



Dr. Ashok Kumar Mishra

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SUMMARY:

- 40+ years of extensive professional experience across various levels of central (federal) and state governments including quasi-government entities in accounting, financing, contract management, liasoning and legal domains
- Retired in 2023 from the role of Technical Member of the National Company Law Appellate Tribunal (NCLAT), Principal Bench, New Delhi on elevation from Technical Member, NCLT, Bangalore through high powered Search-cum-Selection Committee constituted by Hon'ble Chief Justice of India and Government of India.
- Prior to judiciary roles, most recently worked as Board Member - Director Finance (CFO) of Hindustan Aeronautics Limited (Indian state-owned aerospace and defense company)

PROFESSIONAL EXPERIENCE:

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 Secretary to Government of India, Ministry of Corporate Affairs

The Institute of Company Secretaries of India, New Delhi **2023 – Present**
Government of India Nominee in the Governing Council

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

The Institute of Chartered Accountants of India, New Delhi **2023 – Present**
Independent Director, ICAI Registered Valuers Organization

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.

Jamia Hamdard, New Delhi **2023 – Present**
Professor of Practice - Law & Finance

○ Areas of Interest:

Insolvency & Bankruptcy Code, Corporate laws, Competition Law & Corporate Restructuring

○ Topics/Courses Taught:

Financial Management, Leverage Management both Operating & Financial, Corporate Risk Management.

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 approximately 250 judgements

National Company Law Tribunal (NCLT), Bangalore Bench
Member (Technical) & Head of Department

2016 – 2019

- 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)

1994 – 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
- Domestic and Foreign Government Relations
- Contracts and Procurement
- Treasury
- Taxation
- Risk Management
- Accounting
- Internal Audits
- 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 – Taxation and Law Committee

- Members in various international and intergovernmental committees related to large defense contracts involving in-person negotiations across governmental and private entities in USA, UK, France, Japan, Russia and Malaysia
- 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 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:

- 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.

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

- Authored Book - A Practical Guide to the Insolvency and Bankruptcy Code, 2016
- 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

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