The Institute of Cost Accountants of India

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

Final order number: ICMAI/BOD/2026/40

Complaint number	Com/21-CA(124)/2023
In the matter of	CMA Sanket Pandit (M/49895) [Complainant] Vs. CMA Suresh Pimple (M/13965) [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 1st September, 2023 in triplicate together with the prescribed complaint fee of Rs 2950/- (inclusive of GST) from CMA Sanket Pandit (hereinafter referred to as the ''complainant''), bearing membership number 49895 against CMA Suresh Pimple (hereinafter referred to as the ''respondent'') bearing membership number 13965, containing certain allegations against the respondent falling under various provisions of the Cost Accountants Act, 1959.

solicitation of clients and professional work. 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 Complainant: (With membership number, if member of Institute of cost Accountant of India)	CMA Sanket Pandit (M/49895)
2	Name of the member/ firm Against whom complaints is being made: {with membership Number/ registration number of the firm, if Known)	CMA Suresh Pimple (M/13965)
3	Latest address of the complainant for communication	N-4, E-40 CIDCO Behind MIT Hospital Aurangabad-431003
4	Last Available Professional address of the member or the firm against whom the complaints is made	AH-1/29, N-2, CIDCO, Thakarenagar, Aurangabad-431003
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 relevant scheduled(s) under which the alleged acts commission or omission or both would fall.	First schedule- Part I-Clause 6
6	Particulars of evidence(s)	Website screenshot with date.

The Institute of Cost Accountants of India
Board of Discipline

	adduced in support of the allegation(s) made	
7	Name(s) of person who have knowledge of the facts of the case	(Self) Sanket Pandit.

3. 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(124)/2023.
4. The complaint dated 1st September, 2023 was duly forwarded to the respondent vide letter No. G/DD/Com-CA(124)/(M-13965)/1/09/2023 dated 22nd September, 2023, calling upon the Respondent to respond within 21 days from the date of service of the said letter.
5. The respondent has submitted his written statement vide letter dated 17th October, 2023 (received by Disciplinary Directorate on 25th August 2023) consisting of 13 nos of pages. The same is reproduced below verbatim:

Quote

To
Mr. Rajendra Bose
Director (Discipline)
The Institute of Cost Accountants of India
CMA Bhawan
Sub: In the matter of -Complaint No. Com/21-CA(124)/2023 CMA Sanket Pandit (M/49895) [Complainant] Vs. CMA Suresh Ramchandrarao Pimple (M/13965).
Ref: Your letter No. G/DD/Com-CA(124)/(M-13965)/1/9/2023 Dated 22nd Sept 2023 received on 28/9/23 by speed post.

Respected Sir,

1. The complainant has levied the charge of misconduct against me specifically pertaining to the **SOLICITATION** of clients and professional work.
   He further stated that "Under Part I of (THE FIRST SCHEDULE), Clause (6) categorically delineates that any cost accountant in active practice is Viewed to be in blatant violation if they solicit clients or professional work. This stipulation clearly

encompass both direct and indirect solicitations, regardless of the medium used be it circular, advertisement, personal communication, interviews or any other conceivable method."

Please note that there is no proof of solicitation as required by the above clause like circular, advertisement, personal communication and interviews. Since I had not done any such thing and therefore he could not give the same. We are therefore left to consider last thing i.e. any other **conceivable method.**

What is "conceivable method"?

The Conceivable method is subjective and giving long rope to the complainant. That's subjective and varies with the perception of the complainant.

Therefore the **Complainant has not given any proof of solicitation** used by defendant as of the medium used- be it circular, advertisement, personal communication, interviews or any other conceivable method. Therefore method quoted by Complainant i.e. writing names of client on website is not worth to be considered by the quasi-judicial authority as per natural justice. Particularly when it is question of penalising a very senior member having spotless professional practice for long time is harassed by a junior member who had not completed a single cost audit-core area of Cost Accountant in his practice.

2. If at all solicitation is made by defendant, the complainant should have given the proofs of addition of clients or works obtained through **solicitation**. I zsolemnly confirm that no client had come to me by reading my website of Suresh Pimple & Associates. There are also no enquiries on my website. Therefore complaint is not proved and is false.
3. Evidence given by Complainant:

   "His online portal unabashedly lists his clientele, an act itself skirting the boundaries of professional decorum. More incriminating however are the subsequent details where he has elaborated details where he elaborated on the nature of services rendered to clientele."

   There are many reputed firms give the list of clients on their website like one of the senior most firm "M/s Diwanji & Co. htpp:/www.diwanjico.com) Annexure I", Joshi Apte & Associates, Annexure II, and Harshad S Deshpande & Associates Annexure III. Etc These are on sample basis and there may be many more. All these firms had given the list of clients (much more than mine) and also the details of work done for them. These firms are in profession for long time and their partners are also very reputed and knowledgeable in the profession and surely they had not done any such misconduct. Therefore the view of complainant "considering it as misconduct" is not tenable/sustainable.
4. The complainant is habitual complainant. He made several complaints of on local chapter and institute. When he is complaining on my website more than once and no

complaint for any other CMA's, is his ill motive to harass me for personal vendetta. He had made two complaints on my same website No. 121 and 124 on 17th August 23 and 22 Sept. 23. On one website making two complaints Indicate he want to keep me under pressure. This tactic he followed for Aurangabad chapter also, where he had made 3-4 complaints one after other.

5. Giving name of clients and describing the work on website is not any form of solicitation as many practitioners resort to it routinely and nobody has objected the same, it is requested to reprimand him for wasting valuable resources of energy and time of Institute and defendant.
6. The complainant is the Grandson of Mr.M.R.Pandit who is a partner of the defendant and Mr.M.R. Pandit has some unresolved issues with the firm named M/s M.R.Pandit and Co. Hence the complainant is deliberately complaining against me and using it as harassment tool. This lacks fair play and professional conduct.
7. Besides there is no relationship with the complainant as client or otherwise. He is third party to defendant and there is no noble purpose in making complaint except making false allegation, vexatious litigation with malafide intention. The complainant is grandson of Mr. M.R.Pandit with whom the defendant has some issues and that's the reason behind the complaints.

I request you to take a fair view of this false complaint and penalize the complainant as per the rules of the Institute.

I humbly request your honor to take in to account all these aspect and give me Justice.

Thanking You,
Yours faithfully
CMA Suresh Pimple.
(M-13965)
Cost Accountant

Unquote

6. The written statement dated 17th October, 2023 submitted by the Respondent was forwarded to the Complainant vide letter No. G/DD/Com-CA(124)/(M-49895)/2/10/2023 dated 06th November, 2023, seeking his 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. Thereafter, reminders were issued on 30th May, 2024, 16th September, 2024, and 16th February, 2025, affording sufficient opportunity to the Complainant to submit his rejoinder. However, no rejoinder has been received from the Complainant till date. Thus, it is evident that adequate and reasonable opportunity has

The Institute of Cost Accountants of India
Board of Discipline

been granted to the Complainant to place his submissions on record. Since the Complainant has failed to avail himself of the opportunities provided, the Directorate has no option but to proceed with the matter on the basis of the material and documents available on record.

7. **Investigation and Analysis**

   a) Upon examination of the records available on file, it is observed that the complaint pertains to the year 2023. Accordingly, the allegations have been examined in light of the Code of Ethics and the regulatory framework prevailing during the relevant period.

   b) It is noted that Chapter 5 of the Code of Ethics deals with the provisions relating to professional and other misconduct under the Schedules to the Cost Accountants Act, 1959. Further, sub-clause (n) of Clause (6) of Part I of the First Schedule prescribes the guidelines governing websites maintained by Cost Accountants in practice and firms of Cost Accountants.

   c) A perusal of Guideline No. 6(viii) contained therein reveals that while a Cost Accountant is permitted to display the nature of assignments handled (to be made available only upon a specific "pull" request), the disclosure of the names of clients and the fees charged is expressly prohibited. For the sake of ready reference, the relevant extract of the guideline is reproduced below:

The Institute of Cost Accountants of India ★ Board of Discipline

6. The following information may be allowed to be displayed on the Firms / Members' Web sites :

(i) Member / Trade / Firm name.
(ii) Year of establishment.
(iii) Member / Firms' Address (both Head Office and Branches)
Tel. No(s)
Fax No(s)
E-mail ID(s)
(iv) Nature of services rendered (to be displayable only on specific pull request)
(v) Partners

Partners Name	Year of Qualification	Other Qualification(s)	Tel No office Direct Res. Mobile Email Address	Area of Experience (to Be displayable only on specific "pull" request))

(vi) Details of Employees:-

Professional	Others	Name	Designation	Area of experience (to be displayable only on specific "pull" request)

(vii) Job vacancies for the Cost Accountant / firm of Cost Accountants

(viii) Nature of assignments handled (to be displayable only on specific "pull" request) Names of clients and fee charged cannot be given.

d) The Directorate has also examined the Guidelines for Advertisement, 2025 issued by The Institute of Cost Accountants of India for members in practice. Clause 4 thereof deals with Permitted Activities for Advertisement. In particular, Clause 4(ix) permits firms to display the names of their clients and the assignments handled by them, subject to obtaining prior written consent from the respective clients. Further, Clause 4(x) permits the use of client logos, subject to compliance with applicable laws and possession of valid documentary evidence of engagement along with written consent of the clients. However, Section 1 of the said Guidelines specifically provides that the Guidelines shall come into force with effect from 10th April, 2026. Since the allegations in the present matter relate to the year 2023, the said Guidelines have no retrospective application and are therefore not applicable to the facts of the present case.

e) In view of the foregoing, the conduct of the Respondent is required to be examined in accordance with the website guidelines prevailing during the relevant period. Under the said guidelines, display of the names of clients on the website of a Cost Accountant or a firm of Cost Accountants was not permissible. Consequently, the disclosure of client names on the Respondent's website, if established from the material on record, would be contrary to the Code of Ethics at the relevant time.

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

a) The allegation against the Respondent is that he displayed the names of his clients and particulars of services rendered to them on his website, which according to the Complainant amounts to solicitation of professional work and is in contravention of Clause (6) of Part I of the First Schedule to the Cost Accountants Act, 1959.

b) The Respondent, while denying the allegations, has inter alia contended that the mere display of client names on a website does not constitute solicitation of professional work and that no evidence has been produced to establish that any professional assignment was secured as a consequence thereof. The Respondent has further submitted that several professional firms maintain similar disclosures on their websites and, therefore, the allegations are misconceived.

c) The Directorate has carefully examined the complaint, the written statement of the Respondent, the documents placed on record, and the provisions of the Code of Ethics applicable during the relevant period.

d) It is observed that the complaint pertains to the year 2023. Therefore, the conduct of the Respondent is required to be examined in accordance with the Code of Ethics and the Website Guidelines prevailing during the said period. Guideline No. 6(viii) contained in sub-clause (n) of Clause (6) of Part I of the First Schedule specifically provided that while a Cost Accountant may display the nature of assignments handled on a specific "pull" request basis, the names of clients and the fees charged could not be disclosed on the website.

e) From the material placed on record, particularly the website screenshots annexed with the complaint, it is observed that the Respondent had displayed the names of clients and details relating to the services rendered to them on his website. Such disclosure was expressly prohibited under the Website Guidelines applicable at the relevant time.

f) The Directorate also notes that the Respondent has relied upon the practice allegedly followed by certain other firms. However, the conduct of other members cannot constitute a valid defence to an alleged violation of the Code of Ethics. Each case is required to be examined on its own facts and in light of the applicable regulatory provisions.

g) In view of the foregoing facts and circumstances, the Directorate is of the considered opinion that the display of client names on the Respondent's website was contrary to the Website Guidelines forming part of the Code of Ethics prevailing during the relevant period and was not permissible under the regulatory framework then in force.

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

a) The Board has carefully considered the complaint, the written statement of the Respondent, the documents available on record, comments of the Director (Discipline), and the submissions made by the parties.

b) The allegation against the Respondent pertains to the display of names of clients and details of assignments handled on the website of his firm during the year 2023, which has been alleged to constitute solicitation of professional work in contravention of Clause (6) of Part I of the First Schedule to the Cost Accountants Act, 1959.

c) The Board notes that the Code of Ethics prevailing during the relevant period stipulated that while a Cost Accountant could disclose the nature of assignments handled on a specific "pull" request basis, the names of clients and fees charged were not to be displayed on the website.

d) The Board further takes note of the Respondent's contention that similar disclosures were being made by several firms of Cost Accountants and that such practice appeared to be prevalent within the profession. While the conduct of other members cannot

The Institute of Cost Accountants of India Board of Discipline constitute a legal defence to a charge of professional misconduct, the same may be relevant for appreciating the level of awareness and understanding prevailing within the profession regarding the scope and applicability of the website guidelines.

e) The Board also takes judicial notice of the fact that the Institute has subsequently issued the Guidelines for Advertisement, 2025, which permit display of client names, assignments handled, and client logos subject to specified safeguards and written consent of the clients. Although the said Guidelines came into force subsequent to the period under consideration and do not have retrospective application, they nevertheless indicate a significant evolution in the regulatory approach towards such disclosures.

f) Having regard to the totality of the facts and circumstances of the case, the Board is of the considered view that, although the disclosure of client names on the website may not have been in strict conformity with the website guidelines prevailing at the relevant time, the material available on record is insufficient to conclusively establish solicitation of professional work by the Respondent. Considering the subsequent relaxation of the regulatory framework, the apparent prevalence of similar practices within the profession, the absence of evidence of actual solicitation or procurement of professional work, and the overall facts and circumstances of the case, the Board is inclined to extend the benefit of doubt to the Respondent

g) While closing the matter, the Board advises the Respondent to remain vigilant in ensuring strict compliance with the Code of Ethics, Guidelines, Notifications, and other regulatory pronouncements issued by the Institute from time to time. The Board also emphasizes that members of the profession should keep themselves abreast of the applicable professional and ethical requirements and conduct themselves in a manner befitting the dignity and reputation of the profession.

h) Accordingly, in exercise of powers conferred under Rule 9(2)(c) of the Cost and Works Accountants (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007, the Board hereby orders that the proceedings against

CMA Suresh Pimple (M/13965) 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, CMA Sanket Pandit (M/49895)
3) Respondent, CMA Suresh Pimple (M/13965)

The Institute of Cost Accountants of India
Board of