

**CONFIDENTIAL**

**DISCIPLINARY COMMITTEE [BENCH – IV (2025-2026)]**

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

**Findings under Rule 18(17) and Order under Rule 19(2) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007.**

**File No: [PR/157/20-DD/159/2020/DC/1785/2023]**

**In the matter of:**

**Mr. Manish Raswant and Ms. Geetu Raswant,  
E-3/8, DLF Qutab Enclave,  
Phase I,  
Gurgaon– 122002**

**..... Complainant**

**Versus**

**CA. Annu Thapar (M. No. 085996)  
M/s AKAR & Associates.,  
Chartered Accountants  
B-6/25/1,  
Safdarjung Enclave,  
New Delhi – 110024**

**..... Respondent**

**MEMBERS PRESENT:**

**CA. Prasanna Kumar D, Presiding Officer (In person)  
Ms. Dakshita Das, IRAS (Retd.), Government Nominee (Through VC)  
Adv. Vijay Jhalani, Government Nominee (In person)  
CA. Mangesh P. Kinare, Member (In person)  
CA. Satish Kumar Gupta, Member (In person)**

**DATE OF FINAL HEARING : 16<sup>th</sup> October 2025**

**PARTIES PRESENT:**

**Counsels for Complainant : Adv. Abhay Chitravanshi (Through VC) alongwith  
Adv. Mukund Gupta (Through VC)  
Respondent : CA. Annu Thapar (In person)**

*Mr*

1. **Background of the Case:**

- 1.1. It was stated that the Respondent was the statutory auditor of **M/s MKJ Exports Private Limited** (hereinafter referred to as "Company") from the incorporation of the Company (i.e. 05<sup>th</sup> August, 2004). The Complainants stated that the registered office of the Company was situated at the office of the Respondent, who had been entrusted with maintenance of all the statutory records of the Company. The Complainants stated that the Respondent had joined hands with the current and erstwhile directors namely Mr. Kuldeep Raswant and Mr. Jaideep Raswant and had acted in the most unprofessional manner by creating false and fabricated records of the Company and filed the same with the Registrar of Companies (ROC).

2. **Charges in brief:**

- 2.1. That the Respondent has filed Form NO. AOC-4 (Balance sheet for the financial year ending 31 March 2018) with the forged and fabricated signatures of the Complainants at various pages. The Complainants alleged that the signatures appearing on the Balance sheet for the financial year ending 31<sup>st</sup> March, 2018 were not that of the Complainants and there was a visible difference in the signatures at different pages of the said balance sheet, which substantiates the act of forgery done by the Respondent. The Complainants stated that the Balance sheet for the financial year ending 31<sup>st</sup> March 2018 with the forged signatures of the Complainants is dated 31<sup>st</sup> August, 2018 whereas on the said date, the Complainant No. 1 was not in India and was in China for business from 19<sup>th</sup> August, 2018 to 12<sup>th</sup> September, 2018. The Complainants further stated that the Respondent had also affixed his signatures next to forged signatures of the Complainants in the balance sheet and uploaded the same despite knowing it to be false and fabricated. Accordingly, in absence of the Complainants, their signatures had surfaced on the balance sheet, leading to conclusion that the signatures were forged by the Respondent in connivance with Mr. Kuldeep Raswant and Mr. Jaideep Raswant. Furthermore, the Respondent had declared that he had verified contents of the Form NO. AOC-4 while affixing his digital signatures and was therefore liable to be prosecuted under Section 448 of the Companies Act, 2013 along with various provisions of the Indian Penal Code, 1806.

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- 2.2. That similarly for the financial year ending 31<sup>st</sup> March 2017, the signatures of the Complainants have been forged and filed by the Respondent with the ROC. The Complainants stated that the Complainant No. 1 was in China on the date mentioned in the purported balance sheet, therefore his signatures were forged. Further, the signatures of Complainant No. 2 are also forged and there is a visible variance in the signatures on different pages of the balance sheet itself. This shows the active participation of the Respondent who is acting in connivance with Mr. Kuldeep Raswant and Mr. Jaideep Raswant to cause unlawful enrichment.
- 2.3. For the financial year 31<sup>st</sup> March 2016, the Respondent who had been entrusted with filing of records has negligently and without diligence filed the balance sheet of another Company namely M/s Green Ice Solutions Limited instead of M/s MKJ Exports Pvt Ltd. Despite various requests and reminders, the Respondent has failed to ameliorate the issue, making the Company susceptible for various non-compliances and penalties under the Companies Act, 2013.
3. **The relevant issues discussed in the Prima Facie Opinion dated 02<sup>nd</sup> December 2022 formulated by the Director (Discipline) in the matter, in brief, are given below :**
- 3.1. In respect of charges as shown in para 2.1 and 2.2 above, it was observed that as per the financial statements for the financial years ended on 31.03.2017 and 31.03.2018, the same were signed by Ms. Geetu Raswant and Mr. Manish Raswant (i.e., the Complainants) on 31.08.2017 and 31.08.2018 respectively. It was noted that the Complainants had brought on record a copy of the passport of Manish Raswant (Complainant No. 1). Upon perusal of the same, it was observed that Complainant No. 1 was not in India from 29th August, 2017 to 28th September, 2017 and from 19th August, 2018 to 11th September, 2018 respectively. Hence, it appeared that Complainant No. 1 was not present in India on the dates of signing of the financial statements by the directors of the Company, which indicated that the signature of Complainant No. 1 was forged. Though it was difficult for an auditor to identify a forged signature, yet, keeping in view the requirements of Section 134 of the Companies Act, 2013, he was required to verify the authenticity of the financial statements with the minutes of the Board Meeting. The requirements of Section 134 of the Companies Act, 2013 were to be read as under:

*"134. Financial statement, Board's report, etc.—*

*(1) The financial statement, including consolidated financial statement, if any, shall be approved by the Board of Directors before they are signed on behalf of the Board at least by the chairperson of the company where he is authorised by the Board or by two directors out of which one shall be managing director and the Chief Executive Officer, if he is a director in the company, the Chief Financial Officer and the company secretary of the company, wherever they are appointed, or in the case of a One Person Company, only by one director, for submission to the auditor for his report thereon."*

3.2. The Respondent appeared to have failed to check the minutes of the Board Meeting wherein the said financial statements were approved. Further, the Respondent appeared to have relied blindly on the assurance of the accountant of the Company. Accordingly, it was viewed that he had failed to exercise due diligence while verifying the authenticity of the financial statements, and he was *prima facie* held **GUILTY** of professional misconduct falling within the meaning of Clause (7) of Part I of the Second Schedule to the Chartered Accountants Act, 1949.

3.3. As regards the charge shown in para 2.3 above, it was noted the Form NO. AOC-4 was certified by the Respondent w.r.t the Company for the financial year 2015-16 wherein he certified as under:

*"1. The said records have been properly prepared, signed by the required officers of the Company and maintained as per the relevant provisions of the Companies Act, 2013 and were found to be in order.*

*2. All the required attachments have been completely and legibly attached to this form.*

*3. It is understood that I shall be liable for action under Section 448 of the Companies Act, 2013 for wrong certification, if any found at any stage."*

3.4. From the above, it was noted that the Respondent was required to ensure that the attachments to Form No. AOC-4 in respect of the Company were complete and legible before attaching the same to the said Form. However, upon perusal of the list of attachments to Form No. AOC-4, it was observed that the said attachments contained the Balance Sheet of M/s Green Ice Solutions Limited instead of M/s MKJ Exports Pvt. Ltd. (the Company). Though, in his defence, the Respondent stated that the Respondent Firm was not responsible for uploading the papers on the MCA

Portal, such contention of the Respondent was not acceptable in view of the certification/declaration given by him at the time of certifying the impugned Form No. AOC-4 as a professional. In view of the above, it was opined that the Form No. AOC-4 certified by the Respondent contained wrong attachments, and the Respondent, being the certifying professional, was required to verify each particular of the said Form before certifying the same. However, from the aforesaid facts, it was evident that the Respondent had failed to exercise the required due diligence, had certified and signed Form No. AOC-4 with incorrect information/attachments, and the same indicated a careless approach towards his professional duty. Accordingly, the Respondent was *prima facie* held **GUILTY** of Professional Misconduct falling within the meaning of Clause (7) of Part I of the Second Schedule to the Chartered Accountants Act, 1949.

- 3.5. Accordingly, the Director (Discipline) in his Prima Facie Opinion dated 02<sup>nd</sup> December 2022 opined that the Respondent was held **GUILTY** of Professional and Other Misconduct falling within the meaning of Clause (7) of Part I of Second Schedule and Clause (2) of Part IV of First Schedule to the Chartered Accountants Act, 1949. The said Clause of the Schedule to the Act, states as under:

**Clause (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

*(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 Disciplinary Committee in its meeting held on 09<sup>th</sup> June 2023. The Committee on consideration of the same, concurred with the reasons given against the charges and thus, agreed with the Prima Facie Opinion of the Director (Discipline) that the Respondent is **GUILTY** of Professional and Other Misconduct falling within the meaning of Clause (7) of Part I of Second Schedule and Clause (2) of Part IV of First Schedule to the Chartered Accountants Act, 1949 and accordingly, decided to proceed further 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	07 <sup>th</sup> July 2020
2.	Date of Written Statement filed by the Respondent	13 <sup>th</sup> August 2020
3.	Date of Rejoinder filed by the Complainant	08 <sup>th</sup> September 2020
4.	Date of Prima Facie Opinion formed by Director (Discipline)	02 <sup>nd</sup> December 2022
5.	Written Submissions filed by the Respondent after PFO	27 <sup>th</sup> July 2023
6.	Documents submitted by the Respondent	22 <sup>nd</sup> September, 2025 11 <sup>th</sup> October, 2025
7.	Rejoinder filed by the Complainant after PFO	13 <sup>th</sup> August 2023 17 <sup>th</sup> September 2025 07 <sup>th</sup> October, 2025
8.	Documents submitted by the Complainant	10 <sup>th</sup> October, 2025

**5. WRITTEN SUBMISSIONS FILED BY THE RESPONDENT:**

5.1 The Respondent, vide letter dated 27<sup>th</sup> July 2023 had, inter alia, made the submissions which are given as under –

- i. As regards the first and second charge, the reasonings arrived at by the Director Discipline at PFO stage are totally erroneous and misplaced. The Directorate has failed to appreciate that the allegation against the Respondent was filing of Form NO. AOC-4, i.e. Balance Sheet for financial year ending 31<sup>st</sup> March 2018 with the forged and fabricated signatures of the complainants at various pages.
- ii. That as per the practice since the incorporation of the company, each year the Accountant of the company used to get the duly signed financials of the company, signed by the Directors of the Company to the office of Respondent and only upon receiving the duly signed financials the Respondent used to sign the same in the capacity of the auditor of the company.

- iii. There is absolutely no piece of evidence on record to remotely prove fabrication of signature by the accused.
- iv. There was a clerical error at the hands of the staff in the office of the Respondent.
- v. The Respondent was the auditor for two companies, namely M/s Green Ice Solutions Limited and M/s MKJ Exports Pvt. Ltd. Further, Form No. AOC-4 for both the companies was filed on the same date i.e. 28.11.2016.
- vi. The data in Form NO. AOC-4 was filled of M/s MKJ Exports Pvt. Ltd. only. As far attachments are concerned i.e. Directors Report and Financial, the Director report was of M/s MKJ Exports Pvt. Ltd. but financial were wrongly attached of M/s Green Ice Solutions Limited.
- vii. The said act was neither intentional nor deliberate but was due to a clerical error. Further, Complainant No.2 had herself digitally signed Form AOC-4.

5.2 The Respondent, vide letter dated 22<sup>nd</sup> September 2025 had, submitted following documents—

- i. Board Resolution dated 20.04.2011
- ii. Form 2 (Return of allotment) ((MKJ Exports Pvt Ltd)
- iii. Form NO. AOC-4 (MKJ Exports Pvt Ltd) for 31.03.2016
- iv. MCA Challans
- v. Bank Statement (MKJ Exports Pvt Ltd) for April 2008
- vi. Form No 16-A (TDS deduction form)
- vii. Audit fees Invoice for FY 2017-18 and 2016-17
- viii. Correspondence with Director for ROC fees

5.3 The Respondent, vide email dated 11<sup>th</sup> October, 2025 had, submitted the Financial Statements of MKJ Exports Pvt Ltd for F.Y. 2014-15, 2015-16, 2016-17, and 2017-18.

## **6. WRITTEN SUBMISSIONS FILED BY THE COMPLAINANT:**

6.1 The Complainant, vide letter dated 13<sup>th</sup> August 2023 had, inter alia, made the submissions which are given as under —

- i. Family dispute of Directors has nothing to do with professional negligence of the Respondent which has been brought out by the Complainants in their complaint and the Respondent instead of giving answer is making false statement and trying to digress the issue by bringing the issue which is not relevant to this case.
- ii. The Respondent has not answered the charge and trying to shift the blame to some other persons. The charge of signature forgery was not answered by the Respondent.
- iii. The Respondent must give explanation as to whom and how documents bear the alleged signatures of Complainant 1.

6.2 The Complainant, vide email dated 17<sup>th</sup> September 2025 had, submitted following documents—

- i. The Reserve Bank of India (RBI) has referred a matter to the Enforcement Directorate (ED) alleging wrongdoing by the Respondent in collusion with other directors, during his tenure as Statutory Auditor and provided copy of the same.
- ii. A complaint filed by the undersigned before the Registrar of Companies (ROC) was escalated to the Regional Director (RD), who ordered an enquiry. The RTI request and ROC's response confirming has been submitted.
- iii. The National Company Law Tribunal (NCLT), in its order dated 25.08.2025, recorded the ROC's assurance that an enquiry report would be submitted in due course. The copy of the same has been submitted.

6.3 The Complainant, vide email dated 07<sup>th</sup> October 2025 had, made submission which are as under—

In respect of first and second charge:-

- (i) Passport records show Complainant No. 1 was outside India during the period when the statements were purportedly signed.
- (ii) The auditor failed to perform her statutory duty under Section 134 of the Companies Act, 2013 to verify the authenticity of the financial statements and supporting Board Meeting minutes.
- (iii) The Respondent's defence that he relied on the company's accountant is considered untenable, as auditors must independently verify key approvals and authorizations.

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In respect of third charge: -

- (i) The Respondent certified and filed Form NO. AOC-4 for FY 2015-16 of M/s MKJ Exports Pvt. Ltd., but attached the balance sheet of a different company, M/s Green Ice Solutions Ltd. Despite this error, the Respondent certified that all required attachments were "completely and legibly attached," which was false.
- (ii) The Respondent's claim that another person uploaded the documents is untenable because a Chartered Accountant assumes full responsibility once they digitally certify a filing. This reflects a careless and irresponsible approach of Respondent.

6.4 The Complainant, vide email dated 10<sup>th</sup> October 2025 had, submitted following documents—

- i. FSL Report of signature of Shri Manish Raswant.
- ii. FSL Report of signature of Smt. Geetu Raswant.

## 7. Brief facts of the Proceedings:

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

S.No.	Date of Meeting(s)	Status
1.	18 <sup>th</sup> August 2023	Part-heard and adjourned.
2.	23 <sup>rd</sup> September 2025	Part-heard and adjourned.
3.	09 <sup>th</sup> October 2025	Part-heard and adjourned.
4.	16 <sup>th</sup> October 2025	Hearing Concluded and Decision taken

7.2 On the day of first hearing held on 18<sup>th</sup> August 2023, the Committee noted that the Complainant 1 (Shri Manish Raswant) along with Counsel and Respondent were present in person and appeared before it. Shri Manish Raswant submitted that Smt. Geetu Raswant (Complainant 2) is his wife and due to her ill health, she could not appear before the Committee. Being 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 is aware of the charges and pleaded Not Guilty to the charges levelled against him. In the absence of the Complainant and 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 later date.

- 7.3. On the day of hearing held on 23rd September 2025, the Committee noted that the Respondent and Counsel of Complainant were present in person and appeared before it. Being 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 against him and whether he pleads guilty. The charges as contained in prima facie opinion were also read out. On the same, the Respondent replied that he is aware of the charges and pleaded 'Not Guilty' to the charges levelled against him. The Counsel of Complainant stated that the Complainant was present upto 1.15 pm on that day, but due to other engagements he had to leave and sought an adjournment. Also, the Complainant sent a letter to the Committee and the Committee noted the same.
- 7.4. Regarding the AOC-4 filing, the Respondent explained that a clerical error led to the wrong balance sheet being uploaded, but the certified figures were correct. On the forgery allegation, the Respondent denied wrongdoing, stating that signed financials were provided by the accountant, and signature verification was not his responsibility. He further argued that the complaint, filed years later in 2020, stemmed from internal family disputes among the promoters of the company with negligible turnover and no public funds involved. The Complainant's Counsel mentioned pending matters before the ED and NCLT, requesting the Committee to await the ROC report for proper adjudication. However, the Committee clarified that these parallel proceedings were separate and not relevant to the current case, which concerns only two allegations related to professional misconduct of the member. The Committee directed the Respondent to submit written submissions clarifying the director's signature allegation. The Committee adjourned the matter to a later date.
- 7.5. On the day of hearing held on 09<sup>th</sup> October 2025, the Committee noted that the Complainant along with her counsel and Respondent were present in person and appeared before it. The Complainant alleged that the signatures of two directors on the balance sheet for the financial year 2016-17 were forged, citing a forensic report that confirmed one signature was not genuine. The Complainant argued that the auditor was responsible for the forgery. The Respondent denied the allegations,

asserting that the signatures were genuine and signed by the directors, and highlighted compliance with Section 134 of the Companies Act. He further submitted the director's report and pointed out that the directors had signed the financial statements for the previous and subsequent years. The Complainant alleged professional negligence, stating that the balance sheet of Green Ice Solutions Pvt. Ltd. was mistakenly attached to the Form NO. AOC-4 Form for MKJ Exports Private Limited. The Respondent admitted the clerical error by his office staff but clarified that the financial figures in the form were correct and certified, with the error limited to the attachment. He submitted MCA challans to show that filings for both companies were done on the same day, leading to the mix-up. Both parties were allowed to submit additional evidence and supporting documents if any, before the next hearing. With this, the case was adjourned.

7.6. On the day of hearing held on 16th October 2025, the Committee noted that the Counsel(s) for the Complainant was present through VC and Respondent was present in person and appeared before it. The Complainants alleged that the signatures of Mr. Manish Yashwant and Ms. Geetu Raswant on financial documents for the years 2017-2018 and 2018-2019 were forged, as supported by forensic reports (FSL) indicating non-similarity between the disputed and original signatures. The Complainants also referenced to certain judgments to substantiate their claims of professional misconduct. In response, the Respondent denied the allegations, asserting that he had signed the financial statements based on the approval of the Board of Directors, whose signatures on the Board report were not challenged.

7.7. 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 decided on the conduct of the Respondent.

## **8. FINDINGS OF THE COMMITTEE:**

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

8.1 With regard to first and second charge, the Committee noted it has been alleged that the Respondent had filed Form NO. AOC-4 for the financial year ending 31.03.2017

and 31.03.2018 with the forged and fabricated signatures of the Complainants at various pages on the financial statements for the financial year 2016-17 and 2017-18, and the details of allegation is given in para 2.1 and 2.2 above.

8.2 The Committee observed that the Respondent has provided evidence in the form of the Board of Directors' Report, which clearly states that the financial statements for the relevant years were duly approved by the Board. Further, he also submitted that the Complainant has not objected to the signatures or the content of the Board of Director's report as one complainant had herself signed the Board Resolution dated 20<sup>th</sup> April 2011 and used his own DSC to upload Form-2 with ROC regarding allotment of shares.

8.3 The Committee further noted the details of auditor and signing directors as given hereunder:

<b>Financial Year</b>	<b>Name of Directors who has signed the financial statements</b>	<b>Name of the Auditor</b>
2012-13	Manish Raswant, Geetu Raswant	Annu Thappar
2013-14	Manish Raswant, Geetu Raswant	Annu Thappar
2014-15	Manish Raswant, Geetu Raswant	Annu Thappar
2015-16	Manish Raswant, Geetu Raswant	Annu Thappar
2016-17	Manish Raswant, Geetu Raswant	Annu Thappar
2017-18	Manish Raswant, Geetu Raswant	Annu Thappar

8.4 From the above details, the Committee observed that for the last three to four years, all balance sheets have been signed by the same signatories. However, the Complaint has been raised only for FY 2016-17 and 2017-18. For this, the Complainant submitted that the knowledge of forgery came to the notice of Complainant No. 1 in 2019 and therefore, there is no delay in filing the complaint.

8.5 The Committee further observed that the judgement cited by the Complainants involved a case where the evidence of forgery was conclusive, whereas in the present case, the evidence provided by the Complainants was not sufficient to

establish forgery beyond doubt. The Committee also took into account the Respondent's explanation regarding the approval of financials by the Board of Directors and lack of material changes in the financial over the years, which did not indicate any motive for forgery. The Committee also noted the Respondent's submission that the company was defunct and had no active business operations, which further diminished the likelihood of any fraudulent intent.

8.6 It was also noted that the Complainant brought on record the Forensic Expert Report. The Complainant relied on the FSL reports regarding the signatures of Mr. Manish Raswant and Ms. Geetu Raswant, which found that the "majority of class and individual characteristics are non-similar" between the signatures in dispute (Q series) and the standard signatures (A series). However, the FSL report itself concluded that to deliver a final opinion, original documents and more specimen signatures corresponding to the time period needed to be furnished. This indicates that the opinion was preliminary and not conclusive evidence of forgery.

8.7 The Committee observed that the Respondent has provided evidence in the form of the Board of Directors' report, which clearly states that the financial statements for the relevant years were duly approved by the Board. The signatures on the Board of Directors' report have not been challenged by the Complainants. The Committee noted that the Respondent has demonstrated that the financial statements were signed and uploaded in compliance with the requirements of law.

8.8 The Committee further observed that the Respondent has submitted evidence that audit fees for the relevant years were paid by the Complainants, and the cheques for these payments were signed by the same Directors who are now alleging wrongdoing. The Respondent has provided proof of reimbursement of filing fees for the submission of documents to the Registrar of Companies (ROC). The Committee viewed that these actions indicate that the Complainants were aware of and consented to the Respondent's professional services during the relevant period.

8.9 The Committee observed that although the Complainants have alleged forgery of signatures on the financial statements for the years 2017-2018 and 2018-2019, however, no direct evidence has been presented to substantiate the claim that the Respondent forged the signatures. The Complainants have not presented any

evidence to demonstrate how the documents were prepared or submitted without their signatures.

8.10 The Committee emphasized the need for concrete evidence to substantiate the allegations, particularly in the case of forgery. The Committee further noted that the Complainants have initiated parallel proceedings before National Company Law Tribunal (NCLT), the Registrar of Companies (ROC), the Enforcement Directorate (ED), and the police authorities. However, the outcome of these proceedings is pending and no conclusive findings have been presented to this Committee to establish the Respondent's role.

8.11 In view of these noted facts, the Committee concludes that the allegations of professional misconduct and forgery against the Respondent have not been substantiated with sufficient evidence. The Respondent has provided reasonable explanations and supporting documents to demonstrate compliance with professional standards. In view of the same, the Committee finds no conclusive proof to hold the Respondent Guilty of the charges levelled against him. In view of the above, the Committee held the Respondent **NOT GUILTY** of Professional Misconduct falling within the meaning Clause (7) of Part I of Second Schedule to the Chartered Accountants Act, 1949.

8.12 In respect of third charge, the Committee noted that for the financial year 31<sup>st</sup> March, 2016, the Respondent who had been entrusted with filing of records has negligently and without diligence filed the balance sheet of another Company namely M/s Green Ice Solutions Limited instead of M/s MKJ Exports Pvt Ltd while certifying AOC- 4.

8.13 The Respondent submitted that he had filed a balance sheet of M/s Green Ice Solutions Limited along with the AOC Form 4 for financial year 31<sup>st</sup> March 2016. He further stated that he had correctly certified the financials of M/s MKJ Exports Pvt Ltd, Form NO. AOC-4, and it is only the attachment of Form NO. AOC-4 that has the balance sheet of M/s Green Ice Solutions Limited, which was uploaded by office staff. All the financial figures of Form NO. AOC-4 certified by him are correct and it is only a clerical error where one of the staff members uploaded a wrong attachment.

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- 8.14 The Committee noted from the documents submitted by the Respondent that G.A.R 7 challan filed for both the companies on the same date i.e. 28<sup>th</sup> November, 2016, leading to the mix-up. Hence, it shows that there was only a clerical error in uploading the wrong attachment.
- 8.15 The Committee was of the view that although the Respondent had admitted his mistake that it was clerical error on his part as he was auditor in both companies, however, the uploading of wrong attachment does not affect the true and fair view of the financial statements. Thus, the Committee opined that based on the submissions and evidence on record, the allegations against the Respondent are unsubstantiated.
- 8.16 In view of the above, the Committee held the Respondent **NOT GUILTY** of Professional Misconduct falling within the meaning of Clause (7) of Part I of Second Schedule to the Chartered Accountants Act, 1949.

## 9. 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:

Charges (as per PFO)	Findings	Decision of the Committee
Para 2.1 and 2.2 as above.	Para 8.1 to. 8.11 as above	<b>NOT GUILTY</b> as per Clause (7) of Part I of Second Schedule
Para 2.3 as above	Para 8.12 to 8.16 as above	<b>NOT GUILTY</b> as per Clause (7) of Part I of Second Schedule

10. In view of the above observations, considering the oral and written submissions of the Respondent and material on record, the Committee held the Respondent **NOT GUILTY** of Professional and Other Misconduct falling within the meaning of Clause (7) of Part I of Second Schedule and Clause (2) of Part IV of First Schedule to the Chartered Accountants Act, 1949.

**11. Order**

Accordingly, in terms of Rule 19(2) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, the Committee passes an Order for closure of this case against the Respondent.

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

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

**Sd/-  
(ADV. VIJAY JHALANI)  
(GOVERNMENT NOMINEE)**

**Sd/-  
(CA. MANGESH P. KINARE)  
MEMBER**

**Sd/-  
(CA. SATISH KUMAR GUPTA)  
MEMBER**

**DATE: 21<sup>st</sup> January 2026**

**PLACE: Noida**

सत्यापित होने के लिए प्रमाणित / Certified to be True Copy  
**M. Gupta**  
मौजू गुप्ता / Mounu Gupta  
वरिष्ठ कार्यकारी अधिकारी / Sr. Executive Officer  
अनुशासनात्मक निदेशालय / Disciplinary Directorate  
भारतीय सनदी लेखाकार संस्थान  
The Institute of Chartered Accountants of India  
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