**Before**

**Amir M. Khan Afridi – Director/Head of Department**

**In the matter of Show Cause Notice issued to Mr. Mr. Nafees ud din,**

**Engagement Partner Shinewing Hameed Chaudhri & Co., Chartered Accountants**

**Auditor of Bannu Woollen Mills Limited**

|  |  |
| --- | --- |
| Dates of Hearing | January 21, 2021 and July 05, 2021 |

**Order-Redacted Version**

Order dated July 28, 2022 was passed by Director/Head of Department (Adjudication-I) in the matter of Shinewing Hameed Chaudhri & Co., Chartered Accountants. Relevant details are given as hereunder:

|  |  |
| --- | --- |
| **Nature** | **Details** |
| 1. Date of Action | Show cause notice dated June 09, 2020 |
| 1. Name of Company | Shinewing Hameed Chaudhri & Co., Chartered Accountants |
| 1. Name of Individual | The proceedings were initiated against the Mr. Nafees ud din, Engagement Partner, Shinewing Hameed Chaudhri & Co., Chartered Accountants, Auditor of Bannu Woollen Mills Limited |
| 1. Nature of Offence | Proceedings were initiated in terms of Section 260 read with Section 255 and Section 476 of the Companies Ordinance, 1984 (**the Ordinance**)  The facts leading to this case as per SCN, briefly stated, are that examination of audited financial statements for the year ended June 30, 2018 (**Accounts-2018**) of the Company transpired while applying equity method in accounting for its investments in associates in its audited financial statements for the years ended June 30, 2016 (**year 2016**), did not include effect of surplus on revaluation of Property, Plant and Equipment (**PPE**) of Janana De Malucho Textile Mills Limited (JDM) and Babri Cotton Mills Limited (BCM) (hereinafter together referred to as the “associated companies”), contrary to the requirements of the International Accounting Standards- 28 (**IAS-28**), ‘Investments in Associates and Joint Ventures’.  The Auditor in its report to members for the years ending June 30, 2016 did not contain any reference or observation regarding the non-compliance with the requirements of IAS-28. |
| 1. Action Taken | Key findings were reported in the following manner:  I have gone through the facts of case, quoted references, considered the verbal submissions of the Respondents in light of the relevant provisions of the Ordinance. In this context, I would like to mention here that basic premise for issuance of instant SCN was that while applying equity method of accounting for its investments in associates in audited financial statement for the year 2016, the Company did not include effect of surplus on revaluation of PPE of JDM and BCM which was contrary to the requirements of IAS-28 and the Respondent, being the engagement partner of the statutory auditor of the Company, did not bring out this material misstatement i.e. non-compliance of IAS-28 and IAS-36 in its audit report of respective year. The Respondent during the course of hearing and in written submission referred the Order dated September 03, 2019 issued by Executive Director (Corporate Supervision Division), under Section 474(1) of the Companies Act, 2017, which was also issued on the same grounds as alleged in the instant SCN.  Executive Director (Corporate Supervision Department) while agreeing with the accounting treatment adopted by the Company, disposed-off the proceedings initiated against the directors of the Company, in respect of carrying value of associates in prior year accounts and concluded that *“I agree to the stance taken in respect of Carrying value of associates in prior year accounts, that were valued in accordance with the provisions of the then applicable Companies Ordinance, 1984, owing to difference in provisions contained in Section 235 thereof and IAS-28”.*  Therefore, in view of the aforesaid, I hereby conclude that the instant matter has already been conceded vide Order dated September 03, 2019 hence the proceedings initiated through the SCN against the Respondents are hereby closed with no further action.  Nothing in this Oder may be deemed to prejudice the operation of any provision of the Ordinance providing for imposition of penalties in respect of any default, omission, violation of the Ordinance. |
| 1. Penalty Imposed | No penalty has been imposed on the respondents. |
| 1. Current Status of Order | No Appeal has been filed by the respondents. |