



THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

(Set up by an Act of Parliament)

[PR/213/2014/DD/228/2014/DC/680/2017]

**ORDER UNDER SECTION 21B(3) OF THE CHARTERED ACCOUNTANTS ACT, 1949 READ WITH  
RULE 19(1) OF THE CHARTERED ACCOUNTANTS (PROCEDURE OF INVESTIGATION OF  
PROFESSIONAL AND OTHER MISCONDUCT AND CONDUCT OF CASES) RULES, 2007.**

**In the matter of:**

**Sh. Kamal Aggarwal**  
123-C Model Town,  
Patiala - 147001

**Versus**

**CA. Anil Kumar Aggarwal (M. No. 084534)**  
D-76, Sector 52,  
NOIDA-210301

**[PR/213/2014/DD/228/2014/DC/680/2017]**

**MEMBERS PRESENT:**

- 1. CA. Atul Kumar Gupta, Presiding Officer**
- 2. CA. Amarjit Chopra, Government Nominee**
- 3. CA. Rajendra Kumar P, Member**

1. That vide findings under Rule 18 (8) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 dated 09.04.2019, the Disciplinary Committee was inter-alia of the opinion that **CA. Anil Kumar Aggarwal (M. No. 084534)** (hereinafter referred to as the **Respondent**) was **GUILTY** of professional misconduct falling within the meaning of Clause (4) of Part I of Second Schedule to the Chartered Accountants Act, 1949.

2. That an action under Section 21B (3) of the Chartered Accountants Act, 1949 was contemplated against the Respondent thereby granting an opportunity of being heard in person and/or to make oral/ written representation before the Committee on 16<sup>th</sup> December, 2019 at New Delhi.

3. Further, on 16<sup>th</sup> December, 2019, the Committee noted that the Respondent was present and made submissions on the findings of the Committee holding him Guilty of professional



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misconduct within the meaning of Clause (4) of Part I of Second Schedule to the Chartered Accountants Act, 1949.

4. The Committee noted that there is only one charge against the Respondent i.e. he was having vested interest in the business of his father and has signed the financial statements of the concerns owned/controlled by his father.

Further, the Committee noted that at the time of hearing, the Respondent has accepted said charge and pleaded guilty of professional misconduct falling within the meaning of Clause (4) of Part I of Second Schedule to the Chartered Accountants Act, 1949.

5. The Committee perused the above facts and submissions of the Respondent and looking into all these aspects, the Committee noted that the Respondent has accepted the mistake and it is also a matter of family dispute. Moreover, Complainant vide letter dated 07/04/2019 has wished to withdraw this complaint unconditionally.

Based on the above findings the Respondent being held guilty of professional misconduct, the Committee is of the view that ends of justice will be met, if the punishment awarded to the Respondent is commensurate with the seriousness of the nature of misconduct.

6. Thus, keeping in view the facts and circumstances of the case, the material on record before it, the Committee ordered that the Respondent i.e. CA. Anil Kumar Aggarwal (M. No. 084534) be reprimanded.

Sd/-  
CA. ATUL KUMAR GUPTA)  
PRESIDING OFFICER

Sd/-  
(CA. AMARJIT CHOPRA)  
GOVERNMENT NOMINEE

Sd/-  
(CA. RAJENDRA KUMAR P)  
MEMBER

DATE : 16/12/2019  
PLACE : New Delhi



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**CONFIDENTIAL**

**DISCIPLINARY COMMITTEE [BENCH – II (2019-2020)]**

**[Constituted under Section 21B of the Chartered Accountants (Amendment) Act, 1949]**

**Findings under Rule 18(8) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007.**

**File No. : [PR/213/2014/DD/228/2014/DC/680/2017]**

**In the matter of:**

**Sh. Kamal Aggarwal**

123-C Model Town,

**Patiala - 147001**

**....Complainant**

**Versus**

**CA. Anil Kumar Aggarwal (M. No. 084534)**

D-76, Sector 52,

**NOIDA–210301**

**.....Respondent**

**MEMBERS PRESENT:**

**CA. Atul Kumar Gupta, Presiding Officer**

**Shri Kamal Agarwal, Patiala – vs.- CA. Anil Kumar Aggarwal (M. No. 084534)**

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[PR/213/2014/DD/228/2014/DC/680/2017]

Sh. Rajeev Kher, I.A.S. (Retd.), Govt. Nominee  
CA. Amarjit Chopra, Government Nominee  
CA. Rajendra Kumar P, Member

**DATE OF HEARING : 09.04.2019**

**PLACE OF HEARING : ICAI Bhawan, New Delhi**

**PARTIES PRESENT:**

**Respondent : CA. Anil Kumar Aggarwal**

**Charges in Brief:-**

1. The Committee noted that the Respondent was held Prima Facie Guilty in respect of only one charge, which is as under:-

1.1 The Respondent was having vested interest in the business of his father and has signed the financial statements of the concerns owned/controlled by his father viz. Walaiti Ram Madan Lal Charitable Trust and Sushila Devi Public School, Patiala.

**Brief facts of the Proceeding:**



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2. On the day of hearing i.e. 09/04/2019, the Committee noted that the Respondent was present and appeared before it. The office apprised the Committee that there is an e-mail from the Complainant dated 07/04/2019 in which he has wished to withdraw the instant Complaint.

The Committee noted the contents of the e-mail of the Complainant and decided to proceed ahead based on merits of the case.

2.1 The Respondent was put on oath. With the consent of the Respondent, the charges were taken as read. The Respondent submitted that he has nothing further to submit in this case. On being asked, the Respondent pleaded guilty and accepted the charges. He further submitted that there was mistake on his part and he assured that same would not be repeated in future.

2.2 After recording the plea of the Respondent, the Committee concluded the case.

**Finding:-**

3. Since the Respondent pleaded guilty as above, the Committee recorded his plea in terms of the provision of Rule 18 (8) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 and accordingly held the Respondent **GUILTY** of professional misconduct falling within the meaning of Clause (4) of Part I of Second Schedule to the Chartered Accountants Act, 1949.

**Sd/-**

**(CA. ATUL KUMAR GUPTA)**

**PRESIDING OFFICER**

**Sd/-**

**Sd/-**



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**(CA. AMARJIT CHOPRA)**

**GOVERNMENT NOMINEE**

**(SHRI RAJEEV KHER, I.A.S. (Retd.))**

**GOVERNMENT NOMINEE**

**Sd/-**

**(CA. RAJENDRA KUMAR P)**

**MEMBER**

**DATE : 09/04/2019**

**PLACE : New Delhi**