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भाग II—खण्ड 3—उप-खण्ड (i)
PART II—Section 3—Sub-section (i)

प्रकाशित द्वारा प्रकाशित
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कंपनी कार्यकर्ता मंत्रालय
Department of Commerce

नई दिल्ली, 27 नवम्बर, 2006

सांसदौरिव, 734(अ)—बंडीय सम्बन्ध, लाक्षि और संक्रमण लेखान्वल अधिनियम, 1959 (1959 का 25) का भाग 29क और 29प को उप-भाग (1) के साथ पाठ भाग (2) के खंड (क) और (च) द्वारा प्रदत्त शैलीयाँ को प्रभाव दायते हैं, निम्नलिखित नियम बनाते हैं, अधीनता :—

1. विधि नाम और प्रतीक—(1) इन नियमों का नाम नागरिक और संक्रमण लेखान्वल क्वालिटी पुरुषिकलोकन बॉर्ड की चेतना में प्रकाशित और कंपनी के अप्रत्यक्ष तथा सदस्यों को संबंधित और उनके तथा इनके नियम, 2006 है।

(2) ये नियम में प्रकाशित की तरीका को प्रकट होगा।

2. परिभाषा—(1) इन नियमों में, जब तक कि संसद से अन्य अधिनियम न हो—

(क) "अधिनियम" से सम्बन्धित और संक्रमण लेखान्वल अधिनियम, 1959 अधितियें हैं;

(ख) "बॉर्ड" से अधिनियम का भाग 29क का उप-भाग (1) का अधीन बनाया गया क्वालिटी पुरुषिकलोकन बॉर्ड अधितियें हैं;

(ग) "बाधता" से अधिनियम का भाग 9 का अधीन बनाया गया व्यक्ति अधितियें हैं।

(च) "संस्थान" से अधिनियम के अधीन स्थापित भारतीय लाक्षि और संक्रमण दर्शकाण्ड संस्थान अधिति है।

(2) उन शब्दों और पदों के, जो इन नियमों में प्रयुक्त हैं, किन्तु परिभाषित नहीं हैं और अधिनियम में परिभाषित हैं, वहीं अधीन होते जो उन अधिनियम में हैं।

3. बॉर्ड की बैठकों की प्रक्रिया—(1) बॉर्ड की सभी बैठकें सामान्य, संस्थान के मुद्दाएँ पर होगी।

(2) किसी बैठक की तारीख और समय, अधिकार द्वारा निर्धारित की जाएँगी।

प्रत्येक बॉर्ड के अधिकार या उसके द्वारा इस प्रकार प्राप्त किए हुए व्यवस्था को अधिकार द्वारा जताया जाना जाएगा, जो ऐसे प्रचेत क्षेत्र को अंग्रेजी तारीख से पहले प्रत्येक दिन से जाने न हो, बॉर्ड के अंतर्गत संस्थान को जाने होगी।

प्रत्येक या राजा संचालक लायक बैठक करते हैं, किसी राजा संचालक पर कोई वैध बाधता स्वीकार कर नहीं होगा।

(3) बॉर्ड के बैठक में किसी कार्रवाई के संबंध में यदि गणितीय तीन सदस्यों जिसमें से कम से कम एक सदस्य, अधिनियम का भाग 29क का उप-भाग (3) के अधीन, बंडीय संगठन इन नामांकनित होने चाहिए।
6. बोर्ड के अपने तथा अन्य सदस्यों को निर्देशित करें।
7. बोर्ड के कृतियों के माध्यम से उपरोक्त, तथा अन्य बोर्ड के रूप में उपलब्ध कराए।
8. बोर्ड के अभ्यस्त और सदस्यों की सेवा के निधन और शरीरीय अपघात का क्रम को जाने।
भाषा का उपयोग - अन्तर्गत

(2) यो अन्यथा या कोई सदस्य, कौन्सलर सदस्य को स्वतंत्रतापूर्वक लिखित रूप में रूपान्तरण के अतिरिक्त या अत्यन्तर्गत प्रकार की लीजिंग की कोई नई प्रक्रिया होगी कि तथा तरीके से ही प्रक्रिया होगी।

(3) कौन्सलर सदस्य, किसी व्यक्ति को अधिकाधिकार या सदस्य के रूप में हटाए लिखित रूप में करते हैं। वह लिखित रूप में से हटाए लिखित रूप में कार्य करते हैं। तथा जिन ने वह लिखित रूप में से हटाए लिखित रूप में कार्य करते हैं।

(4) यो लिखित प्रक्रिया की कोई व्यक्ति को कौन्सलर सदस्य के रूप में नया। विशेष रूप से, जिन में किसी व्यक्ति को कौन्सलर सदस्य के रूप में नया। विशेष रूप से, जिन में किसी व्यक्ति को कौन्सलर सदस्य के रूप में नया।

11. अधिनियम उपसंहा — यो के अधिकार और अन्य सदस्यों के सेवा के निर्देशन और स्थायी और संचालक के स्वयं के संबंध में इन नियमों में कोई अधिकार नहीं है। तो प्रत्येक युक्ति में इनके निर्देशन के लिए कौन्सलर सदस्य को निर्देशित होगा और इस पर कौन्सलर सदस्य का निर्देशित होगा।

MINISTRY OF COMPANY AFFAIRS
NOTIFICATION

New Delhi, the 27th November, 2006

G.S.R. 734(E).—In exercise of the powers conferred by clauses (c) and (f) of Sub-section (2) of Section 38A of, read with Section 29C and Sub-section (1) of Section 29D of, the Cost and Works Accountants Act, 1959 (23 of 1959), the Central Government hereby makes the following rules namely—

1. Short title and commencement.—(1) These Rules may be called the Cost and works Accountants Procedures of Meetings of Quality Review Board, and Terms and Conditions of Service and allowances of the Chairperson and members of the Board Rules, 2006.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.—(1) In these Rules, unless the context otherwise requires,

(a) “Act” means the Cost and works Accountants Act, 1959;

(b) “Board” means the Quality Review Board formed under sub-section (1) of Section 29A of the Act;

(c) “ Council” means the Council constituted under Section 9 of the Act;

(d) “Institute” mean the Institute of Cost and Works Accountants of India set up under the Act.

(2) Words and expressions used but not defined in these Rules and defined in the Act shall have the same meaning as assigned to them in the Act.

3. Procedure for Meetings of the Board.— (1) All meetings of the Board shall, ordinarily, be held at the headquarters of the Institute.

(2) The date and time of any meeting shall be fixed by the Chairperson:

Provided that a notice of not less than 15 days before the scheduled date of every such meeting shall be given by the Chairperson or any person so authorised by him to the other members of the Board:

Provided further that the Chairperson, for reasons to be recorded in writing, may call for a meeting at a shorter notice:

Provided also that not more than six months shall elapse between any two meetings.

(3) The quorum for transaction of any business at a meeting of the Board shall be of three members, of which at least one must be nominated by the Central Government under Sub-section (3) of Section 29A of the Act.

(4) The Chairperson shall chair all the meetings of the Board:

Provided that in the absence of Chairperson, the members shall elect any of the members present on the day of the meeting to chair the meeting.
(5) All questions which come up before any meeting of the Board shall be decided by a majority of the members present and voting, and in the event of an equality of votes, the Chairperson or in his absence, the member presiding, shall have a second or casting vote.

4. Transaction of Business.—The business of the Board shall ordinarily be transacted at a meeting of the Board.

5. Agenda for the Board meeting.—(1) The agenda for a meeting of the Board shall be decided by the Chairperson.
   (2) Any matter referred to it by the Central Government or the Council shall be included in the agenda for the meeting of the Board within time limits specified, if any, in such a reference.
   (3) The Chairperson may, in appropriate cases, circulate the agenda note and related papers on any issue among members of the Board for resolution by circulation.

Provided that if three members of the Board require that any question be decided at a meeting, the Chairperson shall withdraw the papers from circulation and have the question determined at a meeting of the Board.

(4) A decision taken by the circulation of the papers shall be communicated to all the members and shall be noted at the next meeting of the Board.

6. Procedures to be followed by the Board.—In the discharge of its functions, the Board may:
   (a) on its own or through any specialized arrangement set up under the Institute, evaluate and review the quality of work and services provided by the members of the Institute in such manner as it may decide;
   (b) lay down the procedure or evaluation criteria to evaluate various services being provided by the members of the Institute and to select, in such manner and form as it may decide, the individuals and firms rendering such services for review;
   (c) call for information from the Institute, the Council or its Committees, members, clients of members or other persons or organizations in such form and manner as it may decide, and may also give a hearing to them;
   (d) invite experts to provide expert technical advice or opinion or analysis of any matter or issue which the Board may feel relevant for the purpose of assessing the quality of work and services offered by the members of the Institute;
   (e) make recommendations to the Council to guide the members of the Institute to improve their professional competence and qualifications, and the quality of work and services offered and adherence to various statutory and other regulatory requirements and other matters related thereto.

7. Assistance to the Board.—The Institute shall set up a specialized technical unit to—
   (a) provide secretarial assistance, as required, to the Board in the discharge of its functions;
   (b) to assist the Board in carrying out review of quality of services provided by the Members.

8. Terms and conditions of service of the Chairperson and Members of the Board.—(1) The tenure of the Chairperson and Members of the Board shall be for four years.
   (2) The Chairperson and other members of the Board shall be part-time members.
   (3) No Chairperson or member of the Board shall be removed or withdrawn except as provided under Rule 10.

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

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

(4) A casual vacancy in the Board shall be filled by the Central Government, from out of the category in which such vacancy occurs.

11. **Residuary provision.**— Matters relating to the terms and conditions of services and allowances of the Chairperson and other members of the Board, the place of meetings and the procedure to be adopted in meetings of the Board, with respect to which no express provisions have been made in these rules shall be referred in each case to the Central Government for its decision and the decision of the Central Government thereon shall be binding on the Board, the Chairperson and other members.

[F. No. 5/27/2006-C1-V.]
JITESH KHOSLA, Jt. Secy.