



The Institute of Chartered Accountants of India

ELECTION – 2009

Nomination Form for Election to the twenty first Council

Acceptance at New Delhi of Nomination Form by the Secretary to the Council and last date for withdrawal of Nomination:

Date of Commencement and Acceptance of Form	: Thursday, the 3 rd September, 2009
Last date and time for submission	: 6.00 P.M., Thursday, the 24 th September, 2009
Last date and time for withdrawal	: 6.00 P.M., Monday, the 19 th October, 2009

GUIDELINES FOR FILLING NOMINATION FORM BY CANDIDATES SEEKING ELECTION TO THE TWENTY FIRST COUNCIL

While filling the nomination form for election to the Council, the following points/aspects may particularly be kept in view:-

1. The nomination should be strictly in the Form of Nomination approved by the Council (as annexed hereto).
2. The annexed form of nomination shall be used for filing the nomination. Extra copies of the Form can be had from the office of the Institute at New Delhi as well as from the regional offices at Mumbai, Chennai, Kolkata and Kanpur on written request. Photocopies of this Form can also be used. **The Form can also be down loaded from the Institute's WEBSITE (please see para 16 below also).**
3. **Nominations have been invited by Notification No.54-EL(1)/3/2009 dated 3rd September, 2009 published in Part III Section 4 of the Gazette of India (Extra-ordinary) dated 3rd September, 2009. As stated therein, the nomination forms can be had w.e.f. 3rd September, 2009 from the aforementioned offices of the Institute. The nomination forms will be accepted by the Secretary to the Council at the headquarters of the Institute at New Delhi only, with effect from the said date.**
4. The names and professional addresses of the candidate, the proposer and the seconder must be given in full, as they appear in the List of Voters for election to the Twenty First Council. **In the event of a change in the professional address as published in the**

List of Voters, candidate may intimate such subsequent change to the Secretary by name (provided the same has also been communicated to the concerned regional office) which will be treated as additional address for the limited purpose of sending Institute's communication to such a candidate (besides the professional address as published in the List of Voters).

5. The use of qualifications e.g. A.C.A/F.C.A after the names of the candidate, the proposer and the seconder should be avoided.
6. The correct name of the relevant constituency should be mentioned. For facility of reference, these are given below:-
 - (a) **Western India Regional Constituency** – The States of Goa, Gujarat and Maharashtra and the Union Territories of Dadra & Nagar Haveli and Daman & Diu.
 - (b) **Southern India Regional Constituency** – The States of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu and the Union Territories of Lakshadweep and Pondicherry.
 - (c) **Eastern India Regional Constituency** – The States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Sikkim, Tripura, West Bengal and the Union Territory of Andaman & Nicobar Islands.
 - (d) **Central India Regional Constituency** – The States of Bihar, Chattisgarh, Jharkhand, Madhya Pradesh, Rajasthan, Uttaranchal and Uttar Pradesh.
 - (e) **Northern India Regional Constituency** – The States of Haryana, Himachal Pradesh, Jammu & Kashmir and Punjab and the Union Territories of Chandigarh and Delhi.
7. In terms of the Chartered Accountants (Election to the Council) Rules, 2006, the maximum number of nominations that can be submitted by a candidate is only ten. In the event of receipt of more than ten nominations within the specified date and time, the first ten nominations determined, on the basis of date and time of receipt, would only be taken into consideration.
8. All corrections and overtypings in the Nomination Form should be invariably initialed only by the Candidate..
9. With regard to the requirement of photograph as per the annexure to the nomination form, 2 copies of recent passport size photograph (preferably colour photo) are required. One of them may be pasted on the right hand top corner of the annexure to the form and the other sent with the nomination form. Please write your name and membership number legibly at the back of the second copy of the photograph.
10. The Chartered Accountants (Election to the Council) Rules, 2006 specified by the Central Government in terms of the Chartered Accountants Act, 1949 requires a candidate to pay a fee for election of Rs. 5000/- (Rupees Five Thousand only). It may be noted that fifty percent of the fee for election paid is refundable in respect of a candidate whose nomination has been held to be invalid.
11. The Chartered Accountants (Election to the Council) Rules, 2006 specified by the Central Government in terms of the Chartered Accountants Act, 1949 requires a candidate to pay a security deposit of Rs.20,000/- (Rupees Twenty Thousand only). It may be noted that the full deposit money shall be forfeited, if a candidate fails to secure not less than 2% of the original votes polled in the concerned regional constituency. Under the Chartered

Accountants (Election to the Council) Rules, 2006, original vote in regard to any candidate means a vote derived from a ballot paper on which a first preference is recorded for such candidate.

12. A candidate who withdraws his candidature, within the date and time specified for the purpose i.e., 6.00 P.M., Monday, the 19th October, 2009 is entitled to the refund of fifty percent of fee of election paid and the full security deposit.
13. For the sake of convenience, both the fee of election and security deposit may be paid (composite amount) by way of only one demand draft. The two types of fees can also be paid through two different demand drafts.
14. The nomination/s, together with a composite **Demand Draft** for Rs. 25000/- only (as aforementioned) payable at New Delhi and drawn in favour of the Secretary (by designation) should be **delivered either by, speed post or registered post or ordinary post or courier or hand to the Secretary by name (Shri T. Karthikeyan) not later than 6.00 P.M. on Thursday, the 24th September, 2009.** It should therefore be noted that receipt of the nomination by the Secretary within the aforesaid time and date is absolutely essential. For the purpose of accepting the nomination/s delivered in person, i.e., hand delivery mode, designated officer/s is/are available at Room No.102 in the Ground Floor of the Main Building of the Headquarters of the Institute at ICAI Bhawan, Indraprastha Marg, New Delhi. Those, who prefer to deliver the nomination against hand delivery, are required to submit the same only in the aforementioned Room against an acknowledgement.
15. It may also be noted that since under the Chartered Accountants (Election to the Council) Rules, 2006, remittance of Rs. 25000/- by Demand Draft is sufficient towards (both) election fee and security deposit, it should be ensured that atleast one of the nomination forms together with a Demand Draft for Rs. 25000/- as aforesaid is delivered at New Delhi within the specified date and time. For removal of doubt, it is clarified that even if a candidate might send more than one nomination for consideration (including through e-mail mode), if at least one such nomination in hard copy form together with a Demand Draft for Rs. 25000/- as aforesaid does not reach the Secretary at New Delhi within the specified date and time, all the other nominations (received in time but without the Demand Draft, as aforesaid) are liable to be rejected.
16. For the convenience and benefit of members, a specimen nomination form drawn on the basis of the Form approved by the Council, in terms of the Chartered Accountants (Election to the Council) Rules, 2006 has been made available on the Institute's website <http://www.icai.org> with downloading facility. However, in the event of using such a downloaded form, it shall be the responsibility of the candidate concerned to ensure that the same conforms in all respect with the Form approved by the Council which is annexed hereto. It may be noted that if only one nomination form is submitted and that too, through electronic mode, the same is liable to be rejected unless the hard copy of the same together with a remittance of Rs. 25000/- is received within the specified time and date as aforementioned.
17. Candidates are required to ensure compliance of the various provisions of the said Rules as applicable to various stages of election commencing from 3rd September, 2009.

The Chartered Accountants (Election to the Council) Rules, 2006 have been hoisted on the WEBSITE of the Institute www.icai.org. You may visit the Institute's Website for reference and relevant details.

FORM OF NOMINATION*

[Pursuant to sub-rule (3) of rule 9 of the Chartered Accountants
(Election to the Council) Rules, 2006]

FORM OF NOMINATION OF A CANDIDATE FOR ELECTION TO THE COUNCIL OF THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

We, the undersigned Members of the Institute of Chartered Accountants of India, being qualified to vote in the election of members to the Council of the Institute by the¹ _____ India Regional Constituency, as defined in Schedule 1 to the Chartered Accountants (Election to the Council) Rules, 2006, do hereby nominate² _____ who is a Fellow Member of the Institute belonging to that constituency, as a candidate for the election to the twenty first Council to be held in the year 2009.

(1) Signature of Proposer _____

Name in full²

(As published in the List of Voters) _____

Membership Number _____

Address²

(As published in the List of voters) _____

Voter's Serial No. in the List of
Voters in which name published _____

Dated this³ _____ day of _____ 2009.

(2) Signature of Secunder _____

Name in Full²

(As published in the List of voters) _____

Membership Number _____

Address²

(As published in the List of Voters) _____

Voter's Serial No. in the List of
Voters in which name published _____

Dated this³ _____ day of _____ 2009.

¹ Please see Guideline 6

² Please see Guideline 4

³ Please see Guidelines 3

* To be filled in by hand or computer or typewritten.

I² _____ being a Fellow Member of the Institute belonging to the¹ _____ India Regional Constituency, as defined in Schedule 1 to the Chartered Accountants (Election to the Council) Rules, 2006, agree to stand for the election to the twenty first Council by the said constituency to be held in the year 2009.

I agree to abide by the provisions of the Chartered Accountants Act, 1949 [as amended by the Chartered Accountants (Amendment) Act, 2006] and of the Chartered Accountants (Election to the Council) Rules, 2006 specified thereunder.

The statement pursuant to sub-rule (4) of rule 9 of the Chartered Accountants (Election to the Council) Rules, 2006 read with Schedule 4 thereto is annexed hereto.

I send herewith a composite amount⁴ of Rs. (Rupees.....) towards fee of election as well as security deposit by Demand Draft No. _____ dated the _____ on _____ Bank drawn in favour of the Secretary, The Institute of Chartered Accountants of India, payable at New Delhi.

OR

I send herewith the fee⁵ of election for Rs..... (Rupees.....) by Demand Draft No. _____ dated the _____ on _____ Bank drawn in favour of the Secretary, The Institute of Chartered Accountants of India, payable at New Delhi.

I also send herewith the Security Deposit⁵ of Rs..... (Rupees.....) by Demand Draft No. _____ dated the _____ on _____ Bank drawn in favour of the Secretary, The Institute of Chartered Accountants of India, payable at New Delhi.

⁴ Please see Guidelines 10, 11, 12 and 14

⁵ Please see Guidelines 10, 11, 12 and 14

Signature of Candidate

Name in full²

(As published in the List of Voters)

Membership Number

Address²

(As published in the List of Voters)

Voter's Serial No. in the List of
Voters in which name published

Dated this³ _____ day of _____ 2009.

[Please see next page for the Annexure to the Form of Nomination]

ANNEXURE TO FORM OF NOMINATION

Statement pursuant to sub-rule (4) of rule 9 of
the Chartered Accountants (Election to the Council) Rules, 2006 read with
Schedule 4 thereto

PHOTO

Please affix here
your recent
passport size
colour
photograph

(1) I, _____, give below the particulars concerning myself:-

Compulsory

(a)	Name, Membership Number, Professional Address and Voter's Serial Number as published in the List of Voters	
(b)	Date of Birth	
(c)	Whether Fellow and the date on which became Fellow	
(d)	Date of Enrolment as an Associate Member	
(e)	Whether citizen of India	

(f)	Whether found guilty of any professional or other misconduct, and consequently whether reprimanded or the name has been removed from the Register or has been awarded penalty of fine ¹ as on the date of nomination.	
(g)	If the answer to (f) above is in affirmative, to provide the following details, wherever applicable (separately* for each misconduct for which found guilty):	
(i)	the offence for which found guilty	
(ii)	the date of reprimand	
(iii)	the date from which the name was removed on account of above disqualification from the Register	
(iv)	the total period of removal	
(v)	the date on which the period of removal expires	
(vi)	whether the removal was on account of misconduct falling under the First Schedule or the Second Schedule	
(vii)	the date on which the penalty of fine ¹ was awarded	
(viii)	amount of penalty of fine ¹	
(ix)	the date on which the payment was made for penalty of fine ¹ awarded.	

¹ Penalty of fine would mean penalty of fine awarded by the Institute.

* If need be, please attach additional sheets.

(h)	(i)	whether appointed as the ¹ auditor of the Institute and, if so, whether a period of three years had already expired after cessation as ¹ auditor of the Institute, along with dates of appointment and cessation as ¹ auditor	
	(ii)	If that period has not yet expired, the date on which it shall expire	
(i)		Details of past and present membership of the Council including the Office of the President and/or Vice-President of the Institute;	
(j)		Whether holding a post under the Central or State Government as defined in clause (ii) of the Explanation to rule 7.	

¹If a candidate has held/holds position as Auditor of the Institute as aforementioned in any of the financial years 2006-07, 2007-08 or 2008-09, he is not eligible to contest the forthcoming elections to the Council.

The term "Auditor of the Institute" would include both Statutory as well as Internal Auditors appointed by the Institute for its head Office and Decentralised Offices at Mumbai, Chennai, Kolkata, Kanpur, Ahmedabd, Bangalore, Hyderabad, Jaipur and Pune. The term "Auditor" would also include all the (remaining) partners of the firm, if the member, who has signed the Audit Report on the financial statements of the Institute, is a partner of that firm.

(2) I also give below additional information concerning myself:-

Optional

(a)	¹ Academic qualifications (diplomas including post qualification diploma(s) and degrees recognized by Government or Council and membership of professional bodies recognized by the Council)	
(b)	Merit awards (limited upto first three positions) in the examinations of recognized universities and the examinations conducted by the Institute	
(c)	Particulars of occupation:- (i) Employment (designation with name of present employer)	
	(ii) Practice (sole proprietor or in partnership including the name of the firm)	
	(iii) Particulars of other occupation or engagement, if not covered by (i) and (ii) above.	

¹ Academic and professional qualifications which are recognized by the Government or Council (including membership of other professional bodies and ICAI post qualification diploma/s) and has/have also been taken on the records of the Institute as on 1st April 2009.

(d)	Past and present membership of Regional Councils and Managing Committees of branches of Regional Councils and office of Chairman, Vice-Chairman, Secretary and or Treasurer in the case of Regional Councils and/or Branches of Regional Councils.	
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Place:

Date:

Signature of the Candidate

VERIFICATION

I, _____, do hereby declare that the particulars given above are correct to the best of my knowledge and belief.

Place:

Date:

Signature of the Candidate
