



Securities and Exchange Commission of Pakistan

Adjudication Division
Adjudication Department

Before Asif Iqbal,
Director/HOD (Adjudication-I)
In the matter of Show Cause Notice issued to Flying Cement Company Limited

Date of Hearing

November 17, 2022, December 12, 2022

Order-Redacted Version

Order date December 20, 2022 was passed by Director/Head of Department (Adjudication-I) in the matter of Flying Cement Company Limited. Relevant details are given as hereunder:

Nature	Details
1. Date of Action	Show cause notice dated August 19, 2022
2. Name of Company	Flying Cement Company Limited
3. Name of Individual*	The proceedings were initiated against Flying Cement Company Limited
4. Nature of Offence	Under Regulation 10(2) of the Companies (Further Issue of Shares) Regulation, 2020 read with Regulation 11 thereof and Section 512(2) of the Companies Act 2017
5. Action Taken	<p>Key findings were reported in following manner:</p> <p>I have gone through the facts of the case, the submission made by the Authorized Representative both in writing and verbally, and relevant provisions of the Regulations and of the Act. It is noted that the Respondent has acknowledged its non-compliance with regulation 10(2) of the Regulations, at the relevant point in time, by not submitting the item wise utilization of proceeds of its right issue. The Respondents are, therefore, liable for penalty under regulation 11 of the Regulations and Section 512(2) of the Act. However taking cognizance of the fact that the Respondents had rectified the omission by submitting item wise breakup of utilization of proceed of right issue and ensuring compliance with the applicable regulatory requirements in subsequent right issues, I, in exercise of powers conferred under regulation 11 of the Regulations and section 512(2) of the Act conclude the proceedings initiated through the SCN without imposing any monetary penalty. However the Respondent is Warned to ensure compliance with the applicable regulatory framework in future in letter and spirit.</p> <p>Nothing in this Order may be deemed to prejudice the operation of any provision of the Act providing for imposition of penalties in respect of any default, omission, violation of the Act.</p>
6. Penalty imposed	Nil
7. Current Status of Order	No appeal has been filed by the respondents.