



# 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-IV (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.**

**File No: [PR/G/311/2022/DD/222/2022/DC/1652/2022]**

**In the matter of:**

**Ms. Kamna Sharma,  
Deputy Registrar of Companies,  
NCT of Delhi & Haryana,  
Ministry of Corporate Affairs,  
4<sup>th</sup> Floor, IFCI Tower, 61, Nehru Place,  
New Delhi – 110 019**

**...Complainant**

**Versus**

**CA. Rahul Gupta (M.No.526079)  
157, Chauhan Mohalla,  
Madanpur, Khadar, Sarita Vihar,  
New Delhi – 110 076**

**...Respondent**

**MEMBERS PRESENT:**

- 1. CA. Ranjeet Kumar Agarwal, Presiding Officer (In person)**
- 2. Shri Jiwesh Nandan, I.A.S (Retd.), Government Nominee (In person)**
- 3. Ms. Dakshita Das, I.R.A.S. (Retd.), Government Nominee (In person)**
- 4. CA. Mangesh P Kinare, Member (Through VC)**
- 5. CA. Abhay Chhajed, Member (Through VC)**

**DATE OF HEARING : 03<sup>rd</sup> February 2025**

**DATE OF ORDER : 08<sup>th</sup> February 2025**

- 1. That vide Findings dated 04.12.2024 under Rule 18(17) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules,**



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2007, the Disciplinary Committee was inter-alia of the opinion that **CA. Rahul Gupta (M. No. 526079)** (hereinafter referred to as the **Respondent**) is **GUILTY** of Professional and Other Misconduct falling within the meaning of Item (7) of Part I of Second Schedule and Item (2) of Part-IV of the First 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 communication was addressed to him thereby granting an opportunity of being heard in person/ through video conferencing and to make representation before the Committee on 03<sup>rd</sup> February 2025.

3. The Committee noted that on the date of hearing on 03<sup>rd</sup> February 2025, the Respondent was present through video conferencing. During the hearing, the Respondent reiterated his written representation dated 16<sup>th</sup> December 2024 on the Findings of the Committee, which, inter alia, are given as under:-

(a) The fraudsters abused the image of the signature of the Respondent by copying and pasting on the contentious documents, and it was needless to apply a test 'whether the signature in the witness column of the contentious document matched with the actual signature of the Respondent'. In a copy/paste fraud, the forged signature would always match with the source document/original.

(b) The Committee never expressed any intent to call for any report from handwriting experts during or after the hearing and no such information was shared with the Respondent.

(c) The certification was done by a different professional namely Mr. J Hedavakumar and if at all any professional liability was to be fixed, it was to be on that certifying professional alone and not on the Respondent.

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(d) The Respondent had reported the matter to the Police and thereafter to the Registrar of Companies immediately on knowing about the offence committed against him. So, it was not a case of an afterthought as wrongly alleged.

(e) The Respondent was not associated with LLP or its promoters, and had never signed any documents, and also that the image of his signature was copied and pasted by someone fraudulently in the witness column of the attachment to the FiLLiP Form.

(f) The circumstantial and surrounding evidence shows that the Respondent was not involved in the formation of the contentious LLP and that it was case of forgery and fabrication.

(g) It is not possible for the Respondent to provide any evidence to prove his innocence that he was not associated with the contentious LLP or had not signed the witness document as alleged.

4. The Committee considered the reasoning as contained in Findings holding the Respondent 'Guilty' of Professional and Other Misconduct vis-à-vis written and verbal representation of the Respondent. The Committee noted that the issues/ submissions made by the Respondent as aforesaid have been dealt with by it at the time of hearing under Rule 18.

5. Thus, keeping in view the facts and circumstances of the case and material on record including written and verbal representation of the Respondent on the Findings, the Committee noted that the signatures of the Respondent available in office record and his signatures used in certification of subscriber's sheet attached with Form FiLLiP of LLP were verified by Handwriting and Fingerprints Expert. On perusal of Report dated 05.08.2024, the Committee observed that Handwriting and Fingerprints Expert had opined that the signatures contained in the subscriber's sheet and signatures contained in office record of ICAI were written by one and the same person, namely CA. Rahul Gupta.

6. As regards the contention of the Respondent that the Committee did not express any intent to call for any report during or after the hearing and non-sharing of report of handwriting

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expert with him, the Committee noted that it had primarily relied upon the view of the Board of Discipline on the decision taken by it in respect of signature verification of Respondent which was matched with the signatures of the Respondent as available in member record of ICAI and also in written statement submitted by the Respondent in instant case. However, as a measure of abundant caution and to rule out any possibility of misuse of signatures of Respondent as contended by him, the Committee got the signatures of the Respondent examined through a handwriting expert as well.

7. The Committee also noted that the Respondent pleaded forgery of his signatures but he failed to produce any further document on police complaint/ ROC Complaint filed by him showing decision/ development in his favour on the said proceedings. The Committee further noted that the Respondent did not argue the case on merits and thereby misled the Committee. The signatures of the Respondent on the subscriber's sheet of the subject LLP as a witness proved his involvement in the matter. Further, on spot verification of the subject LLP by the Complainant department, it was found that the LLP was not maintaining its registered office at the given address. The Committee noted that the Respondent has failed to prove his defence by not providing substantive evidence. The Committee was thus of the view that the Respondent had failed to exercise due diligence in the matter.

8. Hence, the Professional and Other Misconduct on the part of the Respondent is clearly established as spelt out in the Committee's Findings dated 04.12.2024 which is to be read in consonance with the instant Order being passed in the case.

9. Accordingly, the Committee was of the view that the ends of justice would be met if punishment is given to him in commensurate with his Professional and Other Misconduct.

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10. Thus, the Committee ordered that a fine of Rs. 50,000/- (Rupees Fifty Thousand Only) be imposed upon the Respondent i.e., CA. Rahul Gupta (M.No.526079), which shall be paid within a period of 60 (sixty) days from the date of receipt of the Order.

Sd/-

(CA. RANJEET KUMAR AGARWAL)  
PRESIDING OFFICER

Sd/-

(SHRI JIWESH NANDAN, I.A.S. {RETD.})  
GOVERNMENT NOMINEE

Sd/-

(MS. DAKSHITA DAS, I.R.A.S. {RETD.})  
GOVERNMENT NOMINEE

Sd/-

(CA. MANGESH P KINARE)  
MEMBER

Sd/-

(CA. ABHAY CHHAJED)  
MEMBER

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  
आईसीएआई भवन, विश्वास नगर, शाहदरा, दिल्ली-110032  
ICAI Bhawan, Vishwas Nagar, Shahdra, Delhi-110032

CONFIDENTIAL

DISCIPLINARY COMMITTEE [BENCH – IV (2024-2025)]

[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.

File No: [PR/G/311/2022/DD/222/2022/DC/1652/2022]

In the matter of:

Ms. Kamna Sharma,  
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...Respondent

MEMBERS PRESENT:

CA. Ranjeet Kumar Agarwal, Presiding Officer (in person)  
Shri Jiweh Nandan, IAS (Retd.), Government Nominee (in person)  
CA. Mangesh P Kinare, Member (through VC)

DATE OF FINAL HEARING : 18<sup>th</sup> June 2024

DATE OF DECISION : 09<sup>th</sup> August 2024

PARTIES PRESENT:

Complainant : Mr. Gaurav, Dy. ROC – Authorized Representative of  
the Complainant (through VC)  
Respondent : CA. Rahul Gupta (through VC)  
AR / Counsel for Respondent : CA. C.V. Sajan (through VC)

1. Background of the Case:

- 1.1. Certain individuals/ Directors /Shareholders/entities in the Victory Tradelinks LLP has engaged dummy persons as subscriber's to MOA & Directors and registered the company with ROC, Delhi & Haryana by using forged documents/falsified addresses/signatures.

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2. Charges in brief:

- 2.1. The name and signatures of designated partners and professional engaged for witness to the subscriber sheet attached with e-form FiLLiP for incorporation of subject LLP appears to be tempered. The subscriber sheet attached with e-form FiLLiP for incorporation of LLP which is a mandatory requirement for incorporation under the provisions of LLP, 2008 and Rules made thereunder is a major point of concern. It is alleged that the Respondent has not exercised due care while incorporating the subject LLP.
- 2.2. On physical verification of LLP, it has been observed that LLP is not maintaining its registered office at the address given. No sign Board having name and address of LLP was found and no designated partners/ employees were found at the registered office at the time of verification of the registered office. Thus, it is alleged that the certifying professional i.e., Respondent is liable for penal action since he failed to perform the minimum due diligence as a certifying professional and appears to be involved in suspicious/ illegal activities and aiding the incorporation of suspected shell LLP.

3. The relevant issues discussed in the Prima Facie Opinion dated 31<sup>st</sup> August 2022 formulated by the Director (Discipline) in the matter, in brief, are given below:

- 3.1. Upon perusal of the documents brought on record by the Complainant, it was seen that none of the documents brought on record by Complainant in support of the allegation pertain to the subject LLP in respect of which the allegations have been levelled against the Respondent. It was seen that the said documents pertain to a Company namely Wenexa Technologies Private Limited and Aadhar card & Axis bank statement is of some Mr. Bharat Kumar.
- 3.2. The Complainant did not provide any documents called for under Rule 8(5) except her letter dated 11.08.2022 wherein averments made in her original Complainant were reiterated.
- 3.3. The Respondent brought on record police complaint dated 27.05.2022 against the designated partners and the practicing Advocate who certified Form FiLLiP (Form for incorporation of Limited Liability Partnership) for illegally and fraudulently using his details and signatures on the Subscriber's sheet without his knowledge and consent. It was also seen that the Respondent had also brought on record a copy of his Complaint dated 22.08.2022 made to the ROC against forgery of his signatures.

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3.4. Since both the Complainant and Respondent did not bring on record the copy of e-form FILLiP filed in respect of the subject LLP, Directorate extracted certain documents from the MCA portal containing FILLiP form and its attachments. On pursual of the e-form FILLiP, it was seen that the said e-form was certified by a practicing advocate Mr. J Hadava Kumar, and it also carried digital signatures of Mr. J Hadava Kumar.

3.5. Accordingly, the Director (Discipline) in his Prima Facie Opinion dated 31<sup>st</sup> August 2022 opined that the Respondent was *prima facie* **Not Guilty** of Professional and Other Misconduct falling within the meaning of Item (7) of Part I of Second Schedule and Item (2) of Part IV of First Schedule to the Chartered Accountants Act, 1949. The said items of the Schedule to the Act, states as under:

**Item (2) of Part IV of the First Schedule:**

*"A member of the Institute, whether in practice or not, shall be deemed to be guilty of other misconduct, if he:*

x                    x                    x                    x                    x                    x                    x

*(2) in the opinion of the Council, brings disrepute to the profession or the Institute as a result of his action whether or not related to his professional work."*

**Item (7) of Part I of the Second Schedule:**

*"A Chartered Accountant in practice shall be deemed to be guilty of professional misconduct if he:*

x                    x                    x                    x                    x                    x                    x

*(7) does not exercise due diligence or is grossly negligent in the conduct of his professional duties."*

3.6. The Prima Facie Opinion formed by the Director (Discipline) was considered by the Board of Discipline in its meeting held on 21<sup>st</sup> October 2022. On consideration of the same, the Board observed that as per naked eye view the style and manner of signature of the Respondent in the witness column of the LLP's subscriber sheet attached to Form FILLiP with respect to M/s. Victory Tradelinks LLP matched with his signature not only with the one which was available as per Member records of ICAI but also with his signature on the written statement submitted by him in the instant case. On being asked by the Directorate vide letter dated 12<sup>th</sup> August 2022 to clarify as to whether the Respondent communicated with ROC in the matter of forgery of his signature and to clarify whether any notice/ action/ penalty Served/ taken/ levied on him in the matter under the provisions of Companies Act, 2013 by the Complainant Department, the Respondent vide letter dated 22<sup>nd</sup> August 2022 filed complaint with the ROC, NCT of Delhi and Haryana regarding forgery of his signature on the LLP's subscriber

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sheet attached to Form FILIP with respect to M/s Victory Tradelinks LLP. Thus, the Board was of the view that conduct of the Respondent also needs to be examined in light of the action taken, if any by the ROC on the said complaint of the Respondent. Accordingly, the Board did not concur with the reasons given against the charge(s) and did not agree with the Prima Facie Opinion of the Director(Discipline) that the Respondent is Not Guilty of "Professional/ Other Misconduct" falling within the meaning of Item (7) of Part I of Second Schedule and Item (2) of Part-IV of the First Schedule to the Chartered Accountants Act, 1949 read with Section 22 of the said Act and decided to refer the case to Disciplinary Committee to proceed under Chapter V of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007.

**4. Dates of Written Submissions/ Pleadings by the Parties:**

The relevant details of the filing of documents in the instant case by the parties are given below –

S. No.	Particulars	Dated
1.	Date of Complaint in Form 'I' filed by the Complainant	15 <sup>th</sup> March 2022
2.	Date of Written Statement filed by the Respondent	31 <sup>st</sup> May 2022
3.	Date of Rejoinder filed by the Complainant	Not filed
4.	Date of Prima Facie Opinion formed by Director (Discipline)	31 <sup>st</sup> August 2022
5.	Written Submissions filed by the Respondent after PFO	03 <sup>rd</sup> March 2023 and 06 <sup>th</sup> June 2023
6.	Written Submissions filed by the Complainant after PFO	Not filed

**5. Written Submissions filed by the Respondent:**

The Respondent, vide letter dated 03<sup>rd</sup> March 2023 and 06<sup>th</sup> June 2023 had, inter alia, made the submissions which are given as under –

- a) The subscriber sheet was signed on 26<sup>th</sup> May 2021 and during that period the Government of NCT of Delhi had imposed strict lockdown in order to control second wave of deadly Covid-19 and there was restriction on movement of private individuals except for essential services, medical services and food services and in order to comply with said orders all private offices were closed and physical signing of subscriber sheet during strict lockdown period was not possible at all.
- b) The signature of Respondent appearing on subscribers' sheet was not an original signature. The forgery appears to have been done by pasting the signature of the

Respondent, secured from some other digitally available documents. Since the Respondent had witnessed incorporation of other Companies, accessing a digital copy of such a document was easy for a fraudster.

- c) The Complainant be asked to present the original documents on the record of the LLP to prove the allegation. The Complainant has attempted to exaggerate and distort the matter.
- d) Immediately on receipt of the complaint from the ICAI, the Respondent conducted inspection of the records of ROC on 13<sup>th</sup> May 2022, and found that it was a case of forgery.
- e) A police complaint was filed immediately for the forgery of signatures. Upon receiving an enquiry from the Director (Discipline) a communication with ROC was also made without fail.

#### 6. Brief facts of the Proceedings:

Details of the hearing(s) fixed and held/ adjourned in the said matter are given as under –

Particulars	Date of Meeting(s)	Status
1 <sup>st</sup> Hearing	05 <sup>th</sup> June 2023	Part heard and adjourned.
2 <sup>nd</sup> Hearing	23 <sup>rd</sup> April 2024	Deferred due to paucity of time.
3 <sup>rd</sup> Hearing	28 <sup>th</sup> May 2024	Part heard and adjourned.
4 <sup>th</sup> Hearing	18 <sup>th</sup> June 2024	Hearing concluded and judgment reserved.
---	09 <sup>th</sup> August 2024	Final decision taken.

- 6.1 On the day of the first hearing on 05<sup>th</sup> June 2023, the Committee noted that the Complainant and Respondent along-with his Counsel were present through Video conferencing mode. Thereafter, they gave a declaration that there was nobody present except them from where they were appearing and that they would neither record nor store the proceedings of the Committee in any form.
- 6.2 Being the first hearing of the case, the Respondent was put on oath. Thereafter, the Committee enquired from the Respondent as to whether he was aware of the charges and charges against the Respondent were read out. On the same, the Respondent replied that he was aware of the charges and pleaded Not Guilty to the charges levelled against him. In view of Rule 18 (9) of the Chartered Accountants (Procedure of Investigation of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, the Committee adjourned the case to a later date.

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- 6.3 On the day of the hearing on 23<sup>rd</sup> April 2024, consideration of the subject case was deferred by the Committee due to paucity of time.
- 6.4 On the day of the hearing on 28<sup>th</sup> May 2024, the Committee noted that the authorized representative of the Complainant and the Respondent along with Counsel were present and appeared before it. The Committee noted that the Respondent was put on oath on 05.06.2023. The Committee also noted that the Respondent had filed Written Statement(s) dated 03<sup>rd</sup> March, 2023 and 06<sup>th</sup> June 2023.
- 6.5 Thereafter, the Committee asked the Counsel for the Respondent to make submissions. The Committee noted the submissions of the Counsel for the Respondent which, inter alia, are given as under –
- a) The signature of the Respondent is not an original signature. The forgery has been done by pasting the signature of the Respondent, which is secured from some other digitally available documents.
  - b) The Complainant must be asked to present the original documents on the record of the LLP to prove the allegation.
  - c) Immediately on receipt of the complaint from ICAI, the Respondent conducted inspection of the records of ROC on 13<sup>th</sup> May 2022, and found that it was a case of forgery of his signatures.
  - d) A police complaint was filed immediately. Upon receiving an enquiry from the Director (Discipline), a communication with ROC was also made without fail.
  - e) The complaint in Form 'I' itself mentioned that the name and signatures of Respondent on subscriber's sheet appeared to be tampered.
- 6.6 The authorized representative of the Complainant submitted that he had already submitted all the documents related to this case and the Committee may decide the case accordingly. The Counsel for the Respondent submitted that the Complainant has not submitted rejoinder on submissions of the Respondent dated 06<sup>th</sup> June 2023. The Committee noted the submissions of the Counsel for the Respondent.
- 6.7 The Committee directed the authorized representative of the Complainant to file Rejoinder, if any, to the written submissions of the Respondent dated 06<sup>th</sup> June 2023 and also to submit their specific input / reply to the argument of the Counsel for Respondent with regard to mentioning of tampering of signatures in the Complaint together with supporting documents, if any, within 10 days with copy to the Respondent. In response, the Complainant vide e-mail dated 11/06/2024, has submitted that he has no specific comment to be made on this matter.

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6.8 On the day of the final hearing on 18<sup>th</sup> June 2024, the Committee noted that the authorized representative of the Complainant and the Respondent along with Counsel were present and appeared before it.

6.9 Thereafter, the Committee asked the Counsel for the Respondent to make submissions. The Committee noted the submissions of the Counsel for the Respondent which, inter alia, are given as under –

- a) The Respondent had not done any certification related to incorporation of the Company and same was done by another professional. Signature of the Respondent was forged.
- b) The Complainant Department in their Complaint had stated that signatures of the Respondent have been tampered.
- c) The Respondent has filed a police complaint in this case for forgery of his digital signatures.

6.10 The authorized representative of the Complainant submitted that he had already provided all the documents related to this case and has nothing more to submit in this case and Committee may decide the matter accordingly. The Committee directed the office to have the signatures of the Respondent available in office record with signatures used in certification of the Forms of the Company verified through an external handwriting / signature verification expert.

6.11 Based on the documents/ material and information available on record and the oral and written submissions made by the parties, and on consideration of the facts of the case, the Committee concluded the hearing in subject case and judgement was reserved.

6.12 Thereafter, on 09<sup>th</sup> August 2024, the subject case was fixed for taking decision. After detailed deliberations, and on consideration of the facts of the case, various documents on record as well as oral and written submissions made by the parties, the Committee took decision on the conduct of the Respondent.

## 7. Findings of the Committee:

7.1 The Committee noted that the charges against the Respondent are as under: -

- i. The Respondent in connivance with individuals, directors, dummy persons have assisted in incorporation and running of LLP namely M/s. Victory Tradelinks LLP for illegal purposes by certifying e-forms etc. on MCA portal. The name and signatures of partners and professional engaged for witness appears to be tampered.

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- ii. On physical verification of LLP's office, it has been observed that the said LLP is not maintaining its registered office at the address given since no sign boards having the name of LLP and no designated partners / employees were found at the said registered office.

The details of charges are given in paras 2.1 and 2.2 above.

- 7.2 The Committee noted that the Respondent had been held Prima Facie Not Guilty by the Director (Discipline) as the e-form FiLLiP had been certified by another professional. However, the Board of Discipline observed that the style and manner of signature of the Respondent in the witness column of the LLP Subscriber Sheet attached to Form FiLLiP matched with signature of the Respondent not only with the one which was available as per Member records of ICAI but also with his signature on the written statement submitted by him in the instant case, and thus held the Respondent Prima Facie Guilty of "Professional and Other Misconduct".

The Committee noted the background of the case as well as oral and written submissions made by the Complainant and Respondent, documents / material on record and gives its findings as under: -

- 7.3 The Committee primarily relied upon the view of the Board of Discipline on the decision taken by it in respect of signature verification of Respondent which was matched with the signatures of the Respondent as available in member record of ICAI and also in written statement submitted by the Respondent in instant case. However, as a measure of abundant caution and to rule out any possibility of misuse of signatures of Respondent as contended by him, the Committee decided to examine the signatures of the Respondent from a handwriting expert as well.
- 7.4 The Committee noted that the signatures of the Respondent available in office record and his signatures used in certification of subscriber's sheet attached with Form FiLLiP of LLP were verified by Handwriting and Fingerprints Expert. On perusal of Report dated 05.08.2024, the Committee observed that Handwriting and Fingerprints Expert had opined that the signatures contained in the subscriber's sheet and signatures contained in office record of ICAI were written by one and the same person, namely Mr. Rahul Gupta.
- 7.5 The Committee noted that the Respondent had filed a police complaint dated 27.05.2022 and had also made a Complaint dated 22.08.2022 with Registrar of Companies for forgery of his signatures. However, the Committee observed that such steps were taken by the

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Respondent after the filing of the instant Complaint i.e., when he was asked to submit his written statement vide letter dated 10.05.2022 by ICAI. Hence, the Committee opined that the police complaint made by the Respondent appeared to be an afterthought just to save himself from the instant complaint.

7.6 The Committee perused the view of Board of Discipline and also the Report of handwriting expert dated 05/08/2024 and observed that the same prove the fact that the signatures on subscriber's sheet attached with FiLLiP are that of the Respondent. The Committee further noted that the Respondent did not argue the case on merits, and thereby misled the Committee. Further, since the charges by the complainant were not refuted by the Respondent, the Committee had to accept the contention of the Complainant, once the involvement of the Respondent is proved. The Committee therefore, decided to proceed ahead in the matter based on papers/documents available on record.

7.7 The Committee, in light of the above, observed that the signatures of the Respondent on the subscriber's sheet of the subject LLP as a witness proved his involvement in the matter; as per the said subscriber's sheet, Ms. Avarjit Kaur and Mr. Harish Kumar Sood had consented to be the partners in the LLP. Further, on spot verification of the subject LLP by the Complainant department, it was found that the LLP was not maintaining its registered office at the given address. The Committee noted that the Respondent has failed to prove his defence by not providing substantive evidence. The Committee was thus of the view that the Respondent had failed to exercise due diligence in the matter. Further, the Committee was also of the view that, as per the charges by the Complainant, the Respondent appears to be involved in suspicious/ illegal activities and aiding the incorporation of suspected shell Company/ LLP.

7.8 The Committee, considering the above facts, was of the considered view that the Respondent did not perform his professional duties diligently, which is evident by the matter/ documents on record. Hence, the Committee held the Respondent **GUILTY** of Item (7) of Part I of Second Schedule and Item (2) of Part-IV of the First Schedule to the Chartered Accountants Act, 1949.

8. **Conclusion:**

In view of the findings stated in above paras, vis-à-vis material on record, the Committee gives its charge wise findings as under:

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Charges (as per PFO)	Findings	Decision of the Committee
Para 2.1 to 2.2 as above.	Para 7.1 to 7.8 as above.	<b>GUILTY</b> as per Item (7) of Part I of Second Schedule and Item (2) of Part-IV of the First Schedule.

9. In view of the above observations, considering the oral and written submissions of the Complainant and the Respondent and material on record, the Committee held the Respondent **GUILTY** of Professional and Other Misconduct falling within the meaning of Item (7) of Part I of Second Schedule and Item (2) of Part-IV of the First Schedule to the Chartered Accountants Act, 1949.

Sd/-  
(CA. RANJEET KUMAR AGARWAL)  
PRESIDING OFFICER

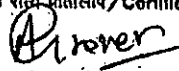
Sd/-  
(SHRI JIWESH NANDAN, IAS (RETD.))  
GOVERNMENT NOMINEE

Sd/-  
(CA. MANGESH P KINARE)  
MEMBER

DATE: 04/12/2024

PLACE: New Delhi

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