

NOTIFICATION

No. CMA (1)/2023: In exercise of powers conferred by Regulation 146 of the Cost and Works Accountants Regulations, 1959, the Council of the Institute of Cost Accountants of India hereby issues 'The Cost Accountants' Chapter Byelaws' 2024 with effect from _____.

These Bye-laws shall supersede all earlier Bye-laws, directions, notifications, circulars, instructions, orders, memorandum made or issued by the Institute hereinbefore.

1. **Short Title**—These Bye-laws may be called "The Cost Accountants' Chapter Byelaws' 2024".

2. **Definitions**—In these Bye-laws unless there is anything repugnant in the subject or context—

(a) 'Council' means the 'Council of the Institute of Cost Accountants of India'.

(b) 'Chapter' means the 'Chapter of Cost Accountants' constituted under Regulations 146 of the Cost and Works Accountants Regulations, 1959.

(c) 'Regional Council' means the Regional Council constituted under the Cost Accountants Act, 1959, having territorial jurisdiction over the Chapter.

(d) 'Student' means Registered Student as is defined in the Cost and Works Accountants Regulation 1959.

(e) 'Managing Committee' means the governing body of the Chapter constituted in accordance with Clause 2(b) of these Bye-laws.

(f) 'Office Bearer' means The Chairman, the Vice-Chairman, the Secretary and the Treasurer of the Managing Committee of the Chapter.

(g) 'Member' means an associate or a fellow member of the Institute.

All words and expressions used herein and not defined in these Bye-Laws but defined in the Cost Accountants Act, 1959 or the Cost and Works Accountants Regulations, 1959 shall have the meanings respectively assigned to them under the Act or the Regulations.

3. **Extent and commencement**— These Bye-Laws shall come into force from the date of issue of this Notification and shall apply to all Chapters of Cost Accountants constituted under Regulation 146 of the Cost and Works Accountants Regulations, 1959.

4. **Removal of difficulty**— If any difficulty arises in giving effect to any of the provisions of these Bye-laws, the Council may make such provisions or give such clarifications as appear to be necessary for the removal of the difficulty/ ambiguity.

5. Objects and functions

5.1 The Chapters shall advice and assist the Council through the Regional Council in carrying out the provisions of the CWA Act, 1959 and Regulations framed there under as is amended from time to time;

5.2 In particular the functions of the Chapters shall include—

(i) Organizing classes, refresher courses, lectures, meetings, debates, seminars, workshops, training, visits and excursions, study circles, research groups and other means of attainments towards meeting the needs of students and Members of the Institute of Cost Accountants of India.

(ii) Providing facilities for interacting among the members and students of the chapter by regular meetings, arrangement of lectures, talks and for the acquisition and dissemination of useful information in connection with progressive developments in technology, trade, commerce and industry generally and with reference to Cost and Management Accountancy in particular.

(iii) Establishing and maintaining libraries and reading rooms for the benefit of its members and students.

(iv) Developing social contacts and a spirit of fellow feeling among its members and students and those of other Chapters as well as other bodies and Institutions interested in Cost and Management Accountancy and other allied disciplines.

(v) Promoting social, cultural and intellectual development of the students and Members of the Institute and providing opportunities for exchange of ideas amongst them and for the acquisition and dissemination of useful information connected with the profession.

(vi) Making representations to the Regional Council concerned and through the Regional Council to the Council on matters concerning the standard and status of the profession.

(vii) Advising the Council/the Regional Council concerned on all matters referred to it by the Council or Regional Council, as the case may be, and offering such other suggestion as may be required.

(viii) Maintaining a Register of Members and Students of the chapter and periodic reconciliation of the data with the head office on half yearly basis.

(ix) Carrying out all other incidental, supplementary and consequential matters and such other functions as may be entrusted from time to time by the Council or by the Regional Council concerned for the attainment of the objectives of the Institute.

(x) Arranging and/or assisting the Regional Council and Council for the Practical Training of the Registered Students of the Chapter.

(xi) Maintaining a data base for the qualified Cost Accountants for securing suitable employment.

(xii) Maintaining contacts with the various departments of the Governments and other bodies within the State in which the Chapter is operating with a view to enlisting their support in the furtherance of the interest of the members and students of the Institute.

(xiii) Protocols with regard to invitation and sitting on the dais by the concerned Regional Council Members and Council Members need to be followed by the Chapter while conducting

Seminars, Evening interaction & Workshops as per the guidelines issued by the Headquarter.

(xiv) Submitting of the appraisal report of all permanent employees of the concerned Chapter in the prescribed format duly reviewed by the Managing Committee to the HR department and Secretary of the Institute within 1 (One) month of the completion of relevant financial year.

(xv) Maintaining and securing the assets and infrastructure of the Institute.

(xvi) Conducting the oral coaching classes for students at any other location, within the jurisdiction of the Chapter, other than chapter premises, under the prior intimation to the Secretary/ TEF department.

6. Constitution of Chapter -

6.1 A Chapter may be constituted by the Council under Regulation 146 of the Cost and Works Accountants Regulations 1959, on the representation by the members of the proposed Chapter followed by the recommendation of the Regional Council operating in its area and the Chapter so constituted shall be governed by these Bye- laws. The Chapter so constituted shall operate within the area specified by the Council.

6.2 No Chapter shall be constituted –

(a) within the municipal or corporation limits of a city where a Regional Council of the Institute is having its headquarters: or

(b) within the Notified area by Urban Development Authority or Municipality or within a radius of 25 km of any Chapter constituted under these byelaws provided however a Chapter can establish extension centers with the prior approval and concurrence of the Council to meet the needs of Students and Members of the locality provided, no other Chapter is functioning in that jurisdiction, provided further that the Members who are already allocated to a particular Chapter, will continue to be the member of that Chapter only unless, they change their address subsequently.

(c) unless there are at least 50 Members of the Institute having their professional or residential address within the jurisdiction of the Chapter.

6.3 Notwithstanding anything contained hereinbefore under sub-clauses (1) and (2), the Council may recognize formation of Chapter, under Regulation 146 of the Cost and Works Accountants Regulations, 1959 based on merit on case to case basis by relaxing the conditions laid down hereinbefore as necessary and in the opinion of the Council such constitution would be conducive to the fulfillment of the objects of the Institute.

7. Name and Address of the Chapter —

7.1 The Chapter shall be known by such name and shall operate from the address as shall be specified in the notification in the Journal of the Institute at the time of constitution of a Chapter by the Council and the same shall not be changed without the prior approval of the

Council. The name of the Chapter should be “The Institute of Cost Accountants of India Chapter.

7.2 Chapter office shall not function from residential or official premises of any of the office bearer/ member of the Chapter unless duly approved by the Institute. Such approval shall be valid for a maximum period of 3 years. Such approval, if any, shall be followed by execution through a legal document i.e. rent agreement/ lease deed etc.

8. Financial Year—

The financial year of the Chapter shall be the period commencing from the first day of April of any year and ending on thirty-first day of March of the succeeding year.

9. Membership of the Chapter

9.1 Admission as Member to the chapter

9.1.1 Membership of the Chapter shall be open to every Member of the Institute of Cost Accountants of India based on the professional and/or residential address within the jurisdiction of the Chapter.

9.1.2 Where the professional and residential addresses are in places within jurisdiction of different chapters, then the member can opt either of the Chapter.

9.1.3 A Chapter may, with written approval of the Secretary of the Institute, admit to its membership such members of the Institute whose address falls beyond the area of the Chapter and no other Chapter is operating in the area of members address.

9.1.4 The name of such members whose name has been removed from the register of members of the Institute or who has not cleared his dues shall not be allowed to continue the membership or be admitted as a member of the Chapter.

9.2 Register of Members:

9.2.1 The data of the members shall be centralised and shall be maintained by Membership Department of the Institute. Chapter wise data will be provided to the respective Chapter of its member on half yearly basis.

9.2.2 The Register shall include the following particulars about every member of the Chapter, namely:-

- (i) Membership number for such members of the Chapter admitted to membership under clause 9.1.1
- (ii) his/her full name domicile, residential and/or professional address, email id and mobile number.
- (iii) the date on which his/her name is entered or removed in the Register.
- (iv) his/her qualifications.
- (v) details of disciplinary action against the member, if any.

(vi) Any other particulars which may be prescribed

9.2.3 The Chapter shall publish the name and membership number of its members on 1st April every year and communicate the same to the respective members through website/email and notice board.

10. No Dues

10.1 A member of the Institute shall be eligible to be admitted as a member of the Chapter or continue to be a member of the Chapter if the member continues to be a member of the Institute and is not a defaulter as on 1st day of October every year.

10.2 A member failing to pay his/her Institute's annual membership fee and other dues for a year on or before 30th of September of that year shall be deemed to have vacated his/her membership.

10.3 A member may restore his membership with the Institute and upon restoration of his membership with the Institute, his membership with the Chapter shall be restored.

11. Managing Committee—

11.1 There shall be a Managing Committee for the management of the affairs of the Chapter and for discharging the functions assigned to it under these Bye-laws. The Managing Committee shall be elected every four years.

11.2 The Managing Committee shall consist of the following persons namely:

- (i) *Elected Members*- 9 members for Category A Chapter and 7 member for all other categories (i.e. B, C & D), elected from Members of that particular Chapter of the Institute as hereinafter provided.
- (ii) *Ex-Officio Members*- The Members of the Council/Regional Council whose Residential or professional addresses are borne on the Register of the Chapter.

Ex-Officio Member shall have no right to vote at the meeting of Managing Committee of the Chapter and they cannot be elected or nominated as office bearers of Managing Committee or Chairman of any Sub-Committee under Managing Committee of the Chapter. In case any change occurs subsequently in the address of such ex-officio member, the seat will become vacant.

If no member of the Council / Regional Council is a member of a particular Chapter then the Council or Regional Council may nominate one of its member to the Managing Committee of the Chapter.

11.3 The members of the Managing Committee shall hold office for a period of four years from the conclusion of the Annual General Meeting of the Chapter, which shall in no case extend beyond 31st May of the Fourth year except with the permission of the Council. The first four years term of the Managing Committee of the Chapters under these bye – laws shall be 2023-2027.

11.4 These provisions shall not invalidate the Managing Committee as has already been elected

under the erstwhile Chapter Byelaws 2019.

12. Office-Bearers—

12.1 Election of Office Bearers of the Managing Committee

A. Election of office bearers of the Managing Committee (at its first meeting to be held soon after its election in the first year of the term of the newly elected Managing Committee)

- (i) The-first meeting of newly elected Managing Committees of Chapters for electing its Chairman, Vice-Chairman, Secretary and Treasurer for a period of one year, will be held immediately after the Annual General Meeting of the Chapter. No separate notice of conducting of the first meeting shall be required. Outgoing Chairman will initially chair the meeting and start the proceeding. Once the Chairman for first year elected, the outgoing chairman will hand over the chair to the newly elected Chairman for further election of other office bearers viz. Vice Chairman, Secretary and Treasurer and the outgoing Chairman will move out from the meeting. However, if the outgoing Chairman is not available for reason whatsoever, any person so decided by the newly elected Managing Committee will initially chair the meeting.
- (ii) While conducting the meeting, names of the office bearers will be decided in sequential order (i.e. First Chairman then Vice-Chairman, then Secretary and at last Treasurer).
- (iii) If polling is required to be conducted for deciding the office bearers for the first year in that case only newly elected members of the Managing Committee will have the voting right.
- (iv) In the event of equality of votes in election of office bearers of the Managing Committee of Chapter, the Chairman shall not have any casting votes and the matter shall be decided by draw of lots.
- (v) Co-opted member or Ex. officio member cannot be elected or nominated as office bearer of the Managing Committee and shall not have right to vote in election of Office Bearers.

B. Election of office bearers of the Managing Committee (for subsequent years of the term of the Managing Committee)

- (i) Every Managing Committee of a Chapter at its first meeting to be held on the same day and immediately after the Annual General Meeting shall elect from among the elected members a Chairman, a Vice-Chairman, a Secretary and a Treasurer thereof for not exceeding one year tenure, and so often as any of these offices becomes vacant, the Managing Committee of the Chapter shall elect another person from among its members to hold that office for remaining tenure only.
- (ii) The ex-officio member or a co -opted member shall not be elected to any of these offices and shall not have right to vote in election of Office Bearers.
- (iii) The office-bearers shall be eligible for re-election to any of the offices if they continue to be a member of the Managing Committee.
- (iv) A member of the Managing Committee of the Chapter shall not hold two posts of office

bearers simultaneously during the same term except when no other member of the Managing Committee of the Chapter is coming forward to hold the other post.

- (v) The Office Bearers, if, change their address, contact details, mail id etc., the same shall be forwarded to the concerned Regional Council with a copy to the Regional council and Chapters Co-ordination Committee, Secretary and IT department of the Institute.

12.2 Functions and Duties of Office Bearers:

12.2.1. Powers and Duties of Chairman of a Chapter:

- (a) The Chairman of the Managing Committee shall be the Chief Executive authority of the Managing Committee responsible for overall administration and affairs of the Chapter.
- (b) The Chairman shall be responsible and accountable for performing all duties and functions and activities of the Chapter including timely audit and maintenance of the accounts of the Chapter.
- (c) The Chairman may direct any business to be brought before the Managing Committee or any Committee for consideration.
- (d) If the office of the Chairman is vacant or if the Chairman is unable to exercise the powers or perform the duties of his office, the Vice-Chairman shall act in his place and shall exercise the powers and perform the duties of the Chairman.

12.2.2. Functions of Secretary:

The Secretary of the Chapter shall be responsible for the performance of day to day management of the office of the Chapter under the guidance and supervision of the Chairman or in his absence, the Vice- Chairman.

12.2.3. Functions of Treasurer

The Treasurer shall cause proper accounts to be maintained and prepare Annual Accounts as per Accounting Policies as approved and communicated by the Council from time to time under the guidance of the Managing Committee.

13. Vacancies—

13.1 Any member of the Managing Committee may at any time resign his membership by writing under his hand and under his signature or through email addressed to the Chairman (Vice-Chairman in case of resignation by Chairman) and the seat of such member shall become vacant when such resignation is accepted by the Managing Committee.

13.2 The Chairman or Vice -Chairman, as the case may be shall communicate the decision of the Managing Committee of either accepting or rejecting the resignation of the member in writing under his hand and under his signature within 15 days from the date of receipt of such letter of resignation by the member of the Managing Committee and the seat of such member shall become vacant when such resignation is accepted and communicated. If the office of the Chairman, Vice-Chairman, Secretary or the Treasurer becomes vacant, the remaining members of the Managing Committee shall elect within one month thereafter another person(s) from amongst its members to hold that office.

13.3 Any member who tenders resignation, shall not be eligible to recontest the election of next term of the Managing Committee and one more terms immediately following.

13.4 A member of the Managing Committee shall be deemed to have vacated his seat if he is declared by the Managing Committee to have been absent without sufficient cause for three consecutive meetings of the Committee or if his name for any cause has been removed from the membership Register of the Chapter or if the member is for any reason disqualified to be a member under Clause 9 or Clause 10 of these Bye-laws.

13.5 Any casual vacancy in the Managing Committee shall be filled by co-option by the Committee from amongst the members of the Chapter or by nomination by the Regional Council or the Council as the case may be, accordingly if the vacancy is caused by the resignation or the vacation of the seat by a member elected or nominated. The person co-opted shall continue as a member of the Managing Committee until the completion of tenure of existing Managing Committee subject to a maximum of four years. However, such co-opted member shall not be elected to any of these offices and shall not have right to vote in election of Office Bearers.

13.6 However that no such casual vacancy shall be required to be filled in if the vacancy is caused before 90 days of the completion of tenure of four years of Managing Committee of the Chapter.

14. Term of Office

The Chairman, Vice-Chairman, Secretary and Treasurer shall hold office for a period of one year from the conclusion of the Annual General Meeting of the Chapter, which shall in no case extend beyond 31st May of the fourth year unless extended by the Council. The retiring office-bearers shall be eligible for re-election subject to Clause 12 and Clause 19 of these Bye-Laws.

15. Sub-Committees

15.1 The Managing Committee may constitute from amongst its members such sub-committees as it deems necessary for carrying out its activities and for effectively discharging the functions of the Chapter.

15.2 A sub-committee so constituted may co-opt its members with the approval of the Managing Committee any of the members of the Chapter, provided that at no time the total number of co-opted members shall exceed one-third of the elected members of the sub-committee.

15.3 The recommendations of Sub-Committee shall be placed before the Managing Committee for consideration and approval. No action on the recommendation of the Sub-Committees shall be initiated without the prior approval of the Managing Committee.

15.4 Students Facilities Committee, if any, constituted by the Managing Committee, shall have not more two Registered Students of the Institute having their registered address in the jurisdiction of the Chapter, as students' representatives of the Sub-Committee.

16. Functions of the Managing Committee

16.1 The Managing Committee shall prepare a Quarterly/Half-yearly/Yearly budget, both for Revenue Expenses and Capital Expenses and place the same before the Finance Committee of the Council for their approval for the incoming year and shall also send copies thereof to the

Regional Council concerned for their information. However, any expenditure in excess of 10% of the approved Budget shall be placed again before the Finance Committee of the Council with approval of the Managing Committee of the concerned Chapter.

16.2 The Managing Committee shall meet all other Revenue Expenses & capital Expenses of the Chapter in accordance with the Revenue Budget & Capital Budget of the Chapter duly approved by the Finance Committee of the Council.

16.3 The Managing Committee shall advise and assist the concerned Regional Council in carrying out provisions of the Act, in particular, the Chapters may:

- (i) Provide facilities for interaction among members of the Chapter by regular meetings, arrangement of talks and lectures and for the acquisition and dissemination of useful information in connection with the profession of accountancy.
- (ii) Advise the Regional Council on all matters referred to them by the concerned Regional Council and offer such help as may be required.
- (iii) Make representations to the Regional Council concerned in connection with matters of professional and business interest in the area where the Chapter is operating and offer for suggestions for raising standard and status of the profession;
- (iv) Maintain Register of Members belonging to the Chapter and the Register of Students, both oral and postal, in the area of operation of the Chapter.
- (v) Propagate among the members the advisability and necessity of observing the rules of professional etiquette and the provisions of the Act and Regulations;
- (vi) Collect news from the members of the profession for publication in the Journal of the Institute and forward the same to the Regional Council concerned.
- (vii) Arrange for coaching of students subject to the approval of Directorate of Studies for organizing classes and to strictly adhere to the norms of coaching as directed by the Directorate of Studies from time to time.
- (viii) Run study-circles and refresher course camps for the benefit of the Registered Students and members of the Chapter.
- (ix) Carry out such other functions as may be entrusted from time to time by the Council and/or the Regional Council concerned.
- (x) Run Extension Centre as per the Extension centre policy approved by the Council.
- (xi) Make direct or indirect communication with their respective State Govt. / Statutory Authority / local bodies for the furtherance of the profession of Cost and Management Accountants.

16.4 The Managing Committee or any Member of the Chapter shall at no time make any direct or indirect communication with the Central Govt. unless the same is specifically authorized by the President in writing.

16.5 Managing Committee Members of respective Chapters can take classes on honorary basis only. No remuneration shall be paid to them for taking classes.

17. **Meetings of Managing Committee**—The Managing Committee shall meet at least once in every three months. A copy of the minutes of each meeting shall be forwarded to the Regional Council operating in the area within 15 days from the date of the meeting.

18. General Meeting—

18.1 The Managing Committee shall convene every year an Annual General Meeting to be held not later than 31st May each year to transact the following business:

- (i) To consider and receive the report of the Managing Committee.
- (ii) To consider and adopt annual accounts of the Chapter on or before 31st May positively which shall include audited Income & Expenditure and Balance Sheet drawn according to the approved Accounting Policy prescribed by the Council from time to time.
- (iii) To appoint a statutory auditor and fix his remuneration.
- (iv) To elect a Managing Committee every four years at the Annual General Meeting.
- (v) To transact any other business as may be brought before the meeting with the permission of the Chair.

18.2 The Managing Committee may also convene an Extraordinary General Meeting as often as it may consider necessary.

18.3 An Extraordinary General Meeting shall be convened by the Chairman of the Managing Committee within four weeks of the receipt of a request in writing stating the purpose of the meeting, signed by not less than 8 members or one-fifth of the total membership of the Chapter having voting rights whichever is higher.

18.4 The notice and agenda of meetings including Managing Committee meeting shall be forwarded to the concerned Regional Council with a copy to the Regional Council and Chapters Co-ordination Committee of the Institute

18.5 The Minute/Proceeding of each meeting including Managing Committee meeting shall be forwarded to the concerned Regional Council with a copy to the Regional Council and Chapters Co-ordination Committee of the Institute.

18.6 The notice of the AGM including agenda and thereafter proceeding shall be forwarded to the concerned Regional Council with copies to the Regional Council and Chapters co-ordination Committee and Secretary of the Institute.

19. Election to the Managing Committee:

19.1 Dates of Election

19.1.1 The election to the Managing Committee shall be held on or before 31st May every four years unless extended by the Council.

19.1.2 The Managing Committee in its last quarter meeting just before the Annual General Meeting of the fourth year shall appoint an Election Officer, who shall be the Executive Officer of

the Chapter by whatever name called or any other full time employee of the Chapter concerned, who is at least a Graduate but who shall not be a member of the Managing Committee.

19.1.3 The Managing Committee at Chapters not having any full time employee as defined in sub-clause 19.1.2 above, shall appoint some other competent person of repute with prior approval of the Secretary of the Institute or in the absence of the Secretary, any such officer as designated in this behalf by the Council.

19.1.4 Notwithstanding anything contained above, the Secretary of the Institute shall have the power to appoint any of its full-time employees, not below the rank of Deputy Director to act as Election Officer and/or observer even when the Chapter is having a full-time employee and has appointed an Election Officer.

19.1.5 The Election officer, within 7 days of his appointed shall further decide and cause to publish, through notice board and through email id of the eligible members of the Chapter, the following details related to the election of the Chapters, namely:

- (i) List of voters eligible to vote in the election on or before 1st April, which shall indicate in alphabetical order the names, membership number, full address with e-mail and a voter serial number.
- (ii) The election notification containing the following details:
 - (a) the last date and time for receipt of nominations, which shall not be less than 21 days from the date of the notification.
 - (b) date or dates and place of scrutiny of nominations within the area of the Chapter, the last day of which shall not be more than ten days from the last date for receipt of nominations fixed under sub-clause (a) of the notification;
 - (c) the last date and time for withdrawal of nominations, which shall be seven days from the last date for scrutiny of nominations fixed under sub-clause (b);
 - (d) the date of polling, which shall not be less than 40 days from the date of publication of list of voters eligible to vote in the election on or before 31st May. Provided in case of extension of date of election by the Council, 40 days shall be counted immediately before the extended date of election.
 - (e) the date of counting;
 - (f) the date of declaration of results.

19.2 Every member of the Chapter whose name has been borne on the register of member of the Chapter as on 31st March of the year in which the election to the Managing Committee is to take place and who is otherwise not disqualified to continue as a member under Clause 9 or ~~Clause 10~~ of these Bye-laws, shall be eligible to vote and stand for such election to the chapter.

Provided that no person shall be eligible to stand for election to the Chapter, if

- (i) He has been found guilty of any professional or other misconduct and his name is removed from the register or he has been awarded penalty of fine as provided in proviso to clause(a) of sub-section (2) of Section 9 of the Cost Accountants Act,1959.
- (ii) He has been auditor of the Institute/ any Region/ any Chapter in what so ever capacity

during the last three years.

- (iii) He is presently employed by or under the Institute either permanently or temporary or whole time consultancy or through third party.
- (iv) He had been employed by or under the Institute either permanently or temporary or whole time consultancy or through third party during the last three years.
- (v) He has been a member of the Managing Committee of any Chapter for two consecutive terms.
- (vi) No Member after becoming the Chairman of Category A or B Chapter, Council Member or Regional Council Member (past or present what so ever the case may be) shall be entitled to contest the Managing Committee election.

Explanation: For points (i) to (v), the reckoning period is year 2019 onwards. For point (vi), for category A chapter, the reckoning period shall be from the inception of the Chapter byelaws under Regulation 146 of the Cost and Works Accountants Regulations 1959 and for category B only the reckoning period for first term is 2023-27.

19.3 Nomination Form - A candidate for election shall file a nomination form in the **Annexure-A** ' ' duly signed by the candidate and by one proposer and one seconder, both of whom must be a valid member of the Chapter concerned and shall be persons entitled to vote in the election. The maximum number of nominations that can be submitted by a candidate shall be ten only.

19.4 Fee for election

- (i) A candidate for election shall pay a nomination fee of Rs. 2000 plus applicable GST.
- (ii) The fee shall be paid by a demand draft drawn in favour of the Chapter and payable at the office of the Chapter concerned.
- (iii) The fee payable and method of payment of such fee shall be included in the notification issued and displayed on the notice board of the Chapter.
- (iv) A candidate whose nomination is held to be invalid shall be entitled to receive refund of fifty percent of the fee payable.

19.5 Scrutiny of nominations

19.5.1 The Election Officer appointed by the Chapter/ Institute shall scrutinize the nomination papers of all the candidates.

19.5.2 The Election Officer shall have the power to regulate the procedure including the designing of forms and ballot papers to be used for the purpose of election in such manner as he considers just and expedient.

19.5.3 The Election Officer shall scrutinize the nomination papers of all the candidates and shall endorse on each nomination paper his decision, whether he accepts or rejects the nomination.

19.5.4 The Election Officer shall record a brief statement of reasons if he rejects a nomination.

19.5.5 The Election Officer shall reject a nomination if it is satisfied:-

- a. that the candidate was ineligible to stand for election under these Bye-laws; or
- b. that the proposer or the seconder was not qualified to subscribe to the nomination of the candidate; or
- c. that the signature of the candidate or of the proposer or the seconder is not genuine. The Election officer may rely upon the latest Government issued ID for validation of signatures; or
- d. that there has been a failure to comply with the Bye-laws and instructions issued in this behalf.
- e. The Election Officer shall not reject a nomination paper on the ground of a technical defect which is not of a substantial character.
- f. The rejection of the nomination of a candidate by reason of any irregularity in respect of that nomination shall not be a bar to the acceptance of another nomination submitted and is also valid in respect of the same candidate.
- g. If a proposer or a seconder incurs a disability by reason of the operation of the provisions of the Cost and Works Accountants Act, 1959 and the Rules & Regulations made thereunder subsequent to the date of signing the nomination, it shall not invalidate the nomination.

19.6 Preparation of list of valid nominations.-

- 19.6.1** On completion of the scrutiny of the nominations, the Election Officer shall forthwith prepare a list of valid nominations and cause a copy of the list to be displayed on the notice board of the Chapter and send to the registered email id of the members of the Chapter and also submit a copy of the list to the Secretary of the Institute or in the absence of the Secretary, to any such officer as designated in this behalf by the Council:
- 19.6.2** Provided that such list should be displayed at least three days before the last date of withdrawal of nominations as provided under these Bye-laws.
- 19.6.3** The list shall contain full names in alphabetical order and the addresses, as published in the list of voters, of the validly nominated candidates.

19.7 Withdrawal of candidature

- 19.7.1** A candidate may withdraw his candidature by giving a notice in his own hand and duly signed by him and have it delivered to the Election Officer any time before 6.00 p.m. of the last date notified by the Election Officer.
- 19.7.2** No candidate who has given a notice of withdrawal of his candidature under sub-rule 19.7.1 shall be allowed to cancel or withdraw that notice.
- 19.7.3** A candidate who has withdrawn his candidature shall be entitled to the refund of fifty percent of the fee paid by him under these bye-laws.

19.8 Intimation of final list of nominations to candidates and voters

The Election Officer shall omit from the list of valid nominations the names of candidates who have withdrawn their candidature and display the final list of nominations on the notice board of the Chapter and through registered email id of the members of the Chapter and

also submit a copy of the list to the Secretary of the Institute or in the absence of the Secretary, to any such officer as designated in this behalf by the Council.

19.9 Appeals and Election Code of Conduct

With a view to maintain a healthy and peaceful atmosphere during the election process for ensuring a free and fair election, the Election Officer, shall receive the appeals and complaints with regard to election and forward it by Speed Post and by email, to the Secretary of the Institute or in the absence of the Secretary, to any such officer as designated in this behalf by the Council within 3 days of receipt of the appeal or complaint for disposal. The decision of the Secretary of the Institute or in the absence of the Secretary, any such officer as designated in this behalf by the Council, shall be final in this regard. The time limit for filing appeal or complaint on any matter relating to the conduct of election shall be 7 days from the date of occurrence of an incident pertaining to the election.

19.10 Mode of election

19.10.1 The election shall be held in accordance with the system of simple majority.

19.10.2 Every election where a poll is taken, vote shall be given by secret ballot and every voter in any election, shall cast his vote personally in the booth provided for the purpose.

19.10.3 A voter shall put a tick (✓) mark against the name of the candidate in whose favor the vote is cast and may put a cross (✕) mark against the names of candidates in whose favour the votes are not cast.

19.11 Appointment of Election Observers

The Secretary may appoint such number of election observers as may be required; who shall not be members of the Institute, for all or any of the polling booths and for counting venue or venues, as may be deemed appropriate and such observers shall perform such duties as may be decided by the Secretary.

19.12 Secret Chamber

19.12.1 There shall be a secret chamber or chambers in each polling booth.

19.12.2 The chamber shall be so arranged that no person may be able to see how a voter has recorded his vote.

19.13 Ballot paper

19.13.1 The ballot paper shall contain, in alphabetical order in English, a list of the candidates validly nominated for an eligible post of the office and shall be printed on one side only.

19.13.2 Each such ballot paper shall contain the Institute's emblem printed in such manner, as may be decided by the Election Officer having regard to the security considerations of the ballot paper. (A specimen of ballot paper is annexed as

Annexure B).

19.14 Grounds for declaring ballot papers invalid.- A ballot paper shall be invalid

19.14.1 if a voter signs his name or writes any word or figure upon it or makes any mark other than a tick (✓) mark against the name of the candidates more than the number of candidates to be elected in whose favour the vote is cast and not being a cross (✕) mark put against the name of the candidates in whose favour the votes are not cast, by which the ballot paper becomes recognizable or by which the voter can be identified; or

19.14.2 if it is not printed by or under the authority of the Election Officer of the Chapter or it is different in any manner from the ballot papers printed; or

19.14.3 if it is unmarked or the marks made are void or cannot be unambiguously determined; or

19.14.4 if it is so damaged or mutilated that its identity as a genuine ballot paper cannot be established.

19.15 Presence of candidates at the time of counting of votes

A candidate for election shall be entitled to be present in person or to appoint a member of the Chapter concerned as his representative to be present on his behalf at the time of counting of votes.

19.16 Counting of votes.-

19.16.1 The counting of votes shall be made by the Election Officer and for this purpose he may depute one or more assistants, who shall not be members of the Institute.

19.16.2 On counting of votes, if there is a tie, the Election Officer will decide the winner through draw of lot.

19.17 Declaration of results.-

The names of the candidates declared elected shall be notified and displayed on the notice board of the Chapter by the Election Officer. A copy of such notification shall be forthwith sent by the Election Officer by Speed Post and by email to the Secretary of the Institute or in the absence of the Secretary, to any such officer as designated in this behalf by the Council.

19.18 Election Officer to decide on certain matters.-

If any question pertaining to or incidental to the procedure for conduct of election including matters not specifically covered in these Bye-laws arises, it shall be decided by the Election Officer. In case of any dispute with regard to the conduct of election the decision of the Secretary of the Institute shall be final and binding.

20. Notice of Meetings-

20.1 In the case of a General Meeting at least fourteen days' notice of the meeting

specifying the date, place and hour of the meeting and in case of special business, the general nature of such business shall be given. Copies of notice of all General Meetings shall be sent to the Regional Council concerned at the same time as they are sent to the members of the Chapter.

20.2 In the case of a meeting of Managing Committee or of any sub-committee, at least seven days' notice specifying the date, place and hour of such meeting shall be given to the members of the Chapter.

21. Quorum-

21.1 The quorum shall, in the case of a General Meeting, be eight members, and in the case of a meeting of Managing Committee or sub-committee, one-third of the total membership of the Managing Committee or the sub –committee, as the case may be. If the quorum is not present within half an hour of the time fixed for meeting, the meeting shall stand adjourned to such date, time and place as may be fixed by the Chairman of the General Meeting, Managing Committee or sub-committee, as the case may be.

21.2 Provided that where a meeting has been adjourned for want of a quorum, any business which was intended to be transacted at the original meeting may be transacted at such adjourned meeting, notwithstanding that there is no quorum.

21.3 In case a Chapter is constituted by relaxing the minimum requirement of members by the Council under Clause 6 of these Bye-laws, the Council may allow a lower quorum in writing on an application made in this respect by the Chairman of the Managing Committee.

22. Notice of Proposals

22.1 Every member of the Chapter shall be entitled to table any proposal(s) or resolution(s) for the consideration of the General Meeting or Annual General Meeting: Provided that such proposal(s) or resolution(s) shall be sent so as to reach the Secretary of the Managing Committee at least seven days before the date of the meeting.

22.2 Any such proposal(s) received after the specified time will be treated as proposals for the next following meeting unless admitted by the Chairman of the earlier meeting.

23. Chairman of General Meeting

The Chairman of the Managing Committee shall be the Chairman of the General Meeting and in the absence of the Chairman, the Vice-Chairman. In the absence of both, the members may elect any one of the members of the Chapter having voting right and is present in the meeting.

24. Decisions to be by majority

At all meetings, in the event of a difference of opinion, the vote of the majority shall prevail and in case of equality of votes, the Chairman of the meeting shall have a casting vote in addition to his original vote except in case of election of office bearers.

25. Finance and Accounts-

25.1 There shall be established a fund under the management and control of the Managing Committee into which shall be paid all monies received by the Managing Committee by way of membership fees, grants, donations, subscriptions and other incomes of the Chapter and out of which shall be met all expenses and liabilities properly incurred by the Managing Committee;

25.2 Funds of the Chapter shall be applied only as per the approved budget by the Finance Committee of the Council and any fund required to be spent outside the budget shall be spent with the approval of the Chairman and any expenditure in excess of 10% of the approved Budget shall be placed again before the Finance Committee of the Institute with approval of the Managing Committee of the Chapter.

25.3 Chapter can receive donation for construction of seminar hall and advancement of allied infrastructural facilities from –

- A. Any individual
- B. PSU (Central/State)
- C. Society/Trust
- D. Corporate
- E. Others

However, for increasing infrastructural facilities, permission of the HQ is required.

25.4 Funds of the Chapter shall be applied, either directly or indirectly for payment to the members of the Managing Committee of the Chapter except for reimbursing them for any expenses incurred by them in connection with the business of the Chapter.

Provided that, the Managing Committee Members of a Chapter are entitled to receive remuneration for being faculty for the oral coaching activity conducted by the chapter subject to following conditions –

1. One Managing Committee Member cannot teach more than one subject.
2. The payment made to the Managing Committee member as a faculty for the oral coaching activities shall be restricted to total number of classes / lectures / sessions for that subject as suggested in the oral coaching scheme by the studies department of the Institute.
3. The rate at which the Managing Committee member is paid shall be equal to the lowest rate at which outside faculty is paid for the specific level (foundation / inter / final).
4. A full disclosure regarding the name of the faculty member, subjects taught by him / her, total number of lectures conducted by him, rate at which he is paid and the total remuneration paid to him as faculty shall be reported to the Studies Department along with half yearly report. The same information also needs to be reported as part of Annual Report of the Chapter under a relevant specific heading.

5. Reimbursement of travelling expenses or any other incidental cost incurred by the Managing Committee member acting as faculty for oral coaching activities shall be restricted to a maximum of 15% of total remuneration received by him on production of actual bills.
6. The above conditions, except point no. 4, are not applicable if the Managing Committee Member is acting as faculty for the Oral Coaching Activity without any remuneration or payments other than reimbursement of causal expenses.

25.5 The Managing Committee shall be responsible for the funds of the Chapter. The surplus funds of the Chapter shall be invested in the securities prescribed by the Council only. Any withdrawal from the fixed deposit or long term investment by the Chapter lying to the credit of the Chapter shall be placed before the Finance Committee of the Institute by the Managing Committee of the Chapters with due justification for its approval.

25.6 The banking account shall be maintained in the name of the Chapter and operated by any two members of the Managing Committee one of whom shall be the Chairman who shall be authorized by the Committee in this behalf.

26. Accounts and Audit-

26.1 The Managing Committee shall cause to be prepared an Income and Expenditure account and a Balance Sheet as at 31st March every year in accordance with the Accounting Policy and form prescribed by the Council.

26.2 The accounts of the Chapter shall be audited every year by the auditor who shall be a cost accountant in practice appointed in the Annual General Meeting for the purpose. The auditor should not be a member of the Managing Committee.

26.3 The auditor shall submit his report along with audited Income and Expenditure Account and Balance Sheet as at 31st March every year as per format prescribed by the Council.

26.4 Copies of the audited accounts, auditors' report and the report of the Managing Committee of the Chapter shall be sent to the members of the Chapter at least fourteen days before the date of the Annual General Meeting and shall be placed for adoption before the Annual General Meeting.

26.5 Members of the Managing Committee shall be jointly and severally responsible to forward copies of the audited accounts, auditor's report and the report of the Managing Committee of the Chapter to the Council and to the Regional Council concerned latest by 16th May every year in compliance of the provisions of Regulation 93 and Regulation 97(B) of the Regulations.

26.6 The Managing Committee shall submit budget in the format provided by the Finance Directorate from time to time duly approved by the Managing Committee latest by 15th March of the previous year for which the budget is prepared.

27. Quarterly Report of Chapter

The Managing Committee shall forward to the Council as well as to the Regional Council concerned a quarterly report in the format prescribed by the Regional Council and Chapters

Co-ordination Committee about its functioning and activities within ten days of the end of each quarter. Specimen format is attached as Annexure C

28. Restriction on making representations etc.

Chapter can meet the Local Government Authorities within the jurisdiction of the Chapter or State or Central Government Authorities visiting the Chapter jurisdiction or available in the Chapter jurisdiction, in furtherance of the profession preferably with the help of standardized and structured documents received from the Headquarter. A complete set of such representation made by the Chapter to any of the government / non government authority shall be submitted to the relevant Regional Council and Institute within a period of 3 days from such representation.

Prior approval of the President is required, in case of Meeting with the Central Government departments/Ministries for the furtherance of the profession.

If the chapter representatives need to travel outside Chapter Jurisdiction for any such representation meeting, prior approval from the President is mandatory.

29. Directions of the Council

29.1 The Council may, issue such directions to the Chapter or its office bearers or its Managing Committee as in the opinion of the Council are conducive to the fulfillment of the objects of the Cost and Works Accountants Act, Rules and Regulations made thereunder in the discharge of its functions.

29.2 Chapter shall at all times function subject to the control, supervision and direction of the Council including such directions that may be exercised through the Regional Council concerned and shall be governed by such directions as may from time to time be issued.

29.3 The Chapter or its office bearers or its Managing Committee shall be bound to carry out any such directions.

30. Dissolution of Chapter

30.1 Upon any incidence of non-compliance or failure to comply with the provisions of the Act, rules, regulations, Bye laws and directions of the Council, the Council shall take appropriate action against such Chapter, its office bearers or its Managing Committee, as the case may be, as it may deem fit including cancellation or suspension or setting aside all or any power of the office bearers or its Managing Committee or appointment of an administrator with such power as the Council assigns for such period after giving the opportunity of being heard.

30.2 The Council may at any time, in consultation with the concerned Regional Council, dissolve any Chapter after affording an opportunity of being heard to the concerned Chapter or take action against the members of the Managing Committee as per clause (2) of Part III of the First Schedule of the Cost and Works Accountants Act 1959.

30.3 The Council may also, if it considers necessary so, merge or reconstitute a Chapter.

30.4 If a chapter continues to incur losses for any consecutive three financial years, then the Council may after giving the opportunity of being heard to the Chapter, decide to dissolve such a Chapter.

30.5 The Council may dissolve any Chapter where the number of member of the Chapter falls below the minimum prescribed limit under Clause 6.2(c) these Chapter bye laws.

30.6 If, in the opinion of the Council, any Chapter and its Managing Committee has persistently made default in giving effect to the directions of the Council, the Council may, after giving opportunity to the Managing Committee to state its case, by order, dissolve the Chapter.

Nomination Form (Pursuant to Clause 19.3)

Specimen Ballot Paper (Pursuant to clause 19.13.2)

Annexure C

Specimen Quarterly Report to be submitted by the Managing Committee
(Pursuant to clause 27)