

Government of India
Serious Fraud Investigation Office
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Phone: 011-24369242 (Ext. 388)

01/2024-SFIO/MRAU

**NOTICE FOR EMPANELMENT OF CHARTERED ACCOUNTANT
FIRMS/LIMITED LIABILITY PARTNERSHIPS**

Serious Fraud Investigation Office (SFIO) invites applications from eligible Chartered Accountant Firms/Limited Liability Partnerships for empanelment to take up assignments relating to forensic audit, analysis of financial data, interpretation of financial statements etc. in connection with investigations by SFIO under the provisions of Companies Act, 2013.

The closing date for receipt of applications in respect of empanelment of Chartered Accountant Firms/Limited Liability Partnerships is 31.01.2024.

The detailed guidelines for empanelment of Professional CA firms/LLPs are available on the website sfio.gov.in to apply online by the interested and eligible CA firms/LLPs.

Joint Director (Admn.)

Guidelines for empanelment of Professional CA Firms

Serious Fraud Investigation Office (SFIO) has been constituted under Sec 211 of the Companies Act, 2013. It is a multidisciplinary Investigating Agency, wherein experts from diverse sectors *like* banking, capital markets regulation, corporate regulation, law, forensic audit, taxation, information technology etc. work together to unravel corporate frauds. SFIO is headed by a Director, in the rank of Joint Secretary to the Government of India. The Head Office of SFIO is at New Delhi and Regional Offices are presently functional i.e. at New Delhi, Chennai, Mumbai, Hyderabad and Kolkata.

2. In view of the increased complexities of investigation, need for hiring services of professionals such as Chartered Accountants/Professionals has been felt in the organization, particularly, in the field of Forensic Audit and Data Analysis. Therefore, it has been decided to engage services of professional *Chartered Accountant Firms/ LLPs* on a case to case/ assignment basis.
3. **Modalities for availing services:** The modalities for availing services of professional Chartered Accountant Firms/ LLP will be as under:

(a) **Role of Chartered Accountant Firms/ LLPs:**

The role of Chartered Accountant Firms/ LLPs would be that of a domain expert and specialist to assist the investigation units. Their role will be supporting and supplementary. The nature of services to be provided by Chartered Accountant Firms/ LLPs would, *inter alia*, include forensic audit, analysis of financial data, interpretation of financial statements etc.

(b) **Empanelment of Chartered Accountant Firms/ LLPs:**

Applications from willing and eligible Chartered Accountant Firms/ LLPs would be invited through advertisement published in leading Newspaper and also on the official website of SFIO.

(c) **Procedure for empanelment:**

- (i) The decision of eligibility criteria for empanelment of Chartered Accountant Firms/ LLPs may be relaxed /made stringent by the Competent Authority based on the quality / number of the applications received and on a comparative assessment of the applications received and if necessary through an interaction with the partners of the Chartered Accountant Firms/ LLPs.

- (ii) The Competent Authority shall reserve the rights to accept or reject any or all applications without assigning any reason. The decision of the Competent Authority shall be final and binding on all and its decision are not subject to appeal.

(d) Validity period of empaneled Chartered Accountant Firms/ LLPs:

The panel of Chartered Accountant Firms/ LLPs will be valid for a period of three (3) years. The period can be extended further for a period of one-year subject to satisfactory performance.

(e) Criteria for empanelment:

The broad criteria for empanelment are as under:

- i) Chartered Accountant Firms/ LLPs should have been in practice for at least last ten years. (Note: For new firms/ LLPs carved out from existing experienced corporate entities into forensic audit, previous experience shall also be considered).
- ii) The average total professional receipts from audits as shown in the return of income excluding fees for consultancy services for the last three years should be Rs.0.50 Crore or more.
- iii) The average total income during the last three years should be at least Rupees one crore.
- iv) The office profile consisting of staff strength of the Accountant Firms/ LLPs should be at least 10 which should include a minimum of 4 Chartered Accountants out of which two should be FCA (Fellow Chartered Accountants).
- v) Preference will be given to Chartered Accountant Firms/ LLPs having experience in audit and exposure of at least 10 Forensic audit assignment and of working on ERP/CRM (Enterprise Resource Planning/Customer Relationship Management) platforms, in addition to regular auditing experience.
- vi) Preference will also be given to Chartered Accountant Firms/ LLPs having multicity offices preferably Head Offices at SFIO locations to cater to the needs of SFIO.

(f) Disqualification

The Chartered Accountant Firms/ LLPs shall not be eligible for empanelment if the Firm/ LLP or any partner of the firm/LLP, in discharge of his/her work, has been debarred by ICAI/NFRA or been disqualified by any other regulatory authority/Court

or there are criminal or disciplinary proceedings pending before any authority/Court against any partner of the firm/LLP or the firm/ LLP.

(g) Payment of fees:

While fixing the quantum of fees for an assignment, guidelines issued by the Institute of Chartered Accountants of India from time to time, will be broadly followed on a case to case basis.

(h) Other Formalities:

The empaneled Chartered Accountant Firms/ LLPs will be assigned work on a case to case basis. They will be required to enter into a contract which would, apart from other terms and conditions also include confidentiality clause as well as clause to protect disclosure/utilization of information/processes/ data etc. collected/obtained during the engagement. The norms for secrecy will be as per Section 3 & 4 of the Official Secret Act, 1923. A declaration of Fidelity & Secrecy as per Annexure has to be signed by the empaneled firm/ LLP. Without prejudice and in addition to the legal remedies available to the Serious Fraud Investigation Office, the breach of contract shall be considered a sufficient ground for termination of the contract.

DECLARATION OF FIDELITY AND SECRECY

.....(Name).....(designation in the firm/ LLP) of the (Name of the Firm/ LLP), do hereby declare that I am duly authorized by the..... (Firm/ LLP) to make this declaration, and further declare that (Firm/ LLP) will truly, faithfully and to the best of skill and ability execute and perform the duties with due diligence required/desired of the (Name of the firm/ LLP), in connection with regular case / preliminary enquiry (RC/PE)

2. I, (Name), on behalf of the..... (Name of the Firm/ LLP), further declare that the (Name of the Firm/ LLP), will follow all the rules and regulations of the Central Government, which are in force during the period of this assignment. The(Name of the Firm/ LLP), will discharge the duties with utmost honesty and sincerity and in case the (Name of the Firm/ LLP), or any person associated with the firm/ LLP is found to be performing duties not satisfactorily or found working in conflict with the interest of Serious Fraud Investigation Office, Ministry of Corporate Affairs, including Ministry of Corporate Affairs or any of its field office therefore, the services of the (Name of the Firm/ LLP), shall be discontinued by terminating the contract without assigning reason.
3. I,(Name), on behalf of the (Name of the Firm/ LLP), further declare that during the period of assignment with Serious Fraud Investigation Office, Ministry of Corporate Affairs, it is likely that (Name of the Firm/ LLP) may come across certain information of important or secret nature. The (Name of the Firm/ LLP) shall, therefore, be subjected to the provisions of the Indian Official Secrets Act, 1923, not only during the period of the assignment but also thereafter. More particularly, the (Name of the Firm/ LLP), will not divulge any information gathered by it during the period of his assignment to anyone who is not authorized specifically by Director, Serious Fraud Investigation Office to know/have the same. Further, (Name of the Firm/ LLP) shall not, except with the previous sanction of the Serious Fraud Investigation Office, Ministry of Corporate Affairs or in the *bona fide* of his duties, publish a book or a compilation of articles or participate in a radio broadcast or contribute an article or write a letter to any newspaper or periodical, either in his own name or anonymously or pseudonymously in the name of the any other person, in such book, article, broadcast or letter.

For an on behalf of (Name of the Firm / LLP)

Date:

Place:

Prop. / Partner