

**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**

ICSI/DC/411/2017

Order reserved on: 22nd June, 2019
Order issued on : 12th August, 2019

Shri Praveen Kumar Kanungo

.....Complainant

Vs

Ms. Aakansha Vaid, ACS-33013,CP-12244

.....Respondent

CORAM:

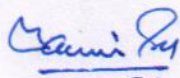
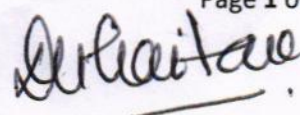
CS Deepak Kumar Khaitan, Presiding Officer
CS Manish Gupta, Member
CS Ashok Kumar Dixit, Member

Present:

Mrs. Meenakshi Gupta, Director (Discipline)
Shri Gaurav Tandon, Assistant Director

ORDER

1. On 3rd April, 2019, it was noted that the parties were called to appear before the Board of Discipline. However, none of the parties appeared. The Board of Discipline after considering the material on record; nature of issues involved in the complaint and the totality of the circumstances related to the case observed that the Respondent was provided with ample opportunities to reply to the allegations levied against her but no reply was filed till date. The Board of Discipline vide order dated 25th August, 2018 issued on 1st September, 2018 agreed with the prima-facie opinion of the Director (Discipline) that the Respondent is '**Guilty**' of professional misconduct under Item (8) of Part-I to the First Schedule of the Company Secretaries Act, 1980 for accepting the assignment of certification of Forms MGT-7 & MGT-8 of M/s. MAA Banjari Ispat Pvt. Ltd., M/s. Pawanputra Ispat Pvt. Ltd. and M/s. Harsh Vinimay Pvt. Ltd., for the financial year 2015-16, without first communicating with the Complainant, the previous incumbent.
2. The Board of Discipline in terms of sub-rule (1) of Rule 15 of the Company Secretaries (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 had decided to grant an opportunity of being heard to the Respondent before passing any order under Section 21A(3) of the Company Secretaries Act, 1980.

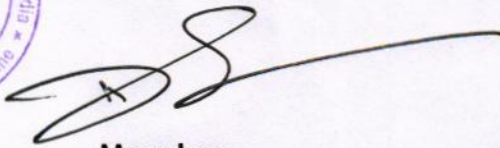

Accordingly, the Board of Discipline advised the Director Discipline to call the Respondent on next date of hearing as and when fixed by the Presiding Officer of the meeting.

3. Accordingly, the Respondent vide letter dated 31st May, 2019 was called upon to appear before the Board on 22nd June, 2019 at New Delhi.
4. On 22nd June, 2019, none appeared for the Respondent. The Board of Discipline decided to proceed *ex-parte* in the matter as it observed that the Respondent has been provided with ample opportunities to reply to the allegations levied against her but no reply has been filed by her till date. Further the Respondent has neither appeared before the Board of Discipline nor sent any response to the notice of hearing.
1. The Board of Discipline after considering the materials on record; the nature of issues involved and the totality of the facts and circumstances of the case decided to proceed *ex-parte* and passes the following order under Section 21A (3) of the Company Secretaries Act, 1980 read with Rule 15(1) of the Company Secretaries (Procedure of Investigations of Professional and other misconduct and conduct of cases) Rules, 2007 for finding the Respondent "**guilty**" of professional misconduct under Item (8) of Part I of the First Schedule to the Act:

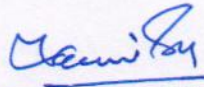
- (i) **Fine of Rs. 25,000/- (Rupees Twenty Five Thousand Only) payable within 30 days from the date of issue of this order; and**
- (ii) **Removal of name of the Respondent from the Register of Members of the ICSI for a period of 30 days after expiry of 30 days of issuance of the Order;**

In case of non-payment of aforesaid fine, necessary action be taken against the Respondent in accordance with the law.

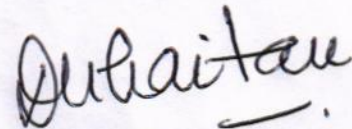




Member



Member



Presiding Officer