



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 (2025-2026)]
[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.

[PPR/MISC/TAQRB/117/2023/DD/33/TAQRB/INF/2023/DC/1996/2025]

In the matter of: -

CA. Anutam Paul (M. No. 055049),
503 Parnasree, Ric More,
Kolkata (West Bengal) – 700060

.....Respondent

MEMBERS PRESENT: -

1. CA. Prasanna Kumar D, Vice President, ICAI & Presiding Officer (In Person)
2. Ms. Rani S. Nair, IRS (Retd.) (Government Nominee) (Through VC)
3. Shri Ajaib Singh, IA&AS (Retd.) (Government Nominee) (In Person)
4. CA. Vishnu Kumar Agarwal (Through VC)

Date of Hearing : 20.01.2026

Date of Order : 05.02.2026

1. That vide findings dated 22nd December 2025 issued under Rule 18(17) of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, the Disciplinary Committee was inter-alia of the opinion that **CA. Anutam Paul (M. No. 055049)** (hereinafter referred to as the **Respondent**) is **Guilty** of Professional Misconduct falling within the meaning of Item (1) of Part II of Second Schedule to the Chartered Accountants Act, 1949.



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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 communication was addressed to him thereby granting him an opportunity of being heard in person / through video conferencing and to make his written & verbal representation before the Committee on 20th January 2026.
3. The Committee noted that on the aforesaid date of hearing held on 20th January 2026, the Respondent was present through video conferencing wherein he admitted that he had certified thirty tax audit reports despite having part-time certificate of practice (COP).
4. The Committee noted that in the instant case the Secretary, Taxation Audits Quality Review Board (TAQRB) had forwarded a recommendation regarding audits conducted by members not holding a Certificate of Practice (COP) or holding part-time COP. It was alleged that CA Anutam Paul (M. No. 055049), Kolkata had certified tax audit reports despite holding only a part-time COP. Under Section 6(1) of the Chartered Accountants Act, 1949, no member is entitled to practice without a COP. Further, Council General Guidelines 2008 (Para 6.1.5) and the Council's 241st meeting resolution effective from 1st April 2005 provide that a member holding part-time COP is not entitled to perform attest functions, including tax audits, in accordance with Regulation 190A.

The Committee noted the Respondent's submissions dated 7th March 2012 and 21st July 2023, wherein he admitted that he held part-time COP since 2000 while being a lecturer and partner in M/s G.G.M. & Co. He stated that he certified 30 tax audit reports under the impression that partners could sign on behalf of others who has not completed ceiling limit in force in respect of conducting and signing tax audit report. The Committee observed that the relevant provisions became effective from 1st April 2005, whereas the Respondent certified the tax audit reports for FY 2010-11, i.e., six years later, clearly violating the Council Guidelines and Regulation 190A. On the date of final hearing held on 10th September 2025, the Respondent acknowledged the charges and pleaded GUILTY.

5. The Committee concurred with the aforesaid reasoning as contained in the findings dated 22nd December 2025 holding the Respondent **Guilty** of Professional Misconduct falling within the meaning of Item (1) of Part II of Second Schedule to the Chartered Accountants Act, 1949.
6. Keeping in view the facts and circumstances of the case and the material on record including written and verbal submissions of the Respondent on the findings of the

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Committee, the Committee ordered that the Respondent, CA. Anutam Paul (M. No. 055049) be Reprimanded along with a fine of Rs. 1,50,000/- (Rupees One lacs and Fifty Thousand Only) to be paid within 60 days of receipt of this Order.

Sd/-

(CA. Prasanna Kumar D)
PRESIDING OFFICER

Sd/-

(Ms. Rani S. Nair, IRS (Retd.))
GOVERNMENT NOMINEE

Sd/-

(Shri Ajaib Singh, IA&AS (Retd.))
GOVERNMENT NOMINEE

Sd/-

(CA. Vishnu Kumar Agarwal)
MEMBER

DATE: 05.02.2026

PLACE: New Delhi

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मीनू गुप्ता / Meenu Gupta
वरिष्ठ कार्यकारी अधिकारी / Sr. Executive Officer
अनुशासनमय विभाग / Disciplinary Directorate
भारतीय सनदी लेखाकार संस्थान
The Institute of Chartered Accountants of India
आई.सी.ए.आई. भवन, सी-1, सेक्टर-1, नोएडा-201301 (उ.प्र.)
ICAI Bhawan, C-1, Sector-1, Noida-201301 (U.P.)

CONFIDENTIAL

DISCIPLINARY COMMITTEE BENCH – I (2025-2026)
[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. PPR/MISC/TAQRB/117/2023/DD/33/TAQRB/INF/2023/DC/1996/2025

In the matter of:

CA. Anutam Paul (M. No. 055049),
503 Parnasree, Ric More,
Kolkata (West Bengal) – 700060

....Respondent

Members Present:

- i. CA. Prasanna Kumar D, Vice President, ICAI & Presiding Officer (In Person)
- ii. Ms. Rani S. Nair, IRS (Retd.) (Government Nominee) (In Person)
- iii. Shri Ajaib Singh, IA&AS (Retd.) (Government Nominee) (In Person)
- iv. CA. Chandrashekar Vasant Chitale, Member (Through VC)
- v. CA. Vishnu Kumar Agarwal, Member (In Person)

Date of Final Hearing : 10th September 2025
Place of Final Hearing : Noida

PARTIES PRESENT:

Respondent : CA. Anutam Paul (Through VC)

1. BRIEF OF THE DISCIPLINARY PROCEEDINGS

The Committee noted that for hearing, the Respondent was present through VC. Thereafter, the Respondent was put on oath and on being enquired whether he has received a copy of Prima Facie Opinion formed by Director (Discipline), he replied that he has received the copy of Prima Facie Opinion. On being asked as to whether he is aware of the charges levelled against him and whether he pleads guilty, he replied that he is aware of the charges and **pleaded GUILTY** of professional misconduct falling within the meaning of Item (1) of Part II of Second Schedule to the Chartered Accountants Act, 1949. As per provisions of Rule 18(8), the Committee recorded his plea and decided to pursue the case under Rule 19.

2. CHARGES IN BRIEF

The Committee noted that in the Prima Facie Opinion dated 2nd May 2025 formed by Director (Discipline) in terms of Rule 9 of the Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, the Respondent was held Prima Facie Guilty of Professional Misconduct falling within the meaning of Item (1) of Part- II of Second Schedule to the Chartered Accountants Act, 1949.

Item (1) of Part-II of Second Schedule to the Chartered Accountant Act, 1949 states as under: -

A member of the Institute, whether in practice or not, shall be deemed to be guilty of professional misconduct, if he—

(1) contravenes any of the provisions of this Act or the regulations made thereunder, or any guidelines issued by the Council.

3. BRIEF BACKGROUND OF THE MATTER AND ALLEGATIONS

The Committee noted that the Secretary, Taxation Audits Quality Review Board (hereinafter referred to as "**Informant**"/ "**TAQRB**") vide its note dated 30th December 2022 had forwarded the recommendation of the Council on 'Audits reportedly conducted by members not holding COP or members holding Part-time COP or Members whose name had been removed from the register of members'.

The Committee noted that vide its aforesaid note TAQRB has raised allegations against the Respondent i.e., CA. Anutam Paul (M. No. 055049), Kolkata regarding certification of tax audit report despite having no/part time Certificate of Practice (COP). The Committee also noted that Section 6 (1) of the Chartered Accountants Act, 1949 provides that:

"No member of the Institute shall be entitled to practice [whether in India or elsewhere] unless he has obtained from the Council a certificate of practice."

The Committee also noted that Para 6.1.5 of Chapter VI of Council General Guidelines. 2008 provides following:

A Chartered Accountant being a part time practicing partner of a firm shall not be taken into account for the purpose of reckoning the tax audit assignments of the firm.

Moreover, the Committee noted that the Council at its 241st meeting held in March 2004 decided that effective from 1st April 2005, any member in part-time practice (namely, holding certificate of practice and is also engaging himself in any other business and/or occupation) is not entitled to perform attest function, and that the resolution has been passed by the Council in pursuance of provision of Regulation 190A.

In view of above provisions, Director (Discipline) vide its Prima Facie Opinion dated 2nd May 2025 has held Respondent Prima Facie Guilty of Professional Misconduct falling within the meaning of Item (1) of Part- II of Second Schedule to the Chartered Accountants Act, 1949 stating that certification of tax audit report by the Respondent despite having part time COP is in clear violation of the Council General Guidelines No.1-CA(7)/02/2008 and Regulation 190A,

4. SUBMISSIONS OF THE RESPONDENT & FINDINGS OF THE COMMITTEE

The Committee noted that the Respondent in his submissions dated 7th March 2012 read with submissions dated 21st July 2023 had stated that he was issued part time COP in 2000 and at that time he was lecturer in Dinabandhu Andrews College and was partner in M/s G.G.M. & Co. since 31.03.2000. He further submitted that he was under the impression that any partner can sign on behalf of other partners who has not completed ceiling limit in force in respect of conducting

and signing tax audit report. He accordingly admitted that he has certified thirty tax audit reports despite having part time COP and submitted that after being pointed out by the ICAI he had not made any further attestation.

The Committee noted that the above-mentioned provisions became effective from 1st April 2005 and the tax audits in question were certified by the Respondent in financial year 2010-11 i.e., almost after 6 years. In view of above provisions, the Committee noted that certification of tax audit report by the Respondent despite having part time COP is in clear violation of the Council's General Guidelines No.1-CA(7)/02/2008 and Regulation 190A for which the Respondent was also held Prima Facie Guilty by Director (Discipline) for Professional Misconduct falling within the meaning of Item (1) of Part- II of Second Schedule to the Chartered Accountants Act, 1949.

On the day of final hearing (i.e., on 10th September 2025), the Committee noted that the Respondent was present through VC and on being asked as to whether he is aware of the charges levelled against him and whether he pleads guilty, the Respondent replied that he is aware of the charges and **pleaded GUILTY**.

The Committee noted that Rule 18(8) of Chartered Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, provides as under:

Rule 18(8): If the Respondent pleads guilty, then the Committee shall record the plea and take action as per provisions under rule 19.

Accordingly, since the Respondent on the day of first hearing pleaded guilty before the Committee, 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 recorded his plea and decided to pursue the case under Rule 19.

5. CONCLUSION

In view of the above noted facts & discussion and considering that at the time of hearing, the Respondent pleaded guilty, the Committee, decided to pursue the case under Rule 19 read with Rule 18(8), thereby holding the Respondent **Guilty** of Professional Misconduct falling within the meaning of Item (1) of Part II of Second Schedule to the Chartered Accountants Act, 1949.

Sd/-
(CA. Prasanna Kumar D)
PRESIDING OFFICER

Sd/-
(Ms. Rani S. Nair, IRS (Retd.))
GOVERNMENT NOMINEE

Sd/-
(Shri Ajaib Singh, IA&AS(Retd.))
GOVERNMENT NOMINEE

Sd/-
(CA. Chandrashekhar Vasant Chitale)
MEMBER

Sd/-
(CA. Vishnu Kumar Agarwal)
MEMBER

DATE: 22.12.2025
PLACE: New Delhi

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M. Gupta
मीनू गुप्ता / Meenu Gupta
वरिष्ठ कार्यकारी अधिकारी / Sr. Executive Officer
अनुशासनात्मक निदेशालय / Disciplinary Directorate
भारतीय चरtered अकाउंटन्ट्स संस्थान
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(CAI Bhawan, C-1 Sector-1, Noida-201301 (U.P.))