

Before Asif Iqbal – Head of Department (Adjudication-I)

In the matter of Show Cause Notice issued to Apna Microfinance Bank Limited

Date of Hearing:

November 17, 2022

Order - Redacted Version

Order dated November 23, 2022 was passed by Head of Department (Adjudication-I) in the matter of Apna Microfinance Bank Limited. Relevant details are given as hereunder:

Nature	Details
1. Date of Action	Show Cause Notice dated August 12, 2022
2. Name of Company	Apna Microfinance Bank Limited
3. Name of Individual*	The proceedings were initiated against the Company.
4. Nature of Offence	The Company failed to convene its Annual General Meeting for the financial year ended December 31, 2021 (the AGM) within a period of one hundred and twenty (120) days following the closure of its financial year, contrary to the requirements of sub-section (1) of Section 132 of the Companies Act, 2017 (the Act).
5. Action Taken	<p>Key findings were reported in the following manner:</p> <ul style="list-style-type: none">• the Company through its application dated April 8, 2022 sought extension of one month to convene its overdue AGM, which the Commission acceded to through its letter dated April 29, 2022;• the Company through its application dated May 27, 2022 sought further extension of two months to convene its past due AGM by July 31, 2022, which the Commission did not accede to through its letter dated June 15, 2022;• later on, the Company through its application dated August 17, 2022 sought direction under Section 147 of the Act to convene its overdue AGM for FY 2021, which the Commission acceded to through its directive dated September 9, 2022 advising the Company to hold its past due AGM by September 10, 2022;• the Company has held its AGM for FY 2021 on September 10, 2022 in accordance with the Commission's directive dated September 9, 2022.• in view of the preceding facts, it has been observed that the Company has convened and held its AGM for FY2021 on September 10, 2022, in conformity with the Commission's directive dated September 9, 2022 under Section 147 of the Act.• therefore, I hereby conclude the proceedings with no further action, reminding the Company of its fiduciary duties and responsibilities towards all stakeholders, advising it to ensure that such mechanisms are in place, and appropriate actions be taken whereby holding of AGM and financial reporting of the Company are timely achieved, whilst ensuring due compliance of the law in letter and spirit in the future.

6. Penalty Imposed	No penalty imposed on the Company.
7. Current Status of Order	No Appeal has been filed by the Company.

Redacted version issued for placement on website of the Commission.