### CONFIDENTIAL

## **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-82/2016/DD/265/16/BOD/589/2021

#### CORAM:

CA. Prasanna Kumar D., Presiding Officer (in person) Smt. Rani Nair, (IRS, Retd.), Government Nominee (through video conferencing)

### In the matter of:

Shri M. K. Gaind. Senior Regional Manager. Central Bank of India Regional Office (South). 219, Din Dayal Upadhyay Marg, JNNYC. New Delhi 110002

...Complainant

#### Versus

CA. Sanjay Kumar Gupta (M No. 085981) Prop., M/s. Sanjay Kumar Gupta & Associates,

Chartered Accountants. R-2/72, Raj Nagar, Ghaziabad. Uttar Pradesh 201002

...Respondent

DATE OF FINAL HEARING PLACE OF FINAL HEARING

10<sup>th</sup> January, 2022

New Delhi / through video

conferencing

# PARTIES PRESENT:

Authorised Representative

: Mr. Tarun Kumar Sharma

of the Complainant Bank

Chief Manager, Regional Office (through VC)

Counsel for the Complainant Bank: Adv. K. K. Mudgil (through VC)

Respondent

: CA. Sanjay Kumar Gupta (in person)

### FINDINGS:

# Charge Alleged:

The Respondent was appointed as Stock Auditor vide letter dated 25/03/2015 for audit of primary securities of M/s. Ekta Engineering Udyog Pvt. Ltd. and was required to





submit his report by 15/04/2015. However, the Respondent failed to submit the Stock Audit report and the Complainant Bank had to appoint new auditor for the said purpose. The Complainant further alleged that Respondent has filed complaints addressed to senior officials of Complainant Bank and to regulators to tarnish the image of M/s. Ekta Engineering Udyog Pvt. Ltd. on false grounds.

#### **Brief of Proceedings held:**

2. During the hearing held on 10<sup>th</sup> January 2022, the representative of the Complainant Bank alongwith their Counsel were present through video conferencing and the Respondent was physically present before the Board. The Counsel for the Complainant bank made his submissions to substantiate the allegations alleged against the Respondent. Thereafter, the Respondent also made his counter submissions to defend himself. The Respondent was also examined by the Board. On consideration of the documents and submissions on record, the Board concluded the proceedings in the case with the direction to the parties to the case to provide the following within 7 days with a copy to the other party to the case to submit their comments thereon, if any, within 2 days of the receipt of the same:

### Complainant Bank:

1. Status of all the complaints which have been filed by the Respondent against the Complainant Branch with different Authorities alongwith the copy of the Report/Order passed.

#### Respondent:

1. To provide his comments on the reply made by the Complainant bank vide letter dated 29th June 2016 with respect to para 20 to 25 of his complaint.

Accordingly, the decision on the conduct of the Respondent was kept reserved by the Board. Thereafter, the Respondent vide letter dated 31<sup>st</sup> January 2022 submitted his reply. However, no reply was received from the Complainant Bank. Thereafter, on consideration of the documents and submissions on record, the Board at its meeting held on 11th February 2022 decided on the conduct of the Respondent.

### Brief Submissions of the Respondent:

- 3. The Respondent in his written submissions, inter-alia, stated as under:
  - a. The Respondent requested for a high level vigilance enquiry besides disciplinary proceedings against various officials of Complainant Bank and to cross examine various officials of the Complainant Bank.
  - b. The Respondent requested to send the said case to CBI for criminal proceedings.
  - c. The Respondent stated that Form I was defective under Rule 5(5). Rule 3(4) was not followed as no general resolution or power of attorney was submitted with the complaint. Further, Rule 8(1) was also not followed 60 days' time cannot be extended.

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The Respondent requested the Board/ Institute to lodge criminal complaint against the Complainant Bank.

e. The Respondent further submitted explanation with respect to the grievances raised by him with the higher officials of the Complainant Bank.

In Para (20) and (21) of his Complaint dated 09.10.2015, no specific replies were given by the A.G.M., Nehru Place Branch, New Delhi, vide his letter dated 29.06.2016. Further, false statements were made by the A.G.M. that the Respondent was informed by the Bank that the party had extended all the co-operation and necessary information was provided to the Respondent on the computer system. Also, false statements were made by the A.G.M. that all the concerned staff of the party, two CAs and the director himself was present to meet the requirement of stock auditor and the Respondent went on asking so many things and they (i.e. all the concerned staff of the party, two CAs and the director himself), went on providing without any hesitation. False statements were made by the A.G.M. that Respondent has narrated so many things and quoted figures collected from the bank as well as party and this itself vouch safes the fact that full co-operation and information was provided to the Respondent which was required for Stock Audit otherwise where from

Respondent has collected the figures and documents.

For authenticity of the figures of debtors, creditors and stock, as per last stock statement (MSOD) as at 28.02.2015, submitted to the bank, on 11.05.2015, the Respondent asked to produce the books of accounts. But, neither the figures of debtors, nor the figures of creditors/stock, were verified from books of accounts, in the presence of Mr. S.C.Sharma, Manager, Nehru Place Branch, New Delhi. Then Mr. Muzammil Anwar, Director, told to come some other day, to be fixed with their C.A.For verification of stock, no stock register was produced, and it was told in the presence of Mr. S.C.Sharma, Manager, Nehru Place Branch, New Delhi, that it was not maintained. When the Respondent asked that without stock register, how it can be computed that how much stock of raw materials is left, and, how much stock of work-inprogress (W.I.P.) is lying, and, how much stock of finished goods is produced, then, again Mr. Muzammil Anwar, Director, told to come some other day, to be fixed with their C.A. Again, on 14.05.2015, no Stock Register was produced, and it was told by Mr. S.P.Agarwal, F.C.A. and Mr. Umair Ahmed Khairi, F.C.A., that no stock register was maintained. When the Respondent asked that without stock register, how it can be computed that how much stock of raw materials is left, and, how much stock of work-in-progress (W.I.P.) is lying, and, how much stock of finished goods is produced, then, no answer was given by both Mr. S.P.Agarwal, F.C.A., and Mr. Umair Ahmed Khairi, F.C.A. For authenticity of the figures of debtors, creditors & stock, as per stock statement (MSOD) as at 31.03.2015, and as at 28.02.2015, the Respondent asked to produce books of accounts, from both Mr. S.P.Agarwal, F.C.A., & Mr. Umair Ahmed Khairi, F.C.A., they told that M/s Ekta Engineering Udyog Pvt. Ltd., has various branches at Indore, Raipur, Patna, Delhi and Noida, and, separate books of accounts are maintained in the computer for each branch, and, in the monthly stock statement (MSOD), all the consolidated figures of debtors, creditors and stock are mentioned. Thereafter, the Respondent asked the respective Balance Sheets of respective branches and after that the respective Balance Sheets of respective branches were provided to the Respondent, and, after getting the

respective Balance Sheets of respective branches, the Respondent asked the consolidated balance sheet, i.e. balance sheet of head office, but, they told that head office accounts are not in the computer and it is done manually. On this statement, the Respondent did not agree and told that first of all, head office account will be maintained in the computer and the question of maintaining the accounts of the branches in the computer will come thereafter, as and when the branches will arise. As such, computerised Balance Sheet of Head Office was not provided to the Respondent. In the absence of Balance Sheet of head office, the authenticity of Balance Sheets of branches, cannot be ascertained.

- g. The Balance Sheets of respective branches as at 31.03.2015 are manipulated. The brief of the same is as under:-
  - (a) Balance sheet of Noida branch:
    Rs. 814.56 lac was shown in debit side- as loss to be adjusted.
  - (b) Balance sheet of Delhi branch: Rs. 5.07 lac was shown in debit side- as loss to be adjusted.
  - (c) Balance sheet of Indore branch: Rs. 6.51 lac was shown in credit side- as profit to be adjusted.
  - (d) Balance sheet of Raipur branch: Rs. 437.83 lac was shown in credit side- as profit to be adjusted.
  - (e) Balance sheet of Patna branch: Rs. 576.30 lac was shown in credit side- as profit to be adjusted.

There was a fraud played by the borrower by manipulation in the books of accounts, in the presence of bank official- Mr. S.C.Sharma, Manager, Nehru Place Branch, New Delhi, (who had earlier conducted the stock inspection of the borrower, on 04.03.2014, with the then branch head, Mr. A.K.Bharti, A.G.M., and, on 10.05.2014, with the then branch head, Madam Kaveri Gulati, A.G.M., with satisfactory report).

On both the occasions on 11.05.2015 and 14.05.2015, Mr. S.C.Sharma, Manager, Nehru Place Branch, New Delhi, was present, [who had earlier conducted the stock inspection of the borrower, on 04.03.2014, with the then branch head, Mr. A.K.Bharti, A.G.M., and, on 10.05.2014, with the then branch head, Madam Kaveri Gulati, A.G.M., with satisfactory report] and, everything happened in his presence.

h. No information was received from the last visit on 14.05.2015 onwards, i.e. from 15.05.2015 to 31.05.2015, 01.06.2015 to 30.06.2015, 01.07.2015 to 31.07.2015, 01.08.2015 to 31.08.2015, 01.09.2015 to 23.09.2015, neither from Mr. S.C.Sharma, Manager, nor from any authorised officer of Nehru Place Branch, New Delhi, regarding completion of proper books of accounts and stock register, to verify the authenticity of the figures of debtors, creditors and stock, as per the stock statements (MSOD) submitted to the bank. On the other hand, a letter ref. no. nehpar/ adv/ 2015-16, dt. 23.09.2015, received on 25.09.2015, was issued by the branch head, Madam Kaveri Gulati, A.G.M.,

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for non- receipt of report, and allowed 3 days' time to submit the report, failing which the competent authority would allot the account to some other auditor. The said letter dated 23.09.2015 shows that the then branch head, Ms. Kaveri Gulati, A.G.M., Central Bank of India, Nehru Place Branch, New Delhi, was interested for stock audit report without verification of the figures of debtors. creditors, and stock, because in the above letter dated 23.09.2015, it was nowhere mentioned that proper books of accounts and stock register have been completed for verification of the figures of debtors, creditors and stock, but, allowed 3 days' time to submit the report, failing which the competent authority would allot the account to some other auditor, meaning thereby that the then branch head, Ms. Kaveri Gulati, A.G.M., Central Bank of India, Nehru Place Branch, New Delhi, was interested for stock audit report without verification of the figures of debtors, creditors, and stock, and, kept silence from the last visit on 14.05.2015 onwards, i.e. from 15.05.2015 to 31.05.2015, 01.06.2015 to 30.06.2015, 01.07.2015 to 31.07.2015, 01.08.2015 to 31.08.2015, 01.09.2015 to 23.09.2015. The Respondent observed the criminal acts of the concerned officials of Central Bank of India, including the then branch head, Ms. Kaveri Gulati, A.G.M., u/s 107, 120-A (criminal conspiracy), 120-B, 166, & others of I.P.C., and filed a complaint dated 09.10.2015 to the higher authorities of Central Bank of India for vigilance enquiry, including the then branch head, Ms. Kaveri Gulati, A.G.M., u/s 107, 120-A (criminal conspiracy), 120B, 166, & others of I.P.C.

i. Vide stock transfer invoice no. 14-15/2699, dated 16.03.2015, amounting to Rs. 1,55,724/- the stock was transferred from M/s Ekta Engineering Udyog Pvt. Ltd., C-41,42, Sector-8, Noida, to its Delhi branch office- M/s Ekta Engineering Udyog Pvt. Ltd.- Delhi, E-2, Road no.2, Ghazipur Dairy Farm, Delhi- 110096, vide vehicle no. DL.1IN.9345. But, Delhi branch office, M/s Ekta Engineering Udyog Pvt. Ltd.- Delhi, E-2, Road no.2, Ghazipur Dairy Farm, Delhi- 110096, did not consider the above stock transfer invoice no. 14-15/2699, dated 16.03.2015, amounting to Rs. 1,55,724/-, and, the Delhi branch office, M/s Ekta Engineering Udyog Pvt. Ltd.- Delhi, E-2, Road no.2, Ghazipur Dairy Farm, Delhi- 110096, issued purchase invoice of the same number 14- 15/2699, same date 16.03.2015, same amount of Rs. 1,55,724/-, same vehicle no. dl.1ln.9345, from M/s Ekta Engineering Udyog Pvt. Ltd., C-41,42, Sector- 8, Noida. The above is a clear case of manipulation in the books of accounts, because when stock has been transferred from Noida to Delhi branch, vide stock transfer invoice, then, how Delhi branch can issue purchase invoice, i.e. purchase by Delhi branch & sale by Noida, of the same number 14-15/2699, same date 16.03.2015, same amount of Rs. 1,55,724/and by same vehicle no. DL.1IN.9345.

Therefore, there was a fraud played by the borrower by manipulation in the books of accounts, in the presence of bank official- Mr. S.C.Sharma, Manager, Nehru Place Branch, New Delhi, (who had earlier conducted the stock inspection of the borrower, on 04.03.2014, with the then branch head, Mr. A.K.Bharti, A.G.M., and, on 10.05.2014, with the present branch head, Ms. Kaveri Gulati, A.G.M., with satisfactory report.

j. In the appointment letter, it was mentioned in para (a) terms of reference of stock audit that report of the Respondent should cover all the points as enumerated in the "scope of audit" section and as deemed necessary to



safeguard bank's interest. Further, it was mentioned in para (b) scope of audit- under other aspects "any other aspect noticed during the conduct of audit which may have bearing on the bank finance, and, to safeguard bank's interest", the Respondent filed a complaint, dated 09.10.2015 to the higher authorities, i.e. to C.M.D., and all the 3 E.Ds. of Central Bank of India, with the request to initiate a high level vigilance enquiry, besides disciplinary proceedings, against the Chairman and members of Zonal Office level credit approval Committee, i.e. against FGM, DYZM, DGM, SRRM (Complainant), AGM etc., mentioned in his complaint. Not only the auditor, but also any person can file a complaint of concerned bank officials to the higher officers of bank for their illegal and fraudulent acts, and, there is no bar in making a complaint of concerned bank officials to the higher officers of bank.

#### Observations of the Board:

- 4. The Board observed that the Respondent raised certain request/objection with respect to the instant case and decided to deal with the same before arriving at its findings on the conduct of the Respondent:
- As regard the request of the Respondent to cross examine the various officials of the Complainant bank, the Board held that as per Rule 14 of the CA Rules 2007, the Board follows the Summary disposal procedure in dealing with the cases before it. Further, Sec 21C of the CA Act 1949 empowers the Board to summon and enforce the attendance of any person and examining him on oath. The said power is exercised by the Board on a case to case depending upon the facts of the case. The Board also took into view the following observation made by the Apex Court in Union of India –vs- Orient Engg. & Commercial Co. Ltd. (1977 AIR 2445, 1978 SCR (1) 622) as under while coming to the said view:

  It is not right that everyone who is included in the witness list is automatically summoned, but the true Rule is that if grounds are made out for summoning a witness, he will be called. The Court must realise that its process should be used sparingly and after careful deliberation if the arbitrator should be brought into the witness box."
- 4.2 As regards the request of the Respondent to send the said case against the bank officials to CBI for criminal proceedings, the Board held that the Board as a quasi-judicial Authority examines the conduct of the Chartered Accountants and passes necessary Orders as provided under Section 21A of the CA Act 1949. Making references to CBI or other Authorities does not entail in its scope of authority.
- 4.3 As regards the objection of the Respondent that compliance of Rule 5(5)/8(1) was not made, the Board observed that due compliance of Rule 3/5 of the CA Rules 2007 had been made prior to the registration of the complaint. Further, in terms of Rule 8(1), a copy of the complaint shall be forwarded to the Respondent within 60 days of its receipt. The Rules have charted out a detailed disciplinary process and provide that on receipt, the complaint shall be acknowledged in the first instance and a scrutiny shall be carried out; in case any defects are found, they shall be removed. A Complaint gets registered only upon rectification of defects. Thus, it is evident from the Rules that registration of complaint is a pre-

requisite for forwarding the copy of complaint to the Respondent member/firm. Accordingly, 60 days' time limit has to be computed from the date of registration and not otherwise. Since the written statement of the Respondent had been sought within 60 days of registration, plea of the Respondent is unsustainable. The Board was also of the view that the timelines prescribed in CA Rules are with an intention to expedite and ensure timely completion of the Disciplinary proceedings and it is not the intent of legislation to render any complaint/information defunct/ invalid merely on the ground of procedural time lag, if any occurred.

4.4 As regards the charge that the Respondent failed to submit stock audit report to the Complainant Bank and raised various complaints with senior officials of the Bank and other regulators, the Board noted that the Respondent was appointed as the Stock Auditor with respect to the borrower M/s Ekta Engineering Pvt Ltd. by the bank vide appointment letter dated 25<sup>th</sup> March 2015.As per the said appointment letter, the scope of Audit should cover the following heads/subsections:-

"Other aspects

- Verification of insurance of inventories with bank clause and types of risks covered.
- Verification of registration of Charge with Registrar of Companies, if applicable.
   Any other aspect noticed during the conduct of audit which may have bearing on the bank Finance."
- 4.5 The Board further took into view the following sequence of events which led to filing of extant complaint against the Respondent:-

Date	Event
25/03/2015	The Complainant Bank appointed the Respondent as stock auditor for audit of primary securities of M/s. Ekta Engineering Udyog Pvt. Ltd. and to submit his report by 15/04/2015.
25/03/2015	The appointment was duly acknowledged on the same day vide email by the Respondent seeking details of the concerned branch.
26/03/2015	The mobile number of the branch head was provided to the Respondent vide email.
11/05/2015 and 14/05/2015	The Respondent alongwith the branch officials of Complainant Bank visited the factory and office site of M/s. Ekta Engineering Udyog Pvt. Ltd. and sought the requisite information, reports and documents to complete the work assigned
23/09/2015	The Complainant Bank issued reminder letter to the Respondent to expedite the conduct of stock audit and submit his report to the Complainant Bank within three days' of the receipt of the communication.
09/10/2015	The Respondent complained against the bank officials to the CMD, Executive Directors and other senior officials of the Complainant Bank followed by complaints on on online platform dated 02/11/2015, 13/11/2015, 30/01/2016, 18/02/2016, 23/04/2016, 18/07/2016, 16/05/2016, 03/07/2016 and 14/07/2016.
15/10/2015	The Respondent referred the complaint against the bank officials of the Complainant Bank to the senior officials of Ministry of Finance.
01/02/2016	The Respondent was informed that the complaint lodged by him on 30 <sup>th</sup> Jan 2016 is closed.
16/02/2016	The Complainant bank filed complaint against the Respondent with the ICAI.

29/06/2016	The Complainant Bank issued letter to the Respondent addressing the
	grievances raised by him and concluded the same by stating that the
	Respondent has no locus standi in the matter as the allegations made are
	simply out of the purview of the stock audit.

5. The Board further took into view letter/ complaint dated 09/10/2015 addressed by the Respondent to the CMD and three Executive Directors of the Complainant Bank, wherein the Respondent has categorically stated as under:-

i. During the stock audit of M/s. Ekta Engineering Udyog Pvt. Ltd., he visited Nehru Place Branch of the Complainant Bank on 06/05/2015 and on going through the file of the Company, he noticed that the statement of the Branch Head, Ms. Kaveri Gulati (AGM) was not correct that the said Company is not liable for Stock audit as its sanctioned limit was Rs. 4.50 Crore. The Respondent found that the date of last sanction/ review of working capital limit (CC/OD) by the then Branch Head Mr. A. K. Bharti, AGM was on 11/03/2014 of Rs. 4.50 Crore and was further enhanced by ZLCC Delhi vide its meeting dated 22/09/2014 to Rs. 10.00 Crores.

ii. On 11/05/2015, the Respondent went to the Office and Factory of borrower Company to verify the books of accounts and physical stock and met Mr. Muzammil Anwar, Director of Company and asked to produce the stock statement as at 31/03/2015 in presence of Mr. S.C. Sharma, Manager, Nehru Place Branch, New Delhi who had earlier conducted the stock inspection of the Borrower on 04/03/2014 with the then Branch Head Mr. A.K. Bharti and on 10/05/2014 with the present Branch Head, Madam Kaveri Gulati with satisfactory report. After waiting for long time, stock statement as at 31/03/2015 was given. In the meantime, for authenticity of the figures of debtors, creditors and stock, as per last stock statement as at 28/02/2015 submitted to the Bank, the Respondent asked to produce the Books of Accounts but neither the figures of debtors, nor the creditors were provided nor the figures of stock was provided. Further, for verification of stock, no stock register was produced and it was told that it was not maintained in the presence of Mr. S.C. Sharma, Manager, Nehru Place Branch.

iii. On 14/05/2015, the Respondent again went to the Office and Factory of borrower Company to verify the stock statement as at 31/03/2015 and as at 28/02/2015 with the books of accounts and to verify the physical stock, on the basis of stock register and met with Mr. Muzammil Anwar, Director and other Directors of the Company in the presence of Mr. S.C. Sharma, Manager, Nehru Place Branch, Mr. S.P. Agarwal, FCA and Mr. Umair Ahmed Khairi, FCA. But again, no stock register was produced and it was told by Mr. S.P. Agarwal, FCA and Mr. Umair Ahmed Khairi, FCA that no stock register was maintained. When the Respondent asked that without stock register, how it can be computed, how much stock of raw material was left, how much of work in progress was lying, finished goods were produced and to the same no answer was given.

On consideration of the documents and submissions on record, the Board observed that since his appointment on 25<sup>th</sup> March 2015 as the Stock auditor with respect to the borrower company M/s Ekta Engineering Udyog Pvt. Ltd., the Respondent was in continuous touch with the branch of the Complainant Bank/borrower company to execute the assignment. Infact, the Respondent

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visited the factory and the office site of the borrower company on two occasions i.e. 11<sup>th</sup> May 2015 and 14<sup>th</sup> May 2015. On 11<sup>th</sup> May 2015, for authenticity of the figures of debtors, creditors and stock, as per last stock statement as at 28/02/2015 submitted to the Bank, the Respondent asked to produce the Books of Accounts but neither the figures of debtors/creditors nor the figures of stock was provided. Further, for verification of stock, no stock register was produced and it was told that it was not maintained in the presence of Mr. S.C. Sharma, Manager, Nehru Place Branch. On 14<sup>th</sup> May 2015, the Respondent again went to the office and Factory of borrower Company to verify the stock statement as at 31/03/2015 and as at 28/02/2015 with the books of accounts and to verify the physical stock, on the basis of stock register and met the directors of the Company in the presence of branch officials. But again, no stock register was produced and it was told that no stock register was maintained. When the Respondent asked that without stock register, how it can be computed, how much stock of raw material was left, how much of work in progress was lying, finished goods were produced, no reply was given.

In consequence of non-receipt of desired information/ documents sought by him during physical inspection in the presence of the officials of the Complainant Bank, the Respondent vide letter dated 9<sup>th</sup> October 2015 informed the higher authorities of the complainant Bank about the irregularities noticed by him during the clock audit of M/s Ekta Engineering Udyog Pvt. Ltd. like enhancement of the working capital limit despite the earlier working capital limit not having been utilized completely, diversion of funds in the accounts of the company during the month of June 2014, September 2014 and December 2014, difference in the actual figures of debtors and creditors, raw material and finished goods as mentioned in CMA data and as mentioned in the monthly Stock Statements, non-production of Stock register for verification of stock and it was informed that the same is not maintained, non-production of the computerized Balance Sheet of the Head office and also requested them to initiate vigilance enquiry as well as disciplinary action against the concerned officials of the Complainant Bank.

The Board was of the view that mutual coordination and cooperation between the auditor and the auditee is essential for the smooth conduct of audit. In the circumstances explained in the instant case, it is clear that efforts were there on the part of the Respondent to execute the assignment and he informed the higher officials of the Complainant bank about the irregularities noticed by him during the conduct of the audit as a part of his reporting requirements as specified in the appointment letter with respect to 'other aspects' noticed by him during the conduct of the audit which may have a bearing on bank finance. Thus, the act of the Respondent in not issuing his Stock Audit report to the Complainant bank in the explained circumstances and informing the irregularities noticed during the conduct of the audit to the higher authorities of the Complainant Bank/Ministry of Finance requesting to take action against the officials of the Complainant Bank cannot be stretched so as to amount to Other Misconduct. Thus, having regard to the attendant circumstances, the evidences and submissions on record, the Board held that the Respondent is Not Guilty of Other Misconduct falling within the meaning of Item (2) of Part IV of the First Schedule to the Chartered Accountants Act 1949 read with Section 22 of the said Act.

#### **CONCLUSION:**

7. The Board of Discipline, in view of the above, is of the considered view that the Respondent is **Not Guilty** of Other Misconduct falling within the meaning of Item (2) of Part IV of First Schedule to the Chartered Accountants Act 1949 read with Section 22 of the said Act.

Accordingly, the Board passed Order for closure of the case 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.

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

DATE: 11th February, 2022

सही प्रतिलिपि होने के लिए प्रनाणिता/ Certified to be true copy

विशा नाथ तिवासे / Bishwa Nath Thursi कार्यकारी अधिकारी / Executive Officer अनुशासनात्मक नियंसाल्य / Disciplinary Directorate इंटिट्स्ट्र ऑफ चार्टर एकाउटेल्स ऑफ इंडिया The Institute of Chartered Accountants of India आईसीएआई भवन, विशास नगर, साहदस, दिल्ली—110032 ICAI Bhawan, Vishwas Nagar, Shahdra, Delhi-110032