



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

PPR-12/15/DD/11/INF/15/BOD/236/16

ORDER UNDER SECTION 21A(3) OF THE CHARTERED ACCOUNTANTS ACT, 1949
READ WITH RULE 15(1) OF THE CHARTERED ACCOUNTANTS (PROCEDURE OF
INVESTIGATIONS OF PROFESSIONAL AND OTHER MISCONDUCT AND CONDUCT OF
CASES) RULES, 2007.

In the matter of:-

CA. Ankur Sharma (M. No. 525600) in Re:

[PR-04/15-DD-2/INF/2016-BOD/236/2016]

MEMBERS PRESENT:

CA. Prasanna Kumar D., Presiding Officer
Mrs. Rani Nair, (IRS, Retd.), Government Nominee
CA. Durgesh Kumar Kabra, Member

Date of Hearing – 9th March 2020

1. The Board of Discipline vide Report dated 6th January, 2020 was of the opinion that **CA. Ankur Sharma (M. No. 525600)** is guilty of "Professional Misconduct" falling within the meaning of Clause (8) of Part-I of the First Schedule to the Chartered Accountants Act, 1949.
2. An action under Section 21A (3) of the Chartered Accountants Act, 1949 was contemplated against **CA. Ankur Sharma** and communication dated 26th February, 2020 was addressed to him thereby granting him an opportunity of being heard in person and/or to make written representation before the Board on 9th March, 2020.
3. **CA. Ankur Sharma** neither appeared personally before the Board on 09th March, 2020 nor was there any intimation from him as regards his non-appearance. Also, he did not make any written representation on the findings of the Board. Keeping in view the provisions of Rule 15 of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and conduct of Cases) Rules, 2007, the Board decided to proceed ahead in the matter presuming that he had nothing more to represent before it.
4. The Board has carefully gone through the facts of the case alongwith documents available on record.
5. As per the findings of the Board as contained in its report, it has already been conclusively proved that **CA. Ankur Sharma** is Guilty of Professional Misconduct falling

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within the meaning of Clause (8) of Part I of the First Schedule of the Chartered Accountants Act, 1949.

6. Upon consideration of the facts of the case and the consequent misconduct of **CA. Ankur Sharma**, the Board decided to reprimand **CA. Ankur Sharma (M.No. 525600)**.

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Sd/-
CA. PRASANNA KUMAR D.
(PRESIDING OFFICER)

Certified Copy

Prasanna
Assistant Secretary
Disciplinary Directorate
The Institute of Chartered Accountants of India
ICAI Bhawan, I.P. Marg, New Delhi-110 002

BOARD OF DISCIPLINE

Constituted under Section 21A of the Chartered Accountants Act 1949

Findings under Rule 14(9) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007

File No. : PR-04/15-DD-2/INF/2016-BOD/236/2016

QUORUM:

CA. Sushil kumar Goyal , Presiding Officer
Mrs. Rani Nair (IRS, Retd.), Government Nominee
CA. Durgesh Kabra, Member

In the matter of:

CA. Ankur Sharma (M. No. 525600)
Shop No. 15-16,
New Motor Market,
Near Suncity Apartments,
Distt. – Solan,
BADDI – 173205 (H.P.)

CA. Ankur Sharma
House No. – 3285A,
Sector – 24D
CHANDIGARH - 160023

.....Respondent

DATE OF HEARING : 4th November, 2019

PLACE OF HEARING : New Delhi

PARTIES PRESENT: NONE

FINDINGS:

1. The Board noted the charge against the Respondent that he without prior communication with the Informant completed the tax audit of M/s. S.K. Electronics for the financial year 2012-13.

2. The Board noted that Respondent was not present at the time of hearing and had sent a request for adjournment of the hearing. Since the case had been adjourned also at his

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request, the Board did not accept his request and decided to proceed ahead with the hearing in the case ex-parte the Respondent.

3. The Board on perusal of the documents on record noted that on 23rd September, 2013 the Informant received a letter from the Respondent with postage date 20th September, 2013 on the envelope intimating for the approval for conducting the Tax Audit of M/s. S.K. Electronics, Jassur for the Financial Year 2012-13. The Respondent signed the financial statement of the auditee on 19th September, 2013. So it is clear that Respondent has failed to communicate with Informant before acceptance of audit.

4. The Board also observed that in terms of the Code of Ethics, Incoming Auditor should always communicate with the retiring auditor before accepting the audit. In this case, the letter of communication with the previous auditor has been dispatched after completion of audit and signing off the audit report by the Respondent. Therefore, the Board is of the view that the Respondent is guilty of Professional Misconduct falling within the meaning of Clause (8) of Part I of the First Schedule to the Chartered Accountants Act, 1949.

CONCLUSION:

5. Thus, in conclusion, in the considered opinion of the Board, the Respondent is held **GUILTY** of Professional Misconduct falling within the meaning of Clause (8) of Part I of First Schedule to the Chartered Accountants Act, 1949.

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Sd/-
CA. SUSHIL KUMAR GOYAL
(PRESIDING OFFICER)

Sd/-
MRS. RANI NAIR (IRS, RETD.)
(GOVERNMENT NOMINEE)

Sd/-
CA. DURGESH KUMAR KABRA
(MEMBER)

DATE: 6th JANUARY, 2020
PLACE: NEW DELHI

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Assistant Secretary
Disciplinary Directorate
The Institute of Chartered Accountants of India
ICAI Bhawan, I.P. Marg, New Delhi-110 002