021. From 10:01:00 to 10:02:09, Md. Abul Khayer and his associates induced the price to rise from Tk. 104.50 to Tk. 109.40. Thus it seems that Md. Abul Khayer and his associates were actively trying to lift the price of FORTUNE share.

- ❖ It was observed that on 18-10-2021, total number of trades of FORTUNE in the market was 3151, whereas number of trades executed by Md. Abul Khayer and his associates were 408 which is approximately 12.95% of the total number of trades in the market. Again, total volume of FORTUNE in the market on that day was 5,956,817 whereas buy volume by the said client was 1,849,250 which is approximately 31.00% of the total volume in the market. It is evident that the client had significant participation in the market on 18-10-2021 in trading of FORTUNE share.

On 18-10-2021, trading of FORTUNE share was started at Tk. 111.00 which is Tk. 2.50 more than the YCP of Tk. 108.50. On that day, Md. Abul Khayer and his associates started series of trading at 10:03:12 at price Tk. 110.00 and induced the same to rise to Tk. 116.00 up to 10:04:45. It can also be observed from the above graph that Md. Abul Khayer and his associates executed significant trades during this time period. It is mentionable here that from 10:03:12 to 10:04:45, Md. Abul Khayer and his associates bought 200,000 shares of FORTUNE compared to the total traded share of 274,446.

It is also found that during the aforementioned period, Md. Abul Khayer and his associates executed 124 howlas to purchase of shares of FORTUNE compared to the total number of howlas of 164.



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It is observed that Md. Abul Khayer and his associates bought 72.87% of the total trades of FORTUNE shares by executing 124 of total 164 howlas from 10:03:12 to 10:04:45 on 18-10-2021. From 10:03:12 to 10:04:45, Md. Abul Khayer and his associates induced the price to rise from Tk. 110.00 to Tk. 116.00. Thus it seems that Md. Abul Khayer and his associates were actively trying to lift the price of FORTUNE share. At the end of the day price of FORTUNE share was increased by Tk. 2.00 which is approximately 1.84% higher than YCP.

- ❖ It was observed that on 25-10-2021, total number of trades of FORTUNE in the market was 2699, whereas number of trades executed by Md. Abul Khayer and his associates were 191 which is approximately 7.10% of the total number of trades in the market. Again, total volume of FORTUNE in the market on that day was 8,258,479 whereas buy volume by the said client was 4,827,000 which is approximately 58.40% of the total volume in the market. It is evident that the client had significant participation in the market on 25-10-2021 in trading of FORTUNE share.

On 25-10-2021, trading of FORTUNE share was started at Tk. 103.00 which is Tk. 0.90 less than the YCP of Tk. 103.90. On that day, Md. Abul Khayer and his associates started series of trading at 14:09:49 at price Tk. 110.80 and induced the same to rise to Tk. 112.00 up to 14:10:40. It can also be observed from the above graph that Md. Abul Khayer and his associates executed significant trades during this time period. It is mentionable here that from 14:09:49 to 14:10:40, Md. Abul Khayer and his associates bought 100,000 shares of FORTUNE compared to the total traded share of 136,085.

It is also found that during the aforementioned period, Md. Abul Khayer and his associates executed 79 howlas to purchase of shares of FORTUNE compared to the total number of howlas of 98.

It is observed that Md. Abul Khayer and his associates bought 73.48% of the total trades of FORTUNE shares by executing 79 of total 98 howlas from 14:09:49 to 14:10:40 on 25-10-2021. From 14:09:49 to 14:10:40, Md. Abul Khayer and his associates induced the price to rise from Tk. 110.80 to Tk. 112.00. Thus it seems that Md. Abul Khayer and his associates were actively trying to lift the price of FORTUNE share. At the end of the day price of FORTUNE share was increased by Tk. 7.00 which is approximately 6.74% higher than YCP.

Summary of the trade by Md. Abul Khayer and his associates:

Summary																	
Block Buy			Block Sale			Total Buy			Total Sale			Cost of Shares Sold		Stock Position			
Qty	Price	Amount	Qty	Price	Amount	Qty	Price	Amount	Qty	Price	Amount	Price	Amount	Qty	Price	Amount	
1965000	106.84	209942000.00	2875001	104.86	301463603.00	17084156	103.84	1774101412.10	19801368	104.93	2077667881.50	65.97	1306209695.08	15891297	83.73	1330633615.49	

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d) Gain and Loss by Md. Abul Khayer and his associates from 03/10/2021 to 26/10/2021:

Opening Price (03-10-2021)	74.10	Opening Price
Closing Price (31-10-2021)	110.40	Closing Price of Last Investigation Date
Realized Capital gain(loss) per unit	38.96	Average Sale Price - Average Cost Price
Realized Capital gain(loss)%	59.06%	Gain (loss) Per Unit/Cost Per Unit
Realized Capital gain(loss)TK	77,14,58,186.42	Total Sale Quantity x Gain (loss) Per Unit
Unrealized gain(loss) per unit	26.67	Closing Price of Last Investigation Date - Average Price of Stock Position
Unrealized gain(loss) %	31.85%	Unrealized gain (loss) per unit /Average Price of Stock Position
Unrealized gain(loss) TK	42,37,65,573.31	Quantity of Stock Position x Unrealized gain (loss) per unit

As per DSE trade data, it was observed that Md. Abul Khayer and his associates bought 17,084,156 shares and sold 19,801,368 shares of "FORTUNE" from public market during the period from 03/10/2021 to 26/10/2021. With the said BO accounts, Md. Abul Khayer and his associates traded 37.84% shares of "FORTUNE" during the investigation period and realized a capital gain of Tk. 771,458,186.42 from the trading of "FORTUNE" share during the investigation period. He also had unrealized gain of TK 423,765,573.31 during the period.

Findings- 1:

As per **section 17 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 a fraud, deceit or manipulation upon any person, in particular-
.....

(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 including its purchase by others or depressing its price for the purpose of inducing its sale by others;"

It is evident that Md. Abul Khayer and his associates was involved directly and indirectly in a series of transactions of **FORTUNE** share with his aforesaid BO accounts in order to create the appearance of active trading and raising of price of the said share.

Contravention(s)- 1:

Md. Abul Khayer (BO ID # 1605110071091116) and his associates has violated the followings:

- **Section 17(e)(v) of the Securities and Exchange Ordinance, 1969** by directly and indirectly effecting a series of transactions of "FORTUNE" shares creating the appearance of active trading therein and raising price of the said share.

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Observations - 4:

As per DSE trade data it was found that Md. Abul Khayer (Client Code 002396 of Premier Bank Securities Limited) bought 29,400 shares of FORTUNE from his another account named Mr. Md. Abul Khayer (client code 42080 of EBL Securities Limited) on 13/10/2021 by 7 howlas which involved no change in beneficial ownership.

Details of all the above mentioned trades are as follows:

Table: Counterparty trading of Mr. Md. Abul Khayer:

TRADE DATE	TRADE TIME	INSTRUMENT CODE	TRADE VOLUME	TRADE PRICE	BUYER CODE	BUYER CLIENT	BOID BUYER	CLIENT NAME	SELLER CODE	SELLER CLIENT	BOID SELLER	CLIENT NAME	MARKET TYPE
13/10/2021	13:45:17	FORTUNE	4200	93.9	DSEPRM	002396	1204590067712781	Md. Abul Khayer	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
13/10/2021	13:45:17	FORTUNE	4200	93.9	DSEPRM	002396	1204590067712781	Md. Abul Khayer	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
13/10/2021	13:45:17	FORTUNE	4200	93.9	DSEPRM	002396	1204590067712781	Md. Abul Khayer	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
13/10/2021	13:45:17	FORTUNE	4200	93.9	DSEPRM	002396	1204590067712781	Md. Abul Khayer	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
13/10/2021	13:45:17	FORTUNE	4200	93.9	DSEPRM	002396	1204590067712781	Md. Abul Khayer	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
13/10/2021	13:45:17	FORTUNE	4200	93.9	DSEPRM	002396	1204590067712781	Md. Abul Khayer	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
13/10/2021	13:45:17	FORTUNE	4200	93.9	DSEPRM	002396	1204590067712781	Md. Abul Khayer	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public

(DSE trade data)

Findings-2:

As per section 17(e)(iii) of the Bangladesh Securities and Exchange Ordinance, 1969 (XVII of 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 a fraud, deceit or manipulation upon any person, in particular-

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

Contravention(s)-2:

Md. Abul Khayer (BO ID# 1204590067712781) and Md. Abul Khayer (1201950062164535) have violated

- **Section 17(e)(iii) of Securities and Exchange Ordinance, 1969**, by effecting the transactions of 29,400 shares of FORTUNE on different dates by 7 howlas which involved no change in beneficial ownership.



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Observation-3:

After analyzing the trade pattern of the clients, the investigation team found that two clients named D I T CO-OPERATIVE LTD. (Client Code # S2116 of SBL Capital Management Limited) traded through Eminent Securities Limited and Mr. Md. Abul Khayer (client code 42080) of EBL Securities Limited were involved in trading in shares of "FORTUNE" within the investigation period and these accounts are acting as counter party of each other for 15,460 shares of "FORTUNE" on 19/10/2021 in 3 howlas in the public market.

It was also found that D I T CO-OPERATIVE LTD. (Client Code # S2116 of SBL Capital Management Limited) traded through Eminent Securities Limited and KONIKA AFROZE (client code 7677) of UCB Stock Brokerage Limited acted as counter party of each other for 195,575 shares of "FORTUNE" on 19/10/2021 in 11 howlas in the public market.

Kazi Sadia Hasan (Client Code # S2131 of SBL Capital Management Limited) traded through Eminent Securities Limited and ABUL KALAM MATBER (client code ABM663 of Agrani Equity & Investment Limited) acted as counter party of each other for 12,600 shares of "FORTUNE" on 19/10/2021 in 4 howlas in the public market.

Besides, D I T CO-OPERATIVE LTD. (Client Code # S2116 of SBL Capital Management Limited) traded through Eminent Securities Limited and ABUL KALAM MATBER (client code ABM663 of Agrani Equity & Investment Limited) acted as counter party of each other for 300 shares of "FORTUNE" on 19/10/2021 in 1 howla in the public market.

It was also found that MD. ABUL KHAYER (Client Code # ABM645 of Agrani Equity & Investment Limited) and D I T CO-OPERATIVE LTD. (Client Code # S2116 of SBL Capital Management Limited) acted as counter party of each other for 28,699 shares of "FORTUNE" on 25/10/2021 in 2 howlas in the public market.

Kazi Sadia Hasan (Client Code # 43685 of EBL Securities Limited) and D I T CO-OPERATIVE LTD. (Client Code # S2116 of SBL Capital Management Limited) acted as counter party of each other for 131,944 shares of "FORTUNE" on 26/10/2021 in 2 howlas in the public market.

MD. ABUL KHAYER (Client Code # ABM645 of Agrani Equity & Investment Limited) and KONIKA AFROZE (client code 7677) of UCB Stock Brokerage Limited acted as counter party of each other for 1,020,820 shares of "FORTUNE" on 26/10/2021 in 1 howla in the public market. Details of all the above mentioned trades are as follows:

Table: Counterparty trading of Md. Abul Khayer and his associates:

TRADE DATE	TRADE TIME	INSTRUMENT CODE	TRADE VOLUME	TRADE PRICE	BUYER CODE	BUYER CLIENT	BOID BUYER	CLIENT NAME	SELLER CODE	SELLER CLIENT	BOID SELLER	CLIENT NAME	MARKET TYPE
19/10/2021	13:53:09	FORTUNE	1660	106	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
19/10/2021	13:53:18	FORTUNE	3800	106	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
19/10/2021	13:53:26	FORTUNE	10000	106	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEEB	42080	1201950062164535	Md. Abul Khayer	Public
19/10/2021	13:54:13	FORTUNE	3000	104.6	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public

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Date	Time	Symbol	Quantity	Price	Order Type	BO ID	BO Name	Counter Party	Market	BO ID	BO Name	Counter Party	Market
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	20000	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	13:56:08	FORTUNE	12575	105	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public
19/10/2021	14:15:30	FORTUNE	5000	103	DSEFER	S2131	1604530066385504	Kazi Sadia Hasan	DSECBL	ABM663	1605110073447222	ABUL KALAM MATBER	Public
19/10/2021	14:15:36	FORTUNE	2600	103	DSEFER	S2131	1604530066385504	Kazi Sadia Hasan	DSECBL	ABM663	1605110073447222	ABUL KALAM MATBER	Public
19/10/2021	14:15:36	FORTUNE	2448	103	DSEFER	S2131	1604530066385504	Kazi Sadia Hasan	DSECBL	ABM663	1605110073447222	ABUL KALAM MATBER	Public
19/10/2021	14:15:44	FORTUNE	2552	103	DSEFER	S2131	1604530066385504	Kazi Sadia Hasan	DSECBL	ABM663	1605110073447222	ABUL KALAM MATBER	Public
19/10/2021	14:29:30	FORTUNE	300	103.8	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	DSECBL	ABM663	1605110073447222	ABUL KALAM MATBER	Public
25/10/2021	14:13:22	FORTUNE	15689	111.9	DSECBL	ABM645	1605110071091116	MD. ABUL KHAYER	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	Public
25/10/2021	14:13:49	FORTUNE	13010	111.9	DSECBL	ABM645	1605110071091116	MD. ABUL KHAYER	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	Public
26/10/2021	13:30:37	FORTUNE	75821	111	DSEEB	43685	1201950066385504	Kazi Sadia Hasan	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	Public
26/10/2021	13:30:37	FORTUNE	56123	111	DSEEB	43685	1201950066385504	Kazi Sadia Hasan	DSEFER	S2116	1604530065757811	D I T CO-OPERATIVE LTD.	Public
26/10/2021	14:03:55	FORTUNE	1020820	110.7	DSECBL	ABM645	1605110071091116	MD. ABUL KHAYER	DSEUBR	7677	1205590072553290	KONIKA AFROZE	Public

(DSE trade data)

Findings-3:

As per section 17 of the Securities and Exchange Ordinance, 1969 (XVII of 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 a fraud, deceit or manipulation upon any person, in particular-

(ii) create a false and misleading appearance of active trading in any securities;"

It is found that associates of Mr. Md. Abul Khayer acted as counter party of each other for 1,405,398 shares of "FORTUNE" on different dates in 24 howlas in the public market.

Contravention(s)-3:

D I T CO-OPERATIVE LTD. (BO ID# 1604530065757811), Md. Abul Khayer (BO ID# 1201950062164535), KONIKA AFROZE (BO ID# 1205590072553290), Kazi Sadia Hasan (BO ID# 1604530066385504 and 1201950066385504), ABUL KALAM MATBER (BO ID# 1605110073447222) and Md. Abul Khayer and Kazi Sadia Hasan (BO ID# 1605110071091116) have violated the following:

- Section 17(e)(ii) of Securities and Exchange Ordinance, 1969 by executing trades that created a false and misleading appearance of active trading in securities.



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Observation-4:

As per ledger, instrument ledger and portfolio statement of Mr. Md. Abul Khayer and his associates collected from different TREC Holders, it was observed that they had collectively acquired more than 10% shares of "FORTUNE" during the investigation period. Details are given below:

Shareholding position of Md. Abul Khayer and his associates:

Sl. No	Client Name	Client Code	BO ID	Name of Depository Participant	SHARE_BALANCE of FORTUNE held by Md. Abul Khayer and his associates																	
					04-10-2021		05-10-2021		06-10-21		07-10-2021		12-10-2021		13-10-2021		17-10-2021		25-10-21			
					Qty	% of paid up shares	Qty	% of paid up shares	Qty	% of paid up shares	Qty	% of paid up shares	Qty	% of paid up shares	Qty	% of paid up shares	Qty	% of paid up shares	Qty	% of paid up shares		
1	Md. Abul Khayer and Kazi Sadia Hasan	ABM645	1605110071091116	Agrani Equity & Investment Limited	860000	0.56%	860000	0.56%	860000	0.56%	860000	0.56%	0	0.00%	0	0.00%	0	0.00%	3625000	2.34%		
2	ABUL KALAM HATBER	ABM663	1605110073447222	Agrani Equity & Investment Limited	556862	0.36%	556862	0.36%	350000	0.23%	250000	0.16%	150000	0.10%	393355	0.25%	2100000	1.36%	1750000	1.13%		
3	Md. Abul Khayer	002396	1204590067712781	Premier Bank Securities Ltd.	895921	0.58%	895921	0.58%	895921	0.58%	895921	0.58%	895921	0.58%	1695921	1.10%	1695921	1.10%	1813206	1.17%		
4	Md. Abul Khayer	S11118	1605530052137148	Southeast Bank Capital Services Ltd	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	960000	0.62%	1060000	0.68%	1060000	0.68%		
5	Md. Abul Khayer	42080	1201950062164535	EBL Securities Limited	773895	0.50%	773895	0.50%	773895	0.50%	773895	0.50%	773895	0.50%	773895	0.50%	751573	0.49%	701572	0.45%	572	0.00%
6	IT CO-OPERATIVE TD.	43319	1201950065757811	EBL Securities Limited	402421	0.26%	402421	0.26%	402421	0.26%	402421	0.26%	402421	0.26%	402421	0.26%	402421	0.26%	0	0.00%	0	0.00%
7	Kazi Sadia Hasan	43685	1201950066385504	EBL Securities Limited	206735	0.13%	206735	0.13%	206735	0.13%	206735	0.13%	206735	0.13%	206735	0.13%	206735	0.13%	206735	0.13%	206735	0.13%
8	Abul Kalam Hatber	43878	1201950068091021	EBL Securities Limited	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	187000	0.12%
9	Md. Abul Khayer and Kazi Sadia Hasan	A12485	1202600071091116	Remons Investment & Securities Limited	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	1000000	0.65%	1000000	0.65%	0	0.00%
10	IT CO-OPERATIVE TD.	7022	1205590065757811	UCB Stock Brokerage Limited	2627333	1.70%	2627333	1.70%	2627333	1.70%	2627333	1.70%	2627333	1.70%	2627333	1.70%	2627333	1.70%	2327333	1.50%	0	0.00%
11	KAZI SADIA HASAN	3898	1205590068284973	UCB Stock Brokerage Limited	4327974	2.80%	4327974	2.80%	4327974	2.80%	4327974	2.80%	4327974	2.80%	4327974	2.80%	4327974	2.80%	227974	0.15%	42974	0.03%
12	KONIKA AFROZE	7677	1205590072553290	UCB Stock Brokerage Limited	3319569	2.14%	3319569	2.14%	3319569	2.14%	3319569	2.14%	3319569	2.14%	3319569	2.14%	3319569	2.14%	3319569	2.14%	1286476	0.83%
13	ABUL KALAM HATBER	9166	1205590073447222	UCB Stock Brokerage Limited	1220390	0.79%	1220390	0.79%	1220390	0.79%	1220390	0.79%	1220390	0.79%	1220390	0.79%	1220390	0.79%	1220390	0.79%	2090812	1.35%
14	MD. ABUL KHAYER	1689	1205950071091116	NRBC Bank Securities Limited	784969	0.51%	784969	0.51%	784969	0.51%	784969	0.51%	784969	0.51%	784969	0.51%	784969	0.51%	784969	0.51%	1162969	0.75%
15	IT CO-OPERATIVE TD.	S2116	1604530065757811	SBL Capital Management Limited	757292	0.49%	757292	0.49%	757292	0.49%	682292	0.44%	682292	0.44%	682292	0.44%	682292	0.44%	586172	0.38%	844108	0.55%
16	Kazi Sadia Hasan	S2131	1604530066385504	SBL Capital Management Limited	1411659	0.91%	1431505	0.92%	1431505	0.92%	1431505	0.92%	1414505	0.91%	414505	0.27%	433175	0.28%	1298328	0.84%		
17	AJED MADBAR	B4767	1604650073870641	BRAC EPL Investments Limited	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	117000	0.08%
18	KONIKA AFROZE	S2194	1604530072553290	SBL Capital Management Limited	13459	0.01%	13489	0.01%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%	0	0.00%
Total					18158509	11.73%	18178355	11.74%	17958004	11.60%	17783004	11.49%	16806004	10.86%	18787037	12.14%	15663810	10.12%	15485180	10.00%		
No. of paid up shares of FORTUNE as per monthly shareholding position for October, 2021					154,795,704																	

From the above table, it is observed that Md. Abul Khayer and his associates jointly hold more than 10% of the total paid up shares of FORTUNE.

Findings-4:

As per বিধি ৪(১) of বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন (উল্লেখযোগ্য সংখ্যক শেয়ার অর্জন, অধিগ্রহণ ও কর্তৃত্ব গ্রহণ) বিধিমালা, ২০১৮.

“এক্সচেঞ্জ হইতে নগদ অর্থের বিনিময়ে উল্লেখযোগ্য সংখ্যক শেয়ার অর্জন বা অধিগ্রহণ। (১) কোন কোম্পানিতে উল্লেখযোগ্য সংখ্যক এর কম কোন শেয়ারের ধারক বা ধারকগণ, বা যিনি বা যাহারা কোন শেয়ার ধারণ করেন না এমন ব্যক্তি বা ব্যক্তিবর্গ, এক্সচেঞ্জ হইতে উক্ত কোম্পানির কোন শেয়ার অর্জন বা অধিগ্রহণ করিতে চাহিলে অর্জন বা অধিগ্রহণ পরবর্তী ধারণকৃত মোট শেয়ারের পরিমাণ যদি ১০(দশ) শতাংশ বা উহার অধিক পর্যায়ে উন্নীত হয় অথবা ১০(দশ) শতাংশ বা উহার অধিক কোন শেয়ার ধারক বা ধারকগণ এক্সচেঞ্জের মাধ্যমে উক্ত কোম্পানির আরও শেয়ার অর্জন বা অধিগ্রহণের ক্ষেত্রে তাহাকে তফসিল-১ বর্ণিত পদ্ধতিতে একটি ঘোষণা কোম্পানিটি যে এক্সচেঞ্জে তালিকাভুক্ত সেই এক্সচেঞ্জে সংশ্লিষ্ট অধিগ্রহণকারীর স্টক ব্রোকার বা মার্চেন্ট ব্যাংকারের মাধ্যমে দাখিল করিতে হইবে।”

It is found that Md. Abul Khayer (BO ID # 1605110071091116) and his associates jointly hold more than 10% shares of 'FORTUNE' on the aforesaid dates.

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Contravention(s)-4.

Md. Abul Khayer (BO ID # 1605110071091116) and his associates have violated the following:

বিধি ৩(১) ০১ বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন (উল্লেখযোগ্য সংখ্যক শেয়ার অর্জন, অধিগ্রহণ ও কর্তৃত্ব গ্রহণ) বিধিমালা, ২০১৮ by acquiring more than 10% shares of "FORTUNE" without complying the requirements of the said rules.

সেহেতু উপর্যুক্ত আবেদন বিষয়ে সংশ্লিষ্ট সিকিউরিটিজ সংক্রান্ত আইন সংক্রান্ত সর্বোচ্চ সীমার মধ্যে শেয়ার অর্জন করা করা ফেব্রুয়ারি ১৫, ২০২২ তারিখ বিএসইসি/এনফোর্সমেন্ট/৩২৫২/২০২২/৩০৪ স্মারকনুমে Md. Abul Khayer and his associates (Associates are Mr. Md. Abul Khayer, Mr. Abul Kalam Matber, D I T Co-Operative Ltd., Mrs. Kazi Sadia Hasan, Mrs. Konika Afroze, Mr. Sajed Madbar))-কে মার্চ ০৭, ২০২২ তারিখে কারণ প্রদর্শন সহ শুনানীতে উপস্থিত হতে বলা হয়। শুনানীতে Mr. Md. Abul Khayer উপস্থিত হয়ে মার্চ ০১, ২০২২ তারিখের পত্রের মাধ্যমে নিম্নলিখিত বক্তব্য দাখিল করেন;

"With due respect, I, Md. Abul Khayer hereby would like to take the opportunity to explain my position in respect of your letter no. # BSEC/Enforcement/3252/2022/304 dated February 15, 2022 regarding FORTUNE.

Pursuant to your above-mentioned letter, we have tried to trade significant quantity of shares to improve the market scenario and increase the market volume in the very difficult situation like COVID-19 hit the capital market significantly where market volume reduced to very low and capital market was depressed and volume was required to stabilize the market. We, all know that the current economic data shows significant growth trajectory of Bangladesh Economy under the daughter of Bangabandhu HH Prime Minister Sheikh Hasina M.P., the depressed situation of capital market will not sustain, it must be rebounded significantly. It needs leader with good number of market participants who will work for the development of market like existing Chairman sir along with his team of BSEC.

In addition to the above, we have given buy order to our concerned trader to buy the mentioned shares of NRBC Bank Limited on the different dates but not for manipulative purpose. This is fresh buy and sales of shares. We believe that the price of NRBC is undervalued that's why we given this buy order to purchase shares. We have no other motive but to get the opportunity to get the gain from undervalued shares which is evident from its current price.

I always try to comply rules and regulation at the time trade. In addition to this, my trade volume helps to provide sufficient liquidity in the market which ultimately increase the turnover of the exchanges.

Regarding significant holding of shares, as far as I know it will be applicable for individual persons only with reference to section 6 and 7 of BSEC Rules (significant share holdings, purchase and taking of authority) 2002. However, if any advertent mistakes have happened, I am extremely sorry for that.

I sincerely apologize for the inadvertent mistakes/ contravention that had happened through the above-mentioned trades. It has happened due to my ignorance of the fact not intentional. I am assuring that I will be more careful for future transaction."



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যেহেতু, Mr. Md. Abul Khayer-এর উল্লিখিত বক্তব্য এবং তদন্ত প্রতিবেদন পর্যালোচনায় প্রতীয়মান হয় যে, উপস্থাপিত অভিযোগসমূহ সঠিক ও ইচ্ছাকৃত এবং উপর্যুক্ত কর্মকান্ডের ফলে পুঁজিবাজারের সাধারণ বিনিয়োগকারীগণ ক্ষতিগ্রস্ত হয়েছেন যা পুঁজিবাজার উন্নয়নের পরিপন্থী, সেহেতু এক্ষেত্রে Mr. Md. Abul Khayer-এর ব্যাখ্যা কমিশনের নিকট গ্রহণযোগ্য হিসেবে বিবেচিত হয়নি;

যেহেতু Mr. Md. Abul Khayer-এর উপর্যুক্ত কর্মকান্ড Securities and Exchange Ordinance, 1969 এর Section 17(e)(ii), Section 17(e)(iii) ও Section 17(e)(v) এবং বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন (উল্লেখযোগ্য সংখ্যক শেয়ার অর্জন, অধিগ্রহণ ও কর্তৃত্ব গ্রহণ) বিধিমালা, ২০১৮ এর বিধি ৪(১) লংঘন করেছে, যা সিকিউরিটিজ আইনের পরিপন্থী;

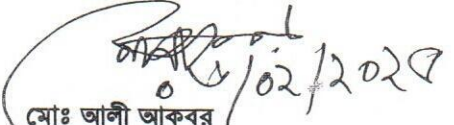
যেহেতু, Mr. Md. Abul Khayer-এর উপর্যুক্ত কর্মকান্ড Securities and Exchange Ordinance, 1969 এর Section 22 এবং বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন আইন, ১৯৯৩ এর ধারা ১৮ অনুযায়ী শাস্তিযোগ্য অপরাধ;

যেহেতু, কমিশনের বিবেচনায়, সিকিউরিটিজ আইন ও বিধি-বিধান পরিপালনে আলোচ্য ব্যর্থতার জন্য, পুঁজিবাজারের শৃংখলা, স্বচ্ছতা এবং জনস্বার্থে আলোচ্য Mr. Md. Abul Khayer-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] এবং বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন আইন, ১৯৯৩ এর ধারা ১৮ এ প্রদত্ত ক্ষমতাবলে-

- Mr. Md. Abul Khayer-কে মোট ১১.০০ (এগার) কোটি টাকা অর্থদন্ড ধার্য করল যা অত্র আদেশের ৩০ (ত্রিশ) দিনের মধ্যে 'বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশন' এর অনুকূলে ইস্যুকৃত ব্যাংক ড্রাফট/পে-অর্ডারের মাধ্যমে জমা প্রদান করতে হবে, অন্যথায় সিকিউরিটিজ আইন মোতাবেক পরবর্তী আইনানুগ ব্যবস্থা গ্রহণ করা হবে।

বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশনের আদেশক্রমে,


মোঃ আলী আকবর
কমিশনার

বিতরণ:

১। Mr. Md. Abul Khayer

(BOID: 1605110071091116, 1204590067712781,

1605530052137148, 1201950062164535,

1202600071091116, 1205950071091116)

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