



F. No. Legal-35/3/2020  
Government of India  
Ministry of Corporate Affairs

5th Floor, Shastri Bhavan,  
Dr. Rajendra Prasad Road,  
New Delhi-110001,  
Date: 06.03.2020

**OFFICE ORDER**

**Subject: Constitution of High Level Committee for preparation of Investigation manual for Serious Fraud Investigation Office (SFIO)**

With the approval of Competent Authority, a Committee with following composition is hereby constituted to prepare an Investigation manual for Serious Fraud Investigation Office (SFIO):

S. No.	Members	Role
1.	Mr. Injeti Srinivas, Secretary, Ministry of Corporate Affairs	Chairperson
2.	Mr. Amardeep Singh Bhatia, Director Serious Fraud Investigation Office*	Member & Convener
3.	Mr. Sanjay Shorey, Director (L&P), Ministry of Corporate Affairs	Member
4.	Mr. Balwinder Singh, Special Director Central Bureau of Investigation (Retd.)	Member
5.	Special Director, Directorate of Enforcement	Member
6.	Mr. D. P. Singh, Senior Advocate	Member
7.	Mr. K. K. Manan, Senior Advocate	Member
8.	Mr. Arvind Nigam, Senior Advocate	Member
9.	Mr. Ajay Bahl, Managing Partner, AZB & Partners, Law firm	Member
10.	Dr. Sarasu Esther Thomas & Mr. Kunal Ambasta, National Law School of India University (NLSIU), Bengaluru	Member
11.	Prof. (Dr.) Mamata Biswal, Gujarat National Law University (GNLU), Gandhinagar	Member
12.	Mr. Ashish Garg, President, Institute of Company Secretary of India*	Member

(\*ICSI & SFIO shall provide logistic and technical support to the Committee and they will notify the nodal officer for the same.)

**2. Terms of Reference:**

- The committee shall devise an all-encompassing manual for carrying out the effective investigations in tune with the provisions of relevant Acts and it shall provide an

*nh*

effective and relevant manual encompassing the procedures and methodologies for Investigating Officers.

- ii. In conjunction with other Committees of the Board, the Committee shall raise awareness of the relevant Acts and the Investigation Process, aimed at encouraging Investigating Officers to uphold the highest standards of professional practice and conduct.
- iii. It shall assess and make recommendations on any learning points arising from past experiences and cases which may have an impact or influence on SFIO investigation strategy or policy statements.
- iv. It shall contribute its expertise and insight to the reviews of the existing investigation process, recommending changes to the existing investigation process for consideration.
- v. The Committee shall analyze the investigating procedures followed by other investigating agencies and incorporate the relevant procedures in the manual.
- vi. Based on an initial examination of accessible documents/ existing procedures and methodologies followed by SFIO, it shall develop a more detailed analysis of issues in light of relevant corporate frauds and effective modalities to tackle challenges
- vii. It shall provide the practical and productive procedures for maintenance of records for the purpose of investigation
- viii. It shall also provide the methodology for maintaining the investigation diary and updation of the same by the competent authority.
- ix. It shall establish the standard operating procedure for taking the requisite approval of the competent authorities by the Investigating Officers.
- x. It shall define the scope of powers and procedures required and conferred upon the Investigating Officers by various relevant Acts.
- xi. It shall prepare the manual which may plug all the possible and probable loopholes which may hamper the investigation or the prosecution thereof.
- xii. It shall analyze and specify the applicability of the Code of Criminal Procedure and Code of Civil Procedure to SFIO and implications thereof.
- xiii. It shall provide advice and guidance on other matters as may be requested by the Ministry and SFIO.

**3.** The Committee to prepare the Standard Operating Procedure Investigation manual for Serious Fraud Investigation Office within 45 days from the first meeting of the Committee and submit it to the Ministry.

**4. Terms and conditions:**

- i. The Committee shall submit its report within 45 days from the date of holding its first meeting.

- ii. It is proposed that Institute of Company Secretaries of India (ICSI) and SFIO shall render necessary secretarial assistance and logical support to the High Level Committee. SFIO & ICSI shall jointly provide technical support to the Committee.
- iii. In the first meeting of the Committee, SFIO shall give the presentation highlighting the present practices/ procedures followed by SFIO, issues/ challenges, gaps in existing manual, procedures followed by other investigating agencies, comparative analysis with other investigating agencies, etc. SFIO shall also place the existing manual & changes brought therein before the Committee during the first meeting. An advance soft copy may be shared by SFIO with members of the committee to enable them to come prepared.
- iv. The Committee may devise its own procedure to conduct its meetings including inter alia, invite any person(s) of appropriate standing, knowledge and expertise in the fields of economics, law, banking, investigation, etc.; meet at any place in India; constitute sub-committee for providing inputs to the committee and for deliberating upon policy matters.

5. The non-government outstation members shall be entitled to TA/DA as per guidelines issued by DOE vide OM No. 19047/1/2016-E.IV dated 14.09.2017 as detailed below:

- i. Travel by air in executive class in domestic airlines within the country.
- ii. Reimbursement of AC taxi charges as per actual for travel within the city.
- iii. Reimbursement for hotel accommodation/guest house of up to Rs. 7500/- per day.
- iv. Reimbursement of food bills not exceeding Rs. 1200/- per day.

6. This issues with the approval of the competent authority.

  
**(Parvez Naikwadi)**  
**Assistant Director**  
**Legal & Prosecution**

To,  
All Committee Members.

Copy to:

- 1) PS to Minister, Finance and Corporate Affairs
- 2) PS to MoS, Finance and Corporate Affairs
- 3) PS to Secretary (CA)
- 4) PS to AS
- 5) PS to DGCoA
- 6) All officers of MCA
- 7) E-Governance Cell for placing on MCA website under 'News and Updates'.
- 8) Guard File