



SECURITIES & EXCHANGE COMMISSION OF PAKISTAN

(Adjudication Department-II, Adjudication Division)

4th Floor State Life Building No.2, Wallace Road, Karachi.

Website: www.secp.gov.pk

CASE No. 4006/2020

BEFORE THE ADDITIONAL REGISTRAR/ADJUDICATING OFFICER

ORDER UNDER SECTION 130 READ WITH SECTION 479 OF THE COMPANIES ACT, 2017

IN THE MATTER OF M/S. ASIAN CONSUMER CARE PAKISTAN (PRIVATE) LIMITED

Present: None present for personal hearing

Date of hearing: 04-Jan-2021

1. This Order shall dispose of the proceedings initiated under Section-130 of the Companies Act, 2017 ("The Act"), vide Show Cause Notice dated 06-Oct-2020 ["the Notice"].
2. The facts of the case are that the company was required to file its annual returns within thirty days from the date of the Annual General Meeting (AGM) held in the year or, when no such meeting is held or if held is not concluded, from the last day of the calendar year to which it relates in terms of provisions of section 130(3) of the Act.
3. However, the record of the company registration office revealed that the company has failed to file its annual returns for the year(s) 2011 to 2019 in violation of the above said provisions of law.
4. This constituted violation of law and rendered the company liable to penalty of level – 1 on the standard scale, provided under section 130(6)(b) read with section 479(2) of the Act. Accordingly, taking cognizance of the matter, a Show Cause Notice dated 06-Oct-2020 was served to the company through its Chief Executive as well as the directors of the company, calling upon them to Show Cause in my office on 21-Oct-2020 and subsequently adjourned to 03-Nov-2020, 17-Nov-2020 and finally on 04-Jan-2021, as to why the penalty laid down under the above mentioned section should not be imposed.
5. On the date of hearing, no one appeared for personal hearing. However, a written reply of company dated 24-Nov-2020 was received stating that the company had already filed annual returns for the year 2011 to 2018 within prescribed time. However, the same was rejected by the dealing officer due to discrepancies.

6. The record shows that the dealing registrar issued a letter dated 14-Oct-2020 mentioning discrepancies thereof. However, the same were not complied by the company and the said returns were rejected accordingly, which are deemed to have not been filed in terms of provisions of section 464(3). Further the annual return (Form-A) for the year 2019 has also not been filed. Notwithstanding, I am convinced to take a lenient view. Hence, a token penalty of **Rs: 50,000/=** in respect of non-filing of statutory return(s) is hereby imposed on the company only. The company is also directed to file all over due annual returns (Form-A) for the year 2011 to 2019 immediately but not later than 15 days from the date of receipt of this Order.
7. The management of the company is advised to deposit the penalty amount within 30 days from the date of receipt of this order in any designated branches of MCB Bank Limited or UBL Bank and furnish original receipted challan to this office within the above said period positively.
8. A copy of this order be placed on the record/file of the company for future reference and further appropriate action, if any, be taken by the concerned registrar accordingly.



(ZIA UL RASHEED ABBASI)
ADJUDICATING OFFICER /
ADDITIONAL REGISTRAR

Dated: 04-Jan-2021