GmBwm/Gb‡dvm‡g›U/567/2007/787(G) ‡iwR÷vW GwW

ZvwiLt b‡f¤^i 09, 2010 Bs

Avgvg wm dW BÛvw÷R wjwg‡UW
wmwU Awdm, nvDm bs-84
‡ivW bs-2, †mvbvWvsMv Av/G
Ljbv |
(`:Av: e¨e¯'vcbv cwiPvjK)

weIq: Av‡`k

g‡nv`q,

Kwgk‡bi b‡f¤^i 07, 2010 Bs Bs Zvwi‡Li Av‡`k bs GmBwm/Gb‡dvm‡g›U/567/2007/787 Gi mZ¨wqZ Abywjwc Avcbvi AeMwZ I c‡qvRbxq e¨e¯'v Mn‡bi Rb¨ GZ`ms‡M msh³ Kiv n‡jv|

wmwKDwiwUR I G·‡PÄ Kwgk‡bi Av‡`kµ‡g-

(†gvnv¤§` Avej nvmvb)
Dc-cwiPvjK (Gb‡dvm‡g›U)

weZibt

cavb wbevnx KgKZv, XvKv óK G·‡PÄ wjwg‡UW
cavb wbevnx KgKZv, PÆMvg óK G·‡PÄ wjwg‡UW

AeMwZi Rb¨ Abywjwct

1. wbevnx cwiPvjK (GmAviGgAvBwm), GmBwm
2. cwiPvjK (Avi GÛ wW), GmBwm
3. cwiPvjK (GgAvBGm), GmBwm
4. cwiPvjK (wmGdwW), GmBwm
5. cwiPvjK (AvBb), GmBwm
6. cvewjK †idv‡iÝ i“g, GmBwm
7. ‡Pqvig¨vb g‡nv`‡qi `ßi, GmBwm

bs- GmBwm/Gb‡dvm©‡g›U/567/2007/787 ZvwiLt b‡f¤^i 07, 2010 Bs

<u>Av‡`k</u>

‡h‡nZz, Securities and Exchange Ordinance, 1969 (Ordinance No. XVII of 1969) Gi section 2(g) ‡gvZv‡eK Avgvq wm dW BÛvw÷R wjwg‡UW 'issuer' wnmv‡e AwfwnZ (AZtci ÔBm¨yqviÕ e‡j DwjøwLZ);

‡h‡nZz, Securities and Exchange Rules, 1987 Gi rule 12(2) G D‡jøL i‡q‡Q †h, "The financial statements of an issuer of a listed security shall be prepared in accordance with the requirements laid down in the Schedule and the International Accounting Standards as adopted by the Institute of Chartered Accountants of Bangladesh.";

‡h‡nZz, Securities and Exchange Rules, 1987 Gi rule 12 Abhvqx Bm¨yqvi Rb 30, 2009 Bs Zvwi‡L mgvß erm‡ii Rb¨ c¯ZKZ Avw_K wee iYx Bm¨ K‡i‡Q hv M/s. Ahmed Zaker & Co. (wewae× wbix¶K), KZK wbix¶xZ n‡q‡Q Ges D³ wbix¶v cwZôvb, wbix¶v msµvš— Kvhw` m¤úv`b ceK GZ`msµvš— wbix¶v cwZ‡e`b Bm¨ K‡i‡Q;

‡h‡nZz, Securities and Exchange Ordinance, 1969 Gi section 2CC ¶gZve‡j Kwgkb KZK Av‡`k bs GmBwm/wmGgAviAviwmwW/2006-159/ckvmb/02/09 ZwiL †g 30, 2006 Rwi Kiv n‡q‡Q;

‡h‡nZz, Av‡jvP¨ wbix¶v cwZ‡e`‡bi Dci Ab¨v‡b¨i g‡a¨ Kwgk‡bi observation wb‡æiƒc :

"

(1) The auditors could not physically verify the closing stock of the issuer company as on June 30, 2009, which appears to the Commission that the auditors did not confirm the inventories items on the closing date. In view of the above, closing stock of the inventories does not assure the balance of inventories as on June 30, 2009.

(2) It appears from the Profit and Loss Account that the company has been incurring significant loss over the years. The accumulated loss of the company as on June 30, 2009 stood at Tk. 31,981,245.00 that resulted negative net worth of the company as on June 30, 2009 of Tk. 21,901,245.00 against its Paid up Capital of Tk. 10,080,000.00. All of these indicate the existence of a material uncertainty, which may cast significant doubt about the company's ability to continue as a going concern. But, the issuer did not make any disclosure as per Para- 23 of BAS-1on the material uncertainty, which may cast significant doubt about the company's ability to continue as a going concern;

(3) The financial Statements show Tk. 20,770,760.00 carried forward from the last few years as other receivable but no provision has been made in the account. By not making any provision for unadjusted/unrealized receivables of Tk. 20,770,760.00, the loss of the company has been understated , which affected the true and fair view of the issuer's affairs as on of June30, 2010 and the result of its operation.; **"**

" The Commission has also observed that the issuer has retained its auditors M/s. Ahmed Zaker & Co., Chartered Accountants for a consecutive period exceeding three years (i.e. year ended on 30th June 2006, 2007, 2008 & 2009) without clearance of the Commission;**"**

ewYZ Ae¯vq cZxqgvY nq †h, Bm¨yq‡ii Rb 30, 2009 mgvß erm‡ii wbixw¶Z Avw_K weeibx‡Z Avw_K Ae¯vi mwVK I mZ¨ Z_¨ cwZdwjZ nqwb, hv Kwgk‡bi wbKU fj Z_¨ c`vb Kiv n‡q‡Q e‡j MY¨ n‡q‡Q Ges Bm¨yqvi Kwgk‡bi Av‡`k bs GmBwm/wmGgAviAviwmwW/2006-159/ckvmb/02/09 ZwiL †g 30, 2006 cwicvj‡b e¨_ n‡q‡Q|

‡h‡nZz, Dc‡iv³ welqmg‡ni djk"wZ‡Z †`Lv hvq †h, Bm¨yqvi Rb 30, 2009 Bs Zvwi‡L mgvß erm‡ii Avw_K weeiYx IAS Abhvqx c¯Z Ki‡Z e¨_ n‡q‡Q weavq D³ Avw_K weeiYx‡Z Bm¨yq‡ii ev¯e Ae¯v mwVK I ¯"Q (true and fair) fv‡e cwZdwjZ nqwb Z_v D³iƒc KgKv‡Ûi gva¨‡g Bm¨yqvi Av‡jvP¨ Rules Gi msw¤ó weavb jsNb K‡i‡Q, hv Av‡jvP¨ Ordinance Gi section 18 Gi m¯úó jsNb Ges Av‡jvP¨ Kwgk‡bi Av‡`k bs GmBwm/wmGgAviAviwmwW/2006-159/ckvmb/02/09 ZwiL †g 30, 2006 Gi m¯úó jsNb

‡h‡nZz, Bm¨yq‡ii Dc‡iv³ e¨_Zvi Rb¨ Kwgkb KZK cÎ mÎ bs- SEC/Enforcement/567/2007/709 ZwiL A‡±vei 04, 2010 Bs Gi gva¨‡g Bm¨yqvi I Dnvi cwiPvjKMY‡K Securities and Exchange Ordinance, 1969 Gi section 22 Gi Aaxb KviY `k©v‡bv I ïbvbxi †bwUk Rwi Kiv nq Ges A‡±vei 13, 2010 Bs Zvwi‡L D³ ïbvbx AbywôZ nq;

cvZv-2

‡h‡nZ, D³ ïbvbx‡Z `wLjKZ Bm¨qv‡ii cÎ ZwiL A‡±vei 13, 2010 Bs Gi gva¨‡g DwjwLZ e¨_Zv Z_¨ weavb jsNb msµvš— e¨vL¨v c`vb m‡šÍvlRbK bv nIqvq Kwgk‡bi wbKU Mnb‡hvM¨ e‡j we‡ewPZ nqwb;

‡h‡nZ, Av‡jvP¨ Bm¨qvi GKwU cvewjK wjwg‡UW †Kv¤úvbx Ges Dnv wmwKDwiwUR msµvš— AvBb I Dnvi Aaxb RvixKZ wewa-weavb cwicvj‡bi Rb¨ eva¨;

‡h‡nZ, wmwKDwiwUR msµvš— AvBb I Dnvi wewa-weavb cwicvj‡b D³ Bm¨qvi Gi D³iƒc e¨_Zv Securities and Exchange Ordinance, 1969 Gi section 22 Gi Aaxb kw¯—‡hvM¨ Acivа; Ges

‡h‡nZ, Kwgk‡bi we‡ePbvq, wmwKDwiwUR msµvš— AvBb I Dnvi wewa-weavb cwicvj‡b DwjwLZ e¨_Zvi Rb¨, cvReviv‡ii ksLjv, ¯^”QZv Ges Rb¯^v‡_ D³ Bm¨qvi ‡K Rwigvbv Kiv c‡qvRb I mgxPxb;

AZGe, †m‡nZ, Kwgkb, DwjwLZ hveZxq welq we‡ePbvceK, Securities and Exchange Ordinance, 1969 Gi section 22 [hv The Securities and Exchange (Amendment) Act, 2000 Øviv ms‡kvwaZ] ‡Z c`Ë ¶gZve‡j Avgvg wm dW BÛvw÷R wjwg‡UW Gi Dci 01 (GK) j¶ UvKv Rwigvbv avh¨ Kij hv AÎ Av‡`‡ki 15 (c‡bi) w`‡bi g‡a¨ ÔwmwKDwiwUR I G·‡PÄ Kwgkb Õ Gi AbK‡j Bm¨KZ e¨vsK WvdU/†c-AWv‡ii gva¨‡g Kwgk‡b Rgv Ki‡Z n‡e |

wmwKDwiwUR I G·‡PÄ Kwgk‡bi Av‡`kµ‡g-

†gvt wRqvDj nK ‡Lv›`Kvi
‡Pqvig¨vb

weZibt

Avgvg wm dW BÛvw÷R wjwg‡UW