

BEFORE THE APPELLATE AUTHORITY

(Constituted under the Company Secretaries Act, 1980)

APPEAL NO. 03/ICSI/2013

IN THE MATTER OF

Dr. Baiju Ramachandran Appellant
Through G.Somanathan Nair Thiruvananthapuram, Advocate

Versus

The Board of Discipline and anr Respondents
Shri R.D.Makheeja, Advocate for Respondent No. 1

CORAM:

HON'BLE THE CHAIRPERSON
HON'BLE MR. RAKESH CHANDRA, MEMBER
HON'BLE MR. PAVAN KUMAR VIJAY, MEMBER

Date of Hearing: 07-02-2014

Date of Order : 14-02-2014

Order

The brief facts relevant for the purpose of deciding this appeal are that the appellant had filed nomination papers to contest elections of the Institute of the Company Secretaries of India for Southern India Regional council (SIRC) in the year 2010. The Respondent No. 2 filed a complaint against the appellant with the Institute under section 21 of the Companies Secretaries Act 1980 read with rule 3(1) of the Company Secretaries (Procedure of Investigation of Professional and other misconduct) Rules 2007 (hereinafter called the Rules) alleging that the appellant defrauded the Institute and the members by giving a false affidavit along with nomination forms filed by him. In the nomination form, he had stated his having obtained first rank in LLB examination, MMM examination and M.Com examination. However, as per his verification, the appellant had not obtained first rank either in LLB or in MMM examinations. Thus, he furnished wrong information in the nomination form and filed a wrong supporting affidavit verifying the correctness of

