

Disciplinary Committee
Insolvency Professional Agency of Institute of Cost Accountants of India
Constituted under Regulation 8 of Insolvency and Bankruptcy Board of India
Model Bye-Laws and Governing Board of Insolvency Professionals Agencies
Regulations 2016.

File No. DC No. IPAICMAI/DC/04/2025

ORDER

In the matter of

Mr. Indermal Ramani.....Complainant

Against

Mr. Jitendrakumar Rambaran Yadav.....Respondent
(In the matter of Dilip Chhabria Design Private Limited)

Members Present:

Mr. P. N. Prasad, Independent Director & Presiding Officer.
Mr. Rajvir Singh, Retired IA & AS IBBI Nominee
Dr. Divya Sharma, Independent Director & Member.
Mr. G.S. Narasimha Prasad, Managing Director Ex-Officio Member

The matter was referred to the Disciplinary Committee of Insolvency Professional Agency of the Institute of Cost Accountants of India by the 'Grievance Reseressl Committee,' in its 34th meeting held on 8th March 2024.

The Disciplinary Committee in its 24th meeting held on 9th May 2024, considered the matter and upon consideration of the material available on record, decided to issue a show cause notice to Mr. Jitendrakumar Rambaran Yadav dated 14th May 2024

On the basis of above several reminders were forwarded to the respondent vide emails dated 8th June 2024, 22nd July 2024, and 26th July 2024 to seek response on the Show Cause Notice but no response was received.

That in the 27th Meeting of the Disciplinary Committee held on 29th October 2024 expressed its strong displeasure on the failure of the respondent to submit a response to the Show Cause Notice.

However, the Disciplinary Committee after deliberations decided to grant one final opportunity to the respondent to file the response in the spirit of natural justice within 7 days from the receipt the email. (The e-mail was sent on 1st November 2024)

Thereafter, as no replies were received despite several reminders, the committee decided to deliberate on the matter on an ex-parte basis.

The said reply alongwith all the relevant material was placed before the Committee in its 30th meeting held on 3rd March 2025.

The Committee noted that the allegation against the Respondent is that whether the respondent took any steps pre or post the fire incident which occurred at the Pune factory to protect the assets of the Corporate Debtor.

The Committee was of the following view:

- The Committee noted that the respondent failed to preserve and protect the assets of the corporate debtor, including the continued business operations of the corporate debtors which falls within the purview of section 25(1) i.e. Duties of Resolution Professional of Insolvency and Bankruptcy Code, 2016.

Also, with respect to the Show Cause Notice issued by Insolvency and Bankruptcy Board of India dated 21st May 2024, it was recorded by the Inspection Authority of IBBI that the *“fire was the deliberate act which caused huge loss, and the IP did not take any action(s) to identify the culprits and recover losses. In view of the above, the IP has prima facie violated Claus14 of the Code of Conduct of Insolvency Professionals provided in the IP regulations.”*

The Committee, based on the facts and documents made available, was of the view that the allegation against the respondent stands established due to the violation of Claus14 of the Code of Conduct of Insolvency Professionals provided in the IP regulations.

The Committee decided that as per Clause 2(b) under Part-III (Procedure Upon Initiation of Disciplinary Proceedings) of the Disciplinary Policy of IPA-ICMAI, to impose a penalty of Rs. One Lakh upon the respondent which shall be deposited within one month from the date of receipt of the order.

Date: 25/04/2025

Place: New Delhi

Certified True Copy

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Mr. P.N. Prasad (Chairperson)

Mr. Rajvir Singh (Member)

Dr. Divya Sharma (Member)

Copy to:

Insolvency and Bankruptcy Board of India

Insolvency Professional Agency of Institute of Cost Accountants of India-Members Record