



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. 1612/2021

BEFORE THE ADJUDICATING OFFICER

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

IN THE MATTER OF

M/S. BALOCHISTAN BOARD OF INVESTMENT AND TRADE COMPANY

Present: None appeared for hearing

1. This Order shall dispose of the proceedings initiated under Section 130 of the Companies Act, 2017 ("The Act"), vide Show Cause Notice No. 1612/2021 dated:13-04-2021 ["the Notice"].
2. The facts of the case are that the company was required to file its Annual statutory return with the Registrar, within 30 days from the date of its Annual General Meeting (AGM) or when no such AGM was held 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 failed to file the Annual statutory return (Form-A) for the year(s) 2019, 2020 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) read with section 479(2) of the Act. Accordingly, taking cognizance of the matter, a Show Cause Notice dated 13-4-2021, 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 28-4-2021, as to why the penalty laid down under the above mentioned section should not be imposed.
5. However, in response to the above-mentioned show cause notice, neither anyone appeared before the undersigned for hearing nor any written reply was received from the subject company. In order to provide further opportunity of being heard and to meet the end of justice, hearing notices/reminders dated 10-02-20 & 24-02-20 were also served upon the company. Yet, no response in any manner received from or on behalf of the company or its management.

6. The contention of the authorized representative of the company that the annual returns could not be filed in accordance with law is not a justifiable excuse, as it shows negligence on the part of management of the company who is responsible to manage, pursue and make sure that annual returns and other statutory returns are duly being filed by the company within statutory time period. However, keeping in view that the company has make good of the default and the assurance given by the authorized representative that the management of the company will ensure timely compliances of statutory requirements in future, I am convinced to take a lenient view. Hence, a penalty of **Rs: 25,000/=** is hereby imposed on the company.
7. The management of the company is advised to deposit the fine amount within 15 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 and also directed to file the overdue annual return(s) immediately but not later than 30 days from the date of receipt of this order positively.
8. A copy of this order be placed on the record/file of the company for future reference and further appropriate action to be taken by the concerned registrar in accordance with the law.



**(ZIA UL RASHEED ABBASI)
ADJUDICATING OFFICER /
ADDITIONAL REGISTRAR**

Dated: 07-06-2021