The Institute of Cost Accountants of India

Board of Discipline u/s 21A of The Cost Accountants Act, 1959

Final order number: ICMAI/BOD/2026/39

Complaint number	Com/21-CA(119)/2023
In the matter of	Shri Sanjog Lonare [Complainant] Vs. CMA Hardik Diwanji (M/22166) [Respondent]
Date of Hearing	As per records and order sheet
Date of order	3rd July, 2026

CORAM:

1	Shri P.K. Pujari, IAS (Retd)	Presiding Officer
2	CMA (Dr.) Ashish Thatte	Member

PRESENT IN HEARINGS

1	CMA(Dr) Hemant Kumar Sindhwani	Director (Discipline)

Brief of the Case: -

1. The Disciplinary Directorate is in receipt of a complaint in Form I dated 6th June 2023 along with the prescribed complaint fee of Rs 2950/- (inclusive of GST) from Shri Sanjog Lonare (hereinafter referred to as the "complainant"), against CMA Hardik Diwanji (hereinafter referred to as the "respondent") bearing membership number 22166, containing certain allegations against the respondent falling under various provisions of the Cost Accountants Act, 1959.

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2. The complaint, comprising 26 pages including annexures, primarily contains allegations relating to the internal administrative functioning of the Baroda Chapter of the Institute, including matters concerning the award of work orders, procurement procedures by the Chapter to certain entities. The particulars of the complaint, as set out in Form I, are reproduced herein below verbatim:

FORM I

[See sub-rule (1) of Rule 3]

1	Name of the Complaint: (With membership number, if member of Institute of cost Accountant of India)	Sanjog Lonare 88 Shastrinagar, Behind Shahstrinagar High School, Bhandewadi, Nagpur, Maharashtra-440008 M-7385311401 Sanjoglonare21@gmail.com
2	Name of the member/ firm Against whom complaints is being made: {with membership Number/ registration number of the firm, if Known)	Hardik Diwanji Membership No.: 22166 hardikdiwanji@yahoo.co.in 9824564017
3	Latest address of the complainant for communication	B/2 Nandavan Society High Tension Road, Subhanpura, Sama, Vadodara-390023
4	Last Available Professional address of the member or the firm against whom the complaints is made	D-404, Nilamber Bellissimo, Vasna-Bhayli Road, Vadodara-390023
5	Particulars of allegation(s) Serially numbered together with corresponding clause/part of the relevant schedule(s), or particulars of allegation(s) serially numbered together with clause /part of the	As per Annexure-1

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	relevant scheduled(s) under which the alleged acts commission or omission or both would fall.	
6	Particulars of evidence(s) adduced in support of the allegation(s) made	Annexure as attached
7	Name(s) of person who have knowledge of the facts of the case	NIL

3. Along with Form I, the Complainant has enclosed Annexure-1 which contains the allegations. The same is reproduced here below;

Quote

1. AWARD OF WORK TO M/S MICROVISTA TECHNOLOGIES PVT LTD

- Mr Hardik Diwanji being Chairman of Baroda Chapter of Cost Accountants (FY 2020-21) has awarded work to M/s Microvista Technologies Pvt Ltd for work value of Rs. 1.29 Lakhs for creation of website and android application
- The said items are capital items in nature and falls under category of capital expenditure.
- No newspaper advertisement for procurement of said services of Android application and website has been given & thereby tendering process cannot be treated as open tender.
- In reply to RTI filed by me, Baroda chapter has clearly mentioned that Limited tendering process through market inquiry as per rules has been followed.
- As per Delegation of Power issued by council on 01.04.2015 vide taking decision in 288th Meeting of the council held on 21" July 2014 and 290th Meeting held on 9th Oct 2014 (copy attached), power of chapter chairman through limited tender is Rs. 50000 Only.
- Mr Hardik Diwanji has misused his power and gave work of Rs. 1.29 Lakhs to M/s Microvista Technologies Pvt Ltd,
- Mr Hardik Diwanji being chairman of Baroda chapter has also contravened GFR and a CVC guideline which is mandatory as per OFFICE ORDER NO 12/2017-18 dated 18.06.2017 as issued by council.

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- Also no work order has been issued as per Rule no 136 of GFR guidelines applicable to institute stating No works shall be commenced or liability incurred in connection with it until a work order is issued.
- No work order has been issued by Baroda Chapter Chairman to M/s Microvista technologies Pvt Ltd.
- Also the said work given to M/s Microvista technologies Pvt Ltd did not had any Capital budgetary approval and thereby booked as revenue expenditure in Books of Accounts of Baroda Chapter of Cost Accountants. The same is as per reply given in RTI.
- Also no relaxation in Delegation of Power was provided to Chapter Chairman during COVID period.
- Also no where in the delegation of power or any circular of Institute it is mentioned that in case of tendering/award of work for website creation, newspaper advertisement/ website uploading of tender is not required.
- Also Chapter chairman was having option of uploading the said tender on main website of Institute viz icmai.in, but he intentionally to benefit himself and deviate GFR and CVC guidelines never uploaded it on website nor on notice board of chapter.
- Also no where in the Institute guidelines/circular, it is written that in case of unanimous passing of any resolution in committee meeting or Annual General meeting, Delegation of power is relaxed as no objections has been received by any of the members as Delegation of power is to be strictly adhered by Chairman in personal capacity.

The above facts clearly attracts provision of Institute Scheduling stating:

PART II PROFESSIONAL MISCONDUCT IN RELATION TO MEMBERS OF THE INSTITUTE GENERALLY A member of the Institute, whether in practice or not, shall be deemed to be guilty of professional misconduct, if he- (1) contravenes any of the provisions of this Act or the regulations made there-under or any guidelines issued by the Council;

Considering the fact that Audited Accounts of the baroda Chapter is compiled as INSTITUTE level and Audited Accounts baroda chapter being part of Institute Accounts, the above facts also attracts below provisions:

(3) includes in any information, statement, return or form to be submitted to the Institute, Council or any of its Committees, Director (Discipline), Board of Discipline, Disciplinary Committee, Quality Review Board or the Appellate Authority any particulars knowing them to be false;

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PART III PROFESSIONAL MISCONDUCCT IN RELATION TO MEMBERS OF THE INSTITUTE GENERALLY

(2) does not supply the information called for, or does not comply with the requirements asked for by the Institute, Council or any of its Committees, Director (Discipline), Board of Discipline, Disciplinary Committee, Quality Review Board or the Appellate Authority;

Prayer:

1. To give highest penalty to Mr Hardik Diwanji for abuse of power delegated by institute & for not following GFR 2017 and CVC guidelines
2. Removal of his name from Institute Register
3. Reporting of his abuse of power to his employer M/s Xylem water solutions india pvt

Unquote

4. The above complaint was scrutinized and was registered in terms of Rule 5 of the Cost and Works Accountants (Procedure of Investigation of Professional and Other Misconduct and Conduct of Cases) Rules, 2007 and the same was proceeded with in the manner as prescribed in Chapter III of the Rules and was registered by the Disciplinary Directorate by giving a unique number, Complaint No. Com/21-CA(119)/2023.
5. The complaint dated 06th June, 2023 was duly forwarded to the respondent vide letter No. G/DD/Com-CA(119)01/06/2023/01/06/2023 dated 28th June 2023 followed by communication number G/DD/Com-CA(119)/02/08/2023 dated 11th August, 2023, calling upon the Respondent to respond within 21 days from the date of service of the said letter
6. The respondent has submitted his written statement vide letter dated 11th September, 2023(served on 18th September, 2023) consisting of 44 nos of pages including Annexures. The same is reproduced below verbatim:

Quote

11th September 2023
By Email and Speed Post
To,
The Director Discipline,
Institute of Cost Accountants of India

ICMAI
THE INSTITUTE OF
COST ACCOUNTANTS OF INDIA
भारतीय लागत लेखाकार संस्थान
Statutory Body under an Act of Parliament
(Under the jurisdiction of Ministry of Corporate Affairs)

Headquarters:
CMA Bhawan, 3, Institutional Area
Lodhi Road, New Delhi - 110 003
Website: www.icmai.in

12, Sudder Street,
Kolkata - 700 016
Dear Sir,

SUB: Complaint No. Com/21-CA (119)/2023 - Shri Sanjog Lonare (Complainant] Vs. CMA Hardik Diwanji (M/22166) [Respondent]

REF: Your Office Letter: G/DD/Com-CA(119)/2/08/2023 Dated 11th August 2023

1.0 This has reference to above referred letter received by me on 26[th] August, 2023.

2.0 At the outset, I deny all allegations believed against me by Sanjog Lonare through the complaint. This complaint seems to be purely based on political grounds and revenge against me. Kindly note that the complainant is neither a member of the Baroda Chapter nor a member of the Institute and he resides at Nagpur which is far away from Vadodara by at least more than 750 Kms.

3.0 First, it is very pertinent to note the reasons and likely persons behind the complaint which are enumerated belowand are supported by corroborative evidences:

3.1 During chapter elections of 2019, the persons holding the fort of Baroda Chapter for more than around two decades lost elections. Due to this, we believe the members who were ousted started to harass elected members.

3.2 The outset team members (CMA RK Patel (M- 14115), CMA Bhavin R Patel (M- 31969),CMA M B Kaka (M- 13599) now deceased and CMA Y S Thaker (M- 9688),have organized a salvo of RTIs and disciplinary complaints against the then newly elected Managing Committee Members with the help of stolen information through the then employees of the Institute working at Baroda. Many of such RTIs and Disciplinary Complaints are made by persons who are neither members of the Institute nor resident of Baroda. One of them is Mr Sanjog Lonare who is not a member of the Institute and residing at Nagpur which is far away from Baroda at least more than 750 Kms

3.3 The above allegations are based on proofs against them. Two of the employees of the Institute working at Baroda Chapter have admitted before notary that they were providing sensitive and private information to CMA VS Thaker. The said employees are now removed from the services after proper inquiry by the Institute

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under rules and regulations. Certified true copies of their statements before notary is annexed herewith vide **Annexure 1.**

3.4 These people have not stopped at simply RTIs and DCs against us. They had filed various complaints against the office bearers of Chapter with MCA, Finance Minister's office, Prime Minister's Office and Central Vigilance Commissioner by one Mr Mohan Lodhi of Madhya Pradesh who also is a non-member and residing far away from Baroda.

Based on the order received from the MCA based on the directive of CVC to investigate the complaint against the Managing Committee Members of Baroda Chapter, the Institute had formed an independent inquiry by Justice Ashok Kr. Dasadhikari (Retd.) Former Judge, High Court of Kolkata. The allegations made in the said complaint are almost same. Rather this complaint is a subset of the complaint made to CVC

The Judge has noted on page no. 8 his Report that-"Considering the available records, I do not find any arbitrariness/ malice or any essence of corruption in the alleged transaction "

A copy of the said report dated 25th November 2022 is attached herewith vide **Annexure -2**

3.5 The same team of Baroda chapter has got elected once again in recent elections held in May 2023. Hence, the said persons have started to harass us and a part of that conspiracy this complaint has come.

3.6 Hence, now the same team has once again initiated complaints. Mr Sanjog Lonare had filed a police complaint with Sayaji gang Police station against the Office Bearers of the Baroda Chapter vide AR 119/23 dated 04/07/2023 about embezzlement of Chapter's fund in 2020/2021. We all office bearers including Smt. Amruta Vyas were summoned at police station and required to file our statements before police.

Of course, the police have closed the said case based on its inquiry on 23rd August 2023. Copies of the statement made before police by Sanjog and final closure of the matter in Gujarati and Its translation are attached herewith vide **Annexure -3**

4.0 All allegations levelled by the complainant are baseless. The complaint should have been rejected ab-initio by Director Discipline. However, since the complaint has been admitted and sent to me, I have preferred to provide you my defence for each part of Complaint in next para:

- Alsono where in the Institute guidelines/circular, it is written that in

Institute of Cost Accountants of India Board of Discipline case of unanimous passing of any resolution in committee meeting or Annual General meeting. Delegation of power is relaxed as no objections has been received by any of the members as Delegation of power is to be strictly adhered by Chairman in personal capacity"

5.0 **Following is the reply for all above allegations**

Please do refer Page No 5 to 9 of the CVC complaint & justice Ashoke Kr Dasadhikari Retd,) former judge's report (Annexure 4) regarding the same.

Thus, all allegations, in part I of the complaint, levelled against me are baseless and are on account of purely political vendetta only. My response to clause-wise allegations is as under:

6.0 **THE SECOND SCHEDULE: Part 11: PROFESSIONAL MISCONDUCT IN RELATION TO MEMBERS OF THEINSTITUTEGENERALLY-Clause (1) which reads:**

"Contravenes any of the provisions of this Act or the regulations made there- under or any guidelines issued by the Council"

"includes in any information, statement, return or form to be submitted to the Institute, Council or any of its Committees, Director (Discipline), Board of Discipline, Disciplinary Committee, Quality Review Board or the Appellate Authority any particulars knowing them to be false".

There is no violation of any of the section of Act, Rule, guidelines, of the Institute by me. Justice Ashoke Kr. Dasadhikari (Retd.) Former judge report has already denied all the allegations.

7.0 **PART III PROFESSIONAL MISCONDUCT IN RELATION TO MEMBERS OF THE INSTITUTE GENERALLY**

"does not supply the information called for, or does not comply with the requirements asked for by the Institute, Council or any of its Committees, Director (Discipline), Board of Discipline, Disciplinary Committee, Quality Review Board or the Appellate Authority".

There is no violation of any of the section of Act, Rule, guidelines, of the Institute by me. Justice Ashoke Kr. Dasadhikari (Retd.) Former judge Report has already denied all the allegations.

"COMPLAINT AWARD OF WORK TO M/S MICROVISTA TECHNOLOGIES PVT LTD.

Director Discipline Sir,

I on behalf of the Office bearers of Baroda Chapter and on my personal behalf request you that kindly review all RTIs and DCs filed against us. Kindly send your report to the council to take appropriate actions against some of these members who continue to harass us.

Thanking you in anticipation
Sincerely
CMA Hardik Diwanji
M.No. 22166
D-404, Nilamber Bellissimo,
Behind Nilamber Triumph,
Vasna-Bhayli Road,
Vadodara-391410

Unquote

7. The written statement dated 11th September, 2023 submitted by the Respondent was forwarded to the Complainant vide letter No. G/DD/Com-CA(119)2/9/2023 dated 22nd September, 2023 followed by reminder dated 10th November, 2023, calling upon him to submit a rejoinder in terms of Rule 8(4) of the Cost and Works Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007. The complainant, vide his letter dated 10th April, 2024 forwarded his two-page rejoinder which is reproduced below in verbatim:

Quote

Ref: G/DD/Com-CA(119)/2023dated 10.04.2024
To
Director Discipline
Institute of Cost Accountants of India
Kolkata
Sub: Rejoinder in the case No. G/DD/Com-CA(119)/2023- Shri Sanjog Lonare (Complainant) Vs CMA Hardik Diwanji (Respondent)

Dear Sir,
I refer to above complaint and submit my Pointwise rejoinder as below:

2.0 At the outset, I deny all allegations believe against me by Sanjog Lonare through the complaint. This complaint seems to be purely based on political grounds and revenge against me. Kindly note that the complaint is neither a member of the Baroda Chapter nor a member of the Institute and he resides at Nagpur, which is far away from Vadodara by at least more than 750 Kms.

Reply: The respondent Mr Hardik Diwanji is not aware of the fact that any person can file complaint against any member of the Institute.

Point No 3:

Reply: As rightly said by respondent I am not a member of the Institute and thereby no way related to Institute elections.

Point No 4:

4.0 All allegations levelled by the complainant are baseless. The complaint should have been rejected ab-initio by Director Discipline. However, since the complaint has been admitted and sent to me, I have preferred to provide you my defence for each part of complaint in next para:

Reply: Director Discipline has already registered my complaint.

Point No 5:

5.0 **Following is the reply for all above allegations**

Please do refer page no. 5 to 9 of the CVC complaint & justice Ashoke Kr Dasadhikari (Retd.), former judge's report (Annexure 4) regarding the same.

Thus, all allegations, in part I of the complaint, levelled against me are baseless and are on account of purely political vendetta only. My response to clause-wise allegations is as under:

Reply: Only Director Discipline has powers to conduct enquiry as per Cost and Works Accountants (Procedure of Investigations of Professional and other Misconduct and Conduct of Cases) Rules, 2007

Definition : (c) "Director" means the person appointed as Director (Discipline) by the Council under Clause (b) of sub-section (1) of section 16 of the Act;

The respondent has kept a copy of opinion formed by Mr Dashadhikari Former judge Kolkata high court.

I would like to bring to notice of Director Discipline that:

1. No former judge has powers under Cost and Works Accountants (Procedure of Investigations of Professional and other Misconduct and Conduct of Cases) Rules, 2007.
2. The judge was appointed by Institute to save their own skin and not for giving fair judgement as he was being paid by Institute itself.
3. Judgement given by Former judge is no way binding on Institute as it is of the form of opinion and not based on Institute policies and guidelines
4. Also Former Judge has no jurisdiction under Cost and Works Accountants (Procedure of Investigations of Professional and other Misconduct and Conduct of Cases) Rules, 2007

Delegation of power circular has been already kept along with original complaint and there is clear violation of delegation of Powers conferred to Chapter chairman.

This act of Respondent clearly attracts:

1. PART II PROFESSIONAL MISCONDUCT IN RELATION TO MEMBERS OF THE INSTITUTE GENERALLY

   A member of the Institute, whether in practice or not, shall be deemed to be guilty of professional misconduct, if he- (1) contravenes any of the provisions of this Act

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or the regulations made there-under or any guidelines issued by the Council;

2. PART II PROFESSIONAL MISCONDUCT IN RELATION TO MEMBERS OF THE INSTITUTEGENERALLY
(3) includes in any information, statement, return or form to be submitted to the Institute, Council or any of its Committees, Director(Discipline), Board of Discipline, Disciplinary Committee, Quality Review Board or the Appellate Authority any particulars knowing them to be false;
3. PART 111 PROFESSIONAL MISCONDUCT IN RELATION TO MEMBERS OF THE INSTITUTE GENERALLY
(2) does not supply the information called for, or does not comply with the requirements asked for by the Institute, Council or any of its Committees, Director (Discipline), Board of Discipline, Disciplinary Committee, Quality Review Board or the Appellate Authority;
Your sincerely
Sanjog Lonare

Unquote

8. **Investigation and Analysis**

During the course of Investigation, Director(Discipline) issued Notice under section 21C of the Act, 1959 dated 5th April, 2025 and asked certain queries from respondent. The respondent submitted the reply of queries vide communication dated 22nd April, 2024. Queries raised during the investigation and reply of respondent is tabulated here below;

S. No.	Query	Response
1	Whether the decision to award work of creation of website of Baroda Chapter of Cost Accountants and Android application to Microvista Technologies (P) Ltd was the sole decision of the Respondent or it was a collective decision taken by the Managing Committee of Baroda Chapter of Cost Accountants?	It was a collective decision taken by the Managing Committee of Baroda Chapter of Cost Accountants.
2	Please provide a copy of the resolution, if	Attached as **Annexure-1**.

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S. No.	Query	Response
	any, passed by the Managing Committee of Baroda Chapter of Cost Accountants regarding awarding the work of creation of website of Baroda Chapter of Cost Accountants and Android application to Microvista Technologies (P) Ltd.	
3	Please also provide a copy of the minutes of the meeting dated 20th February 2020 held by the Managing Committee of Baroda Chapter where the proposal for creation and designing of website for Baroda Chapter was considered.	Attached as **Annexure-1**.
4	Please provide details of quotations received from prospective vendors for awarding the said work of creation and designing of website of Baroda Chapter.	Attached as **Annexure-2 to Annexure-5**.
5	Which vendor quoted the least rate?	**Microvista Technologies Pvt. Ltd.**
6	Which vendor quoted the highest rate?	**Backyard Communication**.
7	Was lockdown as a result of the COVID-19 pandemic prevailing during the relevant period?	Yes.
8	Please state how the Chapter was functioning during the lockdown period.	Major activities of the Chapter continued smoothly through online mode during the lockdown period,

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S. No.	Query	Response
		with various programmes being conducted virtually.

Upon perusal of Annexure-2, being the Minutes of the Meeting of the Managing Committee of the Baroda Chapter held on 20th February 2020, it is observed that an agenda item titled **"To Create Chapter Website"** was placed before the Committee for consideration. The minutes record that, In order to serve members and students in better way and to meet the need of changing technological environment, it is unanimously decided to create the website of the Baroda Chapter. The Budget for the expense for the same is approved appx. 1,00,000(Rs One Lakh only) unanimously.

The aforesaid minutes clearly demonstrate that the decision to undertake the activity of creating the Chapter website, as well as the approval of the corresponding expenditure, was taken collectively and unanimously by the Managing Committee. Therefore, the decision cannot be attributed to the Respondent individually, nor can it be construed as an independent decision of the Chairman or the Secretary of the Chapter.

9. <u>Comments of the Discipline Directorate</u>

Upon consideration of the complaint, the written statement filed by the Respondent, the documents available on record, and the relevant provisions of the Cost Accountants Act, 1959 and the Rules framed thereunder, the observations of the Director (Discipline) are as follows:

a) The present complaint substantially concerns the internal administrative functioning of the Baroda Chapter of the Institute, including allegations relating to award of work orders, procurement procedures, approval of expenditure made by the Chapter to certain entities.

b) A considerable number of allegations raised by the Complainant pertain to:

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- alleged procedural irregularities in the administration of the Chapter;
- alleged non-compliance with the General Financial Rules (GFRs), Central Vigilance Commission guidelines, and internal delegation of powers;
- alleged deficiencies in procurement and tendering processes; and
- alleged irregularities in the maintenance and adoption of accounts by the Managing Committee of the Chapter.

c) It is noted that the allegations made in the complaint are general in nature and appear to be directed against the functioning of the entire Managing Committee of the Baroda Chapter rather than against the Respondent individually. The material available on record indicates that the decisions impugned in the complaint were taken collectively by the Managing Committee, and no evidence has been placed on record to establish that the Respondent alone exercised decision-making authority in relation to the award of the works in question.

d) It is noted that complaints based on substantially similar allegations were also addressed to the Ministry of Corporate Affairs through the Public Grievance Portal and were subsequently forwarded to the Institute for appropriate action. Pursuant thereto, Hon'ble Justice Ashoke Kumar Dasadhikari (Retd.), Former Judge of the High Court at Calcutta, was appointed as an Independent Inquiry Officer to examine the allegations and determine whether any contravention of statutory provisions, corruption, malpractice, or irregularity warranting action by the Institute was established.

e) Upon completion of the inquiry, Hon'ble Justice Ashoke Kumar Dasadhikari (Retd.), vide report dated 05th November 2022, concluded that no contravention of any statutory provision, nor any instance of corruption, malpractice, or irregularity warranting further action by the Institute, was made out.

f) The Inquiry Officer being a former Judge of a Constitutional Court and an independent external authority, the findings recorded in the said report carry

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considerable evidentiary and persuasive value. Significantly, no material has been placed on record to indicate that the report has been challenged, set aside, or otherwise questioned before any competent judicial or quasi-judicial forum. Thus, the report has attained finality.

g) In view of the aforesaid findings, the foundational allegations of corruption, malpractice, and statutory violations, which form the substratum of the present complaint, stand substantially negated by the independent inquiry and, thus, the complaint is materially weakened.

h) Accordingly, and in the absence of any independent material establishing professional or other misconduct within the meaning of the Schedules to the Act, the allegations appear insufficient to attract the provisions invoked by the Complainant under the First Schedule and the Second Schedule to the Cost Accountants Act, 1959.

10. **Findings and Order of the Board of Discipline**

a) The Board of Discipline has carefully examined the complaint, the written statement and additional submissions filed by the Respondent, the documents and material available on record, the report of Hon'ble Justice Ashoke Kumar Dasadhikari (Retd.), Former Judge of the High Court at Calcutta, and the provisions of the Cost Accountants Act, 1959 and the Rules framed thereunder.

b) Upon consideration of the material on record, the Board observes that the allegations raised by the Complainant primarily relate to the internal administrative functioning of the Baroda Chapter of the Institute, including matters concerning procurement procedures, award of contracts, approval of expenditure.

c) The Board observes that a substantial portion of the allegations pertains to alleged procedural irregularities and administrative decisions taken collectively by the Managing Committee. Such matters, in the absence of specific evidence establishing a breach of professional duties by an individual member, do not ipso facto constitute professional or other misconduct within the meaning of the Schedules to the Cost

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Accountants Act, 1959.

d) The Board further notes that substantially similar allegations were independently examined pursuant to directions received through the Ministry of Corporate Affairs and were subjected to an inquiry conducted by Hon'ble Justice Ashoke Kumar Dasadhikari (Retd.), Former Judge of the High Court at Calcutta. The Inquiry Officer, after examining the relevant records, applicable statutory provisions, and submissions of the parties concerned, concluded that no contravention of any statutory provision and no case of corruption, malpractice, or irregularity warranting further action by the Institute was made out.

e) The Board observes that the aforesaid inquiry was conducted by an independent external authority of high judicial standing. Further, no material has been placed on record to demonstrate that the findings recorded in the said inquiry report have been set aside, modified, or challenged before any competent judicial or quasi-judicial forum. Thus, the report has attained finality. And, the Board finds no reason to disregard the conclusions arrived at in the said inquiry.

f) The Board further observes that the decisions impugned in the complaint were taken collectively by the Managing Committee of the Baroda Chapter. No material has been placed on record to establish that the Respondent individually exercised exclusive decision-making authority or was solely responsible for the actions complained of. In the absence of any specific evidence attributing the alleged acts exclusively to the Respondent, the allegations fail to sustain a case of professional or other misconduct against him. Accordingly, the complaint does not survive on merits.

g) In view of the above facts and having regard to the material available on record, the Board holds that no prima facie case of professional or other misconduct is made out against the Respondent under the provisions of the Cost Accountants Act, 1959.

h) Accordingly, in exercise of powers conferred under Rule 9(3) of the Cost and Works Accountants (Procedure of Investigations of Professional and Other Misconduct and

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Conduct of Cases) Rules, 2007, the Board hereby orders that the proceedings against CMA Hardik Diwanji (M/22166) be dropped, and the case stands closed.

i) The complaint is, therefore, disposed of accordingly.

CMA (Dr.) Ashish Thatte
(Member)

Shri P.K. Pujari, IAS (Retd)
(Presiding Officer)

Place: New Delhi
Date: 3rd July, 2026

Distribution under Rule 15(3) of the Rule

1) Director(Discipline), The Institute of Cost Accountants of India
2) Complainant, Shri Sanjog Lonare
3) Respondent, CMA Hardik Diwanji (M/22166)

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Board of Discipline