



SECURITIES AND EXCHANGE COMMISSION OF PAKISTAN

Adjudication Department-II

Adjudication Division

BEFORE

**HAMMAD JAVED, ADDITIONAL DIRECTOR / HEAD OF DEPARTMENT
(ADJUDICATION DEPARTMENT – II)**

IN THE MATTER OF

M/S WALTON TRADERS (PRIVATE) LIMITED

Show Cause Notice	No. Adj-II/301/1/IAN-3706-CRO-Lahore/2023-708 dated July 17, 2023	
Date on which hearing opportunity provided	Date	Attended by
	August 23, 2023	No one appeared to attend the hearing
	September 13, 2023	No one appeared to attend the hearing
	October 16, 2023	No one appeared to attend the hearing
	November 24, 2023	Adjourned on the request of Authorized Representative
	December 11, 2023	Adjourned on the request of Authorized Representative
	December 19, 2023	No one appeared to attend the hearing
	February 7, 2024	Adjourned on the request of Authorized Representative
	April 25, 2024	No one appeared to attend the hearing

SANCTION FOR FILING OF WINDING-UP PETITION UNDER CLAUSE (b) OF PROVISO TO SECTION 304 READ WITH SECTION 301 OF THE COMPANIES ACT, 2017

The Securities and Exchange Commission of Pakistan (the '**Commission**') issued show cause notice No. Adj-II/301/1/IAN-3706-CRO-Lahore/2023-708 dated July 17, 2023 (the '**SCN**') to **M/s Walton Traders (Private) Limited** (the '**Company**') under the Companies Act, 2017 ('**Act**') having registered office at Office # 118, 119, 2nd Floor, Kohinoor One Plaza, Jaranwala Road, Faisalabad (the '**Registered Address**') and its **Chief Executive Officer and Director, Mr. Ghulam Mohyyudin** CNIC 33100-3371692-1, **Mr. Shabbir Hussain**, CNIC 33100-0801934-1, **Director** and **Mr. Abuzar Atif Khan**, CNIC 43104-1537309-5, **Director**, (collectively referred to as the '**Respondents**') under clause (b) of proviso to section 304 read with section 301 of the Companies Act, 2017 (the '**Act**') for carrying on unlawful/prohibited business of inviting and accepting unauthorized deposits from the public, prima facie, in violation of sections 84(1) and 26(2) of the Act.

2. The Company was registered with the Commission on as a private limited company on August 31, 2020 under the Act. The principal line of business of the Company as mentioned in clause 3(i) of the Memorandum of Association ('**MoA**') is as under:

To carry on business of online shopping of consumer goods and other goods, internet advertising and marketing, creating virtual malls, stores, shops, shopping catalogs, provide e-commerce services and e-commerce solutions in all or any one of the following mode i.e. business to business (b2b), business to commerce (b2c), business to government (b2g), government to business (g2b), consumer to consumer (c2c), consumer to government (c2g),



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legally permissible under the law and to deliver the same to its customers in and outside Pakistan and to comply with National e-Commerce Policy including but not limited to Code of conduct, Complaint handling procedure of Customers and guidelines issued thereunder from time to time.

3. The paid-up capital of the Company is Rs. 3,200,000/- (Rupees Thirty-Two Hundred Thousand only) divided into 32,000 (Thirty-Two Thousand Only) ordinary shares of Rs.100. The particulars of sponsors and directors of the Company are as under:

S. No.	Name with CNIC	Designation	No. of Shares	Holding %
1	Ghulam Mohyyudin CNIC 33100-3371692-1	Chief Executive/ Director	16,320	51%
2	Shabbir Hussain CNIC 33100-0801934-1	Director	8,000	25%
3	Abuzar Atif Khan CNIC 43104-1537309-5	Director	7,680	24%
Total			32,000	100%

4. In terms of clause 3 (iii) of MoA, the Company, its Chief Executive and Directors ('Respondents') are restricted from indulging in banking, non-banking finance, stock brokerage business, etc.:

Notwithstanding anything contained in the foregoing sub-clauses of this clause nothing contained herein shall be construed as empowering the Company to undertake or indulge, directly or indirectly in the business of a Banking Company, Non-banking Finance Company (Mutual Fund, Leasing, Investment Company, Investment Advisor, Real Estate Investment Trust management company, Housing Finance Company, Venture Capital Company, Discounting Services, Microfinance or Microcredit business), Insurance Business, Modaraba management company, Stock Brokerage business, forex, real estate business, managing agency, business of providing the services of security guards or any other business restricted under any law for the time being in force or as may be specified by the Commission.

5. Further under clause 3(iv) of MoA of the Company, the Respondents have undertaken not to engage in the following businesses:

"...engage in any of the business mentioned in sub-clause (iii) above or any unlawful operation; launch multi-level marketing (MLM), Pyramid and Ponzi Schemes, or other related activities/businesses or any lottery business; engage in any of the permissible business unless the requisite approval, permission, consent or licence is obtained from competent authority as may be required under any law for the time being in force."

6. The facts leading to issuance of the SCN were that the Commission during social media monitoring, observed that the Company was acting as an agent for conducting trading on OctaFX (a software/application used for the purpose of trading in foreign currencies or USD to other



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commodities) and for this purpose the Company and its Directors were inviting and accepting deposits from general public through local banks/Jazz Cash.

7. In order to substantiate the matter, an official of Company Registration office, Faisalabad made an onsite visit to the registered office of the Company on January 21, 2022 and reported that the said office was closed. Upon asking from a person of another office situated in the same vicinity it was informed that the said office of the Company has been closed since last 4 to 5 months.

8. To ascertain the factual position, the Commission vide order dated July 20, 2022 investigated into affairs of the Company under Section 257 of the Act. The investigation team in the Investigation Report dated March 29, 2023 concluded that the Respondents were engaged in the prohibited and unlawful business of inviting and accepting unauthorized and illegal deposits from the public on the pretext of trading on OctaFX (a software/application used for the purpose of trading in foreign currencies or USD to other commodities, *prima facie*, in violation of sections 84(1) and 26(2) of the Act, read with clause 3 of the MoA of the Company.

9. Considering the foregoing, the Additional Joint Registrar, Company Registration Office, Faisalabad sought sanction of the Commission to present a petition for winding up of the Company under clause (b) of proviso to section 304 read with sub-clause (i) and (ii) of clause (g) of section 301 of the Act on the grounds that the Respondents were *prima facie* engaged in unlawful and prohibited business of inviting and accepting unauthorized and illegal deposits from the public, *prima facie*, in violation of sections 84 (1) and 26(2) of the Act.

10. Accordingly, the SCN was issued to the Respondents calling upon them to furnish submissions in writing to explain within seven (7) days of the date of the SCN, as to why sanction of the Commission to present a petition for winding up of **M/s Walton Traders (Private) Limited** as required by the concerned Registrar may not be granted. Further, the Respondents were advised to inform if they wanted to avail an opportunity of being heard in person or through authorized representative(s).

11. In addition to above, the Commission also issued show cause notice dated July 17, 2023 to the Company, Chief Executive and Directors of the Company under sections 84, 172 and 500 of the Act, for alleged violation of section 26(2) and section 84(1) of the Act.

12. In reply to the SCN, an unsigned letter on a plain paper dated August 7, 2023 from Mr. Ghulam Mohyyudin, the Chief Executive Officer of the Company was received on August 9, 2023 wherein extension in time for fifteen (15) days was sought stating that **"notice was received just before the falling of Ashura Holidays & time margin given to furnish para-wise reply of the said show cause notice is in sufficient and it is not possible to make compliance within the time period given in the said notice. Moreover some of the points demand detailed consultation with our legal council, hence time period of 15 days may be allowed from the date of this communication so that we can conveniently reply to your all questions raised in the show cause notice."**

13. The requested extension in time was granted followed by reminders dated August 17, 2023, and September 1, 2023 for submission of written reply to the SCN sent through courier at the registered address and delivered through emails at managementwalton@gmail.com and hussainwalton@gmail.com.



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14. Mr. Ghulam Mohyyudin, the Chief Executive Officer/Director, representing other directors of the Company, submitted written reply to the SCN vide letter dated September 11, 2023 received in this office on September 13, 2023 wherein the Respondents denied the allegations of violation of section 26 and 84 of the Act. The extracts of relevant paras of the written reply to SCN submitted by the Respondents are reproduced hereunder:

- i) Para 8 of the reply states “That in reply to this para we submit that main business of the Company is General Trading to buy and sell products of multiple nature to gain profit. All Directors of the company are collectively managing the business affairs of the company and out of profit and loss they have to gain or sustain according to the quantum of their shares. The company is neither acting as agent for conducting trading on octafx nor its Directors are receiving deposits from general public through local banks / jazz cash.”
- ii) Para 9 of the reply states “That company’s registered office is still at Faisalabad. The official who visited the registered of the company could not obtain true information from the neighborhood. The factual position is that the premises of the company requires white wash and renovations therefore, the business of the company was temporarily shifted to the residence of the Chief Executive of the company at Faisalabad. The para is based on wrong information and assumption.”
- iii) Para 11 of the reply states “That in reply to this para it is being explained that Directors of the company are collectively responsible to manage the business affairs of the company. The company has neither invited any person to invest in the business of the company nor has received any amount as deposits on the pretext of Trading octafx in foreign currencies or in USD in violation of the provisions of Section 84(1) and 26(2) of the Act. The main business of the company is to trade in agriculture products which includes Wheat, Rice, Barley, Suger-cane and livestock and the other related goods. These goods are purchased from the farmers with company’s investment and customers advances and thereafter are sold in the markets of Pakistan. Profit and loss accounts are maintained by the Directors of the Company. The goods so purchased from the farmers or from the Mandi with the advances of the customers are delivered to the customers and the goods purchased with the investment of the company are sold in the Mandi. The money as shown in the statement of this para in a tabular form is huge money which is always kept in bank accounts to avoid danger. The extracts showing expenses entered in Leger Books of the company are attached for your kind perusal.”
- iv) Para 11 (ii) of the reply states that “It is pertinent to mention here that amounts credited in the Bank Accounts do not reflect the total turnover but it is payable balance to all those customers from whose money is used for buying stocks and after sale payments are made to those formers from whom agriculture stocks were purchased. As such, the amounts are used as running balance to facilitate the customers.”



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- v) Para 11 (iii) of the reply states that "The Directors of the company are only beneficiary of the profits and not of the amount of Rs. 3,531 Million as whole."
- vi) Para 11 (iv) of the reply states that "These transactions are the same as explained above."
- vii) Para 11 (v) of the reply states that "The company is not working for octafx."
- viii) Para 11 (vi) of the reply states that "All the three Directors are authorized to open bank accounts and to operate with their joint signatures."
- ix) Para 11 (viii) of the reply states that "If this is the statement of the Chief Executive it is construed that the deposits are used to purchased other commodities"
- x) Para 11 (x) of the reply states that "There is no need to record statements of all the Directors of the company. The absentee Director might have not appeared on account of the said analogy."
- xi) Para 11 (xi) of the reply states that "This is modern Trading to fetch the clients to deposit money for the purchase of commodities on cheaper rates. These advertisements do not disclose that a software application are used for the purpose of trading in foreign currency or USD."
- xii) Para 12 of the reply states "That no notice has been received at the address of the company."
- xiii) Para 13 of the reply states "That Section clause g(i) of the Act relates to the fraudulent and unlawful activities of the companies. As aforesaid the business of M/s Walton Traders (Pvt.) Ltd. is simply to collect money from the customers for use in the purchase of agriculture products at the cheaper rate and out of sale produced profit and loss is gained and sustained by the company itself. The allegation that the company is performing unlawful activities is, therefore, not established."
- Clause g(ii) The aforementioned business activities are neither prohibited by law for the time being enforced are by virtue of any rules and regulations connected therewith."
- xiv) Para 14 of the reply states "That although Section 304 of the Act empowers a Registrar of the companies to present a petition in a court of law for winding up of a company having sufficient evidence in the above regard but This is only after affording opportunity of hearing the Directors of the company to evaluate as to whether the company is guilty in wrongful activities."
- xv) Para 15 of the reply states "That in reply to this para we submit that the present reply may kindly be examined in the first instance and if thereafter remains any ambiguity then a personal hearing to the Directors of the company may be bestowed in the interest of justice for further clarifications."



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- xvi) Para 16 of the reply states "That we are also authorizing our representative to appear before you and to take part in the proceedings."
- xvii) Para 17 of the reply states "That receipt of this notice is hereby acknowledged. We will support our version by submitting oral or documentary evidence in support of our versions."
- xviii) Para 18 being the concluding para of the reply states that "At the end we request that since M/s Walton Trading Company (Pvt.) Limited is newly born company, it has yet to take its establishment. The financial crisis hovering over the country adversely affect the newly formed businesses. However, the company undertakes to abide by all the provisions of the Companies Act, 2017 and the rules made thereunder."

In view of the foregoing explanations, it is therefore requested that by taking lenient views in the matter, the instant notice may very kindly be withdrawn and proceedings initiated may be dropped and obliged."

15. Written submissions received from the Respondents in reply to the SCN were examined and the arguments given in rebuttal of the allegations levelled against the Respondents were not plausible arguments and found unconvincing, incogent and unsatisfactory. However, in order to provide the Respondents as opportunity of personal representation to conclude the SCN proceedings initiated against them, the notices were issued to them for hearings scheduled on September 13, 2023, October 16, 2023, November 24, 2023, December 11, 2023, December 19, 2023, February 7, 2024 and April 25, 2024 respectively. The status of the hearings scheduled on the said dates is given in the following para.

16. No one turned up to attend the hearings fixed for **August 23, 2023 September 13, 2023, October 16, 2023, December 19, 2023 and April 25, 2024**. The hearings fixed for **November 24, 2023** and **December 11, 2023** were adjourned on written requests received from **Mr. Amir Shareef Tarrar, Advocate**, the Legal Counsel/Authorized Representative of the Respondents through emails dated 24.11.2023 and 11.12.2023 respectively whereas the hearing scheduled for **February 7, 2024** was adjourned over phone call stated to have been received from the personal cell # of the Legal Counsel/Authorized Representative.

17. It is evident from the foregoing that the Respondents were provided multiple opportunities to explain their position with regard to alleged violation of section 26(2) and section 84(1) of the Act. The Respondents opted not to explain/defend their position despite service/delivery of SCN, reminders and hearing notices. Accordingly, the proceedings are being concluded, considering the material available on record.

Issue to be determined: -

18. It was alleged in the instant SCN that the Respondents were involved in inviting and accepting unauthorized and illegal deposits/investments from general public, *prima facie* in violation of sections 84(1), 26(2) of the Act read with MoA of the Company. In order to arrive at decision, I have gone through the facts of the case, record of the Company, documents available



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with the Commission including findings of the investigation team vide Investigation Report dated March 29, 2023 and relevant provisions of law. Before analyzing the allegations, it seems appropriate to discuss the relevant provisions of law on the subject-matter and reproduced hereunder: -

Legal Framework: -

In terms of section 84 of the Act, all companies, excluding banking companies and such other companies or class of companies as the Commission may notify in this behalf, are prohibited from inviting, accepting or renewing deposits from the public. Further, the term deposit has also been defined in section 84 of the Act as any amount accepted or borrowed by a company other than a loan raised by issue of debentures or a loan obtained from a banking company or financial institution or an advance against sale of goods or provision of services in the ordinary course of business. Section 84 of the Act is reproduced below for ease of reference:

84. Prohibition on acceptance of deposits from public. — (1) *On and after the commencement of this Act, no company shall invite, accept or renew deposits from the public:*

Provided that nothing in this sub-section shall apply to a banking company and such other company or class of companies or such deposits as the Commission may, notify in this behalf.

Explanation. — *For the purposes of this section, "deposit" means any deposit of money with, and includes any amount borrowed by, a company, but shall not include a loan raised by issue of debentures or a loan obtained from a banking company or financial institution or an advance against sale of goods or provision of services in the ordinary course of business.*

In terms of section 26(2) of the Act, a company shall not engage in a business which is (a) prohibited by any law for the time being in force in Pakistan; or (b) restricted by any law, rules or regulations, unless necessary licence, registration, permission or approval has been obtained or compliance with any other condition has been made. Deposit taking by companies is not only prohibited under the Act but also under the Banking Companies Ordinance, 1962. Accordingly, any company engaged in deposit invitation/taking commits violation of section 26(2) of the Act, reproduced below for ease of reference:

26. Business and objects of a company. — (2) *A company shall not engage in a business which is—*

(a) prohibited by any law for the time being in force in Pakistan; or

(b) restricted by any law, rules or regulations, unless necessary licence, registration, permission or approval has been obtained or compliance with any other condition has been made."



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In terms of clause 3 of MoA, the Respondents have undertaken that they shall not engage in any unlawful / prohibited business activities. Inviting and accepting deposits is unlawful/ prohibited in terms of sections 84(1) and 26(2) of the Act.

The issue to be determined in the instant matter is whether the Respondent were part of deposit invitation and acceptance from public, in violation of section 84 and section 26(2) of the Act.

Analysis of the issue:

19. The Commission during social media monitoring, observed that the Company was acting as an agent for conducting trading on OctaFX (a software/application used for the purpose of trading in foreign currencies or USD to other commodities) and for this purpose the Company and its Directors were inviting and accepting deposits from general public through local banks/Jazz Cash.

20. In order to substantiate the matter, an official of Company Registration office, Faisalabad made an onsite visit to the registered office of the Company on January 21, 2022 and reported that the said office was closed. Upon asking from a person of another office situated in the same vicinity it was informed that the said office of the Company has been closed since last 4 to 5 months.

21. To ascertain the factual position, the Commission vide order dated July 10, 2022 investigated the Company under Section 257 of the Act. The investigation team in the Investigation Report dated March 29, 2023 concluded that the Respondents were engaged in the prohibited and unlawful business of inviting and accepting unauthorized deposits from the public on the pretext of trading on OctaFX (a software/application used for the purpose of trading in foreign currencies or USD to other commodities, *prima facie*, in violation of sections 84(1) and 26(2) of the Act, read with clause 3 of the MoA of the Company. The significant findings of the investigation team are as under:

- (i) The company was incorporated on August 31, 2020.
- (ii) After incorporating the Company, the Respondents opened the following banks in name of the Company and accepted deposits form general public through said banks accounts, as mentioned against each: -

S. No.	Account #	Account Name	Bank and Branch	Account Opening date	Agg. Credit Turnover (Rs.)	Agg. Debit Turnover (Rs.)	Account Status
1	0104774325	Walton Traders (Pvt) Limited	Meezan Bank Ltd. Jaranwala, Faisalabad	19-Oct-20	984,313,908	984,313,908	Blocked on 09/06/2021
2	275389361	Walton Traders	United Bank Ltd. Medina	27-May-21	232,220,621	232,220,621	Closed on



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		(Pvt) Limited	Town, Faisalabad				
3	5001260 651	Walton Traders (Pvt) Limited	Bank Alfalah Ltd. Jaranwala Road, Faisalabad	02- Oct- 20	1,904,111,474	1,904,111,474	Blocked on 23/06/20 21
4	6727901 051203	Walton Traders (Pvt) Limited	Habib Bank Ltd. Chak Jhumra	24- Oct-20	301,256,951	301,256,951	Closed on 03/09/20 21
5	7670200 005178	Walton Traders (Pvt) Limited	Askari Bank Ltd. Kohinoor City, Faisalabad	15-Apr 21	32,273,004	32,273,004	Closed on advise of bank 04/08/20 21
6	6-2-88- 20311- 714- 129106	Walton Traders (Pvt) Limited	Habib Metropolit an Bank Ltd. Peoples Colony, Faisalabad	25- May 21	77,029,930	77,029,930	Closed on 22/02/20 22
Total					3,531,205,888	3,531,205,888	

- (iii) Deposits from the public amounting to **Rs3,531 million** were received in the aforementioned bank accounts. The directors of the Company, *prima facie*, were beneficiary of the funds raised from the general public through illegal deposit taking and they withdrew **Rs3,531 million** from the bank accounts.
- (iv) Based on information received from banks, about 113 major counter parties of banking transactions with the Company were identified having their transactions of Rs. 500,000 or above.
- (v) The investigation team sent call up notices at available addresses of some of the counter parties selected randomly for verification and recording of statements. Almost 29 persons appeared before the investigation team and majority of them stated that they paid to the Company for investment/trading on OctaFX.
- (vi) The Company or CEO/directors of the Company had not opened any foreign currency bank account with any bank.
- (vii) On January 3, 2023, the investigation team visited the registered office of the Company reportedly located at Office # 118, 119 2nd Floor, Kohinoor One Plaza, Jaranwala Road, Faisalabad, but did not find there any office of the Company.



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- (viii) On January 5, 2023, Mr. Ghulam Mohyudin CEO, of the Company appeared before the investigation team for recording of statement, he *inter alia* stated as under, which substantiates that the Respondents were inviting and accepting deposits from general public:

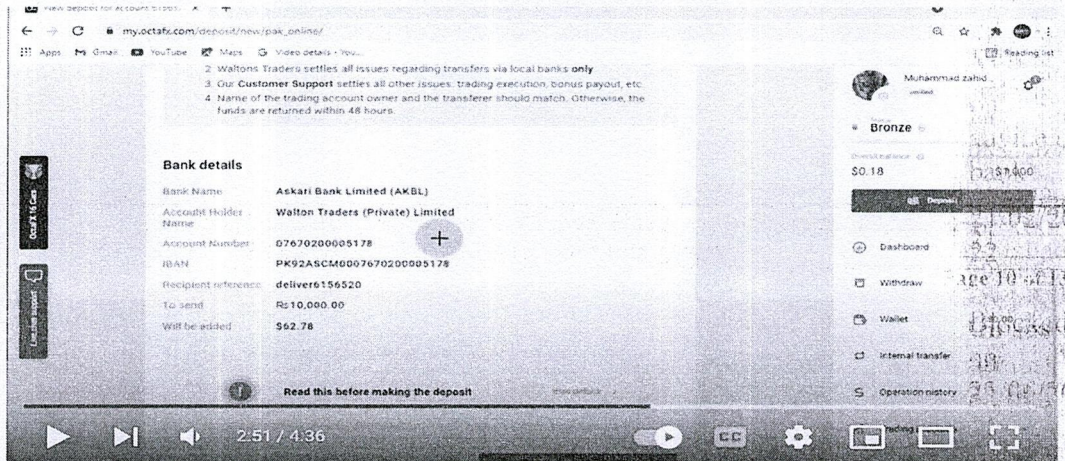
The bank accounts maintained in the name of the Company were being operated for the purpose of receiving of amounts from the claimants who deposited the amounts in the bank accounts of the Company for trading on OctaFX (a software/application used for the purpose of trading in foreign currencies or USD to other commodities)

- (ix) On January 5, 2023, Mr. Shabbir Hussain Director of the Company appeared before the investigation team and *inter alia* stated as under:

The bank accounts maintained in the name of the Company were being operated by Mr. Ghulam Muhayyudin, CEO of the Company which were for the purpose of receiving of amounts from the claimants who deposited the amounts in the bank accounts of the Company for trading on OctaFX (a software/application used for the purpose of trading in foreign currencies or USD to other commodities)

- (x) Mr. Abuzar Atif Khan, Director of the Company despite issuance of multiple notices did not appear before the investigation team for recording of statement.

- (xi) During social media monitoring, a few advertisement pages/materials were extracted from website/social media pages of the Company and same are pasted below, wherein the **Respondents have mentioned its bank account numbers inviting fund depositing by general public:**



#faiqforex

How to deposit in Octafx through local bank in Pakistan jazzcash Easypaisa By FaiqFX

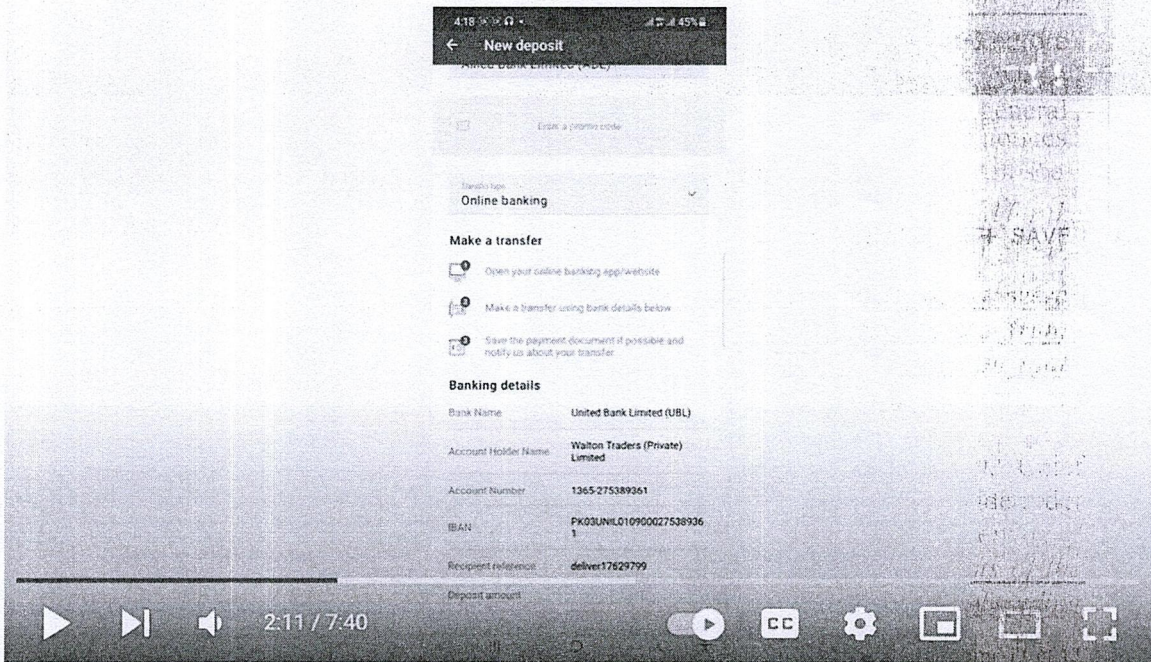
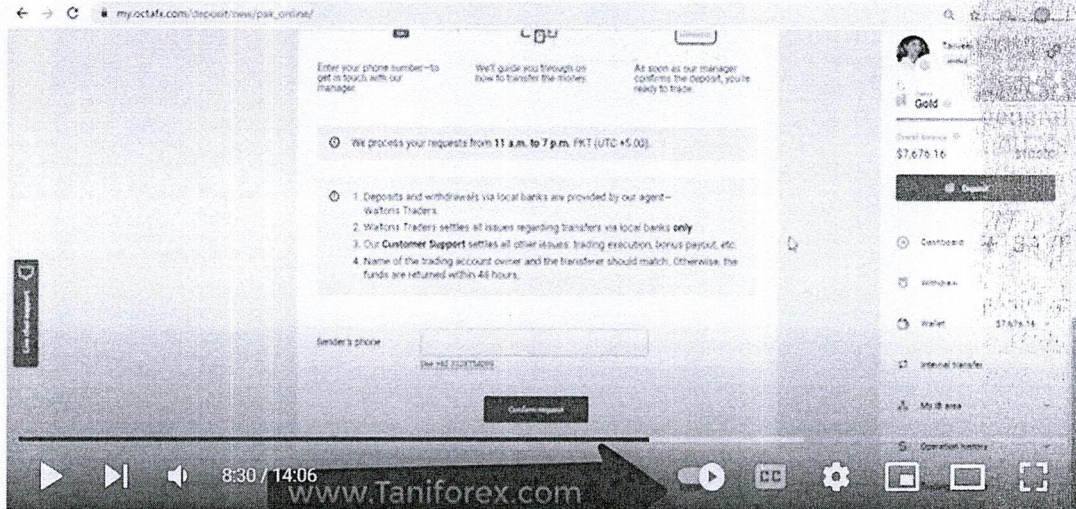
3,947 views · Jul 12, 2021

👍 97 🗑 DISLIKE ➦ SHARE ➦ SAVE ...



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#octafx #octafxpk #octafxdeposit

How To Deposit In Octafx From Pakistan Using Local Bank

710 views • Oct 8, 2021

25 DISLIKE SHARE SAVE ...

(xii) The aforementioned social media contents show that the Respondents were mentioning bank accounts in social media pages for deposits acceptance from general public on account of investment/trading on OctaFX with the claim that Walton Traders settles all the issues regarding transfers via local banks only.

22. In view of the above, the proceedings initiated against the Company and its Chief Executive and Directors under sections 84 (2), 172 and 500 of the Act were concluded vide order



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dated May3, 2024, whereby penalty of Rs3,631 million has been imposed on the Company and aggregate penalty of Rs100 million on each of the three directors of the Company has been imposed. Further directors of the Company have been disqualified to become director/chief executive of any company for five years.

23. Considering that the Company its Chief Executive and Directors were found engaged in illegal activity of inviting deposits from public in violation of section 84(1) and 26(2) of the Act read with clause 3 of MOA of the Company, the Company is liable to be wound up in terms of sub-clauses (i) and (ii) of clause (g) of section 301 of the Act, for carrying on unlawful activity of raising unauthorized deposits from the public. Sub-clauses (i) and (ii) of clause (g) of section 301 of the Act are reproduced below:

301. Circumstances in which a company may be wound up by Court.- A company may be wound-up by the Court –

(g) if the company is-

(i) conceived or brought forth for, or is or has been carrying on, unlawful or fraudulent activities; or

(ii) carrying on business prohibited by any law for the time being in force in Pakistan, or restricted by law, rules or regulations for the time being in force in Pakistan; or

Explanation 1.- The promotion or the carrying on of any scheme or business, howsoever described-

(a)

(b) raising unauthorized deposits from the public, indulging in referral marketing, multi-level marketing (MLM), Pyramid and Ponzi Schemes, locally or internationally, directly or indirectly; or

(c) ... ;
shall be deemed to be an unlawful activity.

24. Accordingly, in exercise of the powers conferred upon me under clause (b) of proviso to section 304 read with sub-clauses (i) and (ii) of section 301(g) of the Act, sanction is hereby granted to In-charge, Company Registration Office, Faisalabad to present a petition for winding up of **M/s Walton Traders (Private) Limited** before the concerned High Court. The said clause (b) of proviso to Section 304 of the Act is reproduced hereunder, for ease of reference:

304. Provisions as to applications for winding up. An application to the Court for the winding up of a company shall be by petition presented, subject to the provisions of this section, either by the company, or by any creditor or creditors (including any contingent or prospective creditor or creditors), or by any contributory or contributories, or by all or any of the aforesaid parties, together or separately or by the registrar, or by the Commission or by a person authorized by the Commission in that behalf:

Provided that –

(a)



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(b) the registrar shall not be entitled to present a petition for the winding up of a company unless the previous sanction of the Commission has been obtained to the presentation of the petition: Provided that no such sanction shall be given unless the company has first been afforded an opportunity of making a representation and of being heard;

25. This Sanction is being issued without prejudice to any other proceedings or action that the Commission or National Accountability Bureau or Federal Investigation Agency or any other authority, bureau, agency or institution may initiate, in accordance with relevant provisions of law, against the Respondents and any other officer of the Company in respect of unlawful/illegal deposit taking activities undertaken by them.

(Hammad Javed)

Additional Director / Head of Department
Adjudication Department-II

Announced: May 15, 2024