



THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA
(Set up by an Act of Parliament)

[PPR/34/C/14/DD/12/INF/14/DC/535/2017]

**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:

**CA. Ajay Pratap Singh (M.No.077142) of
M/s. S A P Associates, Noida in Re:
[PPR/34/C/14/DD/12/INF/14/DC/535/2017]**

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 05.02.2019, the Disciplinary Committee was inter-alia of the opinion that **CA. Ajay Pratap Singh (M.No.077142)** (hereinafter referred to as the **Respondent**) was **GUILTY** of professional misconduct falling within the meaning of Clause (7) 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 and communication dated 03rd May, 2019 was addressed to him thereby granting an opportunity of being heard in person and/or to make oral/ written representation before the Committee on 15th May, 2019 at New Delhi.
3. Further, on 15th May, 2019, the Respondent appeared in person before the Committee. The Respondent in his written submissions dated 20/03/2019 and before the Committee admitted his mistake and requested to take lenient view.



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4. The Committee noted that the Respondent pleaded guilty 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 before earlier Committee who dealt with the case in detail on the charges relating to the audited financial statement of the School (Milli Refah-E- Aam society, Fatehpur (U.P.) for financial year 2006-2007 wrong opening balance transferred from audit report of year 2005-06 (such as cash in hand, cash at bank and General fund etc.) and that in the audit report for the year 2007-08, the written down value of total assets was Rs. 22,12,042.97 as shown in the Balance Sheet, but in the audit report for the year 2008-09, the opening balance of fixed assets has been shown as Rs. 37,54,462.97 instead of Rs. 22,12,042.97.
5. The Committee perused the above findings and noted that the Respondent has not exercised due diligence in his professional duties as he has taken wrong opening Balances in the audited financial statements such as cash in hand, cash at bank, general fund and fixed assets etc. Further, he accepted this mistake before the erstwhile Committee and even before this Committee.

In view of above and as admitted by the Respondent, the Committee was of the view that the Respondent has admitted his mistake at the time of hearing and even at the time of award of punishment.

Keeping in mind all above aspects, the Committee hereby warns the Respondent that looking into his honest admissions of mistake, he should be more careful in future in respect of discharging of professional duties and any professional negligence (if attracted in future) would be looked seriously.

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. Ajay Pratap Singh (M. No. 077142) be reprimanded and a fine of Rs. 10,000/- (Rupees Ten Thousand only) plus applicable



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taxes (i.e. total sum of Rs. 11,800/- including GST as applicable) be also imposed upon him to be paid within 30 days of receipt of this order.

Sd/-
(CA. ATUL KUMAR GUPTA)
PRESIDING OFFICER

Sd/-
(CA. AMARJIT CHOPRA)
GOVERNMENT NOMINEE

Sd/-
(CA. RAJENDRA KUMAR P)
MEMBER

DATE : 15/05/2019
PLACE : New Delhi



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CONFIDENTIAL

DISCIPLINARY COMMITTEE [BENCH – II (2018-2019)]

[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. : [PPR-34/C/2013/DD/12/INF/14/DC/535/17]

In the matter of:

CA. Ajay Pratap Singh (M. No. 077142)

M/s. S A P Associates (FRNo.008161C),

C-16, Sector – 100,

Distt. Gautam Budh Nagar

NOIDA – 201301.

.... Respondent

MEMBERS PRESENT:

**CA. Prafulla P. Chhajed, Presiding Officer
Shri Rajeev Kher, I.A.S. (Retd.), Govt. Nominee
CA. Amarjit Chopra, Government Nominee
CA. Mangesh P. Kinare, Member**

DATE OF HEARING : 18.09.2018

CA. Ajay Pratap Singh (M.No.077142)

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PLACE OF HEARING : ICAI Bhawan, New Delhi

PARTIES PRESENT:

Respondent : CA. Ajay Pratap Singh

Counsel for the Respondent : CA. K. Sampat alongwith CA. R. K. Gaur

Charges in Brief:-

1 The Committee noted that the Respondent was held Prima Facie Guilty in respect of only two charges, which are as under:-

1.1 The first charge against the Respondent is that in the audited financial statement of the School (Milli Refah-E- Aam society, Fatehpur (U.P.) for financial year 2006-2007 wrong opening balance transferred from audit report of year 2005-16 (such as cash in hand, cash at bank and General fund etc.)

1.2 The Second charge against the Respondent is that in the audit report for the year 2007-08, the written down value of total assets was Rs. 22,12,042.97 as shown in the Balance Sheet, but in



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the audit report for the year 2008-09, the opening balance of fixed assets has been shown as Rs. 37,54,462.97 instead of Rs. 22,12,042.97.

Brief facts of the Proceeding:

2. On the day of hearing i.e. 18/09/2018, the Committee noted that the Respondent alongwith his Counsel was present and appeared before it.
 - 2.1 The Respondent was put on oath. On explaining the charges and being asked whether the Respondent pleads guilty, he replied in negative.
 - 2.2 The Committee directed the Respondent/Counsel to proceed ahead with his defence. However, during enquiry by the Committee, the Respondent accepted the charges and pleaded guilty. Further, he requested the Committee to take a lenient view in this 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 (7) of Part I of the Second Schedule to the Chartered Accountants Act, 1949.

Sd/-
(CA. PRAFULLA P. CHHAJED)



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PRESIDING OFFICER

Sd/-

(SH. RAJEEV KHER, I.A.S. (Retd.))

GOVERNMENT NOMINEE

Sd/-

(CA. AMARJIT CHOPRA)

GOVERNMENT NOMINEE

Sd/-

(CA. MANGESH P. KINARE)

MEMBER

DATE : 05th February, 2019.

PLACE : New Delhi