

## **B. DIRECTIONS OF THE CENTRAL COUNCIL REGARDING FUNCTIONS OF BRANCHES OF STUDENTS ASSOCIATIONS**

### **A. MANAGING COMMITTEE-COMPOSITION OF**

1. Each Branch shall be governed by a Managing Committee composed of:-

(i)<sup>1</sup>[Six] members to be elected by the members of the Branch in the manner mentioned herein below.

<sup>1A</sup>[(ii)] Two members of the Managing Committee of the branch of the Regional Council, to be nominated by the said Managing Committee, one of whom shall also be the Chairman of the Managing Committee of the branch of the Students' Association.]

### **B. DUTIES AND FUNCTIONS**

2. The Students' branch may perform all or any of the following functions:-

(i) Develop social contacts and a spirit of fellow feeling among the students.

(ii) Promote social, cultural and intellectual development of the students.

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<sup>1</sup>Sub. for the word "four" in December 1972.

<sup>1A</sup>.(i) Ins. by Ntfn. No.1-CA(7)/137/84 dt. 10.5.1984 and (ii) one member to be nominated by the Regional Council residing in the city in which the branch is situated who shall also be the Chairman of the Managing Committee, was amended by Ntfn. No. 1-CA(7)/161/87 dt. 22.9.87.

(iii) Assist in the education of students in the recent development in trade, commerce and industry especially those affecting the maintenance of their accounts, office routine and audit procedures.

(iv) Organise lectures, meetings, debates, seminars, study circles and other means of cultural associations for the education of students.

(v) Establish and maintain Libraries and/or Reading Rooms for the use of Students.

(vi) Make representations to the parent Students' Association and the Regional Council on matters concerning common interest of the students.

(vii) Maintain a register of members of the Association.

(viii) Organise trips and tours to important factories and industrial organisations and also to places of historical and educational importance.

(ix) Such other functions as the Regional Council concerned may prescribe for the attainment of the aforementioned objectives.

#### C-ADMISSION TO AND REMOVAL FROM THE BRANCH REGISTER

3. (a) The Managing Committee shall maintain a Register to be known as the "Branch Register" in which the names of all members of the Branch shall be entered.

(b) Upon transfer of the services of an audit or articled clerk as a result of which he starts residing in the area attached to a Branch different from the one in which he had been previously residing his membership of the Students' Association shall also be transferred.

<sup>2</sup>[(c) Upon completion of his training, the membership of the branch of an articled or audit clerk shall cease on the day following the date of completion of training.

(d) Upon cancellation of articled or audit service the name of the student shall be removed from the Branch Register concerned and he shall thereupon cease to be its member.]

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<sup>2</sup>Sub. for clause (c) reproduced below by Ntfn. No. 1-CA(7)/139/84 dt. 9.10.1984 & amended by Ntfn. No.1-CA(7)/147/1985.

[(c) Upon completion or cancellation or transfer of audit or articled service the name of the student shall be removed from the Branch Register concerned and he shall thereupon cease to be its member.

## D. MANAGING COMMITTEE - ELECTION TO

<sup>3A</sup>[4.(a) The election to the Managing Committee shall be held every year, at the Annual General Meeting of the members of the branch concerned. The election shall be conducted by poll of the members present at the meeting. No proxy shall be allowed.

(b) The members of the Managing Committee elected at the Annual General Meeting under clause (a) shall assume office from the 16th September next following the date of the Annual General Meeting at which they are elected and shall hold office ordinarily for a period of one year.

<sup>3B</sup>[5.(i) Every student who is a member of the branch of the Students' Association on 1st day of April shall be entitled to vote provided he continues to be a member on the date of election.

(ii) Every student who fulfils the requirement at (i) above shall be eligible to stand for election to the Managing Committee of the branch to which he belongs provided the un-expired period of training is not less than 12 months as on 16th September of that year.]

<sup>3C</sup>[6. Any member desirous of standing for election shall submit a nomination to the Chairman of the Managing Committee appointed by the Regional Council concerned in this behalf, duly signed by him and by the proposer and seconder (both of whom shall be persons entitled to vote in the election) so as to reach the said Chairman at least 10 days prior to the Annual General Meeting at which the election is to take place.]

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<sup>3</sup>Sub for the words "by a show of hands by the members" in March 1972.

<sup>3A,3B,3C&3D</sup>Sub. for the following by Ntfn. No. 1-CA(7)/139/84 dt. 9.11.84 & as amended by Ntfn. No.1-CA(7)/147/85 dt. 11.10.1985 and in respect of Direction 5 further substituted by Ntfn. No. 1-CA(7)/16/91 dt. 11.1.1991 for the following:-

4. The election to the Managing Committee shall be held once in a year at the Annual General meeting of the Members of the Branch concerned. The election shall be conducted <sup>2</sup>[by poll of the members] present at the meeting. No proxy shall be allowed.

5. Every audit or articled clerk of the Institute whose name has been borne on the Branch Register for 6 months immediately prior to the date of election shall be eligible to vote and/or stand for election to the Managing Committee of the Branch to which he belongs.

Every articled and audit clerk who has been a member of the branch of the Students' Association for six months immediately prior to the date of election, shall be eligible to vote and/or stand for election to the Managing Committee of the branch to which he belongs.

6. Any member desirous of standing for election shall submit a nomination to the Chairman of the Managing Committee appointed by the Regional Council concerned in this behalf, duly signed by him and by the proposer and seconder (both of whom shall be persons entitled to vote in the election) so as to reach the said Chairman <sup>3</sup>[at least] 10 days prior to the Annual General Meeting at which the election is to take place. The names of the candidates shall be circulated to the members of the Branch at least three days prior to the said Annual General Meeting.

8. The names of the candidates elected shall be announced by the Chairman of the Annual Meeting and his declaration shall be final.

7. Each nomination shall be accompanied by a fee of Rs. 5/- which will not be refundable under any circumstances.

<sup>3D</sup>[8 (i) The names of the candidates elected shall be announced by the Chairman of the Annual General Meeting and his declaration shall be final.

(ii) Where the number of candidates for election to the Managing Committee of the branch of a Students' Association is less than the number of members to be elected, the remaining seats may or may not be filled up at the discretion of the Managing Committee of the branch of the Regional Council concerned, and in case the latter decides that the remaining seats be filled up the same shall be filled up by co-option by the former Managing Committee in consultation with and approval of the latter Managing Committee and the persons so co-opted shall hold office until the expiry of the term or the dissolution of the Managing Committee or the branch of Students' Association.]

9. Any member of the Managing Committee at any time may resign his membership by writing under his hand addressed to the Chairman of the Managing Committee. The seat of such member shall fall vacant after the resignation has been accepted by the Chairman.

10. A casual vacancy in the Managing Committee of an elected member shall be filled up by co-option by the Managing Committee from amongst the members of the Branch and that of a nominated member by the Regional Council concerned making a fresh nomination. The member so co-opted or nominated shall continue as a member of the Managing Committee until the next Annual General Meeting.

11. An elected member of the Managing Committee shall be deemed to have vacated his seat if he absent himself from three consecutive meetings of the Managing Committee without leave <sup>4</sup>[or if he ceases to be a member of the branch of the Students' Association under Direction 3 or for any other reason.]

12. Any act of the Managing Committee shall not be called into question merely on the ground that there was a vacancy in or some defect existed in the constitution of the Managing Committee.

#### E. MANAGING COMMITTEE-MEETINGS OF

13. The Managing Committee may meet as often as necessary for the conduct of its business: Provided that every one meeting shall be held in the latter half of the month of September.

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<sup>4</sup>Added by Ntfn. No.1-CA(7)/139/84 dt. 9.10.1984.

14. Business shall be ordinarily conducted at a meeting of the Managing Committee: Provided, however, that the Chairman, or in his absence the Vice-Chairman, may in any emergent case circulate papers among the members of the Managing Committee for obtaining their views. No decision on any question shall be taken by the circulation of papers, unless not less than two-third of the members agree. In the event of aforementioned majority not agreeing, the Chairman or the Vice-Chairman, as the case may be, shall withdraw the papers from circulation and have the matter decided at a meeting of the Managing Committee.

15. When the papers relating to any question are circulated for decision among the members, a period of not less than seven days, commencing from the date of such circulation, must elapse before any decision is taken on the question.

16. Every decision taken by circulation of papers shall be noted by the Managing Committee at its next meeting.

17. The Secretary to the Managing Committee shall issue a notice in writing by post or otherwise at least 7 days before the date of the meeting to every member of the Managing Committee:

Provided that the said Secretary may issue a notice at a shorter period if it is unanimously decided and agreed to in advance by the members of the Managing Committee.

18. The notice shall contain the time, date and place of meeting and, as far as possible, the business to be transacted thereat.

19. The Chairman or any three members of the Managing Committee may require the Secretary to call a meeting on a particular date and time.

20. No business shall be transacted at any meeting unless three members are present in person, <sup>4</sup>[of whom at least one is a member nominated by the Managing Committee of the branch of the Regional Council.] If this quorum is not present at any meeting, it shall stand adjourned 'sine die'.

21. All question put up to the Managing Committee shall be decided by a majority of votes. In the case of equality of votes, the Chairman shall have a casting vote in addition to the one in the capacity of member.

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<sup>4</sup>Ins. by Ntfn. No.1-CA(7)/161/87 dt. 22.9.1987.

22. The Chairman, or an his absence the Vice-Chairman, shall occupy the Chair at every meeting of the Managing Committee, but if both are absent, the members present at the meeting may elect one among themselves as the Chairman of the meeting.

#### F. OFFICE BEARERS

23. The Managing Committee<sup>5</sup> shall at its meeting held, as far as may be, in the latter half of the month of September every year, elect [the] Vice-Chairman, Secretary and Treasurer and so often as any of these offices becomes vacant, the Managing Committee shall choose another member of the Managing Committee to hold that office.

24. The Managing Committee may in addition constitute from among its members such sub-committees as it deems necessary for carrying on its activities.

25. The Chairman of the Managing Committee shall be the Chief Executive Authority of the Managing Committee.

26. The Secretary shall be responsible for the performance of general duties in the office of the Branch under the guidance of the Chairman, or in his absence, the Vice-Chairman. He also may act as Treasurer.

<sup>5A</sup>[27. The Treasurer shall maintain or cause to be maintained proper accounts of the assets and liabilities and also of the moneys received and expended and shall deal with matters in respect of which such receipt and expenditure take place. The Treasurer shall also be responsible for submission of accounts in time to the Regional Council.]

28. The office-bearers shall hold office until the first meeting of the Managing Committee to be held after the Annual General Meeting in the next-year:

Provided that on the expiry of the duration of a Managing Committee, the Secretary and Treasurer for the time being, shall continue to discharge their respective functions until such time as the Secretary and Treasurer of the next Managing Committee are elected and take over charge of their respective duties.

<sup>5</sup>Ins. by Nifm. No.1-CA(7)/139/84 dt.9.10.1984.

<sup>5A</sup>Sub. for the following by Nifm. No.1-CA(7)/16/91 dt.11.1.1991.

"27. The Treasurer shall cause true accounts to be maintained of the assets and liabilities and also of the moneys received and expended and shall deal with matters in respect of which such receipt and expenditure take place."

29. The retiring office-bearers will be eligible to seek re- election to any of the offices of the Managing Committee provided they continue to be members of the Branch concerned.

#### G. ANNUAL GENERAL MEETING

30. The Branch Association Managing Committee may summon a meeting of the members of the Association as often as it may think fit and proper:

Provided that such a meeting shall be called and held at least once in every year.

<sup>6</sup>[31. One general meeting shall be held between the <sup>6A</sup>[1st day of July and 31st day of July] every year and that meeting shall be called the Annual General Meeting.]

32. At least 21 days notice of the meetings specifying the day, place and hour of such meeting and in case of special business, the general nature of such business shall be given.

33. Every member of the Association on the Branch Register shall be entitled to table any proposals or resolutions for the consideration of the meeting of the members: Provided such proposals etc., are received by the Secretary of the Branch Association Managing Committee at least 28 days before the date of the meeting. Any such proposals received after the prescribed time will be treated as proposals for the next following meeting of the members unless admitted by the Chairman of the earlier meeting.

34. The business of the Annual General Meeting shall be to receive the report of the Branch Association Managing Committee<sup>7</sup>, [.....] and to transact such other business as may be brought before the meeting with the permission of the Chairman.

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<sup>6</sup>Sub. for the following in March 1966:-

"31. One General Meeting shall be held in the month of September every year and that meeting shall be called the Annual General Meeting."

<sup>6A</sup>. Ins. by No.1-CA(7)/139/84 dt. 9.10.1984.

<sup>7</sup>The words "to adopt the accounts" were omitted in January 1965.

35. The Chairman or in his absence the Vice-Chairman of the Students' Association Managing Committee shall be Chairman of the General Meeting of the Branch Association. In the absence of both, the members may elect any one of the members present as Chairman of the meeting.

36. Seven members personally present shall form a quorum. No business shall be transacted at any General Meeting unless the requisite quorum be present at the commencement of the business.

37. If within half an hour from the time appointed for the meeting a quorum is not present, the meeting shall stand adjourned to the same day in the next week at the same time and place and at every such adjourned meeting the members present, whatsoever their number, shall have power to transact all the business which could properly have been transacted by the original meeting, had the necessary quorum been present thereat.

38. All decision at all meeting shall be taken by a majority of votes. In case of equality of votes, the Chairman shall have a casting vote in addition to his original one.

#### H. FINANCE AND ACCOUNTS

39. There shall be established a Fund under management and control of the Managing Committee into which shall be paid all the moneys received by the Managing Committee and out of which shall be met all the expenses and liabilities properly incurred by the Managing Committee:

Provided that no part of the Fund shall be applied either directly or indirectly for making any payment to the members of the Managing Committee, except to reimburse them any expenses incurred by them in connection with the business of the Managing Committee:

Provided, however, that no member of the Managing Committee shall be entitled to claim any travelling or other allowances.

40. The funds of the branch shall consist of the following:-

(a) A fee of Rs. 4/- in respect of each student whose name is borne on the register.



(b) Such grants-in-aid as are from time to time paid by the Central Council.

(c) Such fees as the Managing Committee may consider necessary to levy on the members participating in specific activities.

(d) Voluntary contributions received for any specific activity, with the prior sanction of the Regional Council.

(e) The fees specified in Direction 7 here of; and

(f) Any other moneys received by the Branch and which it is entitled to retain.

<sup>8</sup>[41. The funds of the branch shall be kept in one of the scheduled banks approved by the Regional Council in this behalf. The bank account shall be jointly operated by the nominee member of the branch of the Regional Council and the Treasurer of the branch of Students' Association.]

42. The Managing Committee shall not borrow or incur a liability without the prior sanction of the Regional Council.

43. The Managing Committee may invest any money for the time being standing to the credit of the Fund in any Government Securities or in any other securities approved by the Regional Council concerned.

<sup>9</sup>[44. (i) The annual accounts of the Branch shall be subject to audit by a chartered accountant in practice or by a firm of such chartered accountants appointed by the Regional Council concerned. The accounting year of the Branch will be from 1st April to 31st March.

(ii) Copies of the audited accounts and the audit report shall be sent to the Students' Association concerned, the Regional Council concerned and the Central Council, by the 7th day of May of the next year following.

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<sup>8</sup>Ins. by Ntfn. No. 1-CA(7)/161/87 dt. 22.9.1987 and sub. for the following by Ntfn. No. 1-CA(7)/16/91 dt. 11.1.1991.

"41. The funds of the Branch shall be kept in one of the scheduled banks approved by the Regional Council in this behalf. The bank account of the branch shall be operated by at least two members of the Managing Committee, one of whom shall be either the Chairman of the Managing Committee or a member nominated by the Managing Committee of the branch of the Regional Council.

<sup>9</sup>Ins. in March 1966. The previous Direction reproduced below, was deleted in January 1965:-

"44. The Annual Accounts of the Branch shall be subject to audit by a Chartered Accountant in practice or by a firm of such Chartered Accountants appointed by the Regional Council concerned."

<sup>10</sup>[(iii) The audited accounts of the Branch shall be incorporated in the accounts of the Institute for the year.]

<sup>11</sup>[45. The audited accounts together with the audit report and the report of the Managing Committee shall be forwarded to the members of the Branch at least 14 days before the date of the annual general meeting and shall be placed for being adopted before the Annual General Meeting.]

<sup>12</sup>[46. A copy of the audited accounts and report of Managing Committee as adopted at the annual general meeting shall be sent to the Students' Association concerned, the Regional Council concerned and the Central Council not later than 14 days after the holding of the annual general meeting.]

### J. PROPERTY, ASSETS, ETC.

47. All the property, assets and funds of a Branch shall at all times vest in the Central Council but the Managing Committee shall have the right to administer them subject to the control, supervision and direction of the Central Council and/or any of its Committee through the Regional Council concerned.

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<sup>10</sup>This was substituted for the following clause in March 1969:-

"(iii) The audited accounts of the Branch shall be incorporated in the accounts of the Students' Association concerned for the year."

<sup>11</sup>Sub. for the following Direction 45, in March 1969:-

<sup>A</sup>[45. The report of the Managing Committee shall be forwarded to the members of the Branch at least 14 days before the date of the Annual General Meeting and shall be placed for being adopted before the annual general meeting.]

<sup>A</sup>This was substituted for the previous Direction, reproduced below, in January 1965:-

"45. The audited accounts together with the audit report and the report of the Managing Committee shall be forwarded to the members of the Branch at least 14 days before the date of the annual general meeting and shall be placed for being adopted before the Annual General Meeting. The accounting year of the Branch will be from 1st April to 31st March."

<sup>12</sup>Sub. for the following Direction 46, in March 1969:-

<sup>B</sup>[46. The report of the Managing Committee, as adopted at the annual general meeting, shall be sent to the Students' Association concerned, the Regional Council concerned and the Central Council not later than 14 days after the holding of the annual general meeting.]

<sup>B</sup>Substituted for the following Direction in March 1966:-

"46. A copy of '[.....]' the report of the Managing Committee as adopted at the Annual General Meeting shall be sent to the Regional Council concerned and the Central Council not later than <sup>D</sup>[14 days] after the holding of the Annual General Meeting."

<sup>C & D</sup>The words "the audited accounts and " were deleted and for the words "one month" the words "14 days" were substituted respectively in January 1965.

## K. DURATION

48. The duration of each Managing Committee shall ordinarily be one year from the date of its constitution: Provided, however, that the Central Council may if in its opinion circumstances so warrant extend or shorten the life of any Managing Committee by a Notification in this behalf in the Institute's Journal.

49. On the expiry of the duration of the Managing Committee, a new Managing Committee to take office shall be constituted in the manner provided in these directions.

## L-DISSOLUTION

50. The Central Council may dissolve any or all the Branches at any time without assigning any reason:

Provided that where the number of members of a Branch falls below 40 at the close of any year, the Central Council shall compulsorily dissolve the Branch concerned.

51. The duty of carrying out these directions shall vest in the Managing Committee and for this purpose, the Managing Committee may appoint such staff and servants as it may deem necessary.

52. If any difficulty arises in giving effect to these directions, the Central Council may give such further directions as appear to be necessary for the removal of the difficulty.

<sup>13</sup>[53. Any breach of the Directions/Rules committed by the members of the Managing Committee of the branch of Students' Association shall be treated as mis-conduct within the meaning of Regulations 66 and 79, as the case may be, of the Chartered Accountants Regulations, 1988. It may, *inter-alia*, include the following:-

- (i) Breach of any provision of the Chartered Accountants Act, 1949 and the Regulations made thereunder.
- (ii) Collecting funds by the Managing Committee without approval of the Regional Council.
- (iii) Mis-appropriation of funds of the Association.
- (iv) Submission of memorandum or representation to any Government or other authorities without approval of the Central Council.
- (v) Not maintaining proper accounts.

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<sup>13</sup>Ins. by Ntfn. No. 1-CA(7)/16/91 dt. 11.1.1991.

- (vi) Not handing over the charge (including the papers, files, account books, cash etc.) by the old office-bearers to the new office-bearers of the branch after election.
- (vii) Issuing any undesirable circular among the members of the Students' Association or giving press releases without approval of the Regional Council.]