GmBwm/Gb‡dvm‡g›U/1192/2013/262 ZvwiLt 03 Rb, 2014 Bs

wm‡jU ‡g‡Uv wmwU wmwKDwiwUR wjwg‡UW
wmGmB TREC bs- 25
wm‡jU wg‡jwbqvg (8g Zjv)
wR›`vevRvi, wm‡jU-3100|

welq: Av‡`k|

evsjv‡`k wmwKDwiwUR A¨vÛ G·‡PÄ Kwgk‡bi 03 Rb, 2014 Bs Zvwi‡Li Av‡`k bs- GmBwm/Gb‡dvm‡g›U/1192/2013/261 Gi mZ¨wqZ Abywjwc Avcbvi AeMwZ I c‡qvRbxq e¨e¯v Mn‡bi Rb¨ GZ`ms‡M msh³ Kiv n‡jv|

evsjv‡`k wmwKDwiwUR A¨vÛ G·‡PÄ Kwgk‡bi c‡¶,

Avej Kvjvg AvRv`
Dc-cwiPvjK
Gb‡dvm‡g›U wefvM
‡dvb: 9573914

weZibt

cvb wbevnx KgKZv, PÆMvg óK G·‡PÄ wjwg‡UW|

m`q AeMwZi Rb¨ Abywjwc:

1| †Pqvig¨vb g‡nv`‡qi `ßi, weGmBwm|
2| wbevnx cwiPvjK, AvBb wefvM, weGmBwm|
3| wbevnx cwiPvjK, Gm Avi AvB wefvM, weGmBwm|
4| wbevnx cwiPvjK, GgAvBGm wefvM, weGmBwm |

bs-GmBwm/Gb‡dvm‡g›U/1192/2013/261 ZvwiLt 03 Rb, 2014 Bs

<u>Av‡`k</u>

‡h‡nZ, Kwgkb, wm‡jU ‡g‡Uªv wmwU wmwKDwiwUR wjwg‡UW (wmGmB TREC bs 25) †K Zvi Av‡e`bµ‡g, wbawiZ kZvax‡b wmwKDwiwUR µq weµq KgKvÊ cwiPvjbv Kivi Rb¨ evsjv‡`k wmwKDwiwUR A¨vÛ G·‡PÄ Kwgkb (AZ:ci ÔKwgkbÕ e‡j DwjøwLZ) wmwKDwiwUR I G·‡PÄ Kwgkb AvBb, 1993 (1993 m‡bi 15 bs AvBb) Gi 10(1) G c`Ë ¶gZve‡j wmwKDwiwUR I G·‡PÄ Kwgkb (÷K-wWjvi, ÷K-‡eªvKvi I Aby‡gvw`Z cÖwZwbwa) wewagvjv, 2000 Gi wewa 5(5) mn cwVZ ÷K‡eªvKvi/wWjvi †iwR‡óªkb mvwU©wd‡KU c`vb K‡i‡Q;

‡h‡nZ, Kwgkb Gi Av‡`k bs SEC/SRI/INS/CSE-MEM/2010/731 dated 14.03.2013 Gi gva¨‡g wm‡jU ‡g‡Uªv wmwU wmwKDwiwUR wjwg‡UW G cwi`k©b Rb¨ GKwU KwgwU MwVZ nq Ges D³ cwi`k©b KwgwUi `vwLjKZ cÖwZ‡e`b Abyhvqx findings and contraventions wbgœiƒc:

Quote: "

A. The inspecting officer checked the ledger balances of some clients. It appears from the collected statement that Sylhet Metro City Securities Limited kept Debit Balance huge number of clients without any margin arrangement. Total Debit balance as on 24.03.2013 stood Tk 13, 073,323.19.

   Contravention: From the aforesaid activities, it is evident that Sylhet Metro City Securities Limited has violated Section 3 of Margin Rules, 1999.

B. (i) It appeared from the back office ledger statement that Sylhet Metro City Securities Limited has made short sale of the following items:

House Code Name	BOID	Scrip's	Date of sale as per back office ledger statement	Amount of Share as per back office ledger statement	BSEC Software Alerts Date	Scrip's in CDBL BOSIN HOLDING REPORT/CD49/DAP6
SYMET	1203930037455612	Beaconphar	13.03.13	1500	13.03.2013	Not Found.
SYMET	1203930045076721	Lafsurceml	27.03.13	5000	27.03.2013	Not Found.
STMET	120390006045782	Shahjbank	19.03.13	1000	19.03.2013	Not Found.
SYMET	1203930029558987	GP	-	-	27.03.2013	Not Found.
SYMET	1203930004133280	Beximco	05.03.13	As per CDBL Report: 13.3.13-Sale 213. 27.3.13-purchase 300. 27.3.13 sale-387.	05.03.2013	Not Found.

Contravention: From the aforesaid activities, it is evident that Sylhet Metro City Securities Limited has violated Section 4(1) of Chittagong Stock Exchange (Short-Sale) Regulations, 2005.

(ii) It appears from Mr. Shamim Ahmed's Financial trading Ledger that on 08.01.2012 has been sold 13,800 shares of Beximco Ltd. But in CD49 report there has no such trade record of that sale. He gave a statement in this regard that made short sale.

Contravention: From the aforesaid activities, it is evident that Mr. Shamim Ahmed has sold the above mentioned securities intentionally and thus violated Section 4(1) of Chittagong Stock Exchange (Short-Sale) Regulations, 2005.

C. It appears from the trading ledger of the Director of the Sylhet Metro City Securities Limited that they have enjoyed margin loan, the summary of which is furnished below:

i. Name : Faeuque Ahmed Misbah, Director, BOID : 1203930005736427

Date	Closing Financial ledger
22.01.2012	-16,821.86
23.02.2012	-17,321.86

ii. Name : M A Rouf Chowdhury, Director, BOID : 1203930000143719

Date	Closing Financial ledger
30.06.2012	-2,62,432.76

iii. Name : Shamim Ahmed, Director, BOID :1203930005816865

Date	Closing Financial ledger
12.09.2012	-9,52,717.35
23.02.2012	-4,65,449.35
25.03.2013	-8,05,111.18

iv. Name : Shamim Ahmed, Director, BOID : 120390006840151

Transaction Date	Value. Date	Dr. (Tk.)
1.1.2012	4.1.2012	-3,81,262.76
29.2.2012	4.3.22012	-10,02,185.17
13.5.2012	14.5.2012	-3,48,729.02
14.5.2012	15.5.2012	-6,07,230.62
17.5.2012	19.5.2012	-11,66,732.00
20.5.2012	23.5.2012	-9,69,425.00

Contravention: From the aforesaid activities, it is evident that Sylhet Metro City Securities Limited has violated Commission's Directive No. SEC/CMRRCD/2001-43/51, dated 22 July 2010.

D. Management of Sylhet Metro City Securities Limited has made FDR for Tk 1.5 Core in South East Bank Ltd; the amount has been taken from Consolidate Customers' Account.

Contravention: From the aforesaid activity, it is evident that Sylhet Metro City Securities Limited has violated Section 8A (1) & (2) of Securities and Exchange Rules, 1987, Section 11 of wmwKDwiwUR I G·‡PÄ Kwgkb (óK wWjvi, óK †evKvi I Ab‡gw`Z cwZwbwa) wewagvjv, 2000 and Section 1 I 6 of w`Zxq Zdwmj of wmwKDwiwUR I G·‡PÄ Kwgkb (óK wWjvi, óK †evKvi I Ab‡gw`Z cwZwbwa) wewagvjv, 2000 for not maintaining Consolidated Customers' Account in proper way."

Unquote.

‡h‡nZ, Kwgkb Dc‡iwjwLZ cwZ‡e`b Abhvqx wmwKDwiwUR AvBb cwicvj‡b e¨_Zvi `i"b wm‡jU ‡g‡Uv wmwU wmwKDwiwUR wjwg‡UW Gi eive‡i GKwU show-cause-cum-hearing notice mÎ bs- SEC/Enforcement/1192/2013/652 ZwiL 05 wW‡m¤i, 2013 Bs †ciY K‡i Ges 18 wW‡m¤i, 2013 Bs Zwi‡L kbvbxi w`b avh¨ K‡i Ges cieZx‡Z wm‡jU ‡g‡Uv wmwU wmwKDwiwUR wjwg‡UW Gi Av‡e`‡bi cwi‡cw¶‡Z Reschedule of hearing notice mÎ bs- SEC/Enforcement/1192/2013/21 ZwiL 07 Rvbqwi, 2014 Bs `viv 16 Rvbqwi, 2014 Bs Zwi‡L kbvbxi w`b cbivq avh¨ K‡i Ges avh¨KZ Zwi‡L D³ †evKvi/wWjvi Gi Compliance Officer Dcw¯Z n‡q 16 Rvbqwi, 2014 Bs Zwi‡Li c‡Îi gva¨‡g wjwLZ e³e¨ `wLj K‡ib| hv‡Z Ab¨v‡b¨i g‡a¨, wb‡gv³ welq¸wji D‡jL Av‡Q:-

Quote:

"mwebq wb‡e`b GB †h, wm‡jU †g‡Uv wmwU wmwKDwiwUR wj: Chittagong Stock Exchange (CSE) Gi 25 b¤i m`m¨ Ges Bangladesh Securities and Exchange Commission (BSEC) Gi jvB‡Ým avix †evKv‡iR nvDR| Dc‡iv³ ¯§viK g‡Z Kvib `kv‡bvi †bwU‡ki Reve wbgiæc:-

K. **BSEC** Gi Z`¯Kvix KgKZv †Kv¤úvbxi MvnK‡`i wnmv‡e gwRb †jvb eveZ 1,30,73,323.19 UvKv †jRvi ewn‡Z ‡`wL‡Z cvb| †Kv¤úvbx Zvnvi MvnK‡`i m‡ev"P †mev `v‡bi j‡¶¨ Ges mwweK evRvi cwiw¯wZ we‡ePbv K‡i D³ UvKv Av`v‡qi Rb¨ MvnK†`i cwZ mnvbfwZkxj g‡bvfve Mnb K‡ib, hvnv‡Z ¶wZM¯ MvnK Av‡iv ¶wZM¯ bv nq|

L.(1). †Kv¤úvbxi RMS Software Gi mgm¨v‡nZ mvgvb¨ cwigvb †kqvi kU †mj n‡q‡Q| †Kv¤úvbx/MvnKiv GB me kU †mj B"QvKZfv‡e K‡i bvB| kU †m‡ji cwigvY j¶¨ Ki‡j welqwU ¯úófv‡e Abaveb Kiv hv‡e|

(2). †Kv¤úvbxi mv‡eK wbevnx cwiPvjK Rbve kvgxg Avng` BEXIMCO Gi kU †m‡ji e¨vcv‡i GKwU wjwLZ e³e¨ c`vb K‡i‡Qb|

M. †Kv¤úvbxi cwiPvjK Rbve dvi|K Avng` wgmevn, Rbve Gg. G. iDd †PŠaix BwZg‡a¨ Zvnv‡`i e‡Kqv †kva Kwiqv w`qv‡Qb I wbevnx cwiPvjK Rbve kvgxg Avng` Zvnvi wbR e‡Kqv UvKv m¤ú‡K wjwLZ e³e¨ c`vb K‡i‡Qb|

N. †Kv¤úvbxi †Pqvig¨vb Rbve Avãi iv¾vK †PŠaix Ges wbevnx cwiPvjK Rbve kvgxg Avng` 20.12.2010 Bs Zvwi†Li †evW wm×v¯ †gvZv‡eK gvwmK 20,000/- I 30,000/- UvKv †eZb wnmv‡e Mnb Ki‡Zb|

O. †Kv¤úvbx mvD_ B÷ e¨vs†K FDR wnmv‡e 1.5 †KwU UvKv Rgv iv‡L bvB| †Kv¤úvbx 1 †KwU UvKv FDR wnmv‡e dv÷ wmwKDwiwU Bmjvgx e¨vs‡K Rgv †i‡LwQj| †Kv¤úvbxi KZc¶ Avm‡j MvnK‡`i ¯v\_ i¶v we‡ePbvq wb‡q GB UvKv e¨vs‡K FDR K‡ib| welqwU wewa †gvZv‡eK bv nIqvq Bangladesh Securities and Exchange Commission (BSEC) Gi Z`¯Kvix KgKZv †Kv¤úvbxi KZc‡¶i bR‡i Avwb‡j mv‡_ mv‡_ ewYZ FDR wnmve eÜ K‡i †`qv nq|

Ae¯vaxb cv_bv GB †h, Bangladesh Securities and Exchange Commission (BSEC) Gi Kvib `kv‡bvi †bwU‡ki `vq nB‡Z Ae¨vnwZ c`v‡bi c‡¶ Av‡`k `v‡bi gwR nq|"

Unquote.

‡h‡nZ, wm‡jU ‡g‡Uv wmwU wmwKDwiwUR wjwg‡UW Gi wjwLZ e³e¨ †_‡K m¯úó cZxqgvb nq †h, ïbvbxi †bwU‡ki Awf‡hvMmgn wm‡jU ‡g‡Uv wmwU wmwKDwiwUR wjwg‡UW ¯xKvi K‡i‡Q hv B"QvKZ Ges welq¸‡jv wmwKDwiwUR AvBb cwicvj‡b e¨_Zv weavq section 22 of Securities and Exchange Ordinance, 1969 Abhvqx kw¯‡hvM¨ Aciva Ges hv ¶gvi A‡hvM¨;

‡h‡nZ, Kwgk‡bi we‡ePbvq, wmwKDwiwUR AvBb cwicvj‡b DwjwLZ e¨_Zvi Rb¨, Z_v cwRevRv‡ii Dbq‡bi cvkvcvwk evRv‡ii ksLjv I ¯"QZv i¶vi ¯v‡_ D³ †evKvi/wWjvi †K Rwigvbv Kiv c‡qvRb I mgxPxb;

AZGe, †m‡nZ, Kwgkb, DwjwLZ hveZxq welq we‡ePbvceK, Securities and Exchange Ordinance, 1969 (Ordinance No. XVII of 1969) Gi section 22 [hv The Securities and Exchange (Amendment) Act, 2000 Øviv ms‡kvwaZ] G c`Ë ¶gZve‡j wm‡jU ‡g‡Uv wmwU wmwKDwiwUR wjwg‡UW Gi Dci 10 (`k) j¶ UvKv Rwigvbv avh¨ Kij hv AÎ Av‡`‡ki ZwiL n‡Z 15 (c‡bi) w`‡bi g‡a¨ ÔevsjV‡`k wmwKDwiwUR A¨vÛ G· ‡PÄ KwgkbÕ Gi AbK‡j Bm¨KZ e¨vsK WªvdU/†c-AW©‡ii gva¨‡g Kwgk‡b Rgv Ki‡Z n‡e|

evsjv‡`k wmwKDwiwUR A¨vÛ G· ‡PÄ Kwgk‡bi
Av‡`kµ‡g,

Aa¨vcK W: Gg Lvqi"j †nv‡mb
‡Pqvig¨vb

weZibt

wm‡jU ‡g‡Uv wmwU wmwKDwiwUR wjwg‡UW
wmGmB TREC bs- 25
wm‡jU wg‡jwbqvg (8g Zjv)
wR›`vevRvi, wm‡jU-3100|