

SEC/Enforcement/991/2011/223
April 25, 2012

By Special Messenger

Prof.Dr.M.A. Mannan
Sponsor Shareholder of Social Islami Bank Limited
“Megh Mallar”
97, Suhrawardy Avenue
Baridhara,
Dhaka-1212

Subject: PENAL ORDER: Non compliance of Notification No.SEC/CMRRCD/2009-193/49/Admin/03-48 dated July 14, 2010 in connection with declaration of sale of shares of Social Islami Bank Limited

Dear Sir,

Commission's penal order No. SEC/Enforcement/991/2011/222 dated April 25, 2012 is enclosed herewith for your kind information and necessary action.

For Securities and Exchange Commission

Mustari Jahan
Deputy Director (Enforcement Dept.)

Distribution:

Chief Executive Officer, Dhaka Stock Exchange Limited
Chief Executive Officer, Chittagong Stock Exchange Limited

Copy for information:

P.O to Member (Enforcement), SEC
P.O to Executive Director (SRMIC), SEC
P.O to Executive Director (MIS), SEC
Chairman's office, SEC

Order

Whereas, as per section 2(g) of the Securities and Exchange Ordinance, 1969 (ORDINANCE No. XVII of 1969) Social Islami Bank Limited is an issuer (herein after referred to as an "issuer");

Whereas, Prof. Dr.M.A. Mannan is a sponsor shareholder of the issuer.

Whereas, as per Notification No. SEC/CMRRCD/2009-193/49/Admin/03-48 dated July 14, 2010, "Every sponsor share holder or director or placement holder of a company listed with any stock exchange shall simultaneously submit a written report to the Securities and Exchange Commission and the stock exchange with which the company is listed about his/her/its intention to buy or sell or otherwise dispose off in any manner whatsoever the shares held by him/her/it in that company"

Whereas, SRMIC Department, SEC has observed from the share holding position of Social Islami Bank Limited as on June 30, 2011 that Prof. Dr.M.A. Mannan has transferred . 015% of shares from his total holdings without declaration as per the aforesaid notification and has violated SEC's Notification No.SEC/CMRRCD/2009-193/49/Admin/03-48 dated July 14, 2010.

Whereas, on the basis of the observations of SRMIC Department, SEC; a show cause-cum-hearing notice No. SEC/Enforcement/991/2011/728 dated November 15, 2011 was issued to Prof. Dr.M.A. Mannan to appear at the hearing on the December 13, 2011. He has not attended the hearing. He has submitted an explanation letter no.NIL dated December 03, 2011. He has stated in the explanation letter that he should be away from Dhaka on December 13, 2011. In the explanation letter among others he has denied the allegation. He has stated that DBL Securities has done an error in the process of adjustments/transfer of shares, right shares as well as bonus shares. He has adjusted the shortfall of shares in July 2011.

Whereas, his share holding position was 65,06,259 as on May 31,2011 and 65,05,250 as on June 30 ,2011.It has been observed from the client instrument ledger statement collected from DBL Securities Limited that he has sold 1009 numbers of shares in June 2011 without declaration. So his explanation in this regard is unacceptable.

Whereas, it is proved that Prof.Dr.M.A. Mannan (Sponsor shareholder of Social Islam Bank Limited) has violated SEC's Notification No.SEC/CMRRCD/2009-193/49/Admin/03-48 dated July 14, 2010 by not declaring the sale/transfer of shares of Social Islami Bank Limited.

Whereas, the aforesaid activities are tantamount to non-compliance of securities law, deliberate and clear contravention of the above mentioned Notification. The said violations attract penal provision of section 22 of the Securities and Exchange Ordinance, 1969.

Whereas, to protect the discipline and transparency of the capital market along with it's development the Commission deems it appropriate and necessary to impose penalty upon Prof.Dr.M.A. Mannan for the stated violation.

Now, therefore, Securities and Exchange Commission, in exercise of the power conferred by section 22 (amended by the Securities and Exchange (Amendment) Act, 2000) of the Securities and Exchange Ordinance, 1969 (XVII of 1969) hereby imposes penalty for Tk.1 (Tk.One) Lac only upon Prof.Dr.M.A. Mannan (Sponsor shareholder of Social Islam Bank Limited) which is to be deposited to the Commission in the form of Bank Draft/Payorder favouring 'Securities and Exchange Commission' within 15 days from the date of issuance of this order.

By order of the Securities and Exchange Commission

Professor Dr. M. Khairul Hossain
Chairman

Distribution:

Prof.Dr.M.A. Mannan (sponsor share holder of Social Islami Bank Limited), "Megh Mallar", 97, Suhrawardy Avenue,Baridhara,Dhaka-1212.