



Celebrating the 60th Year of Excellence

MANUAL FOR **MEMBERS**



The Institute of Chartered Accountants of India

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The material is prepared for use by the Members of the Institute for easy reference to the Chartered Accountants Act 1949 and Regulations framed thereunder for their compliance. The contents contained herein do not necessarily represent the views of the Council of the Institute or any of its Committees.

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Foreword

To enable the members to comply with the requirements of the Chartered Accountants Act, 1949 and Regulations framed thereunder and various decisions of the Council, I am glad to present a Members' Manual, in the Diamond Jubilee Year of our Institute which would certainly be found to be user friendly. The Institute being a regulatory body in terms of the provisions of the Chartered Accountants Act, 1949, the members are mandated to function with the realm and ambit of the various provisions of the said Act, the Chartered Accountants Regulations, 1988 and various decisions of the Council.

The Manual, like a ready reckoner, contains various provisions of the Act, Regulations and decisions of the Council along the procedures which a member is required to comply with and the permissible time frame in the event of any change taking place from time to time – be that enrolment as a member, elevation to the Fellowship, CPE hours requirements, grant of Certificate of Practice, Approval of Firm Name, affairs relating to articles, merger of firms, networking of CA firms, management consultancy services, members benevolent funds, etc. etc. The Manual also contains various Forms which the members are expected to submit to the Institute, as a part of the compliance requirements.

For regular updates as regards the modifications concerning members, frequent visits to the website of the Institute and regular reference to the Journal would always be advisable. Further, the relevant provisions of the Chartered Accountants Act, 1949 and the Chartered Accountants Regulations, 1988 be also referred to in order to ensure timely compliance.

I am sure, my fellow colleagues would find the Manual immensely useful and help them in complying with various regulatory requirements within the time frame to enable the office to provide yet better services with a smile and save their time and efforts in making enquiries with the Institute to know the procedural requirements.

CA Ved Jain

About the Manual

The Chartered Accountants Act, 1949 and the Chartered Accountants Regulations, 1988 lay down the rules and procedures to be followed for different aspects concerning the members and the students of the Institute.

The members have been expressing from time to time, the need for a user friendly manual broadly indicating the procedural requirements on matters they are required to seek approval of the Institute. This manual has accordingly been designed to provide guidelines to the members in a manner facilitating easier understanding and compliance of the requirements, and, in the process, enabling the Institute to serve them better. The manual contains broad procedural guidelines on several aspects such as Enrolment as Member, Firm Registration, Issuance of Certificate of Practice, granting permission for engagement in other occupations. Care has been taken to cover the relevant provisions of the Act and Regulations at appropriate places.

The Manual, however, is neither exhaustive nor a reproduction of the Rules and Regulations, nor a substitute for the Chartered Accountants Act and the Regulations. For ready reference, the Manual lists out as annexures the relevant provisions of the Act and Regulations.

For further details or clarifications, if required, please contact the Head Office of the Institute or its concerned Decentralised Offices or its Branches.

HELP US TO SERVE YOU BETTER
CHECK-LIST FOR IMPORTANT REGULATORY COMPLIANCE*

Sl. No.	Description	Application Form & Time Limit	Remarks
1.	Annual Membership and Related fees : * Becomes due and payable on 1 st April of the year	Form 'A' or 'A-1' of the Fee Circular or using Payment Gateway of ECS. Time latest by 30 th September of the year. Please pay early and avoid reminders.	If paid on or after 1 st October names will be removed and restoration formalities to be observed.
2.	Updating Entry on Record : * Sent alongwith Fee Circular for verification and confirmation of particulars given therein.	Should be returned duly verified and signed latest by 30 th April supported by prescribed formats wherever applicable. If received after 30 th April it will not be reflected in the List of Members.	Particulars in Entry on Record sent will be presumed as correct if no confirmation is received.
3.	Earning CPE Hours : * All members holding COP may plan well in time to complete 90 CPE credit hours for the rolling period of three years starting from the year 2008 and minimum 20 CPE credit hours of structured learning in each year. * All members who are not holding COP or are residing abroad may plan to complete at least 45 CPE credit hours of structured / unstructured learning for the rolling period of 3 years starting from the year 2008 and minimum 10 CPE credit hours of structured/unstructured learning in each year.	Should get in touch with concerned regional council, branches and chapters for registration and attending CPE programmes.	On completion of each program member may verify the number of hours credited in his account by visiting the site cpeportal@icai.org . Also verify and confirm the same given in Entry on Record.
4.	Grant of Certificate of Practice : * No member can practise unless he holds Certificate of Practice	Apply in Form '6' along with Fee (Revised w.e.f. 1.4.2008) of Rs. 1,200/- for members of age 65 years and above and Rs. 1,600/- for members below 65 years.	Certificate of Practice will be granted from the date of receipt of Form '6' complete in all respects.
5.	Admission as Fellow : * An associate member who has completed 5 years of continuous practice and/or employment would be eligible for admission as a Fellow Member.	He may submit Form '3' with prescribed fee. A member in employment is required to submit service certificate and Balance Sheet for the relevant period. He can also submit Form '6' with COP fee if he intends to hold COP.	A member can submit Form '3' and '6' also relevant documents required for admission as Fellow even 30 days prior to the date of his eligibility for admission as a Fellow member.
6.	Restoration of Name : * A Member whose name has been removed from the Register of Members is eligible for Restoration of his name.	If removal is on account of non payment of fee by 30 th September, apply in Form '9' with membership fee for the current year and Restoration fee (revised w.e.f. 1.4.2008) of Rs. 1,000/- before 31 st March for restoration of name retrospectively.	If the membership fee and Form '9' is received on or after 1 st April the name will be restored only prospectively with effect from the date of receipt of Form '9' with requisite fees.
7.	Restoration of Certificate of Practice : * A member whose certificate of practice has been cancelled is eligible for restoration of certificate of practice.	If cancellation of COP is on account of non payment of fee by 30 th September, apply in Form '101' with COP fee for the current year before 31 st March for restoration of COP retrospectively.	If the COP fee is not received on or before 31 st March the member concerned has to apply for grant of fresh COP by submitting Form '6' with the prescribed Membership and COP fee.

Sl. No.	Description	Application Form & Time Limit	Remarks
8.	Change in Address : * Every member shall have a postal address of the professional address at the time of enrolment and shall intimate any change in the said address.	A written intimation duly signed giving the old as well as new address shall be submitted within 30 days from the date of change in the address.	Change in address shall be intimated then and there. Non intimation or delayed intimation will put the member to certain inconvenience like non receipt of Journal , News Letter and other communications from the Institute.
9.	Permission for other engagement : * A member in practice is required to seek prior permission for engagement in any business or occupation other than profession of accountancy.	Within 30 days from the date of joining employment or occupation an intimation containing details thereof shall be submitted seeking permission. In the case of family business, Managing Director or whole time Director, the member is required to file information in the prescribed form while seeking permission.	General permission is granted to the members to become Director Simplicitor in the companies i.e. to attend Board Meeting for which they will be entitled to only sitting fee and no remuneration. Specific permission is granted on case to case basis to be lecturer in a college subject to fulfilling certain conditions, teaching hours not exceeding 25 hours per week.
10.	Joining / Leaving employment in Industry : * A Member employed in Industry is also required to give details of his employment irrespective of whether he holds certificate of practice or not.	A member employed in industry may intimate the post held, the date of joining and the address of the employer within one month of such employment.	Institute is striving to maintain Industry-wise Data Bank with segmentation of the companies. This will help the Institute to organize specific training and development programs. Members may kindly return Annexure 'D' to Exhibit 2 of Fee Circular alongwith Entry on Record latest by 30 th April.
11.	Joining / leaving as Paid Assistant : * A Member whether holding certificate of practice or not can join as a Paid Assistant in a C.A. Firm or with a Chartered Accountant in practice	A written intimation and confirmation by the firm indicating the date of joining / leaving is required to be submitted within 30 days.	Member in practice working as a paid assistant cannot perform attest function and will be treated as a member in part-time practice.
12.	Firm Name Approval : * Member holding certificate practice can practice in a trade/firm name with prior approval.	Apply in Form 117 to the Head office of the Institute for obtaining approval of trade /firm name as per the guidelines printed overleaf in the said form.	Name will be approved only from the date on which Form No. 117 has been received.
13.	Registration of Firm : * A firm can be registered after getting approval of firm name.	Apply in Form 18 for registration of firm within 30 days of the approval of firm name	Any subsequent change in the particulars of the firm shall be intimated by submitting Form 18 duly signed within 30 days from the date of such change.
14.	Opening/closing of Branch Office, Change in Address of H O /B O : * Every change in the particulars of the firm has to be intimated to the concerned decentralised office.	A written intimation shall be made by the Incharge of the firm or authorized partner within 30 days of such opening or closing of Branch or change in address.	Delay in submission of change in particulars of the firm will amount to breach of Regulation.

* Note : For details please refer to the Chartered Accountants Act 1949 and the Chartered Accountants Regulations 1988.

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1. Enrolment as Member

(Sections 4 & 8 Regulation 4)

Eligibility Criteria

The applicant should have:

- (a) Completed the prescribed period of 3 years / 3 years and 6 months articulated training or 4 Years and 6 months audit training as applicable;
- (b) Passed the C.A. Final Examination Both Groups;
- (c) Undergone course on General Management and Communication skills. (Applicable to candidates passing of Both Groups of Final C.A. Examination held in May 2003 and thereafter.)
- (d) Should not possess any of the following disabilities:
 - (i) Not attained the age of 21 years.
 - (ii) Unsound mind and stands so adjudged by a Competent Court.
 - (iii) Undischarged insolvent.
 - (iv) Being discharged insolvent, has not obtained from the Court a certificate that his insolvency was caused by misfortune without any misconduct on his part.
 - (v) Convicted by a Competent Court, of an offence involving moral turpitude committed by him in his professional capacity unless pardoned or the Central Government has removed the disability.

Requirement

- (1) Application in Form 2 signed and complete in all respect should be submitted to the Institute's concerned Decentralised Office. The name in the Form should appear as borne in Degree Certificate/ Higher Secondary School certificate in case of Foundation student/P.E.-I student. In case the applicant has changed his signature after completion of training, he is required to submit his new signature attested by a C.A. or a Gazetted Officer. In case of change in the name, must complete the formalities by submitting the documentary evidence, such as marriage invitation card or Gazette Notification etc,
- (2) The following fees should be accompanied with the application in Form 2 :

w.e.f. 1.4.2008

- | | |
|--|-------------|
| (I) Entrance fee | Rs. 1,000/- |
| (ii) Associate Membership fee | Rs. 600/- |
| (iii) Certificate of Practice fee*
(If the candidate intends to hold COP) | Rs. 1,600/- |
| (iv) Contribution towards CABF (recommendatory) | Rs. 1,000/- |

* Submission of Form 6 is not mandatory.



- (3) The fee has to be paid by way of account payee local cheque (pay at the place candidate belongs to or at which Decentralised Offices are situated) or by demand draft/ Pay Order, drawn in favour of 'The Secretary', The Institute of Chartered Accountants of India, New Delhi or the concerned Decentralised Office (if the candidate belongs to other cities). The addresses of the Decentralised Offices are given in Chapter 26(Pages 50 - 52).
- (4) The certified true copy (by a Chartered Accountant or Gazetted Officer) of the following documents are required to be attached:
 - (i) Educational Qualifications.
 - (ii) Mark sheets of C.A. Final Examination.
 - (iii) Training Completion Certificate.
 - (iv) Certificate of participation of Course of General Management & Communication skills.
 - (v) High School/Higher Secondary School Certificate as proof of date of birth(if not submitted earlier)
- (5) In case the applicant had pursued other course(s) with prior permission of the Council, a copy of the permission letter issued by Institute may be submitted. However, if the prior permission of the Council was not obtained, the application in prescribed Form 112 complete in all respect alongwith observations and comments of both the applicant and the employer stating reasons for non compliance of Regulation 65 are required to be submitted along with condonation fee.
- (6) In case the applicant was engaged in other business /occupation, a copy of the permission letter issued by Institute may be given. However, if the prior permission of the Council was not obtained, the application in prescribed Form 112 complete in all respect alongwith observations and comments of both the applicant and the employer stating reasons for non-compliance of Regulation 65 are required to be given. The following documents required to be submitted;
 - (a) Certified true copy of the partnership deed containing clear recital that the applicant had neither taken active part nor was a active partner.
 - (b) Affidavit of all the partners including the articled /audit assistant that he had neither taken active part nor was required to take active part in the management of the business.
 - (c) No objection letter of the employer that the training of the article assistant was not interfered during the period of training due to above engagement. He/his firm was not the auditor of the partnership firm in which articled assistant was engaged.
- (7) In case the applicant was engaged during period of articles training as a Director in a family business with prior permission of the Council, a copy of the permission letter issued by the Institute may be submitted. However, if the prior permission of the Council was not obtained, he is required to apply for permission in the prescribed Form 112 complete in all respect alongwith observations and comments of both the applicant and the employer stating reasons for non compliance of Regulation 65. He is required to submit the following documents :-
 - (a) A copy of the Memorandum/ Articles of Association of the Company



- (b) Affidavit of the articulated assistant duly sworn in before Notary / First Class Magistrate that he has neither taken active part nor was entitled to take active part in the management of the business.
- (c) A copy of the resolution of the company that the articulated assistant was a Director of the company and had neither taken active part nor was entitled to take active part in the management of the business affairs of the company.
- (d) No objection letter of the employer that the training of the article assistant was not interfered during the period of training due to above engagement.
- (8) The candidate may apply for C.A. Benevolent Fund in prescribed Form which is available with Form 2. The life membership fee is Rs. 1000/-. The amount of CABF is utilized for a noble cause viz; providing financial assistance to members and their families in distress and the contribution is exempted u/s 80(G) of the Income Tax Act*.
- (9) The candidate may also apply for Member's Identity Card in the prescribed Form alongwith two passport size colour photographs so that the same is issued to him free of cost.
- (10) In case the applicant intends to hold Certificate of Practice and is also engaged in other occupation/business, the formalities mentioned in Chapter 3 (Engagement in other Business/Occupation) may be complied with by submitting an application in the prescribed Form.
- (11) The candidates falling under category 5, 6 & 7 are required to apply for condonation and pay condonation fee as applicable. For details please see Chapter number 20 on Condonation of breach of Regulation 65 for non filing Forms within specified time.

General

- (i) The Decentralised Offices will issue an acknowledgment for the payment of fees remitted by an applicant for enrolment as a member.
- (ii) A candidate shall be enrolled as a member of the Institute from the date on which the prescribed fee, Form 2 complete in all respects and compliance of other requirements are fulfilled.
- (iii) On satisfactory compliance of requirements, letter of enrolment with Certificate of Practice (if applied for) will be issued by the concerned Decentralised Office.
- (iv) The script of membership/Certificate of practice will be issued to the newly enrolled member within a period of 3 months from the date of issue of enrolment letter and sent by Registered/Speed Post.
- (v) A copy of Members Hand book containing Chartered Accountants Act 1949, Chartered Accountants Regulation 1988, Professional Opportunities for Members - an Appraisal, Code of Ethics and Manual for members is issued to newly enrolled members free of cost.
- (vi) Identity cards will be sent to the members within 2 months from the date of issue of letter of new enrolment provided there is no deficiency in the information provided in the application Form.

**Details of CABF are available at page 48 and also on the website of the Institute at www.icaai.org.*



2. Grant of Certificate of Practice

(Section 6, Regulation 9)

Eligibility

- (1) As Associate/Fellow member of the Institute can apply for grant of Certificate of Practice in the prescribed Form '6' together with requisite fee
- (2) A member engaged in the categories of business/occupation as defined in Appendix (9) under Regulation 190A is eligible to apply for Certificate of Practice.

Requirements

- (1) The member is required to apply for Certificate of Practice in Form 6. The Form complete in all respect and signed is required to be submitted.
- (2) An account payee Cheque (for local members only) /Demand Draft for Rs. 1600/- w.e.f. 1.4.2008 alongwith annual membership fee of the relevant year should be submitted.
- (3) If the member is engaged in other business/occupation, he is required to apply for permission of the Council, by submitting application in the prescribed Form.

Note : it has been decided to issue the Script for Certificate of Practice bearing the photograph and signature of the member who have applied or on after 1st September, 2008. Members are requested to submit Form '6' affixing recent color photograph in the boxed provided in the Form.

General

- (1) An acknowledgment will be issued by the Decentralised Office on receipt of Form 6 and fees.
- (2) A letter granting Certificate of Practice will be issued by the concerned Decentralised Offices.
- (3) The date of grant of Certificate of Practice will be the date on which all the requirements are complied with. The Certificate of Practice is generally granted from the date of application in Form 6 provided the Demand Draft/Cheque is issued on or before the date of application and such application is received by the Institute's office within 10 days from the date of the application.
- (4) The permission for other engagement will be granted provided the engagement is permissible.
- (5) The script of Certificate of Practice will be issued to a member within 3 to 4 months time from the date of issue of letter granting COP and will be sent by Registered/Speed Post.



3. Engagement in other Business/Occupation

(Regulation 190A)

Eligibility

1. A member in practice is required to seek permission of the Council under Regulation 190A for engagement in any business or occupation other than the profession of accountancy. The member is required to submit an application in the prescribed Form. The permissible categories of engagements approved by the Council under Regulation 190(A), are available in Appendix No. 9 to the Chartered Accountants Regulations, 1988.
2. In case a member had obtained permission of the Council for other engagement, he is required to inform to the Institute the date of leaving, upon ceasing such employment within 30 days.
3. He may also seek permission for his new engagement by sending the application in the prescribed Form within 30 days.

Requirements

1. An application in the prescribed Form filled in and signed and complete in all respects by the member shall be submitted to the Institute's office within 30 days from the date of joining the employment.
2. In case the member is employed with a firm of Chartered Accountants, a letter of confirmation from the firm shall also be submitted.
3. The permission of joining/leaving should be communicated to the Institute's office within 30 days mentioning the exact date when he joined/ceased to be engaged in other occupation/engagement.

Interest In Family Business

A member of the Institute can acquire interest in family business in any of the following manner:

- (a) as a proprietor of a proprietary firm.
- (b) as a partner of partnership firm.
- (c) in the name and style of Hindu Undivided Family as its Karta or a member.

It would be necessary for the member to provide evidence that interest in the family business concern devolved on him as a result of inheritance/succession/partition of the family business. It is also necessary for the member to show that he was not actively engaged in carrying on the said business and that the family business concern in question was not created by him.

The member is required to submit an application and a declaration in the prescribed format. The format is available at page no. 84.



Director of a Company:

A member in practice shall be permitted to be a Director (Director Simplicitor), Promoter/Promoter Director, Subscriber to the Memorandum and Articles of Association of any company including a Board Managed Company.

(a) Director Simplicitor:

- (i) the expression 'Director Simplicitor' shall be used for an ordinary/simple Director, who fulfills the following conditions :
 - (a) he is required to attend the Board meetings only.
 - (b) He will not be paid any remuneration except the sitting fees for attending the Board meetings; and
 - (c) He will be devoting his time for the company only to attend Board meetings and not for any other purpose.
- (ii) A member in practice is permitted generally to be a Director Simplicitor in any Company including a Board-Managed Company and as such he is not required to obtain any specific permission of the Council in this behalf irrespective of whether he and/or his relatives hold substantial interest in that Company.

(b) Promoter/Promoter-Director:

There is no bar for a member to be a Promoter/Signatory to the Memorandum and Articles of Association of any Company. There is also no bar for such a promoter/signatory to be a Director Simplicitor of that Company irrespective of whether the objects of the Company include areas which fall within the scope of the profession of Chartered Accountancy.

Therefore members are not required to obtain specific permission of the Council in such cases.

Appendix No. 9 to the Chartered Accountants Regulations, 1988, particularly item no. 3 of part B together with the definition of 'relative' and 'substantial interest' may be referred to.

Permission for rendering of services to a company as a professional accountant in addition to being Director/Managing Director etc. requires special specific permission of the Executive Committee.

(for additional information please see Annexure 1 at page no. 130)

Members in Part-time practice

The Council at its 241st meeting decided that effective from 1.04.2005, any member in part-time practice (namely, holding certificate of practice and is also engaging himself in any other business and/or occupation) is not entitled to perform attest function, and that the resolution passed under Regulation 190A, which is currently in force and appears as Appendix 10 to the Chartered Accountants Regulations 1988 (Appendix No. 9 in 2002 Edition), be reviewed by the Executive Committee, in the light of the above decision



The Council at its 242nd meeting noted the recommendations made to it by the Executive Committee in this regard and accordingly passed the following resolution as a part of and in continuation of the existing resolution under Regulation 190A which appears as Appendix no. 9 to the C.A. Regulations, 1988 (2002 edition)

IT IS FURTHER RESOLVED that the general and specific permission granted by the Council is subject to the condition that -

- i) any member engaged in any other business or occupation, in terms of general or specific permission granted as per Appendix No. (9) shall not be entitled to perform any attest function except in the following cases.
 - (a) Authorship of books and articles
 - (b) Holding of Life Assurance Agency License for the limited purpose of getting renewal commission.
 - (c) Attending classes and appearing for any examination.
 - (d) Holding of public elective offices such as M.P., MLA & MLC.
 - (e) Honorary office-bearership of charitable, educational or other non-commercial organizations.
 - (f) Acting as Notary Public, Justice of the Peace, Special Executive Magistrate and the like.
 - (g) Part-time tutorship under the Coaching Organisation of the Institute.
 - (h) Valuation of papers, acting as paper-setter, head-examiner or a moderator for an examination.
 - (i) Editorship of professional journals - (not in employment)
 - (j) Acting as Surveyor and Loss Assessor under the Insurance Act, 1938 (not in employment).
 - (k) Acting as Recovery consultant in the Banking Sector (not in employment)
 - (l) Any coaching assignment organized by the Institute, its Regional Councils and Branches of Regional Councils.
 - (m) Engagement as Lecturer in an University, affiliated college, educational institution, coaching organization, private tutorship, provided the direct teaching hours devoted to such activities taken together do not exceed 25 hours a week.
 - (n) Engagement in any other business or occupation permitted by the Executive Committee from time to time.
- (ii) A member who is not entitled to perform attest function shall not be entitled to train articled/audit assistants
- (iii) The decision (of the Council) taken at its 223rd meeting held in February, 2002 prescribing the criteria for individual cases of articleship shall continue to be in operation, mutatis mutandis.

The Council in this connection also clarified that the Attest function for the purpose of this Resolution would cover services pertaining to audit, review, certification, agreed upon procedures, and compilation, as defined in the Framework of Statements on Standard Auditing Practices and Guidance Notes on Related Services published in the July, 2001 issue of the Institute's Journal.



4. Admission as a Fellow Member

[Section 5(3) Regulation 5(3)]

An associate member is eligible for admission as a fellow member if he satisfies the eligibility conditions laid down under Section 5(3) of the Chartered Accountants Act 1949 and Regulation 5(3) of the Chartered Accountants Regulations 1988.

Eligibility

An associate member will be admitted as a fellow member if he satisfies the following conditions:

- (a) Continuous practice within India for a period of not less than 5 years
- Or
- (b) He has been an associate member for a continuous period of not less than 5 years and has been in government service or is ordinarily holding or has held for a continuous period of not less than 5 years any one or more posts carrying duties relating to accounts, cost accounts, audit, finance, taxation, company law and /or secretarial work in :
 - (i) an educational institution approved by the Council; or
 - (ii) a private or government, industrial, commercial or trading undertaking having a minimum paid-up capital of Rs. 25 lakhs or a minimum turnover of Rs.50 lakhs or a minimum paid-up capital of Rs. 10 lakhs and a minimum turnover of Rs.30 lakhs or a minimum total assets of Rs.50 lakhs;
 - (iii) employed under a statutory authority; or
 - (iv) employed under a local authority having within its jurisdiction a population of not less than 5 lakhs during each of the five years of his service.
- (c) Continuous service for a period of not less than 5 years as a full-time paid assistant under a practising Chartered Accountant or in a firm of such Chartered Accountants.

Note:

A member either partly in practice and partly in service, holding one or more posts mentioned above is also eligible for admission as fellow provided the total period of practice and/or service shall be continuous and be not less than 5 years.

However, Institute provides for condonation of break in continuity of service or practice for a period not exceeding one year provided the actual period of service and practice together is not less than 5 years.

In case of break in employment and practice the break in continuity in service or practice for a period not exceeding 1 year can be condoned by the competent authority.



Requirements

The member is required to comply with the following :-

- (a) Submit Form 3, complete in all respects. In case there is a change in signature of the member the attested new specimen signatures may also be submitted.
- (b) The details of fee payable is as under: - w.e.f. 1.4.2008
 - (i) Admission fee - Rs. 1500/-
 - (ii) Fellow Membership fee - Rs. 1800/-
 - (iii) Certificate of Practice fee (if intends to hold) - Rs. 1600/-
- (c) A member who has already paid the membership fee for the year as an associate, is required to pay the balance membership fee if applied on or after 1.4.2008.
- (d) In case of employment :-
 - (i) Service certificate(s) from the employees) mentioning date of joining/leaving, nature of duties performed and the post(s) held; and
 - (ii) Certificate(s) from the company(ies) regarding paid-up capital, turnover and total assets for the relevant period of 5 years or company's annual reports for the relevant period.
- (e) A member can apply for admission as a fellow member 30 days prior to the completion of 5 years of continuous practice or employment with requisite Forms and fee.
- (f) On satisfactory compliance of the above requirements, fellowship can be granted from the date of receipt of Form 3 and the requisite fee or from the date of completing 5 years continuous practice or employment whichever is later. If the application has been made in advance fellowship will be granted from the date of eligibility.
- (g) A letter of admission as a Fellow Member will be issued.
- (h) The script of fellow membership and Certificate of Practice (if sanctioned) will be sent by Registered/Speed Post within 3 to 4 months from the date of issue of fellowship letter.



5. Payment of Annual Fee

(Regulation 6)

1. The annual fee payable by a member becomes due and payable on 1st April of each year. The members are required to make payment of fee to the concerned Decentralised Office under whose territorial jurisdiction their professional address falls. The payment of the fee can be made by a local cheque or demand draft in favour of Secretary, Institute of Chartered Accountants of India. Fee can also be paid by using online payment facilities.

The fee may be sent to the concerned Decentralised Office of the Institute so as to reach on or before 30th September of the relevant year in order to avoid removal of the name and or cancellation of Certificate of Practice.

2. Schedule of Fee	<u>w.e.f. 1.4.2008</u>
(i) Associate Membership Fee	Rs. 600/-
(ii) Fellow Membership Fee	Rs. 1800/-
(iii) Certificate of Practice Fee	Rs. 1600/-

The Council has decided that members who are senior citizen and have attained the age of 65 years as on 1.4.2008 will be required to pay their annual membership fee as per follows :-

(i) Associate Membership Fee	Rs. 450/-
(ii) Fellow Membership Fee	Rs. 1300/-
(iii) Certificate of Practice Fee	Rs. 1200/-

Method of Remittance

1. Pay directly to the Institute's Office

Fee can be remitted directly to the concerned Decentralised Office of the Institute. Members may send their fee as per above schedule through demand draft/local cheque favouring Secretary, 'The Institute of Chartered Accountants of India, payable at the concerned Regional Office of ICAI as per address given in chapter 26.

Members may please note that payment of membership fee through Central Bank of India has been discontinued from 1st April 2006. Members are requested not to pay fees through Central Bank of India.

2. ECS Facility

Payment through Electronic Clearing System is also provided for which member may use mandate form placed at Annexure '2' at page no. 103 and as per instructions printed overleaf. Currently this facility is available to the members having Bank account with MICR Cheque facility in the cities mentioned in the mandate form.

Members are requested to use this facility by submitting the mandate form by 30th April of the relevant year.



3. Payment Gateway

Payment gateway solution was introduced facilitating members to remit the membership/COP fees online. Members are encouraged to use this facility for the convenience and comfort. For the use of payment gateway members are requested to log in through "Online Services and Payment" link on Institute's website "www.icaai.org" to pay annual membership fee online. Members are required to fill in the credit card details alongwith name of the card holder on the payment gateway page for successful online transaction.

4. Payment of fee in advance for a period of 3 years.

Salient features of the scheme for accepting the annual membership and the annual Certificate of Practice fee in advance from member within and outside India for a period of three years.

- (a) Advance fee would be accepted for a period of 3 years only. Members desirous of availing this facility are, therefore, advised to calculate the advance fee based on the fee/rates for the time being in force. For Instance while remitting fee for year 2008-2009, which falls due on 1st April 2008, remittance may be made for the year 2008-2009 and for the following two years.
- (b) The advance received would be adjusted against the fee as may be payable from time to time. In case there is a revision of the fees during the period the advance received would be adjusted as per the revised scale of fees for the time being in force. Increase of shortfall due to revised amount of membership /COP fee member is required to pay the due amount before 30th Sept. of the running financial year.
- (c) The advance amount received by the Institute would not be adjustable for any other fees due, such as amount payable at the time of enrolment as a fellow, grant of Certificate of Practice afresh/renewal after a gap etc. The member would be required to pay such fee separately while submitting the prescribed application Form (s) etc. for the purpose.
- (d) Payment of advance fees is only a facility to member and that it would in no manner mean that because of the advance payment of fees their membership is secured upto the relevant year(s). In spite of the advance payment of fees, continuance or otherwise of their membership would be subject to the provisions of the Chartered Accountants Act and the Regulations framed thereunder as well as rate of fee applicable. In case of shortfall due to revised amount of membership/COP fee, Member is required to pay the due amount before 30th Sept. of the running financial year.
- (e) Refund of advance fee received would not be allowed under any circumstances except in case of removal of the name of a Member from the Register of Members under the provision of the Chartered Accountants Act, 1949 and the Chartered Accountants Regulations 1988.

In the case of death, the fee for the year in which removal takes place would be deducted and the balance of the advance fee paid, if any, would be refunded to nominee(s)/legal heir(s) of the member concerned. In all other cases of removal, the balance of advance fees, after such a deduction as aforesaid, if any, would be kept to the credit of the member concerned for adjustment towards annual membership fee payable at the time of restoration.



(f) No interest would be paid on advance fee remittance

(g) In case of members residing abroad:

Payment of advance fee/air mail charges for journal should be made in Indian currency i.e the draft/cheque (drawn on the designated Indian branch of bank credit to the account of the Institute) would have to be made out in rupees irrespective of the country/currency. However, where the fee has been sent in foreign currency, conversion of foreign currency would be at the rate applicable on the date when the Institute's Bankers give credit.

They should clearly indicate and remit separately air-mail charges for dispatch of journal, if they so require, for 3 years for which they are remitting membership fee. The Institute would communicate to member abroad the approximate air mail charges payable for the 3 years based on the average increase taken place in air mail charges during last 5 years. The idea is to enable such members to send sufficient amount in advance and the Institute to adjust the likely increase over the next three years.

6. Removal of Name

(Sections 8, 20 & 21)

1. The name of a member is removed under the following circumstances:
 - (a) On receipt of a written request from the member provided the annual membership fee for the relevant year has been paid. In case the member desires to have his name removed from 1st April, and his request is received within 30th April of the relevant year, the name of the member will be removed even though annual membership fee has not been paid.
 - (b) Due to non-payment of annual fee latest by 30th September.
 - (c) On passing of an Order for removal of the name under Section 21 of the Chartered Accountants Act 1949.
 - (d) In the event of death of a member, on receipt of information and a copy of death certificate from his relatives or on receipt of information from surviving partners of the firm in which he was partner, or on receipt of letter from office bearer of Regional Council and/or its branches.
 - (e) On being found suffering from any disability specified under section 8 of the Act or who for any reason, has ceased to be entitled to have his name borne on the Register of Members.
 - (f) On contravention of provisions of Regulation 187 with regard to non-supply of information relating to Professional Address, after giving him an opportunity of being heard.
2. A letter of removal of name of the Member will be sent at his professional address.
3. A copy of extract of notification published in the Gazette of India will be sent.
4. In case of 1 (d) above, the letter will be sent to the legal heirs of the deceased member.



7. Restoration of Name

(Regulation 19)

Eligibility

A member whose name has been removed from the Register of Members is eligible for restoration of name.

Requirements

1. The application in Form 9 duly filled in and signed by the member alongwith the following fees.
In case the member has changed his signatures, the new signatures verified by a chartered accountant may also be provided.
 - (a) Membership fee for the year in which the name was removed.
 - (b) Membership fee for the year in which restoration is sought.
 - (c) Restoration fee of Rs. 1000/- (w.e.f -1.4.2008)
 - (d) Certificate of practice fee (if intends to hold).
2. The name of the member will be restored from the date of receipt of Form 9 together with requisite fee and compliance of all the requirements.
3.
 - (i) The name of a member can be restored with retrospective effect (i.e. from the date of removal) provided an application for restoration in Form 9 alongwith membership fee, Certificate of Practice fee (if intends to hold) and restoration fee is received within the relevant financial year i.e. latest by 31st March.
 - (ii) In case of removal under the Orders of High Court, the restoration shall be effected in accordance with such order.
4.
 - (a) A letter restoring the name and Certificate of Practice (if granted) will be sent.
 - (b) A copy of extracts of notification published in the Gazette of India will be sent.
 - (c) In case of restoration of name from a prospective date, the script of the original Certificate of Practice will be sent if Certificate of Practice was also sanctioned.



8. Cancellation of Certificate of Practice

(Regulation 10)

1. (i) The Certificate of Practice of a member will be cancelled on receipt of a written request from him under Regulation 10 (i) (iii) provided he has remitted the annual membership/ Certificate of Practice fee for the relevant year.

(ii) In case the member desires to cancel Certificate of Practice from 1st April and the request is submitted within 30th April, the Certificate of Practice of the member will be cancelled even though he has not remitted the Certificate of Practice fees. However the member has to pay the annual membership fee within the specified time. i.e. before 30th September.
2. The other circumstances under which the Certificate of Practice shall be cancelled are as under:-
 - (a) When name of the member is removed.
 - (b) When the member has not paid the Certificate of Practice fee by 30th September of the relevant year.
 - (c) When the Council is satisfied, after giving an opportunity of being heard to the person concerned, that such certificate was issued on the basis of incorrect, misleading or false information, or by mistake or inadvertence.
 - (i) A member ceasing to practice, is required to issue service certificate in the prescribed Form 109/108/114 to all the articled/audit assistants undergoing training under him. He will cease to be a proprietor/partner of the firm/s.
 - (ii) If the Certificate of Practice is cancelled, the holder of such certificate shall surrender the original script of Certificate of Practice to the Secretary of the Institute within 15 days from the date of receipt of notice of such cancellation or from the date of the notification thereof in the Gazette of India. Surrender of Certificate of Practice to the Institute is a mandatory requirement.

A letter confirming the cancellation of Certificate of Practice will be issued to the Member.



9. Restoration of Certificate of Practice (Regulation 11)

Eligibility

Member whose Certificate of Practice has been cancelled on account of non-payment of Certificate of Practice fee for the relevant year and has paid the fee on or after 1st October is eligible for restoration of Certificate of Practice with retrospective effect provided Form 101 duly filled and signed has been received from him on or before 31st March of the relevant financial year.

Requirements

- (a) An application in Form 101 duly filled in and signed along with Certificate of Practice fee for the relevant year.
- (b) Annual Membership fee has been paid on or before 30th September of the relevant year.

A letter restoring Certificate of Practice with retrospective effect will be issued only on compliance of the above. However, on restoration of certificate of practice, if member is sole proprietor/partner in a firm, he/she is required to file form 18 separately for revival of his/her CA firms.



10. Imparting Training to Articled/Audit Assistants

(Regulation 43, 51, 54A, 55, 57, 68 & 72)

A. Who is eligible to train articled/audit assistants

- (1) An associate or a fellow member, who has been in practice continuously, whether in India, or elsewhere or an associate or a fellow who is employed as a paid assistant with a chartered accountant in practice or in a firm of such chartered accountants shall only be eligible to engage an articled assistant or assistants:

In the case of an associate or a fellow practising outside India, the Council may impose such additional terms and conditions as it may deem fit.

- (2) Effective from 17.8.2007 the entitlement of members in practice to train articled assistants is as follows :

Category	Period of continuous Practice	Entitlement of articled assistant or assistants
(i)	An associate or fellow in continuous practice for a period upto 3 years	1
(ii)	An associate or fellow in continuous practice for any period from 3 years to 5 years	3
(iii)	An associate or fellow in continuous practice for any period from 5 years to 10 years	7
(iv)	An associate or fellow in continuous practice for any period from 10 years	10

- (3) The entitlement of (Paid Assistants) members who are in full time salaried employment under a chartered accountant in practice or a firm of such chartered accountants is as follows

Category	Number of full time salaried employees - irrespective of whether associate or fellow	Entitlement of articled assistant or assistants
(i)	Upto 100	1 per employee
(ii)	Between 101 and 500	100 + 50% of the number of such employees above 100 (i.e., a maximum of 300)
(iii)	From 501 or more	300 + 20% of the number of such employees above 500



(4) Further conditions for entitlement :-

- (i) a full-time salaried employee shall be eligible to engage and train an articled assistant only if he has been in employment with the same employer for a continuous period of twelve months.
- (ii) a member who ceases to be in practice or resigns his partnership or gives up salaried employment under a chartered accountant in practice or a firm of such chartered accountants and who, at the time of discontinuance of practice or paid employment, as the case may be, has one or more articled assistants serving under him, shall not be eligible to take any articled assistant, if he subsequently sets up practice or takes up salaried employment under a chartered accountant in practice or a firm of such chartered accountants, until such time as the articled assistant or assistants serving under him previously complete the period of articles intended to be served under him, had he not given up his practice or the salaried employment,
- (iii) a member shall be entitled to engage and train an articled assistant only if he is in practice and such practice, in the opinion of the Council, is his main occupation. In ascertaining the number of years for which a member was in continuous practice, only the number of years in respect of which the member's practice was his main occupation shall be considered. The Council may, in its discretion, condone any break in the continuity of practice, for a period not exceeding 182 days in the aggregate.
- (iv) A member who sets up practice, with practice as his main occupation, after having been in employment for a minimum period of six years in one or more financial, commercial or industrial undertakings approved under regulations 51 and 72, shall be deemed to have been in continuous practice for three years.

(5) The entitlement of a member to train articled assistants under regulation 43 shall be subject to such decisions as may be made by the Council under regulation 67.

(6) **Engagement of Audit Assistant** (*Regulation 68*)

A member who has been in continuous practice for not less than three years, either before or after the commencement of the Act, or partly before and partly after the commencement of the Act, shall be entitled to engage one audit Assistant.

(7) **Additional Vacancies** (*Under Regulation 57*)

- (a) The additional vacancies can be granted to a member in practice under the following circumstances;
- (i) the Principal has ceased to practise.
 - (ii) name of the Principal is removed from the Register of Members.
 - (iii) the Principal has died.

In all the above cases request for grant of additional vacancy shall be made within 30 days to the Secretary. Within 30 days from the date of the letter of the Secretary granting permission, the particulars in form 103 shall be sent for registration. In the case of death of the principal the date of commencement of training under fresh articles shall be taken the date following the date of death of the principal.



- (b) Additional Vacancy may also be granted for accommodating articled assistants serving period of excess leave. The benefit of additional vacancy in such cases is given only where it could not have been reasonably anticipated that the articled assistant would have to serve an extra period on account of excess leave taken.

B. Training of Articled Assistants outside India.

- i) A Chartered Accountant is eligible to train an articled assistant provided his main occupation is the practice of the profession of Accountancy at the time of engaging articled assistants as well as in each of the qualifying years on the basis of which he claims eligibility to train articled assistants.
- ii) Any member engaged in any other business, occupation or holding part time certificate of practice, is not entitled to train articled assistant.
- iii) The member in practice shall have a professional address in India in his own charge or in charge of another member.
- iv) The terms and conditions that may be made applicable for training articled assistant in India from time to time shall mutates mutandis apply for training of articled assistant abroad.
- v) The period of practical training shall be 3 years or 3½ years, as applicable, under a practising chartered accountant abroad. However, the articled / audit assistants should have an option to undergo industrial training in accordance with the Regulations 51 & 72 of the Chartered Accountants Regulations, 1988 during the last one year of training.
- vi) The Industrial Training may be imparted by the Chartered Accountants working abroad in a financial, commercial or industrial undertaking with minimum fixed assets & minimum total turnover or minimum paid up capital as may be specified by the Council (whatever the value specified in terms of Indian currency may be deemed as applicable in foreign countries in their respective currencies) or such other organization or institution approved by the Council
- vii) The terms & conditions contained in Regulation 54 dealing with secondment shall be applicable to the articled assistants receiving training abroad.
- viii) The Principal shall send training reports as prescribed alongwith the service certificate to be issued in Form 109 & 108 as the case may be
- ix) The principal shall impart training in accordance with the guidelines contained in Training Guide. He shall maintain a record of practical training imparted by him to the articled assistant and report to the Council in the form prescribed in the training guide.
- x) The rates, terms and conditions of stipend prescribed as payable to the articled assistants receiving training in India shall be applicable to the articled assistants receiving training abroad except that the same rate of stipend in equivalent terms specified in respective national currencies of the countries concerned instead of Indian rupees.
- xi) Regulation of training in terms of office hours and working days holidays will be applicable as per local office timings and laws. However, requirements of total training hours will be the same as applicable in India, the terms of which are given hereunder: -



- a) The working hours for the articled assistants shall be 35 hours in a week excluding the lunch break.
- b) The office hours of the Principal for providing article training to the articled assistant shall not be generally before 9.00 a.m. or after 7.00 p.m.
- c) The normal working hours for the articled assistant shall not start after 11.00 a.m. or end before 5.00 p.m.
- d) The working hours for the articled assistants should not exceed 35 hours in a week excluding the lunch break and normally an articled assistant be required to work during the normal working hours fixed for articled assistants.
- e) In case of exigencies of work with Principal, an article assistant may be required to work beyond his / her normal working hours. However, under such circumstances, the aggregate number of working hours shall not exceed 45 hours per week. The requirement to work beyond 35 hours in a week should not be a practice but only in exceptional circumstances. Further, where the articled assistant is required to work beyond normal working hours, and aggregate of such hours exceed 35 hours per week, he / she shall be entitled to compensatory leave calculated with reference to number of completed working hours, over and above, 35 hours per week.

Further conduct of training will be regulated as per provisions of the relevant Regulations as follows: -

Regulation 60 : Working hours of an articled assistant

"The minimum working hours of an articled assistant shall be 35 hours per week (excluding lunch break) which shall be regulated by the Principal from time to time, subject to such directions and guidelines, as may be issued by the Council."

Regulation 65 : Articled assistant not to engage in any other occupation

"Without the previous permission of the council, obtained on application made in the approved form, no articled assistant shall, during the period of his service as an articled assistant, take any other course of study or training whether academic, professional, or engage in any business or occupation."

Regulation 66 : Enquires against articled assistant

- (1) Where a complaint or information of any misconduct or breach of regulation 65 or breach of code of conduct applicable to the articled assistants or breach of any of the covenants contained in the articles is received against an articled assistant from his principal or any other person, the President or the Vice President as the Executive Committee may decide from time to time, may cause an investigation to be made.
- (2) The Executive Committee may, on a consideration of the report of the investigation and after giving the articled assistant an opportunity of being heard make any of the following orders, namely :-
 - (i) direct that the papers be filed and the complaint be dismissed, if the Executive Committee finds that the articled assistant is not guilty of any misconduct or breach of regulation 65 or breach of any of the covenants contained in the articles ; or



- (ii) if the articulated assistant is found guilty, reprimand the articulated assistant or cancel the registration of articles or direct that any period already served under such articles shall not be reckoned as service for the purpose of the period practical training specified in regulation 50.
- (3) The articulated assistant, the registration or whose articles has been cancelled under this regulation, shall not, except with the permission of the Executive Committee be retained or taken as an articulated assistant or audit assistant by any member.

Explanation - For the purpose of this Regulation the articulated assistant includes a person who at the relevant time was registered as such.

Regulation 67 : Complaint against the Principal

- 1) Where an articulated assistant makes a complaint against his principal on a matter concerning his training as an articulated assistant, the President or the Vice President as the Executive Committee may decide from time to time, may cause an investigation to be made and submit a report to the Executive Committee
- 2) The Executive Committee shall submit that report of the investigation to the Council 22 with its recommendations.
- 3) The Council may, on a consideration of the report of the Executive Committee, pass such order as it may consider expedient, including an order withdrawing the entitlement of the principal to train one or more articulated assistants either permanently or for a specified period.

Provided that no order withdrawing the entitlement of the principal to train one or more articulated assistants shall be passed without giving him an opportunity of being heard.

Explanation-An order passed by the Council under this regulation shall be without prejudice to any action that the Council may take against the principal under Section 21.

- 4) The President or the Vice President as the Executive Committee may decide from time to time, may, pending an investigation of the complaint, either terminate or suspend the articles and allow the articulated assistant to be accepted as additional articulated assistant by a member, notwithstanding anything contained in Regulation 43,

Explanation- For the purpose of this Regulation, the articulated assistant includes a person who at the relevant time was registered as such.

C. Practical training under eligible members of Accountancy Institutions or Bodies outside India (Regulation 54-A)

- (i) A principal, with the consent of the articulated assistant, may depute the latter for training for a period not exceeding six months to a member eligible to engage and train an articulated or articulated assistant or apprentice, by whatever name called, under the bye-laws of an institution or body etc. set up in the respective countries under the relevant Statutes.
- (ii) For the purpose of regulation 50, such period of training shall be deemed to be service as an articulated assistant.



- (iii) During such period of training the provisions of Regulation 48 (relating to stipend) shall not apply.
- (iv) The principal is required to include the particulars of such training in the report to the Council under Regulation 64.
- (v) There is no need either for execution of deed of articles for such training or for any intimation to the Institute in this regard;

D. Members not to engage articled assistants under the bye-laws of the accountancy institutions or bodies outside India. (Regulation 44)

Members entitled to train articled assistants under Regulation 43 as detailed above shall not engage any articled assistant or articled assistant or apprentice by whatever name called under the byelaws of any other Institute or Society or body unless the person concerned has been registered as a student with any of the accounting institutions or bodies whose training is recognized by the Council as being equivalent to the training prescribed for the members of the Institute under clause (v) of sub-section (1) of Section 4 of the Chartered Accountants Act, 1949.

E. Change of status of Principal (Regulation 55)

- (i) Where a Paid Assistant employed by a chartered accountant in practice or a firm of such Chartered Accountants, sets up practice independently, the articled assistant(s) engaged by him shall continue with him from the date of setting up practice provided he is entitled to train articled assistants under Regulation 43.
- (ii) In case he does not set up practice or is not entitled to train articled assistant(s) under Regulation 43, the articled assistant(s) engaged by him shall serve the chartered accountant in practice who has executed the deed of articles as required under Regulation 46(1) as the second principal. In such a case the statement in the form approved by the Council shall be sent to the Secretary for registration within 30 days from the date of change in the status of the principal or within such extended time as the Secretary may determine.

F. Industrial Training (Regulation 51 & 72)

An associate member who has been a member of the Institute for a continuous period of 3 years and employed in an approved financial, commercial or industrial organisation is eligible to train one industrial trainee. Similarly, a fellow member is eligible to train two industrial trainees at a time, whether such trainee be articled assistant or audit assistants.

G. Certificate of Service to Articled/Audit Assistant (Regulation 51, 56, 61 & 75)

The members training articled / Audit assistant Industrial Trainee are required to issue service certificate in the appropriate Forms viz. Form 105,108,109 and 114 in favour of articled/audit or industrial trainee as the case may be. The onus rests with the member in this regard.

In case the Principal has not forthwith issued the Certificate prescribed under Regulation 61, on completion or termination of articles, the articled assistant shall make a request in the form 119 or 120 (as the case may be) approved by the Council, within 15 days of such completion or termination, to the principal, under intimation to the Secretary by registered or speed post, for issue of such certificate of service and the principal shall in any case, issue the certificate of service within three months of such completion or termination:

Where no such certificate is received by the Secretary within fifteen days of expiration of the period specified above, the certificate shall be deemed to have been issued on the date specified by the articled assistant, and an intimation to that effect shall be sent to the principal.



11. Issue of Duplicate Certificate

(Regulation 184)

Eligibility:

A member can apply for issuance of duplicate of the original membership certificate or Certificate of Practice, in the following circumstances:-

- i. The original certificate/s have been lost
- ii. The original certificate/s in possession are mutilated or in torn condition.
- iii. The original certificate/s have been damaged.
- iv. The original certificate/s issued by the Institute are lost in transit.

Requirements:

- (a) A written request for issuance of duplicate certificate/s.
- (b) An affidavit in the prescribed format, stating the specific reason and duly sworn-in before a notary/first class magistrate or before the Indian Consulate/Embassy if the members is abroad.
- (c) The duplicate certificate charges are Rs. 50/- per certificate. The sum is payable by cheque (in the case of local members) and by demand draft, in favour of The Secretary, The Institute of Chartered Accountants of India, New Delhi or the Decentralised Office to which the member belongs.

It is clarified that an affidavit is not required to be executed if the original mutilated, torn or damaged certificate, is returned to the Institute.



12. Change in the Name of Member

The change in name in the records of the Institute will be noted under the following circumstances.

(a) In Case of Female Members

- (i) Application for change in name, alongwith a copy of marriage invitation card,

Or

- (ii) Attested copy of Marriage Registration Certificate /

Or

- (iii) An affidavit duly sworn in before a First Class Magistrate/Notary Public as the case may be.

(b) In Case of other Members

Attested copy of Gazette Notification or Original copy of advertisement in a leading Newspaper for change of name,

Or

Attested copy of affidavit, for the change in name, duly sworn in before a First Class Magistrate/ Notary public as the case may be.

The Institute will issue a letter of change in name to the member on satisfying the above requirements. Such change will be noted only for record purposes and no fresh certificate of membership/fellowship or certificate of practice will be issued subsequent to change in name if certificate is already issued.



13. Change in Professional Address

Regulation 187 (4)]

A member is required to inform change in professional address to the Institute's office within 30 days from the date of the said change.

Requirements :

- a) A written request signed by him is required to be submitted.
- b) In case the new professional address of the member falls in other region, the request should be submitted to the decentralised office of the previous region.

Note :

Members are requested to inform the email id and the phone number for fastest communication

It is clarified that request on e-mail can be considered provided intimation is sent separately under signature for noting of change in address. It is further clarified that the Journal of the Institute 'The Chartered Accountant' will be mailed to member at his new address after one month of the change.

The Institute will issue a letter of change in address to the member on satisfying the above requirements.

14. Approval of Trade / Firm Name

(Regulation 190)

- (1) Members holding Certificate of Practice and intending to practice under a trade/firm name, are required to make application for approval of the trade/firm name in Form 117. The member can seek approval of the firm name while applying for membership of the Institute in Form 2. He may give the details of proposed firms against column 19 of Form 2 and also column 19 of form '9' if so desire while applying for restoration of name.

(2) Requirements:

- (a) Form 117 complete in all respects and signed by the member or all the partners of the proposed firm, clearly mentioning the names (as entered in the Register of Members) and the membership number(s).
- (b) Form should be sent directly to Joint Secretary. M & C - MSS Section, The Institute of Chartered Accountants of India, ICAI Bhawan, Post Box No. 7100, Indraprastha Marg, New Delhi -110002 and or fax at 011-30110588.
- (3) In case of removal of name of a member from Register of members, action on Form 117 regarding approval of name will be taken only after his name is restored to the Register of Members.



(4) Criteria For Approval of Trade/Firm Name

(a) A trade/firm name is restricted to the name/s of the proprietor / partners as it / they appear in the Register of members.

(b) The only suffixes to be allowed in firm name are Either:- "& CO", "and CO", "& Company", "And Company"

OR :- "& Associates", "And Associates".

(c) In case of partnership firm the firm name can be proposed by taking the first full name or the surname of the partners by using "&" or "AND"

Examples:

NAME OF THE PARTNERS

(i) DINESH KUMAR BATRA (ii) RAJESH KUMAR CHOPRA

Combination of firm name :

DINESH & RAJESH OR BATRA & CHOPRA or vice-versa.

Approval of firm name not allowed by splitting the name of the member/partners :-example
BAT + RAJ = BATRAJ, PRA + BAT = PRABAT, DIN + RAJ = DINRAJ

Initials of first name or the full name are allowed : D R & CO / & Associates, D K B + R K C = D K B K C & CO / & Associates

Initials of surname not allowed.:- BATRA, CHOPRA = B C & Co / & Associates OR C B & CO / & ASSOCIATES

Combination of initials of first name alongwith initials of surname not allowed = D + CHOPRA = D CHOPRA & CO / & ASSOCIATES R + BATRA = R BATRA & CO / & ASSOCIATES

(d) Surname or commonly known name:

If a member wants to adopt / include / use the surname or any name by which a member is commonly known, but does not conform to the name or surname as it appears in the Register of Members, he is required to :

(i) Obtain certificates from two Gazetted Officers of the rank of Deputy Secretary or above with Government of India/State Government Format of the certificate is given at page 86.

OR

(ii) Get his name changed in the Register of Members. On receipt of the confirmation of change in name, member may send a copy of the confirmation letter alongwith Form 117.



(e) **By Adopting Family Member's Name:**

If the name of the member is a very common name and no combination is available for approval of firm name, he can apply for approval of a firm name by adopting the name of one of his family members. Member is required to declare the name (full name) of such family member e.g. father, mother, spouse, son or daughter, by an affidavit sworn in before a First Class Magistrate or Notary public. Format of the affidavit given at page 86.

(f) **Practice In Own Name**

An associate and a fellow member holding Certificate of Practice is eligible to practice in his own name. He is not required to apply for approval. However intimation to that effect may be sent to the concerned Decentralised Office. Practising the profession of chartered accountancy in own name is subject to holding Certificate of Practice. The entry of personal name of the member is not published in the List of firms.

Change In Firm Name

In case an existing firm desires to change the name of the firm, the following conditions may be fulfilled:

- a) A written request for change in name of the firm is submitted alongwith Form 117.
- b) All the existing partners of the firm must sign the application in Form 117.
- c) In case of a proprietary firm a separate request alongwith Form 117 must be submitted.
- d) The change in firm name approval will be considered as per provision under Regulation 190.
- e) The approval of name will be considered in order of preference mentioned in Form 117.
- f) The new proposed name will be approved under the provisions of the Regulation 190.
- g) The application for approval of firm name in Form 117, proposing the new names should be sent to Joint Secretary, M&C MSS Section, The Institute of Chartered Accountants of India, Post Box 7100, Indraprastha Marg, New Delhi 110002 or can be faxed at 011-30110588.

On receipt of the approval letter of new name, proprietor/partners should submit the particulars in Form 18 to the concerned Decentralised Office duly filled in & signed by all the concerned partners/proprietor.

The letter granting of approval of firm name will be sent at the address mentioned in Form 117.

It is clarified that mere approval of a trade/firm name does not entitle the member/s to practice in the said name. It is further clarified that the validity of the approval letter is for a period of one month.



15. Registration of Firm

(Regulation 190)

- (1) Application for registration of the firm in Form 18 duly filled in and signed by the proprietor/all partners along with a copy of the approval letter received from the Head office of the Institute should be submitted to the concerned Decentralised Office under whose territorial jurisdiction the Head Office of the proposed firm falls, within one month of the date of issue of approval letter or commencement of practice, as the case may be.

The member/s is/are eligible to use the firm name only after the firm has been registered by the Institute.

(2) Requirements For Registration of Firm

- (a) Submit application in Form 18 signed by the proprietor/ all partners within one month from the date of approval of firm name or commencement of practice as the case may be.
- (b) Attach copy of firm name approval letter.

Condonation of Breach of Regulation 190(4)

In case Form 18 is not submitted to the Institute's office within the specified period of one month from the date of commencement of practice, under the trade/firm name, the firm is required to apply for condonation of breach of Regulation 190(4)/(7) and pay the levy fee for condonation and submit the required documents.

Condonation of delay in filing Form 18 for registration of firm name beyond 30 days

Period of delay/Corresponding fee to be charged

upto 30 days	between 31-180 days	Beyond 181 days
beyond specified time	beyond specified time	of specified time
Rs. 100/-	Rs. 300/-	Rs. 1,000/-

The following documents may be submitted :-

1. A request for condonation of breach with specific reason for delay in submission of Form 18.
2. A certified true copy of the partnership deed.
3. In case Form 18 is submitted beyond the financial year and the last date for filing the tax returns, the certified true copy of income-tax return, statement of income and expenditure account and balance sheet of the firm certified by a practising chartered accountant may also be submitted.
4. A declaration in the prescribed format, (please see page 90)



16. Maintenance of Branch Office

(Section 27, Regulation 189)

(1) Branch Office

The firm is required to inform the opening and closing of branch/es within 30 days from the date of opening and closure of the branch.

(2) Second Office

A member who is incharge of a office of the firm can also be incharge of the second office of the firm provided:

- (a) the second office is located in the same premises in which the first office is located; or
- (b) the second office is located in the same city in which the first office is located; or
- (c) the second office is located within a distance of 50 kms. from the municipal limits of a city in which the first office is located.

A member is however required to inform the Institute and declare which of the two offices is his main office.

In case Form 18 is not submitted to the Institute's office within the specified period formalities for Condonation of Breach of Regulation 190 may be certified. Refer Chapter 20.

*** See Chapter 20 on condonation of breach of Regulation for non filing of Forms within specified time.**



17. Change in Constitution of Firm

(Regulation 190)

- (1) The details regarding change in particulars of the firm in Form 18 are required to be submitted to the Institute's office within 30 days from the date of such change.
- (2) **Requirements**
 - (a) A letter informing changes in the firm alongwith Form 18 duly signed by all the partners with change in particulars is required to be submitted within one month from the date of change in the constitution.
 - (b) In case of leaving of a partner a letter of consent of retirement signed by the retiring partner and Form 18 signed by the existing partner/s of the firm is required to be submitted. The firm should confirm the retirement of the partner.
 - (c) In case of opening/closing of a firm, a letter informing the exact date of opening/closure must be submitted.
 - (d) In case of a closure/dissolution of the firm a letter signed by all the partners confirming the closure/dissolution must be submitted.
 - (e) In case of sole proprietary firms, closure/sole practising member's closure, an intimation by the member giving the exact date of closure must reach the Institutes office within one month.

Condonation of Breach of Regulation 190(7)*

- (1) In case there is delay in submitting Form 18 beyond one month, the firm shall submit an application for condonation of delay stating reasons alongwith copy of Partnership Deed/Profit & Loss A/C, Balance Sheet and copy of Income Tax Returns certified by a practising chartered accountant, a "Declaration" in the prescribed Format (please see page 90) and condonation fees as applicable.
- (2) The Decentralised Office will issue a letter confirming the change in constitution to the Firm after condonation of delay by the competent authority.

Sale/Transfer of Goodwill of A Firm

Transfer of goodwill of the firms of Chartered Accountants are permitted by the Institute subject to fulfillment of the following procedure :-

1. An application in writing should be forwarded by a member, holding Certificate of Practice, intimating his intention to purchase goodwill.
2. The application should be made within one year from the date of death of the member.



3. The application should be sent alongwith the following details:
 - a) Death Certificate of the deceased member; and
 - b) (i) A draft sale deed for sale/transfer of goodwill entered into between the legal heir/s of the deceased and the members intending to purchase goodwill.
(ii) The sale of goodwill deed must be very clear as to the amount of consideration and payment thereof in one or more installment(s) to be paid within a specified period. The consideration should not be contingent upon future profit.
4. Documents, such as, succession certificate or Will, legal heir certificate or an affidavit sworn by all legal heir/s stating that there is/are no other legal heir/s to the deceased member.
5. Legal heir, in this context, means spouse, child/children and parents.
6. If the agreement is entered into by one of the legal heirs, 'No Objection' from the other legal heirs, except those minor, are also required to be submitted. In case of minor, 'No Objection' is to be obtained from the guardian.
7. The member intending to purchase the goodwill should give an advertisement about intention to purchase such goodwill, and the advertisement should spell out that anyone having objection thereto should send the objection directly to the respective Decentralised Office (address of which shall be indicated in the advertisement). The intending purchaser should send a copy of the advertisement so published to the concerned Decentralised Office.
8. Within 30 days of the receipt of the approval for transfer of goodwill, the member purchasing the goodwill should file Form 18.

*** Please see chapter No. 20 on Condonation of breach of Regulations for non-filing of Forms within specified time**

Submission of Particulars of Offices and Firms in Form no. 18 - Regarding

It has been decided that in respect of the following changes in the firm, the particulars thereof in form no. 18 need not be called for from the firm :-

- i) Joining or Leaving of Paid Assistant
- ii) Opening or Closing of Branch Office(s)
- iii) Change in Incharge or the HO or Branch Offices(s)
- iv) Closure of Firms (to be signed by all the partners)
- v) Change in address of HO or Branch Office(s)

A written intimation signed by the member incharge firm or the authorized partner of the firm will suffice compliance of the requirement of the Regulation 190(7) provided the same is received within one month from the date such change have taken place. However, if the information is not received within one month from the date of such change, this will be treated as breach of Regulation 190(7) and levy fee for condonation of delay is required to be collected from the firm.



18. RULES OF NETWORK OF FIRMS

1. These Rules are called Rules for Network amongst the firms Registered with The Institute of Chartered Accountants of India.

2. **Definition.**

- (i) **Network -**

"Network amongst two or more firms means an arrangement to facilitate the better functioning of the affiliate member firms in the interest of the profession and not for acquisition of any gain. Such Network shall include the formal Network to use the collective resources such as turnover, infrastructures, manpower, location for execution of Professional services of one or more type.

Explanation -

1. An affiliation as referred to above shall also include: -
 - (i) having an association with an accounting entity within or outside India such that it results directly or indirectly in a common professional economic or beneficial interest.
 - (ii) one or more of the entities holding out that it is so affiliated or networked.
 2. An entity shall not be treated as an affiliate of another merely for the reason that they
 - (a) share professional knowledge and data base;
 - (b) refer certain professional assignments or authorize the other to represent certain specific matters.
 3. If different Indian firms are networked with a common Multi National Accounting Firm (MAF) then irrespective of the presence/absence of any 'affiliate' relationship between the Indian firms inter-se, they shall be considered as part of a network.]
- (ii) **Formal Network** - Formal network means a network amongst two or more firms registered with The Institute of Chartered Accountants of India (ICAI), where the object of network is to use the collective resources of the affiliates for execution of professional services of one or more types at one and/or at multi-locational points. The resources would include financial, technical and other logistic support required to execute the professional assignments. In such type of network, the common resources may be pooled and exhibited together before the service user as those belonging to one particular set of professionals.
 - (iii) **Referral Practice** - Referrals Practice means a practice to refer professional work by a firm to one of its associate/affiliate either situated at a different place or rendering professional services not provided by it, to the user of the services. The pre-dominant objective of such a network is not to pool in their collective resources and exhibit them as those belonging to one particular set of professionals.
 - (iv) **Act** - Act means The Chartered Accountants Act, 1949.



- (v) **Regulations** - Regulations means Chartered Accountants Regulations, 1988.
- (vi) **Code of Ethics** - Code of Ethics means the Code of Ethics issued by the Institute and decisions of the Council in this regard.
- (vii) **Institute** - Institute means the Institute of Chartered Accountants of India,
- (viii) **Council** - Council means the Central Council of the Institute.
- (ix) **Member** - Member means a Member in Practice. Member in Practice means a Member in Practice as defined in the Chartered Accountants Act, 1949.

3. Name of Network:

- (i) The Network may have distinct name which should be approved by the Institute. To distinguish a "Network" from a "firm" of Chartered Accountants, the words "& Affiliates" should be used after the name of the network and the words "& Co." / "& Associates" should not be used. The prescribed format of application for approval of Name for Network is at **Form- 'A'** (at page no. 91).
- (ii) Standards prescribed in Regulations 190 of the Chartered Accountants Regulations, 1988 shall be applicable to the name of Network. However, even if a name is provided and subsequently it is found that the same is undesirable then, the said name can be withdrawn at any time by the Institute. The Institute shall reject any undesirable name and the provisions in respect of names of companies as prescribed in the Companies Act, 1956 shall be applicable in spirit.
- (iii) The network should neither be permitted to advertise nor to use logo. The firms constituting the network are permitted to use the words "Affiliates/Members of....." (a network of Indian CA firms) on their professional stationery.
- (iv) Network may work without a Name also.

4. Registration:

- (i) A Formal Network is required to be registered with the Institute in a prescribed **Form 'B'** (at page no.92).
- (ii) Referral Practice requires no registration.
- (iii) It is for each firm to decide whether its affairs and relations with another firm results in creation of a Formal Network. Network shall evaluate for itself whether or not it is a formal network requiring registration with the Institute.
- (iv) If different Indian firms are networked with a common Multinational Accounting Firm (MAF) then irrespective of the presence/absence of any 'affiliate' relationship between the Indian firms inter-se, they shall be considered as part of a network. As such, for these firms the registration with the Institute is not mandatory. It is only if these Indian firms decide to constitute a Formal Network, then the registration with the Institute is mandatory (Form 'D' Page No. 94)



5. Ethical Compliance:

Once the relationship of network arises, whether registered or not with the Institute, it will be necessary for such a network to comply with all applicable ethical requirements prescribed by the Institute from time to time in general and the following requirements in particular: -

- (a) If one firm of the network is the statutory auditor of an entity then the associate [including the networked firm(s)] or the said firm directly/indirectly should not accept the internal audit or book-keeping or such other professional assignments which are prohibited for the statutory auditor firm.
- (b) The Notification No. 1 -CA(7)/60/2002 dated 8th March, 2002 (enclosed) in respect of ceiling on Non-audit fees is applicable in relation to a Network as follows: -
 - i) For a constituent member of a Network who is doing statutory audit (including its associate concern and/or firm(s) having common partnership), it shall be the same as mentioned in the said notification; and
 - ii) For other constituent member(s) of the same Network collectively, it shall be 3 times of the fee payable for carrying out the statutory audit of the same undertaking/company.
- (c) In those cases where rotation of firms is prescribed by any regulatory authority, no member firm of the network can accept appointment as an auditor in place of any member firm of the network which is retiring. However, this restriction shall not apply in case of appointment as Statutory Central Auditor of Government agencies/Undertakings such as Public Sector Undertakings (PSUs), Public Sector Banks and Financial Institutions etc.
- (d) The Constituent member firms of a Network & the Network shall comply with all the Ethical Standards prescribed by the Council from time to time.

6. Consent of Client:

The network shall obtain consent of the client to engage an affiliate in discharging the professional assignments.

7. Constitution of Network:

- (i) Proprietary/partnership firm(s) as well as individual member(s) are permitted to form a Network.
- (ii) A proprietary/partnership firm as well as individual Member are allowed to join only one Formal network.
- (iii) Firms having common partners shall join only one network.

8. Object of Network:

The Network itself will not carry on any business for acquisition of gain for itself and only act as a facilitator for its members/constituent Member firms to pursue their professional jobs.

9. Responding to Enquiries:

Only one firm/Member can apply on behalf of the network showing the collective strength of all the constituent firms of the network, when responding to any enquiry.



10. Issuing Reports:

Only the firm(s)/Member(s) forming Network are eligible to issue/sign/attest any certificate/Report/professional document/assignment.

11. Violation of Act:

In case of alleged violation of the provisions of the Act, Regulations framed thereunder, guidelines/directions laid down by the Council from time to time and Code of Ethics by the Network firm, the proprietary/partnership firm(s)/individual Member constituting the Network would be answerable.

12. Exit From Network:

A constituent Member firm/Member of a Network can exit from the network by sending the declaration in **Form 'C'** (at page no. 93) to the Institute and also to each and every constituent of the network. The concurrence/acceptance of the same by other firms forming part of the network firm shall not be required.

13. Framework of Internal Byelaws of Network requiring Registration:

To streamline the networking, a network shall formulate operational byelaws. Byelaws may contain the following clauses on which the affiliates of the network may enter into a written agreement among themselves:

- (i) Appointment of a Managing Committee, from among the managing partners of the member firms of the network and the terms and conditions under which it should function. The minimum and maximum number of members of the Managing Committee shall also be agreed upon.
- (ii) Administration of the network
- (iii) Contribution of membership fees to meet the cost of the administration of the network.
- (iv) Identifying a partner of any of the member firms of the network to be responsible for the assignment (engagement partner)
- (v) Dispute settlement procedures through arbitration and conciliation
- (vi) Development of training materials for members of the network
- (vii) Issue of News-letters for staff and clients
- (viii) Development of softwares for different types of assignments
- (ix) Development and maintenance of data bases relevant for different types of assignments
- (x) Library
- (xi) Appointment of a technical director to whom references can be made
- (xii) Determining the methodology for drawing resources from each member firm
- (xiii) Determining compensation to member firms for resources to be drawn from them
- (xiv) Peer review of the member firms

These clauses are illustrative.



19. RULES OF MERGER & DEMERGER AMONGST THE FIRMS

1. These rules are called Rules of Merger & Demerger amongst the Firms registered with The Institute of Chartered Accountants of India.
2. Concept of Merger & Demerger:
 - (i) The Partnership Act has not prescribed merger & demerger of partnerships. In the corporate world, merger and demerger have become universal practices for securing survival, growth, expansion and globalization of enterprise and achieving multitude of objectives. Merger is the fusion of two or more existing companies. On the other hand, demerger signifies a movement in the company just opposite to merger. 'Demerger' is also used to describe spinning off of an "undertaking" of a Corporate entity. The concept of 'Merger', 'Demerger' & 'Acquisition' are arising out of the 'Arrangement' under Sections 391 - 394 of the Companies Act, 1956. Merger and Demerger are natural corollary of globalization.
 - (ii) To incorporate the spirit of Corporate World and to imbibe the consolidation creed, the Council used the term 'merger' and 'amalgamation' of CA firms. The Council in its 198th Meeting held from 25th to 27th February, 1999 and in 223rd Meeting held from 2nd to 5th February, 2002 considered the Seniority and Mergers of the firm and implications of the decisions, are in **Tabular form**.
 - (iii) In order to have an orderly and sustainable growth of the CA firms, it is desirable that the coming together of the firms begins with networking and then matures to mergers. Networking will enable the firms to develop working relationships with each other. However, it is not to suggest that there cannot be mergers without networking.
 - (iv) The mergers should be effected to develop core competencies and to render professional services of a larger range spread over bigger geographical area. A merged big entity will always be superior to a network arrangement.

3. Merger

- (i) To effectuate merger, a merger agreement in **Form 'E'** (at page no. 96) is to be filed with the Institute within 30 days from the date of the agreement. The re-constitution agreement/partnership deed shall be filed with the Registrar of Firms.
- (ii) Upon the merger of the firms, the Institute will freeze the names of the merging firms and shall not allot the same names to any other firm.

4. Demerger

- (i) The merger has to precede the demerger. The merger agreement itself shall contain the terms and conditions for demerger. Therefore no concurrence/acceptance is required from the continuing partners. The merger agreement shall stipulate that in case 75% or more of the continuing partners of one of the erstwhile firm(s) are willing to demerge then they can do so after giving due notice in **Form 'F'** (at page no. 96) to the other partners and to the Institute.
- (ii) In case 75% or more of the continuing partners of one of the erstwhile merging firm have demerged after giving due notice to the other partners, then in such case, the merger shall



come to an end and if the remaining erstwhile merging firms/partners of the erstwhile merged firm decided to continue, then they should enter into a fresh Merger/Partnership Agreement.

- (iii) The Demerged Firm is entitled to practice in its old trade name, which existed at the time of merger.
- (iv) The Constitution Certificate issued by the Institute to the demerged firm shall state the original date of establishment, the date of its merger and the date of the demerger. For the purpose of computing the seniority of the firm, the total period will be reckoned from the original date of establishment.
- (v) The demerger can be demanded within a period of 5 years from the date of merger

Merger of Firms

The decision of the Council with regard seniority of the firm for the merger or amalgamation of two or more firms, change in trade/firm name seniority of firms/partners of the firms under various circumstances is given below for the information of the members.

PARTICULARS OF CASES :					SENIORITY			
I.	X	X	X	X	X	X	X	X
II.	X	X	X	X	X	X	X	X
III.	X	X	X	X	X	X	X	X
IV.	Merger or amalgamation of two or more firmsIf two or more firms merge/amalgamate, the new firm after merger/amalgamation practices				Date of establishment of the firm, which firm name is continued to be used after merger. The date of establishment of the new firm.			
(i)	in the firm name of one of the merged firms.							
(ii)	in a new firm name							

Example :

Name of firm	Name of firm	Name of new firm	Seniority
1. A & Co., 1966	B & Co. 1980	A & Co.	Date of establishment will be 1966
2. A & Co., 1966	B & Co. 1980	B & Co.	Date of establishment will be 1980
3. A & Co., 1966	B & Co. 1980	Either AB & Co. or BA & Co.	Date of establishment will be 1966

(V) Change in trade/firm name The member/firm continues the practice (with or without change in constitution) with the change in trade/firm name		(i) Change of name from the date of approval. (ii) There is no change in the date of establishment. The old trade/firm name will be frozen in the Institute's records for three years from the date of approval of the new trade/firm name. In the constitution certificate issued by the Institute during that period of three years, the name will be mentioned as "M/s (formerly known as M/s.....)" During that period of three years, the firm will be given the option to have its original name at the choice of all the partners only if all those partners so apply to the Institute in the prescribed manner.
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**Note**

1. Trade name : The name in which the member practices as a sole proprietor.
2. Firm name : The name in which the firm practices.
3. Trade name' and 'Firm name' are the names as approved by ICAI.
4. Merger/amalgamation is a term not applicable to firms under the Partnership Act. It is reconstitution of firm by addition/deletion of partners. The principles applicable to any reconstitution will, therefore, apply in these cases.

Issues relating to taking on record the particulars of merged/merging firms of chartered accountants including that of date(s) of joining partner(s) of merging firm(s)

The Council considered the matter of 'Issues relating to taking on record the particulars of merged/merging firms of chartered accountants including that of date(s) of joining partner(s) of merging firm(s)' at its 250th meeting held from 19th to 22nd April, 2005 and decided as under :-

In order to bring clarity for the purpose of removing doubts over the issues relating to taking on record the particulars of merged/merging firms of chartered accountants including the date(s) of joining of partner(s) of merging firm(s), the Council unanimously decided to accept the recommendation of the Executive Committee as under :-

- (1) The first two examples approved by the Council at its 198th meeting, in order to elucidate the nature of merger/amalgamation as given hereunder be retained as they are.

Name of firm	Name of firm	Name of new firm	Seniority
1. A & Co., 1966	B & Co., 1980	A & Co.	Date of establishment will be 1966
2. A & Co., 1966	B & Co., 1980	B & Co.	Date of establishment will be 1980

While, in the constitution certificate, the actual date(s) of joining (of partner(s) the merging firm(s) would continue to be the respective date(s) of joining the merged firm, however against each such entry the clarificatory words "deemed date of joining" should be mentioned without fail.

The Council also accepted the recommendations of CESURA that in the three examples given in the aforesaid decision to illustrate the seniority against "IV Merger or amalgamation of two or more firms", another example to deal with seniority when two or more firm merge and decide to adopt a name by combining the names of said firms, should also be given, The other example approved by the Council to be added, is as under:-

Name of firm	Name of firm	Name of new firm	Seniority
A&Co., 1966	B&Co., 1980	Either AB& Co. or BA & Co.	Date of establishment will be 1966



20. Condonation of Breach of Regulations for Non-filing of Forms within Specified Time

The Council has decided to levy fee for dealing with requests for condonation as per the following scale: -

Sl. No.	Regulation	Period of Delay/Corresponding fee to be charged		
		30 days Rs.	31-180 days Rs.	Beyond 181 days Rs.
1.	46(2)/69(2) & 46(3)/69(3)- Condonation of delay in submitting Form 103/113	100	300	1000
2.	58 - Condonation of delay in submitting Form 107	100	300	1000
3.	65/78 - Condonation of breach - Delay in submission of Form 112 (For pursuing other course(s) of study and for engagement in other occupation/business).	100	300	1000
4.	50, 61(1), 71 & 75 - Condonation of delay in submission of Form No.108 & 114.	100	300	1000
5.	11- Condonation of delay in submission of Form 101 ¹	100	300	1000
6.	19 - Condonation of delay in submission of Form 9 ²	100	300	1000
7.	190(4) - Condonation of delay in filing Form 18, for registration of firm name	100	300	1000
8.	190(7) - Condonation of delay in filing Form 18 notifying change in particulars of office/firms	100	300	1000

Only fee paid within the relevant financial year but Form 101, not submitted alongwith the fee.

Only fee paid within the relevant financial year but Form 9, not submitted alongwith the fee.



Form No.	Period of Delay	Decision	Documents to be submitted
103	Beyond 30 days to 6 months	No documents is required to be called for and verified	
	6 months and above	The documents are required to be called for and verified. The condonation will be on case to case basis and on merits. The Committee further decided that the delay in submission of form beyond 1 year will not be condoned.	1. Original Deed of agreement executed in form '102' 2. Work Dairy/Attendance record 3. Stipend proof
107	Beyond 60 days upto 6 months	Documents are required to be called for and verified. The condonation will be on case to case basis and on merits. Beyond 6 months delay will not be condoned	1. Original agreement executed in form 107 supplementary deed 2. Work diary/Attendance record 3. Stipend proof
108	Upto 3 Years	No documents are required to be called for and verified.	
	3 years & above	Anyone of the documents is required to be called for and verified. The condonation will be on case to case basis and on merits.	Any of the following 1. Work Dairy 2. Stipend proof 3. Attendance record 4. Details of work done
18	Beyond 30 days upto 6 months Beyond 6 months and above	a) No documents is required to be called for and verified b) The documents are required to be called for and verified. The condonation will be on case to case basis and on merits. c) There shall be a cut off date for condonation of cases for empanelment purposes as on 1st January and the cases received beyond the cut off date will not be considered for condonation. The President was authorized to fix the cut off date.	1. Certified copy of original Partnership Deed 2. An approved format of the Self declaration signed by all the partners 3. Income Tax Return filled by firm alongwith Profit & Loss A/c, Balance Sheet of firm certified by a Chartered Accountant

The Council noted that form 109 does not come under condonation process and further decided that the existing procedure for condonation of delay in submission of forms 9, 101, and 112 will continue to be in force.

Regulation 65/78 - Condonation of breach of Regulations- Delay in submission of Form 112 (For pursuing other course(s) of study and for engagement in other occupation/ business)

(a) Pursuing other course of study:

Form 112 certified by college/university as well as the principal

(b) Engagement in other occupation:

1. Certified true copy of the partnership deed containing clear recital that the articulated assistant is a sleeping partner.
2. If the original deed does not contain above, supplementary deed showing the articulated assistant as a sleeping partner should also be submitted.
3. Affidavit of all the partners including the articulated/audit assistant concerned that the articulated/audit assistant is neither taking active part nor will he be entitled to take active part in the management of the business, nor will he be entitled to draw any remuneration.



4. Declaration of the principal of the articulated/assistant clerk that the latter is a sleeping partner and in case, any change in the status in the partnership comes to his attention, he shall inform the Institute.

The levy of fee comes into effect in respect of requests for condonation received on or after 1st April, 2002. It is clarified that each case of condonation received alongwith the fee, will be considered on its merits.

21. Practice in Corporate Form

The Council at its 261 meeting held from 1st August to 3rd August, 2006 decided to allow members in practice to render Management Consultancy and other services in corporate form, subject to the guidelines issued by the Institute in this regard.

The Council decided to allow members in practice to hold the office of Managing Director, Whole-time Director or Manager of a body corporate within the meaning of the Companies Act, 1956 provided that the body corporate is engaged exclusively in rendering Management Consultancy and Other Services permitted by the Council in pursuant to Section 2(2)(iv) of the Chartered Accountants Act, 1949 and complies with the conditions(s) as specified by the Council from time to time in this regard.

The members can retain full time Certificate of Practice besides being the Managing Director, Whole-time Director or Manager of such Management Consultancy Company, there will be no restriction on the quantum of the equity holding of the members, either individually and/or along with the relatives, in such Company. Such members shall be regarded as being in full-time practice and therefore can continue to do attest function either in individual capacity or Proprietorship/Partnership firm. They are also entitled to train articulated/audit assistants.

The name of the Management Consultancy Company is required to be approved by the Institute and such Company has to be registered with the Institute. The guidelines alongwith the prescribed application forms for approval of name and registration, provisions of ethical compliance and other details have been issued and the same will come into force w.e.f. 1.10.2006

Guidelines For Practice in Corporate Form

Definition.

(i) Managing Director, Whole-time Director and Manager -

The term "Managing Director", "Whole-time Director" and "Manager" shall have the same meaning as defined/understood in the Companies Act, 1956. For the purpose, the member in practice who is a Managing Director, Whole-time Director or Manager shall be full-time practitioner /proprietor/partner in a Chartered Accountants firm.

Act - Act means The Chartered Accountants Act, 1949.

Regulations - Regulations means the Chartered Accountants Regulations, 1988.

Code of Ethics - Code of Ethics means the Code of Ethics issued by the Institute and decisions of the Council in this regard.



Institute - Institute means the Institute of Chartered Accountants of India.

Council - Council means the Central Council of the Institute.

Member - Member means a Member in Practice. Member in Practice means a Member in Practice as defined in the Chartered Accountants Act, 1949 and its Regulations.

Management Consultancy & Other Services - Management Consultancy & Other Services or MCS means 'Management Consultancy & Other Services' permitted by the Council in pursuance to Section 2(2)(iv) of the Chartered Accountants Act, 1949. The definition of the expression "Management Consultancy & Other Services" as appears at page 8-10 of the Code of Ethics, 2005 edition is as under:

The expression "Management Consultancy & Other Services" shall not include the function of statutory or periodical audit, tax (both direct taxes and indirect taxes) representation or advice concerning tax matters or acting as liquidator, trustee, executor, administrator, arbitrator or receiver, but shall include the following:

- (i) Financial management planning and financial policy determination.
- (ii) Capital structure planning and advice regarding raising finance.
- (iii) Working capital management.
- (iv) Preparing project reports and feasibility studies.
- (v) Preparing cash budget, cash flow statements, profitability statements, statements of sources and application of funds etc.
- (vi) Budgeting including capital budgets and revenue budgets.
- (vii) Inventory management, material handling and storage.
- (viii) Market research and demand studies
- (ix) Price-fixation and other management decision making.
- (x) Management accounting systems, cost control and value analysis.
- (xi) Control methods and management information and reporting.
- (xii) Personnel recruitment and selection.
- (xiii) Setting up executive incentive plans, wage incentive plans etc.
- (xiv) Management and operational audits.
- (xv) Valuation of shares and business and advice regarding amalgamation, merger and acquisition
- (xvi) Business Policy, corporate planning, organisation development, growth and diversification.
- (xvii) Organisation structure and behaviour, development of human resources including design and conduct of training programmes, work study, job-description, job evaluation and evaluation of work loads.



- (xviii) Systems analysis and design, and computer related services including selection of hardware and development of software in all areas of services which can otherwise be rendered by a Chartered Accountant in practice and also to carry out any other professional services relating to EDP.
- (xix) Acting as advisor or consultant to an issue, including such matters as :-
 - (a) Drafting of prospectus and memorandum containing salient features of prospectus. Drafting and filing of listing agreement and completing formalities with Stock Exchanges, Registrar of Companies and SEBI.
 - (b) Preparation of publicity budget, advice regarding arrangements for selection of (i) ad-media, (ii) centres for holding conferences of brokers, investors, etc., (iii) bankers to issue, (iv) collection centres, (v) brokers to issue, (vi) underwriters and the underwriting arrangement, distribution of publicity and issue material including application form, prospectus and brochure and deciding on the quantum of issue material (In doing so, the relevant provisions of the Code of Ethics must be kept in mind).
 - (c) Advice regarding selection of various agencies connected with issue, namely Registrar to Issue, printers and advertising agencies.
 - (d) Advice on the post issue activities, e.g., follow up steps which include listing of instruments and despatch of certificates and refunds, with the various agencies connected with the work.

Explanation : For removal of doubts, it is hereby clarified that the activities of broking, underwriting and portfolio management are not permitted.

- (xx) Investment counseling in respect of securities [as defined in the Securities Contracts (Regulation) Act, 1956 and other financial instruments.] (In doing so, the relevant provisions of the Code of Ethics must be kept in mind).
- (xxi) Acting as registrar to an issue and for transfer of shares/other securities. (In doing so, the relevant provisions of the Code of Ethics must be kept in mind).
- (xxii) Quality Audit.
- (xxiii) Environment Audit.
- (xxiv) Energy Audit
- (xxv) Acting as Recovery Consultant in the Banking Sector.
- (xxvi) Insurance Financial Advisory Services under the Insurance Regulatory & Development Authority Act, 1999, including Insurance Brokerage.

Management Consultancy Company - Management Consultancy Company means a Company which complies with the Guidelines for Practice in Corporate Form issued by the Institute.

Relative - Relative means "Relative" as defined in Appendix (9) of the Chartered Accountants Regulations, 1988, 2002 edition.



3. Name of the Management Consultancy Company :

The Management Consultancy Company shall have a distinct name which shall be approved by the Institute. The prescribed format of application for approval of name for Management Consultancy Company is at **Form G** (at page no. 99).

Standards prescribed in Regulation 190 of the Chartered Accountants Regulations, 1988 shall be applicable to the name of the Management Consultancy Company. However, even if a name is provided and subsequently it is found that the same is undesirable then, the said name can be withdrawn at any time by the Institute. The provisions in respect of name of companies as prescribed the Companies Act, 1956 shall be applicable in letter and spirit.

The name of Management Consultancy Company may indicate the area of 'Management Consultancy & Other Services' permitted by the Council from time to time.

The Management Consultancy Company shall neither be permitted to advertise nor to use logo.

4. Registration :

After approval of the name under Guidelines 3 and incorporation under the Companies Act, 1956, the Management Consultancy Company is required to be registered with the Institute in a prescribed **Form 'H'** (at page no. 100).

5. Ethical Compliance :

Once the Management Consultancy Company is Registered with the Institute as per the Guidelines, it will be necessary for such a Company to comply with the following requirements:-

If the individual practitioner/sole-proprietorship firm/partnership firm is the statutory auditor of an entity then the Management Consultancy Company should not accept the internal audit or book-Keeping or such other professional assignment which are prohibited for the statutory auditor firm.

The Notification No. 1-CA(7)/60/2002 dated 8th March, 2002 (at page no. 43) in respect of ceiling on Non-audit fees is applicable in relation to a Management Consultancy Company.

The Management Consultancy Company shall comply with clauses (6) & (7) of Part-1 of the First Schedule to the Chartered Accountants Act, 1949 and such other directives as may be issued by the Institute from time to time.

The Management Consultancy Company shall give an undertaking that it shall comply with clauses (6) & (7) of Part-I of the First Schedule to the Chartered Accountants Act, 1949 and such other directives as may be issued by the Institute from time to time.



6. Object of Management Consultancy Company:

The Management Consultancy Company shall engage itself only in Management Consultancy & Other Services. The Management Consultancy Company shall give an undertaking that it shall render only Management Consultancy & Other Services permitted by the council in pursuance to section 2(2)(iv) of the Chartered Accountants Act, 1949. The Object Clause should restrict itself only to the Management Consultancy & Other Services prescribed by the council pursuant to powers under Section 2(2)(iv) of the Chartered Accountants Act, 1949.

7. Violation of Act:

In case of alleged violation of the provisions of the Act, Regulations framed thereunder, guidelines/directions laid down by the Council from time to time and Code of Ethics issued by the Council, the individual practitioner/sole-proprietorship firm/partnership firm in general and the Managing Director/Whole-time Director/Manager of such company in particular, would be answerable.

8. Applicability of Companies Act, 1956, and other laws.

All the provisions of the Companies act 1956 and others laws that are applicable to a Company formed under the Companies Act, 1956 shall be applicable to the Management Consultancy Company. The Guidelines are in addition to the provisions contained in the Companies Act, 1956.

9. Benefits available to members if the Guidelines framed are complied with :

- i) The member can retain full time Certificate of Practice besides being the Managing Director/Whole-time Director/Manager of Management Consultancy Company.
- (ii) The member will be entitled to train articled/audit assistant(s).
- iii) There will be no restrictions on the quantum of the equity holding of the member, either individually and/or along with his relatives, in such a company.

10. Transitory Provisions:

Any member who wishes to become Managing Director / Whole-time Director/Manager of an existing Company, which is rendering Management Consultancy & Other Services, and wishes to take other benefit contained in the Guidelines, shall comply with the Guidelines for Practice in Corporate Form.

The Company is required to take approval of name and then apply for registration with the Institute.

If the Institute has reservation over the name of an existing Company that wishes to come under the provisions of these Guidelines, the Company shall be required to apply for change in name.

The Company is also required to change its object clause, if the same contains objects other than those provided in the Guidelines.



Notification No.1 -CA(7)/60/2002

8th March, 2002

RELEVANT PROVISIONS TO MCS COMPANY

1-CA(7)/60/2002: In exercise of the powers conferred by clause (ii) of Part II of the Second Schedule to the Chartered Accountants Act, 1949, the Council of the Institute of Chartered Accountants of India hereby specifies that a member of the Institute in practice shall be deemed to be guilty of professional misconduct, if he accepts the appointment as statutory auditor of Public Sector Undertaking(s)/ Government Company(ies)/listed Company(ies) and other Public Company(ies) having turnover of Rs. 50 crores or more in a year and accepts any other work(s) or assignment(s) or service(s) in regard to the same Undertaking(s)/ Company(ies) on a remuneration which in total exceeds the fee payable for carrying out the statutory audit of the same Undertaking/company.

Provided that in case appointing authority (ies)/regulatory body (ies) specify (ies) more stringent condition(s)/restriction(s), the same shall apply instead of the conditions/restrictions specified in this Notification.

Explanation:

1. The above restrictions shall apply in respect of fees for other work(s) or service(s) or assignment(s) payable to the statutory auditors and their associate concern(s) put together;
2. For the above purpose,
 - (i) The term "other work(s):i or "service(s)" or "assignment(s)" shall include Management Consultancy and all other professional services permitted by the Council pursuant to Section 2(2)(iv) of the Chartered Accountants Act, 1949 but shall not include: -
Audit under any other statute;
Certification work required to be done by the statutory auditors; and any representation before an authority;
 - (ii) the term "associate concern" means any corporate body or partnership firm which renders the Management Consultancy and all other professional services permitted by the Council wherein the proprietor and/or partner(s) of the statutory auditor firm and/or their "relative(s)" is/are Director/s or partner/s and/or jointly or severally hold "substantial interest" in the said corporate body or partnership;
 - (iii) the terms "relative" and "substantial interest" shall have the same meaning as are assigned under Appendix (10) [now Appendix (9)] to the Chartered Accountants Regulations, 1988.
3. In regard to taking up other work(s) or service(s) or assignment(s) of the undertaking/company referred to above, it shall be open to such associate concern or corporate body to render such work(s) or service(s) or assignment(s) so long as aggregate remuneration for such other work(s) or service(s) or assignment(s) payable to the statutory auditor/s together with fees payable to its associate concern(s) or corporate body(ies) do/does not exceed the aggregate of fee payable for carrying out the statutory audit.
4. This notification is applicable for any appointment(s) on or after 1st April, 2002.



22. Post Qualification Courses

The Institute is conducting Post Qualification courses for members of the Institute. The courses are as under:

- i) Post Qualification course in Management Accountancy
- ii) Post Qualification course in Corporate Management.
- iii) Post Qualification course in Tax Management
- iv) Post Qualification course in Information Systems Audit
- v) Post Qualification course in Insurance and Risk Management
- vi) Post Qualification course in International Trade Laws and WTO

The detailed information about the courses is available under schedule 'C', 'D', 'E', 'F' and 'G' of the Chartered Accountants Regulations, 1988.

23. Member Identity Card

The Institute issues Identity Card to the members of the Institute. A member desirous to obtain Identity Card is required to apply for the same in the prescribed application form alongwith the procedure specified in the said application form. The application form is placed at page 101 of the Manual.

'Member Duplicate Identity Card

A member who has lost/misplaced his identity card may obtain a duplicate identity card by submitting the request in the prescribed application form for issue of duplicate identity card. He is required to pay a sum of Rs. 100/- towards charges for the duplicate identity card. The application form cum undertaking is placed at page 102 of the Manual.



24. Continuing Professional Education

Keeping in view the increasing importance of Continuing Professional Education (CPE), the Council of the Institute has issued the Statement on Continuing Professional Education in 2003, which was amended in 2006, as a direction to prescribe the CPE requirements with which the members of the Institute has to comply, except those specifically exempted to obtain their credit of CPE hours.

CPE Credit Requirements

1. Members in Practice

All the members who are holding Certificate of Practice (except those members who are residing abroad), unless exempted, are required to:

- a) Complete at least 90 CPE credit hours in each rolling three-year period of which 60 CPE credit hours should be of structured learning.
- b) Complete minimum 20 CPE credit hours of structured learning in each year.

2. Members not in Practice / Members residing abroad (whether holding Certificate of Practice or not)

All the members who are not holding Certificate of Practice or are residing abroad (whether holding Certificate of Practice or not), unless exempted, are required to:

- a) Complete at least 45 CPE credit hours of structured/unstructured learning in each rolling three-year period
- b) Complete minimum 10 CPE credit hours of structured/unstructured learning in each year.

3. Members attaining the age of 60 years during a particular calendar year within 2008-2010 or are at present of the age of 60 years and above

All the members attaining the age of 60 years during a particular calendar year within 2008-2010 or are at present of the age of 60 years and above and holding Certificate of Practice (except those members who are residing abroad), unless exempted, are required to:

- Complete at least 70 CPE credit hours in each rolling three-year period either through structured or unstructured learning.
- Complete minimum 10 CPE Credit hours in the year 2008 and minimum 20 CPE Credit hours in 2009 and 2010.

All the members attaining the age of 60 years during a particular calendar year within 2008-2010 or are at present of the age of 60 years and above and not holding Certificate of Practice or are residing abroad, unless exempted, are required to:

- Complete at least 35 CPE credit hours in each rolling three-year period either through structured or unstructured learning.
- Complete minimum 5 CPE Credit hours in the year 2008 and minimum 10 CPE Credit hours in 2009 and 2010.



How To Earn CPE Credit Hours?

Members of the Institute can earn the CPE Credit hours for structured learning by attending the CPE programmes organized by CPE Programme Organizing Units (PoUs) of the Institute, which means any organ of the ICAI which organizes CPE programmes or learning activities and includes the Council itself, any Committee of the Council, Regional Councils, Branches, ICAI Accounting Research Foundation, CPE Chapters, CPE Study Circles, CPE Study Groups as constituted under, and in terms of, the relevant notifications of the Council and shall include such other entity or unit which may be recognized by Council from time to time for conduct of learning activities and grant of CPE hours to members.

Structured CPE credit hours could be earned for other learning activities also such as by contributing articles.

Unstructured Learning Activities have been made applicable w.e.f. 1st January 2008. An Advisory on Unstructured CPE Learning Activities has also been issued. The said advisory has been hosted on the Institute website (www.icaai.org) and the CPE Portal (www.cpeicaai.org). This Advisory would serve as a guidance and direction to the members to avail CPE Hours Credits through Unstructured Learning Activities. The advisory includes the details about the unstructured learning activities and the ways in which these can be undertaken.

According to this advisory, the members are required to submit a Self-declaration form, once in a year, before 31st May, to avail the CPE Hours Credit for the unstructured learning activities "Undergone by them in the previous year. This form would have to be submitted to the concerned Decentralized Offices. The members could also submit the same to the Sub-Decentralized Offices for onward submission to the concerned Decentralized Offices. Members are requested to kindly go through the Statement of CPE (as amended in August 2006), which is uploaded on the CPE Portal (www.cpeicaai.org) to know all the learning activities, which are eligible for grant of CPE credit hours.

Services To The Members And PoUs

The CPE Portal (<http://www.cpeicaai.org>) has been developed to facilitate the members in keeping themselves updated with their CPE credit hours. The members can view the status of CPE hours by logging into the CPE Portal using their User ID and password and verify their CPE attendance. The portal also provides the information on upcoming events across India and abroad organized by various PoUs such as Central Committees, Regional Councils, Foreign Chapters, CPE Chapters, CPE Study Circles and CPE Study Groups. The portal also facilitates automatic generation of CPE certificates reducing the time cycle involved in issuance of the certificates.



25. The Chartered Accountants Benevolent Fund

Objective:

The objective for which the fund is established is to provide financial assistance for maintenance, education or any other similar purpose to necessitous persons being :-

- (a) persons who are or have been members of the Institute, whether subscribers to the fund or not; or
- (b) wives and children of persons who are or have been members of the Institute, whether subscribers to the fund or not.
- (c) widows and children of deceased persons who have been members of the Institute whether subscribers to the fund or not.
- (d) relatives or others who were dependent for support on a person who has been a member of the Institute, whether subscribers to the fund or not; and who has died without leaving a widow or child.

Procedure for becoming a member of the CABF :

There are two categories of members :-

- (a) Life Member: A single payment of Rs. 1000/- shall make a person eligible to be admitted as a life member of the fund. Thereafter he shall not be liable to pay any amount on account of subscription and shall be styled as a 'Life Member'.
- (b) Ordinary members : All other members shall be described as Ordinary Members and shall have to pay an annual subscription of Rs. 100/-.

Apart from this any member can subscribe for Voluntary Contribution'

Procedure for making payment:

Members can pay membership subscription alongwith Form 2 or their annual membership fee to the respective regional offices. Alternatively it can be paid separately by local cheque/DD to H.O. or respective regional offices.

Application format:

The application for enrolment as a member of the Fund shall be made in the prescribed Form at page no. 107

Extent of assistance available:

Monthly Assistance:

Maximum monthly assistance available to a member or persons eligible to receive the assistance is upto Rs. 5500/-per month according to the circumstances of the use and renewable after one year. This is for maintenance of family of members/widow/relatives of deceased members.

Financial assistance will be given only to the members/ widows/relatives whose monthly family income is not more than Rs. 15000/-.

Procedure for availing assistance:

Application for financial assistance should be made in prescribed format alongwith all relevant supporting documents mentioned thereon. Any Central Council Member or Chairman/Vice Chairman/Secretary of any Regional Council or Branch recommend the application thereof. In case of financial assistance towards cost of any expensive medical treatment/surgery of bill/estimates from Hospitals or medicine shop should be enclosed alongwith the application for treatment in a hospital the assistance can also be paid to the concerned hospital directly.

Group Protection Insurance Scheme for Members :

Group Protection Insurance Scheme of CABF is being provided for insurance coverage of members and spouse. For further details and application Please see page 105-106.



26. Decentralised Offices of the Institute

Application in the appropriate Forms, fee and documents may be submitted, depending upon the state/city to which the concerned Decentralised Offices of the Institute under whose territorial jurisdiction the professional address of the member falls. The Address, Telephone nos., Fax no. & E-mail address are given below:

1.	The Additional Director of Studies The Institute of Chartered Accountants of India ICAI Bhawan, 27, Cuffe Parade Colaba, Mumbai -400 005 Tele: 022-39893989 Gram: WIRCAB, Mumbai Fax : 022-39802953 E-mail : wro@icai.org wromem@icai.org Website : http://www-icai.org	Members with their professional address in the States of Goa, Gujarat, Maharashtra, and the Union Territories of Daman & Diu and Dadra and Nagar Haveli
2.	The Senior Assistant Secretary The Institute of Chartered Accountants of India, ICAI Bhawan, 122, Mahatama Gandhi Road, Nungambakkam, P.B. 3314 Chennai - 600 034 Tele : 044-39893989 Gram : SIRCAM, Chennai Fax : 044-30210355 E-mail: sro@icai.org sromem@icai.org Website : http://www.siroficai.org	Members with their professional address in the States of Andhra Pradesh, Karnataka, Kerala and Tamil Nadu and the Union Territories of Pondicherry and Lakhshadweep Islands
3.	The Senior Deputy Secretary The Institute of Chartered Accountants of India ICAI Bhawan 7, Anandilal Poddar Sarani Kolkata - 700 071 Tele: 033-39893989 Gram : EIRCA, Kolkata Fax : 033-30211145 E-mail : ero@icai.org eromem@icai.org Website: http://www.eircindia.org	Members with their professional address in the States of Arunachal Pradesh, Assam, Manipur, Meghalaya, Mizoram, Nagaland, Orissa, Sikkim, Tripura, West Bengal and the Union Territory of Andaman-Nicobar Islands



4.	The Deputy Secretary The Institute of Chartered Accountants of India ICAI Bhawan 16/77-B, Civil Lines, The Mall, Behind Reserve Bank of India, Kanpur-208001 Tele : 0512-39893989 Gram : CIRCA Kanpur Fax : 0512-3011173 E-mail : cro@icai.org cromem@icai.org Website : http://www.circ-icai.org	Members with their professional address in the States of Bihar, Chattisgarh, Madhya Pradesh, Rajasthan, Uttar Pradesh and Uttranchal
5.	The Deputy Secretary The Institute of Chartered Accountants of India ICAI Bhawan, 52, 53, 54, Institutional Area, Vishwas Nagar, Shahdara, Near Karkardooma Court Delhi-110 032 Tele : 011-39893990 Gram : CICA, New Delhi Fax : 011-30210680 E-mail : nro@icai.org nromem@icai.org Website : http://www.icai.org	Members with their professional address in the States of Delhi, Haryana, Himachal Pradesh, Jammu & Kashmir and Punjab and the Union Territory of Chandigarh
6.	The Assistant Secretary The Institute of Chartered Accountants of India, ICAI Bhawan, 123, Gyan Setu, Sardar Patel Colony, N Usmanpura Railway Crossing Naranpura, Ahmedabad-380 014 Tele : 079-27680946, 27680537 Fax : 079-27680946, 27680537 E-mail : ahmedabad@icai.org ahmedabadmem@icai.org	Members with their professional address in the City of Ahmedabad
7.	The Assistant Secretary The Institute of Chartered Accountants of India Amber Chambers, Vth Floor, 28/A, Budhwar Peth, Appa Balwant Chowk, Pune-411 002 Tele : 020-24451636 Fax : 020-24489732 E-mail : pune@icai.org punemem@icai.org	Members with their professional address in the City of Pune



8.	The Assistant Director The Institute of Chartered Accountants of India No. 16/0, Millers Tank, Bed Area, Bangalore - 560 052 Tele: 040-22252546, 22205891, 22257109 Fax: 040-22252547 E-mail : bangalore@icai.org bangaloremem@icai.org	Members with their professional address in the City of Bangalore
9.	The Officer Incharge The Institute of Chartered Accountants of India ICAI Bhawan 11-5-398/C, Red Hills, Hyderabad - 500 004 Tel. : 080-23393182 Fax : 080-23393182, 23317026, 080-23317027, 23317028 Telex : 080-23393200 E-mail: hyderabad@icai.org hyderabadmem@icai.org	Members with their professional address in the City of Hyderabad
10.	The Senior Executive Officer The Institute of Chartered Accountants of India ICAI Bhawan D-1, Institutional Area, Jhalana Doongri, Jaipur - 302 004 Tele : 0142-2707278, 2707309 Fax : 0142-2700352 E-mail : jaipur@icai.org jaipurmem@icai.org	Members with their professional address in the City of Jaipur



Formats of Related Forms

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22.	Issue of Identity Card		101
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24.	Mandate Form(ECS) for payment of Fee.		103-104
25.	CABF Group term Insurance Announcement and Application Form		105-106
26.	Application form for Life Membership of CABF		107

**10. Residential Address:**City State Code Pin Phone No. with STD Code / Country: Email id Mobile No. 11(a) Professional Address(es) (if different from 10) Same As in Column 10 above ☐ Yes ☐ NoCity State Code Pin Phone No. with STD Code / Country: Email id Mobile No. Fax with STD Code / **(b) Principal place of business**

[illegible]

- Yes ☐ No ☐

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Life membership of Chartered Accountant's Benevolent Fund

I hereby also apply for Life Membership of Chartered Accountants Benevolent Fund. Application in the appropriate form is sent herewith.

I also send herewith Rs. 1,000/- towards the subscription of Life Membership of the "C.A.B.F."

**Please affix
Recent
Coloured
Photograph**



(Within the frame only)
(With Black Gel Pen Only)
Signature (Old)

(Within the frame only)
(With Black Gel Pen Only)
Signature (Current)

Details of Total Remittance		
	Members in Practice On or after 1.4.2008	Members not in Practice On or after 1.4.2008
Entrance Fee	Rs. 1,000/-	Rs. 1,000/-
Annual Membership Fee	Rs. 600/-	Rs. 600/-
Certificate of Practice Fee(if intends to hold)	Rs. 1,600/-	-----
C.A.B.F. Life Membership Fee (Optional)	Rs. 1,000/-	Rs. 1,000/-
Total	Rs. 4,200/-	Rs. 2,600/-

Local Cheque / Pay Order/ Demand Draft No.

Drawn on **Name of the bank**

Dated **for** Rs. 2600/- ☐ Rs. 4200/- ☐





Please affix
Recent
Coloured
Photograph

Yours faithfully,

(Within the frame only)

Signature

Place :

Date :

Details of payment of fees:

Payable on or
after 1.4.2008

Fellow Admission fee

Rs. 1,500/- ☐

* Fellow Membership fees

Rs. 1,800/- ☐

* Balance of Annual Membership fees
(if already paid fee for associate)

Rs. 1,200/- ☐

COP fees (if intends to hold)

Rs. 1,600/- ☐



Total Amount

Bank Draft / Pay Order No.

dated

Drawn on

Payable at

* Strike out which is not applicable.

Note: A Member can apply for admission as a Fellow Member 30 days prior to the completion of five years of continuous practice or employment with requisite form and fee.



- Note :** (1) If the applicant desire to continue to hold a certificate of practice, an application in form "6" should accompany.
- (2) If the application is being made under sub-regulation 3 of Regulation 5, a Certificate/s of service showing the Date/s of joining and leaving the organization/s and the nature of duties performed by you, from time to time, should also be sent; and
- (3) Proof regarding the paid-up capital and the annual turn-over of the company during each of the year of your employment should be send (Balance sheets of relevant years may be sent).
- (4) In the case of members residing in Western Region, all payments should be made by Demand Draft / Cheque payable at Mumbai drawn in favour of the Institute of Chartered Accountants of India and should be sent to The Additional Director of Studies, The Institute of Chartered Accountants of India, ICAI BHAVAN, Anveshak, 27, Cuffe Parade, Colaba, Mumbai – 400005.
- (5) In the case of members residing in Southern Region, all payments should be made by Demand Draft / Cheque payable at Chennai in favour of the Institute of Chartered Accountants of India and should be sent to the Joint Secretary, The Institute of Chartered Accountants of India, ICAI BHAVAN, 122, Mahatma Gandhi Road, Numgambakkam, Chennai – 600034.
- (6) In the case of members residing in Eastern Region all payments should be made by Demand Draft / Cheque payable at Kolkata in favour of the Institute of Chartered Accountants of India and should be sent to The Deputy Secretary, The Institute of Chartered Accountants of India, ICAI BHAVAN, 7, Anandilal Poddar Sarani, Kolkata – 700071
- (7) In case of members residing in Central Region all payments should be made by Demand Draft / Cheque payable at Kanpur drawn in favour of the Institute of Chartered Accountants of India and should be sent to the Deputy Secretary, The Institute of Chartered Accountants of India, ICAI BHAVAN, 16 / 77-B Civil Lines (Behind Reserve Bank of India) The Mall, Kanpur – 208001.
- (8) In the case of members residing in Northern Region, all payments should be made by Demand Draft / Cheque payable at New Delhi drawn in favour of the Secretary, The Institute of Chartered Accountants of India, and should be sent to The Deputy Secretary, The Institute of Chartered Accountants of India, ICAI BHAVAN, 52-53-54, Institutional Area, Vishwas Nagar, Shahdara New Delhi – 110032.
- (9) Members residing abroad may submit their application form to the respective decentralised office under which his indian residential address falls.



.Only local cheques are acceptable.

**Name and Address in full** (IN BLOCK LETTERS)**First Name****Middle Name****Last Name****Address****City****State Code****Pin****Phone
No with
STD code****Country****E-mail ID****Important Instructions**

Note :- It has been decided to issue the script for Certificate of Practice bearing the photograph and signature of the member who have applied on or after 1st September 2008. Members are requested to submit Form '6' affixing color photograph in the box provided in the form.

1. Application for Certificate of Practice will be considered on receipt of Membership and Certificate of Practice fees which become due and payable on 1st April of the relevant Year.

The total fees w.e.f. 1-4-2008 are :-

- I. Membership fee Associate Rs. 600/-
II. Membership fee for Fellow Rs. 1,800/-
III. Certificate of Practice fee Rs. 1,600/-



2. (a) If you are not engaged in any "other occupation" delete para (3) and retain para (2)
(b) In case you have left the employment, please indicate the exact date of leaving of employment.
3. (a) If you are not engaged in any "occupation" for which permission has already been granted or is newly sought now, para (2) should be deleted.
Application for permission to engage in other "occupation" (for which permission has not already been obtained) should be sent along with Form "6".
(b) All "other occupations" should be enumerated in para (3) of Form "6" giving reference to the permission letters. This information may also be given in a separate sheet, if the space in Form "6" is not adequate.
4. In para (5), please fill circle either "Associate" or "Fellow" as the case may be.
5. The date and place at the left hand bottom of the form should invariably be filled in.
6. The member himself sign the form and the signature should be in the normal way to which he is accustomed. Form signed by any person other than the Member himself or in name of the firms will not be considered.
7. Correct membership number should invariably be given.
8. Name should be written in the respective fields as provided
9. Full address should be given.
10. A candidate applying for admission as a new member of the Institute is not required to submit Form 6





8. Permanent residential address

City																									State Code				
Pin					Phone No. with STD Code					/																			
Country:																													
Email id																													
															Mobile No.														

9. Professional address

Same as col.8 ☐ No ☐

City																									State Code				
Pin					Phone No. with STD Code					/																			
Country:																													
Email id																													
															Mobile No.														

10. Present residential address

Same as col.8 ☐ or 9 ☐ No ☐

City																									State Code				
Pin					Phone No. with STD Code					/																			
Country:																													
Email id																													
															Mobile No.														



[illegible]

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[illegible][illegible]

No ○

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[illegible][illegible]

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[illegible][illegible][illegible]

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[illegible]

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3. (i) I also send herewith a sum of Rs.

					/	-
--	--	--	--	--	---	---

being

(a) the balance of entrance fee of Rs.

					/	-
--	--	--	--	--	---	---

(b) the arrears on account of the annual fee of Rs.

					/	-
--	--	--	--	--	---	---

(annual membership for the year in which name was removed)

(c) the restoration fee of Rs. 1000/- and

(d) the annual membership fee of Rs.

					/	-
--	--	--	--	--	---	---

for the year

from

--	--	--	--	--

to

--	--	--	--	--

(ii) A sum of Rs

					/	-
--	--	--	--	--	---	---

is also forwarded for the annual Certificate of Practice

Yours faithfully

--

(Within the frame only)

Signature

Place :

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Date:

		-			-				
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Membership No

--	--	--	--	--	--

* Applicants are requested to produce evidence of their age. (not required if already submitted at the time of enrollment)

** Original diplomas, certificates and / or other documents, or attested copies thereof in support of the qualifications claimed must be sent with the application. (not required if already submitted at the time of enrollment)

† Original notification removing the name of the member should be sent

†† If there be more than one place of business, principal place of business may also be indicated

Details of Fee paid:

Total Amount

--	--	--	--	--	--

Bank Draft / Pay Order No.

--	--	--	--	--	--

dated

		-			-				
--	--	---	--	--	---	--	--	--	--

Drawn on

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Payable at

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Note: If a Member has already paid the fee including restoration fee and Form '9' has not been submitted within the relevant financial year, delay in submission of Form 9 can be considered for condonation on receipt of (a) Request for Condonation (b) Form '9' and (c) and the fee for condonation as per details given below:

For Delay of

30 days Rs. 100/-

31-180 days Rs. 300/-

Beyond 181 days Rs. 1000/-



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[illegible]

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Yes ☐ No ☐

Yes ☐ No ☐

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[illegible][illegible][illegible][illegible][illegible][illegible]

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[illegible][illegible][illegible][illegible][illegible]



6. (a) Address(es) of the branch office(s) of the firm / Chartered Accountant in practice, if any

(i)

City State Code

Pin Phone No. with
STD Code /

Country:

Email id

Mobile No.

(ii)

City State Code

Pin Phone No. with
STD Code /

Country:

Email id

Mobile No.

(iii)



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City State Code

Pin Phone No. with STD Code /

Country:

Email id

Mobile No.

(b) Date on which each branch office was opened

Place of the branch:

Date:

- -

- -

- -

- -

- -

7. Name of the member with membership number who is incharge of each of the offices ,
i.e. head office and branch offices.

Head Office

Name of the member in-charge

Membership No



Branch Office(s)

Name(s) of member(s) in-charge

Membership No

8. Whether the proprietor / any partner stated in serial number 2 above is / are partner or proprietor or paid assistant with any other firm(s) of chartered accountants in practice any where in India and whether any of them are engaged in a full time or part-time occupation elsewhere?

Yes ☐ No ☐

9. If yes, give details in each case

(i) .Name of the partner / Proprietor / Paid Assistant

Name(s) of the firm(s) of Chartered accountants with which connected

Capacity in which connected ☐ Proprietor ☐ Partner ☐ Paid Assistant

Particulars of full-time of part-time occupation elsewhere if any.

[illegible][illegible]

Capacity in which connected ☐ Proprietor ☐ Partner ☐ Paid Assistant

[illegible][illegible][illegible]

Capacity in which connected ☐ **Proprietor** ☐ **Partner** ☐ **Paid Assistant**

[illegible][illegible][illegible]

Capacity in which connected ☐ Proprietor ☐ Partner ☐ Paid Assistant

[illegible]

10 . In case of a firm, whether any partner is also practising in his individual name? Yes ☐ No ☐

11. If yes, give name(s) and membership number(s) of the member(s)

[illegible]

Membership No.

[illegible]

Membership No.

[illegible]

Membership No.

(iv) Name _____

Membership No.

[illegible]

Membership No.

12. Name(s) of the member(s) of the institute with membership number(s) holding full time employment in the firm /under chartered accountant in practice and date of joining of each such member.

[illegible]

Membership No.

--	--	--	--	--

Date of joining

		-			-		
--	--	---	--	--	---	--	--

[illegible]

Membership No.

--	--	--	--	--	--

Date of joining

		—		—		
--	--	---	--	---	--	--

[illegible]

Membership No.

--	--	--	--	--	--

Date of joining

		—			—				
--	--	---	--	--	---	--	--	--	--

[illegible]

Membership No.

--	--	--	--	--	--

Date of joining

	-		-		
--	---	--	---	--	--

13. Whether any paid assistant stated at serial number 12 above is partner or proprietor or paid assistant with any other firm(s) or chartered accountant in practice any where in India?

Yes ☐ No ☐

14. If yes , give details:

[illegible]

Name(s) and place(s) of Firm(s) in which engaged as partner / proprietor / paid assistant

[illegible]

Capacity in which connected with the firm, i.e., as partner / proprietor / paid assistant

☐ Proprietor ☐ Partner ☐ Paid Assistant

[illegible]

Name(s) and place(s) of Firm(s) in which engaged as partner / proprietor / paid assistant

[illegible]

Capacity in which connected with the firm, i.e., as partner / proprietor / paid assistant

☐ Proprietor ☐ Partner ☐ Paid Assistant

[illegible]

Name(s) and place(s) of Firm(s) in which engaged as partner / proprietor / paid assistant

[illegible]

Capacity in which connected with the firm, i.e., as partner / proprietor / paid assistant

☐ Proprietor ☐ Partner ☐ Paid Assistant

15. Whether any paid assistant stated at serial number 12 above is practising in his individual name?

Yes ☐ No ☐

16. If yes, give name(s) and membership number(s) of the paid assistant(s).

[illegible]

Membership No.



(ii) Name

Membership No.

(iii) Name

Membership No.

(iv) Name

Membership No.

Date :

Place :

Signature(s) of the proprietor / all partner(s) of the firm with their Membership number(s)

(Within the frame only)

Signature

Membership number

(Within the frame only)

Signature

Membership number

(Within the frame only)

Signature

Membership number

(Within the frame only)

Signature

Membership number

(Within the frame only)

Signature

Membership number

(Within the frame only)

Signature

Membership number





Note: Particulars in Form 18 should be submitted for the constitution/reconstitution of the firm within one month from the date of constitution or change in constitution.

In case of delay in filling the form beyond the stipulated period as stated above, it has to be accompanied by a request for condonation and appropriate condonation fee as per the following schedule:

Regulation	Period of Delay / Corresponding fee to be charged		
	30 days	31-180 days	Beyond 181 days
	Rs.	Rs.	Rs.
190 (4) – Condonation of delay in filing Form 18, for registration of firm name	100	300	1000
190 (7) – Condonation of delay in filing Form 18 notifying change in particulars of office / firms	100	300	1000

The levy of fee would come into effect in respect of requests for condonation received on or after 1st April, 2002. It may be clarified that each case of condonation received along with the fee, will be considered on its merits.

Regulation 190 (4) / 190 (7) – Condonation of delay in filing Form 18, for registration / re-constitution / closure of the firm: The following supporting documents should accompany along with the request for condonation

1. Certified true copy of the partnership deed
2. Copies of income Tax Returns of the firm and partners / proprietor, as the case may be.
In case where the income of the firm is not taxable, certified copy of the accounts of the firm / member(s).
3. Certified true copy of the dissolution deed.



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Form of application for permission for full-time or part-time employment in a business concern under Regulation 190A of the Chartered Accountants Regulations, 1988.

To
The Secretary
The Institute of Chartered Accountants of India

Dear Sir,

Permission for engagement in other occupation under Regulation 190A of the Chartered Accountants Regulations, 1988.

I hereby apply for permission to be engaged in other occupation as full-time/part-time employment in a business concern in terms of Item I of the specific Resolution passed by the Council under Regulation 190A of the Chartered Accountants Regulations, 1988. I give below the required particulars:

- (a) Name and address of business concern
- (b) Nature of business carried on by the concern
- (c) Designation of the post held
- (d) Date of joining with the Organisation/Concern
- (e) Whether the engagement is full-time or part-time
- (f) Total number of shares issued by the Company and their value
- (g) Number of shares, if any, held by the applicant
- (h) Number of shares, if any, held by the relatives
- (i) Number of hours to be devoted in the organisation:
 - (i) Per day
 - (ii) Per week
 - (iii) Travelling time

I declare that I and/or my relatives do not hold a substantial interest in the business concern in respect of which permission for full-time/part-time employment is sought.

Yours faithfully,

Signature

Date :

Name.....

M. No.....



Note : Please see below for definition of “Relative”, “Substantial Interest” and “Director Simplicitor”.

1. The expression “relatives” in relation to a member means the husband, wife, brother or sister or any lineal ascendant or descendant of that member:
2. A member shall be deemed to have “Substantial Interest” in a concern in a case where the concern is a company, if its shares (not being shares entitled to a fixed rate of dividend whether with or without a further right to participate in profits) carrying not less than twenty per cent of voting power at any time during the previous year are owned beneficially by such member or partly by him and partly by one or more of the following persons:
 - (a) One or more relatives of the member;
 - (b) Any concern in which any of the persons referred to above has a substantial interest;
3. In the case of any other concern, if such member is entitled or such member and one or more of the other persons referred to above are entitled in the aggregate at any time during previous year, to not less than 20% of the profits of such concern.



Permission for Engagement as Sleeping Partner in a Family firm. (Regulation 190A)

Specimen of the Proforma

DECLARATION

I, Shri/Ms..... S/o, D/o, W/o.....
R/o..... do hereby, solemnly affirm and state as follows:

1. I have passed the Final Examination of the Chartered Accountancy course of the Institute of Chartered Accountants of India in
2. I am a member of the Institute of Chartered Accountants of India holding Certificate of Practice w.e.f..... and/or I have applied for membership of the Institute/Certificate of Practice from the Institute on..... (date).
3. ** I have applied to the Institute for permission of the Council to engage in family business/occupation other than the profession of Chartered Accountancy vide my application dated..... in accordance with *Clause (11) of part I, First Schedule to the C.A. Act, 1949.*
4. I state that my interest in the family business namely..... was acquired as a result of:
 - (a) Inheritance
 - (b) Succession
 - (c) Partitionand a copy of the documentary evidence in this respect is enclosed.
5. I declare and confirm that I have not been and I am not and I shall not actively engage in carrying on the aforesaid family business.
6. I say and confirm that the family business concern mentioned above was not created by me.

Name of Declarant

Verification

Verified that the contents of the above declaration are true and correct.

Verified at..... on this..... day of.....

Signature of Declarant :

Name of Declarant :

Membership Number :

* delete which is not applicable



Format of Affidavit for issue of duplicate script of Certificate(s)

To be executed on a non-judicial stamp paper of the value in force in the State and attested by Notary Public/Oath Commissioner etc.

AFFIDAVIT

I S/o, D/o, W/o.....
Resident of..... having professional address at.....
..... do hereby solemnly affirm and declare as under :

1. That I am an Associate*/Fellow* Member of the Institute having membership No.....
2. That I was issued/in possession of Certificate of membership as an Associate*/Fellow* Member issued by the Institute of Chartered Accountants of India.
- 3*. That I was issued/in possession of Certificate of practice as an Associate*/Fellow* Member issued by the Institute of Chartered Accountants of India.
4. That the said certificate(s) has/have been misplaced/lost due to.....
..... (state reason here).
5. That I am applying for issue of duplicate certificate as
and /or.....
6. That in case the said original certificate(s) is/are found, I shall immediately return the duplicate certificate(s) to the Institute of Chartered Accountants of India.

Deponent

Verification

Verified that the contents of the above affidavit are true and correct to the best of my knowledge and belief and nothing has been concealed therefrom.

Verified at..... on this..... day of..... 20.....

Deponent

**Strike out whichever is not applicable.*



Format of Affidavit for declaring family member's name for Firm Name Approval

**To be executed on a non-judicial Stamp Paper duly sworn
before the First Class Magistrate/Notary Public**

AFFIDAVIT

I S/o, D/o, W/o.....
Resident of..... having professional address at.....
..... do hereby solemnly affirm and declare as under :

1. That my name as recorded in the membership register of the Institute is.....
with Membership No.....
2. That after various permutations and combinations based on my name have been exhausted and I have not been able to get approval of firm name in accordance with the provisions of Regulation 190(2) of the Chartered Accountants Regulations, 1988, I may be allowed to adopt or coin a firm name on the basis of my own name suffixed with the name of one of my family members* as prescribed in the said Regulation.
3. That my..... name is....., and I want to use his/her name for the purpose of approval of firm name.

Deponent

Verification

Verified that the contents of this affidavit are true to the best of my knowledge and belief.

Place :.....

Date :.....

Deponent

**Family member mean parents, spouse, daughter, son.*



**To be obtained from Two different Officials of the rank of
Deputy Secretary and above of Central/State Government**

TO WHOM SO EVER IT MAY CONCERN

This is to certify that (name of the member),
S/o..... Age.....
Resident of.....

.....
(address), is commonly known as (name with
Surname, etc.), among friends/relatives, etc. and that.....

..... (name of the member) and.....
..... (name with surname), is one and the same person.

He is known to me for the last years..... months.

Signature of the Officer
with Seal/Stamp

Date :

Place :



Format of Declaration for Condonation of Breach of Regulation 190(4)/(7).

**To be given by Proprietor/All Partners of the firm in respect of
Breach of Regulation 190(4)/(7)**

DECLARATION

I/we _____ proprietor/partner(s) of M/s.
_____ situated at _____ do
hereby solemnly affirm and declare as under :-

That the particulars/changes in particulars of the firm required to be submitted in form no. 18 to the DCO of the Institute within one month are bonafide and the delay in filing form 18 is on account of _____.

That the above changes have been intimated to the Decentralised office of the Institute in my/our Entry on Record Sheet(s) and Entry on Record of firm, filed with the Institute during the year(s) _____*.

That I/we also intimated the change in my/our professional address or my/our association with the firm and or the member(s) on _____*.

That the constitution/re-constitution of the proprietary/partnership firm including the changes of the particulars of the firm as on _____ are/were submitted to the Institute for empanelment of Bank Branch Audit during the year(s) _____*.

That my/our firm has derived/not derived any undue advantage on account of changes in the firm on account of Tax Audits*.

That my/our firm has derived/not derived any undue advantage on account of changes in the firm by training any articled clerk(s)*.

That my/our firm has derived/not derived any undue advantages on account of changes by submission of particulars of the firm with any empanelling authorities viz. Office of the C&AG, IRDA & the like*.

Name of Proprietor/partner(s)

M.No.

Signature(s)

(i)

(ii)

(iii)

* strikeout whichever is not applicable.



Form 'A'

APPLICATION FOR APPROVAL OF NAME FOR NETWORK OF FIRMS

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

(See Rule 3 of Rules of Network amongst the firms registered with The Institute of Chartered Accountants of India)

1. Proposed name of Network of firm
(in order of preference)
 1. _____
 2. _____
 3. _____
 4. _____

2. Name(s) of the firm(s)/Member(s)
forming network of firm

Firm Name/ Member Name	Firm Regn. No./ M.No.
1. _____	_____
2. _____	_____
3. _____	_____
4. _____	_____

3. Address of the Network of firm _____

 Pin _____
 E-mail (if any) _____

4. We hereby declare that the above firms have entered into an understanding to form a network and further affirm that the partner signing the application has been duly authorised by the other partners of the respective firms.
 1. Signature of the Manager
 2. Signature of

 3. Name of the Partner.....
 4. Firm Regn. No.

Place :

Date :



Form 'B'

DECLARATION FOR REGISTRATION OF FORMAL NETWORK AMONGST FIRMS REGISTERED WITH ICAI

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Particulars of Network Having Indian Affiliation

1. Name of the Network
2. Address of the Network
3. Names and addresses of firms/Member constituting the Network
Names and addresses of Firm(s)/Member(s) Firm Registration No./M.No.
4. (a) Date of formation of Network
(b) Date on which present network arrangement was entered into
5. We undertake to comply with the guidelines/directions laid down by the Council regarding Network from time to time.
We hereby declare that:
(a) the network constituents have entered into an agreement to form this network.
(b) that the partner(s) signing this declaration has been duly authorized by the other partners of the firm

Place :

Date :

Name(s) with Membership No(s).
and signature(s) of duly authorized
Partner(s)/Proprietor(s) of the firms/
Member constituting Network



Form 'C'

DECLARATION FOR DISSOCIATION FROM A NETWORK

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

[See Rule 12 of Rules of Network amongst the firms registered with The Institute of Chartered Accountants of India]

1. Name of the Network
2. Address of the Network
3. Names and addresses of firms constituting the Network
Names and addresses of Firm(s)/Member(s) Firm Registration No./M. No.
4. Name and address of the firm/member willing to dissociate from the Network
Name and address of Firm(s)/Member(s) Firm Registration No./M. No.

In pursuance to the Rule 12 of Rules of the Network issued by The Institute of Chartered Accountants of India, We/I hereby declare our dissociation from the Network w.e.f.

I hereby declare that I have been duly authorised by the other partners to issue this declaration.

Place :

Date :

Name with Membership No(s).
and signature(s) of duly authorized
Partner(s)/Proprietor of the firm/
Member dissociating from the Network



Form 'D'

DECLARATION TO BE FILED FOR NETWORK WITH ENTITIES OUTSIDE INDIA NETWORK WITH ENTITIES OUTSIDE INDIA REGISTRATION NO. THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

Particulars of Network with Entitties outside India

1. Name of the Network
2. Address of the Network
3. Name(s) & address(es) of firm(s)/entity(ies) constituting the Network
 - (A) Indian firm(s) forming part of Network:

Name(s) of Firm(s)	Firm Registration Number(s)
--------------------	-----------------------------
 - (B) Outside entity(ies) forming part of Network :

Name(s) of the entity(ies)	Registration No. of entity(ies), the name(s) of enactment(s)/charter(s) under which Registered with the name of country(ies)
----------------------------	--
4. (a) Date of formation of Network
(b) Date on which present network arrangement was entered into
5. Detail of ownership and management structure of outside entity(ies) constituting the Network
We, the authorized representative(s) of the entity(ies) outside India, hereby solemnly declare and undertake that :
 - (1) we are conversant with the provisions of the Chartered Accountants Act, 1949, the Chartered Accountants Regulations, the Code of Ethics and guidelines/directions regarding Network issued by the Council from time to time;
 - (2) in regard to the activities of the Network in India, we undertake to comply with the aforesaid provisions/guidelines/directions, in general, and in particular clauses (2) to (7) of Part-I of the First Schedule to the Chartered Accountants Act, 1949; and
 - (3) the activities under the Network will not tantamount to rendering services so as to constitute a commercial presence in India or in any way result in Mode 3* or Mode 4* rendering of services as per WTO terminology.

Place :

Date :

Name(s) with membership no.
(if any) and signature(s) of duly authorized representative(s)
of the entity(ies) outside India constituting Network



We, the authorized representative(s) of Indian Firm(s), solemnly declare as under:-

- (1) the information given above is true and correct as per our information and belief; and
- (2) non-compliance with the provisions of the Clauses (6) & (7) of Part I of the First Schedule to the Chartered Accountants Act, 1949 and the guidelines/directions laid down by the Council thereunder by the outside entity(ies) shall be deemed to be on our behest, unless proved otherwise.

Place :

Date :

Name(s) with Membership No(s)
and signature(s) of duly authorized representative(s)
of the Indian firm(s)/ Member constituting the Network

- * Mode 3: Commercial Presence – Where services are provided through establishment of an office in the other country.
- * Mode 4: Movement of Natural Persons – Where the professional accountant travels from one country to another to deliver a service.



Form 'E'

FORMAT OF MERGER AGREEMENT

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

[See Rule 3 of Rules of Merger & Demerger amongst the firms registered with The Institute of Chartered Accountants of India]

We, (1)..... (2) (3) partners of (1) M/s. A & Co. (2) M/s. B & Co. & (3) execute this Merger Agreement on this ____ day of _____, at _____:

1. M/s A & Co., a Partnership/Proprietorship firm of Chartered Accountants having its registered Head Office at _____, duly registered with the Institute of Chartered Accountants of India vide Firm No. _____ in _____ region (which expression shall include its successors, heirs and assigns).

The date of establishment, name of the partners, their membership nos, are as follows:-

(i) Date of establishment

(ii) Name of the Partners Membership No.

2. M/s B & Co., a Partnership/Proprietorship firm of Chartered Accountants having its registered Head Office at _____, duly registered with the Institute of Chartered Accountants of India vide Firm No. _____ in _____ region (which expression shall include its successors, heirs and assigns).

The date of establishment, name of the partners, their membership nos, are as follows :-

(i) Date of establishment

(ii) Name of the Partners Membership No.

3.

Now, therefore, in consideration of mutual promise herein made and the consideration hereunder expressed, the parties hereto mutually covenant and agree as follows:

1. That the name of the merged firm will be _____ and the date of establishment of the merged firm is the date of establishment of the oldest/older firm i.e. _____.
2. That this merger will come into force w.e.f. _____ 20XX, whereafter, the merging firm i.e. M/s A & Co., and M/s B & Co. cease to exist and a separate partnership deed has been executed on _____ amongst the partners of the merged firm.
3. That the following persons are the partners of the merged firm:

1. Mr. _____	Membership No. _____
2. Mr. _____	Membership No. _____
3. Mr. _____	Membership No. _____



4. Mr. _____
 5. Mr. _____
 6. Mr. _____
 7. Mr. _____
 8. Mr. _____

Membership No. _____
 Membership No. _____
 Membership No. _____
 Membership No. _____
 Membership No. _____

We, all the partners of the merged firm understand that this merger has the following consequences in pursuance to the decision of the Council of the Institute:-

1. That the name of the erstwhile merging firms will be frozen by the Institute.
2. And in case 75% or more of the continuing partners of one or more erstwhile merging firm(s) are willing to demerge, they may demerge after giving due notice and will be entitled to the following benefits :
 - (i) They shall be entitled to the total seniority acquired i.e. their earlier pre-merger seniority and the years during which they were in merged firm.
 - (ii) They are entitled to their old firm's name.

Provided in case, 75% is a fraction, then the same shall be rounded off to the next number.

3. That the date of establishment of the new demerged firm shall be the date of demerger.
4. That to effectuate such demerger, no concurrence/acceptance is required from the other continuing partners of the merged firm. The partners of such demerged firm shall execute a partnership deed. The merged firm as well as the demerged firm shall submit fresh Form 18 as prescribed under the Chartered Accountants Regulations, 1988 to the Institute within the prescribed period.
5. In case of 75% or more of the continuing partners of one of the erstwhile merging firm have demerged after giving due notice to the other partners, then in such case, the merger shall come to an end and if the remaining erstwhile merging firms/partners of the erstwhile merged firm decided to continue, then they should enter into a fresh Merger/Partnership Agreement and shall submit fresh Form 18 as prescribed under the Chartered Accountants Regulations, 1988 to the Institute within the prescribed period.
6. That the demerger in the manner hereinbefore mentioned can be demanded only within a period of 5 years from the date of merger.

IN WITNESS WHEREOF, the Partners of the Merged firm M/s..... hereto set their hands on this agreement in the presence of the witnesses.

WITNESSES :

1.
 - (i) _____
 - (ii) _____
 - (iii) _____
 - (iv) _____
 - (v) _____
2.
 - (vi) _____
 - (vii) _____
 - (viii) _____

Partners of M/s.....



Form 'F'

NOTICE FOR DEMERGER

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

*[See Rule 4(i) of Rules of Merger and Demerger amongst the firms registered with
The Institute of Chartered Accountants of India]*

1. We the following persons

Names	Membership No.(s)

being partners of M/s _____ which merged with the firm
M/s. _____ as per merger agreement dated
_____ willing to demerge with effect from _____

2. We are the partners of the erstwhile merging firms, M/s. _____ merged with
M/s. _____ and constitute the merged firm
dated _____ and Form 18 were filed before the Institute on

- 3- We constitute 75% or _____ of the continuing partners of the erstwhile firm M/s.

4. This demerger is within a period of 5 years from the date of merger.

5. We desire that our pre-merger name to be allotted to us.

Signature of all the partner of the
Erstwhile firm M/s. _____

Willing to demerge

Place : _____

Date : _____



APPLICATION FOR APPROVAL OF NAME FOR
PROPOSED MANAGEMENT CONSULTANCY COMPANY

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

[See Guidelines 3 of Guideline for Practice in corporate Form]

1. Proposed name of the Company (in order of preference)
1. _____
2. _____
3. _____

2. Name of the Members/firm along with name of partners forming proposed Management Consultancy Company

Firm Name/Member Name

Firm Regn. No./M.No.

3. Address of the Registered Office of the proposed Management Consultancy Company

_____ Pin _____

Tel. No. _____ Fax No. _____

E-mail _____

Website Address _____

4. Ownership pattern of the Company
5. Name of the member proposing to become Managing Director/Whole-time Director/Manager

Name of the Member

Memberships No.

1. _____

2. _____

3. _____

Place :

Name(s) with Membership No.(s).

and signature(s) of duly authorized

Date :

Partner(s)/Proprietor(s) of the firms.



DECLARATION FOR REGISTRATION OF
MANAGEMENT CONSULTANCY COMPANY

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

[See Guidelines 4 of Guideline for Practice in corporate Form]

1. Name of the Management Consultancy Company
2. Address of the
 - (i) Registered Office
 - (ii) Branch Office
4. Ownership pattern of the Company
5. Name of the member(s) proposing to become Managing Director/Whole-time Director/Manager

Name of the Member

Memberships No.

1. _____

2. _____

3. _____

6. Number and Date of Incorporation Certificate

(Please enclose Incorporation Certificate issued by the ROC)

I/We hereby declare that the Management Consultancy Company shall render Management Consultancy & Other Services which are prescribed by the Council of the Institute from time to time pursuant to powers under Section 2(2)(iv) of the Chartered Accountants Act, 1949. This Company has been constituted in compliance with the Guidelines for Practice in Corporate Form issued by the Institute.

I/We hereby declare that I/We shall comply with Clauses (6) & (7) of Part I of the First Schedule to the Chartered Accountants Act, 1949, and such other directions as may be issued by the Institute from time to time in this regard.

Place :

Signatures of two authorised Directors of the body corporate and Managing Director /Working Director/Manager of that body corporate together with membership no. under a common seal.

Date :

(Enclose a copy of Board Resolution)



Coloured
Photo
Graph
To
Be
pasted

Coloured
Photo
Graph
To
Be
stapped

Signature

:

With Jet Black Pen

- **Signature outside/overlapping the frame will be not be accepted**
- Signature may be put as per Specimen given

The members are also requested to paste one photograph on the left side corner and to staple the other photograph on the right side top corner of this form.

Issue of Identity Card

Name : _____

Membership No. : _____

Date of Birth : _____

Blood Group : _____

Professional address:

Phone No. : Office _____ Resi: _____

E-mail _____

Members are requested to submit the above information to the Respective Decentralised offices under whose territorial jurisdiction their professional address falls

Lot No. _____ SI. No. _____



Format of Application for Duplicate Identity Card

From
Name : _____
Address : _____

To
The Secretary
The Institute of Chartered Accountants of India

Dear Sir,

Sub: Application for issue of Duplicate Identity Card

Please issue me a duplicate identity card. I do hereby declare and state as follows :-

1. That I am a Chartered Accountant having Membership No._____.
2. That I was issued/in possession* of Identity Card as a Member issued by the Institute of Chartered Accountants of India.
3. That the said Identity card has been misplaced/lost* due to _____
(State reason here)
4. That I am applying for issue of duplicate identity card as Associate/Fellow member of the Institute.
5. That in case the said original identity card is found, I hereby undertake to return the same to the Institute.
6. That my specimen signature and photograph are affixed hereunder :-

Paste one
coloured
photograph

Paste one
coloured
photograph

Signature with Jet Black Pen:

7. I am sending herewith Rs. 100/- (Rupees One hundred only) towards fee for issue of duplicate ID Card vide local cheque/pay order/DD no. _____ dated _____ drawn on _____

Yours faithfully,

- delete whichever is not applicable
- Signature outside/overlapping the frame will not be accepted



MANDATE FORM ECS Facility

STANDING INSTRUCTION FOR DIRECT DEBIT AUTHORISATION

To make periodic contribution towards specific Charges through the **Electronic Clearing Service** of the Reserve Bank of India.

I/We hereby unconditionally and irrevocably authorize The Institute of Chartered Accountants of India to

- ▶ Raise debits for such periodic contribution as desired by ICAI towards ICAI membership and other charges for services rendered by ICAI.
- ▶ Debit a one time registration fee Rs. 20/- (Rupees twenty only) in advance for this service AND
- ▶ Per Transaction charges of Rs. 7.50/- (Rupees Seven and Paise fifty only)

Against the below mentioned bank account through its authorized service provider **M/s. Bill Junction Payments Limited, a unit of ICICI Bank Limited.**

1. Membership No. / user id (as provided by ICAI after registration) _____
2. Member / User Name _____
3. Particulars of my Bank Account
 - i. Name of the Account Holder _____
 - ii. Bank Name _____
 - iii. Branch Name _____
 - iv. Branch Address _____
 - v. 9 digit MICR code no. _____
 - vi. Type of Account : Savings / Current / CC _____
 - vii. Account no. As appearing on the cheque _____

Note : Please attach an original cancelled cheque of your bank account from which you want your payments to be made. The cancelled cheque is required to verify the details of the Account-holder.

4. Members residing abroad may opt for receiving the Journal ☐ ☐
by Airmail at applicable charges. Kindly intimate your preference AIRMAIL / SEAMAIL
5. In order to receive alerts of your transaction status please provide us your
e-mail id _____ Mobile no. : _____
 - a) I/We hereby declare that the particulars above are correct and complete. If the transaction is delayed or not affected at all for reasons of incomplete information, I would not hold the Institution responsible.
 - b) I/We hereby undertake that the aforesaid instruction shall not be revoked/withdrawn/ cancelled except with the written intimation to The Institute of Chartered Accountants of India against the above-mentioned membership no/user id.
 - c) This facility is available to bank account holders in cities (Mumbai, Chennai, Kolkata, Kanpur, Delhi, Bangalore, Ahmedabad, Chandigarh, Hyderabad, Pune, Lucknow, Bhubaneswar, Jaipur, Surat, Vadodara, Coimbatore, Nagpur, Ludhiana, Visakhapatnam, Indore, Vijayawada Amritsar, Jalandhar, Rajkot, Panjim, Bhopal, Mangalore, Trichy, Madurai, Cochin, Trichur, Thiruvananthapuram, Guwahati, Patna and Kolhapur.

Signature of the account holder as in the Bank records _____

Date _____

To be filled in by the Account Holder's Bank

Certified that the particulars furnished above are correct as per our records.

Bank Stamp

Date :

Authorized Signatory of the Bank

ADVANCE PAYMENT OF FEE PROTECTS AGAINST REMOVAL OF NAME



Instructions for use of Mandate Form

Dear Member,

The Institute has tied up with **Bill Junction Payments Ltd - a network company of ICICI Bank** to introduce a very convenient mode to pay for your annual membership, COP and Airmail charges from practically anywhere across the country. This pioneering and innovative service of **Electronic Clearing System of the Reserve Bank of India** is being brought to you to better facilitate you in payment of annual dues.

Under the new system, you need not visit the institute at all, to make payments for your annual charges. You need not even have to write a cheque or get a demand draft made in case you have a bank account in the following cities

Mumbai, Chennai, Kolkata, Kanpur, Delhi, Bangalore, Ahmedabad, Chandigarh, Hyderabad, Pune, Lucknow, Bhubaneshwar, Jaipur, Surat, Vadodara, Coimbatore, Nagpur, Ludhiana, Visakhapatnam, Indore, Vijayawada Amritsar, Jalandhar, Rajkot, Panjim, Bhopal, Mangalore, Trichy, Madurai, Cochin, Trichur, Thiruvananthapuram, Guwahati, Patna and Kolhapur.

Your annual dues will be automatically debited from **your account with any bank** through the **RBI Electronic clearing system** in a completely secured and protected environment. Needless to say, the process is simple and straightforward.

- Step-1 :** In order to avail of this service you need to fill-up a simple mandate form and send it to your Regional Office, **which will be a one-time activity**. You need to provide your membership details and your bank account details from which you want to pay your charges and sign the mandate form. **The Bank Account can be with any bank in the cities listed above. One time registration charges are Rs. 20/-.**
- Step-2 :** You need to attach a blank cancelled unsigned cheque as a proof of your Bank Account with the mandate form.
- Step-3 :** ICAI will raise annual fees due against your membership and send you the demand notice. Simultaneously, ICAI will send the fee details to Bill Junction Payments after receipt of the mandate form from your end.
- Step-4 :** Once you have filled the mandate form you need not come to ICAI at any time to deposit the annual fees. The service provider will send you e-mail and an SMS informing the date on which your account will be debited for the exact amount towards payment of fees. Please keep your account funded during that period.
- Step-5 :** The fees amount will be debited from your Bank account through the **Reserve Bank of India National Clearing Cell** by the exact amount and paid back to ICAI on the due date. ICAI will update records. The service provider will inform you by SMS and e-mail that your fees have been successfully paid to ICAI.

This service comes to you at a **one-time customer enablement charges of Rs. 207- (Rupees Twenty only)** and a **transaction processing charge of Rs. 7.50/- only (Rupees seven & paise fifty only)** which will be debited from your account.



ICAI CARES FOR YOU !



CABF Group Term Insurance Scheme for Chartered Accountants and Spouse

CABF OF ICAI has tied up with the Life Insurance Corporation of India for a special scheme for insuring the Life of its members and their spouse. The scheme is effective w.e.f. 1.1.2007 and open for all the members of the Institute who are not having the same scheme operated by WIRC of ICAI.

The salient highlights of the scheme are as under :

- > CABF is already operating Group Insurance Scheme with BSLI for members and in order to make it competitive and better insurance coverage has launched group insurance scheme with LIC.
- > Offering a High Insurance Cover of Rs. 10 lacs per member.
- > A provision for spouse for insurance cover of Rs. 5 lacs.
- > A unique SINGLE PREMIUM approach to the scheme.
- > No EVIDENCE OF HEALTH OR MEDICAL UNDERWRITING REQUIREMENTS – For member as well as for Spouse
- > Highly Competitive Premium Rates specially for ICAI members.
- > 24 Hrs. Comprehensive, Global Death Risk cover without any Pre conditions. The amount of cover can be increased up to double in case of death due to Accident.
- > FULL PREMIUM RETURN OFFER in case of Normal Death within Lien Period
- > Easy administration of insurance premium payment and claim settlement through CABF.

Details of the scheme are as under :

S.No	Particulars	Terms	
1)	Age at entry	18-60 years	
2)	Validity Period of Life Cover	Three years	
3)	Type of Cover	24 hour Comprehensive Global risk cover for the period of insurance from date of commencement which also includes death due to accident	
4)	Sum Assured	Rs. 10 lacs	
5)	Mode of Premium	Single Premium payable for Three Years	
6)	Single premium to be paid in case of Members for the sum assured of Rs. 10 lacs for a term of 3 years	Age [Completed Years]	Total Amount Rs.
		18-30	4390
		31-35	4700
		36-40	6240
		41-45	7890
		46-50	11810
		51-55	19880
7)	Single premium to be paid in case of spouse for the sum assured of Rs. 5 lac for a term of 3 years	56-60	29160
		18-30	2195
		31-35	2350
		36-40	3120
		41-45	3945
		46-50	5905
		51-55	9940
		56-60	14580

(* CABF proposes to launch LIC Scheme with accident benefits. Accidental death cover, is in addition to the life cover. This cover will, in case a member dies through an accident, provide additional cover to the extent of Rs. 10,00,000/- and in case of spouse of Rs. 5,00,000/-).

Special Conditions :

- **Lien** : The assurances granted under the scheme are subject to a lien clause. No claim is admissible for deaths during the first 45 days from the entry date, except for cases of death due to accident. However, in case of a Normal Death, taking place during the

Lien Period, PREMIUMS charged on the life of the deceased Member shall be refunded in full.

Special Benefits :

- * **Insurance cover for Member's Spouse** : Will be considered to the extent of **50%** i.e. upto Rs. 5,00,000/- Premium for Spouse to be charged as per **Spouse's age**

- * **Evidence of Health** : **No** medical examination nor any self-declaration of health is required.

- The Scheme has been established and shall be administered with the P&GS Delhi Division I Office of LIC at New Delhi.
- All matters relating to the Scheme including settlement of claim etc shall be looked after by the said office in New Delhi
- The period of 3 years & the lien period of 45 days will reckon from the date of entry in the scheme.
- CABF will forward premium received from members to LIC. The date for the lien period & 3 years insurance scheme will start from the date of receiving premium by LIC subject to realization of cheque.
- The updation of members' list will be done on quarterly basis. For renewal of scheme members are required to forward the due premium to CABF in one month advance.
- The members may apply for the life insurance by giving the following details along with the premium in duplicate :

*a) Name b) Address, Contact details such as Phone No, Email & Fax no. etc c) Membership no. of ICAI d) Date of Birth e) Age f) Name of Nominee g) Name of spouse h) Date of Birth of spouse i) Age of spouse j) Name of Nominee (in case of spouse)

	Basic sum assured	Premium
Self		
Spouse	Yes/No	

(* a sample format is given on icai website at www.icai.org alongwith disablement)

Example : A member aged 36 years with a spouse of 32 years decides to opt for insurance along with double accidental coverage for both. The total premium would be calculated as under :

Self - Premium - Rs. 6240/-
Spouse - Premium - Rs. 2350/-

8. **Local cheques/Demand Draft needs to be drawn in favour of "CABF – Insurance Scheme" and forwarded to The Institute of Chartered Accountants of India, ICAI Bhawan, Post Box No. 7100, Indraprastha Marg, New Delhi – 110 002.**

9. On receiving premium by CABF at ICAI, New Delhi certificate of insurance will be issued by LIC to the members subsequently.

10. **Any clarification with regard to the scheme may be had from :**

Mr. Sunil Kumar
Sr. Branch Manager
LIC of India
P&GS Department, Delhi Divisional Office-I"
6th Floor, Jeevan Prakash"
25, K.G. Marg, New Delhi, Pin Code - 110001
E-mail : kumarssunil@licindia.com

Members are urged to avail of this unique offer specially brought for the members of the Institute and their spouse.

JOIN CA GROUP PROTECTION SCHEME – INSURE FOR LIFE



FORMAT OF APPLICATION FOR MEMBERSHIP OF CABF GROUP TERM INSURANCE SCHEME

Members opting for coverage under the scheme may submit particulars (in duplicate) for “Life Insurance Corporation” Scheme along with the requisite premium by way of Pay Order, Banker’s Cheque or Demand Draft drawn in favour of “**CABF- Insurance Scheme**” payable at New Delhi

Sl. No	Description	Details
1.	Membership Number	
1.	Name of the member	
2.	Address	
3.	Contact Details	Phone No..... E-mail id.....
4.	Date of Birth	
5.	Age	
6.	Name of the Nominee	
7.	Spouse Details (if desired and covered under the scheme)	
8.	Name of Spouse	
9.	Date of birth of spouse	
10.	Age of Spouse	
11.	Name of Nominee (in case of spouse)	

Details of member and or spouse and the Premium Paid

		Date of Birth	Age	Basic sum Assures	Premium Paid
Self					
Spouse	Yes / no				
			Total Amount Paid		

Form duly filled in & signed alongwith the payment can be sent directly at The Institute of Chartered Accountants of India, ICAI BHAWAN Post Box No. 7100, Indraprastha Marg, New Delhi 110002

For further details and clarification member may send e-mail at monika.gupta@icai.in and mss@icai.in

**Annexure 'E'**

**THE CHARTERED ACCOUNTANT'S BENEVOLENT FUND
C/O THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA
ICAI BHAWAN**

**I.P.MARG P.O.BOX NO. 7100, NEW DELHI-110 002
(APPLICATION FORM FOR LIFE MEMBERSHIP OF THE FUND)**

(CABF Life Membership No.....)

Dear Sir,

I hereby apply for admission as a Subscriber Member of the Chartered Accountants Benevolent Fund. I am remitting herewith Rs. 1000/- towards my subscription as Life Member. I have read the Rules & Regulations of the fund and I agree to abide by them, and also by the Rules that may be made thereafter. I give below the necessary particulars.

1. Full Name :
2. Membership No. :
3. Date of Enrolment :
4. Whether Associate or Fellow :
5. Address for communication :
6. Name of dependents and relations :

S.NO.	NAME	AGE	RELATION
1.			
2.			
3.			
4.			

Membership Fee Rs. 1000/-

SIGNATURE OF MEMBER

PART "B"

DECLARATION

I hereby declare that the amount of Rs. 1000/- contributed by me shall form part of the corpus of the CABF. The amount is being paid through Local Cheque/ Demand Draft No. dated.....of

Place

Yours faithfully,

Date

Signature

Name.....

M.No

CABF Life Membership No..(To be filled by official)

Signature of official S.O./E.O/A.S Head of Region



28. Important Provisions of the Act & Regulations

Chartered Accountants Act

Section No.

- 4. Entry of names in the Register
- 5. Fellows and Associates
- 6. Certificate of Practice
- 7. Members to be known as Chartered Accountants
- 20. Removal from the Register
- 27. Maintenance of Branch Offices



IMPORTANT PROVISIONS OF THE ACT & REGULATIONS

CHARTERED ACCOUNTANTS ACT

SECTIONS

4. Entry of names in the Register

- (1) Any of the following persons shall be entitled to have his name entered in the Register, namely:-
- (i) Any person who is a registered accountant or a holder of a restricted certificate at the commencement of this Act;
 - (ii) Any person who has passed such examination and completed such training as may be prescribed for members of the Institute;
 - (iii) Any person who has passed the examination for the Government Diploma in Accountancy or an examination recognized as equivalent thereto by the rules for the award of the Government Diploma in Accountancy before the commencement of this Act, and who, although not duly qualified to be registered as an accountant under the Auditor's Certificates Rules, 1932, fulfils such conditions as the Central Government may specify in this behalf;
 - (iv) any person who, at the commencement of this Act, is engaged in the practice of accountancy in any Part B State and who, although not possessing the requisite qualifications to be registered as an accountant under the Auditor's Certificate Rules, 1932, fulfils such conditions as the Central Government may specify in this behalf;
 - (v) any person who has passed such other examination and completed such other training without India as is recognized by the Central Government or the Council as being equivalent to examination and training prescribed for members of the Institute;

Provided that in the case of any person who is not permanently residing in India, the Central Government or the Council, as the case may be, may impose such further conditions as it may deem fit;

- (vi) Any person domiciled in India who at the commencement of this Act is studying for any foreign examination and is at the same time undergoing training, whether within or without India or who having passed such foreign examination and is at the commencement of this act undergoing training whether within or without India.

Provided that any such examination or training was recognized before the commencement of this Act for the purpose of conferring the right to be registered as an accountant under Auditor's Certificates Rules, 1932, and provided further that such person passes the examination or completes the training within five years after the commencement of this Act.



- (2) Every person belonging to the class mentioned in clause (i) of sub-section (1) shall have his name entered in the Register without the payment of any entrance fee.
- (3) ¹[Every person belonging to any of the classes mentioned in clauses (ii), (iii), (iv), (v) and (vi) of sub-section (1) shall have his name entered in the Register on application being made and granted in the prescribed manner and on payment of such fees as may be determined by notification by the Council, which shall not exceed Rupees Three Thousand:

Provided that the Council may with the prior approval of the Central Government determined the fee exceeding Rupees Three Thousand which shall not in any case exceed Rupees Six Thousand].

- (4) The Central Government shall take such steps as may be necessary for the purpose of having the names of all persons belonging to the class mentioned in clause (i) of sub section (1) entered in the register.

5. Fellows and Associates

- (1) The members of the Institute shall be divided into two classes designated respectively as associates and fellows.
- (2) Any person shall, on his name being entered in the Register, be deemed to have become an associate member of the Institute and be entitled to use the letter A.C.A. after his name to indicate that he is an associate member of the Institute of Chartered Accountants.
- ²(3) [A member, being an associate who has been in continuous practice in India for at least five years, whether before or after the commencement of this Act, or whether partly before and partly after the commencement of this Act, and a member who has been an associate for a continuous period of not less than five years and who possesses such qualifications as the Council may prescribe with a view to ensuring that he has experience equivalent to the experience normally acquired as a result of continuous practice for a period of five years as a chartered accountant shall, on payment of such fees as may be determined by notification by the Council which shall not exceed rupees five thousand and on application made and granted in the prescribed manner, be entered in the Register as a fellow of the Institute and shall be entitled to use the letters F.C.A. after his name to indicate that he is a fellow of the Institute of Chartered Accountants

Provided that the Council may with the prior approval of the Central Government determine the fee exceeding rupees five thousand which shall not in any case exceed rupees ten thousand.]

6. Certificate of Practice

- (1) No member of the Institute shall be entitled to practise whether in India or elsewhere unless he has obtained from the Council a certificate of practice:

Provided that nothing contained in this sub-section shall apply to any person who, immediately before the commencement of this Act, has been in practice as a registered accountant or a holder of a restricted certificate until one month has elapsed from the date of the first meeting of the Council.



- ³(2) [Every such member shall pay such annual fee for his certificate as may be determined by notification by the Council which shall not exceed rupees three thousand and such fee shall be payable on or before the 1st day of April in each year:

Provided that the Council may with the prior approval of the Central Government determined the fee exceeding rupees three thousand which shall not in any case exceed rupees six thousand.]

- (3) The COP obtained under sub-section (1) may be cancelled by the council under such circumstances as may be prescribed.

7. Members to be known as Chartered Accountants

Every member of the Institute in practice shall, and any other member may, use the designation of a chartered accountant and no member using such designation shall use any other description, whether in additions thereto or in substitution therefor:

Provided that nothing contained in this section shall be deemed to prohibit any such person from adding any other description or letters to his name, if entitled thereto, to indicate membership of such other Institute of Accountancy whether in India or elsewhere as may be recognised in this behalf by the Council, or any other qualification that he may possess, or to prohibit a firm, all the partners of which are members of the Institute and in practice, from being known by its firm name as Chartered Accountants.

20. Removal from the Register

- (1) The Council may remove from the Register the name of any member of the Institute :-
- (a) who is dead; or
 - (b) from whom a request has been received to that effect; or
 - (c) who has not paid any prescribed fee required to be paid by him, or
 - (d) who is found to have been subject at the time when his name was entered in the Register, or who at any time thereafter has become subject, to any of the disabilities mentioned in Section 8, or who for any other reason has ceased to be entitled to have his name borne on the Register.
- (2) The Council shall remove from the Register the name of any member in respect of whom an order has been passed under this Act removing him from membership of the Institute.
- (3) If the name of any members has been removed from the Register under clause (c) of sub-section (1) on receipt of an application his name may be entered again in the Register on payment of fee arrears of annual fee and entrance fee alongwith such additional fee as may be determined by notification by the council which shall not exceed Rs. two thousand.

Provided that the council may with the prior approval of the central government determine the fee exceeding Rs. two thousand which shall not in any case exceed Rs. four thousand.



27. Maintenance of branch offices

- (1) Where a chartered accountant in practice or a firm of such chartered accountants has more than one office in India, each one of such offices shall be in the separate charge of a member of the Institute:

Provided that the Council may in suitable cases exempt any chartered accountant in practice or a firm of such chartered accountants from the operation of this sub-section.

- (2) Every chartered accountant in practice or a firm of such chartered accountants maintaining more than one office shall send to the Council a list of offices and the persons in charge thereof and shall keep the Council informed of any changes in relation thereto.



Chartered Accountants Regulations

Regulations No.

4. Qualification of members
5. Application for membership
6. Fees
7. Refund of fee
8. Certificate of membership
9. Certificate of practice
10. Cancellation of certificate of practice
11. Restoration of certificate of practice
18. Notification of removal
19. Restoration of membership
20. Notification of restoration
43. Engagement of articled assistants
44. Members not to engage in India articled assistants under the bye-laws of any other Institute or Society
48. Stipend to articled assistant
57. Fresh Articles
59. Leave to an articled assistant
60. Working hours of an articled assistant
61. Certificate of Service
64. Report to the Council
68. Engagement of audit assistants
182. Method of payment of fees
184. Issue of duplicate certificates
186. Members to supply information
187. Professional address
189. Council to be informed when a branch office is opened or closed
190. Register of offices and firms
- 190A. Chartered Accountant in practice not to engage in any other business or occupation
191. Part-time employment a chartered accountant in practice may accept.



Chartered Accountants Regulations

4. Qualification of members

Subject to the provisions of Section 4 and 8, a person shall be entitled to have his name entered in the Register if he:

- a) has completed the practical training as provided in these Regulations and passed the Final examination as specified in Schedule 'B'; or
- b) has completed the practical training as provided in these regulations, completed such course(s) and passed the Final examination as per the syllabus as may be specified by the Council; or
- c) possesses qualifications recognised by the Council as equivalent to the practical training and examinations referred to in clause (a) or (b) above.

5. Application for Membership

- 1)
 - a) A person who desires to have his name entered in the Register shall submit to the Secretary an application, in the appropriate Form, together with documentary evidence about his eligibility for membership and the fee prescribed in these Regulations.
 - b) An associate who desires to be admitted as a fellow shall submit to the Secretary an application, in the appropriate Form, together with documentary evidence, if any required, about his eligibility for admission as a fellow, and the prescribed entrance fee.
- 2) The applicant shall furnish such further information as the Council may, from time to time, require.
- 3) For the purposes of sub-section (3) of Section (5), an associate shall be deemed to have acquired the experience normally acquired as a result of continuous practice for a period of five years as a chartered accountant, if he:-
 - i) being in government service or being employed in an educational institution approved by the Council or being employed in a private or government, industrial, commercial or trading undertaking, is ordinarily holding or has ordinarily held for a continuous period of not less than 5 years, any one or more posts carrying duties relating to accounts, cost accounts, audit finance, taxation, company law and or secretarial work;
 - ii) being employed under a statutory authority, is ordinarily holding or has ordinarily held for a continuous period of not less than five years, any one or more posts carrying duties mentioned in clause (i) above.
 - iii) being employed under a local authority is ordinarily holding or has ordinarily held for a continuous period of not less than five years any one or more posts carrying duties mentioned in clause (i) above provided the local authority has within its jurisdiction a population of not less than five lakhs of persons during each of the five years of his service;



- iv) has served for a continuous period of not less than five years as a full-time paid assistant under a chartered accountant:

PROVIDED that the Council may, in its discretion, consider any other experience not specifically mentioned in clauses (i), (ii), (iii), or (iv) as equivalent to the experience normally acquired as a result of continuous practice for a period of five years as a chartered accountant.

Explanation I - A member shall be deemed to have acquired the experience normally acquired as a result of continuous practice for a period of five years as a chartered accountant:

- a) if he has served continuously for a period of not less than five years in any one or more posts mentioned in clauses (i), (ii), (iii), or (iv) above; or
- b) if he has partly been in practice and partly served in any one or more posts mentioned in clauses (i), (ii), (iii), or (iv) above, so that the total period of practice and or service shall be continuous and be not less than five years:

PROVIDED that the Council may condone a break in continuity of service or practice of a period not exceeding one year, so however, that the actual period of service or practice shall not be less than the period of 5 years.

Explanation II- For the purposes of clause (i) above, the private or government, industrial, commercial or trading undertaking shall have at all material times (a) a minimum paid-up capital of twenty five lakhs of rupees or (b) a minimum turnover of fifty lakhs of rupees or (c) a minimum paid-up capital of ten lakhs of rupees and a minimum turnover of thirty lakhs of rupees or (d) a minimum total assets of fifty lakhs of rupees.

6. Fees

- 1) A person applying for a membership of the Institute shall pay an entrance fee of One Thousand rupees.
- 2) An associate applying for admission as a fellow shall pay an entrance fee of Fifteen hundred rupees.
- 3) An associate shall pay an annual membership fee of Six hundred rupees which shall be due and payable on the 1st day of April in each year.
- 4) A fellow shall pay an annual membership fee of Eighteen hundred rupees which shall be due and payable on the 1st day of April in each year:

Provided that an associate, on being admitted as a fellow in the course of the year, shall pay Twelve hundred rupees, only for that year.

- 5) A member in practice shall pay an annual certificate fee of Sixteen hundred rupees which shall be due and payable on the 1st day of April in each year.



7. Refund of fee

A person whose application for admission as a member or as associate or fellow member to the membership of the Institute referred to in Regulation 5 or whose application for a certificate of practice referred in Regulation 9 is not accepted by the Council, shall be entitled to a refund of the fee paid by him.

8. Certificate of membership

If the application made under Regulation 5 is accepted by the Council, the applicant's name shall be entered in the Register and a certificate of membership in the appropriate Form shall be issued.

9. Certificate of Practice

- 1) A member may apply to the Council for a certificate entitling him to practise as a chartered accountant.
- 2) An application for the grant of certificate of practice shall be made in the appropriate Form and shall be accompanied by the annual certificate fee and the annual membership fee unless the same has already been paid in accordance with Regulation 6.
- 3) The certificate issued in the appropriate Form shall be valid until it is cancelled under the provisions of these Regulations.
- 4) Notwithstanding anything contained in this regulation, a certificate of practice held by a member on 31st March, 1975 shall be deemed to have been issued under this regulation and shall continue to be valid until it is cancelled.
- 5) On his ceasing to be in practice, a member shall inform the Council as soon as may be but in any case not later than one month from the day he ceases to practise.

10. Cancellation of a certificate of practice

- 1) A certificate of practice shall be cancelled:-
 - i) when the name of the holder of the certificate is removed from the Register: or
 - ii) when the Council is satisfied, after giving an opportunity of being heard to the person concerned, that such certificate was issued on the basis of incorrect, misleading or false information, or by mistake or inadvertence, or
 - iii) when a member has ceased to practise; or
 - iv) when a member has not paid annual fee for certificate of practice till the 31st day of July of the relevant year.



- 2) The cancellation of a certificate shall be effective:-
 - a) in a case falling under clause (i) of sub-regulation (1), from the date on which and during the period for which the name of the holder of the certificate was removed from the Register;
 - b) in a case falling under clause (iv) of sub-regulation (1), from the 15th day following the date of issue of notice by the Secretary on or after the 1st day of August; and
 - c) in any other case from such date and for such period as the Council may determine.
- 3) Where a certificate is cancelled, the date from which the certificate shall stand cancelled shall be communicated to the member and shall also be notified in the Gazette of India.
- 4) Where a certificate of practice is cancelled, the holder of such certificate shall surrender the certificate to the Secretary within 15 days from the date of receipt of notice of such cancellation or from the date of the notification thereof in the Gazette of India, whichever is later, under sub-regulation (3).

11. Restoration of certificate of practice

The Council may, on an application made in the approved Form and on payment of the fee as prescribed in sub-regulation (5) of regulation 6, restore the certificate of practice, with effect from the date on which it was cancelled to a member whose certificate has been cancelled due to the non-payment of the annual fee for the certificate of practice:

Provided that the application, complete in all respects, together with the payment, is received by the Secretary before the expiry of the relevant year.

18. Notification of removal

The removal of a member's name from the Register shall be notified in the Gazette of India and shall also be communicated in writing to him.

19. Restoration of membership

The Council may, on an application in appropriate Form, received in this behalf from a member whose name has been removed from the Register restore his name, if he is otherwise eligible to such membership, on his paying before such restoration, the balance of the entrance-fee, if any, the annual membership fee for the year during which his name is restored, a restoration fee of One Thousand Rupees together with the annual membership fee for the year in which his name was removed from the Register:

Provided that where such removal has taken place under clause (c) of sub-section (1) of section 20, an application for restoration, complete in all respects, is received by the Secretary within the same year in which the name was removed, the Council may restore the name with effect from the date on which it was removed from the Register:

Provided further that the restoration of a member's name which was removed under the orders of the High Court shall be effected only in accordance with such orders.



20. Notification of restoration

The restoration of a member's name to the Register shall be notified in the Gazette of India and shall also be communicated in writing to him.

43. Engagement of Articled assistants

- 1) Subject to the provisions of these Regulations and subject to such terms and conditions, as the Council may deem fit to impose in this behalf, the members designated as an associate or a fellow, who has been in practice continuously, whether in India or elsewhere or an associate or a fellow, who is deemed to be in practice within the meaning of Explanation to sub-section (2) of section 2 of the Act, shall only be eligible to engage an articled assistant or assistants:

Provided that in the case of an associate or a fellow practising outside India, the Council may impose such additional terms and conditions as it may deem fit.

- (2) An associate or a fellow, covered by sub-regulation (1), shall be entitled to train such number of articled assistant or assistants, under such terms and conditions, as are specified in Tables I and II given hereinafter:

TABLE - I

(Applicable to members practising the profession of chartered accountants in his individual name or as proprietor or as partner)

Category	Period of continuous practice	Entitlement of articles assistant or assistants
(i)	An associate or fellow in continuous practice for a period upto 3 years	1
(ii)	An associate or fellow in continuous practice for any period from 3 years to 5 years	3
(iii)	An associate or fellow in continuous practice for any period from 5 years to 10 years	7
(iv)	An associate or fellow in continuous practice for any period from 10 years	10

TABLE-II

(Applicable to members who are in full time salaried employment under a chartered accountant in practice or a firm of such chartered accountants)

Category	Number of full time salaried employees – irrespective of whether associate or fellow	Entitlement of articled assistant or assistants
(i)	Upto 100	1 per employee
(ii)	Between 101 and 500	100 + 50% of the number of such employees above 100 (i.e., a maximum of 300)
(iii)	From 501 or more	300 + 20% of the number of such employees above 500



(3) The entitlement to engage and train articled assistant or articled assistants under this regulation shall be subject to following conditions:-

- (i) a full-time salaried employee shall be eligible to engage and train an articled assistant only if he has been in employment with the same employer for a continuous period of twelve months.
- (ii) a member who ceases to be in practice or resigns his partnership or gives up salaried employment under a chartered accountant in practice or a firm of such chartered accountants and who, at the time of discontinuance of practice or paid employment, as the case may be, has one or more articled assistants serving under him, shall not be eligible to take any articled assistant, if he subsequently sets up practice or takes up salaried employment under a chartered accountant in practice or a firm of such chartered accountants, until such time as the articled assistant or assistants serving under him previously complete the period of articles intended to be served under him, had he not given up his practice or the salaried employment.
- (iii) a member shall be entitled to engage and train an articled assistant only if he is in practice and such practice, in the opinion of the Council, is his main occupation and for the purposes of this sub-regulation, in ascertaining the number of years for which a member was in continuous practice, only the number of years in respect of which the member's practice was his main occupation shall be considered:

Provided that the Council may, in its discretion, condone any break in the continuity of practice, for a period not exceeding 182 days in the aggregate.

Explanation- For the purpose of this sub-regulation, a member who sets up practice, with practice as his main occupation, after having been in employment for a minimum period of six years in one or more financial, commercial or industrial undertakings approved under regulations 51 and 72, shall be deemed to have been in continuous practice for three years.

(4) The entitlement of a member to train articled assistants under this regulation shall be subject to such decisions as may be made by the Council under regulation 67.

44. Members not to engage in India articled assistants under the bye-laws of any the accountancy Institutions or bodies outside India

A member entitled to engage and train articled assistants, under regulation 43, shall not engage any other articled clerk, articled assistant or apprentice, by whatever name called, under the bye-laws of any other Institute or Society or Body:

Provided that such a member may engage any person who has been registered as a student with any of the accountancy institutions or bodies whose training is recognized by the Council as being equivalent to the training prescribed for members of the Institute under clause (v) of sub-section (1) of section 4 of the Act.



48. Stipend to articled assistants

- (1) Every principal engaging and training articled assistant or assistants, under regulation 43, shall pay every month to such assistant a minimum monthly stipend, at the rates specified in the table below:

Table

Classification of the normal place of service of the articled assistant (1)	During the first year of training (2)	During the second year of training (3)	During the remaining period of training (4)
(i) Cities/towns having a population of twenty lakhs and above.	Rs. 1000/-	Rs. 1250/-	Rs. 1500/-
(ii) Cities/towns having a population of four lakhs and above but less than twenty lakhs.	Rs. 750/-	Rs. 1000/-	Rs. 1250/-
(iii) Cities/towns having a population of less than four lakhs.	Rs. 500/-	Rs. 750/-	Rs. 1000/-

Explanation 1 - For the purposes of this regulation, no stipend shall be payable for any excess leave taken.

Explanation 2 - For the purposes of determining the rates at which stipend is payable under this regulation, the period of articled training of the student under any previous principal or principals (not being any such period prior to 1st July, 1973) shall also be taken into account.

Explanation 3 - For the purposes of this regulation, the figures of population shall be taken as per the last published Census Report of India.

- (2) The stipend under this regulation shall be paid by the principal to the articled assistant either (a) by a crossed account payee cheque every month against a stamped receipt to be obtained from the articled assistant; or (b) by depositing the amount every month in an account opened by the articled assistant in his own name with a branch of the bank to be specified by the principal.

57. Fresh Articles

- (1) Where an articled assistant is not able to complete the term of the articles by reason of the fact that (a) the principal has ceased to practise; or (b) the name of the principal has been removed from the Register; or (c) the principal has died; or (d) the articles are terminated under sub-regulation (1) of regulation 56, he may enter into fresh articles for the remainder term of his service with another member entitled to engage and train one or more articled assistants.

Provided that the Secretary may, in an appropriate case covered by category (a), (b) or (c) above, permit the articled assistant to be trained as an additional articled assistant by a member entitled to engage and train one or more articled assistants, notwithstanding anything contained in regulation 43.



- (2) Where an articulated assistant is not able to complete the term of articles for any other valid reason, he may with the permission of the President or the Vice-President, as the council may decide from time to time, enter into fresh articles for the remainder of the term of service with another member entitled to engage and train one or more articulated assistants.

Provided that the President or the Vice-President, as the Council may decide from time to time, may, in any appropriate case, permit the articulated assistant to be trained as an additional articulated assistant by a member entitled to engage and train one or more articulated assistants notwithstanding anything contained in regulation 43.

¹[(3) Omitted.]

- (4) In every case referred to in sub-regulation (1) of sub-regulation (2) above, the provisions of regulation 46 shall apply mutatis mutandis except that no fee shall be payable by the articulated assistant.

Provided that in such cases, the request for permission to be taken as additional articulated assistant under another principal is sent, so as to reach the Secretary within thirty days and the statement in Form approved by the Council is sent so as to reach the Secretary within thirty days from the date of the letter of the Secretary granting such permission :

Stipend rates revised w.e.f. 17-8-2007 vide notification 1-CA(7)/102/2007 (E) dt. 17-8-2007

Provided further that in a case covered under category (c) of sub-regulation (1), the date of commencement of training under fresh articles shall be taken as the date following the date of the death of the principal.

59. Leave to an articulated assistant

- (1) An articulated assistant shall earn leave at the rate of one-sixth of the period for which he has actually served, excluding from such period the period for which he has been on leave subject to a maximum of 180 days.
- (2) An articulated assistant who has served as an audit assistant before the commencement of his articles shall, in addition to the leave earned under this regulation, be entitled to leave equal to one-half of the leave earned and not availed of as an audit assistant, subject to a maximum of three months.
- (3) Leave due shall ordinarily be granted if reasonable notice has been given to the principal by the articulated assistant.
- (4) For the purposes of preparing for an examination of the Institute, the articulated assistant shall be granted by the Principal leave for three months or to the extent due, whichever is less, provided an application for the leave has been made at least fifteen days in advance.
- (5) Leave not earned may also be granted by the principal subject to the condition that the total leave to be taken by the articulated assistant shall not exceed one-seventh of the total period of his actual service, together with the leave due under sub-regulation (2).
- (6) Notwithstanding anything contained in the foregoing sub-regulations, the principal shall allow the articulated assistant to receive training in the Territorial Army, the Home Guards or any similar organisation approved by the Council and shall treat the period of such training not exceeding sixty days in a year, as period actually served under articles.
- (7) For the purpose of this regulation, the days (including intervening holidays) on which an articulated assistant appears for any examination under these Regulations or attends a course of academy of accounting conducted by the Institute and recognised by the Council in this behalf, shall not be treated as leave but would be treated as period actually served under articles.



Explanation- (1) For the removal of doubts, it is clarified that attendance by an articled assistant with the consent of the principal, at a conference, including course on Information Technology Training and course on General Management & Communication Skills or seminar organised by the Institute including a regional council or a students association or a branch or a regional council for the benefits of assistants, shall be treated as period actually served under articles.

- (2) An articled assistant who has secured admission in a course at an academy of accounting conducted by the Institute shall be relieved by the principal, without termination of articles, for attending the academy, provided he has given notice of not less than two months of his intention to join the academy.

60. Working hours of an articled assistant

The minimum working hours of an articled assistant shall be 35 hours per week (excluding lunch break) which shall be regulated by the Principal from time to time, subject to such directions and guidelines, as may be issued by the Council.

61. Certificate of Service

- (1) The principal shall, on completion of the service of an articled assistant forthwith issue a certificate in respect of the service, rendered under him in the form* approved by the Council and forward a copy thereof, duly signed by both the principal and the articled assistant to the Secretary.
- (2) In the event of discontinuance or termination of the service of an articled assistant before the expiry of the full period of service the principal shall issue to the articled assistant, a certificate in the form approved by the Council and forward forthwith a copy thereof duly signed by the principal and the articled assistant, to the Secretary. A printed copy of such form shall be obtained on request from the Secretary and shall bear the stamp of the Institute and date of its issue and shall be valid only for sixty days thereafter.
- (3) Where the principal is unable to obtain the signatures of articled assistant within thirty days of completion of the service, he may forward the certificate to the Secretary, duly signed by himself, without the requisite signatures of the articled assistant, within forty-five days of the completion of the service and send two copies thereof to the last known address of the articled assistant by registered post.
- (4) The articled assistant shall, upon receipt of the certificate referred to in sub-regulation (3), sign one copy of thereof and forward the same to the Secretary forthwith.

64. Report to the Council

- (1) The principal imparting training to articles assistants shall ensure that the training imparted is of such an order that the quality and standing of the profession are maintained as well as enhanced. For that purpose, he shall maintain a record about the progress and nature of training imparted by him to the articled assistant, in such form and manner, as may be determined by the council.
- (2) The principal shall submit the records of training maintained as and when required by the Council. In the event of the death of the principal his legal representative or the surviving partner shall submit the records, as and when required by the Council.



B. AUDIT ASSISTANTS

68. Engagement of audit assistants

- (1) A member who has been in continuous practice for not less than three years, either before or after the commencement of the Act, or partly before and partly after the commencement of the Act, shall be entitled to engage one audit assistant.
- (2) A member shall be entitled to engage or train an audit assistant only if he is in practice and such practice, in the opinion of the Council, is his main occupation and in ascertaining the number of years; for which a member was in continuous practice, only the number of years in respect of which the member's practice was his main occupation shall be considered.
- (3) The Council may, subject to such terms and conditions as it may deem fit, relax the provisions of sub-regulation (1) or sub-regulation (2) in any particular case.
- (4) The entitlement of a member to train an audit assistant under this regulation shall be subject to such orders as may be passed by the Council under Regulation 80.
- ¹[(5) A member shall be entitled to engage a person as an audit assistant only if such person had been in service as a salaried employee for a minimum period of one year either under him or in the firm of chartered accountants in practice wherein he is a partner, on a monthly remuneration at the rates specified below, depending upon where the normal place of service of the audit assistant is situated:
 - (a) cities with a population of one million and above Rs. 1,500/- per month
 - (b) cities/towns having a population of less than one million Rs. 1,000/- per month

Explanation - For the purpose of this sub-regulation, the figures of population shall be taken as per the last published Census Report of India.]

- (6) A member registering under these regulations, the service of the person referred to under sub-regulation (5) of this regulation shall pay a minimum monthly remuneration at the rates specified in sub-regulation (5) of this regulation, to the assistant during the period he is in service with him in accordance with these Regulations.

182. Method of payment of fees

All fees specified in these Regulations shall be paid to the Secretary in such manner as the Council may direct.

**184. Issue of duplicate certificate**

- (1) Where a holder of a certificate granted by the Council has lost it, the Council may, on an application made in this behalf, duly supported by an affidavit of the applicant to the effect that he was in possession of such a certificate and had lost it, issue a duplicate, on receipt of such fee not exceeding fifty rupees as may be determined by the Council and different fees may be fixed for different forms of certificates.
- (2) Where any certificate granted by the Council is damaged, the Council may, on an application made in this behalf, issue a duplicate on receipt of the fee prescribed above and on return of the damaged certificate.

186. Members to supply information

- (1) For the purpose of the publication of the list of members, the Council may require members to supply such information as it considers relevant.
- (2) The Council may also require members to supply such additional information as may be required for statistical purposes.

187. Professional Address

- (1) Every member in practice shall have a professional address in India in his own charge or in charge of another member.
- (2) In the case of a member who is an employee of a chartered accountant or a firm of such chartered accountants and is not holding a certificate of practice, the professional address of the employer shall be deemed to be his professional address.
- (3) Except in the case of a person enrolled under the provision to Section 4 (1)(v), a member not in practice may specify a place which shall be deemed to be his professional address for the purpose of Section 21 and these Regulations.
- (4) The postal address or the professional address shall be intimated to the Council at the time of making the application for membership and any change in the professional address or the postal address shall be communicated to the Council within 30 days of the change.
- (5) The Council may remove the name of a member from the Register who has contravened the provisions of this regulation after giving him an opportunity of being heard.

189. Council to be informed when a branch office is opened or closed

A chartered accountant in practice or a firm of such chartered accountants shall inform the Council within one month of the opening or closing of a branch office.



190. Register of offices and firms

- (1) A chartered accountant in practice or a firm of such chartered accountants shall, before commencement of practice in a trade name or firm name, apply to the Council in the form approved by the Council for approval to use a trade or a firm name:

Provided that a chartered accountant in practice who wishes to practice in his own name need not apply for approval as aforesaid.

- (2) (i) A trade/firm name shall be restricted to the name/s of the proprietor/partners or a name which is already in use.
- (ii) A trade/firm name may include the name/s of the member/s as it/they may appear in the Register of Members in the following manner:
- (a) the full Surname of the member/s; or
 - (b) the full first name of the member/s; or
 - (c) the combination of the first name, middle name, the initials and/or the Surname of the member/s, or any expansion thereof; or
 - (d) the initials of the first name and the full Surname of the member/s; or
 - (e) the initials of his full name; or
 - (f) the full name including the surname of the member/s; or
 - (g) such distinguishing part of the name/s as is indicative of the manner in which he/they is/are commonly known; or
 - (h) The combination of names and/or surnames of one or more partners of the firm or
 - (i) Permitting the use as a firm/trade name a part of the name of the proprietor or one or more partners.
 - (j) A trade/firm name shall not be allowed where a members seeks to use a part of his surname.
 - (k) The only suffixes to be allowed in a trade/firm name shall be "& Co." and "Associates" or their equivalents. Suffixes like "& Partners" & Fellows" "& others" etc. shall not be allowed.
 - (l) A trade/firm name which bears the name of a god/goddess/deity and which has no relationship with the name of member/s as above, shall not be allowed.
 - (m) Descriptive trade/firm names shall not be allowed.
 - (n) Trade/firm names which smack of publicity shall not be allowed.



Explanation I - The name or surname of the member should normally conform to the name or surname as they appear in the Register of Members. If the member is also known by any other name or Surname, this may be allowed to be used on production of an affidavit or other evidence to the satisfaction of the Secretary.

Explanation II - After various permutations and combinations under the above clause (ii) have been exhausted and the member is not able to get approval of firm/trade name in accordance with the same he may be permitted to adopt or coin a firm/trade name out of the names of his/her family members provided that such name was not already registered by some other members. The term "family" for this purpose means husband, wife, father, mother, son and daughter.

- (3) The Council may, at its discretion, refuse to approve a particular trade or firm name (i) if the same or similar or nearly similar name is already used by a chartered accountant in practice or a firm of such chartered accountants and has been entered in the register of offices and firms; or (ii) if that name, in the opinion of the Council, is undesirable.
- (4) The chartered accountant in practice or a firm of such chartered accountants shall within one month of the approval of the trade or firm name, or commencement of practice as the case may be, supply to the Council in the appropriate Form particulars regarding his office or the firm as the case may be.
- (5) With effect from such date as the Council may decide the particulars regarding offices or firms shall also be furnished by a Chartered Accountant in practice or a firm of such Chartered Accountants whose particulars are already entered in the Register of Firms in the appropriate Forms as revised by the said Amendment Regulations.
- (6) The Council shall maintain a register of offices and firms and shall register therein the particulars referred to in sub-regulation (4):

Provided that the Council may refuse to register a trade or firm name which has not been approved under sub-regulation (2).

- (7) Every time there is a change in the particulars referred to in sub-regulation (4), the member or the firm, as the case may be, shall within one month communicate it to the Council.
- (8) Where the same trade or firm name has been registered in the past in the register of offices and firms in the case of two or more members or firms, the Council may direct the member or the firm, as the case may be, other than one whose name was registered first in the register of offices and firms, to alter the name in such manner as the Council may consider proper and inform the Council of such alteration within six months of the issue of the direction.
- (9) (i) No member shall practice under a trade or firm name which has not been approved under sub-regulation (2).



- (ii) No member shall practice under a trade or firm name in respect of which a direction has been issued under sub-regulation (8) after the expiry of six months from the date of issue of the direction.
- (10) Nothing contained in this regulation shall apply to firms of chartered accountants in practice (i) with identical names, if at least one of the partners of the firm is common; or (ii) with similar or nearly similar names if they are based on the names of any one or more partners of the firm.
- (11) The Executive Committee may, in its discretion, condone the delay in filling the particulars under sub-regulation (4) or sub-regulation (7) in appropriate cases.

190A. Chartered accountant in practice not to engage in any other business or occupation

A chartered accountant in practice shall not engage in any business or occupation other than the profession of accountancy, except with the permission granted in accordance with a resolution of the Council.

191. Part-time employments a chartered accountant in practice may accept

Notwithstanding anything contained in regulation 190A but subject to the control of the Council, a chartered accountant in practice may act as a liquidator, trustee, executor, administrator, arbitrator, receiver, adviser or representative for costing, financial or taxation matter, or may take up an appointment that may be made by the Central Government or a court of law or any other legal authority or may act as a Secretary in his professional capacity, provided his employment is not on a salary-cum-full-time basis.

Appendix No. 9

Permission Granted Generally

- (A) Members of the Institute in practice be generally permitted to engage in the following categories* in individual cases:
 - (1) Employment under Chartered Accountants in practice or firms of such Chartered Accountants.
 - (2) Private tutorship.
 - (3) Authorship of Books and articles.
 - (4) Holding of Life Insurance Agency Licence for the limited purpose of getting renewal commission.
 - (5) Attending classes and appearing for any examination.



- (6) Holding of public elective offices such as M.P., M.L.A. & M.L.C.
- (7) Honorary office-bearership of charitable, educational or other non-commercial organisations.
- (8) Acting as Notary Public, Justice of the Peace, Special Executive Magistrate and the like.
- (9) Part-time tutorship under the Coaching Organisation of the Institute.
- (10) Valuation of papers, acting as-paper-setter, head-examiner or moderator for any examination.
- (11) Editorship of professional journals.
- (12) Acting as Surveyor and Loss Assessor under the Insurance Act, 1938.
- (13) Acting as Recovery Consultant in the Banking Sector.

Permission to be Granted specifically

- (B) Members of the Institute in practice may engage in the following categories of business or occupations, after obtaining the specific and prior approval of the Council in each case:
- (1) Full-time or part-time employment in business concerns provided that the member and/or his relatives do not hold substantial interest in such concerns.
 - (2) Full-time or part-time employment in non-business concerns.
 - (3) Office of Managing Director or a whole-time Director of a body corporate within the meaning of the Companies Act, 1956, provided that the member and/or his relatives do not hold substantial interest in such a concern.
 - (4) Interest in family business concern or concerns in which interest has been acquired as a result of relationship and in the management of which no active part is taken.
 - (5) Interest in agricultural and allied activities carried on with the help, if required, of hired labour.
 - (6) Interest in an educational institution.
 - (7) Part-time or full-time lectureship for courses other than those relating to the Institute's examination conducted under the auspices of the Institute or the Regional Councils or their branches.
 - (8) Part-time or full-time tutorship under any educational institution other than the Coaching Organisation of the Institute.



- (9) Editorship of journals other than professional journals.
- (10) Any other business or occupation for which the Executive Committee considers that permission may be granted.

Further, resolved that the Council may refuse permission in individual cases though covered under any of the above categories.

It was also decided that for the purpose of the above resolution:-

- (i) the expression "relative", in relation to a member means the husband, wife brother or sister or any lineal ascendant or descendant of that member; and
- (ii) a member shall be deemed to have a "substantial interest" in a concern -
 - (i) in a case where the concern is a company, if its shares (not being shares entitled to a fixed rate of dividend whether with or without a further right to participate in profits) carrying not less than twenty per cent of voting power at any time, during the relevant years are owned beneficially by such member or by any one or more of the following persons or partly by such member and partly by one or more of the following persons:
 - (a) One or more relatives of the member;
 - (b) Any concerns in which any of the persons referred to above has a substantial interest;
 - (ii) in the case of any other concern, if such member is entitled or the other persons referred to above or such member and one or more of the other persons referred to above are entitled in the aggregate, at any time during the relevant years to not less than twenty per cent of the profit of such concern.

Explanation:

- (a) The relevant years in the context of clause (4) of Part I of the First Schedule to the Chartered Accountants Act, 1949 read with Appendix (17) mean the year/period which the report/certificate relates and the year/period during which the said report/certificate is signed.
- (b) The relevant years in the context of clause (11) of Part I of the First Schedule to the Chartered Accountants Act, 1949 read with Appendix (10) mean the year/period in which not less than 20% of voting power/20% share of profits were owned beneficially.

Attention of the members is also invited to para 3 of the above Resolution relating to the holding of office of a managing director or a whole time director in a company. In such cases, a member can accept the office of a managing director or a whole-time director only after obtaining the specific and prior approval of the Council. Attention of the members is also invited to the provisions of Section 2(26) of the



Annexure 1

Resolution Passed By The Council under Regulation 190A

AS A PART OF AND IN CONTINUATION OF THE EXISTING REGULATION [UNDER REGULATION 190A, WHICH APPEARS AS APPENDIX NO. (9) TO THE CHARTERED ACCOUNTANTS REGULATIONS 1988 (2002 EDITION)]

"IT IS FURTHER RESOLVED that the general and specific permission granted by the Council is subject to the condition that -

- i. any member engaged in any other business or occupation, in terms of general or specific permission granted as per Appendix No. (9) given above shall not be entitled to perform any attest function. However, a member engaging in any of the following area(s), in terms of the specific or general permission so granted, shall be entitled to perform attest function:
 - a. Authorship of books and articles
 - b. Holding of Life Insurance Agency Licence for the limited purpose of getting renewal commission.
 - c. Attending classes and appearing for any examination.
 - d. Holding of public elective offices such as M.P., M.L.A. & M.L.C.
 - e. Honorary office-bearership of charitable, educational or other non-commercial organisations.
 - f. Acting as Notary Public, Justice of the Peace, Special Executive Magistrate and the like.'
 - g. Part-time tutorship under the Coaching Organisation of the Institute.
 - h. Valuation of papers, acting as paper-setter, head-examiner or a moderator for any examination.
 - i. Editorship of professional journals - (not in employment)
 - j. Acting as surveyor and Loss Assessor under the Insurance Act, 1938 - (not in employment).
 - k. Acting as Recovery consultant in the Banking Sector - (not in employment).
 - l. Any coaching assignment organized by the Institute, its Regional Councils and Branches of Regional councils.
 - m. Engagement as Lecturer in an University, affiliated college, educational institution, coaching organisation, private tutorship, provided the direct teaching hours devoted to such activities taken together do not exceed 25 hours a week.
 - n. Engagement in any other business or occupation permitted by the Executive Committee from time to time.
- ii. A member who is not entitled to perform attest function shall not be entitled to train articled assistants.
- iii. The decision (of the Council) taken at its 223rd meeting held in February, 2002 prescribing the criteria for individual cases of articleship shall continue to be in operation, mutatis mutandis."

The Council in this connection also clarified that the Attest function for the purpose of this Resolution would cover services pertaining to audit, review, certification, agreed upon procedures, and compilation, as defined in the Framework of Statements on Standard Auditing Practices and Guidance Notes on Related Services published in the July, 2001 Issue of the Institute's Journal.



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