Bangladesh Securities and Exchange Commission

Jiban Bima Tower, 10 Dilkusha C/A, Dhaka-1000, Bangladesh
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SEC/Enforcement/999/2011/331 **May 30, 2013**

By Special messenger

Mr. Hasnain Harun
Sponsor/Director
Takaful Islami Insurance Limited
42,Dilkusha C/A(7th Floor)
Dhaka-1000.

Subject: Penalty Order: Non compliance of Notification SEC/CMRRCD/2009-193/49/Admin/03-48 dated July 14,2010 and wewa 4(2) **of the** wmwKDwiwUR I G·‡PÄ Kwgkb (mweav‡fvMx e¨vemv wbwl×KiY) wewagvjv, 1995 **in connection with share sale.**

Dear Sir,

Commission's penalty order No. SEC/Enforcement/999/2011/33 dated May 30, 2013 is enclosed herewith for your kind information and necessary action.

For Bangladesh 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
Company Secretary, Takaful Islami Insurance Limited

Copy for information:
P.O to Commissioner (Enforcement), BSEC
P.O to Executive Director (SRMIC), BSEC
P.O to Executive Director (MIS), BSEC
Chairman's office, BSEC

Order

Whereas, on the basis of enquiry report of Bangladesh Securities and Exchange Commission on ‘sell of shares without declaration by Mr.Hasnain Harun Director/Sponsor of Takaful Islami Insurance Limited during 09/02/2011 to 02/03/2011 and opening of BO Account providing false information.’, a show cause-cum-hearing notice No. SEC/Enforcement/999/2011/36 dated January 23, 2012 was issued to Mr. Hasnain Harun to appear at the hearing. In the show cause-cum-hearing notice among others following were mentioned;-

“Whereas, as per wewa 4 (2) of wmwKDwiwUR I G·‡PÄ Kwgkb (mweav‡fvMx e¨emv wbwl×KiY) wewagvjv 1995,

“ (2) ÷K G·‡P‡Ä ZwjKvf³ †Kv¤úvbxi †Kvb ¯úÝi (Sponsor), cwiPvjK, KgKZv ev KgPvix, wbix¶K ev wbix¶vKv‡h m¤ú³ e¨w³, civgkK ev AvBb Dc‡`óv, wKsev Securities and Exchange Ordinance, 1969 (XVII of 1969) Gi section12-G DwjwLZ beneficial owner, D³ †Kv¤úvbxi ewlK wnmve mgwßi ZwiL Gi `B gvm ce (Bs‡iwR cwÄKv eQi †gvZv‡eK) nB‡Z D³ wnmve †Kv¤úvbxi cwiPvjbv cl` (Board of Directors) KZK Povš fv‡e we‡ewPZ, MnxZ ev Ab‡gw`Z nIqvi ZwiL chš mgqKv‡j Av‡jvP¨ †Kv¤úvbxi †kqvi µq, weµq wKsev Ab¨ †Kvb cKv‡i n¯vši ev MnY Kwi‡Z cwi‡eb bv|Ó

Whereas, SRMIC Department, SEC has observed that you have not submitted any written report to SEC, DSE and CSE regarding sale of 13,500 numbers of shares of Takaful Islami Insurance Limited from 09.02.2011 to 02.03.2011 and it is also observed that you have sold those shares before the approval of the accounts by the board of Directors.

Contravention: You have violated 1) Notification No. SEC/CMRRCD/2009-193/Admin/03-48 dt: 14/07/2010 by selling 13,500 numbers of shares from 09.02.2011 to 02.03.2011 without declaration.

2) wewa 4(2) of the wmwKDwiwUR I G·‡PÄ Kwgkb (mweav‡fvMx e¨vemv wbwl×KiY) wewagvjv, 1995 by selling shares of Takaful Islami Insurance Limited before approval of the accounts.”

Whereas, hearing has not been conducted because he did not attend the hearing. He has not submitted any written explanation to the Commission.

Whereas, since he has not submitted any explanation against the allegation of violating Notification No. SEC/CMRRCD/2009-193/Admin/03-48 dt: 14/07/2010 and wewa 4(2) of the wmwKDwiwUR I G·‡PÄ Kwgkb (mweav‡fvMx e¨vemv wbwl×KiY) wewagvjv, 1995, so commission accepted the allegation as correct.

Whereas, the aforesaid activities are tantamount to non-compliance of securities law that appears deliberate and clear contravention of the aforesaid Notification and wewa attracting 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 Mr.Hasnain Harun for the stated violation.

Now, therefore, Bangladesh 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.5.00 (Tk.Five) Lac upon Mr.Hasnain Harun which is to be deposited to the Commission in the form of Bank Draft/Payorder favouring 'Bangladesh Securities and Exchange Commission' within 15 days from the date of issuance of this order.

By order of the Bangladesh Securities and Exchange Commission

Professor Dr. M. Khairul Hossain
Chairman

Distribution:
Mr. Hasnain Harun
Sponsor/Director
Takaful Islami Insurance Limited
42, Dilkusha C/A(7th Floor)
Dhaka-1000