

THE DISCIPLINARY COMMITTEE
THE INSTITUTE OF COMPANY SECRETARIES OF INDIA

DC: 74/2010

IN THE MATTER OF COMPLAINT OF PROFESSIONAL OR OTHER MISCONDUCT

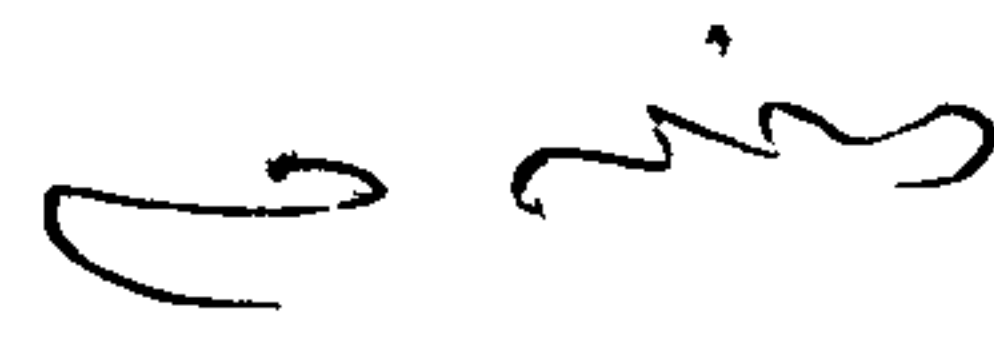
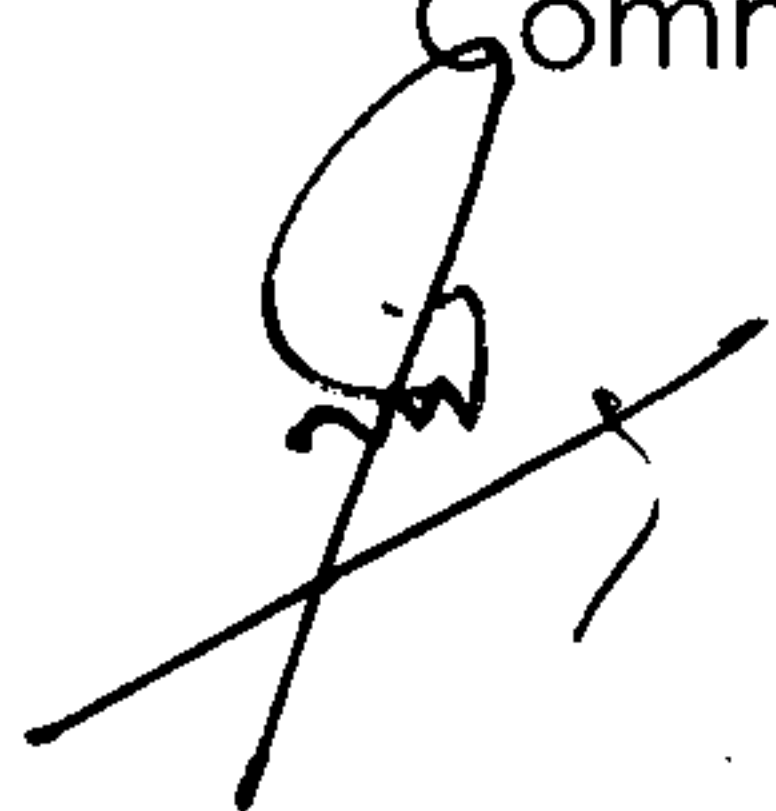
Shri Bheda Vipul Kumar Dayalal - **Complainant**

Vs

Shri Sudhir M Dave and another - **Respondents**

ORDER

1. The Disciplinary Committee at its 32nd meeting held on 1st June, 2012, considered the submissions made by the parties and other material available on record, came to the conclusion that the Respondent is 'Guilty' of Professional Misconduct under *Clause* (7) the Second Schedule of the Company Secretaries Act, 1980 as he had certified Form 32 pertaining to the resignation of the Complainant without exercising due diligence which is expected from a professional.
2. The Committee afforded an opportunity of being heard to the Respondent to appear before the Committee today before passing order under Section 21B of the Company Secretaries Act, 1980, vide order dated 1st June, 2012.
3. The Committee considered the letter dated 6th July, 2012 of Shri Sudhir Mahaprasad Dave in which he has *inter-alia* stated that he has received the letter dated 4th June, 2012 along with the order passed on 1st June, 2012. He also stated that in the matter, the hearings have concluded and the order is also passed. He further stated that CS Hitesh D Buch who was appearing for him in the matter is pre-occupied and is unable to appear before the Committee on 9th July, 2012. He requested to Committee to



proceed in the matter and requested to take lenient view in light of the submissions made.

4. The Committee passed the following order:

"Reprimand"

The Committee also imposed a fine of Rs. 10,000/- (Rupees Ten thousand only) on the Respondent payable within 15 days of the expiry of the 30 days of issuance of this order.

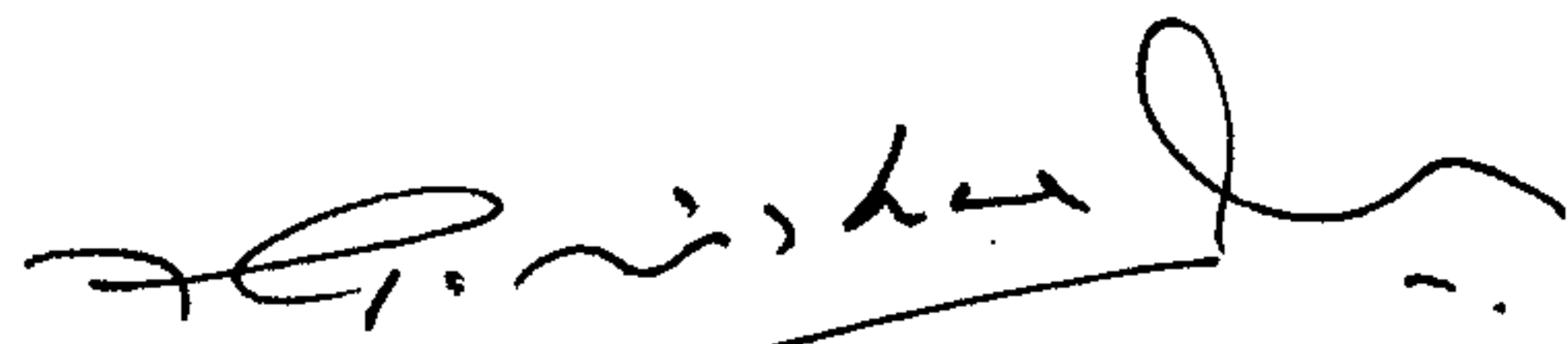
The order shall be effective after the expiry of 30 days of issue of this order.



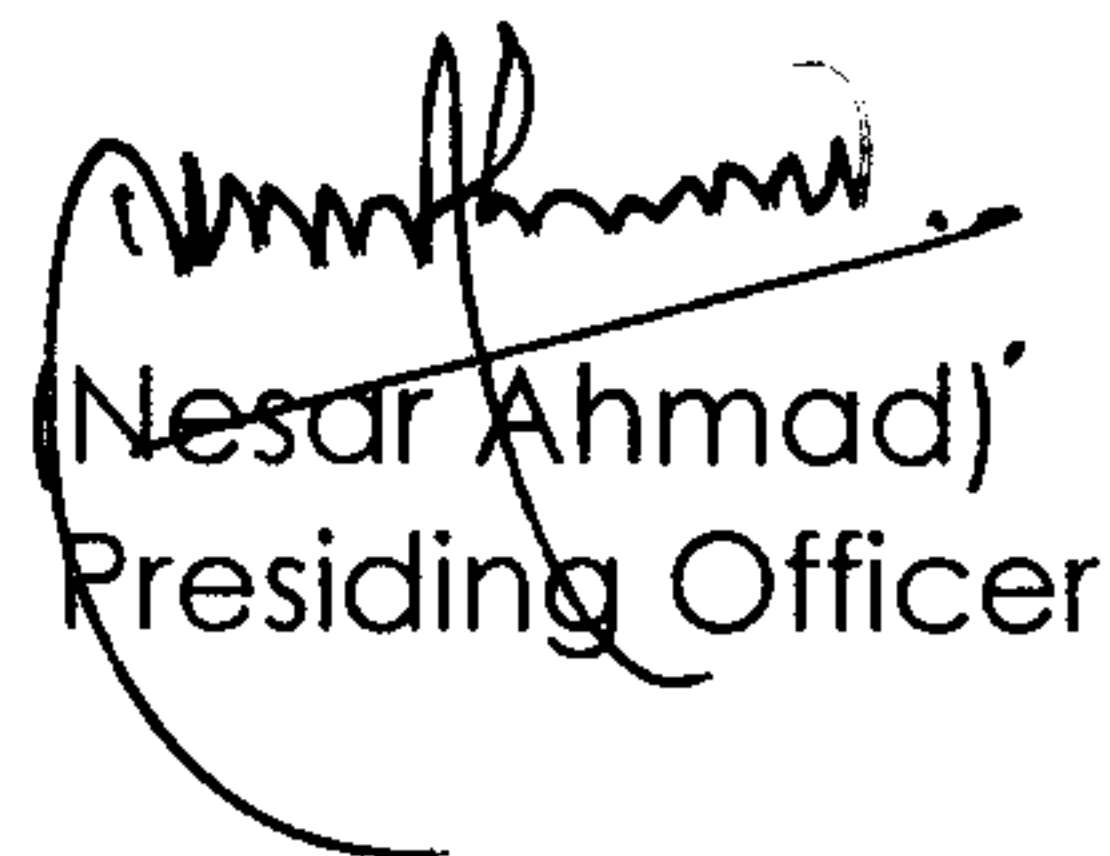
(B Narasimhan)
Member



(S K Tuteja)
Member



(Gopalakrishna Hegde)
Member



(Nesar Ahmad)
Presiding Officer

New Delhi
Date: 9th July, 2012