

THE BOARD OF DISCIPLINE
THE INSTITUTE OF COMPANY SECRETARIES OF INDIA

ICSI/DC: 174/2013

In the matter of complaint of professional or other misconduct filed by Mr. Manoj Kumar against Mr. Sanjay Chandrasen Rane, ACS-12084.

Date of decision: 21st July, 2014

Coram: Mr. P K Mittal, Presiding Officer
Mr. Anil Murarka, Member

ORDER

1. A complaint dated 28th January, 2013 in Form I was filed under Section 21 of the Company Secretaries Act, 1980 read with sub-rule (1) of Rule 3 of the Company Secretaries (Procedure of Investigations of Professional and other Misconduct and Conduct of Cases) Rules, 2007 (the Rules) by Mr. Manoj Kumar (hereinafter referred to as the 'Complainant') against Mr. Sanjay Chandrasen Rane, ACS-12084 (hereinafter referred to as the 'Respondent'). The Complainant has *inter-alia* alleged that the Respondent in connivance with the directors of M/s. Ankur Drugs & Pharma Limited has circulated an un-audited Balance Sheet for the year 2011-12 to the shareholders. The Complainant has stated that the Respondent along with the directors of M/s. Ankur Drugs & Pharma Limited purported that the Balance Sheet and Annual Accounts of M/s. Ankur Drugs & Pharma Limited have been duly audited by the statutory auditor i.e. Mr. M. G. Vashi, Chartered Accountant, Mumbai. The Complainant further stated that on enquiry from the auditor about certain irregularities in the aforesaid Annual Accounts & Balance Sheet of M/s. Ankur Drugs & Pharma Limited, he came to know that the Balance Sheet and Annual Accounts of the said company have not been audited by him.
2. Pursuant to sub-rule (3) of rule 8 of the Rules, a copy of the complaint was sent to the Respondent *vide* letter dated 1st February, 2013 calling upon him to submit the written statement followed by a reminder dated 25th February, 2013. However, the Respondent did not submit the written statement.
3. Pursuant to rule 9 of the Rules, the Director (Discipline) after examination of the complaint and other material on record, formed his *prima-facie* opinion dated 5th June, 2013 wherein he wrote that the Respondent has not submitted his written






