



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

[PPR/331/15-DD/350/INF/17-DC/1200/19]

**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.**

**[PPR/331/15-DD/350/INF/17-DC/1200/19]**

**In the matter of:**

**CA. Vikas Mohanlal Bhangdia, (M.No.037139), Gondia in Re:**

1<sup>st</sup> Floor, Gaurakshan Market,  
Gondia (Maharashtra)– 441601

.... Respondent

**MEMBERS PRESENT (Physically):**

1. CA. (Dr.) Debashis Mitra, Presiding Officer
2. Mrs. Rani Nair, I.R.S. (Retd.), Government Nominee
3. Shri Arun Kumar, I.A.S. (Retd.), Government Nominee
4. CA. Rajendra Kumar P, Member

**DATE OF MEETING : 08.04.2022 (Through Physical/Video Conferencing Mode)**

1. That vide findings under Rule 18 (17) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 dated 19.01.2022, the Disciplinary Committee was inter-alia of the opinion that **CA. Vikas Mohanlal Bhangdia, (M.No.037139), Gondia,** (hereinafter referred to as the **Respondent**) was **GUILTY** of professional misconduct falling within the meaning of Item (7) of Part I of the Second Schedule to the Chartered Accountant Act, 1949.

2. The Committee noted that the Respondent was present through video conferencing mode. The Respondent submitted that there was no malafide intention in showing consignment sales in turnover while issuing annual certificate. The Respondent further submitted that there is no evidence on record to substantiate that on basis of his certificate the client was able to secure contract.

3. The Committee after going through the report of Disciplinary Committee issued on 19<sup>th</sup> January 2022 and further submissions made by the Respondent before it finds that the turnover certificate issued by the Respondent does not differentiate between the normal turnover and



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turnover related to consignment sales. The Committee is of the view that the Respondent erred in not disclosing the consignment turnover separately in the turnover certificate issued by him.

4. The Committee does not find any material on record that would bring out the fact that any benefit was derived by anyone on the basis of certificate issued by the Respondent.

5. Therefore, keeping in view the facts and circumstances of the case, material on record and submissions of the Respondent before it, the Committee ordered CA. Vikas Mohanlal Bhangdia,, (M.No.037139),Gondia be reprimanded along with a fine of Rs 25000/- (Rupees Twenty five thousand).

Sd/-

(CA. (DR.) DEBASHIS MITRA)  
PRESIDING OFFICER

Sd/-

(MRS. RANI NAIR, I.R.S. RETD.)  
GOVERNMENT NOMINEE

Sd/-

(SHRI ARUN KUMAR, I.A.S. RETD.)  
GOVERNMENT NOMINEE

Sd/-

(CA. RAJENDRA KUMAR P)  
MEMBER

Date: 01.06.2022

Place: New Delhi

*Jyotika*  
प्रमाणित सत्य प्रतिलिपि / Certified true copy

सीए. ज्योतिका ग्रोवर / CA. Jyotika Grover  
सहायक सचिव / Assistant Secretary  
अनुशासनात्मक निदेशालय / Disciplinary Directorate  
इंस्टिट्यूट ऑफ चार्टर्ड एकाउंटेंट्स ऑफ इंडिया  
The Institute of Chartered Accountants of India  
आईसीएआई भवन, विश्वास नगर, शाहदरा, दिल्ली-110032  
ICAI Bhawan, Vishwas Nagar, Shadra, Delhi-110032

**CONFIDENTIAL**

**DISCIPLINARY COMMITTEE [BENCH – II (2021-2022)]**

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

**Findings under Rule 18(17) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007.**

**[PPR/331/15-DD/350/INF/17-DC/1200/19]**

**In the matter of:**

**CA. Vikas Mohanlal Bhangdia,**

**1<sup>st</sup> Floor, Gaurakshan Market,**

**Gondia (Maharashtra) – 441 601**

**..... Respondent**

**MEMBERS PRESENT:**

**CA. (Dr.) Debashis Mitra, Presiding Officer- Present in Person**

**CA. Amarjit Chopra, Government Nominee – through video conferencing mode**

**CA. Babu Abraham Kallivayalil, Member – through video conferencing mode**

**DATE OF FINAL HEARING : 13.07.2021 (through Physical/ Video Conferencing)**

**PARTIES PRESENT:**

**Respondent : CA. Vikas Mohanlal Bhangdia**

**Respondent's Counsel : Mr. Abhhay Agrawal, Advocate**

**CHARGES IN BRIEF:**

1. In the instant matter, the charge against the Respondent is that he had issued the Certificate dated 14th August, 2015 showing the turnover as Rs. 28.70 crore for the year 2014-15 as against the actual turnover of Rs. 12.84 crore in respect of M/s Saburi Construction Company. The Construction firm M/s

Saburi Construction Company, in turn, submitted this Certificate to Maharashtra Govt. Department for consideration of tender. The Respondent certified the details of Annual Turnover of the abovesaid company for 3 years i.e., for F.Y 2012-13 to 2014-15.

**BRIEF FACTS OF THE PROCEEDINGS:**

2. The Committee noted that the Respondent was present before it along with his counsel Mr. Abhay Agrawal, Advocate through Video Conferencing mode. At the outset, it is noted that the Respondent had submitted in detail his line of defense before the Committee on 14th June 2021. On this date of hearing, the bench discussed issues related to paddy sales which the Respondent had considered in his certificate. It was also discussed as to when the construction firm was into a construction business then how could it execute a paddy sale. After a detailed hearing, the Committee decided to conclude the matter.

**FINDINGS OF THE COMMITTEE:**

3. On perusal of papers on record, it is noted by the Committee that the Respondent had issued the certificate dated 14th August, 2015 stating turnover for the years 2012-13 to 2014-15 wherein Annual turnover was mentioned on the basis of the ITR filed with Income Tax Department & other records. The Committee noted that the Informant has alleged variation in turnover in the said certificate in question for the year 2014-15. The turnover mentioned in Certificate was Rs. 28.70 crores for F.Y 2014-15, while as per the audited Balance Sheet of the Company for the year 2014-15 total gross receipts were Rs. 15.28 crores less Vat collected Rs. 0.62 crores making net Receipts to Rs. 14.66 crores.
4. It is also noted that the Respondent had considered in his certificate an amount of Rs. 13.42 crores towards consignment sales on trading of paddy in addition to contract receipts. The Committee noted that on perusal of Profit & Loss A/c, it was clear that there was no item in the name of consignment

sales, however, there was commission income appearing against such consignment sales.

5. The Respondent in respect of inclusion of such sales failed to mention anything in the Certificate. He merely mentioned that he had taken figures on the basis of audited books of accounts except for year 2014-15. There was clearly an ambiguity in said certificate by not disclosing of material information. The Respondent was required to mention inclusion of paddy sales for computing turnover in his certificate.
6. The Bench was convinced that the entity was able to secure the contract with the certificate issued by the Respondent without disclosing the true facts relating to the turnover and therefore the Respondent was held Guilty of professional misconduct falling within the meaning of Item (7) of Part I of the Second Schedule to the Chartered Accountants Act, 1949.

**CONCLUSION:**

7. Thereafter, after listening to the views of the parties and on considering the documents on record, the committee decided to hold the Respondent - CA. Vikas Mohanlal Bhangdia, **GUILTY** of professional misconduct falling within the meaning of Item (7) of Part I of the Second Schedule to the Chartered Accountants Act, 1949.

sd/-

**CA. (DR.) DEBASHIS MITRA  
(PRESIDING OFFICER)**

(approved & confirmed through email)  
**(CA. AMARJIT CHOPRA)  
GOVERNMENT NOMINEE**

sd/-

**(CA. BABU ABRAHAM KALLIVAYALIL)  
MEMBER**

**Date : 19.1.2022  
Place : New Delhi**

*Jyotika*  
प्रमाणित सत्य प्रतिलिपि / Certified true copy

सीए. ज्योतिका ग्रोवर / CA. Jyotika Grover  
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