

Dr. Ashok Kumar Mishra

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Dr. Ashok Kumar Mishra is a Professor of Practice at Jamia Hamdard University and a Distinguished Fellow at IICA (Indian Institute of Corporate Affairs), Delhi. He has served as Technical Member of NCLT/ NCLAT and Director Finance & CFO at Hindustan Aeronautics Limited. A Chartered Accountant with Ph.D (Finance)& a Doctorate in Law- NSLIU BANGALORE has authored several books and published articles in journals on Insolvency and Contract Management. He facilitated the resolution of major litigation and leading financial transformation with expertise that traverses finance, corporate law , competition law, contract management and judicial realms for over 40 years. He serves on the Governing Board of numerous Institutions .

SUMMARY:

- 40+ years of extensive professional experience across various levels of central (federal) and state governments including quasi-government entities .
- Retired in 2023 from the role of Technical Member of the National Company Law Appellate Tribunal (NCLAT), Principal Bench, New Delhi- period served 3.5 years on elevation from Technical Member, NCLT, Bangalore Bench(after serving for 3 year plus) through high powered Search-cum-Selection Committee constituted by Hon'ble Chief Justice of India and Government of India.- served appx 7 years in judicial domain including Technical Member NCLT Bangalore .
- Prior to judiciary roles, most recently worked as Board Member - Director Finance (CFO) of Hindustan Aeronautics Limited (Indian state-owned aerospace and defense company) – HAL, BANGALORE appx 5 years

PROFESSIONAL EXPERIENCE:

Jamia Hamdard University , New Delhi

2023 – Present

Professor of Practice - Law & Finance (FULL TIME)/occasionally ACTING DEAN

- Areas of Interest:
Insolvency & Bankruptcy Code, Corporate laws, Competition Law & Corporate Restructuring
- Topics/Courses Taught:
Insolvency & bankruptcy code, Competition Act , Company law, Income tax etc
Financial Management, Leverage Management both Operating & Financial, Corporate Risk Management.

Indian Institute of Corporate Affairs (IICA), Ministry of Corporate Affairs, Delhi

2023 - Present

Distinguished Fellow

- Responsibilities include establishing an active industry interface and guiding IICA faculty in research work, lectures & consultations
- Selection to this position was approved by High Powered Committee process - Secretary to Government of India, Ministry of Corporate Affairs

The Institute of Chartered Accountants of India, New Delhi

2023 – Present

Independent Director, ICAI Registered Valuers Organization

Chairman Audit committee , Member -Monitoring committee etc

Responsibilities include:

- Providing objective advice to the board & bring fresh ideas and insights into the organization.
Providing expertise during discussions for the benefit of stakeholders.

The Institute of Company Secretaries of India, New Delhi

2023 – Present

Government of India Nominee in the Governing Council

Member in Ethics committee , NCLT/NCLAT committee,Editorial Board etc

Responsibilities include:

- Acting as a channel of communication between the Government & Institute.
- Playing dual role as a government nominee & as a council Member

- Assisting Institute to grow & proliferate while maintaining highest ethical standard & Integrity
 - Ensuring public policy of the Government
- ICSI INSTITUTE OF INSOLVENCY PROFESSIONALS** 2024 - Present
Member of Governing Board

*Providing guidance to the company for enhancing number of professional members alongwith their assignments .
 Complying with various provisions of IBC .*

ICSI INTERNATIONAL ADR CENTRE **2024- Present**

Member of the Governing Council

To facilitate arbitration,mediation & conciliation at National & International level

INDIAN INSTITUTE OF INSOLVENCY PROFESSIONALS OF ICAI (IIPI) **2024 – Present**

CHAIRMAN

INDEPENDANT DIRECTOR (additional)

Heading governance board .

National Company Law Appellate Tribunal, Principal Bench, New Delhi **2019 – 2023**

Technical Member

- Promoted from National Company Law Tribunal (NCLT) to perform the function of an appellate court (highest commercial court) in company matters, insolvency and bankruptcy and competition/antitrust domains
- Authored 250 judgements +

National Company Law Tribunal (NCLT), Bangalore Bench **2016 – 2019**

Member (Technical) & Head of Department

- Performed the function similar to that of a high court judge in company matters and insolvency and bankruptcy in the first batch of appointees to the NCLT court.
- Authored approximately 2000 judgements on M&A, operation and mismanagement, restoration of companies struck off by registrar of companies, reduction of capital via share buyback and insolvency, bankruptcy and liquidation proceedings of corporates filed by bankers, financial institutions, operational creditors including corporate insolvency resolution

Hindustan Aeronautics Limited (HAL) **1999 – 2016**

Director Finance

2011 – 2016

As the CFO and Member of the Board of Director for government owned aerospace and defense manufacturing company which is the leading supplier of military and civilian aircrafts to the Indian government as well as select countries

Led all of the financial functions within the company, providing guidance for:

- | | | |
|---------------------------------------------|-------------------|-------------------------|
| - Corporate/Operational Finance | - Treasury | - Accounting |
| - Domestic and Foreign Government Relations | - Taxation | - Internal Audits |
| - Contracts and Procurement | - Risk Management | - Joint Ventures as BoD |

Key contributions:

- Led resolution of major litigation with governments of states of Karnataka and Orissa involving financial liability in excess of ~ \$2B that had been pending in various judicial forums for 15 to 20 years, resolving them through Alternate Dispute Resolution with settlement under \$500M & at the minimum tax rate/tax exemption for future
- Helped in converting cash deficit manufacturing units into cash surplus units by strengthening order book position and adopting Cost-Volume-Profits relationship along-with adopting milestone payment formulations in mobilizing orders
- Prepared standard contract documents for all defense PSUs and Ordinance factory board as per directions of Ministry of Defense

Executive Director

2007 – 2011

- Coordination with government, audit authorities and members in high-priced negotiation committees.
- Also, oversaw production and inventory management as and when called upon to do so.
- Acted as Member of Board of joint-venture entities of HAL, both with domestic and international firms.

Key Contributions:

- Helped in expansion plan by entering into several joint ventures with both domestic and international entities.

- Enhanced production capacity with minimum investment through SPV/JV route and healthy worker management relationship having been assigned HR responsibilities for a year.

Various Other Accounting and Finance Roles

1994 - 2007

Pre-HAL

1979– 1994

Worked in multiple managerial positions in finance and consulting services, conducting several studies for internal improvement of organizations as well as impact evaluations of various government programmes.

- Indian Telephone Industries, as Head of Finance
- UP Development System Corporation, as administrative and financial management consultancy roles
- Bihar State Leather Industries Development Corporation and Bihar State Police Building Construction Corporation as head of finance & accounts department
- Kothari Group – GIS listed company, private sector in various accounting and finance roles

AWARDS & AFFILIATIONS:

- CA CFO – Public Sector Award by The Institute of Chartered Accountants of India (ICAI), for exceptional performance and achievements as CA CFO in the PUBLIC SECTOR Category for the year 2015.
- Senior Vice President of Bangalore Management Association and a Member of Bihar Chamber of Commerce – Company Law Committee, Banking & Finance Committee, Member In Industry committee of ICAI.
- Members in various international and intergovernmental committees related to large defense contracts involving in-person negotiations across governmental and private entities including sorting out Disputes as & when arising in USA, UK, France, Japan, Russia and Malaysia – total foreign visits 24.
- Taught Finance and Law in various Government and private business and training institutes including IIM-Bangalore, NLSIU Bangalore, NLU Delhi, South India Vigilance Study Centre of Defence Bangalore ,ICAI, ICSI & ICWA Bangalore ,HAL Management Academy- Bangalore ,National Institute of Personnel Management – Patna, Indian Institute of Business Management – Patna, Institute of Management Development ,UP Training Division of State Planning Institute Of Govt. of UP, Lucknow University ,T.John Group of Institutions , Bangalore ,JSS Law College – Mysuru and has been an examiner of ICAI, Ph.D – Lucknow University and BIT Mesra
- Participated in UNCITRAL - World Bank Group Judicial Capacity – Building initiative on International Best Practices in the Area of Insolvency Law that will focus on avoidance proceedings & also participated in 4th UNCITRAL Asia Pacific Judicial Summit 2021.

EDUCATION & CREDENTIALS:

- Doctor of Laws (LL.D), National Law School of India University, Bangalore – 2018
- Ph.D -Finance, Patna University – 1988
- Chartered Accountant – 1981
- B.Com (Hons.), M.Com, LL.B (Calcutta University), FCA-ICAI, PGDCA (IIBM), AMCSI
- Completed various certification programs in financial management and corporate governance from renowned institutions and organization including Boeing Commercial Airplanes, Seattle, USA, XLRI – Jamshedpur, IIM – Bangalore, Academy on Corporate Governance and the Indian School of Business (ISB), Hyderabad.

DATE OF BIRTH : 03 – 01 – 1956 / 68 YEARS

Publication, Research work done, study conducted including impact evaluation study:

- Authored Book - A Practical Guide to the Insolvency and Bankruptcy Code, 2016
- Authored Book – Guide to Commercial Contract Management – Taxmann
- A Compendium of Hon’ble Supreme Court Judgments vis-à-vis NCLAT Judgment on Section 7 (Financial Creditor cases) & Section 9 (Operational Creditor Cases) under Insolvency and Bankruptcy Code, 2016 to bring uniformity in coordinate benches of NCLAT.
- Preparation of Protocols for bringing near uniformity for disposal of petitions in case of Scheme Arrangements proposal involving Merger, De-merger, Amalgamation etc., under the provisions of Companies Act, 2013 in National Company Law Tribunal (NCLT).
- Contract Management in Defence Contracts with Specific Reference to Indian Defence Public Sector Undertakings
- Standardization of contractual terms & conditions for uniform applications in all the Defence PSUs
- A journey of NCLT /NCLAT
- CA & Ph.D
- Women Company SecreTaries -Enormous Growth Potentialin Vikshit Bharat.
- Numerous articles including speakers /panel speakers at chamber of commerce ,ICAI ,ICSI etc

Internal Company Publications:

- Uneven Production in ITI Mankapur, Gonda UP- to enhance production & productivity
- Cost of Production Vs. Cost of Non-Production in ITI Mankapur, Gonda UP – to change the mindset of vigilance & audit department.
- Introduction of the concept of Profit Centre & MOU for increasing Profitability of the organization.
- Corporation in Public Sector of Government of UP – their role & future.
- Financial Management in Leather Industry
- Way ahead for Abandoned Projects upto 6th five year plan for the Government of UP.
- Study of Inventory of Engineering Department of the Government of UP
- Viability of two Units of PCDF, UP