

**THE BOARD OF DISCIPLINE
THE INSTITUTE OF COMPANY SECRETARIES OF INDIA
IN THE MATTER OF COMPLAINT OF PROFESSIONAL OR OTHER MISCONDUCT
UNDER THE COMPANY SECRETARIES ACT, 1980**

DC/273/2014

Order reserved on: 23rd December, 2016

Order issued on : 27th February, 2017

Mr. Vikram Bakshi

.....**Complainant**

Vs

Mr. Devinder Kumar Jain, ACS-14674

..... **Respondent**

Present:

Director (Discipline)

FINAL ORDER

1. The Board of Discipline considered and agreed with the *prima-facie* opinion dated 20th December, 2016 of the Director (Discipline) in the complaint of professional or other misconduct filed by Mr. Vikram Bakshi against Mr. Devinder Kumar Jain, ACS-14674 that in the absence of any conviction of the Respondent by the competent Court on the alleged misbehaviour, and on the premise of fundamental principle of justice that "a person is presumed innocent until proven guilty" the act of the Respondent does not tantamount to professional misconduct or indiscipline unless so proved. Hence no case is made out at this stage which represents a professional misconduct of the Respondent. The Complainant may be given liberty to file a fresh complaint after the outcome of the investigations/ conviction of the Respondent for the alleged misconduct.
2. The Board of Discipline is of view that the matter is not coming under purview of the Board of Discipline and a fresh complaint in the matter may be filed if the Respondent is convicted by the competent Court on the alleged misbehaviour.



**CS C Ramasubramaniam
Member**





**CS Ashish Doshi
Presiding Officer**