

**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**

**CA. Rishabh Kumar (M.No.402877) of M/s. BSR & Co.(128510W), Mumbai in Re:**

**[PPR/P/83/16-DD/64/INF/16/BOD/403/2017]**

**CORAM:**

**CA. G. Sekar, Presiding Officer**  
**Shri R.K. Tewari (Government Nominee)**  
**CA. Dhinal Ashvinbhai Shah, Member**

**In the matter of:**

**CA. Rishabh Kumar**  
M/s. BSR & Co.,  
Chartered Accountants,  
Lodha Excelus Compound, 5th Floor,  
Apollo Mills Compound,  
N.M. Joshi Marg, Mahalaxmi  
**MUMBAI – 400 011**

**.....Respondent**

**DATE OF HEARING: 12.01.2019**

**PLACE OF HEARING: MUMBAI**

**PARTIES PRESENT:**

**Respondent : CA. Rishabh Kumar**  
**Counsel of Respondent : Sh. Ajay Bahl, Advocate**

**Findings:**

1. The Board noted that the charge relates to use of Name KPMG in the seal of the Respondent Firm in the financial statements of M/s Tribhovandas Bhimji Zaveri Ltd. for the year ended on 31.03.2013 which was provided to the Technical Reviewer by the Respondent firm.

2. The Board noted that the Respondent/ his Counsel submitted that the matter arises due to inadvertently seal on an office copy on the accounts which werelying

with the Company and were made available to reviewer. The Board also noted that the Respondent in written statement had submitted that the Company was already client of his firm since past four years, and hence the issue of soliciting clients or professional work by using such stamp does not arise.

3. The Board on perusal of copy of financial statements uploaded electronically submitted by the Respondent noted that the word KPMG was not appearing in seal of BSR in the address section of the seal.
4. The Board was of considered view that since the Company is regular client of the Respondent firm and the word KPMG was not appearing in address section of seal in the documents filed electronically, hence it is an inadvertent mistake rather a common practice. Accordingly, the Board holds the Respondent Not guilty of the charge.

**CONCLUSION:**

5. Thus, the Board concluded that the Respondent is held **NOT GUILTY** of "Professional Misconduct" falling within the meaning of Clause (7) of Part I of First Schedule to the Chartered Accountants Act, 1949. Accordingly, in terms of the provisions of Rule 15(2) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules 2007, the Board passes order for closure of the case.

**Sd/-  
(G. SEKAR)**

**PRESIDING OFFICER**

**Sd/-  
(R K TEWARI)**

**GOVERNMENT NOMINEE**

**Sd/-  
(DHINAL ASHVINBHAI SHAH)**

**MEMBER**

**DATE: NEW DELHI**

**PLACE: 12<sup>th</sup> JANUARY, 2019**

Certified True Copy

  
Mukesh Kumar Mittal  
Assistant Secretary  
Disciplinary Directorate

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