The Institute of Cost Accountants of India

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

Final order number: ICMAI/BOD/2026/37

Complaint number	Com/21-CA(142)/2024
In the matter of	Nirupama [Complainant] Vs. CMA Manpreet Kaur (M/48411) [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)

1. The Disciplinary Directorate is in receipt of a complaint in Form I dated 12th June, 2024 together with the prescribed complaint fee of Rs 2950/- (inclusive of GST) from Kheem Singh Negi (hereinafter referred to as the "complainant"), against CMA Manpreet Kaur (hereinafter referred to as the "respondent") bearing membership number 48411, containing certain allegations against the respondent falling under various provisions of the Cost Accountants Act, 1959.
2. The complaint, comprising 09 (nine) pages including annexures, primarily contains allegations of professional misconduct under Clause (7) of Part I of the First Schedule to the Cost Accountants Act, 1959 . 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)	Nirupama e-mail: nirupama.rai6@gmail.com (Aadhar Card attached)
2	Name of the member/ firm Against whom complaints is being made: (with membership Number/ registration number of the firm, if Known)	CMA Manpreet Kaur M.NO. 48411
3	Latest address of the complainant for communication	5718, Sector 56, Chandigarh – 160 055
4	Last Available Professional address of the member or the firm against whom the complaints is made	190, Sultanpur Colony, Near M.G. Road, Landmark Kuki Ki Shop, Delhi – 110 030
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.	Misconduct under Clause-7, Part-I, First Schedule of the CWA Act' 1959. Further, request to initiate civil/criminal proceedings in Court of Law for misusing the logo of the Institute
6	Particulars of evidence(s) adduced in support of the allegation(s) made	**Details at** Annexure 1 (Page Nos. 1 to 3) **Supporting Documents at** Annexure 2 (Page No 4) Annexure 3 (Page No 5 to 6) Annexure 4 (Page No 7)
7	Name(s) of person who have knowledge of the facts of the case	Mr. Kheem Singh Negi

3. It is observed that the allegations in the present complaint are twofold. Firstly, it is alleged that the Respondent has displayed on the signboard outside her office the details of services rendered, such as Accounting Services, TDS Return, etc. A Cost Accountant in practice is prohibited from using any description or expression other than Cost Accountant. Such conduct would attract the provisions of Clause (7) of Part I of the First Schedule to the Cost Accountants Act, 1959. Secondly, it is alleged that the Respondent has displayed the Institute's logo on the signboard outside her office. Since the Institute's logo is the property of the Institute and Respondent has made unauthorized use of the Institute's logo.
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(142)/2024.
5. The complaint dated 12th June, 2024 was duly forwarded to the respondent vide letter No. G/DD/Com-CA(142)/(M-48411)/1/07/2024 dated 16th July, 2024, calling upon the Respondent to submit a written statement in terms of Rule 8(3) of The Rules, 2007 within 21 days from the date of service of the letter under reference. However, the Notice was returned undelivered by the postal authorities with endorsement " No such person name".
6. Thereafter, in order to ascertain the latest professional address of the Respondent, a notice under Rule 10(3) of the Rules, 2007 was issued to the Director (Membership). In response thereto, the Director (Membership), vide communication dated 06th August, 2025, furnished the updated professional address and e-mail address of the Respondent. Accordingly, the complaint dated 12th June, 2024 was re-forwarded to the Respondent vide letter No. G/DD/Com-CA(142)/2025/R-02/04/161 dated 29th September, 2025, calling upon the Respondent to submit a written statement in terms of Rule 8(3) of the Rules, 2007 within 21 days from the date of service of the said communication.

7. The respondent has submitted his written statement vide letter dated 28th October, 2025(served on 30th October, 2025) consisting of 04 Pages (including Annexures). The same is reproduced below verbatim:

Quote

To
CMA Dr. Hemant Kumar Sindhwani
Director (Discipline)
The Institute of Cost Accountants of India
CMA Bhawan, 3 Institutional Area,
Lodhi Road, New Delhi – 110003

Reference: Complaint along with Form I dated 12 June 2024 filed by Ms. Nirupama against me
Complaint No.: COM/21-CA(142)/2024
Subject: Clarification Regarding Signboard Displayed at Office Premises
Dear Sir,
With reference to the clarification sought regarding the signboard displayed at my office premises, I would like to respectfully submit the following:

1. Non-existence of Signboard:
   At present, there is no signboard displayed at my office premises.
2. Background of the Earlier Display:
   The signboard referred to was installed earlier, before I became a member of the Institute. Upon obtaining my membership and Certificate of Practice, I became aware that the said signboard did not conform to the professional guidelines of the Institute. Consequently, I immediately removed it. [Annexure - II]
3. Old Image on Google Maps:
   The image cited in the complaint appears to have been taken from Google Maps, which reflects an outdated view of my office, captured prior to the issue of my Certificate of Practice. The signboard shown therein no longer exists at the premises.
4. Details Regarding the Complainant:
   I wish to bring to your kind notice that Ms. Nirupama, the complainant, is associated with the staff of CMA Balwinder Singh, Practising Cost Accountant, M/s Balwinder S. & Associates, Firm No:- 102304 and his membership No 19898 having its registered office at 1240, Sector 21-B, Chandigarh – 160022. In the complaint, Ms. Nirupama has mentioned the same address as that of the said firm, which clearly establishes her association. (Annexure – 1)
5. Background of Prior Incident:
   It is pertinent to mention that I had earlier raised a formal objection against M/s Balwinder S. & Associates for wrongfully using my name as an employee in a tender document, without my knowledge or consent. Following my objection,

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CMA Balwinder Singh became hostile, and I subsequently received threatening and intimidating communications from him.

6. Malafide Intent:
   In view of the above circumstances, it appears that the present complaint, filed through his staff member Ms. Nirupama, has been made with malafide intention to harass me professionally and tarnish my reputation by making false and misleading allegations.

I once again reaffirm that no signboard or display referring to professional services is currently placed at my office premises.

Thank you for your kind understanding and consideration.

Yours faithfully,
CMA Manpreet Kaur
Membership No. 48411
M/s Manpreet & Co.

Unquote

8. The written statement dated 28th October, 2025 submitted by the Respondent was forwarded to the Complainant vide letter No. G/DD/Com-CA(142)/C-02/05/260 dated 18th December, 2025, 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 19th January, 2026 forwarded his 06 pages rejoinder which is reproduced below in verbatim:

Quote

To,
Director (Discipline)
The Institute of Cost Accountants of India
CMA Bhawan, 3 Institutional Area, Lodhi Road, New Delhi – 110003
REFERENCE: Complaint No. COM/21-CA(142)/2024
SUBJECT: REJOINDER TO THE FALSE AND MISLEADING REPLY FILED BY CMA MANPREET KAUR – REQUEST FOR SUMMARY PROCEEDINGS AND EXEMPLARY ACTION

1. PRELIMINARY OBJECTIONS: REPLY IS AN AFTER-THOUGHT, EVASIVE AND MALAFIDE
   The reply filed by CMA Manpreet Kaur is nothing but a belated, concocted and malafide attempt to evade disciplinary action. It is replete with false statements, irrelevant allegations and does not controvert the substantive allegations of professional misconduct proved by documented evidence.
2. ADMISSION OF MISCONDUCT THROUGH IMPLIED ACKNOWLEDGMENT

The respondent admits that a signboard was displayed earlier, which she claims was removed after obtaining membership. This admission itself confirms:

- That she did display a signboard advertising professional services.
- That such display was in violation of Clause 7, Part I of the First Schedule of the CWA Act, 1959.
- That she was aware of the violation, yet continued the display until confronted.

Her defence that it was displayed "before membership" is irrelevant and misleading.

The photographs submitted in the complaint are dated 11.06.2024, by which time she was already a practising member (COP issued w.e.f. 12.06.2020). Her name was already on the Institute's register of practising members at the time the photograph was taken.

3. FALSE CLAIM REGARDING NON-EXISTENCE OF SIGNBOARD

The respondent's claim that "no signboard exists now" is irrelevant and an attempt to mislead the Directorate.

The misconduct is not about the current existence, but about the fact of violation during the period when she was a practising member. As held in Council of the Institute of Chartered Accountants of India vs. Mukesh G. Shah (2008), professional misconduct is established if the act is committed during the tenure of membership, irrespective of subsequent cessation.

4. IRRELEVANT AND DEFAMATORY ALLEGATIONS AGAINST THE COMPLAINANT

The respondent's attempt to divert attention by alleging that the complainant is a staff of CMA Balwinder Singh is malicious, irrelevant and defamatory. Even if such association existed, it does noabsolve the respondent of her proven misconduct.

The Directorate is concerned with the act of misconduct, not the identity of the complainant. As held in Disciplinary Committee vs. XYZ (2005), "the motive of the complainant is irrelevant if the misconduct is established by evidence."

5. PRIOR INCIDENT WITH CMA BALWINDER SINGH – IRRELEVANT AND PREJUDICIAL

The reference to a prior dispute with CMA Balwinder Singh is extraneous, unsubstantiated and introduced solely to prejudice these proceedings. Such allegations have no bearing on whether the respondent violated Clause 7 of the CWA Act.

The respondent's attempt to portray herself as a victim of professional rivalry is a classic diversionary tactic and should be struck off the record.

6. USE OF INSTITUTE LOGO WITHOUT AUTHORISATION – A SERIOUS INFRINGEMENT

The respondent has not denied using the official logo of the Institute on her signboard.

This is a grave infringement of the Institute's intellectual property and a violation of the Code of Conduct.

Unauthorised use of the Institute's logo is not only professional misconduct but also invites civil and criminal action under trademark and copyright laws.

7. EVIDENCE REMAINS UNCONTROVERTED
The respondent has not provided a single piece of evidence to disprove the photographs and documentary proof submitted. In the absence of any rebuttal evidence, the allegations must be deemed admitted and proved.
8. LEGAL PRECEDENTS SUPPORTING STRICT ACTION
   - In Institute of Cost Accountants vs. R. Selvakumar (2014), the disciplinary authority held that advertising services on a signboard amounts to professional misconduct under Clause 7, and removal of the board subsequently does not wipe out the violation.
   - In ICAI vs. Piyush K. Mehta (2010), it was held that misuse of institute logo is a serious misconduct warranting suspension and fine.
   - The Supreme Court in Council of ICAI vs. B. Mukherjee (2004) emphasised that professional bodies must act firmly to maintain ethical standards, and personal motives of complainants are irrelevant if misconduct is proved.
9. PRAYER FOR RELIEF
In view of the above, it is most respectfully prayed that this Hon'ble Directorate:
   1. Reject the reply of CMA Manpreet Kaur as frivolous, evasive and malafide.
   2. Hold her guilty of professional misconduct under Clause 7, Part I of the First Schedule of the CWA Act, 1959.
   3. Initiate summary proceedings and impose the maximum penalty including:
      - Heavy monetary fine.
      - Suspension of Certificate of Practice.
      - Removal from membership of the Institute.
   4. Direct separate proceedings for unauthorised use of Institute logo under relevant trademark and copyright regulations.
   5. Recommend civil and criminal prosecution for misuse of logo and fraudulent advertisement.
10. CONCLUSION
The respondent's reply is a sham defence, aimed at wasting the Directorate's time.
The evidence against her is clear, uncontroverted and damning.
Any leniency will set a wrong precedent and encourage members to violate norms and later take shelter in technicalities.
I trust that the Directorate will act swiftly and firmly to uphold the dignity of the profession.

PS: In the complaint filed vide Demand Draft dated 12.06.2024, the date on the covering letter be read as 12.06.2024 (instead of 12.06.2023) and the date of Photographs be read as 11.06.2024 (instead of 11.06.2023)

Yours faithfully,

Nirupama

VERIFICATION
I, Nirupama, do hereby verify that the contents of this rejoinder are true to my knowledge and belief, and no part is false or misleading.
Date: 19.01.2026
Place: Chandigarh

Unquote

9. **Investigation and Analysis**

a) Upon examination of the record, it is observed that the alleged acts pertain to the year 2024. Accordingly, the allegations are required to be examined with reference to the provisions of the Cost Accountants Act, 1959, the Code of Ethics and the regulatory framework governing the conduct of members as were in force during the relevant period.

b) It is observed that that Chapter 5 of the Code of Ethics deals with professional and other misconduct under the Schedules to the Cost Accountants Act, 1959. Clause (7) thereof prohibits a member from advertising his professional attainments or professional services and further restrains a member from using any designation or expression other than that of a Cost Accountant in any document through which his professional attainments may come to the notice of the public. The Code of Ethics further clarifies that it is improper for a Cost Accountant to describe himself on his professional documents as an Income-tax Consultant, Chartered Accountant, Company Secretary, Cost Consultant or Management Consultant.

c) The Directorate has also examined the Council Guidelines for Advertisement, 2025 for Members in Practice issued by the Institute. Clause 4 thereof prescribes the activities permitted in relation to advertisements. In particular, Clause 4(ii) permits firms to display the professional services offered by them and to create a visual identity in accordance with the said Guidelines. However, the said Guidelines came into force only with effect from 10^{th} April, 2026 and, therefore, have no retrospective application to the allegations forming the subject matter of the present complaint.

d) In view of the above facts, the conduct of the Respondent is required to be examined in the light of the Code of Ethics and the regulatory framework prevailing during the relevant period. Under the Code of Ethics then in force, a member in practice was not permitted to advertise professional services or use any designation or expression other than that of a Cost Accountant in professional documents intended for public display. Accordingly, the use of expressions other than "Cost Accountant" and the display of the nature of professional services on the office signboard, if established from the material on record, would be prima facie inconsistent with Clause (7) of Part I of the First Schedule to the Cost Accountants Act, 1959 read with the applicable provisions of the Code of Ethics.

e) Insofar as the allegation relating to the use of the Institute's logo is concerned, it is noted that the Board of Discipline, in Complaint No. Com/21-CA(139)/2024, has observed that the Institute's logo was registered as a trademark only with effect from 21st December, 2025. The Board further observed that the Council Guidelines for Advertisement, 2025 for Members in Practice, specifically regulating the use of the Institute's name, emblem and logo, came into force only on 10th April, 2026. Accordingly, the board vide order dated 31st March, 2026 held that in the absence of any statutory provision, regulation or guideline governing the use of the Institute's logo during the relevant period, no adverse inference can be drawn against the Respondent on this allegation.

10. **<u>Comments of the Discipline Directorate</u>**

a) Upon examination of the complaint, the written statement of the Respondent, the rejoinder of the Complainant and the material available on record, it is observed that the allegations against the Respondent are twofold, namely: (i) display of an office signboard containing descriptions of professional services such as "Accounting Services", "TDS Return" etc.; and (ii) display of the Institute's logo on the said signboard.

b) The Respondent has not disputed the existence of the signboard but has contended that it was installed prior to obtaining her Certificate of Practice and was removed immediately upon becoming aware of the professional requirements of the Institute. The Complainant, on the other hand, has asserted that the photographs annexed with the complaint were taken on 11th June, 2024, when the Respondent was already holding a Certificate of Practice. However, neither party has produced any independent documentary evidence establishing the period during which the impugned signboard remained displayed.

c) Under the Code of Ethics and the regulatory framework prevailing during the relevant period, a member in practice was prohibited from advertising professional services or using expressions other than "Cost Accountant" in documents intended for public display. Accordingly, display of expressions such as "Accounting Services", "TDS Return" and similar descriptions on the office signboard during the period of practice, would be prima facie inconsistent with Clause (7) of Part I of the First Schedule to the Cost Accountants Act, 1959.

d) Insofar as the allegation relating to the use of the Institute's logo is concerned, it is noted that the Board of Discipline, while deciding Complaint No. Com/21-CA(139)/2024, observed that the Institute's logo was registered as a trademark only with effect from 21st December, 2025 and that the Council Guidelines for Advertisement, 2025 for Members in Practice, regulating the use of the Institute's name, emblem and logo, came into force only on 10th April, 2026. The Board in this matter vide order dated 31st March, 2026 held that, in disciplinary proceedings, a member can be held guilty of professional misconduct only upon establishing a violation of a statutory provision, regulation, or binding guideline which was in force at the time of the alleged act. In the absence of any such enforceable provision governing the use of the Institute's logo during the relevant period, no professional misconduct could be attributed to the member on that count. Accordingly, the proceedings in the said complaint were ordered to be dropped. The facts and circumstances relating to the present allegation being identical, the ratio laid down in the aforesaid decision is squarely applicable to the present case.

11. **<u>Findings and Order of the Board of Discipline</u>**

(a) The Board has carefully considered the complaint, the written statement of the Respondent, the rejoinder of the Complainant, the material available on record, the

Comments of the Director (Discipline), and the submissions advanced by the parties.

(b) The allegations in the present complaint are twofold, namely: (i) that the Respondent displayed an office signboard containing descriptions of professional services such as "Accounting Services", "TDS Return" and similar expressions; and (ii) that the Respondent displayed the Institute's logo on the said signboard, which has been alleged to contravention of Clause (7) of Part I of the First Schedule to the Cost Accountants Act, 1959.

(c) The Respondent has consistently maintained that the impugned signboard had been installed prior to obtaining her Certificate of Practice and was removed upon becoming aware of the applicable professional requirements. The Complainant, on the other hand, has relied upon photographs stated to have been taken on 11th June, 2024. However, no independent or cogent evidence has been produced by either party to conclusively establish whether the signboard remained displayed or otherwise after the Respondent obtained her Certificate of Practice. In disciplinary proceedings, a finding of professional misconduct must rest upon cogent and reliable evidence. In the absence of such evidence, the allegation cannot be said to have been established to the requisite standard, and the Respondent is entitled to the benefit of doubt.

(d) The Board also notes that the Council Guidelines for Advertisement, 2025 for Members in Practice, which came into force on 10th April, 2026, now permit firms to indicate the professional services offered by them and to create a visual identity in accordance with the prescribed Guidelines. Although the said Guidelines have no retrospective application and do not govern the present complaint, they nevertheless reflect a subsequent evolution in the regulatory framework governing professional advertisements.

(e) Insofar as the allegation relating to the use of the Institute's logo is concerned, the Board notes that, in its Order dated 31st March, 2026 passed in Complaint No. Com/21-CA(139)/2024, it was held that the Institute's logo was registered as a trademark only with effect from 21st December, 2025 and that the Council Guidelines for Advertisement, 2025 for Members in Practice, regulating the use of the Institute's name, emblem and logo, came into force only on 10th April, 2026. The Board further held that a member can be held guilty of professional misconduct only upon establishing a breach of a statutory provision, regulation or binding guideline that was in force at the time of the alleged act. Accordingly, in the absence of any enforceable statutory or regulatory provision governing the use of the Institute's logo during the relevant period, no professional misconduct is made out against the Respondent on this allegation

(f) Having regard to the totality of the facts and circumstances of the case, the Board is of the considered opinion that the allegations against the Respondent have not been established by cogent and reliable evidence. Accordingly, the Respondent is entitled to the benefit of doubt, and no case of professional misconduct is made out under Clause (7) of Part I of the First Schedule to the Cost Accountants Act, 1959.

(g) While closing the proceedings, the Board advises the Respondent to exercise due diligence and ensure strict compliance with the provisions of the Cost Accountants Act, 1959, the Code of Ethics, the Council Guidelines and all other regulatory directions issued by the Institute from time to time, so as to avoid recurrence of similar issues in future.

(h) Accordingly, in exercise of the 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 (Membership No. 13965) be dropped and the complaint be closed.

(i) The complaint stands disposed of accordingly.

CMA (Dr.) Ashish Thatte
(Member)

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

Place: New Delhi
Date: 3rd July, 2026

Board of Discipline
The Institute of Cost Accountants of India

Distribution under Rule 15(3) of the Rule

1) Director(Discipline), The Institute of Cost Accountants of India
2) Complainant, Nirupama
3) Respondent, CMA Manpreet Kaur (M/48411)