

**THE DISCIPLINARY COMMITTEE
THE INSTITUTE OF COMPANY SECRETARIES OF INDIA
IN THE MATTER OF COMPLAINT OF PROFESSIONAL OR OTHER MISCONDUCT**

ICSI/ DC/333/2015

Order reserved on: 4th June 2018

Order issued on: 29th June, 2018

Mr. Sanjay Seth

.....Complainant

Vs.

Mr. Madhava Kaimal, ACS-10641, CP No. 3861

..... Respondent

Present:

Mrs. Meenakshi Gupta, Director (Discipline)

FINAL ORDER

1. The Disciplinary Committee noted that the Disciplinary Committee in its meeting held on 19th August 2018 after considering the oral submissions made by the Respondent; the materials on record and nature of issues involved and in totality of the circumstances of the case passed the following order under Section 21B (3) of the Company Secretaries Act, 1980 read under rule 19 (1) of the Company Secretaries (Procedure of Investigations of Professional and other Misconduct and Conduct of Cases) Rules, 2007 –

"Fine of Rs. 25000/- (Rupees Twenty Five Thousand only), payable within 30 days from the date of issue of this order.

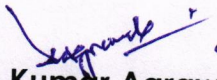
In the event of the Respondent does not deposit the aforesaid fine within stipulated period, the Committee is entitled to proceed ex-parte and take a view of removal of name of the Respondent from the Register of members for 60 days which the Respondent agreed during the hearing."

2. The Disciplinary Committee further noted that the aforesaid Final Order reserved on 19th August, 2017 was issued on 28th December 2017 and a copy of the same was sent through speed post to the Respondent vide letter dated 12th January 2018 for necessary compliance. As per the tracking records available on www.indiapost.gov.in the letter has been delivered on 15th January 2018 at the professional address of the Respondent. However, the amount of fine (Rs 25000/-) imposed by the Disciplinary Committee vide the aforesaid order issued on 28th December, 2017 has not yet received from the Respondent.




3. The Disciplinary Committee in view of non-submission of fine of Rs 25,000/- by the Respondent within the time stipulated in the aforesaid Final Order, decided to remove the name of the Respondent from the Register of members of the ICSI for the period on 75 days.

The Order shall be given effect within one week of the date of issue.


Santosh Kumar Agrawala
Member


Meenakshi Datta Ghosh
Member


Makarand Lele
Presiding Officer

