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Enforcement Division
Enforcement Department
Market, Market Intermediaries and Other Affairs Section
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নং-বিএসইসি/এনফোর্সমেন্ট/৩৭০১/২০২৪/২২৬

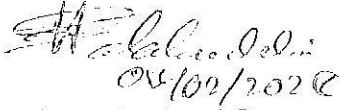
তারিখঃ ফেব্রুয়ারি ০৬, ২০২৪

Ms. Sajiya Jasmin
(BOID: 1602170066475452)
House no. 51, Nayapalton
Platon, Dhaka.

বিষয়: আদেশ।

কমিশনের আদেশ নং- নং-বিএসইসি/এনফোর্সমেন্ট/৩৭০১/২০২৪/২২৬ তারিখঃ ফেব্রুয়ারি ০২, ২০২৪ এর সত্যায়িত অনুলিপি
আপনার অবগতি ও প্রয়োজনীয় ব্যবস্থা গ্রহণের জন্য এতদসঙ্গে সংযুক্ত করা হলো।

বাংলাদেশ সিকিউরিটিজ অ্যান্ড এক্সচেঞ্জ কমিশনের পক্ষে,


০৬/০২/২০২৪

মোঃ সুলতান সালাহ উদ্দিন

উপপরিচালক (এনফোর্সমেন্ট)

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

ই-মেইল- ssuddin@sec.gov.bd

অবগতির জন্য অনুলিপি:

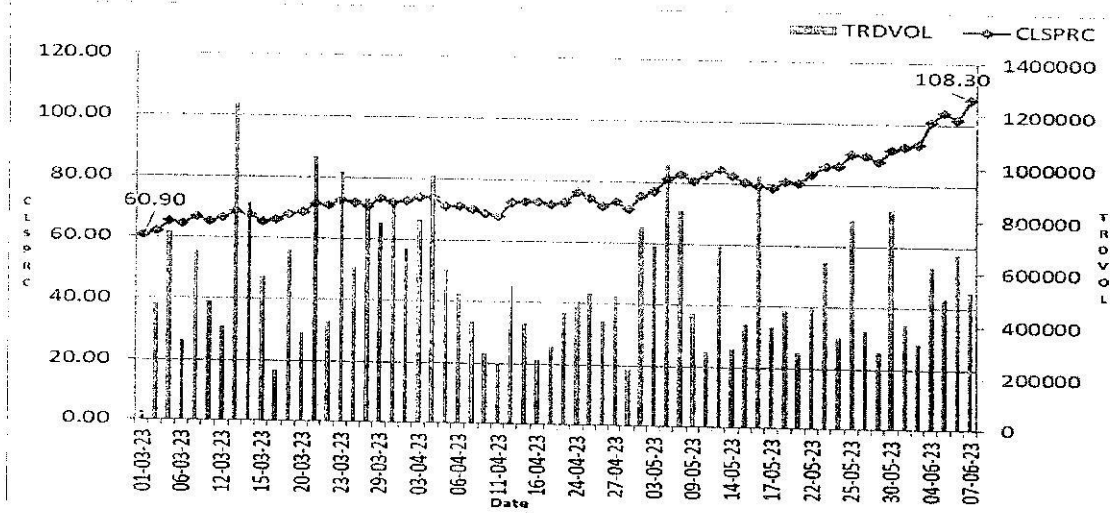
১. চেয়ারম্যান মহোদয়ের দপ্তর, বিএসইসি।
২. পিও টু সকল কমিশনার, বিএসইসি।
৩. পিও টু নির্বাহী পরিচালক, এনফোর্সমেন্ট, বিএসইসি।
৪. পিও টু নির্বাহী পরিচালক, এমআইএস, বিএসইসি।
৫. পিও টু নির্বাহী পরিচালক, এমআইএডি, বিএসইসি। [BSEC/Surveillance/2003-0097]
৬. পিও টু পরিচালক, এনফোর্সমেন্ট, বিএসইসি।

আদেশ

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

যেহেতু, জুন ১১, ২০২৩ তারিখের DSE Surveillance Note # 42/2023 অনুযায়ী এবং Regulation 16(3)(c)(ii) and (d)(v) of Dhaka Stock Exchange (Board and Administration) Regulations, 2013 দ্বারা প্রণীত ক্ষমতাবলে ঢাকা স্টক এক্সচেঞ্জ লিমিটেড ০২.০৩.২০২৩ থেকে ০৭.০৬.২০২৩ পর্যন্ত সময়ে Fine Foods Limited (FINEFOODS)-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:

Trends of closing price and trade volume OF "FINEFOODS" in public market



Yesterday Closing Price (YCP) of the share of FINE FOODS LIMITED as on 02-03-2023 was Tk. 60.90 and closing price of the same was Tk. 108.30 as on 07-06-2023. During this period from 02-03-2023 to 07-06-2023, price of the share of FINE FOODS LIMITED was increased by Tk. 47.40 which is approximately 77.83% higher compared to closing price of 01-03-2023.

Observations and findings:

A. Trade details of Mohammad Shamsul Alam and associates:

Observation- 1:

Mohammad Shamsul Alam (Client code # 22232 of Stock & Bond Limited) was the 7th top buyer of FINEFOODS share from 02-03-2023 to 07-06-2023. After examining the relevant documents, it was found that the said client was associated with another account(s) from which they traded shares of "FINEFOODS" during the investigation period. Details are as follows:

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BO ID	Client ID	Client Name	Client Address	MO. MARRIED / HUSBAND	PO. MOTHER	Remarks
1203510068173076	22232	Mohammad Shamsul Alam	Stock & Bond Limited	Md. Abdur Rob	Ambia Khatun	Joint A/C maintained with his wife Sajiya Jasmin
1201820068895861	H0344	Arbim Techo Ltd	Arbim Techo Brokerage Limited			Mohammad Shamsul Alam, is the contact person & first applicant of this BOID
1205720075603052	04008	A A A Agro Enterprise	NLI Securities Limited			Mohammad Shamsul Alam, CEO of A A A Agro Enterprise is the contact person & first applicant of this BOID
1203510066591329	22260	Mohammed Jahangir Alam	Stock & Bond Limited	Md. Abdur Rob	Ambia Khatun	Brother of Mohammad Shamsul Alam, Director of Arbim Techo Ltd
1602170066475452	4733	Sajiya Jasmin	Mercantile Bank Securities Limited	A.B.M Ziya	Rasheda Khanam	Wife of Mohammad Shamsul Alam
1203510068907832	22246	Sultana Parvin	Stock & Bond Limited	Md. Abdur Rob	Ambia Khatun	Sister of Mohammad Shamsul Alam

- a) Individual Trade Patterns, Trade monitoring screenshots, Effects of "FINEFOODS" at DSE in public market by Mohammad Shamsul Alam and associates and gain and loss statement are given below:



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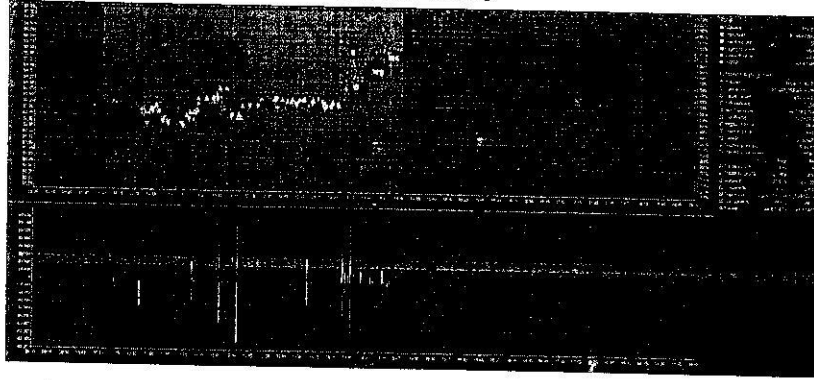
market):

The Investigation Team of IED collected Trade monitoring screenshots from the surveillance Department of DSE on some trading, and the series of trades and volume trading of Mohammad Shamsul Alam and associates, were observed which influenced to uplift the price of shares of 'FINEFOODS' during the investigation period.

The details of the graphs are given below:

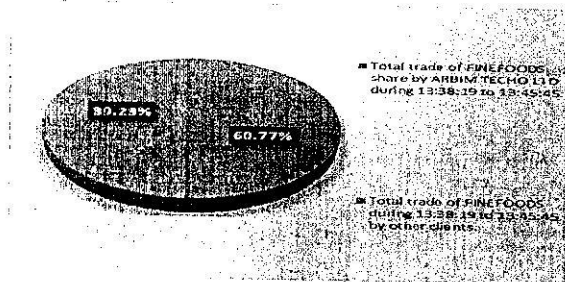
BOID: 1203510068173076, 1201820068895861, 1205720075603052,
 1203510066591329, 1602170066475452, 1203510068907832 (combined)

05-03-2023



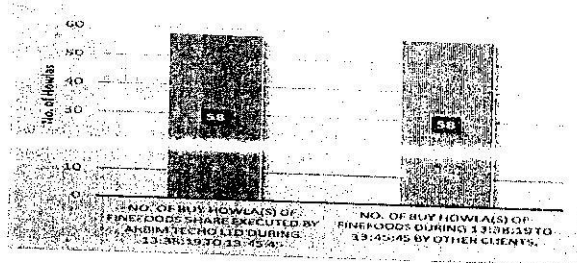
It was observed in the above graph that on 05-03-2023, total number of trades of FINEFOODS in the market was 682, whereas number of trades (buy) executed by Mohammad Shamsul Alam and associates were 146 which is approximately 21.41% of the total number of trades in the market. Again, total traded volume of FINEFOODS in the market on that day was 721,578 whereas buy volume by the said client(s) was 137,016 which is approximately 18.99% of the total traded volume in the market.

On 05-03-2023, trading of FINEFOODS share was started at Tk. 63.30 which is Tk. 1.10 more than the YCP of Tk. 62.20. On that day, Mohammad Shamsul Alam and associates started series of trading at 13:38:19 at price Tk. 63.50 and induced the same to rise to Tk. 64.80 up to 13:45:45. It can also be observed from the above graph that Mohammad Shamsul Alam and associates executed significant trades during this time period. It is mentionable here that from 13:38:19 to 13:45:45, Mohammad Shamsul Alam and associates bought 73,352 shares of FINEFOODS compared to the total traded share of 120,709. This is shown in the following Pie Chart.



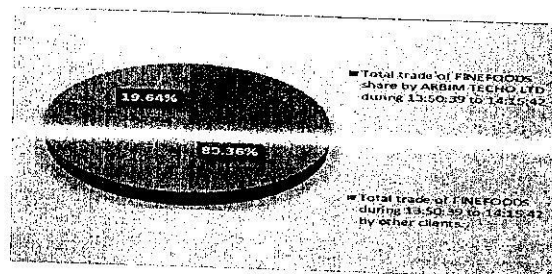
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It is also found that during the aforementioned period, Mohammad Shamsul Alam and associates executed 58 howlas to purchase of shares of FINEFOODS compared to the total number of howlas of 116 as shown in the following Bar Chart.

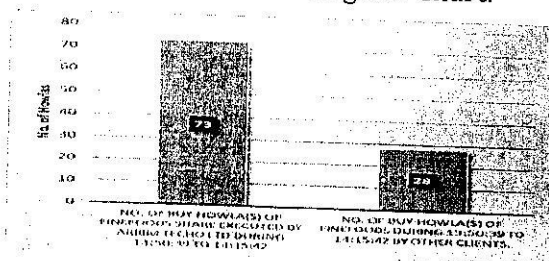


It is observed from the above graphs and screenshot that Mohammad Shamsul Alam and associates bought 60.77% of the total trades of FINEFOODS shares by executing 58 of total 116 howlas from 13:38:19 to 13:45:45 on 05-03-2023. From 13:38:19 to 13:45:45, Mohammad Shamsul Alam and associates induced the price to rise from Tk. 63.50 to Tk. 64.80 (induced the price by Tk. 1.30). Thus it seems that Mohammad Shamsul Alam and associates were actively trying to lift the price of FINEFOODS share.

Besides, on that day, Mohammad Shamsul Alam and associates started series of trading at 13:50:39 at price Tk. 64.10 and induced the same to rise to Tk. 66.40 up to 14:15:42. It can also be observed from the above graph that Mohammad Shamsul Alam and associates executed significant trades during this time period. It is mentionable here that from 13:50:39 to 14:15:42, Mohammad Shamsul Alam and associates bought 51,139 shares of FINEFOODS compared to the total traded share of 63,638. This is shown in the following Pie Chart.



It is also found that during the aforementioned period, Mohammad Shamsul Alam and associates executed 73 howlas to purchase of shares of FINEFOODS compared to the total number of howlas of 101 as shown in the following Bar Chart.



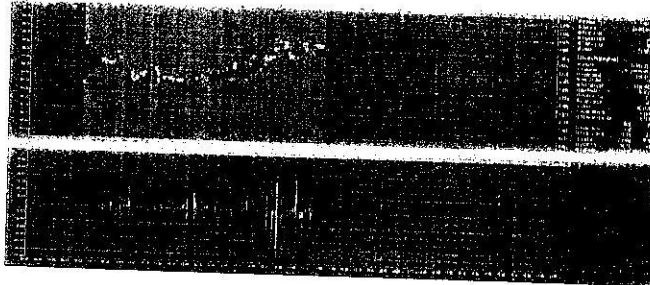
It is observed from the above graphs and screenshot that Mohammad Shamsul Alam and associates bought 80.36% of the total trades of FINEFOODS shares by executing 73 of total 101 howlas from 13:50:39 to 14:15:42 on 05-03-2023. From 13:50:39 to 14:15:42, Mohammad Shamsul Alam and associates induced the price to rise from Tk. 64.10 to Tk. 66.40 (induced the price by Tk. 2.30). Thus it seems that Mohammad Shamsul Alam and

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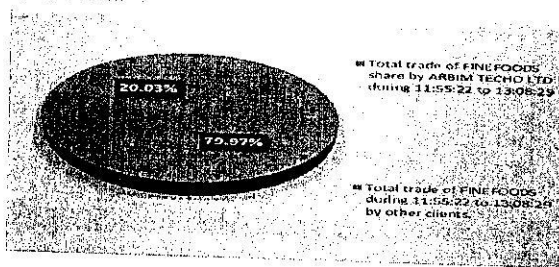
price of FINEFOODS share was increased by Tk 3.10 which is approximately 4.98% higher than YCP.

12-03-2023

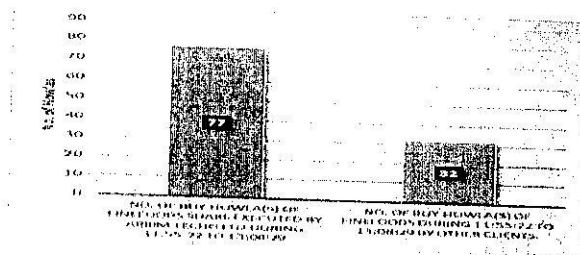


It was observed in the above graph that on 12-03-2023, total number of trades of FINEFOODS in the market was 698, whereas number of trades (buy) executed by Mohammad Shamsul Alam and associates were 202 which is approximately 28.94% of the total number of trades in the market. Again, total traded volume of FINEFOODS in the market on that day was 361,964 whereas buy volume by the said client(s) was 124,584 which is approximately 34.42% of the total traded volume in the market. It is evident that the client had significant participation in the market on 12-03-2023 in trading of FINEFOODS share.

On 12-03-2023, trading of FINEFOODS share was started at Tk. 66.80 which is Tk. 1.50 more than the YCP of Tk. 65.30. On that day, Mohammad Shamsul Alam and associates started series of trading at 11:55:22 at price Tk. 64.60 and induced the same to rise to Tk. 65.90 up to 13:08:29. It can also be observed from the above graph that Mohammad Shamsul Alam and associates executed significant trades during this time period. It is mentionable here that from 11:55:22 to 13:08:29, Mohammad Shamsul Alam and associates bought 50,377 shares of FINEFOODS compared to the total traded share of 62,995. This is shown in the following Pie Chart.



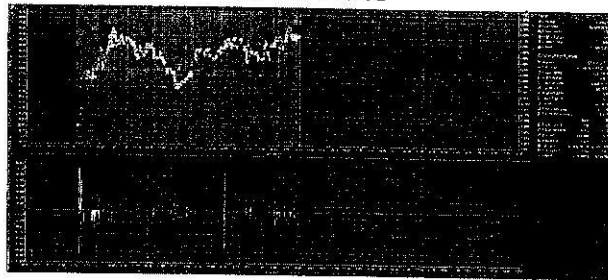
It is also found that during the aforementioned period, Mohammad Shamsul Alam and associates executed 77 howlas to purchase of shares of FINEFOODS compared to the total number of howlas of 109 as shown in the following Bar Chart.



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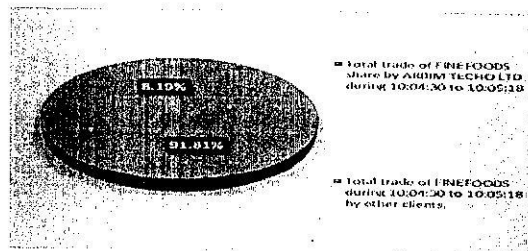
it is observed from the above graphs and screenshots that Mohammad Shamsul Alam and associates bought 79.97% of the total trades of FINEFOODS shares by executing 77 of total 109 howlas from 11:55:22 to 13:08:29 on 12-03-2023. From 11:55:22 to 13:08:29, the price of FINEFOODS share was increased by Tk. 1.30 (induced the price by Tk. 1.30). Thus it seems that Mohammad Shamsul Alam and associates were actively trying to lift the price of FINEFOODS share. At the end of the day price of FINEFOODS share was increased by Tk. 1.40 which is approximately 2.14% higher than YCP.

13-03-2023

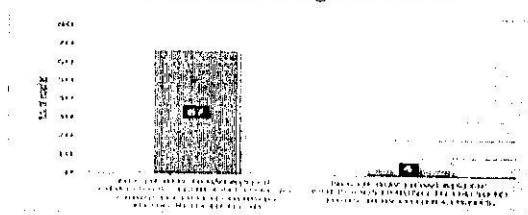


It was observed in the above graph that on 13-03-2023, total number of trades of FINEFOODS in the market was 1841, whereas number of trades (buy) executed by Mohammad Shamsul Alam and associates were 118 which is approximately 6.41% of the total number of trades in the market. Again, total traded volume of FINEFOODS in the market on that day was 1,208,313 whereas buy volume by the said client(s) was 149,504 which is approximately 12.37% of the total traded volume in the market.

On 13-03-2023, trading of FINEFOODS share was started at Tk. 65.60 which is Tk. 1.10 less than the YCP of Tk. 66.70. On that day, Mohammad Shamsul Alam and associates started series of trading at 10:04:30 at price Tk. 67.30 and induced the same to rise to Tk. 67.70 up to 10:05:18. It can also be observed from the above graph that Mohammad Shamsul Alam and associates executed significant trades during this time period. It is mentionable here that from 10:04:30 to 10:05:18, Mohammad Shamsul Alam and associates bought 71,722 shares of FINEFOODS compared to the total traded share of 78,122. This is shown in the following Pie Chart.



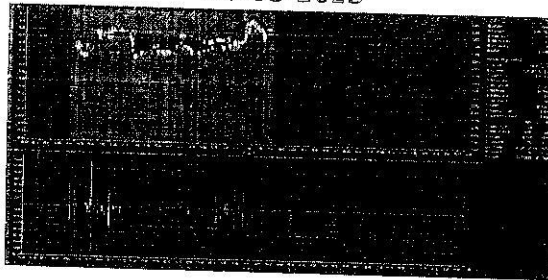
It is also found that during the aforementioned period, Mohammad Shamsul Alam and associates executed 67 howlas to purchase of shares of FINEFOODS compared to the total number of howlas of 71 as shown in the following Bar Chart.



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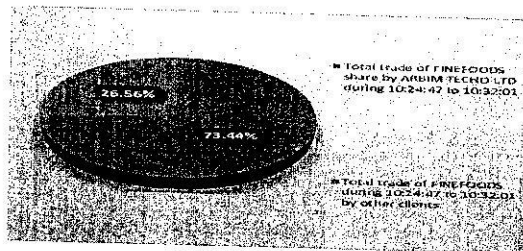
... associates bought 91.81% of the total trades of FINEFOODS shares by executing 67 of total 71 howlas from 10:04:30 to 10:05:18 on 13-03-2023. From 10:04:30 to 10:05:18, ... 67.70 (induced the price by Tk. 0.40). Thus it seems that Mohammad Shamsul Alam and associates were actively trying to lift the price of FINEFOODS share. At the end of the day price of FINEFOODS share was increased by Tk. 2.10 which is approximately 3.15% higher than YCP.

08-05-2023

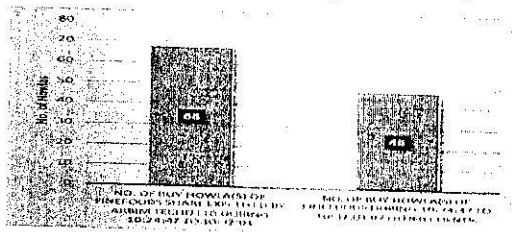


It was observed in the above graph that on 08-05-2023, total number of trades of FINEFOODS in the market was 1112, whereas number of trades (buy) executed by Mohammad Shamsul Alam and associates were 74 which is approximately 6.65% of the total number of trades in the market. Again, total traded volume of FINEFOODS in the market on that day was 831,479 whereas buy volume by the said client(s) was 93,114 which is approximately 11.20% of the total traded volume in the market.

On 08-05-2023, trading of FINEFOODS share was started at Tk. 78.00 which is Tk. 3.20 less than the YCP of Tk. 81.20. On that day, Mohammad Shamsul Alam and associates started series of trading at 10:24:47 at price Tk. 81.30 and induced the same to rise to Tk. 82.50 up to 10:32:01. It can also be observed from the above graph that Mohammad Shamsul Alam and associates executed significant trades during this time period. It is mentionable here that from 10:24:47 to 10:32:01, Mohammad Shamsul Alam and associates bought 90,414 shares of FINEFOODS compared to the total traded share of 123,115. This is shown in the following Pie Chart.



It is also found that during the aforementioned period, Mohammad Shamsul Alam and associates executed 68 howlas to purchase of shares of FINEFOODS compared to the total number of howlas of 116 as shown in the following Bar Chart.



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associates bought 73.44% of the total trades of FINEFOODS shares by executing 68 of total 116 howlas from 10:24:47 to 10:32:01 on 08-05-2023. From 10:24:47 to 10:32:01, 82.50 (induced the price by Tk. 1.20). Thus it seems that Mohammad Shamsul Alam and associates were actively trying to lift the price of FINEFOODS share. At the end of the day price of FINEFOODS share was increased by Tk. 1.60 which is approximately 1.97% higher than YCP.

Summary of the trade by Mohammad Shamsul Alam and associates:

Summary																
Block Buy			Block Sale			Total Buy			Total Sale			Cost of Shares Sold		Stock Position		
Qty	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount
760736	74.05	56334996.00	76405	72.45	47287712.10	2,562,695.00	72.13	184845331.30	3,662,078.00	73.56	269391374.30	57.62	247636664.99	274347	80.16	21992363.93

d. Gain and Loss by Mohammad Shamsul Alam and associates from 02.03.2023 to 07.06.2023:

Realized Capital gain(loss)per unit	5.94	Average Sale Price - Average Cost Price
Realized Capital gain(loss)%	8.78%	Gain (loss) Per Unit/Cost Per Unit
Realized Capital gain(loss)TK	21,754,709.91	Total Sale Quantity x Gain (loss) Per Unit
Closing Price (07-06-2023)	108.30	Closing Price of Last Investigation Date
Unrealized gain(loss) per unit	28.14	Closing Price of Last Investigation Date - Average Price of Stock Position
Unrealized gain(loss) %	35.10%	Unrealized gain (loss) per unit /Average Price of Stock Position
Unrealized gain(loss) TK	7,719,416.17	Quantity of Stock Position x Unrealized gain (loss) per unit

As per DSE trade data it was observed that Mohammad Shamsul Alam and associates bought 2562695 shares and sold 3662078 shares of FINEFOODS from public market during the period from 02-03-2023 to 07-06-2023. With the said BO accounts, Mohammad Shamsul Alam and associates traded 16.26% shares of FINEFOODS and realized a capital gain/loss of Tk. 21754709.91 from the trading of FINEFOODS share during the investigation period. They had also unrealized gain/loss of TK. 7719416.17 during the period.

Finding(s)-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-

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(v) directly or indirectly effect a series of transactions of shares of "FINEFOODS" creating an 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 Mohammad Shamsul Alam and associates were involved directly and indirectly in a series of transactions of shares of 'FINEFOODS' with their aforesaid BO accounts in order to create an appearance of active trading and raising of price of the said share.

Contravention(s)-1:

Mohammad Shamsul Alam and associate(s) have violated the following:

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

Observation-2:

After analyzing the trade pattern of the clients, the investigation team found that MOHAMMAD SHAMSUL ALAM (BOID: 1203510068173076), ARBIM TECHO LTD. (BOID # 1201820068895861), AAA AGRO ENTERPRISE (BOID: 1205720075603052), SAJIYA JASMIN (BOID: 1602170066475452) and SULTANA PARVIN (BOID: 1203510068907832) were involved in trading in shares of "FINEFOODS" within the investigation period and these accounts are acting as counter party of each other for 237125 shares of "FINEFOODS" in 58 howlas in both the public and block market during the investigation period. Detail of the above mentioned trade is as follows:

Table: Counterparty trading of Mohammad Shamsul Alam and associates:

TRADE DATE	TRADE TIME	HOWLA NO	INSTRUMENT CODE	TRADE VOLUME	TRADE PRICE	BUYER CODE	BUYER CLIENT	BOID BUYER	SELLER CODE	SELLER CLIENT	BOID SELLER	MARKET TYPE
28-03-23	11:28:32	279959946	FINEFOODS	947	71.5	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
28-03-23	11:28:32	279959948	FINEFOODS	2000	71.5	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
28-03-23	11:28:32	279959949	FINEFOODS	2000	71.5	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
28-03-23	11:28:32	279959950	FINEFOODS	1005	71.5	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
28-03-23	11:28:41	279959975	FINEFOODS	995	71.5	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
16-05-23	12:52:31	283924418	FINEFOODS	158	81	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
16-05-23	12:52:34	283924444	FINEFOODS	500	81	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
16-05-23	12:52:36	283924474	FINEFOODS	1000	81	DSEEPS	HO344	1201820068895861	DSEESBL	22232	1203510068173076	Public
28-03-23	11:41:46	279963310	FINEFOODS	2000	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
28-03-23	11:41:46	279963320	FINEFOODS	1769	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
28-03-23	11:41:46	279963321	FINEFOODS	231	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
28-03-23	11:41:46	279963327	FINEFOODS	2000	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
28-03-23	11:41:46	279963334	FINEFOODS	2000	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
28-03-23	11:41:46	279963340	FINEFOODS	919	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
28-03-23	11:42:04	279963402	FINEFOODS	1051	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
28-03-23	12:01:23	279967884	FINEFOODS	2000	71	DSEEPS	HO344	1201820068895861	DSEENLS	04008	1205720075603052	Public
16-05-23	12:36:59	283915856	FINEFOODS	3211	81.3	DSEEPS	HO344	1201820068895861	DSEEMBL	4733	1602170066475452	Public
16-05-23	12:36:59	283915857	FINEFOODS	1789	81.3	DSEEPS	HO344	1201820068895861	DSEEMBL	4733	1602170066475452	Public
16-05-23	12:59:29	283928406	FINEFOODS	1900	81.5	DSEEPS	HO344	1201820068895861	DSEEMBL	4733	1602170066475452	Public
12-04-23	10:50:05	281119325	FINEFOODS	1000	69.7	DSEESBL	22232	1203510068173076	DSEEPS	HO344	1201820068895861	Public
12-04-23	10:50:11	281119382	FINEFOODS	1000	69.7	DSEESBL	22232	1203510068173076	DSEEPS	HO344	1201820068895861	Public
12-04-23	10:50:11	281119383	FINEFOODS	1000	69.7	DSEESBL	22232	1203510068173076	DSEEPS	HO344	1201820068895861	Public
12-04-23	10:50:11	281119384	FINEFOODS	1000	69.7	DSEESBL	22232	1203510068173076	DSEEPS	HO344	1201820068895861	Public

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12-04-23	10:50:16	281119435	FINEFOODS	900	69.8	DSESBL	22232	1203510068173076	DSEEPS	HO344	1201820068895861	Public
12-04-23	10:50:16	281119437	FINEFOODS	100	69.8	DSESBL	22232	1203510068173076	DSEEPS	HO344	1201820068895861	Public
07-03-23	10:55:21	278779320	FINEFOODS	1000	64.9	DSESBL	22232	1203510068173076	DSESBL	22246	1203510068907832	Public
09-03-23	14:18:40	278985394	FINEFOODS	2750	66	DSESBL	22232	1203510068173076	DSESBL	22246	1203510068907832	Public
09-03-23	14:18:40	278985396	FINEFOODS	3000	66	DSESBL	22232	1203510068173076	DSESBL	22246	1203510068907832	Public
09-03-23	14:18:40	278985397	FINEFOODS	1250	66	DSESBL	22232	1203510068173076	DSESBL	22246	1203510068907832	Public
09-03-23	14:10:07	278976832	FINEFOODS	30000	65	DSESBL	22232	1203510068173076	DSENLS	04008	1205720075603052	Public
29-03-23	12:00:47	280044729	FINEFOODS	83168	70	DSESBL	22232	1203510068173076	DSENLS	04008	1205720075603052	Block
07-06-23	10:07:08	287291682	FINEFOODS	25000	93	DSESBL	22232	1203510068173076	DSEMBL	4733	1602170066475452	Block
02-03-23	12:29:00	278428191	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428192	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428194	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428195	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428196	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428197	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428198	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428199	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
02-03-23	12:29:00	278428200	FINEFOODS	1000	59.6	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
07-03-23	12:04:01	278807613	FINEFOODS	1000	65.8	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
07-03-23	12:04:44	278807862	FINEFOODS	1000	65.8	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
07-03-23	12:08:10	278808932	FINEFOODS	800	65.8	DSESBL	22246	1203510068907832	DSESBL	22232	1203510068173076	Public
07-03-23	10:41:47	278771482	FINEFOODS	5000	64.2	DSENLS	04008	1205720075603052	DSESBL	22232	1203510068173076	Public
07-03-23	14:18:55	278870326	FINEFOODS	1796	67.3	DSENLS	04008	1205720075603052	DSESBL	22232	1203510068173076	Public
12-03-23	13:41:37	279065317	FINEFOODS	1750	67	DSENLS	04008	1205720075603052	DSESBL	22232	1203510068173076	Public
12-03-23	13:41:41	279065325	FINEFOODS	5000	67	DSENLS	04008	1205720075603052	DSESBL	22232	1203510068173076	Public
12-03-23	13:41:45	279065360	FINEFOODS	5000	67	DSENLS	04008	1205720075603052	DSESBL	22232	1203510068173076	Public
12-03-23	13:41:49	279065371	FINEFOODS	5000	67	DSENLS	04008	1205720075603052	DSESBL	22232	1203510068173076	Public
13-03-23	13:32:25	279161748	FINEFOODS	10350	68.2	DSENLS	04008	1205720075603052	DSESBL	22232	1203510068173076	Public
09-03-23	14:16:32	278982617	FINEFOODS	3000	66	DSENLS	04008	1205720075603052	DSESBL	22246	1203510068907832	Public
09-03-23	14:19:03	278985899	FINEFOODS	1660	66	DSENLS	04008	1205720075603052	DSESBL	22246	1203510068907832	Public
09-03-23	14:19:03	278985900	FINEFOODS	3000	66	DSENLS	04008	1205720075603052	DSESBL	22246	1203510068907832	Public
09-03-23	14:19:03	278985901	FINEFOODS	226	66	DSENLS	04008	1205720075603052	DSESBL	22246	1203510068907832	Public

TOTAL HOWLA NO: 58

TOTAL TRADE VOLUME: 237125

(DSE trade data)

Findings 2:

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 **Mohammad Shamsul Alam and associates** acted as counter party of each other for 237125 shares of "FINEFOODS" in 58 howlas in both the public and block market during the investigation period.

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Enforcement Division
Enforcement Department
Enforcement, Market Intermediaries and Other Affairs Section
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Violated Parties:

MOHAMMAD SHAMSUL ALAM (BOID: 1203510068173076), ARBIM TECHO LTD. (BOID # 1203510068173076), AAA ACRO ENTERPRISE (BOID: 1205720075602052), SAJIYA JASMIN (BOID: 1602170066475452) and SULTANA PARVIN (BOID: 120351006890/832) 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.

INDIVIDUAL TRADE PATTERN

A. Trade details of SAJIYA JASMIN:

a) Individual Trade Patterns of SAJIYA JASMIN (Only Public Market):

Date	Code # 4733				Total					
	BO ID # 1602170066475452									
	SAJIYA JASMIN									
	Mercantile Bank Securities Limited									
	Buy Qty	Rate (W.Avg.)	Sale Qty.	Rate (W.Avg.)	Buy Qty	Buy Rate (W.Avg.)	Total	Sale Qty.	Sale Rate (W.Avg.)	Total
16-05-2023	0	0.00	200000	80.66	0	0.00	0.00	200000	80.66	16131338.00
06-06-2023	0	0.00	142848	101.80	0	0.00	0.00	142848	101.80	14541926.40
07-06-2023	0	0.00	32152	101.33	0	0.00	0.00	32152	101.33	3258059.00
Total	0		375000		0			375000		

b) Effects of "FINEFOODS" at DSE in both public and block market by SAJIYA JASMIN:

Date	Buy			Sale			Cost of shares sold		Stock Position			Comparison with the Market							
	Qty.	Price (W.Avg.)	Amount	Qty.	Price (W.Avg.)	Amount	Bonus Share Credited	Price (W.Avg.)	Amount	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 (%)	
Opening Balance										0	0.00	0.00							
02-05-2023	200000	74.00	14800000.00	0	0.00	0.00	0	0.00	0.00	200000	74.00	14800000.00	978373	75.60	5.88%	20.44%	0.00%	20.44%	
16-05-2023	0	0.00	0.00	200000	80.66	16131338.00	0	74.00	14800000.00	0	0.00	0.00	980017	79.40	-1.37%	0.00%	20.41%	20.41%	
25-05-2023	200000	80.00	16000000.00	0	0.00	0.00	0	0.00	0.00	200000	80.00	16000000.00	1323154	90.30	4.39%	15.12%	0.00%	15.12%	
06-06-2023	0	0.00	0.00	142848	101.80	14541926.40	0	80.00	11427840.00	0	0.00	0.00	686980	101.80	-2.02%	0.00%	20.79%	20.79%	
07-06-2023	0	0.00	0.00	32152	97.69	3136059.00	0	80.00	4572160.00	0	0.00	0.00	582966	108.30	6.39%	0.00%	10.15%	10.15%	
Total	400000	77.00	30800000.00	400000	90.64	36256323.40	0	77.00	30800000.00	0	0.00	0.00							

Summary of the trade by SAJIYA JASMIN:

Summary																
Block Buy			Block Sale			Total Buy			Total Sale			Cost of Shares Sold		Stock Position		
Qty	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount	Price (W.Avg.)	Amount	Qty	Price (W.Avg.)	Amount
400000	77.00	30800000.00	25000	93.00	2325000.00	400000	77.00	30800000.00	400000	90.64	36256323.40	77.00	30800000.00	0	0.00	0.00

c) Gain and loss statement of SAJIYA JASMIN:

Realized Capital gain(loss) per unit	13.64	Average Sale Price - Average Cost Price
Realized Capital gain(loss)%	17.72%	Gain (loss) Per Unit/Cost Per Unit
Realized Capital gain(loss)TK	5,456,323.40	Total Sale Quantity x Gain (loss) Per Unit
Closing Price (07-06-2023)	108.30	Closing Price of Last Investigation Date
Unrealized gain(loss) per unit	0.00	Closing Price of Last Investigation Date - Average Price of Stock Position
Unrealized gain(loss) %	0.00%	Unrealized gain (loss) per unit /Average Price of Stock Position
Unrealized gain(loss) TK	-	Quantity of Stock Position x Unrealized gain (loss) per unit

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সেপ্টেম্বর ২০২৪ তারিখের সিকিউরিটিজ এন্ড এক্সচেঞ্জ কমিশনের স্মারকসূলে Mchammad Shamsul Alam & Associates Ltd. কর্তৃক প্রেরিত পত্রের প্রতিক্রিয়ায় Mr. Mohammad Shamsul Alam, Arbim Techo Ltd, A A A Agro Enterprises Ltd. (Mchammad Shamsul Alam, Mr. Sajiyah, Ms. Sajiya) এর পক্ষে প্রদর্শন সহ শুনানীতে উপস্থিত হতে বলা হয়। নির্ধারিত তারিখ মার্চ সেপ্টেম্বর ৩০, ২০২৪ এ Ms. Sajiya কর্তৃক প্রেরিত পত্রের প্রতিক্রিয়ায় Mr. Mohammad Shamsul Alam শুনানীতে উপস্থিত ৩০.০৯.২০২৪ইং তারিখের পত্রের মাধ্যমে প্রতিক্রিয়া প্রদান করা দাখিল করেন:

আপনার প্রেরিত পত্র নাথাকার বিএসইসি/ইসফোর্সস্মেট/৩৭০১/২০২৪/৭১১ তারিখ: ১১.০৯.২০২৪ সিকিউরিটিজ এন্ড এক্সচেঞ্জ অর্ডিন্যান্স ১৯৬৯-এর ধারা 17(e)(ii), 17(e)(v) আইন এবং বিধি ০৪(১) বাংলাদেশ সিকিউরিটিজ এন্ড এক্সচেঞ্জ কমিশন (উল্লেখযোগ্য সংখ্যক শেয়ার অর্জন, অধিগ্রহণ ও কর্তৃত্ব গ্রহণ) বিধিমালা, ২০১৮ লংঘনের অভিযোগে ফাইন ফুডস লিমিটেড-এর শেয়ার লেনদেনের জন্য আগামী ৩০ সেপ্টেম্বর, ২০২৪ইং তারিখে আপনার কমিশনে উপস্থিত হয়ে আমাকে শুনানীর জন্য ডাকা হলে আপনাদের চিঠির মর্মমতে আমার বক্তব্য নিম্নরূপ:

আপনাদের প্রেরিত চিঠিতে রিয়েলাইজড এবং আন রিয়েলাইজড গেইন এর কথা উল্লেখ করেছেন, এ বিষয়ে আমার বক্তব্য হল আমি দীর্ঘদিন যাবৎ শেয়ার বাজারে লেনদেন করে আসছি। শেয়ার ব্যবসায়ী হিসেবে ফাইন ফুডস লি:-এর শেয়ার ক্রয়-বিক্রয়ের মাধ্যমে আমি কিছু মুনাফা রিয়েলাইজড করি এবং বাকী অংশ আনরিয়েলাইজড রয়েছে। আমরা পুঁজিবাজারের বিনিয়োগকারীরা বরাবরই মুঁকি নিয়ে বিনিয়োগ করে থাকি। এখানে উল্লেখ্য যে পুঁজিবাজারে আমাদের বিনিয়োগের কোনো অসৎ উদ্দেশ্য ছিল না এবং আমি/আমরা কোনো ধরনের সিরিজ ট্রানজেকশনের সঙ্গে জড়িত নই। এখানে উল্লেখ্য পরিবারের অন্যান্য সদস্যগণ সম্পূর্ণ আলাদাভাবে বি.ও হিসাব পরিচালনা করা হয়ে থাকে যাহা আমার বা আমার পরিবারের অন্যান্য সদস্যের বিও হিসাব থেকে বুঝা যায়, দিন শেষে আমরা প্রত্যেকেই আমাদের নিজ নিজ পরিবারের আয়ের মাধ্যমে ব্যয়ের পরিচালনা হয়ে থাকে। পুঁজিবাজারের ক্ষতি হয় এমন কোনো কিছুর সঙ্গে আমার কোনো প্রকার কোনো সংশ্লিষ্টতা নেই। আমার সিকিউরিটিজ আইন সম্বন্ধে ভালভাবে ধারণা না থাকার কারণে নিজের এবং পরিবারের সবার ধারণকৃত শেয়ার ১০% এর উপরে হয়ে যাওয়ার কারণে বিএসইসি-এর আইনের ব্যত্যয় ঘটেছে যাহা আমার সিকিউরিটিজ আইন সম্পর্কিত অজ্ঞতার কারণে হয়েছে। বর্ণিত শেয়ারের লেন-দেন এর ক্ষেত্রে এই কোম্পানীর সম্পর্কে আমার কোন ভালো ধারণাও ছিল না, বিষয়টি শুধু আমার অজ্ঞতার কারণে হয়েছে। আরও উল্লেখ্য যে, বর্তমানে আমার আর্থিক অবস্থা খুব শোচনীয় এবং বিভিন্ন ধরনের শারিরিক সমস্যা রয়েছে। এ কারণে আমি সিকিউরিটিজ আইন পুনরাবৃত্তি করার আশি সর্বদা সফল হওয়ার এবং এ ধরনের ভালের পুনরাবৃত্তি যেন না ঘটে তার ব্যাপারে আমি প্রতিশ্রুতিবদ্ধ রইলাম।

অতএব, জনাবের নিকট আমার আবেদন, বর্ণিত বিষয়টি মানবিক কারণে বিবেচনা করে আমার বিরুদ্ধে আনীত সিকিউরিটিজ এন্ড এক্সচেঞ্জ কমিশন অর্ডিন্যান্স ১৯৬৯-এর ধারা 17(e) (ii), 17(e) (v) আইন এবং বিধি ০৪(১) বাংলাদেশ সিকিউরিটিজ এন্ড এক্সচেঞ্জ কমিশন (উল্লেখযোগ্য সংখ্যক শেয়ার অর্জন, অধিগ্রহণ ও কর্তৃত্ব গ্রহণ) বিধিমালা, ২০১৮ লংঘনের অভিযোগ হতে আমাকে অব্যাহতি প্রদান করতে বিনিতভাবে অনুরোধ করছি।”

Bangladesh Securities and Exchange Commission
Enforcement Division
Enforcement Department
Market, Market Intermediaries and Other Affairs Section
www.sec.gov.bd

অভিযোগসমূহ সঠিক ও যুক্তিসঙ্গত এবং উপযুক্ত প্রমাণের ফলে পুঁজিবাজারের স্বাধীন বিনিয়োগকারীগণ ক্ষতিগ্রস্ত হয়েছেন যা পুঁজিবাজার উন্নয়নের পরিপন্থী, সেহেতু এক্ষেত্রে Ms. Sajiya Jasmin-এর ব্যাখ্যা কমিশনের নিকট গ্রহণযোগ্য হিসেবে বিবেচিত

যেহেতু, Ms. Sajiya Jasmin উপর্যুক্ত কর্মকান্ডের মাধ্যমে Securities and Exchange Ordinance, 1969 এর Section 17(e)(ii) ও Section 17(e)(v) লংঘন করেছেন;

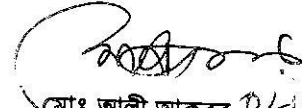
যেহেতু, Ms. Sajiya Jasmin-এর উপর্যুক্ত কর্মকান্ড Securities and Exchange Ordinance, 1969 এর Section 22 অনুযায়ী শাস্তিযোগ্য অপরাধ;

যেহেতু, কমিশনের বিবেচনায়, সিকিউরিটিজ আইন ও বিধি-বিধান পরিপালনে আলোচ্য ব্যর্থতার জন্য, পুঁজিবাজারের শৃংখলা, স্বচ্ছতা এবং জনস্বার্থে আলোচ্য Ms. Sajiya Jasmin-কে অর্থদন্ডে দন্ডিত 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-

- Ms. Sajiya Jasmin-কে মোট ৪৯.০০ (উনপঞ্চাশ) লক্ষ টাকা অর্থদন্ডে দন্ডিত 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 ০২/০৮/২০২০
কমিশনার

বিতরণ:

১। Ms. Sajiya Jasmin
(BOID: 1602170066475452)
House no. 51, Nayapalton
Platon, Dhaka.