



# SECURITIES & EXCHANGE COMMISSION OF PAKISTAN

(Adjudication Department-II, Adjudication Division)

4<sup>th</sup> Floor State Life Building No.2, Wallace Road, Karachi.

Website: [www.secp.gov.pk](http://www.secp.gov.pk)

Section 130 of CA, 2017 / X12621

BY COURIER

10-05-2024

CHIEF EXECUTIVE  
HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED  
NO. 167/II, 19TH STREET, PHASE -VIII, KHAYABAN E QASIM  
D.H.A. KARACHI KARACHI karachi south Sindh

## ORDER IN RESPECT OF THE

### SHOW CAUSE NOTICE DATED 09-01-2024 CASE NO AOK-490/2024

Dear Sir/Madam,

Please find enclosed herewith a copy of the order passed by the undersigned in the subject case for your record and necessary action please.

(ZIA UL RASHEED ABBASI)  
ADJUDICATING OFFICER /  
ADDITIONAL REGISTRAR



# SECURITIES & EXCHANGE COMMISSION OF PAKISTAN

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**CASE No. AOK-490/2024**

**BEFORE THE ADJUDICATING OFFICER**

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

**IN THE MATTER OF  
M/S. HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED**

Date of Final Hearing: 29-03-2024

Present: None present for hearing nor any written response received from the company or its management

1. This Order shall dispose of the proceedings initiated under Section-130 of the Companies Act, 2017 ("The Act"), vide Show Cause Notice dated 09-01-2024 ["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, case was referred by the company registration office (CRO) Karachi alleging that the company has failed to file its annual returns for the year(s) 2022, 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 09-01-2024 and subsequent reminders dated 24.01.2024 and 15.03.2024 were served to the company, calling upon to Show Cause in my office within 10 days from the date of the show cause notice and reminders thereafter, 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, two reminders / re-scheduled notices supra 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 attitude of the management of the subject company towards compliance with law, rules and regulations is very disappointing. Due to failure to attend the hearing

and to submit any written reply thereby explaining the reasons for default in filing of the Annual return(s) as confronted in above-mentioned show cause notice and subsequent notices/reminders, the undersigned is left with no choice but to take an ex-parte decision. Henceforth, I hereby impose a penalty of Rs.5000/- on the company, for the year(s) 2022.

7. The management of the company is advised to deposit the penalty amount within 30 days from the date of this order in any designated branches of MCB Bank Limited or UBL Bank and furnish original receipted challan 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, if any, be taken by the concerned registrar accordingly.



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

Dated: 10-05-2024



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CRO/KHI/2023/FA/130/490 Date of preparation Dec 29, 2023 /X4450 & X5608

**BY COURIER**  
**09-01-2024**

HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED  
NO. 167/II, 19TH STREET, PHASE -VIII, KHAYABAN E QASIM D.H.A. KARACHI KARACHI  
karachi south Sindh

Case No. **AOK-490/2024**

Subject: **SHOW CAUSE NOTICE U/S 130 R/W SECTION 479 OF THE COMPANIES ACT, 2017**

1. WHEREAS, **HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED** has failed to file its annual returns for the year(s) **2022** as required to be filed with the registrar in terms of Section 130 of the Companies Act, 2017 (the "Act").
2. AND WHEREAS, in terms of the provisions of Sub Section (3) of Section 130 of the Act, an annual return shall be prepared and filed by every company with the registrar within thirty (30) days from the date of annual general meeting held in a 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.
3. AND WHEREAS, the company has, prima facie, violated the provisions of section 130 of the Act, which attracts penal provisions contained in section 130 of the Act.
4. AND WHEREAS, the provisions of Section 130 (6) (a) (b) of the Act provides that any contravention or default in complying with the requirements of Section 130 of the Act shall be an offence liable in case of a listed company to a penalty of Level-2 of the standard scale, i-e upto Rs.500,000/- and upto Rs.1000/- per day during which default continues and any company, other than a listed company, to a penalty of Level-1 of the standard scale, i-e upto Rs.25,000/- and upto Rs.500/- per day during which default continues, as provided u/s 479(2) of the Act.
5. NOW THEREFORE, in exercise of the powers delegated to the undersigned, you are hereby called upon to show cause in writing, within 10 days from the date of this Show Cause notice and/or to appear in person or through an authorized person, in terms of section 479(5) of the Act, before the adjudicating officer between 11:00 AM to 12:00 Noon (Tuesday to Thursday), to explain as to why the penalty should not be imposed, for the alleged offence/contravention/default of section 130 of the Act. In case you want to be heard through online zoom facility, a request may be made in written reply through post or an email at [muhammad.rauf@secp.gov.pk](mailto:muhammad.rauf@secp.gov.pk) (Phone # 021-99002096), so that necessary arrangements can be made for conducting the hearing. ALTERNATIVELY, the company may file Form(s) A for the relevant year(s) within the above said time and MUST submit a compliance report / acknowledgment of filing before this office as well as before the concerned registrar in order to avoid imposition of penalty in respect of the offense ibid.
6. This show-cause notice is to be served upon to the company and its all officers through the Chief Executive Officer and it is without prejudice to any other action or proceedings that may be initiated against the Company and/or its officer(s) under the law. Please note that you will also be liable for an appropriate action under the law for concealment of any fact or evidence and any misstatement or misrepresentation made in response to this show cause notice.

(ZIA UL RASHEED ABBASI)  
Adjudicating Officer / Additional Registrar

**Copy to:**

**MR. DU YUE WEI - CEO/Director**

**HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED**

**NO. 95/I, 31st STREET, PHASE-VI-KHAYABAN-E-SEHAR, DHA, KARACHI**



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Website: [www.secp.gov.pk](http://www.secp.gov.pk)

CRO/KHI/2023/FA/130/490-X7251

BY COURIER

24-01-2024

HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED  
NO. 167/II, 19TH STREET, PHASE -VIII, KHAYABAN E  
QASIM D.H.A. KARACHI KARACHI karachi south Sindh

**Show Cause Number: AOK-490/2024 Dated: 09-01-2024**

**Subject: REMINDER NOTICE**

This is with reference to the above referred Show Cause Notice, in terms of which you were required to call upon to the show cause in writing and to attend a hearing before the adjudicating officer at the time, date and venue given therein.

The record shows that you neither attended the hearing nor submitted any written reply, which renders the company and/or its management liable for an ex-parte order.

However, in order to provide a final opportunity of being heard, you are again advised to respond to the subject show cause notice immediately but not later than ten days from the date of this notice.

Please submit a written response and / or attend hearing in person or through a representative, failing which the case will be decided ex-parte on the basis of material / documents available on the record.

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

Copy to:  
NO. 95/I, 31st STREET, PHASE-VI-KHAYABAN-E-  
SEHAR, DHA, KARACHI



# SECURITIES & EXCHANGE COMMISSION OF PAKISTAN

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CRO/KHI/2023/FA/130/490-X8171

BY COURIER

24-01-2024

## **HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED**

NO. 167/II, 19TH STREET, PHASE -VIII, KHAYABAN E QASIM

D.H.A. KARACHI KARACHI karachi south Sindh

**Show Cause Number: AOK-490/2024 Dated: 09-01-2024**

### **Subject: REMINDER NOTICE**

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

Copy to:

MR. DU YUE WEI -Chief Executive

NO. 95/I, 31st STREET, PHASE-VI-KHAYABAN-E-

SEHAR, DHA, KARACHI



# SECURITIES & EXCHANGE COMMISSION OF PAKISTAN

(Adjudication Department-II, Adjudication Division)

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Website: [www.secp.gov.pk](http://www.secp.gov.pk)

CRO/KHI/2023/FA/130/490-X9491

BY COURIER

15-03-2024

Chief Executive

**HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED**

NO. 167/II, 19TH STREET, PHASE -VIII, KHAYABAN E QASIM

D.H.A. KARACHI KARACHI karachi south Sindh

**Show Cause Number: AOK-490/2024 Dated: 09-01-2024**

**Subject: FINAL NOTICE OF HEARING**

This is with reference to the above referred Show Cause Notice, in terms of which you were required to call upon to the show cause in writing and to attend a hearing before the adjudicating officer at the time, date and venue given therein.

The record shows that you neither attended the hearing nor submitted any written reply, which renders the company and/or its management liable for an ex-parte order.

However, in order to provide a final opportunity of being heard, you are again advised to respond to the subject show cause notice immediately but not later than ten (10) days from the date of this notice.

Please submit a written response and / or attend hearing in person or through a representative, failing which the case will be decided ex-parte on the basis of material / documents available on the record.

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

Copy to:

MR. DU YUE WEI -Chief Executive

NO. 95/I, 31st STREET, PHASE-VI-KHAYABAN-E-

SEHAR, DHA, KARACHI



# SECURITIES & EXCHANGE COMMISSION OF PAKISTAN

(Adjudication Department-II, Adjudication Division)

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Website: [www.secp.gov.pk](http://www.secp.gov.pk)

CRO/KHI/2023/FA/130/490-X10183

BY COURIER

15-03-2024

Chief Executive

**HONGWEI MATERIAL TRADING COMPANY (PVT.) LIMITED**

NO. 167/II, 19TH STREET, PHASE -VIII, KHAYABAN E QASIM

D.H.A. KARACHI KARACHI karachi south Sindh

**Show Cause Number: AOK-490/2024 Dated: 09-01-2024**

**Subject: FINAL NOTICE OF HEARING**

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Please submit a written response and / or attend hearing in person or through a representative, failing which the case will be decided ex-parte on the basis of material / documents available on the record.

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

✓✓ Copy to:

MR. DU YUE WEI -Chief Executive

NO. 95/I, 31st STREET, PHASE-VI-KHAYABAN-E-  
SEHAR, DHA, KARACHI



## SECURITIES & EXCHANGE COMMISSION OF PAKISTAN

COMPANY REGISTRATION OFFICE, KARACHI  
4th Floor, State Life Building No. 2, Wallace Road, Karachi

### ADJUDICATION RECOMMENDATION NOTE

**ARN NO.** CRO/KHI/2023/FA/130/01-1158  
**DATE OF PREPARATION:** December 29, 2023

**1. The name, address and brief description of the Person(s) who may have violated the law.**

As per list attached as Annexure-I containing 1158 companies registered with CRO Karachi.

**2. A brief summary of facts from which the alleged violation arises.**

Under the provisions of the Act, all companies are mandatorily required to hold an annual general meeting (AGM) within 16 months of its incorporation and once in every calendar year within a period of 120 days following the close of its financial year and file with the registrar annual return i.e. Form-A/Form-B/Form-C. However, the records reflect that the companies as per list attached as Annexure-I have failed to file the required returns and apparently is failed to this important event. Furthermore, in case the AGM had not been convened then the aforementioned statutory return was required to be reported on the last day of the calendar year.

On examination of the statutory record, it was observed that neither Form-A/Form-B/Form-C evidencing holding of AGM subsequent to the close of the financial year nor for the calendar year ended on 31th December every year had been filed, which prima facie implies the companies have contravened the mandatory provisions of the law.

**3. The name of the statute and specific provision of the law, which may have been prima facie violated.**

The company has violated the following provisions of Act, reproduced below:

**130. Annual return** (1) *Every company having a share capital shall, once in each year, prepare and file with the registrar an annual return containing the particulars in a specified form as on*

*the date of the annual general meeting or, where no such meeting is held or if held is not concluded, on the last day of the calendar year.*

*(2) A company not having a share capital shall in each year prepare and file with the registrar a return containing the particulars in a specified form as on the date of the annual general meeting or, where no such meeting is held or if held is not concluded, on the last day of the calendar year.*

*(3) The return referred to in sub-section (1) or sub-section (2) shall be filed with the registrar within thirty days from the date of the annual general meeting 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:*

*Provided that a company, other than a single member company or a private company having paid up capital of not more than three million rupees, shall inform the registrar in a specified manner that there is no change of particulars in the last annual return filed with the registrar.*

**4. The specific element of the provision of law that has been violated.**

The companies have prima facie not filed Form-A/B/C. The consequences of defaulting to comply with the provisions of Section 130 of the Act, are offences which renders the companies liable to penalty of Level I on the Standard Scale, as prescribed under sub-section (6)(b) of Section 130 read with Section 479 (Adjudication of offences and standard scale of penalty) of the Act.



**5. List of documents relevant to prima facie establish the violation.**

Non-filing of Form-A/B/C.

**6. Any other relevant information.**

physical list of defaulting companies as per the attached list as Annexure-I

**Recommendation of Head of Referring Department**

Case Closed	Further info required	Forwarded to AO for issuance of SCN
		<p data-bbox="797 625 927 667"></p> <p data-bbox="761 684 1364 779">Through: Rahat Wajid, Joint Registrar of Companies / Acting In-charge, CRO KARACHI</p> <p data-bbox="964 863 1300 961"> 1/11/2024</p> <p data-bbox="769 978 1364 1045">To: Mr Zia Ul Rasheed Abbasi Additional Registrar, Department-II, Adjudication Division</p>

## Bushra Shamim

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**From:** Bushra Shamim  
**Sent:** Friday, 29 December 2023 3:47 PM  
**To:** Bushra Shamim  
**Subject:** FW: Filing of Overdue Annual Returns, Annual Financial Statements and other statutory returns as required under the Companies Act, 2017

**From:** SECP <do-not-reply@secp.gov.pk>  
**Sent:** Wednesday, January 18, 2023 14:19  
**To:** Rizwan Khan <rizwan.khan@planetngroup.com>  
**Subject:** Filing of Overdue Annual Returns, Annual Financial Statements and other statutory returns as required under the Companies Act, 2017

**Subject:** Filing of Overdue Annual Returns, Annual Financial Statements and other statutory returns as required under the Companies Act, 2017

Dear Sir/Madam,

On perusal of record of your company as maintained with Company Registration Office, it has been observed that your company has not filed the following documents/statutory returns, which are required to be filed under relevant provisions of the Companies Act, 2017 ("the Act"):-

- a) **Annual Return** i.e. **Form-A/B/C/D as applicable**, as required under section 130 and 424(5) of the Act.
- b) **Form-28 and Form-29** regarding appointment/election of directors, Appointment/Re-appointment of chief executive or auditors or other officers along with their consent(s), as required under section 167, 197 and 246 of the Act.
- c) **Financial Statements** together with the auditors' report, directors' report and other statements as required under Section 233 read with section 223 of the Act.
- d) **Form-45** (Declaration of compliance with regard to Ultimate Beneficial Owners) as required under section 123-A of the Act read with Regulations 19-A of the Companies (General Provisions & Forms) Regulations, 2018 ("Regulations").

2. The company and its directors / officers have, *prima facie*, contravened the above provisions of law and rendered themselves liable to penal and other action as provided under the law. The company is hereby advised to file all overdue documents / returns along with admissible fee with this office **within fifteen (15) days** from the date of this letter, failing which necessary action under the law will be initiated against the company and its directors without any further intimation.

3. It may be noted that in case of non-filing of overdue returns, financial statements and other documents, the name of the company shall be included in the list of defaulter companies placed on SECP's website. Moreover, in case of non-filing of Annual Returns or Annual Financial Statements for two years or more, the name of the company may be entered in the register maintained for inactive companies in terms of section 424 on the basis of above notice.

**Note:** Please ignore the above notice in case you have already filed the said documents or filing of above documents are not required under any other provision of Act or matter is sub-judice in any forum/court of law.

**This is a system generated notice and does not require signature(s).**

**STANDARD FORMAT FOR INFORMATION ASSESSMENT NOTE**  
**INFORMATION ASSESSMENT NOTE**

IAN No: IAN-01 to 1158/2024

In respect of ARN No: CRO/KHI/2023/FA/130/01-1158 DATE Preparation Dec 29, 2023  
**1158 Companies - Annexure-I**  
Section 130 of CA 2017

Received by AO on.: 01-01-2024

Fit for issuance of SCN 

YES	<input checked="" type="checkbox"/>	NO
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If No, state reasons:

N/A

Authorized/Adjudication Officer (Adjudication Department-II)

Dated: 01-01-2024



1/1/2024

ZIA UL RASHEED ABBASI (AO-K)