

PROCEDURE OF MEETINGS (ENGLISH & HINDI VERSION) (231 KB)

33004/99 REGD. NO. D. Che Gazette of •tidia 578] No. 5781 x1RAORDNARY .34—zq-Gu-g (i) PART 11—Section 3—Sub-section (i) PUBLISHED BY AtilHORrry S, 14, .1928 NEWDELHI, TUESDAY, DECEMBER5, 14,1928 27 2006 1949 (1949 3k) 287T 28E1 fiqq, 2006 I Gi) "3Tfufrrq" 1949 31fi-Å7*; (71) 9 • (2) gliT a-Tara, 3807 (31/2006 2 THE GAZETTE OF INDIA EXTRAORDINARY. (3) Å, Ätq, (3) 10 fi.F1 [PART 11—SEc. 3(i).]] 1, .3.F:q [IFT. MINISrRY OF COMPANY AFFAIRS NTIFICATION New Delhi, the 27th November, 2006 G.S.R. exercise of the powers conferred by clauses (f) and (g) of Sub-section (2) of Section 29A of, read with section 28C and Sub-section (1) of Section 28D of, the Chartered Accountants Act, 1949 (38 of 1949), the Central Government hereby makes the following rules namely: 1. Short •title and commencement.- (1) These Rules may be cafld the Chartered Accountants Procedures of Meetings of Quality Review Board, and Terms and Conditions of Service and allowances of the Chairperson and members of the Board Rules, 2006. (2) Thé.y shall come into force on the date of their publication ih the Official Gazette

2. Definitions.—(l) In .these Rules, unless the context otherwise requires, (a) "Act" means the Chartered Accountants Act, 1949; (b) ' 'Boakd" means the Quality Review Board fotned under Sub-section (l) of Section 28A ofihe Act; (c) "Council" means the Council constituted under section 9 of the Act; "Institute" means the Institute of Chartered Accountants of India set up under the Act. (d) (2) Words and expressions-used but not defined in these Rules and defined in Lhe Act •shall have the same meaning as assigned to them in the Act

3. Procedu re for Meetings of the Boa rd.— (1) All meetings of the Board shall, ordinariiy, be held at the headquar- tefs of the Institute. (2) I'hedate and time of any meeting shall be fixed by•the Chairperson: Provided that a notice of not. less than 15 days before the scheduled date of every such meeting shall be given by the Chairperson or any person so authorised by him to the other members of the Board Provided further that the reasons to be recorded in writing, .may call for a meeting at a shorter • notice : Provided alsoethat not more than six months shall elapse between any two meetings. (3) The quorum for transaction of any business at a meeting of the Board shall be of four members, of which •atleast one must be nominated by' [he Central Government uilder Sub-section (3) of Section 28A of the Act. (4) 'l'he Chairperson shall chair all the meetings of the Board: Provided that in the absence of Chairperson, the members shall elect any of the members present on.the day of the .mcting to chair the meeting. 4 THE GAZETTE OF INDIA : EXTRAORDINARY (PART 11 SEC. 3(i)] (5) All questions-which come up before. any meeting of the Board-shall•be •decided by a majori y of the members present and votiqq, and in the event of an equality of Voles, the Chaitperson or in his•abSence, thc member presiding, shall have a second or casting vote

4. Transaction of Business.—The business of the Board sbali ordinarily bb transacted at a me tihg of the Board. Agenda for thc Board meeting.—(1)The agenda for a mpeting of (he Boar.d shall bc decided by the Chairperson. (2) • Any matter :cferred to it by' the Central Government cir the Council shall be included'in he agenda for the meeting of the Board within time limits specified, if any, in such a reference. (3) The Chairperson may, in appropriate cases, circulate the agenda note' and related paperso any i\$suc among members of lhc Board för resolution by circulation : Provided that if six members•of the Board require that any question be decided at a meeting, the Chairicrson shall ' withdraw the papers from circulation and have lhc question determined ava meeting of •the Board. (4) A.decision'taken by the circulation of lhc papers shall be communicated to alftthe members and shall be noted at the nexi mcting of the Board

6. Procedures to be foliowed by the Board.— In the discharge of its functions,.the Board may, (a) on its own cjr through any specialized arrangcmgrit set up under the Institutc, evalu• te and roview thc quality of work {nd services provided by the memb.ers of the.Institutc in such manner Is it mãy decide; (b) lay down the procedurc or evaluation criteria to cvluate various services being provid d by the members of the'Institute and to select, in such manner and forhl as it mgy decide, the individuals akd firny;; rendering such services for review; call for information from the Institute, the Council or its Committees, Members, Clients of motnkpers or other persons or organisations•in .such form and manner as it may decide, and may also give a hearing to them; (d) invite expqrts to provide expert/technical advice or opinion or-

analysis or any matter or issue which the Board may feel relevant for. the purpose of assessing the quality of Work and services offered by the members of the Institute; (e) make recommendations to the Council to guide the members of the institute to improve their professional competence and qualifications.. quality of work and services offered and adherence to various statutory and other regulatory requirements and other matters related thereto, 7. Assistance to Institute shall set up a specialised technical unit to— (a) provide secretarial assistance, as required, to the Board in the discharge of its functions; (b) to assist the Board in carrying out review of quality of services provided by the Members

8. Terms and Conditions of service of the Chairperson and Members of the Board shall be three years. (2) The Chairperson and other members of the Board shall be part-time members. (3) No Chairperson or member of the Board shall be removed or withdrawn except as provided under Rule 10

9. Allowances. (1) The Chairperson and other Members shall be entitled to travelling and daily allowances as admissible to them in their official capacity, and in case, the member is not a Government Servant, he will be entitled to the travelling allowance and daily allowance as admissible to an officer holding a post carrying a scale of pay of a Joint Secretary to the Government of India for attending meetings of the Board at the headquarters of the Institute if their place of residence is different from the headquarters of the Institute. (2) The Chairperson and other Members of the Board, whose place of residence is the same as the venue of the meeting of the Board shall be provided local conveyance or allowance for the local journeys to be performed in connection with the meetings of the Board. (3) The Chairperson and other Members of the Board, while on duty, shall be entitled to travelling and daily allowances at the above rates

10. Resignation, Removal and filling up of casual vacancy.— (1) The Chairperson and each Member of the Board shall cease to remain the Chairperson or Member, as the case may be, in case of his resignation or removal. (2) The Chairperson or a Member of the Board may resign his office by a notice in writing under his hand addressed to the Central Government which shall be effective from the date of resignation. (3) The Central Government may remove a person from the post of Chairperson or Member, if— (a) he has become physically or mentally incapable of acting as the Chairperson or a Member, as the case may be; he has not attended three consecutive meetings of the Board, without leave of absence; he, being the Chairperson, has not called a meeting of the Board for more than six months; he, in the opinion of the Central Government, is unable to discharge his function or perform his duties; or he has been held guilty by any civil or criminal court for an offence which is punishable with imprisonment for a term exceeding six months. (4) A casual vacancy in the Board shall be filled by the Central Government, from out of the category in which such vacancy occurs

11. Residual provision.—Matters relating to the terms and conditions of services and allowances of the Chairperson and other members of the Board, the place of meetings and the procedure to be adopted in meetings of the Board, with respect to which no express provisions have been made in these rules shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on the Board, the Chairperson and other members. IF. No. 5/27/2006-c.L-v] JITESH KHOSLA, Jt. secy. Printed by the Manager, Govt. of India Press, Ring Road, Mayapuri, New Delhi-110064 and Published by the Controller of Publications, Delhi-110054: -7