



भारतीय सनदी लेखाकार संस्थान

(संसदीय अधिनियम द्वारा स्थापित)

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

(Set up by an Act of Parliament)

[DISCIPLINARY COMMITTEE [BENCH-I (2024-2025)]]

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

**ORDER UNDER SECTION 21B(3) OF THE CHARTERED ACCOUNTANTS ACT, 1949
READ WITH RULE 19(1) OF THE CHARTERED ACCOUNTANTS (PROCEDURE OF
INVESTIGATIONS OF PROFESSIONAL AND OTHER MISCONDUCT AND CONDUCT
OF CASES) RULES, 2007.**

In the matter of:

Shri Vineet Rai

Indian Corporate Law Services, Deputy Registrar of Companies

Kolkata (West Bengal)- 700 020

-Vs.-

CA. Ravi Kumar Bhatler (M. No. 051585)

Kolkata (West Bengal) – 700001

[PR/G/60H/2022/DD/193/2022/DC/1625/2022]

Members present:

- i) CA. Charanjot Singh Nanda, Presiding Officer
- ii) Shri Jugal Kishore Mohapatra, IAS (Retd.) (Government Nominee)
- iii) CA. Gyan Chandra Misra, Member

Date of Hearing : 14.05.2024

Date of Order : 20.08.2024

1. That vide findings dated 09-06-2023 under Rule 18(17) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, the Committee noted that **CA. Ravi Kumar Bhatler (M. No. 051585)** (hereinafter referred to as 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.

2. That pursuant to the said findings, an action under Section 21B(3) of the Chartered Accountants (Amendment) Act, 2006 was contemplated against the Respondent and a

Shri Vineet Rai, ICLS, Dy. Registrar of Companies -Vs.- CA. Ravi Kumar Bhatler (M. No. 051585)



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communications dated 03-05-2024 was addressed to him thereby granting opportunities of being heard in person / through video conferencing and to make written & verbal representation before the Committee on 14-05-2024.

3. The Committee noted that despite serving notice for hearing to the Respondent, the Respondent has not responded. The Committee observed that in its previous hearing held on 2nd April 2024, an adjournment was sought by the Respondent and the same was granted to him. Accordingly, since one adjournment was already granted to the Respondent, the Committee decided to proceed with the matter ex-parte.

4. The Committee considered the reasoning as contained in findings holding the Respondent Guilty of Professional misconduct vis-à-vis written submissions of the Respondent.

5. The Committee thus viewed that the Professional misconduct on the part of the Respondent has been established within the meaning of item (7) of Part I of Second Schedule to the Chartered Accountants Act, 1949.

6. Keeping in view the facts and circumstances of the case, material on record and based on the findings of the Committee, the Committee ordered that the Respondent, CA. Ravi Kumar Bhatler (M. No. 051585) be reprimanded and also imposed a fine of Rs. 10,000/- (Rupees Ten Thousand only) upon him to be paid within 90 days of receipts of this Order. The Committee also ordered that if the Respondent fails to pay the fine within the stipulated period as aforesaid, his name be removed from the Register of Members for a period of 30 days.

Sd/-

CA. CHARANJOT SINGH NANDA
(PRESIDING OFFICER)

Sd/-


(SHRI JUGAL KISHORE MOHAPATRA, I.A.S.
(RETD.)) (GOVERNMENT NOMINEE)

Sd/-

(CA. GYAN CHANDRA MISRA)
(MEMBER)

DATE: 20.08.2024
PLACE: New Delhi

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


नीलम पुंडीर / Neelam Pundir
वरिष्ठ कार्यकारी अधिकारी / Sr. Executive Officer
अनुशासनात्मक निदेशालय / Disciplinary Directorate
इंस्टिट्यूट ऑफ चार्टर्ड एकाउंटेंट्स ऑफ इंडिया
The Institute of Chartered Accountants of India
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ICAI Bhawan, Vishwas Nagar, Shahdara, Delhi-110032



CONFIDENTIAL

DISCIPLINARY COMMITTEE BENCH – I (2023-2024)
[Constituted under Section 21B of the Chartered Accountants (Amendment)
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.

File No. PR/G/60H/2022-DD/193/2022/DC/1625/2022

In the matter of:

Shri Vineet Rai
Indian Corporate Law Services
Deputy Registrar of Companies
O/o Registrar of Companies, West Bengal
Ministry of Corporate Affairs
Nizam Palace, 2nd MSO Building,
2nd Floor, 234/4, A J C Bose Road,
Kolkata (West Bengal) – 700020

...Complainant

Versus

CA. Ravi Kumar Bhatler (M. No. 051585)
38, Netaji Subhash Road
Kolkata (West Bengal) – 700001

...Respondent

Members Present:

CA. Aniket Sunil Talati, Presiding Officer
Shri Prabhash Shankar, IRS (Retd.), (Government Nominee)
CA. Gyan Chandra Misra, Member

Date of Final Hearing : **27th April 2023**
Place of Final Hearing : **New Delhi (Through Video Conferencing)**

PARTIES PRESENT (Through VC):

Complainant's Representative : Mr. Afsar Ali
Respondent : CA. Ravi Kumar Bhatler (From Kolkata regional office)

1. **Brief Background of the matter: -**

It had come to the knowledge of the Central Government that certain directors of corresponding companies had registered such companies with Registrar of Companies, West Bengal by using forged documents / omission of material facts etc. It has also been stated that M/s Pioneer Financial & Management Services Limited (hereinafter referred to as 'Company'), being one of such companies, was found to be engaged in illegal / suspicious activities, Micro Instant Loan App Scam, tax evasion and non-compliance of various provisions of laws. It is stated that while the Professionals (CA) are duty bound to discharge their duties as per applicable law(s) to certify / verify documents / e-forms or give certificate / report after due diligence so that the compliance to the provisions of law be ensured, however, they had failed to discharge their duties and wilfully connived with Directors/Company/Shareholders/Chinese Individuals in certifying E-forms knowingly with false information/documents/false declaration/omitting material facts or information in respect of such Company. In the instant matter, the Respondent has certified form MGT-14 (Filing of Resolutions and agreements to the Registrar under section 117) of the subjected company on 29.08.2014.

2. **CHARGES IN BRIEF: -**

In view of aforesaid background, the Complainant has alleged that the Company had filed a Board resolution dated 30.07.2014 in MGT-14 form (for filing of Resolutions and agreements to the Registrar) that was submitted on 29.08.2014. It is stated that the signatures of the Directors viz. Mr./Ms. Shashi Agarwal and Mr. Manoj K Agarwal were pasted on resolution filed along with MGT-14 and the said MGT-14 has been certified by the Respondent. Thus, it is alleged that the Respondent has certified forged document with an intention to suppress material information from the Complainant department.

3 **BRIEFS OF THE DISCIPLINARY PROCEEDINGS: -**

- 3.1 The Committee noted that during the previous hearing held on 22nd March 2023, the Complainant's representative was present. However, the Respondent was not present. In order to provide one more opportunity to the Respondent, the hearing in the matter was adjourned.
- 3.2 On the day of the final hearing held on 27th April, 2023, the Committee noted that the Complainant's representative was present through VC. The Respondent also appeared through VC from ICAI Kolkata office. The Respondent was put on oath. On being enquired from the Respondent as to whether he is aware of the charges levelled against him and whether he pleads guilty or not, the Respondent pleaded himself guilty and stated that he could not make out that the signature were copy pasted and though they normally look into it but probably it must have either been skipped or he could not make out that the signature were copy pasted. He also requested the Committee to take a lenient view in the matter. After hearing the submissions of the Respondent, the Committee decided to conclude the hearing in the instant matter and after deliberations passed the judgement with unanimity. (

4 **FINDINGS OF THE COMMITTEE: -**

The Committee noted that the Respondent pleaded himself guilty before the Committee at the time of hearing. Accordingly, the Committee in terms of rule 18(8) of Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 held him Guilty.

5 **CONCLUSIONS: -**

In view of the above noted facts and discussion, the Committee held the Respondent **GUILTY** of Professional Misconduct falling within the meaning of Item (7) of Part-I of Second Schedule to the Chartered Accountants Act, 1949.

Sd/-
(CA. ANIKET SUNIL TALATI)
PRESIDING OFFICER

Sd/-
(SHRI PRABHASH SHANKAR, IRS (Retd.))
GOVERNMENT NOMINEE

Sd/-
(CA. GYAN CHANDRA MISRA)
MEMBER

Date: 09-06-2023
Place: NEW DELHI

प्रमाणित सत्य प्रतिलिपि / Certified true copy

मुकेश कुमार मिश्र / Mukesh Kumar Mittal
सहायक सचिव / Assistant Secretary
अनुशासन-सम्बन्धित निर्देशालय / Disciplinary Directorate
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