The Company Secretaries Regulations, 1982

(As Amended upto 3rd February, 2020)

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THE INSTITUTE OF
Company Secretaries of India
भारतीय कम्पनी सचिव संस्थान
IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament
(Under the jurisdiction of Ministry of Corporate Affairs)
ICSI House, 22, Institutional Area, Lodi Road, New Delhi 110 003
tel 011-4534 1000 **fax** +91-11-2462 6727
email info@icsi.edu **website** www.icsi.edu

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THE COMPANY SECRETARIES REGULATIONS, 1982

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The Company Secretaries Regulations, 1982[1]

NOTIFICATION

ICSI NO. 710 2(1) OF September, 1982: In exercise of the powers conferred by Sub-section (1) of Section 39 of the Company Secretaries Act, 1980 (56 of 1980) read with Sub-section (3) thereof and in supersession of the Company Secretaries Regulations, 1981 except for things done or omitted to be done thereunder, the Council with the previous publication in the Gazette of India and with the approval of the Central Government makes the following regulations, namely:-

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Chapter I

Preliminary

1. Short title and commencement.-

(1) These regulations may be called the Company Secretaries Regulations, 1982.

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

2. Definitions and interpretation.-

In these regulations, unless the context otherwise requires,-

(a) 'Act' means the Company Secretaries Act, 1980 (56 of 1980);

(b) 'annual meeting' means, in the year of election, the first meeting of the Council held after the declaration of results of election and in any other year, the first meeting of the Council held on or after the first day of October of that year;

1. Published in the Gazette of India, Extraordinary, Part III, Section 4, of Serial No. 9 of 16 September, 1982.

(c) 'appropriate form' means a form specified by the Council suitable for the purpose as amended from time to time;

(d) 'certificate of practice' means a certificate granted under these or earlier regulations entitling the holder to practise as a Company Secretary;

(e) 'earlier regulations' means the Company Secretaries Regulations, 1981, and the Company Secretaries Regulations, 1971;

(f) 'journal' means the official journal published by the Institute under the name and style 'Chartered Secretary' and includes a supplement to the Journal;

(g) 'licentiate' means a person entitled to use the descriptive letters Licentiate ICSI under Regulation 29 of these regulations;

(h) 'member' means an Associate or Fellow member of the Institute;

(i) 'misconduct' in relation to a member means and includes any professional or other misconduct as specified in Section 22 of the Act or in any of the Schedules to the Act;

[2][(ia) 'misconduct' in relation to a registered student or a candidate enrolled for any examination conducted by the Institute means behaviour in disorderly manner in relation to the Institute or in or around an examination centre or premises, or breach of any provision of the Act, rule, regulation, notification, condition, guideline, direction, advisory, circular of the Institute, or adoption of malpractices with regard to postal or oral tuition or resorting to or attempting to resort to unfair means in connection with writing of any examination conducted

2. Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

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by the Institute, or tampering with the Institute's record or database, writing or sharing information about the Institute on public forums, social networking or any print or electronic media which is defamatory or any other act which may harm, damage, hamper or challenge the secrecy, decorum or sanctity of examination or training or any policy of the Institute;

(ib) 'misconduct' in relation to a candidate undergoing practical training or any other training by whatever name called, as determined by the Council, means behaviour in disorderly manner in relation to the Institute or in or around the place where undergoing training, or breach of any provision of the Act, rule, regulation, notification, condition, guideline, direction, advisory, circular of the Institute, or tampering with Institute's record or database, writing or sharing information about the Institute on public forums, social networking or any print or electronic media which is defamatory, malpractice with regard to training or resorting to or attempting to resort to unfair means in connection with the undergoing training or seeking exemption from undergoing training or for breach of any policy, rule or regulation of the organisation in which he is undergoing training;]

(j) 'office' means the Headquarters of the Institute;

(k) 'registered student' means a person registered as a student under these or earlier regulations and includes a student registered as such with the dissolved company immediately before the commencement of the Act;

(l) 'schedule' means any of the schedule to these regulations;

(m) 'secretary' means the secretary of the Institute appointed under Sub-section (1) of Section 16 of the

Act and includes a Deputy Secretary, an Assistant Secretary or any person acting as Secretary under the directions of the Council;

(n) 'section' and 'sub-section' mean respectively a Section and Sub-section of the Act;

(o) all words and expressions used herein and not defined in these regulations but defined in the Act shall have the meanings respectively assigned to them in the Act.

Chapter II

Members

[3]**[3. Register of Members.-**

(1) The Institute shall maintain a Register of Members in the proforma referred to in Schedule 'A' manually or electronically or in any other mode as may be determined by the Council.

(2) The Register of Members shall contain full name, date of birth, domicile, professional address, residential address, membership number, date of acquiring membership, qualifications, certificate of practice number if holding, email id, mobile number, telephone number if any, and such other particulars as may be determined by the Council.

(3) The member shall communicate to the Institute any change of his details entered in the Register, within thirty days of such change].

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3. Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[**3. Register**

The Register of members of the Institute shall be maintained in the proforma as provided in Schedule A and every member shall be required to communicate to the Institute any change of professional address, within one month of such change.]

4. Qualification for members.-

(1) Associate members*:* No person shall be entitled to have his name entered in the Register as an Associate, unless he,-

[4][(a) omitted

(b) omitted

(c) omitted]

[5][(d) has passed examinations conducted by the dissolved company and has completed practical training either as prescribed in the earlier regulations or as prescribed in the Company Secretaries (Amendment) Regulations, 2020; or]

(e) has passed the qualifying examinations and completed the practical training as [6][prescribed in these regulations; or]

[7][(f) has passed such other examination and completed

4 Omitted by Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

[(a) was an Associate of the dissolved company immediately before the commencement of the Act; or

(b) was admitted as an Associate under the earlier regulations; or

(c) is a holder of the Diploma in Company Secretaryship awarded by the Government of India; or]

5 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[(d) has passed the examinations conducted by the dissolved company and has completed practical training either as specified in the earlier regulations or as provided in Chapter VII of these regulations; or]

6 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 3-2-2020 for the [specified in Chapter VII of these regulations; or]

7 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[(f) 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 the examination and training as specified in Chapter VI and VII of these regulations; [or]

such other training outside India as is recognised by the Central Government or the Council as being equivalent to the examination and training prescribed in these regulations; or]

[8][(g) had registered himself as a student with the Institute of Chartered Secretaries and Administrators, London on or before 31st December, 1972 and had passed the Final Examination or Professional Programme Examination of that Institute and had either possessed the required practical experience or undergone the prescribed practical training as stipulated for candidates passing the Final Examination or Professional Programme Examination conducted by the Institute; or

(h) is an Indian citizen who is a "person resident outside India" as defined [9][clause (w) of section 2 of the Foreign Exchange Management Act, 1999 (42 of 1999)] and has become a member of the Institute of Chartered Secretaries and Administrators, London, after passing the qualifying examination conducted by that Institute and had either possessed the required practical experience in India or abroad, or undergone the prescribed practical training as stipulated for the candidates passing the Final Examination or Professional Programme Examination conducted by the Institute.]

[10][(2) Fellow members:

(i) No person shall be entitled to have his name entered in the Register as a Fellow unless he,-

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8 Inserted by the Company Secretaries (Amendment) Regulations, 1984, Notification No. ICSI/710/1(M)/1, published in the Gazette of India, Extraordinary dated 30-03-1984.

9 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [clause (p) of section 2 of the Foreign Exchange Regulations Act, 1973 (46 of 1973)].

10 Substituted by the Company Secretaries (Amendment) Regulations,

(a) was a Fellow including Honorary Fellow of the dissolved company immediately before the commencement of the Act; or

(b) was admitted as a Fellow under the earlier regulations; or

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2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[(2) Fellow members: No person shall be entitled to have his name entered in the Register as a Fellow unless

(a) was a Fellow (including Honorary Fellow) of the dissolved company immediately before the commencement of the Act; or

(b) was admitted as a Fellow under the earlier regulations; or

(c) is an Associate and has been in continuous practice in India as a Company Secretary for at least five years; or

(d) is an Associate for a continuous period of not less than five years and possesses experience of not less than five years on the date of application in a supervisory position, of which at least three years shall be as a secretary or in a post considered equivalent or higher thereto by the Council in a company or body corporate having an aggregate paid-up capital of not less than rupees twenty-five lakhs; or

(e) is an Associate for a continuous period of not less than five years and possesses five years total experience in the disciplines of law, management or commerce, either in a Group A post in the Central Government or any equivalent post in the State Government or local Authority or in a supervisory position in any organization deemed by the Council as equivalent to the experience specified in clauses (c) or (d).

Provided that in the case of any person belonging to any of the classes mentioned in sub-regulations (1) or (2) who is not permanently residing in India, the Council may, by resolution, impose such further conditions as it may deem necessary or expedient.

Explanation — For purposes of clause (d) of sub-regulation (2), a body corporate shall include a statutory body, a society registered under any law relating to societies or a co-operative society registered under any law relating to co-operative societies and where such body corporate does not have any paid-up capital, general reserves of not less than rupees fifty lakhs shall be deemed to be equivalent to paid-up capital of rupees twenty-five lakhs].

(c) is an Associate and has been in continuous practice in India as a Company Secretary for at least five years; or

(d) is an Associate for a continuous period of not less than five years and possesses such qualifications or practical experience as may be determined by the Council.

(ii) No Associate member shall be admitted as a fellow member of the Institute, if; -

(a) he has been found guilty of any professional or other misconduct and his name has been removed from the Register or he has been imposed fine referred in sub-section (3) of sections 21A or sub-section (3) of section 21B at any time during the preceding five years on the date of application; or

(b) he has not completed such minimum numbers of Professional Development Credit Hours as may be determined by the Council:

Provided that in the case of any person belonging to any of the classes mentioned in sub-regulations (1) and (2), who is not permanently residing in India, the Council may, by resolution, determine, such further qualifications and conditions, as it may deem necessary or expedient.]

5. Application for membership.-

(1) [11][Any person who intends] to have his name entered in the Register as an Associate shall submit to the Secretary an application in the appropriate form.

(2) An Associate who desires to have his name entered in the Register as a Fellow, shall submit to the Secretary an application in the appropriate form.

11. Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [Every person who desires].

(3) The applicant shall furnish such further clarification as the Secretary or the Council may at any time require from him for purposes of considering his application for membership.

[12]**[6. Fees.-**

(1) [13][Any person] other than a person referred to in Sub-

12 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

[6. *Fees*

(1) Every person other than a person referred to in Sub-section (2) of Section 4 applying for an Associate membership of the Institute shall pay an entrance fee as specified in Schedule B.

(2) An Associate applying for admission as a Fellow [other than a person referred to in Sub-section (2) of Section 4] shall pay an entrance fee as specified in Schedule B.

(3) An Associate shall pay an annual membership fee as specified in Schedule B.

Provided that only half the amount of the annual membership fee shall be payable for the first year by a person admitted on or after the first day of October of that year.

Provided further that an associate who is of the age of fifty-five years or above and is not in any gainful employment or in practice shall pay half of the annual membership fee.

(4) A Fellow shall pay an annual membership fee as specified in schedule B.

Provided that in respect of any year in which an Associate applies for admission as a Fellow he shall pay to the Institute the difference between the annual membership fee, if any, paid by him as an Associate for that year and the fee payable by him as Fellow.

Provided further that a Fellow who is of the age of fifty-five years or above and is not in any gainful employment or in practice shall pay half of the annual membership fee.

(5) Every members entitled to obtain a certificate of practice shall pay an annual certificate fee for holding the certificate of practice as specified in Schedule B.

Provided that only half the amount of the annual certificate fee shall be payable for the first year by a member for obtaining certificate of practice on or after the first day of October of that year.

(6) The annual membership fee and annual certificate fee payable by a member under sub-regulations (3), (4) and (5) shall become due and payable on the first day of April in each year.]

13 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [Every person].

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section (2) of Section 4 of the Act applying for Associate membership of the Institute shall pay an entrance fee as may be determined by the Council under Sub-section (3) of Section 4 of the Act.

(2) An Associate applying for admission as a Fellow [other than a person referred to in Sub-section (2) of Section 4] shall pay an entrance fee as may be determined [14][by notification] by the Council under Sub-section (3) of Section 5 of the Act.

(3) The annual membership fee shall become due on the first day of April in each year.

(4) Every member shall pay such annual membership fee [15][along with such certificate of living and Know Your Member (KYM) declaration in appropriate Form] as may be determined by the Council under Sub-section (4) of Section 19 of the Act:

Provided that in respect of any year in which an Associate applies for admission as a Fellow he shall pay to the Institute the difference between the annual membership fee, if any, paid by him as an Associate for that year and the fee payable by him as a Fellow:

Provided further that only half the amount of the annual membership fee shall be payable for the first year by a person admitted on or after the first day of October of that year:

[16][Omitted]

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14 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

15 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

16 Omitted by Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.
[Provided also that a member who is of the age of sixty years or above and is not in any gainful employment or in practice shall pay half of the annual membership fee:]

Provided also that a member who is of the [17][age of seventy years or above] shall pay one fourth of the annual membership fee.

[18][Provided also that a member, who is physically challenged, irrespective of his age, shall pay half of the annual membership fee on submission of disability certificate issued by the competent authority;

Provided also that if a member is physically challenged and is also of the age of seventy years or above, shall pay one-eighth of the annual membership fee on submission of a declaration and a disability certificate issued by the competent authority.]

(5) (a) The annual fee for certificate of practice shall become due on the first day of April in each year.

(b) Every member in practice shall pay such annual certificate of practice fee, as may be determined by the Council under Sub-section (2) of Section 6 of the Act:

Provided that only half the amount of the annual certificate fee shall be payable for the first year by a member for obtaining certificate of practice on or after the first day of October of that year.]

7. Refund of fees.-

Every person whose application for admission to the membership of the Institute or for issue of certificate of practice is not accepted by the Council, shall be entitled to refund of the fees paid by him [19][after deducting administrative charges as may be determined by the Institute].

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17 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [age of seventy years or above and is not in any gainful employment or in practice]

18 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

19 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

[20]**[8. Non-payment of dues.-**

(1) Annual fee: Any person who has not paid his annual membership fee on or before thirtieth June of that year his name shall be removed from the Register from the first day of July of that year without any further notice.

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20 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[**8. Non-payment of dues**

(1) *Annual fee:* Any person who has not paid his annual membership fee or annual certificate fee on or before thirtieth June of that year shall be liable to his name being removed from the Register with effect from first July of that year without any further notice.

(2) *Other dues:* Any person who has not paid the admission fee or other dues payable to the Institute as a member within three months from the date of which such dues have become due and payable to the Institute shall be liable to have his name being removed from the Register on the expiry of the said period of three months.

9. Certificate of membership

(1) On an application for membership being accepted by the Council, an applicant's name shall be entered in the register and a Certificate of Membership in the appropriate form shall be issued to him by the Council.

(2) A member whose name is removed from the register under any of the provisions of the Act or these regulations, shall surrender forthwith the Certificate of Membership then held by him to the Secretary.

10. Certificate of practice

(1) A member of the Institute may apply to the Council in the appropriate form for issue of a certificate of practice entitling him to practise as a Company Secretary anywhere in India.

(2) On acceptance of the applications by the council for issue of certificate of practice, the certificate shall be issued in the appropriate form and shall be valid until it is cancelled.

(3) In the case of renewal of the certificate of practice, the Secretary shall issue a letter extending the validity period of the certificate of practice for that year in the appropriate form.

(4) A member who ceases to be in practice shall not later than thirty days from the date he ceases to be in practice intimate the fact to the Council in writing.

(5) A member who ceases to be in practice or whose certificate of practice has been cancelled under Regulation 11 shall surrender forthwith the certificate then held by him to the Secretary.

(2) Other dues: Any person who has not paid the fine, penalty or any other dues payable to the Institute as a member within ninety days from the date of notice of such outstanding

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11. Cancellation of certificate of practice

(1) A certificate of practice issued under Sub-section (1) of Section 6 of the Act shall be liable for cancellation, if –

(a) the name of the holder of the certificate is removed from the Register under Sub-sections (1) and (2) of Section 20 of the Act; or

(b) 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 provided by the applicant, or by mistake or inadvertence on the part of the Council; or

(c) a member has ceased to practise; or

(d) a member has not paid annual fee for certificate of practice till 30th day of September of the relevant year.

(e) A member has not complied with the guidelines issued by the Council from time to time.

(2) The cancellation of a certificate shall be effective, –

(a) in a case falling under clause (a) of sub-regulation (1), on the date on which and during the period for which the name of the holder of the certificate was removed from the Register of members;

(b) in a case falling under clause (d) 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 October; and

(c) in any other case from such date and for such period, as may be decided by the Council;

(3) When a certificate is cancelled, the date from which and the period for which the certificate shall stand cancelled shall be communicated in writing by registered post to the member concerned at the address entered in the Register and may also be published in the Journal.

(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 published in the Journal, whichever is later, under sub-regulation (3).

12. Notification of removal of membership

The removal of the name of any person from the Register shall be communicated in writing to him by registered post to the address entered in the Register and may also be published in the Journal].

amount, his name shall be removed from the Register on the expiry of the said period of ninety days.

9. Certificate of membership.-

(1) On acceptance of application for membership by the Council, full name, date of birth, domicile, professional address, residential address, membership number, date of acquiring membership, qualifications, email id, mobile number, telephone number if any, and such other particulars as may be determined by the Council shall be entered in the Register and a Certificate of Membership in the appropriate form shall be issued to him by the Council.

(2) A member whose name is removed from the Register under any of the provisions of the Act or these regulations shall surrender the Certificate of Membership then held by him to the Secretary within fifteen days from the date of receipt of notice of such removal or cancellation and shall not use or display or continue to use or display the same certificate or membership number in any manner.

10. Certificate of Practice.-

(1) A member, after successful completion of Orientation Programme in such manner and mode as may be determined by the Council, may apply to the Institute in the appropriate form for issue of a certificate of practise entitling him to practise as a Company Secretary anywhere in India.

(2) Upon acceptance of the application by the Institute received under sub-regulation (1), the certificate shall be issued in the appropriate form which shall be valid until it is cancelled.

(3) In the case of renewal of the certificate of practice, after acceptance of the application by the Institute, the Secretary shall issue a letter extending the validity period of the certificate of practice for that year in the appropriate form.

(4) The request of member who surrenders his certificate of practice will be considered only on receipt of the original certificate.

(5) A member who ceases to be in practice or whose certificate of practice has been cancelled under regulation 11 except clause (d) of regulation 11 shall surrender the certificate then held by him to the Secretary within fifteen days from the date of receipt of notice of such cancellation and shall not use or display or continue to use or display the same certificate or membership number in any manner.

11. Cancellation of certificate of Practice.-

(1) A certificate of practice issued under sub-section (1) of section 6 of the Act shall be liable for cancellation, if –

(a) the name of the holder of the certificate is removed from the Register under sub-sections (1) and (2) of section 20 of the Act; or

(b) 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 provided by the applicant, or by mistake or inadvertence on the part of the Institute ; or

(c) a member who ceased to practice; or

(d) a member who has surrendered his Certificate of Practice; or

(e) a member who has not paid annual fee for renewal of certificate of practice till 30th day of June of the relevant year; or

(f) a member who has not complied with the guidelines of the Council; or

(g) a member who ceases to be an Indian National.

(2) The cancellation of a certificate shall be effective, –

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(a) in a case falling under clause (a) of sub-regulation (1), on the date on which and during the period for which the name of the holder of the certificate was removed from the Register of members;

(b) in a case falling under clause (e) of sub-regulation (1), from the 1st day of July of the relevant year without any notice; and

(c) in any other case, from such date and for such period, as may be determined by the Council.

(3) When a certificate is cancelled, the date from which and the period for which the certificate shall stand cancelled shall be communicated in writing by registered post or speed post or courier or by any electronic mode to the member concerned at his professional address and email id available in the Register and may also be published in the Journal or hosted on the website of the Institute.

(4) Where a certificate of practice is cancelled under regulation 11 except clause (1)(d) of regulation 11, the holder of such certificate shall return the certificate to the Secretary within fifteen days from the date of receipt of notice of such cancellation and shall not use or display or continue to use or display the same certificate or membership number in any manner.

(5) The request of member who surrenders his certificate of practice will be considered only on receipt of the original certificate.

12. Notification of removal of membership.-

The removal of the name of any member from the Register shall be communicated in writing to him by registered post or speed post or courier or by any electronic mode at the professional address and email id available in the Register and may also be published in the Journal or hosted on the website of the Institute].

[21]**[13. Restoration of membership.-**

(1) The Council may, on an application in the appropriate form, received in this behalf from a member whose name stood removed from the Register of members of the dissolved company or under clause (c) of Sub-section (1) of Section 20 of the Act, for non-payment of fees may restore his name, if he is otherwise eligible to such membership, on his paying the arrears of annual membership fee, entrance fee and additional fee as may be determined by the Council under Sub-section (3) of Section 20 of the Act.

(2) The restoration under sub-regulation (1) shall be effected from the date on which the application [22][alongwith] fee are received:

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21 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

[13. *Restoration of membership*

(1) A person whose name has been removed from the Register or stood removed from the Register of members of the dissolved company for non-payment of fees, may apply in the appropriate form to the Council for restoration of his name in the Register, if he is otherwise eligible for the membership of the Institute.

(2) Such person shall also pay to the Council before such restoration;—

(a) the admission fee and other dues, if any;

(b) the arrears of annual membership fee, due to the Council or to the dissolved company for previous year if any;

(c) the annual membership fee for the year in which he seeks restoration, if any; and

(d) a restoration fee as specified in Schedule B.

(3) On receipt of his application for restoration of his name in the Register and the dues, if any, as provided in sub-regulation (2), the Council may restore his name in the Register from the date of removal or from such other date as it deems fit.

Provided that the restoration of the name of a person removed under clause (d) of Sub-section (1) or Sub-section (2) of Section 20 shall be effected only in accordance with the orders passed by the Council or the High Court, as the case may be.

(4) On acceptance of application for restoration, the restoration of name in the Register shall be communicated in writing to the person concerned and may also be published in the Journal.]

22 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [and].

Provided that where such an application for restoration, complete in all respects, is received within the same year in which the name was removed, the Council may restore the name on his paying the annual membership fee due for that year, entrance fee and the additional fee for restoration, 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 Board of Discipline or the Disciplinary Committee or the Appellate Authority [23][or any Tribunal or a Court] shall be effected only in accordance with such orders.

[24][(3) The restoration of a member's name to the register shall be communicated in writing to him by registered post or speed post or courier or by any electronic mode and may also be published in the journal or hosted on the website of the Institute].

[25]**[14. Restoration of Certificate of practice.-**

(1) The Council may, on an application made in appropriate form and on payment of such fee, as may be determined by the Council under Sub-section (3) of Section 20 of the Act, 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 non-payment of the annual fee for the certificate of practice and whose application, complete in all respects, together with the fee, is received by the Secretary before the expiry of the relevant year.

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23 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [or the High Court].

24 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[(3) The restoration of a member's name to the register shall be communicated in writing to him and may also be published in the journal.]

25 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

[14. *Restoration of Certificate of practice*

(1) A member whose certificate of practice has been cancelled may

[26][(2) On acceptance of the application for restoration, the restoration of certificate of practice shall be communicated in writing to the person concerned by registered post or speed post or courier or by any electronic mode and may also be published in the Journal or hosted on the website of the Institute].]

Chapter III

Complaints and Enquiries against Members

15. Complaints and enquiries relating to professional or other misconduct of members.-

[27][Applicable to a complaint or information pending before the Council or any inquiry initiated by the Disciplinary Committee or any reference or appeal made to a High Court prior to 17.11.2006.].

(1) Subject to the provisions of this regulation, any complaint received against a member of the Institute under Section 21 shall be investigated, and any enquiry relating to misconduct of such member shall be held, by the Disciplinary Committee.

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apply for its restoration if he is otherwise eligible for such restoration, by paying the arrears of the annual certificate fees for the previous years, if any, and the annual certificate fee for the year in which his certificate of practice is required to be restored, subject to a maximum amount of rupees two hundred and a restoration fee as specified in Schedule B.

(2) The Council may, on receipt of such application and the dues, if any, restore the certificate of practice from the date of its cancellation or from such other date as it deems fit.

(3) On acceptance of the application for restoration, the restoration of certificate of practice shall be communicated in writing to the person concerned and may also be published in the Journal.]

26 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[(2) On acceptance of the application for restoration, the restoration of certificate of practice shall be communicated in writing to the person concerned and may also be published in the Journal].

27 Inserted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010.

Provided that if the subject matter of a complaint is, in the opinion of the President, substantially the same as or has been covered in any previous information or complaint received, the Secretary may file the complaint without any further action or inform the complainant, accordingly, as the case may be.

(2) A complaint under Section 21 shall be made to the Council in the appropriate from, duly verified as required therein.

(3) Every complaint shall contain the following particulars, namely-

(a) the acts or omissions which, if proved, would render the member complained against guilty of any professional or other misconduct;

(b) the oral and/or documentary evidence relied upon in support of the allegations made in the complaint.

(4) Every complaint other than a complaint made by or on behalf of the Central or any State Government, shall be accompanied by a deposit of rupees fifty which shall be forfeited, if the Council, after considering the complaint, comes to the conclusion that no *prima facie* case is made out and, moreover, that the complaint is either frivolous or has been made with *mala fide* intention.

(5) The Secretary shall return a complaint which is not in the proper form or which does not contain the aforesaid particulars or which is not accompanied by the deposit of rupees fifty to the complainant for resubmission after compliance with such requirements and within such time as the Secretary may specify.

(6) Ordinarily within sixty days of the receipt of a complaint under Section 21 the Secretary shall,-

(a) if it is against an individual member send particulars of the acts of omissions alleged or a copy of the complaint, as the case may be, to such member at his address as entered in the Register;

(b) if it is against a firm, send particulars of the acts or omissions or a copy of the complaint, as the case may be, to the firm concerned at the address of the head office of the firm as entered in the Register of offices and firms which a notice calling upon the firm of disclose the name(s) of the member(s) concerned and to send particulars of acts or omissions or a copy of the complaint, as the case may be to such member(s).

Explanation-A notice shall be deemed to be a notice to all the members who are partner or employees of that firm.

(7) A member who has been intimated of the complaint made against him under sub-regulation (6) (hereinafter referred to as the respondent) shall, within fourteen days of issue of such intimation or within such further time as the Secretary may allow, forward to the Secretary a written statement in his defence verified in the same manner as the complaint.

(8) On a perusal of the complaint and written statement in any, the Secretary may call for such additional particulars or documents connected there with either from the complainant or the respondent, as he may consider necessary or as may be directed by the President, for perusal of the Council.

(9) Where on a perusal of the complaint, the written statement, if any, of the respondent and other relevant documents and papers, the Council is *prima facie* of opinion that any member has been guilty of professional or other misconduct, the Council shall cause an enquiry to be made in the matter by the Disciplinary Committee and where the Council is *prima facie* of opinion that there is no case against the respondent, the case shall be dismissed and the complainant, if any, and the respondent shall be informed accordingly.

Provided that the Council may, if deemed necessary, call for any additional particulars or documents connected therewith from the complainant, if any, or the respondent.

(10)(i) Every notice issued by the Secretary or by the

Disciplinary Committee under this Regulation shall be sent to the member or the firm concerned by registered post with acknowledgement due.

(ii) If the notice is returned unserved with an endorsement to the effect that the addressee had refused to accept the notice, it shall be deemed to have been served.

(iii) If the notice is returned with an endorsement indicating that the addressee cannot be found at the address given, the Secretary shall ask the complainant to supply to him the correct address of the member or firm concerned and send a fresh notice to the member or firm at the address so supplied.

(11) The provision relating to a notice shall apply *mutatis mutandis* to a letter.

[28]**[15A. Fee and procedure for investigation of a complaint or information to be followed by the Director (Discipline), Disciplinary Directorate and procedure for inquiry by the Disciplinary Committee.-** [Applicable to a complaint or information received on or after 17-11-2006.]

(1) Every complaint other than a complaint filed by or on behalf of the Central Government or any State Government, or any statutory authority shall be accompanied by a fee of rupees two thousand five hundred.

(2) Each such complaint or information shall be dealt with in accordance with the procedure specified in the Company Secretaries (Procedure of Investigations of Professional and Other Misconduct and Conduct of Cases) Rules, 2007.]

16. Information relating to misconduct of members.-

[29][Applicable to the complaint or information pending before

28 Inserted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010.

29 Inserted by the Company Secretaries (Amendment) Regulations, 2010,

the Council or any inquiry initiated by the Disciplinary Committee or any reference or appeal made to a High Court prior to 17.11.2006].

The procedure laid down in Regulation 15 shall, so far as may be, apply to any information received under Section 21.

17. Time limit for entertaining complaint or information.-

[30][Applicable to the complaint or information pending before the Council or any inquiry initiated by the Disciplinary Committee or any reference or appeal made to a High Court prior to 17.11.2006.]

Save in cases of misconduct involving moral turpitude or in cases instituted by the Central Government or any State Government, the Council may refuse to entertain any complaint or information in respect of misconduct made more than ten years after the same was alleged to have been committed, where the Council is satisfied that there would be difficulty in securing proper evidence of the alleged misconduct or that the member against whom the information has been received or the complaint has been field, would find it difficult to lead evidence to defend himself on account of the time lag, or that changes have taken place rendering the enquiry procedurally inconvenient or difficult.

18. Procedure in enquiry before the Disciplinary committee.-

[31][Applicable to the complaint or information pending before the Council or any inquiry initiated by the Disciplinary Committee or any reference or appeal made to a High Court prior to 17.11.2006].

Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010.

30 Inserted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010.

31 Inserted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010.

(1) It shall be the duty of the Secretary to place before the Disciplinary Committee all facts brought to his knowledge which are relevant for the purpose of any enquiry by the Disciplinary Committee.

(2) The Disciplinary Committee shall have the power to regulate its procedure in such manner as it considers necessary and during the course of enquiry, may examine witnesses on oath and receive evidences on affidavits and any other oral or documentary evidence, exercising its powers as provided in Sub-section (8) of Section 21.

(3) The Disciplinary Committee shall give the complainant and respondent a notice of the meeting at which the case shall be considered by the Committee.

(4) Such complainant and respondent may be allowed to defend themselves before the Disciplinary Committee either in person or through a legal practitioner or any other member of the Institute.

(5) Where, in the course of a disciplinary enquiry, a change occurs in the composition of the Disciplinary Committee, unless any of the parties to such enquiry makes a demand within fifteen days of receipt of a notice of a meeting of such Disciplinary Committee, that the enquiry be made *de novo* report of the Disciplinary Committee shall be called in question on the ground that any member of the Disciplinary Committee did not possess sufficient knowledge of the facts relating to such inquiry.

(6) The Disciplinary Committee shall after investigation report the result of its enquiry to the Council for its consideration.

19. Procedure in a hearing before the Council.-

(1) The Council shall consider the report of the Disciplinary Committee and if in its opinion, a further enquiry is necessary, may cause such further enquiry to be made and a further report submitted by the Disciplinary Committee.

(2) After considering such report or further report of the Disciplinary Committee, as the case may be, where the Council finds that the respondent is not guilty of any professional or other misconduct, it shall record its findings accordingly and direct that the proceedings shall be filed or the complaint shall be dismissed as the case may be.

(3) After considering such report or further report of the Disciplinary Committee, as the case may be, where the Council finds that the respondent has been guilty of a professional or other misconduct, it shall record its findings accordingly and shall proceed in the manner as laid down in the succeeding sub-regulations.

(4) Where the finding is that the member of the Institute has been guilty of a professional or other misconduct, the Council shall afford to the member an opportunity of being heard before orders are passed against him in the case. The Council after hearing the respondent, if he appears in person or after considering the representations, if any, made by him, pass such orders as it may think fit, as provided under Sub-section (4) of Section 21.

(5) The orders passed by the Council shall be communicated to the complainant and the respondent.

[32][Chapter IV

Registration of Students

19A. Programme of Company Secretaryship Course.-

The Company Secretaryship Course shall have two programmes, namely:-

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32 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

Chapter IV

Registered Students

20. Conditions for registration

(1) In order to become eligible for registration as a student an applicant shall apply in the appropriate form alongwith the Foundation examination exemption fee, if applicable, student registration fee, annual subscription, if applicable, postal tuition fee and other fees, as determined by the Council from time to time in respect of services to be rendered and produce evidence to the satisfaction of the Council that he,-

(a) is not less that seventeen years of age on the date of his application, and

(b) has passed the Foundation examination of the Institute or is eligible for exemption therefrom in accordance with these regulations.

Provided that persons whose registration as students with the dissolved company or with the Institute under the earlier regulations is current immediately prior to the commencement of these regulations, shall on payment of arrears of annual subscription, if any, due from them, be registered as students under these regulations without the payment of any student registration fee for the unexpired portion of the period of five years registered by the dissolved company or the Institute under the earlier regulations, as the case may be.

(2) A person applying for registration shall obtain an identity card and also give an undertaking that he shall, as a registered student, conduct himself in a manner befitting the ideals and standards of the profession of Company Secretaries generally and as specified by the Council from time to time and shall abide by such bye-laws or other standing orders as may be framed by the Council and made applicable to him from time to time.

(2A) A person who has appeared or enrolled himself for appearing in the degree examination in any discipline other than Fine Arts or an examination recognised by the Central Government as equivalent thereto may be provisionally enrolled for undergoing coaching for the Executive Programme.

Provided that the provisional enrolment for undergoing coaching for the Executive Programme shall be confirmed after satisfactory proof of having passed the aforesaid examination has been furnished by him to the Secretary within a period of six months from the date of provisional enrolment ;

Provided further that if such a person fails to produce such proof within the aforesaid period, his provisional enrolment shall be cancelled and no tuition or any other fee paid by him shall be refunded and no credit shall be given for the coaching undergone by him]

(3) [*****]

(4) Every person whose application for registration is not accepted by the Secretary shall be entitled to a refund of the fee paid by him, subject to deduction of such administrative charges as the Council may from time to time determine.

21. Registration as a student and time limit for completing

examinations

(1) *Registration period:* Every person applying to become a registered student shall be registered in accordance with these regulations for a period of five years from the month in which his application, complete in all respect, is accepted by the Secretary for registration.

(2) *Time limit for completing examinations:* A registered student shall be required to complete the Intermediate examination [or Executive Programme examination] and Final examinations or [Professional Programme examinations] within the registration period.

(3) *Termination of registration:* The registration of a student shall terminate on the expiry of five years or at the end of the year in which the student has completed the Final Examination or Professional Programme Examination whichever is earlier.

Provided that the Council may, subject to such guidelines as may be laid down in this behalf, extend the registration period of a student beyond five years.

22. Registration *de novo*

A person whose registration has been cancelled under sub-regulation (3) of Regulation 21 or Regulation 27 may, within two years of cancellation of his former registration, apply with registration fee [postal tuition fee, service charge and other fee, if any], as provided under Regulation 24 in the appropriate form to become a registered student *de novo,* and on his application being accepted by the Secretary, he shall be deemed for all purposes to have been admitted as a fresh registered student except that he shall be entitled to claim exemption, without payment of any exemption fee, from individual subjects or groups of the Intermediate and/or Final examination, previously secured by him under his former registration with the dissolved company or the Institute, as the case may be.

Provided that if a person applies after two years of the expiry of his former registration but in any case within five years thereof, the Council may, subject to such guidelines as may be laid down in this behalf, allow him to be registered *de novo* subject to the payment of [registration fee, postal tuition fee, service charges, other fee, if any, as provided under Regulation 24] and exemption fee for the individual subjects or groups of the Intermediate or Executive Programme and Final examinations or Professional Programme Examination in which he secured exemption during his former registration.

23. Status of registered students

The registration of a person as a student shall not confer on such person any rights of a member nor entitle him to claim any form of membership of the Institute of its Regional Council or Chapter, as the case may be.

Provided that such student may be permitted to borrow books from the library of the Institute, Regional Council or Chapter or participate in the activities of the Institute, its Regional Council or Chapter, as the case may be subject to such conditions as may be imposed by the Council,

Regional Council or Chapter, as the case may be.

24. Fees by registered students

(1) Every person registered as a student prior to the commencement of these regulations shall be required to pay an annual subscription as may be determined by the Council from time to time which shall be due and payable on the first day of April in each year.

(2) All other fees payable by an applicant for any examination or for registration as a student or by a registered student for particular services to be rendered to him shall be as determined by the Council, from time to time.

(3) The non-payment of any dues to the Institute by a registered student within three months from the date on which it becomes due shall render his registration as a student liable to be cancelled.

25. Restoration of studentship

The Council may, on a request made to it by a person whose registration has been cancelled in pursuance of sub-regulation (3) of Regulation 24 restore his registration, if he is otherwise eligible thereto, on payment before such restoration of the annual subscription for the year during which his registration is restored, all arrears on account of the annual subscription not exceeding rupees one hundred, all other dues and a restoration fee as may be determined by the Council from time to time.

Provided that no restoration of registration shall be effected unless the request for such restoration is received complete in all respects within two years from the date on which registration was liable to be cancelled under these regulations.

26. Examination requirements

(1) Registered students shall be required to comply with such conditions relating to examinations as may be laid down by the Council from time to time.

(2) *Admission to examination, expulsion and withholding of results.*

(a) The examination Committee or a person authorized by it in this behalf may, for reasons to be recorded in writing,-

(i) refuse to admit a candidate to an examination; or

(ii) admit him to an examination subject to such conditions as it or he may consider to be reasonable in the circumstances of a case; or

(iii) expel him from an examination hall, after he has been admitted to it in the usual course.

(b) Notwithstanding the fact that a candidate has obtained the minimum number of marks for passing an examination, the Examination Committee may, for reasons to be recorded in writing, withhold his result.

(c) Any order passed by the person authorized by the Examination

(1) Executive Programme; and

(2) Professional Programme:

Provided that the Institute may review the Programmes mentioned above and modify the same in such manner as may be determined by the Council.

20. Conditions for registration to the Executive Programme.-

(1) In order to become eligible for registration as a student of Executive Programme, an applicant, who is an Indian

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Committee may be reviewed by it and any order passed by the Examination Committee may be reviewed by the Council.

27. Suspension and cancellation of examination results or registration

In the event of any misconduct by a registered student or a candidate enrolled for any examination conducted by the Institute, the Council or the Committee concerned may *suo moto* or on receipt of a complaint, if it is satisfied that, the misconduct is proved after such investigation as it may deem necessary and after giving such student or candidate an opportunity to state his case suspend or debar the person from appearing in any one or more examinations, cancel his examination result, or studentship registration, or debar him from future registration as a student, as the case may be.

Explanation–Misconduct for the purpose of this Regulation shall mean and include behaviour in a disorderly manner in relation to the Institute or in or near an Examination premises/centre, breach of any regulation, condition, guideline or direction laid down by the Institute, malpractices with regard to postal or oral tuition or resorting to or attempting to resort to unfair means in connection with the writing of any examination conducted by the Institute.

28. Coaching administration and training

(1) The Council may arrange for imparting oral or postal tuition or training to registered students and for this purpose establish and operate a coaching administration by whatever name called, frame guidelines in connection therewith and charge such fee as it may from time to time determine.

(2) The coaching administration shall at all time function subject to the control, supervision and direction of the Council and the Training and Educational Facilities Committee.

(3) The fee payable for imparting postal tuition shall be, as may be determined by the Council from time to time.

National, shall apply in the appropriate form, along with the student registration fee, annual subscription, if applicable, education fee and such other fees, as may be determined by the Council and shall also produce proof to the satisfaction of the Council that he,-

(i) has passed Senior Secondary Examination (10+2 system) conducted by an examining body constituted by law in India or an examination recognised by the Central Government or State Government or equivalent thereto for the purposes of admission to Bachelor's degree course and has complied with such requirements as may be determined by the Council; and

(ii) has passed Company Secretary Executive Entrance Test (CSEET) conducted by the Institute in such manner, mode and eligibility as may be determined by the Council or any other test or examination recognised or equivalent thereto or exempted therefrom by the Council:

Provided that from the date of the introduction of the Company Secretary Executive Entrance Test under these regulations, all the students of Foundation Programme having valid registrations immediately before the date of introduction of the Company Secretary Executive Entrance Test, may be given such relaxation for number of attempts in the Foundation Programme Examination or allowed to appear in the Company Secretary Executive Entrance Test as may be determined by the Council:

Provided further that the number of attempt or relaxation in the Foundation Programme Examination shall in no case be beyond the date of expiry of his registration.

(2) Notwithstanding anything contained in sub-regulation (1), the Council may allow a person of foreign national to seek registration in the Company Secretaryship Course.

(3) A person making an application for registration shall obtain an identity card and give an undertaking that he shall, as a registered student, conduct himself in a manner befitting the ideals and standards of the profession of Company Secretaries and shall abide by the guidelines and orders of the Council.

(4) Every person whose application for registration is not accepted by the Secretary for the reasons to be recorded thereon in writing shall be entitled for refund of the fee paid by him, subject to deduction of such administrative charges as the Council may determine.

21. Registration of student and time limit for completing examinations.-

(1) A person applying to become a registered student shall be registered in accordance with the provisions of these regulations for a period of five years from the month in which his application, complete in all respects, is accepted by the Secretary for registration.

(2) A registered student shall be required to complete the Executive Programme examination and Professional Programme examination within the registration period referred in sub-regulation (1).

(3)The registration of a student shall stand terminated on the expiry of said registration period of five years:

Provided that he shall be required to keep the validity of registration renewed in terms of regulations 22 and 23 on payment of such fee as may be determined by the Council in order to complete the course or the training or any other requirement or for claiming exemption or for completing formalities required to be eligible to become a member of the Institute.

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22. Registration de novo and re-registration.-

A student whose registration has been terminated under sub-regulation (3) of regulation 21, may within five years of termination of his registration, apply with such education fee, service charge and other fee, as may be determined by the Council subject to the provisions of regulation 25 in the appropriate form to become a registered student de novo, and on his application being accepted by the Secretary, he shall be deemed for all purposes to have been admitted as a fresh registered student except that he shall be entitled to claim exemption, without payment of any exemption fee, from individual subject or group or module of the Executive Programme Examination and Professional Programme Examination, previously secured by him under his former registration with the Institute, as the case may be:

Provided that where a student applies after the expiry of five years period from the date of lapse of registration but has passed Intermediate Course or Executive Programme under any syllabus, he may seek re-registration to Professional Programme on the terms and conditions as may be determined by the Council.

23. Continuation of registration.-

A student who has passed Professional Programme examination and whose registration has been terminated under sub-regulation (3) of regulation 21 shall apply to the Institute for continuation of his registration as a student to complete the course or training or any other training related requirements or exemption thereto on payment of such fee as may be determined by the Council, so as to become entitled to be enrolled as member of the Institute.

24. Status of registered student.-

The registration of a person as a student shall neither confer on such person any right of a member nor entitle him to claim

any form of membership of the Institute or its Regional Council or Chapter, as the case may be:

Provided that such student may be permitted to borrow books from the library of the Institute, Regional Council or Chapter or participate in the activities of the Institute, its Regional Council or Chapter, as the case may be, subject to such conditions as may be determined by the Council, Regional Council or Chapter, as the case may be.

25. Fees by registered student.-

(1) A person registered as a student shall be required to pay such fee and other subscription as may be determined by the Council which shall be due and payable to the Institute.

(2) All other fees payable by an applicant for any examination or for registration as a student or by a registered student for particular services to be rendered to him shall be such as may be determined by the Council.

26. Examination requirements.-

(1) A registered student shall be required to comply with such conditions relating to examinations as may be determined by the Council.

(2) The Examination Committee or a person authorized by it in this behalf may, by an order in writing and for reasons to be recorded therein,-

(a) refuse to admit a candidate to an examination; or

(b) admit him to an examination subject to such conditions as it or he may consider to be reasonable in the circumstances of a case; or

(c) expel him from an examination, after he has been admitted to it in the usual course; or

(d) take any other action as may be deemed fit.

(3) Notwithstanding the fact that a candidate has obtained

the minimum number of marks for passing an examination, the Examination Committee may, for reasons to be recorded in writing, withhold or cancel his result.

(4) Any order made under sub-regulation (2), by the person authorised by the Examination Committee may be reviewed by the Committee and any order passed by the Examination Committee may be reviewed by the Council.

27. Suspension and cancellation of examination result or registration.-

In the event of any misconduct by a registered student or a candidate enrolled for any examination conducted by the Institute, the Council or any Committee formed by the Council in this regard, may *suo-moto* or on receipt of a complaint, if it is satisfied that, the misconduct is proved after such investigation as it may deem necessary and after giving such student or candidate an opportunity of being heard, suspend or debar him from appearing in any one or more examinations, cancel his examination result, or registration as a student, or debar him from re-registration as a student, or take such action as may be deemed fit.

28. Teaching and training administration.-

(1) The Institute may determine and arrange for imparting teaching or training or both, for such period as may be determined by it, through postal, class room, electronic mode or any other mode.

(2) The Institute for this purpose may establish and operate teaching and training administration by whatever name called, make guidelines and charge such fee as may be determined by the Council.

(3) The Institute may determine the criteria for selection and registration of a trainer or an organisation or an entity for imparting training to the students.

(4) The teaching and training administration shall function under the supervision, control and direction of the Institute].

[33][Chapter IVA

Institute of Company Secretaries of India (ICSI) – Secretarial Executive Certificate

28A. Institute of Company Secretaries of India (ICSI) - Secretarial Executive Certificate.-

(1) Institute may award Institute of Company Secretaries of India (ICSI) - Secretarial Executive Certificate to a student, who has:-

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33 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[Chapter IVA

Corporate Compliance Executive Certificate-ICSI

28A. Corporate Compliance Executive Certificate

(1) A registered student of the Institute who has passed the Foundation examination and such papers of the Intermediate Examination or Executive Programme Examination or Executive programme as may be decided by the Council from time to time or exempted therefrom and has completed the training requirements and attended the professional development programmes or such other programmes as may be decided by the Council from time to time may apply for award for the Corporate Compliance Executive Certificate and on his application being accepted by the Secretary and on payment of the requisite fee as may be determined by the Council from time to time, may be awarded Corporate Compliance Executive Certificate of the Institute and shall be entitled to use the descriptive letters `Corporate Compliance Executive'.

(2) The student shall have to complete the course of Corporate Compliance Executive Certificate including the training requirements within the registration period.

(3) The person having awarded the Corporate Compliance Executive Certificate may continue to pursue the regular Company Secretaryship course if he so desires.

(4) Except to the extent provided in this Chapter or as decided by the Council from time to time, regulations in Chapter IV and VI relating to `Registered Students' and `Examinations' shall mutatis-mutandis apply to the 'Corporate Compliance Executive Certificate Course'

(5) A student after having awarded the Corporate Compliance Executive Certificate shall secure such number of Programme Credit Hours (PCSH)

(i) passed the Executive Programme;

(ii) completed Executive Development Programme or any other equivalent programme as determined by the Council and such Practical Training as is prescribed under these regulations or exempted therefrom; and

(iii) made an application in such manner and mode alongwith such fee as may be determined by the Council.

(2) A student having awarded the Institute of Company Secretaries of India (ICSI) - Secretarial Executive Certificate shall be entitled to use the description "Institute of Company Secretaries of India (ICSI) - Secretarial Executive".

(3) A Institute of Company Secretaries of India (ICSI) - Secretarial Executive may continue to pursue the regular Company Secretaryship course.

(4) A Institute of Company Secretaries of India (ICSI) - Secretarial Executive shall secure such number of Professional Development Credit Hours on annual basis as the Council may determine, for renewal of Institute of Company Secretaries of India (ICSI) -Secretarial Executive Certificate.

(5) The grant of Institute of Company Secretaries of India (ICSI) - Secretarial Executive Certificate shall neither confer on such Secretarial Executive any right of a member, nor entitle him to claim membership of the Institute:

Provided that the Council may grant such recognition to the Institute of Company Secretaries of India(ICSI) - Secretarial Executive as may be determined by it.

(6) Notwithstanding anything contained in this regulation, the Institute may, on fulfilling such conditions as may be determined by the Council, award Institute of Company

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as the Council may determine from time to time, for renew of Corporate Compliance Executive Certificate .

28B. Status of holder of Corporate Compliance Executive Certificate

The grant of certificate under regulation 28A shall not confer on the Corporate Compliance Executive the rights of a member, nor entitle him to claim membership of the Institute.]

Secretaries of India (ICSI) - Secretarial Executive Certificate to the person who is holding Corporate Compliance Executive Certificate.

28B. Status of holder of Corporate Compliance Executive Certificate.-

Nothing contained in this chapter shall apply to a holder of Corporate Compliance Executive Certificate].

Chapter V
Licentiate ICSI

29. Licentiateship.-

(1) A person who has completed the Final examination/ or Professional Programme Examination conducted by the dissolved company or the Institute may, within six months from the date of declaration of results in which he has passed the Final Examination or Professional Programme Examination or within six months from the date of commencement of these regulations whichever is later, apply for enrolling him as a licentiate and on his application being accepted by the Secretary and on payment of the requisite annual subscription as may be determined by the Council from time to time, he shall be enrolled as a licentiate of the Institute and shall be entitled to use the descriptive letters “Licentiate ICSI” to indicate that he has qualified in the Final Examination or Professional Programme Examination of the Institute.

(2) A person admitted as a licentiate in any year shall be required to pay only the difference in annual subscription paid by him as a registered student for that year, and the annual subscription payable as a licentiate.

(3) A licentiate shall not ordinarily be eligible to renew his enrolment for more than five years after passing the Final examination or professional programme examination.

(4) The Council may condone the delay in applying for licentiateship by any person for reasons to be recorded in writing.

[34][(5) The annual subscription of a licentiate shall become due and payable on the fi date of April every year and non-payment of annual subscription on or before the thirtieth of June of a year shall disentitle the person to use the descriptive letters "Licentiate ICSI" from 1st July of that year, until his annual subscription for the year is received by the Institute. The name of the person so disentitled shall be published in the Journal.]

30. Status of licentiates.-

Grant of licentiateship under Regulation 29 shall not confer on such licentiate any rights of a member nor entitle him to claim any form of membership of the Institute or its Regional Council or Chapter, as the case may be.

Provided that such licentiate may be permitted to borrow books from the library of the Institute, Regional Council or Chapter or participate in the activities of the Institute, its Regional Council or Chapter as the case may be, subject to such conditions as may be imposed by the Council, Regional Council or Chapter, as the case may be.

[35][Chapter VI
Examinations

31. Examination of Company Secretaryship Course.-

(1) The Company Secretaryship Examination shall have two stages, namely:-

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34 Inserted by the Company Secretaries (Amendment) Regulations, 1985. Notification No. 710:2:(M)(1), published in the Gazette of India, Extraordinary, dated 30.12.85.

35 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notifi ion No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[*Chapter VI*

Examinations

31. Qualifying examination for membership

Except as otherwise provided for in the Act or in these regulations,

every person desiring to qualify for membership of the Institute should have passed the Final Examination or Professional Programme Examination conducted by the dissolved company or has passed the Final Examination or Professional Programme Examination conducted by the Institute and has also complied with other requirements laid down in these regulations.

32. Conduct of examinations and applications for examination

(1) Examinations shall be conducted in such manner and at such times and places within India or abroad as the Council may direct, provided that the examination shall be held at least once a year.

(2) The dates and places of the examinations and other particulars shall be published in the Journal or Student Company Secretary a monthly bulletin published for students.

(3) Application for admission to an examination or for exemption from passing any examination shall be made in appropriate form with requisite particulars and fees as may be determined by the Council from time to time and copies of such application may be made out by the candidates themselves.

(4) Every such application shall be sent so as to reach the Secretary in accordance with the direction given by the Council from time to time.

33. Dates of registration

Save as otherwise provided in Regulation 37, candidates desiring to appear at an examination shall have themselves registered as students at least nine calendar months prior to the month in which the examination commences, that is to say, if any examination commences in December, the candidates registered upto and including February of that calendar year shall be eligible.

Provided that students registered by the dissolved company or the Institute before the commencement of these regulations shall be eligible to appear in the first examination to be conducted by the Council after coming into force of these regulations subject to fulfillment of the requirement of the earlier regulations.

Provided that a candidate may be allowed to appear in one group of an examination if he is registered as a student at least for a period of six calendar months prior to the month in which the examination commences, that is to say, if the examination commences in December, a candidate registered upto and including May of that year shall be eligible

Provided further that students registered with the Institute on or before the thirty first January 1985 and also registered for oral tution with any of the oral coaching centres recognized by the Council, shall be eligible to appear for one group of the examination held in June, 1986 and no more.

34. Refund or appropriation of examination fees

(1) A candidate once issued an Admission Certificate for an examination shall not be entitled under any circumstances to refund of the examination fees paid by him.

(2) Where, however, a candidate applies to the Council within fifteen days from the last date of examination for considering appropriation of examination fee to the next examination on the ground that he was prevented from attending the examination on account of circumstances beyond his control, and furnishes requisite documentary proof and information to the satisfaction of the Council, the Council may permit fifty per cent of the examination fees paid by him to be appropriated towards the fee payable for the next following examination for the same group(s) for which he was enrolled.

35. Change of examination center

Applications for change of examination centres shall not ordinarily be entertained and if entertained a fee as may be determined by the Council from time to time be charged for the purpose.

Provided that no application received within fifteen days before the date of commencement of an examination shall be entertained by the Council.

36. Rail concession

Students eligible for rail concession as allowed by the Railway authorities shall apply with necessary particulars to the Secretary at least thirty days before the commencement of an examination for obtaining the requisite certificates.

37. Admission to Foundation Examination

(1) No. candidate shall be admitted to the Foundation Examination unless:

(a) he has enrolled himself for undergoing postal or oral tution for the Foundation Course at least eight calendar months prior to the month in which the examination commences, that is to say, if an examination commences in December, the candidate enrolled for undergoing postal or oral coaching upto and including March of that calendar year shall be eligible;

(b) he produces a certificate from the head of the coaching administration (by whatever name designated) to the effect that he has undergone satisfactorily a course of postal or oral tution for the Foundation Examination; and

(c) he applies with such examination fees as may be determined by the Council from time to time to reach the Secretary in accordance with the directions given by the Council.

(2) No candidate shall be enrolled for undergoing coaching for the foundation Course unless he has passed the Senior Secondary Examination conducted by an examining body constituted by law in India or an examination recognized by the Central Government as equivalent thereto.

(3) Notwithstanding anything contained in sub-regulation (2), a person who has appeared or enrolled himself for appearing in the Senior Secondary Examination or an examination recognized by the Central Government as equivalent thereto may be provisionally enrolled for undergoing coaching for the Foundation Course.

Provided that the provisional enrollment for undergoing coaching for the Foundation Course shall be confirmed, after satisfactory proof of having passed the aforesaid examination has been furnished by him to

the Secretary within a period of six months from the date of provisional enrollment:

Provided further that if such a person fails to produce such proof within the aforesaid period, his provisional enrollment shall be cancelled and no tuition or any other fee paid by him shall be refunded and no credit shall be given for the coaching undergone by him.

(4) Before enrolment for the Foundation Course, a candidate shall pay such fee, as may be determined by the Council from time to time.

(5) Every person applying for enrolment for Foundation Course shall be enrolled in accordance with these regulations for a period of three years from the month in which his application complete in all respects is accepted by the Secretary for enrolment.

38. Exemption from Foundation Examination

A candidate possessing any of the following qualifications or any other qualifications recognized by the Council with the approval of the Central Government as equivalent thereto, shall be exempted from passing the Foundation Examination on payment of such exemption fee as may be determined by the Council from time to time and on acceptance of his application for exemption by the Secretary:

(i) A degree or master's degree in Corporate Secretaryship or Commerce; or

(ii) Pass in the Foundation Examination of the Institute of Cost and Works Accountants of India or Common Proficiency Test (CPT) of the Institute of Chartered Accountants of India or any other Institution in India or abroad recognized as equivalent thereto by the Council; or

(iii) A degree or master's degree in any discipline other than Fine Arts:

Provided that a candidate who is seeking exemption from the Foundation Examination under clause (iii) above before becoming eligible for undergoing coaching for the Executive Programme or such other equivalent programme or course as may be prescribed by the Institute of Company Secretaries of India from time to time may be required to produce a certificate from the head of the coaching administration (by whatever name designated) to the effect that he has undergone satisfactorily a course of postal or oral tuition (inclusive of electronic mode) for those subject of the Foundation Examination which he had not studied at the graduate or post graduate level.

39. Course contents of Foundation Examination

(1) *Subjects:* Candidates enrolled from a date prior to the First October, 2001 for Foundation Examination held upto and inclusive of December, 2003 shall be examined in the following subjects, namely:-

(i) Business Communication ;

(ii) Business Laws and Management;

(iii) Principles of Accountancy; and

(iv) Economics and Statistics.

(2) *Syllabus:* The syllabus for the Foundation Examination shall be as specified in Part I of Schedule CCA.

(3) *Qualifying Marks:* A candidate shall be declared to have passed in the Foundation Examination if he obtains at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all subjects.

Provided that a candidate who has appeared in all the subjects for which he was enrolled and has obtained sixty per cent marks or above in any subject, but failed shall be declared to have passed in the subsequent examination if he obtains a minimum of forty per cent marks in each remaining subject and fifty per cent marks in the aggregate of the remaining subjects at one sitting within the next three following examinations.

(4) Sub-regulations (1), (2) and (3) and the syllabus prescribed thereunder in Part I of Schedule CCA shall cease to operate after the examination held in December, 2003.

39A. Course contents of Foundation Examination

(1) *Subjects:* The first examination with papers and syllabus referred to in sub-regulation (2) shall be held in December, 2002. Candidates enrolled from or after the first October, 2001, candidates enrolled prior to the First October, 2001, who may so opt, and all candidates for the Foundation Examination which is held from and including June, 2004 shall be examined in the following subjects, namely:

1. English and Business Communication;
2. Basic Economics and Business Environment;
3. Financial Accounting;
4. Elements of Business Laws and Management; and
5. Information Systems and Quantitative Techniques.

(2) *Syllabus:* The syllabus for the Foundation Examination shall be such as may be approved by the Council from time to time.

(3) *Qualifying Marks:* A candidate shall be declared to have passed in the Foundation Examination if he obtains at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all subjects.

Provided that a candidate who has appeared in all the subjects for which he was enrolled and has obtained sixty per cent marks or above in any subject, but failed, shall be declared to have passed in the subsequent examination, if he obtains a minimum of forty per cent marks in each remaining subject and fifty per cent marks in the aggregate of the remaining subjects at one sitting within the next three following examinations".

40. Admission to Executive Programme Examination

No candidate shall be admitted to the Executive Programme Examination unless he is a registered student and applies with such examination fees as may be determined by the Council from time to time, in accordance with the directions given by the Council.

41. Course contents of Intermediate Examination or Executive

Programme Examination

(1) *Subjects*

Students registered effective from a date prior to 1st February, 1986 who are candidates for the Intermediate Examination or Executive Programme Examination held upto and inclusive of June 1989, shall be examined in six subjects comprised in two groups of three papers each as under:

GROUP I

(1) Company Accounts;

(2) Principles of Law;

(3) Company Law.

GROUP II

(4) Business Communication;

(5) Principles and Practices of Management;

(6) Company Administration and Meetings.

(2) *Syllabus*

The syllabus for the Intermediate Examination or Executive Program.

(4) *Qualifying marks*

(a) A candidate shall be declared to have passed in both groups of the Intermediate Examination or Executive Programme Examination if taken simultaneously without obtaining any exemption and if he secures at one sitting, a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all subject of both groups.

(b) A candidate shall be declared to have passed in a group if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of that group and shall be declared to have completed the Intermediate Examination or Executive Programme Examination on passing both the groups:

Provided that a candidate who has appeared in all the subjects of the group for which he was enrolled and has secured sixty per cent or more marks in any subject(s) but failed in that group shall be declared to have passed in that group if he obtains a minimum of forty per cent marks in each remaining subject and fifty per cent marks in the aggregate of the remaining subject(s) of that group at one sitting in any subsequent examination.

(4) *Distinction*

A candidate shall be declared to have passed with distinction in the Intermediate Examination or Executive Programme Examination if he obtains at one sitting a minimum of sixty per cent marks in each subject and seventy per cent marks or above in the aggregate in both the groups, without obtaining any exemption.

(5) Sub-regulations (1) to (4) and the syllabus prescribed thereunder in Part II of Schedule C shall cease to operate after the examination held in June, 1989.

41AA. Course contents of Intermediate Examination or Executive

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Programme Examination

(1) *Subjects*:

Candidates whose registration is effective from a date prior to the First September, 2001 and who are candidates for the Intermediate Examination or Executive Programme Examination held upto and inclusive of December, 2003 shall be examined in eight subject comprised in two group of four papers each as under:

GROUP I

(1) General Laws and Procedures;

(2) Personnel Management and Industrial Laws;

(3) Tax Laws; and

(4) Cost and Management Accounting.

GROUP II

(5) Company Law and Practice-I;

(6) Company Law and Practice-II;

(7) Economic and Other Legislations; and

(8) Company Accounts – Theory and Practice.

IndiaCode

(2) *Syllabus*:

The syllabus for the Intermediate Examination or Executive Programme Examination shall be as specified in Part-II of Schedule CCA.

(3) *Qualifying Marks*:

(a) *For both groups:* A candidate shall be declared to have passed in both groups of the Intermediate Examination or Executive Programme Examination:

(i) If taken simultaneously and if he secures at one sitting a minimum of forty per cent marks in each of the papers in which he is required to appear and fifty per cent marks in the aggregate of all the papers put together; or

(ii) If he has passed in any one group of Intermediate Examination or Executive Programme Examination held under the syllabus specified in Part-II of Schedule CC, prior to the commencement of examination under the syllabus specified in Part-II of Schedule CCA and secures at one sitting a minimum of forty per cent marks in each of the remaining papers in which he is required to appear and fifty per cent marks in the aggregate of all such remaining papers put together.

(b) *For one group:* A candidate shall be declared to have passed in a group if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of that group and shall be declared to have completed the Intermediate Examination or Executive Programme Examination on passing both the groups:

Provided that a candidate who has appeared in the subjects of a group, for which he was required to enroll and has secured sixty per cent or

more marks in any subject and a minimum of twenty five per cent marks in each of the remaining subjects of the group but has failed in the group, shall be exempted from that or those subjects in which he secured sixty per cent or more marks, in any subsequent examination on submission of an application in this behalf on or before the last date of enrollment for the examination in which he intends to appear;

Provided further that if a candidate who has appeared in all the subjects of the group for which he was enrolled without obtaining any exemption and has failed in one paper comprised in the group, but got a minimum of sixty per cent of the total marks of the remaining subjects of the group shall be declared to have passed in that group if he reappears in the paper in which he had failed and gets fifty per cent marks in any subsequent examination.

Explanation: For the purpose of the first proviso, the marks obtained by a candidate in the subject in which he had obtained exemption on the basis of having secured sixty per cent or more marks shall not be taken into account of computing his result for the remaining subjects of the group for any of the subsequent examination.

(4) *Distinction*:

A candidate shall be declared to have passed with distinction in the Intermediate Examination or Executive Programme Examination if he obtains at one sitting a minimum of fifty per cent marks in each subject and seventy per cent marks or above in the aggregate in both the groups, without obtaining any exemption.

(5) Sub-regulations (1) to (4) and the syllabus prescribed thereunder in Part II of Schedule CCA shall cease to operate after the examination held in December, 2003.

41B. Course contents of Intermediate Examination or Executive Programme Examination

(1) Subjects:

The first examination with groups, papers and syllabus referred to in sub-regulation (2) shall be held in December, 2002. Candidates registered effective from or after the First September, 2001, candidates registered prior to the First September, 2001, who may so opt and all students who are candidates for the Intermediate Examination or Executive Programme Examination held from and including June, 2004 shall be examined in eight subjects comprised in two groups of four papers each as under:

GROUP I

1. General and Commercial Laws;
2. Company Accounts and Cost & Management Accounting;
3. Tax Laws; and
4. Management Information Systems and Corporate Communication.

GROUP II

5. Company Law;

6. Company Secretarial Practice;

7. Economic, Labour and Industrial Laws; and

8. Securities Laws and Regulation of Financial Markets.

(2) *Syllabus*:

The Syllabus for the Executive Programme Examination shall be such as may be approved by the Council from time to time.

(3) *Qualifying Marks*:

(a) *For both groups:* A candidate shall be declared to have passed in both groups of the Intermediate Examination or Executive Programme Examination:

(i) If taken simultaneously and if he secures at one sitting, a minimum of forty per cent marks in each of the papers in which he is required to appear and fifty per cent marks in the aggregate of all the papers put together; or

(ii) If he has passed in any one group of Intermediate Examination or Executive Programme Examination held under the syllabus specified in Part-II of Schedule CCA, prior to the commencement of examination under the syllabus specified in Part-II of Schedule CCB and secures at one sitting a minimum of forty per cent marks in each of the remaining papers in which he is required to appear and fifty per cent marks in the aggregate of all such remaining papers put together.

(b) *For one group:* A candidate shall be declared to have passed in a group if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of that group and shall be declared to have completed the Intermediate Examination or Executive Programme Examination on passing both the groups:

Provided that a candidate who has appeared in the subjects of a group, for which he was required to enroll and has secured sixty per cent or more marks in any subject and a minimum of twenty five per cent marks in each of the remaining subjects of the group but has failed in the group, shall be exempted from that or those subjects in which he secured sixty per cent or more marks, in any subsequent examination on submission of an application in this behalf on or before the last date of enrolment for the examination in which he intends to appear;

Provided further that if a candidate who has appeared in all the subjects of the group for which he was enrolled without obtaining any exemption and has failed in one paper comprised in the group, but got a minimum of sixty per cent of the total marks of the remaining subjects of the group shall be declared to have passed in that group if he reappears in the paper in which he had failed and gets fifty per cent marks in any subsequent examination.

Explanation: For the purpose of the first proviso, the marks obtained by a candidate in the subject in which he had obtained exemption on the

basis of having secured sixty per cent or more marks shall not be taken into account for computing his result for the remaining subjects of the group for any of the subsequent examination.

(4) *Distinction*:

A candidate shall be declared to have passed with distinction in the Intermediate Examination or Executive Programme Examination if he obtains at one sitting a minimum of fifty per cent marks in each subject and seventy per cent marks or above in the aggregate in both the groups, without obtaining any exemption.

42. Exemption

(1) ….omitted

(2) ….omitted

(3) The Council shall have the power to decide from time to time the individual subject(s) or group(s) of the Intermediate Examination or Executive Programme Examination from which exemption may be granted to students who have passed such examination of any university or on reciprocal basis of such professional institutes/bodies in India or abroad, as may be recognized by the Council in this behalf and on payment of such exemption fee as may be determined by the Council from time to time.

(4) The Council shall also have the power to decide the corresponding individual subject(s)/group(s) of the Intermediate Examination or Executive Programme Examination from which a candidate who is admitted as a *de novo* registered student under Regulation 22 shall be exempted on the basis of exemption from individual subject(s)/group(s) previously secured by him under his former registration and on payment of such exemption fee as may be determined by the Council from time to time, if applicable.

(5) The Council shall also have the power to decide the individual subject(s)/group(s) of the Intermediate Examination or Executive Programme Examination from which a candidate shall be exempted on the basis of exemption from individual subject(s)/group(s) previously secured by him under the syllabus specified in part II of Schedule C or in Part II of Schedule CC or in Part II of Schedule CCA on his switch over to the syllabus specified in Part II of Schedule CCB".

(6) Omitted

(7) Omitted

43. Admission to Final examination or Professional Programme examination

No candidate shall be admitted to the Final Examination or Professional Programme Examination unless:

(a) he is a registered student of the Institute;

(b) he has passed the Intermediate Examination or Executive Programme Examination or has been exempted therefrom;

(i) Executive Programme Examination; and

(ii) Professional Programme Examination:

Provided that the Institute may review the number of stages mentioned above and modify the same in such manner as may be determined by the Council.

(2) The examination shall be conducted and application for such examination be made in the following manner namely:

(i) examination shall be conducted at least once in a year in such manner and at such time and place within India or abroad as the Council may determine;

(ii) the date and place of examination and other information relating thereto may be hosted on the website of the Institute or published in the Journal or in the Student Company Secretary Bulletin;

(iii) application for admission to an examination or for exemption from passing any examination shall be made by the candidate to the Secretary in such Form and with such fees as may be determined by the Council.

32. Refund of examination fee.-

Examination Fee once paid by the student shall not be refunded:

Provided that where a candidate makes an application to the

(c) a minimum period of nine calendar months has elapsed since his passing the Intermediate Examination or Executive Programme Examination or being exempted from the Intermediate Examination or Executive Programme Examination and registration as a student.

(d) he is certified to have undergone satisfactorily a course of postal or oral tuition for the particular group of Final Examination or Professional Programme Examination by the head of coaching administration; and

(e) Omitted

(f) he applies with such examination fee as may be determined by the Council from time to time so as to reach the Secretary in accordance with the directions given by the Council].

Institute within thirty days from the last date of the examination for considering refund of examination fee on the ground that he was prevented from appearing in the examination on account of circumstances beyond his control and produce documentary proof and information to the satisfaction of the Institute, the Institute may allow refund of fifty per cent of the examination fee.

33. Change of examination center, medium and module.-

Application for change of examination centre, medium or module shall not ordinarily be entertained but in special circumstances where the application for that purpose is received by the Institute at least thirty days before the date of commencement of the examination, the Institute may allow the change on payment of such fee as may be determined by the Council.

34. Travel concession.-

The Institute may on an application made by the student provide a confirmation about the bonafide of such student to facilitate him to secure any travel concession for appearing in the examination of Institute or for any study tour or research tour of the Institute requiring him to travel from his place of residence to the place of examination or study or research in India.

35. Enrolment for Executive Programme Examination.-

(1) In order to become eligible for enrolment to the Executive Programme examination, the student shall be required to register himself for Executive Programme at least six calendar months prior to the month in which the examination is to commence, and the like, if the examination commences in December, the candidate registered upto and including month of May of that calendar year shall be allowed in such manner and mode alongwith such examination fee and other requirements, as may be determined by the Council:

Provided that a student may be allowed to appear in one group or module of Executive Programme examination as may be determined by the Council, if he is registered as a student at least for a period of four calendar months prior to the month in which the examination is to commence and the like, if the examination commences in December, a candidate registered upto and including July of that year shall be allowed.

(2) The Institute may conduct pre-exam test before the Executive Programme Examination in such manner and mode as may be determined by the Council.

(3) From the date of the notification of these regulations, all the students of the Executive Programme having valid registration prior to date of notification shall be governed by these regulations for all the matters except that for the training provided in Chapter VIB of these regulations.

36. Course contents of Executive Programme Examination.-

(1) The Council shall determine the syllabus, the number of papers and groups or modules for the Executive Programme Examination which shall be published in the Journal or hosted on the website of the Institute.

(2) A candidate shall be declared pass in all groups or modules of the Executive Programme Examination, if:

(i) taken simultaneously, he secures at one sitting, a minimum of forty per cent. marks in each paper in which he is required to appear and fifty per cent. marks in aggregate of all papers put together; or

(ii) appears in all papers other than those individual paper(s) or group(s) or module(s) which are exempted on switchover from previous syllabus to new syllabus as per the scheme determined by the Council and secures at one sitting, a minimum of forty per cent. marks in each paper and fifty percent marks in aggregate of all papers put together:

Provided that, where any candidate has passed any module or group under new syllabus on switchover, in that case the provisions of this sub-regulation shall not be applicable.

(3) A candidate shall be declared pass in a group or module, if he secures in one sitting, a minimum of forty per cent. marks in each paper and fifty per cent. marks in the aggregate of all the papers of that group or module.

(4) Where a candidate who has appeared in the papers of a group or module for which he is enrolled and has secured sixty per cent. or more marks in any paper and a minimum of twenty five per cent. marks in each of the remaining papers of the group or module, but has failed in the group or module, shall be exempted from that or those papers in which he secured sixty per cent. or more marks, in any subsequent examination.

(5) Where a candidate who has appeared in all papers of the group or module for which he is enrolled without obtaining exemption in any paper of that group or module and has failed in one paper comprised in the group or module, but secured minimum of sixty per cent. of the total marks of the remaining papers of the module, all such remaining papers shall be exempted in which he secured sixty per cent. or more in total and shall be declared pass in that group or module if he reappears in the paper in which he had failed and secures atleast fifty per cent. marks in any subsequent examination.

(6) The exemption shall be deemed to have cancelled where a candidate appears in the exempted paper despite an endorsement to this effect on the Admission Certificate or Admit Card of the examination or the candidate has himself made an application for such cancellation before the last date of enrolment for such examination.

Explanation 1.- For the purposes of this regulation, the marks obtained by a candidate in a paper or papers in which he had obtained exemption on the basis of having secured sixty per cent. or more marks shall not be taken into account for

computing his result for the remaining papers of that group or module for any of the subsequent examinations.

Explanation 2.-For the purposes of sub-regulation (5), the exemption shall be applicable only for a group or module with three or more papers.

Explanation 3. – For the purpose of sub-regulation (5), if any candidate has been granted exemption and appears in any of the exempted paper in any subsequent examination or cancels the exemption in any paper by submitting formal request, the exemption for all such papers shall be cancelled automatically without notice.

Explanation 4.- For the purposes of this regulation, where exemption is cancelled the actual marks secured on re-writing paper in the examination shall be taken into account.

(7) A candidate shall be declared as pass with distinction in the Executive Programme Examination if he obtains at one sitting a minimum of sixty per cent. marks in each paper and seventy per cent. marks or above in the aggregate in all groups or modules, without obtaining exemption in any paper.

(8) A candidate shall be declared to have passed the Executive Programme Examination on passing all papers, groups or modules in the manner referred to above.

37. Exemption from Paper of Executive Programme Examination.-

(1) The Council may determine such individual paper or group or module of the Executive Programme Examination from which exemption may be granted to such candidate who has passed such examination of any university or on reciprocal basis of such professional institute or body in India or abroad, as may be recognised by the Council.

(2) The exemption under sub-regulation (1) shall be granted on payment of such exemption fees as may be determined by the Council.

(3) The Council may determine the corresponding individual paper or group or module of the Executive Programme Examination from which a candidate who, on payment of such exemption fees as may be determined by the Council, is admitted as a de novo or re-registered student under regulation 22 shall be exempted on the basis of exemption from individual paper or group or module previously secured by him under his previous registration.

(4) The Council may determine the individual paper or group or module of the Executive Programme Examination from which a candidate shall, on payment of such exemption fees as may be determined by the Council, be exempted on the basis of exemption from individual paper or group or module previously secured by him under the syllabus as notified by the Council.

38. Admission to Professional Programme.-

(1) In order to become eligible for admission to Professional Programme, a registered student shall make an application in such Form as may be determined by the Council, along with student registration fee, annual subscription, education fee and such other fee, as may be determined by the Council and submit a proof to the satisfaction of the Council that he has passed the Executive Programme of the Institute or he has been exempted therefrom.

(2) A registered student making an application for admission shall obtain an identity card and also give an undertaking that he shall, as a registered student, conduct himself in a manner befitting the ideals and standards of the profession of Company Secretaries and shall abide by guidelines and orders of the Institute.

(3) Every registered student whose application for admission is not accepted by the Secretary shall be entitled to a refund of the fee paid by him, subject to deduction of such administrative charges as the Council may determine.

39. Enrolment for Professional Programme Examination.-

(1) In order to become eligible for enrolment to the Professional Programme Examination, such student shall be required to register himself for Professional Programme at least six calendar months prior to the month in which the examination is to commence, and the like, if the examination commences in December, the candidate registered upto and including month of May of that calendar year shall be allowed in such manner and mode alongwith such examination fee and other requirements, as may be determined by the Council:

Provided that a student may be allowed to appear in one group or module of Professional Programme examination as may be determined by the Council, if he is registered as a student at least for a period of four calendar months prior to the month in which the examination is to commence and the like, if the examination commences in December, a candidate registered upto and including July of that year shall be allowed.

(2) The Institute may conduct pre-exam test before the Professional Programme Examination in such manner and mode as may be determined by the Council.

(3) From the date of the notification of these regulations, all the students of the Professional Programme having valid registration prior to date of notification shall be governed by these regulations for all the matters except that for the training provided in Chapter VIB of these regulations.

40. Course contents of Professional Programme Examination.-

(1) The Council shall determine the syllabus, the number of papers and groups or modules for the Professional Programme Examination which shall be published in the Journal or hosted on the website of the Institute.

(2) A candidate shall be declared pass in all groups or modules of the Professional Programme Examination, if:

(i) taken simultaneously, he secures at one sitting, a minimum of forty per cent. marks in each paper in which he is required to appear and fifty per cent. marks in aggregate of all papers put together; or

(ii) appears in all papers other than those individual paper(s) or group(s) or module(s) which are exempted on switchover from previous syllabus to new syllabus as per the scheme determined by the Council and secures at one sitting, a minimum of forty per cent. marks in each paper and fifty per cent. marks in aggregate of all papers put together:

Provided that, where any candidate has passed any module or group under new syllabus on switchover, in that case the provisions of this sub-regulation shall not be applicable.

(3) A candidate shall be declared pass in a group or module, if he secures in one sitting, a minimum of forty per cent. marks in each paper and fifty per cent. marks in the aggregate of all the papers of that group or module.

(4) Where a candidate who has appeared in the papers of a group or module for which he is enrolled and has secured sixty per cent. or more marks in any paper and a minimum of twenty five per cent. marks in each of the remaining papers of the group or module, but has failed in the group or module, shall be exempted from that or those papers in which he secured sixty per cent. or more marks, in any subsequent examination.

(5) Where a candidate who has appeared in all papers of the group or module for which he is enrolled without obtaining exemption in any paper of that group or module and has failed in one paper comprised in the group or module, but secured minimum of sixty per cent. of the total marks of the remaining papers of the module, all such remaining papers shall be exempted in which he secured sixty per cent. or more in total and shall be declared pass in that group or module if

he reappears in the paper in which he had failed and secures at least fifty per cent. marks in any subsequent examination.

(6) The exemption shall be deemed to have cancelled where a candidate appears in the exempted paper despite an endorsement to this effect on the Admission Certificate or Admit Card of the examination or the student has himself made an application for such cancellation before the last date of enrolment for such examination.

Explanation 1.- For the purposes of this regulation, the marks obtained by a candidate in a paper or papers in which he had obtained exemption on the basis of having secured sixty per cent. or more marks shall not be taken into account for computing his result for the remaining papers of that group or module for any of the subsequent examinations.

Explanation 2.- For the purposes of sub-regulation (5), the exemption shall be applicable only for a group or module with three or more papers.

Explanation 3. – For the purpose of sub-regulation (5), if any candidate has been granted exemption and appears in any of the exempted paper in any subsequent examination or cancels the exemption in any paper by submitting formal request, the exemption for all such papers shall be cancelled automatically without notice.

Explanation 4. - For the purposes of this regulation, where exemption is cancelled, the actual marks secured on re-writing paper in the examination shall be taken into account.

(7) A candidate shall be declared as pass with distinction in the Professional Programme Examination, if he obtains at one sitting a minimum of sixty per cent. marks in each paper and seventy per cent. marks or above in the aggregate in all groups or modules, without obtaining exemption in any paper.

(8) A candidate shall be declared to have passed the Professional Programme Examination upon passing all papers, groups or modules in the manner referred to above.

41. Exemption from papers of Professional Programme Examination.-

(1) The Council may determine such individual paper or group or module of the Professional Programme Examination from which exemption may be granted to such candidate who has passed such examination of any university or on reciprocal basis of such professional institute or body in India or abroad, as may be recognised by the Council.

(2) The exemption under sub-regulation (1) shall be granted on payment of such exemption fees as may be determined by the Council.

(3) The Council may determine the corresponding individual paper or group or module of the Professional Programme Examination from which a candidate who, on payment of such exemption fees as may be determined by the Council, is admitted as a de novo or re-registered student under regulation 22 shall be exempted on the basis of exemption from individual paper or group or module previously secured by him under his previous registration.

(4) The Council may determine the individual paper or group or module of the Professional Programme Examination from which a candidate shall, on payment of such exemption fees as may be determined by the Council, be exempted on the basis of exemption from individual paper or group or module previously secured by him under the syllabus as notified by the Council.

42. Examination results.-

(1) Every candidate shall be informed of the marks obtained in each paper and the result thereof but under no circumstances the marks obtained in individual question or section of a paper shall be furnished. The result-cum-marks statement issued by the Institute in the appropriate format shall only be conclusive proof in case of any dispute.

(2) Candidate may within twenty one days from the declaration of result of his examination apply to the Institute with such fee as may be determined by the Council for verification of marks as to whether answers to each question in any particular paper at any examination have been examined and marked or not.

Explanation 1.- Fee referred to in this sub-regulation is only for verifying whether the candidate's answers in any particular subject or subjects have been examined and valued and not for revaluation of the answers.

Explanation 2.- For the removal of doubt, it is clarified that re-examination of answers shall not be permitted under any circumstances.

(3) Every candidate passing the Professional Programme Examination shall be granted a certificate to that effect in the appropriate form or in electronic mode by the Secretary on payment of such fees as may be determined by the Council.

(4) In case it is found that the result of an examination has been affected by an error or any other instance of that nature, the Examination Committee shall have power to rectify such result in such manner as may be determined by such Committee and to make such declaration as it may consider necessary in that behalf.

43. Revival of exemption in examination.-

If a candidate applies for and is allowed cancellation of exemption in any paper obtained by him earlier or of result of any group or module of an examination passed by him earlier under any of the regulations, he shall not be eligible for revival of such exemption or the benefit of having passed such group or modules, as the case may be, in any subsequent examination.]

[36][44, 44A, 44AA, 44B, 45, 46 and 46A – Omitted]

36 Omitted by Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[44. Course contents of Final examination or Professional Programme examination

(1) *Subjects*

Students registered effective from a date prior to 1st February, 1986 who have passed the Intermediate Examination or Executive Programme Examination held upto and including June, 1989 under the syllabus specified in Part II of Schedule C and are candidates for the Final Examination or Professional Programme Examination held upto and inclusive of December, 1990 shall be examined in nine subjects comprised in three groups of three subjects, each as under:

GROUP I

(1) Final Accounting, Costing and Management Accounting;

(2) Managerial Economics;

(3) Functional Management.

GROUP II

(4) Industrial and Labour Laws;

(5) Economic Legislation;

(6) Taxation.

GROUP III

(7) Company Law;

(8) Company Secretarial Practice;

(9) Secretarial Practice (relating to Industrial, Labour, Economic and Tax Laws)].

(2) *Syllabus*

The syllabus for the Final Examination or Professional Programme Examination shall be as specified in Part II of Schedule C.

3. Qualifying marks

(a) A candidate shall be declared to have passed in all the three groups of the Final Examination or Professional Programme Examination if taken simultaneously without obtaining any exemption. If he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of all the three groups taken together.

(b) A candidate shall be declared to have passed in a group if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of that group and shall be declared to have completed the Final Examination or Professional Programme Examination on passing all the three groups:

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Provided that a candidate who has appeared in all the subjects of the group for which he was enrolled and has secured sixty per cent or more marks in any subject(s) but failed in that group shall be declared to have passed in that group if he obtains a minimum of forty per cent marks in each remaining subject and fifty per cent marks in the aggregate of the remaining subject(s) of that group at one sitting in any subsequent examination.

(4) *Distinction*

A candidate shall be declared to have passed with distinction in the Final Examination or Professional Programme Examination if he obtains at one sitting a minimum of sixty per cent marks in each subject and seventy per cent marks or above in the aggregate in all the groups, without obtaining any exemption.

(5) Sub-regulations (1) to (4) and the syllabus prescribed thereunder in Part III of Schedule C shall cease to operate after the examination held in December 1990.

44A Course contents of Final examination or Professional Programme examination

(1) *Subjects*

The first examination with groups, papers and syllabus referred to in sub-regulation (2) shall be held in June 1987. Students who register effective from or after the 1st February, 1986, students who pass the Intermediate Examination or Executive Programme Examination under the syllabus specified in Part II of Schedule CC, students who pass the Intermediate Examination or Executive Programme Examination under the syllabus specified in Part II of Schedule C who may so opt and all students appearing at the Intermediate Examination or Executive Programme Examination held from and including June 1991 shall be examined under this regulation. The Groups and subjects for the Final Examination or Professional Programme Examination under this Regulation shall be as under:

GROUP I

(1) Financial Management; (2) Corporate Planning and Management Information; (3) Management Control and Audit.

GROUP II

(4) Corporate Tax Management and Planning; (5) Indirect Taxation-Law and Procedures; (6) Drafting and Coveyancing.

GROUP III

(7) Company Law and Practice; (8) Directors, Boards and related Secretarial Practice; (9) Advanced Secretarial Practice (relating to Economic and other Legislations).

(2) *Syllabus*

The syllabus for the Final Examination or Professional Programme Examination shall be as specified in part III of Schedule CC.

(3) *Qualifying marks*

(a) A candidate shall be declared to have passed in all the three groups of the Final Examination or Professional Programme Examination if taken simultaneously without obtaining any exemption and if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of all the three groups taken together.

(b) A candidate shall be declared to have passed in a group if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of that group and shall be declared to have completed the Final Examination or Professional Programme Examination on passing all the three groups:

Provided that a candidate who has appeared in the subjects of a group for which he required to enroll and has secured sixty per cent or more marks in any subjects(s) and a minimum of twenty-five per cent marks in each of the remaining subject(s) of the group but has failed in the group, in any subsequent examination(s) on submission of an application in this behalf on or before the last date of enrolment for the examination in which he intends to appear:

Provided further that notwithstanding anything contained above, a candidate who has appeared in all the subjects of the group for which he was enrolled without obtaining any exemption and has failed in one paper comprised in the group but got a minimum of sixty per cent of the total marks of the remaining subjects of the group shall be declared to have passed in that group if he re-appears in that paper and gets forty per cent marks in anyone or more of the immediately next three following examination.

Explanation: For the purposes of the first proviso, the marks obtained by a candidate in the subject(s) in which he had obtained exemption on the basis of having secured sixty per cent or more marks shall not be taken into account for computing his result for the remaining subject(s) of the group for any of the subsequent examinations(s).]

(4) *Distinction*

A candidate shall be declared to have passed with distinction in the Final Examination or Professional Programme Examination if he obtains at one sitting a minimum of sixty per cent marks in each subject and seventy per cent marks or above in the aggregate in all the groups, without obtaining any exemption.]

(5) Sub-regulations (1) to (4) and the syllabus prescribed thereunder in Part III of Schedule CC shall cease to operate after the examination to be held in December 1993.

44AA Course contents of Final examination or Professional Programme examination

(1) *Subjects*:

Candidates whose registration is effective from a date prior to the First September, 2001 and who have passed the Intermediate Examination or Executive Programme Examination held upto and including December, 2003 under the syllabus specified in Part II of Schedule CCA and are candidates for the Final Examination or Professional Programme Examination held upto and inclusive of June, 2005 shall be examined in eight subjects comprised in two groups of four papers each as under:

GROUP I

(1) Financial Management;

(2) Management Control and Information;

(3) Corporate Tax Management – Direct Taxes; and

(4) Corporate Tax Management – Indirect Taxes.

GROUP II

(5) Corporate Laws and Practice-I;

(6) Corporate Laws and Practice-II;

(7) Corporate Laws and Practice-III; and

(8) Secretarial and Management Audit.]

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(2) *Syllabus*:

The syllabus for the Final Examination or Professional Programme Examination shall be as specified in Part III of Schedule CCA.

(3) *Qualifying Marks*:

(a) *For both groups*—A candidate shall be declared to have passed in both the groups of the Final examination:

(i) If taken simultaneously and if he secures at one sitting a minimum of forty per cent marks in each of the papers in which he is required to appear and fifty per cent marks in the aggregate of all the papers put together; or

(ii) If he has passed in any one or two but not in all groups of Final Examination or Professional Programme Examination held under the syllabus specified in Part III of Schedule CC prior to the commencement of examination under the syllabus specified in Part III of Schedule CCA and secures at one sitting a minimum of forty per cent marks in each of the remaining papers in which he is required to appear and fifty per cent marks in the aggregate of all such remaining papers put together.

(b) *For one group*—A candidate shall be declared to have passed in a group if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of that group and shall be declared to have completed the Final Examination or Professional Programme Examination in passing both the groups:

Provided that a candidate who has appeared in the subject of a group for which he required to enroll and has secured sixty per cent or more marks in any subject and a minimum of twenty five per cent marks in each of the remaining subjects of the group but has failed in the group, shall be exempted from that or those subjects in which he secured sixty per cent or more marks, in any subsequent examination on submission of an application in this behalf on or before the last enrolment for the examination in which he intends to appear:

Provided further that if a candidate who has appeared in all the subjects of the group for which he was enrolled without obtaining any exemption and has failed in one paper comprised in the group, but got a minimum of sixty per cent of the total marks of the remaining subjects of the group shall be declared to have passed in that group if he re-appears in the paper in which he had failed and gets fifty per cent marks in any subsequent examination.

Explanation—For the purpose of the first proviso, the marks obtained by a candidate in the subject in which he had obtained exemption on the basis of having secured sixty per cent or more marks shall not be taken into account for computing his result for remaining subjects of the group for any of the subsequent examination.

(4) *Distinction*:

A candidate shall be declared to have passed with distinction in the Final Examination or Professional Programme Examination if he obtains at one sitting a minimum of fifty per cent marks in each subject and seventy per cent or above in the aggregate in both the groups, without Final Examination or Professional Programme Examination obtaining any exemption.

[(5) Sub-regulations (1) to (4) and the syllabus prescribed thereunder in Part III of Schedule CCA shall cease to operate after the examinations are held in June, 2005.

44B. Course contents of Final examination or Professional Programme examination

(1) *Subjects*:

The first examination with groups, papers and syllabus referred to in sub-regulation (2) shall be held in December, 2003. Candidates whose registration shall be effective on or after the First September, 2001, students who has passed the Intermediate Examination or Executive Programme Examination under the syllabus specified in Part II of Schedule CCB, students who has passed the Intermediate Examination or Executive Programme Examination under the syllabus specified in part II of Schedule CCA, who may so opt, and all students appearing in the Final Examination/Professional Programme Examination held from and including December, 2005 shall be examined in nine subjects comprised in three groups of three papers each as under:

GROUP I

1. Advanced Company Law and Practice;

2. Secretarial Practice relating to Economic Laws and Drafting & Conveyancing; and

3. Secretarial, Management and Systems Audit.

GROUP II

4. Financial, Treasury and Forex Management;

5. Corporate Restructuring – Law and Practice; and

6. Banking and Insurance – Law and Practice.

GROUP III

7. World Trade Organisation – International Trade, Joint Ventures and Foreign Collaborations;

8. Direct and Indirect Taxation – Law and Practice; and

9. Human Resource Management and Industrial Relations.

(2) *Syllabus*:

The syllabus for the Professional Programme Examination shall be such as may be approved by the Council from time to time.

(3) *Qualifying Marks*:

(a) *For all groups:* A student shall be declared to have passed in all the groups of the Final examination:

(i) If taken simultaneously and if he secures at one sitting, a minimum of forty per cent marks in each of the papers in which he is required to appear and fifty per cent marks in the aggregate of all the papers put together; or

(ii) If he has passed in any one group of the Final Examination or Professional Programme Examination held under the syllabus specified in Part-III of Schedule CCA, prior to the commencement of examination under the syllabus specified in Part-III of Schedule CCB and secures at one sitting a minimum of forty per cent marks in each of the remaining papers in which he is required to appear and fifty per cent marks in the aggregate of all such remaining papers put together.

(b) *For one group:* A candidate shall be declared to have passed in a group if he secures at one sitting a minimum of forty per cent marks in each subject and fifty per cent marks in the aggregate of all the subjects of that group and shall be declared to have completed the Final Examination or Professional Programme Examination on passing all the groups:

Provided that a candidate who has appeared in the subjects of a group, for which he was required to enroll and has secured sixty per cent or more marks in any subject and a minimum of twenty five percent marks in each of the remaining subjects of the group but has failed in the group,

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shall be exempted from that or those subjects in which he secured sixty per cent or more marks, in any subsequent examination on submission of an application in this behalf on or before the last date of enrolment for the examination in which he intends to appear.

Provided further that if a candidate who has appeared in all the subjects of the group for which he was enrolled without obtaining any exemption and has failed in one paper comprised in the group, but got a minimum of sixty per cent of the total marks of the remaining subject of the group shall be declared to have passed in that group if he reappears in the paper in which he had failed and gets fifty per cent, marks in any subsequent examination.

Explanation—For the purpose of the first proviso, the marks obtained by a candidate in the subject in which he had obtained exemption on the basis of having secured sixty per cent or more marks shall not be taken into account for computing his result for the remaining subjects of the group for any of the subsequent examination.

(4) *Distinction*:

A candidate shall be declared to have passed with distinction in the Final Examination or Professional Programme Examination if he obtains at one sitting a minimum of fifty per cent marks in each subject and seventy per cent marks or above in the aggregate in all groups, without obtaining any exemption.]

45. Exemption from subjects of Final examination or Professional Programme Examination.

(1) The Council shall have the power to decide from time to time the individual subject(s) or group (s) of the Final Examination or Professional Programme Examination or Professional Programme Examination from which exemption may be granted to students who have passed such examinations of such professional institutes/bodies in India or abroad as may be recognized by the Council in this behalf on reciprocal basis and on payment of such exemption fee as may be determined by the Council from time to time.

(2) The Council shall also have the power to decide the corresponding individual subject(s)/group(s) of the Final Examination or Professional Programme Examination from which a candidate who is admitted as a *de novo* registered student under Regulation 22 shall be exempted on the basis of exemption from individual subject(s)/ group(s) previously secured by him under his former registration and on payment of such exemption fee as may be determined by the Council from time to time, if applicable.

(3) The Council shall have the power to decide the individual subject(s)/ group(s) of the Final Examination or Professional Programme Examination from which a candidate shall be exempted on the basis of exemption from individual subject(s) previously secured by him under the syllabus specified [in Part III of Schedule C or in Part III of Schedule CC or in Part III of Schedule CCA] on his switch over to the syllabus specified in Part III of Schedule CCB.

[37][CHAPTER VI A

Practical Experience and Training requirements

46AA Applicability of this Chapter.-

The provisions of this Chapter shall apply to: -

(a) a student registered to the Executive Programme on or after the date of publication of this notification; and

(b) a student registered to the Executive Programme before the date of publication of this notification, if he wishes to comply with the requirements of this Chapter instead of those specified in Chapter VII.

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46. Examination results

(1) *Individual intimation*

Every candidate shall be individually informed of the marks obtained in each paper and the result thereof but under no circumstances the marks obtained in individual questions or sections of a paper shall be furnished.

(2) *Verification of marks*

Information as to whether a candidate's answers to each question in any particular subject or subjects at any examination have been examined and marked or not shall be supplied to a candidate on his submitting an application with such verification fee as may be determined by the Council from time to time within thirty days of the declaration of the results of the said examination.

Explanation—Fee referred to in this sub-regulation is only for verifying whether the candidate's answers in any particular subject or subjects have been examined and valued and not for revaluation of the answers.

(3) Issue of examination certificates

Every candidate passing the Foundation examination or completing the Intermediate or Final Examination or Professional Programme Examination shall be granted a certificate to that effect in the appropriate form by the Secretary.

46A. Revival of exemption in an examination

If a candidate applies for and is allowed cancellation of exemption in any subject(s) obtained by him earlier or of result of any groups of an examination passed by him earlier under any of the regulations, he shall not be eligible for revival of such exemption(s) or the benefit of having passed such group(s), as the case may be in any subsequent examination(s).]

37 Inserted by the Company Secretaries (Amendment) Regulations, 2014 Notification No. ICSI/710/1/M/(1) published in the Gazette of India; Extraordinary, Part III – Section 4, dated 1st April, 2014 .

46AB Practical Experience and Training.-

1. A student who has passed the Final Examination or Professional Programme Examination or Professional Programme examination of the Institute shall become eligible to Associate Membership of the Institute only after he has -

(a) undergone the practical training for a period of-

(i) three years on registration for Executive Programme; or

(ii) two years after passing the Executive Programme examination; or

(iii) one year after passing the Professional Programme examination;

on whole time basis during normal working hours-

(i) in a company having a paid up share capital of not less than fifty lakh rupees; or

(ii) in any other institution or organisation or class of institutions or organisations as may be approved by the Council from time to time; or

(iii) under a Company Secretary in whole-time practice or in a firm of Company Secretaries;

(b) completed Management Skills Orientation Programme, after passing the Final Examination or Professional Programme Examination and undergoing practical training as specified in clause (a) of sub-regulation (1) or exempted therefrom, either in class room environment or online for a period of fifteen days in such manner and of such contents as may be provided by the Council from time to time.

2. The practical training referred to in clause (a) of sub-regulation (1) may be dispensed for a student, if to the satisfaction of the Council, he has fulfilled the following experience, namely: -

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(i) (a) One year experience as an Assistant Company Secretary or Deputy Company Secretary or any other post equivalent or higher thereto in the Secretarial Department; or (b) two years' experience as a Secretarial Officer or Executive or any other post equivalent or higher thereto; or (c) three years experience as an Assistant or any other post equivalent or higher thereto in Secretarial Department in any company or body corporate having a paid-up share capital of not less than fifty lakh rupees or turnover of not less than ten crore rupees or in any public sector undertaking, autonomous or statutory body, financial institution or bank which in the opinion of the Council provides scope for acquiring sufficient professional experience; or

(ii) (a) Two years' experience as Secretarial Officer or Executive or any post equivalent; or (b) three years' experience as an Assistant or any other post equivalent or higher thereto under a Company Secretary in whole time practice or in a firm of Company Secretaries, which in the opinion of the Council provides scope for acquiring sufficient professional experience; or

(iii) (a) Two years' experience of continuous practice on a whole-time basis as a Chartered Accountant or a Cost Accountant having carried out statutory or cost or internal audit or providing management consultancy services; or (b) two years experience of continuous practice as an Advocate in a high Court having rendered services as Counsel or Advisor to a Company having paid–up share capital and reserves of not less than fifty lakhs rupees or any organisation having gross fixed assets of not less than one crore rupees, or in any public sector undertaking, autonomous or statutory body, financial institute or bank which in the opinion of the Council provides scope for acquiring sufficient professional experience; or

(iv) has acquired practical experience equivalent to those specified under sub-regulation (1) of this regulation in such professional institutions or abroad as may be recognised by the Council in this behalf on reciprocal basis.

46AC Exceptions.-

Any person not falling in all or any respects with regard to practical experience and practical training requirements as specified in regulation 46AB but claims to have acquired practical experience and undergone practical training, equivalent to those specified under these regulations may apply for full or partial exemption from acquiring practical experience or undergoing practical training, as the case may be, and the Council may determine each case for partial or total exemption taking into account the evidence produced by such person or after interviewing him.

46AD Requirement of certificate of experience and practical training by members of the Institute.-

Every applicant claiming to have acquired the necessary practical experience and undergone the required practical training, shall be required to obtain certificate from at least two members having a standing of three years membership, as approved by the Council, certifying that in the opinion of the certifying members, the candidate is a fit and appropriate person to be admitted to the Associate Membership of the Institute.

46AE Proof of Practical experience and training.-

A candidate, who possesses the requisite practical experience and has undergone the requisite practical training or has been exempted therefrom as provided in these regulations, shall be required to produce necessary documentary proof to the satisfaction of the Council along with his application in the appropriate form for Associate Membership.

46AF Disciplinary action in connection with training including Management Skills Orientation Programme:-

In the event of any misconduct by a candidate undergoing training including management skills orientation programme, the Council or the Disciplinary Committee may suo-moto or on receipt of a complaint, if it is satisfied that the misconduct is proved after such investigation as it may deem necessary after giving him an opportunity of being heard, reprimand the candidate or cancel or suspend his registration as a student or suspend or debar him from appearing in any one or more examinations of the Institute or direct that any period of training already undergone shall not be reckoned for the purpose of regulation 46AB or declare that such a candidate is not fit and appropriate person to be admitted to the Associate Membership of the Institute.

Explanation: For the purposes of this regulation, the expression "misconduct" shall include "a behaviour in a disorderly manner in relation to the Institute or in or near the place where undergoing training, breach of any regulation, condition, guideline or direction laid down by the Institute, malpractice with regard to training or resorting to or attempting to resort to unfair means in connection with the undergoing of training or seeking exemption from undergoing the training or for breach of any policies, rules and regulations for the organisation in which he is undergoing training;]

[38]**[Chapter VIB**

Practical Experience and Training Requirements

46BA. Applicability of provisions of Chapter VIB.-

(1) A student who is undergoing training in accordance with

38 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

the provisions of Chapter VIA or Chapter VII on the date of commencement of the provisions of this Chapter may continue and complete the training in accordance with the provisions of said Chapters:

Provided that such student at his discretion may switchover to training under this Chapter in order to complete his remaining training.

(2) A student who had commenced training in accordance with the provisions of Chapter VIA or Chapter VII but subsequently discontinued the same shall resume his remaining training under Chapter VIA or Chapter VII within six months from the date of commencement of this Chapter:

Provided that such student at his discretion may switchover to training under this Chapter to complete his remaining training.

(3) Where a student on the date of commencement of the provisions of this Chapter has passed the Executive Programme Examination and is willing to undergo practical training of two years in accordance with the provisions of Chapter VIA, he shall commence the practical training within six months from the date of commencement of the provisions of this Chapter.

(4) Where a student who, irrespective of the date of his registration to Executive Programme or Professional Programme, has not commenced his training within the period prescribed in sub-regulation (3), shall undergo practical training in accordance with the provisions of this Chapter.

46BB. Practical experience and training requirement.-

(1) A Student shall complete the following training in such manner and mode as may be determined by the Institute, namely:-

(a) Executive Development Programme (EDP) for one month duration after passing of Executive Programme examination;

(b) Practical training for twenty one months after completion of Executive Development Programme on whole time basis during normal working hours,-

(i) in a company having a company secretary in whole time employment or any other company fulfilling such criteria as may be determined by the Institute; or

(ii) under a Company Secretary in whole-time practice fulfilling such criteria as may be determined by the Institute; or

(iii) in any other body corporate or institution or organisation or entity fulfilling such criteria as may be determined by the Institute;

(c) After passing the Professional Programme Examination, a Corporate Leadership Development Programme (CLDP) for not less than thirty days but not exceeding sixty days as may be determined by the Institute.

46BC. Exemption from Practical training and Executive Development Programme.-

(1) A student who claims to have acquired practical knowledge and skills equivalent to Executive Development Programme and Practical training referred to in regulation 46BB, may make an application for exemption from undergoing Executive Development Programme and practical training in accordance with the criteria determined by the Institute.

(2) The Institute may, after considering the application, grant full or partial exemption or conditional exemption or reject the application.

46BD. Proof of practical training.-

(1) A student intending to seek Associate Membership shall make an application to the Institute in such Form as may be determined by the Institute.

(2) Along with the application referred to in sub-regulation (1), the student shall enclose documentary proof to the satisfaction of the Institute that he has undergone the required practical training or has been exempted there from in accordance with these regulations.

46BE. Disciplinary action for misconduct during training including Executive Development Programme and Corporate Leadership Development Programme.-

In the event of any misconduct or violation of any code of conduct or any regulation by a student undergoing practical training or Executive Development Programme or Corporate Leadership Development Programme, the Council may *suo-moto* or on receipt of a complaint, if it is satisfied about the existence of misconduct or violation after such investigation as it may deem necessary and after affording an opportunity of being heard, reprimand the student or cancel or suspend his registration as a student or suspend or debar him from appearing in any one or more examinations of the Institute or direct that any period of training already undergone shall not be reckoned for the purpose of Chapter VIA, VII and this Chapter or declare such student as unfit to be admitted to the Associate Membership of the Institute].

Chapter VII

[39][Practical Experience and Training Requirements

47. Practical Experience and Training.-

A candidate who has passed the Final Examination or Professional Programme Examination of the Institute shall be required to possess the practical experience and undergo

39 Amended by the Company Secretaries (Amendment) Regulations, 1993, Notification No. 710/1/(M)/1/18, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 20th August, 1993 and 24th November, 1993.

the practical training or be exempted therefrom as specified in this Chapter for becoming eligible to Associate Membership of the Institute.]

[40]**[48. Practical Experience or Training.-**

Every candidate registered as a student on or after the commencement of the Company Secretaries (Amendment) Regulations, 2001 (including a student registered *de novo*) and passing the Final Examination or Professional Programme Examination of the Institute and every candidate registered as a student before the commencement of the said regulations and who has not completed the training in accordance with the regulations in force within five years of date of his registration shall be required either:

40 Substituted by the Company Secretaries (Amendment) Regulations, 2001, Notification No. ICSI/710/2/M/26, published in the Gazette of India; Extraordinary, Part III – Section 4, dated 10th August, 2001 for the following:

[*48. Practical experience or management training or apprenticeship*

(1) Every candidate registered as a student (including a student registered *de novo*) and passing the Final examination of the Institute shall be required either:

(a) to possess practical experience to the satisfaction of the Council in any one of the following manners, namely:-

(i) two years' experience as an executive or three years' experience as an assistant in the secretarial, administration, finance, accounts, personnel or legal departments in any company or body corporate having a paid-up share capital and reserves of not less than rupees twenty-five lakhs or any organization having gross fixed assets of not less than rupees fifty lakhs including any public sector undertaking, autonomous body, financial institution or bank which in the opinion of the Council, provides scope for acquiring sufficient professional experience;

(ii) three years' experience as a lecturer in any university or college affiliated to any university, having taught at least one subject in the discipline of Law, Management or Accountancy;

(iii) three years' experience as a Gazetted Officer in the Central/State Government or in a supervisory post equivalent thereto in any autonomous or statutory body, in departments which generally deal with matters relating to working of corporate sector;

(iv) three years' experience of continuous practice on a whole-time basis as a Chartered Accountant or Cost Accountant having carried out

(a) to possess practical experience to the satisfaction of the Council in any one of the following manners, namely:

(i) One year's experience as an Assistant/Deputy Company Secretary or any other post higher thereto in the Secretarial Department or three years' experience as a Secretarial Officer/

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statutory/coast/internal audit or providing management consultancy services to a company having paid-up share capital and reserves of not less than rupees twenty-five lakhs or any organization having gross fixed assets of not less than rupees fifty lakhs including any public sector undertaking, autonomous body, financial institution or bank which in the opinion of the Council, provides scope for acquiring sufficient professional experience;

(v) three years' experience of continuous practice as an Advocate in a High Court having rendered services as Counsel/Advisor to a Company having paid-up share capital and reserves of not less than rupees twenty-five lakhs or any organisation having gross fixed assets of not less than rupees fifty lakhs including any public sector undertaking, autonomous body, financial institution or bank which in the opinion of the Council provides scope for acquiring sufficient professional experience:

OR

(b) to undergo management training in the manner and areas specified by the Council for a period of fifteen months in a company having a paid-up share capital of not less than rupees fifty lakhs or any other institution or organisation as may be approved by the Council from time to time.

OR

(c) to undergo apprenticeship under a Company Secretary in whole-time practice or in a firm of such Company Secretaries as approved by the Council for a period of one year on whole-time basis working during normal working hours or two years on part-time basis working for a minimum of three hours every day for five days in a week.

(2) Any person registered as a student on or after the 16th September, 1982, and up to an including 29th December, 1985 shall be deemed to have complied with the practical experience requirement specified in the regulation if he possesses not less than one year's experience as an executive in the manner specified in sub-clause (i) of clause (a) of sub-regulation (1) within a period of three after the date of passing the Final examination or before the 30th December, 1993, whichever is earlier. Provided that the Council may, for reasons to be recorded in writing, further extend this upto a maximum of two years.]

Executive in Secretarial Department in any company or body corporate having a paid-up share capital and reserves of not less than rupees twenty-five lakhs or any organization having gross fixed assets of not less than rupees fifty lakhs including any public sector undertaking, autonomous or statutory body, financial institution or bank which in the opinion of the Council provides scope for acquiring sufficient professional experience;

(ii) two years' experience as an executive or three years' experience as an assistant under a Company Secretary in whole-time practice or in a firm of such Company Secretaries, which in the opinion of the Council provides scope for acquiring sufficient professional experience;

(iii) three years' experience of continuous practice on a whole-time basis as a Chartered Accountant or Cost Accountant having carried out statutory/ cost/Internal audit or providing management consultancy services or three years' experience of continuous practice as an Advocate in a High Court having rendered services as Counsel/Advisor to a Company having paid-up share capital and services of not less than rupees twenty-five lakhs or any organisation having gross fixed assets of not less than rupees fifty lakhs including any public sector undertaking, autonomous or statutory body, financial institute or bank which in the opinion of the Council provides scope for acquiring sufficient professional experience;

(iv) three years' experience as an executive or four years' experience as an assistant in the secretarial, administration, accounts, finance,

personnel or legal department in any company or body corporate having a paid-up share capital and reserves of not less that rupees twenty-five lakhs or any organisation having fixed assets of not less than rupees fifty lakhs including Central/State Government, any Public Sector Undertaking, autonomous or statutory body, financial institution, banking or insurance company which in the opinion of the Council provides scope for acquiring sufficient professional experience;

(v) have acquired practical experience equivalent to those specified under clause (b) or clause (c) of this regulation in such profession Institutions in India or abroad as may be recognized by the Council in this behalf on reciprocal basis;

OR

(b) to undergo training in the manner and areas specified by the Council for a period of fifteen months in a company having a paid-up share capital of not less than rupees fifty lakhs or any other institution or organisation as may be approved by the Council from time to time;

OR

(c) to undergo training under a Company Secretary in whole-time practice or in a firm of such Company Secretaries as approved by the Council for a period of fifteen months on whole time basis working during normal working hours.]

[41][(d) a candidate registered for Executive Programme on or after the 1st September, 2009 and is required to

41 Inserted by the Company Secretaries (Amendment) Regulations, 2012 Notification No 710/1/(M)/2 published in the Gazette of India, Extra Ordinary, Part III Section 4 dated 4th June 2012

undergo training under clause (b) or (c) of regulation 48, shall attend and complete successfully Executive Development Programme for eight days and attend Professional Development Programmes for twenty five hours or for such hours as may be approved by the Council from time to time or exempted therefrom.]

[42]**[49. Training after Intermediate Examination or Executive Programme Examination.-**

(1) A candidate who has passed the Intermediate Examination or Executive Programme Examination of the Institute may commence his training under clause (b) or clause (c) of Regulation 48, with the approval of the Secretary if sufficient companies or Company Secretaries or firms of Company Secretaries in practice willing to accept trainees are available for the purpose.

(2) A Company Secretary or a firm of Company Secretaries in practice under whom a candidate is required to undergo training under clause (c) of Regulation 48 shall be required to be approved by the Council and shall pay a monthly stipend as may be determined by the Council from time to time.]

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42 Substituted by the Company Secretaries (Amendment) Regulations, 2001, Notification No. ICSI/710/2/M/26, published in the Gazette of India, Extraordinary, Part III – Section 4, dated 10th August, 2001 for the following:

[49. *Management training or apprenticeship after Intermediate examination*

(1) A candidate who has passed the Intermediate examination of the Institute may commence his management training under clause (b) of Regulation 48 or apprenticeship under clause (c) thereof, with the approval of the Secretary if sufficient companies or practicing company secretaries or firms of practicing company secretaries willing to accept trainees or apprentices as the case may be, are available for the purpose.

(2) A practicing company secretary or a firm of practicing company secretaries under whom a candidate is required to undergo apprenticeship under clause (c) of Regulation 48 shall be required to be approved by the Council and shall pay a monthly stipend as may be determined by the Council from time to time.]

[43]**[50. Compulsory Practical Training.-**

Every candidate passing the Final Examination or Professional Programme Examination of the Institute in addition to acquiring practical experience or undergoing training as stipulated in Regulation 48 shall be required to undergo compulsory practical training for a total period of four months as specified below:

(a) to undergo three months' training in a public limited company or body corporate having a paid-up share capital of not less than rupees twenty-five lakhs as approved by the Council from time to time in the following manner:

43 Substituted by the Company Secretaries (Amendment) Regulations, 2001, Notification No. ICSI/710/2/M/26, published in the Gazette of India; Extraordinary, Part III – Section 4, dated 10th August, 2001 for the following:

50. Compulsory Practical Training.-

Every candidate passing the Final examination of the Institute in addition to acquiring practical experience or undergoing management training or apprenticeship training as stipulated in Regulation 48 shall be required to undergo compulsory practical training for a total period of four months as specified below:

(a) to undergo three months' training in a public limited company or body corporate having a paid-up capital of not less than rupees twenty-five lakhs as approved by the Council from time to time as specified in the following manner:

(i) Secretarial Department (including Shares and Legal) – one month;

(ii) Finance and Accounts Department (including Costing, Management Accounting, Internal Audit and Taxation) – one month;

(iii) Administration Department (including Personnel, General Administration, Industrial, Public Relations, Marketing and Materials Management) – one month;

Provided that a candidate who has undergone management training for a period of fifteen months as specified in clauses (b) of Regulation 48 may be exempted from the requirement of clause (a) of Regulation 50;

(b) to attend and complete successfully secretarial training for fifteen days in such manner and areas as determined by the Council and training in a specialized agency such as the Office of the Registrar of Companies, stock exchange, financial or banking institution or management consultancy firm for another fifteen days.

(i) Secretarial Department (including Shares and Legal) – one month;

(ii) Finance and Accounts Department (including Costing, Management Accounting, Internal Audit and Taxation) – one month;

(iii) Administration Department (including Personnel, General Administration, Industrial, Public Relations, Marketing and Materials Management) – one month;

Provided that a candidate who has undergone training for a period of fifteen months as specified in clauses (b) and (c) of Regulation 48 as may be exempted from the requirement of clause (a) of this regulation;

Provided further that the Council may on an application made in this behalf by the candidate exempt him from undergoing practical training if the Council is satisfied that the candidate has already undergone the training prescribed by such professional Institutions in India or abroad as may be recognized by the Council in this behalf on reciprocal basis.

(b) to attend and complete successfully [44][Management Skills Orientation Programme] for fifteen days in such manner and areas as determined by the Council and training in a specialized agency such as the Office of the Registrar of Companies, stock exchange, financial or banking institution or management consultancy firm for another fifteen days;

Provided that the Council may on an application made in this behalf by the candidate exempt him from undergoing

44 Substituted by the Company Secretaries (Amendment) Regulations, 2012 Notification No 710/1/(M)/2 published in the Gazette of India, Extra Ordinary, Part III Section 4 dated 4th June 2012 for the words [Secretarial Modular Training Programme].

[45][Management Skills Orientation Programme] and training in a specialized agency specified in clause (b) if the Council is satisfied that the candidate has already undergone the training prescribed by such professional Institutions, in India or abroad as may be recognized by the Council in this behalf on reciprocal basis.]

51. Exemption from undergoing practical training except secretarial training programme.-

A candidate may be exempted from undergoing practical training as specified in clause (a) of Regulation 50 and fifteen days in a specialized agency as specified in clause (b) of Regulation 50, if he possesses one year's experience as assistant secretary or any post higher thereto, in the secretarial department in a company or a body corporate having a paid-up Share capital and reserves of not less than rupees twenty-five lakhs or any Organisation having gross fixed assets of not less than rupees fifty lakhs including any public sector undertaking, autonomous body, financial institution of bank which in the opinion of the Council, provides scope for acquiring sufficient professional experience.

52. Partial exemption from undergoing practical training.-

A candidate who has acquired practical experience as specified in [46][clause (a)] of Regulation 48 may be exempted, for a maximum period of one month in any one of the three areas of Practical Training specified in clause (a) Regulation 50 and for a maximum period of fifteen days in a specialized agency as specified in clause (b) of Regulation 50, provided he gives documentary evidence

45 *Ibid*.

46 The following was omitted by the Company Secretaries (Amendment) Regulation, 2001, Notification No. ICSI/710/2/M/26, published in the Gazette of India, Extraordinary, Part III – Section 4, dated 10th August, 2001: [of sub-regulation (1)].

to show that he has acquired substantial portion of his practical experience in that area.

53. Exceptions.-

(1) (Since deleted)

(2) Any person not falling in all or any respects with regard to practical experience and practical training requirements as specified in the Regulations 48, 51 and 52, but claims to have acquired practical experience and undergone practical training, equivalent to those specified under these regulations may apply for full or partial exemption from acquiring practical experience or undergoing practical training as the case may be and the Council may determine each case for partial or total exemption taking into account the evidence produced by such person or after interviewing him.

54. Requirement of certificate of experience and practical training by members of the Institute.-

Every applicant claiming to have acquired the necessary practical experience and undergone the prescribed practical training, shall be required to obtain certificate from at least two members having a standing of three years, membership as approved by the Council, certifying that in the opinion of the certifying members, the candidate is a fit and appropriate person to be admitted to the Associate Membership of the Institute.

55. Proof of Practical experience and training.-

A candidate, who possesses the requisite practical experience and has undergone the requisite practical training or has been exempted therefrom as provided in these regulations, shall be required to produce necessary documentary proof to the satisfaction of the Council along with his application in the appropriate form for Associate Membership.

[47]**[55A. Disciplinary action in connection with training including [48][Management Skills Orientation Programme].-**

In the event of any misconduct by a candidate undergoing training including [49][Management Skills Orientation Programme], the Council or the Disciplinary Committee may *suo-moto* or on receipt of a complaint, if it is satisfied that the misconduct is proved after such investigation as it may deem necessary after giving him an opportunity of being heard, reprimand the candidate or cancel or suspend his registration as a student or suspend or debar him from appearing in any one or more examinations of the Institute or direct that any period of training already undergone shall not be reckoned for the purposes of Regulation 48 or Regulation 50 or declare

47 Substituted by the Company Secretaries (Amendment) Regulations, 2001, Notification No. ICSI/710/2/M/26, published in the Gazette of India, Extraordinary, Part III – Section 4, dated 10th August, 2001 for the following:

[55A. *Disciplinary action in connection with management, apprenticeship or practical training*

In the event of any misconduct by a candidate undergoing management apprenticeship or practical training, the Council or the Disciplinary Committee may *suo-moto* or on receipt of a complaint, if it is satisfied that the misconduct is proved after such investigation as it may deem necessary and after giving him an opportunity of being heard, reprimand the candidate or cancel or suspend his registration as a student or suspend or debar him from appearing in any one or more examinations of the Institute or direct that any period of training already undergone shall not be reckoned for the purposes of Regulation 48 or 50 or declare that such a candidate is not fit and appropriate person to be admitted to the Associate Membership of the Institute.

Explanation: Misconduct for the purposes of this regulation shall include "a behaviour in a disorderly manner in relation to the Institute or in or near the place where undergoing training, breach of any regulation, condition, guideline or direction laid down by the Institute, malpractice with regard to training or resorting to or attempting to resort to unfair means in connection with the undergoing or training or seeking exemption from undergoing the training.]

48 Substituted by the Company Secretaries (Amendment) Regulations, 2012 Notification No 710/1/(M)/2 published in the Gazette of India, Extra Ordinary, Part III Section 4 dated 4th June 2012 for the words [Secretarial Modular Training Programme].

49 Ibid.

that such a candidate is not fit and appropriate person to be admitted to the Associate Membership of the Institute.

Explanation—For the purposes of this Regulation "misconduct" shall include "a behaviour in a disorderly manner in relation to the Institute or in or near the place where undergoing training, breach of any regulation, condition, guideline or direction laid down by the Institute, malpractice with regard to training or resorting to or attempting to resort to unfair means in connection with the undergoing of training or seeking exemption from undergoing the training or for breach of any policies, rules and regulations for the organisation in which he/she is undergoing training".]

[50]**[55AB Applicability of Chapter VII.-**

The provisions of this Chapter shall apply to students registered to Intermediate or Executive Programme before the date of this notification, if they do not opt to comply with the provisions of Chapter VIA.]

[51]**[Chapter VIIA**

Specialised and Advanced Courses and Examinations

55B. Specialised and Advanced Courses and Examinations.-

The Institute may conduct one or more such specialised and advanced courses as it may consider useful for the professional development of students and members, impart practical or theoretical course, conduct examination for subjects of such specialised and advanced courses and award certificate or diploma in such manner as may be determined by the Council.

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50 Inserted by the Company Secretaries (Amendment) Regulations, 2014 Notification No. 710/1/(M) (1) published in the Gazette of India, Extraordinary Part III – Section 4 dated 1.4.2014.

51 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India,

55C. Award of Diploma and Certificate for Specialised and Advanced Course Examination.-

A candidate successfully completing the specialised and advanced course shall be awarded a Diploma or Certificate as may be determined by the Council and he shall be entitled to use such description as may be determined by the Council in respect of such Diploma or Certificate.

55D. Refresher Course.-

(1) The Institute shall conduct refresher course and examination thereto for the members in such manner, mode and after such interval as may be determined by the Council.

(2) It shall be mandatory for the member either to undergo such refresher course or to appear in examination conducted by the Institute.

(3) A member may undergo such refresher course as well as appear in examination also:

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Extraordinary dated 03-02-2020, for the following:

[Chapter VIIA

Post Qualifying Courses and Examinations

[55B. Post Qualifying Courses and Examinations]

The Council may impart or arrange to impart practical and/or theoretical training and hold examinations in such subjects as it may consider useful for members and may award certificates or diplomas in connection therewith in accordance with the provisions of this Chapter.

[Post Membership Qualification Courses]

55C. Scheme of Post Membership Qualification Course

[The Post Membership Qualification Courses as prescribed under Regulation 55B shall be governed by Regulations 55D to 55R.]

55D. Administration

Notwithstanding anything contained in Regulation 100, the Post Membership Qualification Course shall be under the charge of a committee constituted by the Council for the purpose under Sub-section (2) of Section 17 of the Act (referred to in this Chapter as the "Committee") whose functions shall include holding of the examination; admission thereto, granting approval of dissertation or project report, appointment and selection of examiners, prescription of books for the guidance of candidates, declaration of results and other allied matters.

Provided that the Institute may grant exemption from undergoing refresher course to the member who fulfill such criteria as may be determined by the Council.

(4) A member seeking exemption under the provision of this regulation shall make an application to the Institute in such Form, manner, mode and along with such fees as may be determined by the Council].

[52]**[55E to 55S omitted]**

52 Omitted by Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

55E. Advisory Board

The Committee may appoint an advisory board consisting of not more than seven persons to advise the Committee on the matters relating to the syllabus, examinations, dissertation or project report and any other matter relating to Post Membership Qualification Course, as might be referred to it by the Committee.

55F. Admission to Post Membership Qualification Course

(1) No candidate shall be admitted to the Post Membership Qualification Course unless he is a member at the time of admission to the said course.

(2) Any candidate applying for admission to the Post Membership Qualification Course shall be required to apply in the appropriate form along with the registration fee, annual fee, if applicable and other fees as determined by the Council from time to time in respect of services to be rendered.

55G. Time limit for completing Post Membership Qualification Course

(1) *Registration period:* Every candidate applying for admission to the Post Membership Qualification Course shall be registered in accordance with regulations under this Chapter for a period of five years from the month in which his application, complete in all respects, is accepted by the Institute for registration.

(2) *Time limit for completing examination:* A candidate registered for the course under sub-regulation (i) shall be required to complete the examination and submit dissertation or project report, as the case may be, within the registration period.

(3) *Termination of registration:* The registration of a candidate shall terminate on the expiry of five years or at the end of the year in which the said candidate has successfully completed the Post Membership Qualification Course, whichever is earlier;

Provided that the Committee may, subject to such guidelines as may be laid down in this behalf by the Council, extend the registration period of a candidate registered under this Chapter beyond five years.

55H. Admission to Post Membership Qualification Examination

No member shall be admitted to Part I of the Post Membership Qualification examination unless:

(a) he is registered under Regulation 55G, at least six calendar months prior to the month in which the examination commences, that is to say, if any examination commence in December, candidates registered upto and including May of that calendar year shall be eligible;

(b) he applies for admission to an examination, in the appropriate form, the copies of which may be made out by the candidate himself, with requisite particulars and fees as may be determined by the Council from time to time so as to reach the Institute in accordance with the directions given by the Committee.

55I. Examination requirements

(1) Candidates registered under this Chapter shall be required to comply with such conditions relating to examinations and dissertation or project report as may be laid down by the Council from time to time.

(2) Admission to examination, expulsion and withholding of results—(a) The Committee or a person authorized by it in this behalf may, for reasons to be recorded in writing:

(i) refuse to admit a candidate registered under Regulation 55G to an examination, or

(ii) admit him to an examination subject to such conditions as it or he may consider to be reasonable in the circumstances of a case; or

(iii) expel him from an examination hall, after he has been admitted to it in the usual course.

(b) Notwithstanding the fact that a candidate has obtained the minimum marks for passing an examination, the Committee may, for reasons to be recorded in writing, withhold the result.

(c) Any order passed by the person authorized by the Committee may be reviewed by it and any order passed by the Committee may be reviewed by the Council.

55J. Suspension or cancellation of examination or dissertation or project report result or registration

In the event of any misconduct by a candidate registered under this Chapter, the Council or the Committee may *suo moto* on or receipt of a complaint, if it is satisfied that, the misconduct is proved after such investigation as it may deem necessary and after giving such candidate an opportunity to state his case suspend or debar the candidate from appearing in any one or more examinations or from submission of

dissertation or project report, withhold or cancel his examination or dissertation or project report result or suspend or cancel his registration and debar him from future registration under this Chapter as the case may be.

Explanation: Misconduct for the purposes of this Regulation shall mean and include behaviour in a disorderly manner in relation to the Institute or in or near an examination premises, breach of any regulation, condition, guideline or direction laid down by the Institute, resorting to or attempting to resort to unfair means in connection with the writing of any examination conducted by the Institute, preparation or submission of dissertation or project report such as copying, reproduction of any material from existing literature or sources without duly acknowledging the same as may be specified by the Committee from time to time.

55K. Conduct of an Examination

(1) The examination may be conducted at such intervals, in such manner and at such time and places, as the Council may decide subject to availability of such minimum number of candidates enrolling for the examination as may be determined by the Committee from time to time.

(2) The dates and places of the examination and other particulars shall be published in the journal.

55L. Refund or appropriation of examination fees

(1) A candidate once issued with an admission certificate for an examination shall not be entitled under any circumstances to refund of the examination fees paid by him.

(2) Where, however, a candidate applies to the Institute within fifteen days from the last date of examination for considering appropriation of examination fee to the next examination on the ground that he was prevented from attending the examination on account of circumstances beyond his control, and furnishes requisite documentary proof and information to the satisfaction of the Institute, the Institute may permit fifty per cent of the examination fees paid by him to be appropriated towards the fees payable for the next following examination for the same papers for which he was enrolled.

55M. Change of examination centre

Applications for change of examination centres shall not ordinarily be entertained and if entertained a fee as may be determined by the Council from time to time be charged for the purpose:

Provided that no application received within fifteen days before the date of commencement of an examination shall be entertained by the Council.

55N. Dissertation or project report

(1) A candidate after qualifying Part I of the Post Membership Qualification Examination, shall submit not earlier than six months and not later than two years from the date of qualifying Part I examination of the said course, a dissertation or a project report on a subject to be approved

by the Committee within the registration period:

Provided that the Committee may extend time for submission of dissertation or project report in cases where:

(i) a candidate fails to submit his dissertation or project report within two years from the date of qualifying Part I examination; or

(ii) the dissertation or project report submitted by a candidate under sub-regulation (1) requires modification on the advice of the referee;

(iii) a candidate fails to submit his dissertation or project report during his registration period after he has obtained renewal of his registration under proviso to sub-regulation (3) of Regulation 55G.

(2) The candidate shall submit the name of one or more guides from the panel of guides maintained by the Institute alongwith the synopsis of dissertation or project report giving therein details about the proposed dissertation or project report which shall include the problems identified, their relevance to the Post Membership Qualification Course, the date and methodology to be used and suggestions or recommendations in relation to the problems so identified:

Provided that a candidate may opt, with the prior approval of the Committee, for a guide not included in the panel of guides maintained by the Institute.

(3) The dissertation or project report shall be submitted alongwith such non refundable fees as may be determined by the Council from time to time.

(4) The candidate shall submit in English five neatly type-written or printed copies of the dissertation or project report embodying the results of his research:

Provided that it shall be competent for the Council to permit, subject to such conditions at it may deem fit and after giving sufficient advance information to the candidates the use of Hindi as a medium of writing the dissertation or project report.

(5) The candidate shall further submit a statement indicating the sources from which his information has been derived and the extent to which he has based his work on the work of others and shall indicate which portion or portions of his work he claims as original.

(6) The Committee shall forward the dissertation or project report to the referees appointed by it or their advice whether the dissertation or project report is of a sufficiently high degree of merit as to deserve approval or whether it may be modified and if so, in what manner or whether it may be rejected.

(7) If a candidate fails to obtain the minimum pass marks specified in Regulation 55P either in the dissertation or project report, as the case may be, or in the interview, he may at his option resubmit either the same dissertation or project report with modifications and improvements made therein or submit another dissertation or project report, as the case may

be, in accordance with the provisions contained in the Chapter and on his attaining the required passing marks, he shall be required to appear at another interview as provided in this Chapter.

(B) If a candidate fails to:

(i) submit the dissertation or project report, as the case may be, within the period specified in sub-regulation (1); or

(ii) resubmit the dissertation or project report as the case may be, incorporating therein the modifications advised by the referees within the period specified in sub-regulation (1) or within the time extended by the Committee under proviso to sub-regulation (1); or

(iii) submit his dissertation or project report during his registration period after he has obtained renewal of his registration under proviso to sub-regulation (3) of Regulation 55G, his registration under this Chapter shall stand cancelled.

Provided that the Committee may renew the registration at its discretion on the receipt of an application from the candidate together with fee which may be determined by the Council and which shall not be refunded except where the application is not entertained and on such renewal of the registration the candidate shall be entitled to claim exemption from the subjects previously passed by him without payment of any exemption fee.

Provided further that the Council may provide for any other training, workshop or completion of any other requirement in part II of the Post Membership Qualification Courses in addition or in lieu of Dissertation or project report as specified in sub-regulation (1).

55O. Interview

The candidate shall be required to appear for interview on the dissertation or project report before an interview board that may be appointed by the Committee in this behalf.

55P. Requirements for passing the Examination

(1) A candidate for the Post Membership Qualification Examination shall be declared to have passed:

(a) in Part I of the examination if he passes in both the Groups simultaneously or in any one Group at one examination and in the remaining Group at any subsequent examination securing at one sitting a minimum of forty per cent marks in each paper of the Group and a minimum aggregate fifty per cent of the total marks in all the papers of that Group;

(b) in Part II of the examination if he obtains a minimum of sixty per cent marks in the dissertation or project report, as the case may be, and a minimum of sixty per cent marks in the interview. Failure to obtain the minimum pass marks either in the dissertation or project report as the case may be, or in the interview will necessitate resubmission of the dissertation or project report with modifications

and improvements made therein or submit another dissertation or project report followed in either case by the interview as specified in this Chapter.

(2) *Individual intimation:* Every candidate shall be individually informed of the marks obtained in each paper of the Part I of the course and the result thereof but under no circumstances the marks obtained in individual questions or sections of a paper shall be furnished. The marks obtained by a candidate in Part II of the examination shall not be intimated to him unless he is declared successful in both the dissertation or project report and the interview.

(3) *Verification of marks:* Information as to whether a candidate's answer to each question in any particular paper or papers at any examination have been duly examined and marked or not shall be supplied to a candidate on his submitting an application with such verification fee as may be determined by the Council from time to time within thirty days of the declaration of the results of the said examination.

Explanation: Fee referred to in this sub-regulation is only for verifying whether the candidate's answers in any particular paper or papers have been examined and evaluated and not for revaluation of the answer.

55Q. Examiners

The Committee may make such arrangements and may appoint such examiners to set question papers and value answer books as it may deem fit.

55R. Amendment of result

In any case where it is found that the result of an examination has been affected by an error, malpractice, fraud, improper conduct or other matter of whatever nature, the Committee shall have the power to amend such result in such manner as shall be in accord with the true position and to make such declaration as the Committee shall consider necessary in that behalf.

55S. Grant of Diploma Certificate

The scheme and the subjects of the Post Qualification Courses shall be as follows:-

Course A: Capital Markets and Financial Services Course

(1) The Capital Markets and Financial Services Course shall comprise of following two parts, namely—

(a) Part I of the course shall consist of Group I of 200 marks and Group II of 300 marks; and

(b) Part II of the course shall consist of dissertation or project report of 150 marks and interview of 50 marks.

(2) The candidates for Part I examination shall be examined in five subjects comprised in two Groups each consisting of the following papers, namely—

Group I

Paper I : Financial Management - Concepts, Issues and Practices.

Paper II : Financial Services, Financial Markets and Financial Products.

Group II

Paper III: Security Evaluation and Investment Management.

Paper IV : Portfolio Management and Mutual Funds.

Paper V : International Financial Management-Concepts, Capital Markets and Instruments.

(3) The syllabus for Part I of Capital Markets and Financial Services Course shall be as specified in Schedule D.

(4) A candidate successfully completing the Capital Markets and Financial Services Course shall be awarded a Diploma Certificate to that effect in the appropriate form by the Institute and shall be entitled to use the descriptive letters and bracket "DCMFS (ICSI)" to indicate that he has been awarded "Post Membership Diploma in Capital Markets and Financial Services" (DCMFS) by the Institute of Company Secretaries of India.

Course B: Corporate Governance Course

(1) The Corporate Governance Course shall comprise of following two parts, namely—

(a) Part I of the course shall consist of Group I of 300 marks and Group II of 200 marks; and

(b) Part II of the course shall consist of dissertation or project report of 150 marks and interview of 50 marks.

(2) The candidates for Part I examination shall be examined in five subjects comprised in two Groups each consisting of the following papers, namely -

Group I

Paper I : Conceptual Framework of Corporate Governance.

Paper II : Corporate and Board Management.

Paper III : Legal Framework of Corporate Governance.

Group II

Paper IV : Board Committees and Role of Professionals.

Paper V : Corporate Governance — Codes and Practices.

(3) The syllabus for the Part I of Corporate Governance Course shall be as specified in Schedule E.

(4) A candidate successfully completing the Corporate Governance Course shall be awarded a Diploma Certificate to that effect in the appropriate form by the Institute and shall be entitled to use the descriptive letters and bracket "DCG (ICSI)" to indicate that he has been

awarded “Post Membership Diploma in Corporate Governance” by the Institute of Company Secretaries of India.]

[Course C : Competition Law Course.

(1) The Competition Law Course shall comprise of following two parts namely-

Part I of the Course shall consist of four papers of 400 marks, and

Part II of the Course shall consist of Training for 100 Hours in the manner and areas specified by the Council under a Competition Law practitioner, Legal Department of Large Companies particularly Multi National Companies or Practising Company Secretaries firms engaged in Competition Law practice, as may be approved by the Council from time to time.

(2) The Candidates for Part I examination shall be examined in four subjects consisting of the following papers, namely:-

Paper I Concept and Economics of Competition (100 marks)

Paper II Anti-competitive Agreements and Abuse (100 marks)

of Dominance

Paper III Regulation of Combinations (100 marks)

Paper IV Competition Compliance Programme (50 marks)

Paper V Case Study (50 marks)

(3) The syllabus for the Part I of Competition Law Course shall be as provided in Schedule F.

(4) A candidate successfully completing the Competition Law Course shall be awarded a Diploma Certificate to that effect in the appropriate form by the Institute and shall be entitled to use the descriptive letters and bracket “DCL (ICSI)” to indicate that he has been awarded “Post Membership Diploma in Competition Law” by the Institute of Company Secretaries of India.

Course D: Corporate Restructuring and Insolvency

(1) The Corporate Restructuring and Insolvency shall comprise of following two modules namely -

(a) Module A of the Course shall consist of four papers of 100 marks, and

(b) Module B of the Course shall consist of Compulsory Workshop of one day organised in the manner specified by the Council before the written examination in June or December wherein the candidates shall be required to make presentation on case studies assigned in advance and interact with experts and clarify their doubts about the study during the workshop.

(2) The Candidates for `Module A' examination shall be examined in four papers consisting of the following papers, namely:-

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Constitution of the Council

[53][56. to 58. Omitted]

Paper 1	Corporate Restructuring, Rescue and Insolvency	100 marks
Paper 2	Strategic Options for Corporate Restructuring	100 marks
Paper 3	Cross Border Insolvency Practice and Procedure	100 marks
Paper 4	Professional and Ethical Practices for Insolvency Practitioners	100 marks

(3) The syllabus for the Module A of Corporate Restructuring and Insolvency shall be as provided in Schedule G.

(4) A candidate successfully completing the Corporate Restructuring and Insolvency shall be awarded a Diploma Certificate to that effect in the appropriate form by the Institute and shall be entitled to use the descriptive letters and bracket "DCRI (ICSI)" to indicate that he has been awarded "Post Membership Diploma in Corporate Restructuring and Insolvency" by the Institute of Company Secretaries of India;]

53 Omitted by the Company Secretaries (Amendment) Regulation, 2010. Notification No. 531:Legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010 :

[56. Regional Constituencies

For the purpose of constitution of the Council in pursuance of clause (a) of Sub-section (2) of Section 9, the electorate shall be constituted into such regional constituencies as may be notified in this behalf by the Central Government in the Official Gazette.

57. Proportional representation

(1) The Council shall notify in the Journal at least [ninety days] before the date of Annual Meeting in the year of election of member of the Council:

(a) the total number of persons to be elected to the Council from all the regional constituencies; and

(b) the number of persons to be elected from each regional constituency.

(2) The number of persons to be elected to the Council from each regional constituency shall bear the same proportion to the number of persons to be elected from all constituencies as the number of members of the Institute in that regional constituency bears to the number of members of the Institute in all constituencies, the resultant fraction exceeding half being counted as one and the resultant fraction equivalent to or less than half being omitted.

(3) The number of persons to be elected from a regional constituency under sub-regulation (2) shall be decided on the basis of the number of

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Elections

[54][59. to 87W. Omitted]

members from such regional constituency as borne on the Register on the first day of April in the year of election.

(4) Notwithstanding anything contained in sub-regulation (2) each regional constituency shall have at least two persons elected therefrom to the Council.

58. Duration of office

(1) The persons elected to the Council shall be deemed to have become members of the Council from the date of the first meeting of the Council held after the election.

(2) An elected member of the Council shall, subject to the provisions of Sections 13 and 14, hold office for a period of three years and shall not be required to vacate the membership of the Council if he changes his professional address from the Regional constituency to another.

(3) An elected member of the Council whose term of office has expired shall be eligible for not more than one consecutive term.]

54. Omitted by the Company Secretaries (Amendment) Regulation, 2010. Notification No. 531:Legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010 :

[59. Dates of election

The Council shall notify in the Journal at least ninety days before the date of expiry of the terms of the existing Council, the dates fixed for the following stages of election of members of the Council, namely:

(a) the last date and time for receipt of nomination;

(b) the date of the scrutiny of nominations;

(c) the last date for withdrawal of nominations;

(d) the date of polling;

(e) the last date for receipt of applications for permission to vote by post under Regulation 84;

(f) the last date for receipt of voting papers by post; and

(g) any other date or dates for the conduct of election.

60. Election Committee

An Election Committee consisting of the President, Vice-President and one government nominee on the Council, as may be nominated by the Central Government, shall generally supervise the conduct of elections to the Council and the Regional Councils in accordance with the regulations contained in this Chapter and Chapter XII:

Provided that where the President or Vice-President, as the case may be, is a candidate for election, the President or the Vice-President as

the case may be, or, both, shall be ineligible to continue as member(s) thereof and the resulting vacancy shall be filled upto by the Secretary by nominating one, or, as the case may be, two persons not contesting the elections from out of a list of persons previously approved by the Council in the order of priority given in such list.

61. Returning Officer

The Secretary shall be the Returning Officer who shall conduct the elections in accordance with these regulations.

62. Members eligible to vote

(1) Subject to the other provisions of these regulations, a person whose name is borne on the Register on the 1st day of July of the year in which the election to the Council is to take place, shall be eligible to vote in the election from the regional constituency within whose territorial jurisdiction his professional address falls on the said date provided that his name has not been removed from the Register after the said date and before the date of poll:

Provided that if the professional address is not borne on the Register on the relevant date, the residential address borne on the Register shall determine his regional constituency.

(2) In the case of members having their professional addresses outside India and eligible to vote, their regional constituencies shall be determined according to their professional addresses in India registered immediately before he went abroad or the residential addresses in India borne on the register on the relevant date, whichever is earlier.

63. List of voters

(1) At least ninety days before the date of expiry of the term of the existing Council, the Returning Officer shall prepare a list of members of the Institute in each constituency eligible to vote, showing inter alias distinctly and separately-

(i) whether any particular member is an Associate member or a Fellow member;

(ii) the polling area or polling booth to which the voter is attached and where he should exercise his Franchise, if the Returning Officer decides that his voting shall be in a polling booth, and not by post;

(iii) the location of the polling booth and polling area for which each such booth has been selected; and

(iv) whether any particular member is entitled to vote by power under Regulation 84.

(2) Subject to the other provisions of these regulations, the address published in the list of members eligible to vote shall be final for determining the manner in which a member is entitled to cast his vote or the constituency or the polling booth to which the belongs for the purpose of casting his vote:

Provided that if a member attached to a particular polling booth in a city where more than one polling booth have been set up, finds that it would be difficult for him to vote at the polling booth to which he is attached, he may, at the discretion of the Returning Officer, be permitted to vote at another polling booth in the same city. Applications in this behalf in writing stating the reasons for the request must reach the Returning Officer at least forty-five days before the date of polling.

64. Members eligible to stand for election

Subject to sub-regulation (3) of Regulation 58, any member whose name is borne on the Register as a Fellow as on the first day of July of the year in which election is held and whose name continues to be borne on the Register on the date of declaration of results of election, shall be eligible to stand as a candidate for election to the Council from the regional constituency in which his professional address is included as a voter:

Provided that no member shall be eligible to stand as a candidate for election to the Council and to a Regional Council at the same time.

Explanation: For the purpose of this Chapter, unless the context otherwise requires, "candidate" shall mean a member who is entitled to file and has filed his nomination for election to the Council under these regulations and whose name continues to be borne on the Register on the date of declaration of results of elections.

65. Nominations

(1) The Council shall not less than ninety days before the date of expiry of the term of the existing Council, notify in the Journal the number of persons to be elected from each regional constituency and call for nominations or candidates for election to each regional constituency by a specified date which shall not be less than fourteen days from the issue of the notification.

(2) The nomination of a candidate shall be in the appropriate form duly signed by the candidate and by one proposer and one seconder all of whom shall be persons entitled to vote in the election and shall be delivered so as to reach the Returning Officer not later than the last date fixed for receipt of nominations.

(3) The nomination shall be accompanied by a statement duly completed, signed and verified by the candidate containing information concerning the candidate in respect of the following matters, namely:-

(a) Name, membership number and professional address:

(b) Age:

(c) Academic and profession qualification:

(university degrees, post-graduate diplomas given by any university and membership of professional bodies recognized by the Council).

(4) The statement referred to in sub-regulations (3) may also contain,

at the option of the candidate, information concerning the candidate in respect of the following matters, namely:

(a) merit award (in degree/diploma examination conducted by universities, examinations conducted by the dissolved company or the Institute and examinations conducted by any other Institution recognized by the Council for the purpose);

(b) particulars of present occupation:

(i) employment (Name of employer and official designation of candidate as given by employer);

(ii) practice as Company Secretary (sole proprietor or in partnership, including the name of the firm);

(iii) any other main occupation (application only if the candidate is not in any employment on practicing as Company Secretary).

(c) Other Particulars:

(i) past and present membership of the Council, Regional Councils and Managing Committee of Chapters including office of President and Vice-President in the Council and office of Chairman and Vice-Chairman, Secretary Treasurer in the Regional Council and Chapters;

(ii) contributions in professional seminars and conferences organized by the Council, its Regional Councils and Chapters;

(iii) authorship of books or articles on any subject directly related to corporate and business management and of interest to company secretaries;

(iv) academic positions held in universities and professional institutions recognised by the Council.

(5) The candidate may further, at his option furnish a copy of his recent passport size photograph.

66. Nomination fee

(1) Every candidate standing for election shall, alongwith the nomination papers pay at the head quarters office a fee of not exceeding rupees five thousand as may be notified alongwith the notification of dates of election under Regulation 59 by the Council before each election in cash or by demand draft which shall not be refundable under any circumstances except in the event of the rejection of nomination under sub-regulation (11) of Regulation 67.

(2) Against the deposit of one nomination fee only one nomination will be accepted.

67. Scrutiny of nominations

(1) The Council shall appoint for each election a panel for the scrutiny of the nomination papers of all the candidates.

(2) The panel shall consist of three persons of whom one shall be the Secretary of the Institute and the other two shall be persons nominated

by the Council from amongst the members of the Council referred to in clause (b) of Sub-section (2) of Section 9 of the Act, who shall be officers of the Central Government, provided that if one or more of such members are not available or unwilling to act, then such other person or persons as the Council may decide, in order of preference.

(3) A notification containing the names of the members of the panel appointed by the Council shall be issued to the members generally before the last date fixed for the receipt of nominations for the election for which the panel is appointed.

(4) The term of the panel shall end with the conclusion of the election for which it is appointed.

(5) The panel shall have the power to regulate its procedure in such manner as it considers just and expedient.

(6) The quorum of the panel of the transaction of its business shall be two.

(7) The decisions of the panel shall normally be unanimous. In case of difference of opinion among the members of the panel, the final decision shall be that of the majority of the members constituting the panel.

(8) In case a vacancy arises in the panel by reason of one or more members of the panel being unable to act for any reason, the vacancy shall be filled up by the Council, in the order of preference.

(9) The panel shall scrutinize the nomination papers of all the candidates on the date fixed for the purpose and shall endorse on each nomination paper its decision whether it accepts, refuses or rejects the nomination. At such scrutiny of nominations, the panel shall allow any candidate or his authorized representative to be present, if he so desires.

(10) The penal shall record a brief statement of its reasons if it refuses or rejects a nomination.

(11) The panel shall refuse or reject a nomination it is satisfied:

(a) that the candidate was ineligible to stand for election under Regulation 64 or he filled nomination for election to both the Council and Regional Council in contravention of proviso to Regulation 64;

(b) that the proposer or the seconder was not qualified to subscribe to the nomination of the candidate under sub-regulation (2) of Regulation 65;

(c) that the signature of the candidate or of the proposer or the seconder is not genuine or has been obtained by coercion or fraud;

(d) that the provisions of Regulations 65 and 66 have not been complied with, in that—

(i) the nomination was not in the appropriate form;

(ii) the nomination fee was not paid as provided under Regulation 66;

(iii) the nomination was not signed by the candidate, the proposer or the seconder;

(iv) the nomination was not accompanied by a statement duly completed, signed and verified by the candidate as provided in sub-regulation (3) of Regulation 65; or

(v) the nomination was not delivered in the institute on or before the last date and time fixed for receipt of nominations.

Explanation I: If the last date fixed for receipt of nominations under clause (a) of Regulation 59 is subsequently declared as a holiday for the Institute or for delivery of registered posts by the local post office, the last date fixed shall be construed as the immediately next working day for the Institute or local post office, as the case may be.

Explanation II: The panel may not reject a nomination paper in the ground of a technical defect which is not of a substantial character.

Explanation III: The rejection of a nomination of a candidate by reason of any irregularity in respect of that nomination shall not be a ground for rejection of another nomination which is valid in respect of the same candidate.

Explanation IV: If a proposer or a seconder incurs a disability by reason of the operation of the provisions of the Act and these regulations subsequent to the last date fixed for receipt of nominations, it shall not invalidate the nomination.

(12) Where the nomination(s) of a candidate have been rejected, the Returning officer shall give notice of the decision of the panel together with a brief statement of the reasons therefore, to the candidate concerned by registered post within seven days from the last date fixed for receipt of nominations.

68. Preparation of lists of valid nominations

(1) On completion of the scrutiny of the nominations, the Returning Officer shall forthwith prepare a list of valid nominations received in respect of each regional constituency and cause a copy of the list to be sent by registered post to each candidate of the constituency with seven days of the last date fixed for receipt of nominations.

(2) The list shall contain the names in alphabetical order with the professional addresses of the candidates in respect of each regional constituency and, in case the professional address of a candidate is not borne on the Register on that relevant date, the residential address or such a candidate as on that relevant date borne on the Register.

69. Withdrawal of nominations

(1) Subsequent to the receipt of the list of valid nominations sent under sub-regulation (1) of Regulation 68, a candidate may withdraw his nomination by notice in writing, subscribed by him and delivered to the Returning Officer, on or before the last date fixed for such withdrawals which shall not be less than ten days from the date following the date of issue of the communication under sub-regulation (1) of Regulation 68.

(2) A candidate who has withdrawn his nomination shall not be entitled to rescind his withdrawal.

70. Intimation of final list of nominations to candidates and voters

(1) The Returning Officer shall omit from the list of valid nominations the names of candidates who have withdrawn their nominations and send the final list of contesting candidates (hereinafter referred to as "contesting candidates") in respect of each regional constituency to all the candidates of the constituency by registered post and to the voters of that constituency by recorded delivery post.

(2) The list shall also be accompanied by such particulars of all contesting candidates of that constituency as complied, prepared and presented by the Returning Officer from the particulars to the extent supplied by the candidates under sub-regulations (3), (4) and (5) of Regulation 65.

(3) In representing the particulars required to accompany the list under sub-regulation (2) hereof, the Returning Officer shall,-

(a) make use of the particulars furnished by the candidates under sub-regulations (3), (4) and (5) of Regulation 65.

(b) not include anything, whether or not contained in the particulars furnished by the candidate as aforesaid except to the extent the particulars conform to the requirements to sub-regulations (2), (3), (4) and (5) of Regulation 65; and

(c) correct any manifest errors that may have come to his notice.

(4) The particulars required to accompany the final list of nominations, as aforesaid shall prominently indicate that they have been complied, prepared and presented on the basis of particulars furnished by the candidates under sub-regulations (2), (3) (4) and (5) of Regulation 65 and that no responsibility is accepted by the Returning Officer as to the correctness of the said particulars.

71. Death or cessation of membership of a candidate

If a contesting candidate dies or otherwise ceases to be a member before the date of declaration of the results of election, the election for the respective regional constituency shall be conducted amongst the remaining candidates belonging to the regional constituency and no fresh proceedings with reference to the election of members in that regional constituency shall be commenced.

72. Candidates deemed to be elected if their number is equal to or less than the number of members to be elected

(1) Where the number of contesting candidates from any regional constituency is equal to or less than the number of persons to be elected from that constituency or becomes equal to or less than the number of persons to be elected from that constituency by reasons of the death or cessation of membership of one or more candidates before the date of declaration of the results of election, the remaining candidates shall be deemed to be elected and the Returning Officer shall declare all such candidates as duly elected.

(2) Where the number of candidates elected under sub-regulation (1) from a regional constituency is less than the number of persons to be elected from the regional constituency, the Council may, at the first meeting held immediately following the election or thereafter, recommend a panel of Fellow members from that regional constituency for nomination by the Central Government under Section 11 of the Act.

73. System of election and manner of voting

(1) The elections to the Council shall be held in accordance with the system of proportional representation by means of a single transferable vote.

(2) Except as otherwise provided, at 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, unless a voter is allowed in respect of any election to cast his vote by post as hereinafter provided.

74. Poling booths

The Council shall specify for each election the number of votes necessary for setting up of a polling booth and the Returning Officer shall accordingly set up such number of polling booths as required provided the voters professional addresses given in the list of members eligible to vote were not beyond a radius of sixteen kilometers from the polling booth allotted.

75. Polling Officer

The Returning Officer shall appoint a Polling Officer for each polling booth who would always be a government official and may also appoint such other person(s) as he may deem necessary to assist the Polling Officer. The Polling Officer shall in addition to performing any other duties imposed upon him by these regulations be in general incharge of all arrangements at the polling booth and generally for the preservation of peace and order at or in the vicinity of the polling booth.

76. Secret chamber and ballot paper

There shall be a secret chamber or chambers in each polling booth and such chamber shall be so arranged that where a voter records his vote on the ballot paper, no other person(s) can see how he has voted.

77. Identification of voters

(1) Every person claiming to be a voter shall be required to sign against his name in the copy of the list of members eligible to vote as provided by the Returning Officer and his signature shall be verified by the Polling Officer with the specimen signature provided by the Returning Officer

(2) At any time before a ballot paper is delivered to a person claiming to be a voter, the Polling Officer may, of his own accord, if he has reason to doubt the identity of the person or his right to vote at the polling booth, or if his specimen signature is not available with the Polling Officer, and shall, if so required by a candidate or his authorized representative, satisfy himself in any manner as he may deem advisable as to his identity or his right to vote.

(3) If the Polling Officer is not satisfied as to the identity of the person claming to be a voter, he may issued a ballot paper to such person(s) but instead of getting the ballot paper inserted in the ballot box, he shall place the same in a separate sealed cover superscribed as "Tendered Ballot" and send it to the Returning Officer, along with a letter from the person concerned, for the decision of the Returning Officer which shall be final and conclusive.

(4) In deciding the right of a person to obtain a ballot paper under this regulation the Polling Officer at any polling booth may interpret any entry in the list of members eligible to vote so as to overlook merely clerical or printing error, provided that he is satisfied that such person is identical with the voter to whom such entry relates.

78. Records to be kept by Polling Officer

The Polling Officer shall at the time of delivery of the ballot paper place against the name of the voter in the list of members eligible to vote a mark to denote that the voter has received a ballot paper. He shall also keep a record of the ballot papers supplied to the voters in such manner as the Returning Officer may direct.

79. Manner of recording of votes after receipt of ballot paper

(1) On receiving the ballot paper, the voter shall forthwith proceed into the secret chamber set apart for the purpose and shall record his votes on the ballot paper in the manner specified in Regulation 86. He shall thereafter fold the ballot paper, leave the secret chamber and insert the ballot paper in the ballot box provided for the purpose in the presence of the Polling Officer.

(2) The ballot box should be so constructed that a ballot paper can be inserted there into during the polling but cannot be withdrawn therefrom without the box being unlocked and/or the seals being broken.

80. Return of ballot paper by a voter

(1) If a voter after obtaining a ballot paper for the purpose of recording his vote(s) decides not to use the same, he shall return the ballot paper to the Polling Officer and the ballot paper as returned shall then he marked as "Cancelled – Returned" and kept in a separate envelope set apart for the purpose and a record shall be kept by the Polling Officer of all such ballot paper.

(2) If any ballot paper which has been issued to a voter for the purpose of recording his vote, is found left by the voter at the secret chamber, at the end of the day when the Polling Officer inspects the secret chamber whether the vote has been recorded in it or not, it shall be dealt with in accordance with the provisions of sub-regulation (1) as if it had been returned to the Polling Officer.

81. Procedure at the pooling booth

(1) A polling booth shall be kept open on the day or days appointed for taking of poll from 9 A.M. to 4 P.M. unless otherwise directed by the Council.

(2) If the polling at any polling booth cannot take place on the day or days appointed for the purpose or is Interrupted or obstructed by any sufficient cause or the ballot box used at a booth is tampered with or is accidentally or deliberately destroyed, lost or damaged, the Returning Officer or the Polling Officer, as the case may be, may adjourn the polling to a subsequent date or the Returning Officer may declare the polling at the booth as void and order a fresh polling.

(3) If a Polling is adjourned or declared void under sub-regulation (2), the Returning Officer shall, as soon as possible, appoint the place where the polling shall be subsequently conducted and the time, date or dates, as the case may be, for the said polling.

(4) The place, date or dates and the time of polling, appointed under sub-regulation (3), shall be notified individual to all the voters affected and, if possible, in the Journal.

(5) The Returning Officer shall not proceed to count the votes cast at the election until the polling at all the polling booths in the constituency has been completed.

(6) The Polling Officer shall close the polling booth at the end of the day, or if the polling is for more than one day, at the end of each day, at the hour appointed under sub-regulation (1), and no voter shall be admitted thereto after that hour:

Provided that any voter present in the polling booth before it is closed, shall be entitled to cast his vote.

(7) The Polling Officer shall, as soon as practicable, after the close of the polling or after its close on each day, if the polling is for more than one day, in the presence of any candidate(s) or their authorised representatives who may be present, seal the ballot box with his own seal and the seals of such candidates or authorised representatives as may desire to affix their seals thereon.

(8) The Polling Officer shall also make into separate packets:

(i) the unused ballot papers;

(ii) the returned and cancelled ballot papers;

(iii) the signed copy of the list of members eligible to vote; and

(iv) any other paper directed by the Returning Officer to be kept in a sealed cover, and seal each such packet with his own seal and the seals of such candidates or authorized representatives as may desire to affix the seals thereon. He shall arrange for the safe custody of the ballot box and such packets.

(9) Where the polling is arranged to take place for more than one day, just before the polling booth is opened to the voters on the following day, the Polling Officer shall, in the presence of any candidate(s) or their authorised representatives who may be present, remove the seal or seals affixed in accordance with sub-regulations (7) and (8), after the seals are examined by him and by the candidate(s) or authorised representatives, for use during the course of that day.

(10) The ballot box and packets, referred to earlier shall be accompanied by an account of ballot papers showing the total number of ballot papers received, issued and un-used, returned, as also the number of ballot papers which should be found in the ballot box and packets. This account shall be forwarded to the Returning Officer.

82. Transport of ballot papers and their custody

The Returning Officer and the Polling Officer shall make adequate arrangements for safe custody of the ballot papers and for safe transport to the headquarters of the Institute of all packets or boxes and other papers referred to in Regulation 81. The Returning Officer shall also be responsible for their safe custody until the commencement of counting of votes.

83. Voting by members employed on duty at polling booths

The Polling Officers, the persons appointed by the Returning Officer to assist the Polling Officer, or the authorised representatives referred to in Regulation 87D who are voters for any constituency and who by reason of their being on duty at a polling booth, are unable to be present and to vote at the polling booth where they are entitled to vote, may send to the Returning Officer, so as to reach him at least thirty days before the date fixed for the poll at that constituency, an application for permission to vote at the polling booth where they will be on duty. If the Returning Officer is satisfied that the claim is just, he may, notwithstanding anything contained in this Chapter, allow the application and permit the voter to vote at the polling booth where he will be on duty to act as Polling Officer or to assist the Polling Officer or as authorised representative of a candidate:

Provided that such permission shall not be granted to more than one authorised representative of a candidate in respect of each polling booth, such authorised representative being specially nominated for the purpose by the candidate himself.

84. Eligibility to vote by Post

(1) A member whose name is included in the list of members eligible to vote published under the provisions of Regulation 63 and whose name is not shown under any polling booth, shall notwithstanding anything contained in this Chapter, be entitled to vote by post.

(2) A member who is entitled to vote at a polling booth may be permitted at the discretion of the Returning Officer, to vote by post, if he is unable to exercise his vote at the polling booth allotted to him by reason of –

(a) there being a permanent change in his address from the address published in the list of members eligible to vote to another village, town or city beyond a radius of sixteen kilometers;

(b) his professional address being beyond a radius of sixteen kilometers from the polling booth allotted to him; or

(c) his suffering from any permanent infirmity.

(3) In a case where even through there has been no permanent change in his professional address, a member has intimated to the Returning Officer

that he would not be in a position to cast his vote at the polling booth allotted to him as he expects to be away from his professional address on the date or dates of polling, he may be permitted, at the discretion of the Returning Officer, to receive the ballot paper by post and allowed to cast the same at any polling booth; subject to such requirements as may be specified by the Council in this behalf.

(4) A member who is actually residing beyond a radius of sixteen kilometers from the poling booth allotted to him on the basis of his professional address may at the concession provided in sub-regulation (2) on the same terms and conditions.

(5) A member who is residing outside India shall notwithstanding anything contained in this Chapter be eligible to vote by post provided that his overseas address is registered with the office of the Institute at least sixty days before the date of election. Such a member need note send an application under sub-regulation (6).

(6) An application in the appropriate form with proper verification of the contents of the application by the member concerned, should be sent to the Returning Officer by name so as to reach him at least sixty days before the date of polling, and an application not received within the time specified shall not be considered.

(7) A member who has been permitted to vote by post while sending the ballot paper to the Returning Officer shall send along with a declaration in the appropriate form specified for the purpose.

(8) Any misuse of the concession granted under this regulation or any mis-statement, false declaration or false verification in this behalf shall render the member concerned liable for disciplinary action under Regulation 87W.

(9) The Returning Officer shall postpone the conduct of poll at any polling booth for reasons to be recorded in writing.

85. Eligibility to vote at polling booth by a voter entitled to vote by post

A voter entitled to vote by post under Regulation 84 may, however, be allowed by the Returning Officer to vote in person at any particular polling booth to be specified by him within his regional constituency, provided he makes an application to that effect in writing duly addressed and forwards it to the Returning Officer by name by registered post so as to reach him at least forty-five days before the date of polling and an application not received within the time specified shall not be considered.

86. Admissible number of votes to each voter and method voting

Each voter shall have one vote only but he shall have as many preferences as there are candidates. The voter in order to cast his vote-

(a) shall place on the ballot paper the number 1 (in Arabic or Roman numerals or in words) in the square opposite the name of the candidate whom he chooses for his first preference; and

(b) may, in addition, place on his ballot paper the number 2 or the

number 2 and 3 or number 2, 3 and 4 (in Arabic or Roman numerals or in words) and so on, in the squares opposite the names of the other candidates in the order of his preference.

87. Ballot paper

The ballot paper shall contain the names of all contesting candidates for the constituency in alphabetical order in English and shall bear the emblem of the Institute.

87A. Returning Officer to send ballot paper by post where applicable under Regulation 84

Not less than twenty-one days before the last date fixed for the receipt of ballot papers by post in the headquarters, the Returning Officer shall cause to be sent by recorded delivery post to each voter entitle or permitted to vote by post a ballot paper with instructions as to be manner in which the vote shall be recorded therein, an outer envelope for return of the ballot paper and an inner envelope to enclose the ballot paper specifying the date by which the ballot paper should reach the Returning Officer by name.

87B. Procedure for return of ballot papers by post

(1) Every voter referred to in sub-regulations (1), (2) or (5) of Regulation 84 shall record his vote personally in the ballot paper, fold and place it inside the inner envelope provided for that purpose, close the envelope by pasting and append his signature on the envelope at the place provided for that purpose.

(2) A voter is required to send a signed declaration in the appropriate form of having complied with the sub-regulation (1) personally.

(3) The voter shall place the closed and signed inner envelope in the outer envelope prepared for sending by ordinary post close and paste the outer envelope, put the membership number, name and signature on it on the space provided for that purpose, and post it, so as to reach the Returning Officer not later than the last date specified for receipt of ballot papers from voters by post under Regulation 59.

(4) A voter may, at his option forward the ballot paper by registered post.

87C. Issue of undelivered and fresh ballot paper

Where a ballot paper and the accompanying material sent by post under Regulation 87A, are damaged in transit or lost or for any reason returned undelivered or not received by a voter, the Returning Officer may, if he is satisfied with the reasons given for such damaged, loss return or non-receipt reissue them by registered post or deliver them or cause them to be delivered to the voter, as the case be, on his applying for the same in writing.

87D. Presence of candidates or their authorised representatives at a polling booth or at the place of counting of votes

A contesting candidate shall be entitled to be presents in presence of person or to be represented by another member duly authorised by him

in writing at any polling booth in the relevant regional constituency or the place of the counting of the votes, provided that a letter of authority is deposited with the Polling Officer or the Returning Officer before the time fixed for polling or for counting of Votes, as the case may be, and that officer is satisfied as to be genuineness of the letter of authority and the identity of the authorised representative.

87E. Appointment of assistants and scrutineers

(1) The Returning Officer may appoint such persons as he thinks fit to assist him for any purpose in the conduct of election.

(2) The Returning Officer may also appoint a panel of two or more persons who are neither members of the council nor candidates for election, to act as scrutineers of the ballot papers and to assist him generally in the counting of votes.

87F. Intimation of place, time and date for counting of votes

The Returning Officer shall at least fifteen days before date or the first of the dates of polling, intimate in writing to all contesting candidates the date and time at which the counting of votes shall commence at the headquarters of the Institute.

87G. Definitions

In this Chapter, unless the context otherwise requires:

(i) "continuing candidate" means any candidate not elected and not excluded from the poll at any given time;

(ii) "count" means-

(a) all the operations involved in the counting of the first preferences recorded for candidates;

or

(b) all the operations involved in the transfer of the surplus of an elected candidate; or

(c) all the operations involved in the transfer of the total value of votes of an excluded candidate;

(iii) "exhausted paper" means a ballot paper on which no further preference is recorded for a continuing candidate, provided that a paper shall also be deemed to have become exhausted whenever-

(a) the names of two or more candidates, whether continuing or not, are marked with the same figures and are next in order of preference; or

(b) the name of the candidate next in order of preference, whether continuing or not, is marked by a figure (number) not following consecutively some other figure on the ballot paper or by two or more figures;

(iv) "first preference" means the figure (number) 1 set opposite the name of a candidate; "second preference" means the figure (number) 2 set opposite the name of a candidate; "third preference" means the

figure (number) 3 set opposite the name of a candidate and so on;

(v) "original vote" in relation to any candidate, means a vote derived from a ballot on which a first preference is recorded, for such a candidate;

(vi) "surplus" means the number by which the value of the votes, original and transferred, of any candidate exceeds the quota;

(vii) "transferred vote", in relation to any candidate, means a vote, the value or the part of the value, of which is credited to such candidate and which is derived from a ballot paper on which a second or a subsequent preference is recorded for such candidate; and

(viii) "unexhausted paper" means a ballot paper on which a further preference is recorded for a continuing candidate.

87H. Counting of votes received by post

(1) On the date and at the time and place intimated under Regulation 87F, the Returning Officer shall, for the purpose of counting of votes in respect of a regional constituency, first deal with the postal ballot papers relating to that constituency in the manner hereinafter provided.

(2) The Returning Officer shall allow the candidates or their authorized representatives present at the counting a reasonable opportunity to inspect the cover containing the ballot papers received by post for satisfying themselves that they are in order but shall not allow them to handle those covers.

(3) No covers containing a postal ballot paper received by the Returning Officer after the expiry of the time fixed in that behalf or received by him from a voter whose name has been removed from the register of members on or before the date of poll shall be opened and no vote contained in any such cover shall be counted.

(4) The other covers shall then be taken up by the Returning Officer one by one as each outer cover is taken up, the Returning Officer shall first scrutinise the signature of the voter on that cover in the space provided for that purpose.

(5) No outer cover on which the signature of the voter is not appended shall be opened and no vote contained in any such cover shall be counted.

(6) At each outer cover which contains the signature of the voter is opened, the Returning Officer shall satisfy himself that the declaration contained therein has been duly made and signed by the voter.

(7) If the said declaration by the voter is not found or has not been duly made or signed by him or is otherwise substantially defective or any paper other than the inner cover and the ballot paper is not found, the Returning Officer shall reject his ballot papers and make appropriate endorsements of the outer and inner covers and on the ballot paper if it is found without the inner cover.

(8) The inner cover of the ballot paper so endorsed shall be replaced in

the outer cover and all such covers shall be kept in a separate packet which shall be sealed and on which the name of the regional constituency, the date of counting and a brief description of its contents shall be recorded.

(9) The inner covers not already dealt with under the foregoing provisions of this regulation shall then be opened one after the other and the Returning Officer shall take out the ballot paper from each cover and shall record the number thereof in a statement and shall make a separate packet of these ballot papers.

87-I Scrutiny and opening of ballot boxes

(1) The Returning Officer shall thereafter deal with the ballot papers contained in the ballot boxes in the manner hereinafter provided.

(2) Before any ballot box is opened, the Returning Officer shall allow the candidates or their authorised representatives present at the counting, a reasonable opportunity to inspect the ballot boxes and packages received from the Polling Officers and the seals thereof for satisfying themselves that they are in order, but shall not allow them to handle those ballot boxes or packets.

(3) The Returning Officer shall be also satisfy himself that none of the ballot boxes is in fact tampered with and if he finds that any of the ballot boxes has been tampered with, shall not count the ballot papers contained in such box and shall keep the record of such ballot papers for the purpose of election petition, if any.

(4) The ballot boxes found to be in order shall be opened and the ballot papers shall be taken out from them and shall be counted and the number thereof recorded in a statement.

(5) The ballot papers received by post and kept in a packet referred to in sub-regulation (9) or Regulation 87H shall then be mixed with the ballot papers taken out of the ballot boxes and taken up for scrutiny so as to determine their validity or otherwise.

87J. Grounds for declaring ballot papers invalid

A ballot paper shall be invalid-

(a) if a voter signs his name or writes any word or figure upon it (other than those permitted under Regulation 86) or makes any mark upon it by which the ballot paper becomes recognizable or by which the voter can be identified;

(b) if it does not bear the emblem of the Institute;

(c) if the number, 1 is not marked on it;

(d) if the number 1 is set opposite the name of more than one candidate;

(e) if the number 1 and some other numbers are put opposite the name of the same candidate;

(f) if it is a spurious ballot paper for uncertainty; or

(g) it is a spurious ballot paper or is so damaged or mutilated that its

identity as a genuine ballot paper cannot be established.

87K. Arrangement of valid ballot papers in parcels

(1) The Returning Officer shall separate the ballot papers which he deems valid from those which the rejects endorsing on each of the latter the word "Rejected" and the ground of rejection.

(2) After rejecting the ballot papers which are invalid, the Returning Officer shall-

(a) arrange the remaining ballot papers in parcels according to the first preference recorded for each candidate;

(b) count and record the number of papers in each parcel and the total number; and

(c) credit to each candidate the value of the papers in his parcel.

87L Ascertainment of quota

Every valid ballot paper shall be deemed to be of the value of one hundred, and the quota sufficient to secure the return of a candidate at the election shall be determined as follows:

(a) add the values credited to all the candidates under clause (c) of sub-regulation (2) of Regulation 87k;

(b) divide the total by a number which exceeds by one the number of vacancies to filled; and

(c) add one to the quotient ignoring the remainder, if any, and the resulting number is the quota.

87M. General Instruction

In carrying out the provisions of Regulations 87N to 87R, the Returning Officer shall disregard all fractions and ignore all preferences recorded for candidates already elected or excluded from the poll.

87N. Candidates with quota elected

If at the end of any count or at the end of the transfer of any parcel or sub-parcel of an excluded candidate, the value of ballot papers credited to a candidate is equal to, or greater than the quota, the candidate shall be declared elected.

87O. Transfer of Surplus

(1) if at the end of any count the value of the ballot papers credited to a candidate is greater than the quota, the surplus shall be transferred in accordance with the provisions of this regulation to the continuing candidates indicated on the ballot papers of that candidate as being next in order of the elector's preference.

(2) If more than one candidate have a surplus, the largest surplus shall be dealt with first and the others in order of magnitude:

Provide that every surplus arising on the first count shall be dealt with before those arising on the second count and so on

(3) Where there are more surpluses than one to distribute and two or

more surpluses are equal, regard shall be had to the original votes of each candidate and the candidate for whom most original votes are recorded shall have his surplus first distributed; and if the values of their original votes are equal, the Returning Officer shall decide by lot which candidate shall have his surplus first distributed.

(4) (a) If the surplus of any candidate to be transferred arises from original votes only. The Returning Officer shall examine all the papers in the parcel belonging to that candidate, divide the unexhausted papers into sub-parcels according to the next preference recorded thereon and make a separate sub-parcel of the exhausted papers.

(b) He shall ascertain the values of the papers in each sub-parcel and of all the unexhausted papers.

(c) If the value of the unexhausted papers is equal to or less than the surplus, he shall transfer all the unexhausted papers at the value at which they were received by the candidate whose surplus is being transferred.

(d) If the value of the unexhausted papers is greater than the surplus, he shall transfer the sub-parcels of unexhausted papers and the value at which each paper shall be transferred shall be ascertained by dividing the surplus by the total number of unexhausted papers .

(5) If the surplus of any candidate to be transferred arises from transferred as well as original votes, the Returning Officer shall re-examine all the papers in the Sub-parcel last transferred to the candidate, divide the unexhausted papers into sub-parcels according to the next preference recorded thereon, and then deal with the sub-parcels in the same manner as is provided in the case of sub-parcels referred to in sub-regulation (4).

(6) The papers transferred to each candidate shall be added in the form of a sub-parcel to the papers already belonging to such candidate.

(7) All papers in the parcel or sub-parcel of an elected candidate not transferred under this regulation shall be set apart as finally dealt with.

87P. Exclusion of candidates lowest on the poll

(1) If after all surpluses have been transferred as herein before provided, the number of candidates elected is less than the required number, the Returning Officer shall exclude from the poll the candidate lowest on the poll and shall distribute his unexhausted papers amongst the continuing candidate according to the next preference recorded thereon and any exhausted paper shall be set apart as finally dealt with.

(2) The papers containing original votes of an excluded candidate shall first be transferred, the transfer value of each paper being one hundred.

(3) The papers containing transferred votes of an excluded candidate shall then be transferred in the order of the transfers in which and at the value at which, he obtained them.

(4) Each of such transfer shall be deemed to be a separate transfer but not a separate count.

(5) If, as a result of the transfer of papers, the value of votes obtained by a candidate is equal to or greater than the quota the count the proceeding shall be completed but no further papers shall be transferred to him.

(6) The process directed by this rule shall be repeated on the successive exclusion one after another of the candidates lowest on the poll until such vacancy is filled either by the election of a candidate with the quota or as herein after provided.

(7) If at any time it becomes necessary to exclude a candidate and two or more candidates have the same value of votes and are the lowest on the poll regard shall be had to the original votes of each candidate and the candidate for whom fewest original votes are recorded shall be excluded and if the values of their original votes are equal the candidate with the smallest value at the earliest count at which these candidates had unequal values shall be excluded.

(8) If two or more candidates are lowest on the poll and each has the same value of votes at all counts, the Returning Officer shall decide by lot which candidate shall be excluded.

87Q. Filling the last vacancies

(1) When at the end of any count the number of continuing candidates is reduced to the number of vacancies remaining unfilled the continuing candidates shall be declared elected.

(2) When at the end of any count only one vacancy remains unfilled and the value of papers of some one candidate exceed the total value of the papers of all the continuing candidates together with any surplus not transferred that candidate shall be declared elected.

(3) When at the end of any count only one vacancy remains unfilled and there are only two continuing candidates and each of them has the same value of votes and no surplus remains capable of transfer, the Returning Officer shall decide by lot which of them shall be excluded; and after excluding him in the manner aforesaid, declare the other candidate to be elected.

87R. Provision for re-courts

(1) Any candidate or, in his absence his authorised representative may, at any time during the counting of the votes either before the commencement or after the completion of any transfer of votes (whether surplus or otherwise) request the Returning Officer to re-examine and re-count the papers of all or any candidates (not being papers set aside at any previous transfer as finally dealt with) and the Returning Officer shall forthwith re-examine and re-count the same accordingly.

(2) The Returning Officer may in his discretion re-court the votes either once or more than once in any case in which he is not satisfied as to the accuracy of any previous count:

Provided that nothing in this sub-regulation shall make it obligatory on the Returning Officer to re-count the same votes more than once.

87S. Declaration of results

The name of the candidates elected shall be declared on the date fixed for declaration of results and shall be communicated individually to all candidates who stood for election by registered post and shall also be notified in the Journal.

87T. Election not to be invalid due to accidental omission etc.

No election shall be deemed to be invalid merely by reason of any accidental irregularity or informality in the conduct of the election, including accidental omission to send or delay in sending the voting paper to a voter or the accidental non receipt of, delay in receipt of voting paper, by a voter.

87U. Decision of the Returning Officer to be final

The decision of the Returning Officer pertaining to conduct of election shall, subject to Regulation 87V, be final not only in respect of all matters concerning the interpretation of these regulations but also in respect of the procedures adopted and not specifically covered by these regulations.

87V. Dispute on election matters

(1) An application by any aggrieved candidate against the decision of the panel on the validity of nominations or the Returning Officer on the declaration of election results, or any other matter relating to or incidental thereto, which is material to the conduct of election shall be made to the Council within thirty days from the date of declaration of the results of an election and the Council shall refer the dispute to a Tribunal appointed by the Central Government under Sub-section (2) of Section 10.

(2) At the time of giving its decision, the Tribunal may pass such order as to costs as it may consider appropriate.

(3) If the Tribunal is satisfied that an application made under Sub-section (2) of Section 10 was frivolous or not founded on any valid ground, it may award costs to the Council.

87W. Disciplinary action against member in connection with the conduct of election

(1) A member shall be liable to disciplinary action by the Council if, in connection with an election to the Council of the Institute, he is found to have contravened the provisions of all or any of the clauses (a), (b), (c), (d), (e), or (f), of sub-regulation(2).

(2) A candidate can issue one circular letter giving positive aspects of his candidature including his qualifications and contributions to the profession. The circular issued in connection with an election to the Council shall conform to the following requirements or guidelines as may be issued by the Council in respect of the election in the interests of maintaining dignity in the election, namely:-

(a) such circular must be sent by registered post by the candidate to the Secretary by name for information and record within ten days of its issue by him to voters;

(b) the circular shall contain factual information regarding the candidate himself and shall not make any reference directly or indirectly, to any other candidate;

(c) the information which a candidate may furnish in circular regarding himself shall not differ in any material respect from the information furnished by the candidate to the Institute;

(d) a circular shall not contain any appeal to the voters on the basis of casts, or on communal, regional or sectional lines;

(e) the distribution of circular shall be restricted only to the members of the constituency concerned;

(f) a circular shall be issued by a candidate only after his nomination has been accepted.

Explanation: For the purpose of this sub-regulation, the term "Circular" does not include a personal letter addressed to an individual which happens to contain a mere request for Vote though if a similar letter were to be sent to a number of voters, it would amount to "circular".

(3) A member shall liable to disciplinary action by the Council, if he adopts one or more of the following practices with regard to the election to the Council, namely:-

(a) bribery, that is to say, any gift, offer or promise of any gift or gratification to any person, by a candidate or any other person with his connivance with the object, directly or indirectly, of-

(i) inducing a member to stand or not to stand as a candidate for election

(ii) inducing a candidate to withdraw his candidature or rewarding such withdrawal; or

(iii) inducing a voter to vote or not to vote at an election, or as a reward for such act or omission.

Explanation: For the purpose of this sub-regulation, the term "gratification" is not restricted to pecuniary gratification or gratification estimable and all forms of employment for reward, but it does not include the payment of any expenses bona fide incurred at or for the purpose of any election;

(b) undue influence, that is to say, any direct or indirect interference or attempt to interfere on the part of a candidate or of any other person, with his connivance with the free exercise of any electoral right;

(c) the publication by a candidate or by any other person with his connivance, of any statement which is false or which he either believes to be false or does not believe it to be true, in relation to the personal character or conduct of any candidate, or in relation to the candidature or withdrawal of any candidate, being a statement reasonably calculated to prejudice the prospects of that candidate's election;

Chapter X

Meetings and Proceedings of the Council

88. Meetings of the Council.-

The Council shall meet at least once in every three months at such time and place as the Council may determine.

Provided that if the Council does not fix the date or place or the circumstances so warrant, the President may fix.

89. Special meeting of Council.-

A special meeting of the Council may at any time be called by the President or in his absence by the Vice-President or at the request in writing addressed to the Secretary by not less than one-fourth of the members of the Council for the time being.

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(d) the obtaining or procuring or abetting, or attempting to obtain or procure, by any other person with his connivance, any assistance for the furtherance of the prospects of the candidate's election from any person serving under the Government of India or the Government of any State other than the giving of vote by such person, if he is a member entitled to vote;

(e) any act specified in sub-regulations (a) to (d) when done by a member, who is not a candidate or a member acting with the connivance of a candidate;

(f) the receipt by a member or an agreement by a member to receive any gratification as an inducement or reward:

(i) for standing or not standing as a candidate;

(ii) for withdrawing his candidature;

(iii) for himself or any other person for voting or refraining from voting;

(iv) for inducing or attempting to induce any voter or to refrain from voting; or

(v) for inducing or attempting to induce any candidate to withdraw his candidature.

(g) Contravention or misuse of any of the provisions of this chapter of making of any false statement knowing it to be false or without knowing it to be true, while complying with any of the provisions of this chapter.]

90. Notice of Council meeting.-

(1) Notice of the time and place of every meeting shall be sent to the registered address of every member of the Council ordinarily not less than seven days before such meeting and such notice shall, so far as practicable, contain a statement of the business to be transacted thereof, provided that in the case of a special meeting, the President may inform the members at the meeting of the subject matter for discussion.

(2) Notwithstanding anything contained in sub-regulation (1) a special meeting called under Regulation 89 may be convened giving such shorter notice as circumstances may permit.

91. Advancement or postponement of meetings.-

Any meeting of the Council, convened to be held at a particular date or dates, may be advanced or postponed by the President to a specific date or dates, not exceeding thirty days from the date originally determined for the meeting, if in his opinion such advancement or postponement is warranted, which may also include change of time and place of the meeting. Notice of changes of such a meeting shall be sent to the registered addresses of every member of the Council not less than five days before the date fixed for the advanced meeting of before holding of the postponed meeting. The business to be transacted at that meeting shall be the same as was intended for the original meeting unless, any other business is admitted by the Chairman at that meeting.

92. Chairman of the Council.-

At all meetings of the Council, the President, and in his absence the Vice-President shall be the Chairman; in the absence of both, the members present shall elect one of the their number to be the Chairman of meeting.

Provided that, at the first meeting of any Council the President of the outgoing Council, or in his absence its Vice-President, shall act as the Chairman until such time a President is elected under the provisions of sub-section (1) of section 12.

Provided further that in the absence of both the President and the Vice president of the outgoing Council the members of the Council present shall elect one of the member to be the Chairman of the meeting until such time a President is elected under the provisions of sub-section (1) of section 12.

93. Quorum for meetings.-

(1) Not less than one-third of the total number of members of the Council for the time being shall constitute the quorum for a meeting, fraction being treated as a whole number for this purpose.

(2) If a quorum is not present within half an hour from the time appointed for the meeting the same shall be adjourned to such other date, time and place as the President may appoint and at the adjourned meeting the members present shall constitute the quorum to transact the business intended to be transacted at the original meeting.

94. Voting on resolution at a meeting and casting vote.-

At all meetings of the Council, in the event of a difference of opinion on any matters the vote of the majority shall prevail unless otherwise required by the Act or these regulations, and in the case of equality of votes, the Chairman shall have a casting vote in addition to his original vote.

95. Adjournment of meeting of the Council.-

(1) Subject to the provisions of these regulations, the Chairman of any meeting of the Council, may, with the consent of the members present at meeting, adjourn the meeting from time to time and from place to place but no business shall be transacted at any adjourned meeting other than the business

left unfinished at the meeting from which the adjournment took place unless not less than five days notice of any other business to be transacted at such adjourned meeting has been given to the members.

(2) If no new business is intended to be transacted at an adjourned meeting unless it is so directed in the resolution for adjournment of a meeting, no notice need to be given of an adjourned meeting.

96. Record of minutes.-

Minutes shall be kept of all resolutions and proceedings of the meetings of the Council and its Committees which shall be approved and signed by the Chairman of the same or the Chairman of the next meeting.

97. Passing of resolution by circulation.-

(1) The Secretary may on the instruction of the President, in emergent circumstances, circulate a resolution together with all relevant papers to the members of the Council for decision of any question.

Provided that, where not less than one-fourth members of the Council for the time being require that any resolution under circulation should be decided at a meeting, the President shall withdraw the resolution from circulation and have the question decided at a meeting of the Council.

(2) No decision shall be arrived at on any resolution circulated among the members of the Council before the expiry of ten days from the date of circulation of the resolution or before the receipt of the response from all the members for the time being in India, whichever is earlier.

(3) Every resolution passed by circulation by a majority of members out of those who respond to the resolution shall be communicated to all the members of the Council and recorded in the minutes of the meeting of the Council held immediately after the passing of the solution by circulation.

Chapter XI

Standing and other Committees

[55][98. Constitution of Standing and other Committees.-

(1) In pursuance of the provisions contained in Sub-section (1) of Section 17, the Council shall constitute three Standing Committees, namely :-

(a) An Executive Committee,

(b) A Finance Committee, and

(c) An Examination Committee.

(2) The Standing Committees shall at all times function under the control, direction and supervision of the Council.

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55 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

[98. Constitution of Standing and other Committees

(1) Committees

In pursuance of the provisions contained in Section 17, the Council shall constitute three Standing Committees and may constitute such other Committees from time to time, as under:

(a) Standing Committees

1. Executive Committee
2. Examination Committee
3. Disciplinary Committee

(b) Other Committees

4. Training and Education Facilities Committee
5. Professional Research and Publications Committee
6. Journal Committee
7. Professional Development Committee
8. Any other Committees as may be required.

(2) Secretary to Committees

The Secretary of the Institute shall be the Secretary to each Committee, unless the Council otherwise directs.

(3) Maintenance of minutes of Committees

The Secretary shall maintain a record of all the business transacted by a Committee either by circulation of papers or by meeting of the Committee.]

(3) The Council may constitute other Committees including a Training and Educational Facilities Committee and Professional Research and Publications Committee in accordance with the provisions of Sub-sections (2) and (6) of Section 17 of the Act.

(4) The Secretary of the Institute shall be the Secretary of every Standing Committee.

(5) The Secretary shall maintain a record of all the business transacted by a Committee either by circulation of papers or by meeting of the Committee.]

[56]**[99. Executive Committee.-**

(1) The Executive Committee shall perform the following functions, namely :–

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56 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

[99. Executive Committee

The Executive Committee shall perform the following functions namely:

(a) maintenance of the Office of the Council and for this purpose employ, suspend, discharge or re-employ the necessary staff in such terms and conditions as it may deem fit;

(b) maintenance of proper accounts of all receipts and payments on behalf of the Council and the matters in respect of which such receipts and payments take place and of the property, securities, debts, funds and liabilities of the Institute;

(c) maintenance of the Register and any other register required to be maintained under these regulations pertaining to the members of the Institute;

(d) control and custody of the property, assets and funds of the Institute;

(e) investment of the surplus funds of the Institute in any government security or other securities as approved by the Central Government and to vary such investments from time to time;

(f) disbursements from the funds of the Institute for expenditure, both revenue and capital, within the estimate previously sanctioned by the Committee but such excess expenditure shall be brought to the notice of the Council at its next meeting;

Provided that in emergent cases, expenditure in excess of the estimate previously sanctioned by the Council may be incurred by the Council at its next meeting;

(g) admission of members, removal and restoration of names of

(a) enrolment of members with or without certificate of practice, admission of fellows, removal and restoration of names of members, issue and cancellation of certificate of practice, issue of certificates of membership, prosecution of members on the findings of the Council, granting exemption to company secretary in practice or firms of such company secretaries from the operation of Sub-section (1) of Section 37 of the Act and publication of the list of members;

(b) grant of permission to a company secretary in practice to engage in any business or occupation other than the profession of company secretary in accordance with, and subject to, the restrictions specified in this behalf by the Council;

(c) condone the delay in supplying requisite information under Regulation 165;

(d) maintenance of the Register of members and all other statutory registers which are prescribed by the Act or these regulations;

(e) control and custody of the property, assets and funds of the Institute;

(f) maintenance of office of the Council and for this purpose the Executive Committee may employ, suspend, discharge or re-employ the necessary staff on such terms and conditions as it may deem fit;

(g) according approval, on recommendation of the Finance Committee, to the likely expenditure upto twenty percent in excess of the estimates previously

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members, issue and cancellation of certificates of practice, issue of certificates of membership, prosecution of members on the findings of the Council, exempting any Company Secretary in practice or a firm of Company Secretary referred to in Sub-section (1) of Section 37 having a branch Office in India without being in separate charge of a member of the Institute and publication of list of members; and

(h) any other functions which may be entrusted to it by the Council from time to time.]

sanctioned by the Council in the respective heads of the annual budget :

Provided that where the Executive Committee does not agree with the recommendation of the Finance Committee, the matter shall be decided by the Council.

(h) any other functions which may be entrusted to it by the Council from time to time.

(2) The Council shall have the power to review any decision taken by the Executive Committee in the performance of the functions assigned to it.]

100. Examination Committee.-

The Examination Committee shall perform the following functions, namely:

(a) holding of the examinations and admission of candidates thereto, determination of examination centres, appointments of superintendents of examinations and others for each center and fixation of their remuneration thereto, moderation of question papers and results, declaration of results and all connected matters in regard to holding of examinations;

(b) maintenance of lists of approved paper setters, examiners and moderators for appointment at each examination to set up or moderate question papers and to value or moderate answer books and fixation of their remuneration thereto.

(c) maintenance of proper discipline in relation to the Institute of all registered students, licentiates and candidates enrolled for the examination;

(d) maintenance of proper standard and conduct of examinations in general;

(e) framing of such schemes for award of merit scholarship, Merit-cum-means assistance, prize, award and loans to students pursuing Foundation,

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Intermediate and Final examinations or professional programme examinations conducted by the Institute as it deems fit and determining the amount, period, number of students to be awarded scholarships, assistance or loans for each examination criteria for merit or prize awards, concession for payment of fees by students, and such other requirements for the operation of the scheme for the purpose of granting financial assistance under [57][clause (h)] of Sub-section (2) of Section 15; and

(f) any other matter with regard to conduct of examination as may be entrusted to it by the Council from time to time.

101. Disciplinary Committee.-

[58][Applicable to the complaint or information pending before the Council or any inquiry initiated by the Disciplinary Committee or any reference or appeal made to a High Court prior to 17.11.2006.]

(1) The Disciplinary Committee shall perform the functions relating to enquiry of all complaints and information against members of the Institute, conduct of all enquiries in regard to misconduct of members and submit its reports to the Council as referred to it from time to time by the Council in accordance with the procedure as prescribed in the Act and these regulations.

(2) It shall have power to regulate its procedure in such manner as its considers necessary from time to time.

101A. Finance Committee.-

(1) The Finance Committee shall control, implement and

57 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [clause (1)].

58 Inserted by the Company Secretaries (Amendment) Regulations, 2010. Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010.

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supervise the activities related with and incidental to the following areas, namely :-

(a) maintenance of true and correct accounts of all the receipts and payments on behalf of the Council and the matters in respect of which such receipts and payments take place and all of the property, securities, debts, funds and liabilities of the Institute;

(b) formulation of annual budget of the Institute and presenting it to the Council for approval, after obtaining the recommendation of the Executive Committee;

(c) control of funds of the Institute;

(d) investment of the funds of the Institute in securities and to vary such investments from time to time subject to the guidelines approved by the Council;

(e) disbursements from the funds of the Institute for expenditure, both revenue and capital, based on the estimates previously sanctioned by the Council :

Provided that expenditure in excess of the estimates previously sanctioned by the Council may be incurred with the recommendation of the Executive Committee, wherever considered expedient, but such excess expenditure shall be brought to the notice of the Council at its next meeting;

(f) making recommendation to the Executive Committee for sanction of likely expenditure upto twenty percent in excess of the estimates previously sanctioned by the Council for the respective heads of the annual budget;

(g) overseeing the Institute's financial reporting process and the disclosure of its financial information;

(h) reviewing with the Secretariat, Statutory and Internal Auditors, the adequacy of internal control systems;

(i) reviewing the adequacy of internal audit function, including the structure of the internal audit;

(j) reviewing the internal reports and any discussion with the internal auditor and significant findings and follow up there on;

(k) reviewing the findings of any internal investigations by the internal auditors into matters where there is suspected fraud or irregularity or a failure of internal control systems of a material nature and reporting the matter to the Council;

(l) discussing with Statutory Auditors of the nature and scope of audit and hold post-audit discussions to ascertain any area of concern.

(2) The Council shall have the power to review any decision taken by the Finance Committee in the performance of the functions delegated to it.]

102. Training and Educational Facilities Committee.-

The Training and Educational Facilities Committee shall perform the following functions, namely:

(a) registration of students and enrolment of licentiates;

(b) maintenance of the Register of students and such other registers as may be necessary;

(c) provision of proper facilities to registered students to obtain coaching in the subjects in which they are to be examined;

(d) arrangements for the training of candidates sent by any Department of the Central or any State Government Chambers of Commerce, or any other public or private organizations and to do all things in connection therewith;

(e) purchase of books, magazines, equipment and the like

for the library and arranging for its proper running and maintenance;

(f) suggesting to the Council from time to time modification to the existing syllabus for the qualifying examinations of the Institute and recommending suitable books for the guidance of students;

(g) obtaining recognition to the qualifying examinations of the Institute from the government public, bodies, universities and other authorities for various purposes and to recommend to the Council paperwise exemption from appearing in the Institute's examinations for other recognized qualifications on mutually agreed basis or otherwise;

(h) approving organisations and practising Company Secretaries for imparting practical training to students who pass the qualifying examinations and to evaluate practical training requirements from time to time;

(i) framing of such procedure and guidelines necessary for purposes of clause (k) of Sub-section (2) of Section 15 for maintenance of libraries set up by the Institute;

(j) to recognise qualifications as equivalent to the degree examination of any university for the purpose of enrolment to the Foundation examination under Regulation 37;

(k) to recognise diploma in commerce, law, secretarial practice or management disciplines awarded by any government, university, professional or educational institution for the purpose of sub-regulation (vi) of Regulation 38 and any other qualification as equivalent to the qualifications specified in Regulation for the purpose of exemption from the Foundation examination;

(l) any other matter with regard to education and training

facilities to be provided to students in general, as may be entrusted to it by the Council from time to time.

103. Professional Research and Publication Committee.-

The Professional Research and Publication Committee shall perform the following functions, namely:

(a) framing of such research schemes as it deems necessary for carrying out research work on subjects of relevance or of interest, to the profession of Company Secretaries;

(b) granting of financial assistance to persons other than members of the Council and giving guidance in and encouragement for research by members and others in such matters of interest to Company Secretaries like interpretation, application and compliances of all laws, rules and regulations affecting the working of the corporate sector; evolving of secretarial practice in relation to all economic and corporate laws, principles and practice of corporate and other management, financial accounting, costing and management accounting for purpose of clause (j) of Sub-section (2) of Section 15;

(c) publication of research pamphlets and other literature or arranging for such publications subject to the approval of the Council, on subjects specified in sub-regulation (b) above, for purposes of clause (k) of Sub-section (2) of Section 15;

(d) making recommendations to the Council on any or all matters relating to research and publications;

(e) engagement of research personnel subject to the sanction of the Council in case of remunerated posts;

(f) incurring expenses within the limit previously sanctioned by the Council for the performance of the above functions; and

(g) carrying out such other functions as may be entrusted to it from time to time by the Council.

104. Journal Committee.-

[59]Omitted

105. Professional Development Committee.-

The Professional Development Committee shall perform the following function namely:

(a) keeping in constant touch with the various professional and public bodies including Central and State Governments with a view to furthering the esteem of the profession of Company Secretaries;

(b) making representations to the Central and State Government in connection with professional matters with a view to raising the standard and status of the profession;

(c) organizing on its own or in collaboration with other professional bodies and management development institutions or through Regional Councils or Chapters various professional development programmes including meetings, talks and lectures, regional conferences, seminars, symposia and annual conventions for the acquisition and dissemination of professional knowledge to the members and others and to determine the fees to be charged for participation in such professional development programmes;

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59 Omitted by the Company Secretaries (Amendment) Regulation, 2010. Notification No. 531:Legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4 dated 26.07.2010 :

[*104. Journal Committee*

The Journal Committee shall perform all functions for the publication of the journal, and for the maintenance of proper standard and quality thereof.]

(d) propagating amongst the members of the Institute the advisability and the necessity of observing the rules of professional conduct;

(e) publishing and circulating secretarial manual and other books on matters of professional; interest and of practical utility to the members and others except those referred to in clause (c) of Regulation 103;

(f) publishing and circulating monographs and literature to provide information on the role, scope and utility of the profession of Company Secretaries and the Institute;

(g) offering suggestions to the Central and State Governments for amendment of various Acts, for the greater utilization of the profession;

(h) obtaining recognition from the Central and State Governments, other statutory and public authorities and institutions on the role of practicing Company Secretaries and promoting and developing by various means the concept of practicing Company Secretaries;

(i) doing such other things for up-dating the professional knowledge of the members and general upliftment of the status and standard of the profession, and the Institute as may be entrusted to it by the Council from time to time.

[60]**[105A. Constitution of the Secretarial Standards Committee and the Auditing Standards Committee.-**

(1) The Council may constitute (a) the Secretarial Standards Committee and (b) the Auditing Standards Committee as it may deem necessary for the purposes of carrying out the functions of the Institute.

60 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

(2) A Committee constituted under sub-regulation (1) shall function under the supervision, control and direction of the Council.

(3) A member who has any pecuniary interest or perceived to have pecuniary interest, direct or indirect, in any such matter which is brought up for consideration of the Committee, shall disclose the nature of his interest in such matter and such disclosure shall be recorded in the proceedings of the Committee.

(4) The member referred to sub-regulation (3) shall not take part in any deliberation or decision of the Committee on such matter.

Explanation.- For the purposes of this regulation, "pecuniary interest" means a reasonable likelihood or expectation of appreciable financial gain.

(5) Subject to the provisions of the Act and Regulations, the Committee shall have power to delegate by resolution passed at meeting, any of its duties and functions to the President or Vice-President or Council Member or Secretary or Chief Executive; or any other Officer of the Institute not below the rank of the Director, as may be deemed necessary.

(6) Except provided specifically, the provisions in respect of meetings of the Council and its Committees, notice, adjournment, rescheduling, quorum, consideration of resolution and minutes shall be mutatis mutandis applicable to the meetings of the Committee.

105B. Constitution and Functions of the Academic Committee.-

(1) The Council shall constitute an Academic Committee consisting of the members referred to in sub-section (2) of section 17.

(2) To assist the Academic Committee, the Council may appoint such experts as it may deem necessary for the efficient discharge of its functions.

(3) The President shall be the special invitee in the meetings of the Academic Committee.

(4) The members of the Academic Committee shall hold office for such term as may be determined by the Council and any vacancy in the Academic Committee shall be filled by the Council in the same manner as the member whose vacancy occurred was filled.

(5) The members of the Academic Committee shall be entitled to such sitting fee, travelling, conveyance and other allowances as may be determined by the Council:

Provided that Council Member shall not be entitled to any sitting fee.

(6) The Academic Committee shall be entrusted with the task of planning and implementation of all academic activities related to students including:-

(i) scanning of the economic and regulatory environment;

(ii) designing the syllabus and its contents and periodical review and revision thereof;

(iii) designing mode of education;

(iv) assessing and finalisation of the training requirements;

(v) designing the mode of examination and evaluation system;

(vi) recommending necessary changes to the Council as and when required; and

(vii) any other related academic matters:

Provided that the Committee shall regularly monitor the effectiveness of the above and recommend necessary changes to the Council, as and when required;

Provided further that the terms of reference of the Academic Committee may include any other area as may be determined by the Council.

(7) The Academic Committee shall meet as and when required, however, at least one meeting shall be held on half yearly basis and there shall be gap of atleast four months between two meetings.

(8) The quorum of the Academic Committee shall not be less than one third of the total members of the Committee.

(9) A member who has any pecuniary interest or perceived to have any pecuniary interest, direct or indirect, in any matter which is brought up for consideration of the Academic Committee, shall disclose the nature of his interest in such matter and such disclosure shall be recorded in the proceedings of the Committee.

(10)The member referred to in sub-regulation (9), shall not take any part in any deliberation or decision of the Committee on such matter.

(11)The Academic Committee shall work as per the overall policy framework and vision of the Institute as decided by the Council from time to time.

(12) The Council shall have the power to review any decision taken by the Academic Committee in the performance of functions assigned or delegated to it.

(13) The Council shall record the reasons in writing, where it does not accept any recommendation of the Academic Committee and shall disclose the same in the Annual Report of the Institute.

(14) Subject to the provisions of the Act and Regulations, the Academic Committee may delegate by resolution, any of its duty or function to the President or Vice-President or Council Member or Secretary or Chief Executive; or any other Officer of the Institute not below the rank of the Director, as may be deemed necessary and proper.]

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106. Council's power to review and to delegate not affected.-

(1) Nothing in this Chapter shall affect the power of the Council to review the decisions of any Standing or other Committees and to assign them such other duties and functions as it may determine from time to time.

(2) Subject to the provisions of the Act, the Council and its Committees shall have power to delegate by resolutions passed at meetings any of their duties and functions to the President, Vice-President or Secretary as they deem necessary and proper for carrying out the activities of the Institute.

107. Time and place of meeting of Committees.-

(1) The Chairman of a Committee may at any time and shall, on a written requisition by any two members of the Committee, call a meeting of the Committee.

(2) The meeting of a Committee shall be held at such place and such time as its Chairman may direct.

(3) A notice of not less than five days of every such meeting shall ordinarily be given to every member of the Committee.

(4) Any meeting of a Committee which is called to be held on a particular date or dates may be postponed by the Chairman of the Committee to a subsequent date or dates if in his opinion such postponement is warranted which may also include change of time and place of the meeting. Notice of the postponed meeting shall ordinarily be sent not less than five days before such postponed meeting to the registered address of every member of the Committee. The business to be transacted at the postponed meeting shall be the same as was intended for the original meeting unless any other business is admitted by the Chairman of the postponed meeting.

108. Quorum.-

No business shall be transacted at a meeting of a Committee unless there are present at least three members in the case of the Executive Committee, and two members in other cases, including the Chairman, provided that in the case of Committees formed under Sub-section (2) of Section 17, the Council shall determine the quorum for the Committee. In the event of there being no quorum within half an hour of the time fixed for the meeting, the meeting shall stand adjourned to a date, time and place as may be specified by the Chairman of the Committee.

Provided that, if at the adjourned meeting of the Committee also, quorum is not present, the member or members present at such adjourned meeting shall constitute the quorum to transact the business intended to be transacted at the original meeting.

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109. Procedure for transaction of business.-

(1) The business of a Committee shall ordinarily be transacted at a meeting of Committee, provided that the Chairman may in emergent circumstances, authorize circulation of resolution with relevant papers among the members of the Committee for decision on any question.

Provided further that, where not less than two members of the Committee require that any resolution under circulation should be decided at a meeting the Chairman shall withdraw the resolution from circulation and have the question decided at a meeting of the Committee.

(2) No decision shall ordinarily be arrived at on any resolution circulated among the members of the Committee before the expiry of seven days from the date of circulation of the resolution or before the receipt of response from all the members of the Committee for the time being in India, whichever is earlier.

(3) Every resolution passed by circulation of papers by a majority of the members of the Committee shall be communicated to all the members and shall be recorded in the minutes of the meeting held immediately after passing of the resolution by circulation.

110. Casting vote.-

All questions before a Committee shall be decided by a majority in the case of difference of opinion on any matter. In the event of equality of votes, the Chairman shall have a casting vote in addition to his original vote.

Chapter XII

Regional Councils

111. Constitution of regional Councils.-

(1) The Council may by notification in the journal constitute a Regional Council for any regional constituency that may be notified by the Central Government under clause (a) of Sub-section (2) of Section 9 which shall be known by such name as may be specified by the Council

(2) A Regional Council shall consist of:

(a) the elected members of the Council whose professional addresses are born on the Register in the regional constituency;

(b) members as may be elected from the region as provided in sub-regulations (1) and (2) of Regulation 115; and

(c) members as may be co-opted as provided in sub-regulation (3) of Regulation 115.

112. Regional register of members.-

(1) Every regional Council shall maintain a regional register of members in which shall be entered the names and

other particulars of all the members of the Institute whose professional addresses are borne on the Register in the regional constituency.

(2) The name of a member, which has been removed from or restored to the Register, shall *ipso facto* stand removed from or restored to the regional register of members.

113. Functions of the regional councils.-

(i) The Regional Councils shall advise and assist the council in carrying out the provisions of the Act.

(ii) in particular and without prejudice to the generality of the foregoing, the Regional Council may—

(a) provide facilities for the members and students of the Institute in its region for regular meetings, talks and lectures and for the acquisition and dissemination of useful information and updating of professional knowledge on subjects of interest to the profession of Company Secretaries;

(b) advise the Council on all matters referred to it by the Council and offer such other help as may be required.

(c) make representations to the Council in connection with matter of professional and business interest and offer suggestions for raising the standard and status of the profession;

(d) [61][x x x x x x]

61. The following clauses were omitted by the Company Secretaries (Amendment) Regulations, 1985. Notification No. 710:2:(M)(1), published in the Gazette of India, Extraordinary, dated 30.12.85.

[(d) maintain a regional register of members and register of students in the region as may be necessary;]

[(e) supply information to members, students or to the prospective candidates for examination;]

[(g) collect news and articles from the members, on subject of interest to the profession for publication in the Journal;]

(e) [61a][x x x x x x]

(f) propagate among the members the advisability of and the necessity for observing the rules of professional conduct, etiquette and the provisions of the Act and these regulations;

(g) [61b][x x x x x x]

(h) [61c][x x x x x x]

(i) [61d][x x x x x x]

(j) arrange, if desired by the council, for coaching, for candidates for the examinations of the Institute and charge such fees as may be directed by the council;

(k) [62][x x x x x x]

(l) organize study circles, refresher courses, symposia, seminars, regional conferences and other professional development programmes for the benefit of the members and students of the Institute and others and charge from them such fees as it deems necessary;

(m) constitute a permanent Research Sub-committee for

[(h) recommend on its own, or on a reference by the Council, names for inclusion in the panel of examiners;]

[(i) recommend to the Council books which may be useful for candidates intending to appear for the examinations of the Institute;]

62 The following clauses were omitted by the Company Secretaries (Amendment) Regulations, 1985. Notification No. 710:2:(M)(1), published in the Gazette of India: Extraordinary, dated 30.12.85.

[(k) maintain contact with the various departments of the Governments of the States, universities and other public bodies within the region with a view to enlisting their support in the furtherance of the object of the Institute:]

[(n) maintain a library and reading-room for the use of the members and students and charge such fees and deposits for leading of books as it deems necessary;]

[(o) maintain an employment exchange for securing suitable employment for qualified Company Secretaries in the region and finding suitable qualified company secretaries for employment;]

carrying out research work and for giving guidance in and encouragement for research by members in various fields of interest to the profession;

(n) [62a][x x x x x x]

(o) [62b][x x x x x x]

(p) organize a student facilities committee for the benefit of the registered students preparing for the Institute's examination;

(q) take steps for formation of Chapters in the region in accordance with the guidelines issued by the Council from time to time and to supervise their activities; and

(r) carry out such other functions as may be entrusted to it from time to time by the Council.

[63]**[114. Conduct of elections.-**

(1) Except to the extent provided in this Chapter, the elections to the Regional Councils shall be held by the Council and the Company Secretaries (Election to the Council) Rules, 2006 shall apply to elections to the Regional Councils *mutatis mutandis* :

63 Substituted by the Company Secretaries (Amendment) Regulations, 2010. Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

Conduct of elections

(1) Except to the extent provided in this chapter the elections to the Regional Councils shall be held by the Council and the regulations in Chapter ix relating to elections to the council shall, apply to elections to the regional Council *mutatis mutandis*.

(2) Notwithstanding anything contained in Regulation 87P as applied by sub-regulation (1) to elections to the Regional Council, the Returning Officer-

(a) shall not exclude from the poll a candidate lowest on the poll at any stage in the counting of votes-

(i) if he is a candidate from a State or Union Territory which has one or more reserved seats under sub-regulation (1) of Regulation 115; and

(ii) either he is the sole continuing candidate from that State or Union

(2) Notwithstanding anything contained in Schedule 8 to the Company Secretaries (Election to the Council) Rules, 2006 as applied by sub-regulation (1) to elections to the Regional Council, the Returning Officer –

(a) shall not exclude from the poll a candidate lowest on the poll at any stage in the counting of votes–

(i) if he is a candidate from a State or Union Territory which has one or more reserved seats under sub-regulation (1) of Regulation 115; and

(ii) he is either the sole continuing candidate from that State or the Union Territory or the number of continuing candidates including him from that State or the Union Territory is equal to or less than the number of seats reserved for that State or the Union territory;

Territory or the number of continuing candidates including him from that state or Union Territory is equal to or less than the number of seats reserved for that State or Union Territory;

(b) shall exclude the next lowest candidate on the poll and if in the case of that candidate also the provisions of clause (a) are applicable such next candidate lowest on the poll in whose case the said provision of clause (a) are not applicable;

(c) shall declare candidate or candidates not so excluded elected the poll either under cause (a) or clause (b) as elected and shall proceed with the counting for filling the seats remaining to be filled.]

(3) Where there is no candidate standing for election from any State or Union Territory which has a reserved seat under sub-regulation (1) of Regulation 115 or the number of candidates for election to a Regional Council is less than the number of members to be elected, the vacant seat or seats may or may not be filled up at the discretion of the Council and in case the Council decides that the vacant seat or seats be filled up the same may be filled up by co-option by the regional council from amongst the members entitled to vote in and stand for election to the Regional council in consultation with the previous approval of the Council and the members so co-opted shall hold office for the duration of office of that Regional Council.

(4) Where any dispute arises, regarding any election to a Regional Council, the matter may be referred by the candidate concerned within thirty days from the date of the declaration of the result of the elections, to the President and the decision shall be final.

(b) shall exclude the next lowest candidate on the poll and if in the case of that candidate also the provisions of clause (a) are applicable such next candidate lowest on the poll in whose case the said provisions of clause (a) are not applicable;

(c) shall declare candidate or candidates not so excluded elected the poll either under clause (a) or clause (b) as elected and shall proceed with the counting for filling the seats remaining to be filled.

(3) Where there is no candidate standing for election from any State or Union Territory which has a reserved seat under sub-regulation (1) of Regulation 115 or the number of candidates for election to a Regional Council is less than the number of members to be elected, the vacant seat or seats may or may not be filled up at the discretion of the Council and in case the Council decides that the vacant seat or seats be filled up, the same may be filled up by co-option by the Regional Council from amongst the members entitled to vote in and stand for election to the Regional Council in consultation with the previous approval of the Council and the members so co-opted shall hold-office for the duration of office of that Regional Council.

(4) Where any dispute arises regarding any election to a Regional Council, the matter may be referred by the candidate concerned within thirty days from the date of the declaration of the result of the election, to the President and the decision shall be final.]

[64]**[115. Representation on the Regional Council.-**

(1) Each Regional Council shall have not less than six and

64 Substituted by the Company Secretaries (Amendment) Regulations, 2010. Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

[*115. Representation on the Regional Council* – (1) Each Regional Council shall have not less than six and not more than twelve elected members provided that there shall be at least one elected member form

not more than twelve elected members provided that there shall be at least one elected member from each such State or Union Territory as is having, on the date of the issue of the notice referred to in sub-regulation (2), such minimum number of members as may be decided by the Council for each election.

(2) The Council shall publish in the Gazette of India a notice stating the number of persons to be elected to each Regional Council and calling for nominations of candidates for election by a specified date which shall not be less than twenty one days from the date of the publication of the said notice in the Gazette of India. Such notice shall also be displayed for information of members at the offices of each Regional Council.

(3) The Regional Council, as constituted under sub-regulations (1) and (2) of Regulation 111, may, at its first meeting, co-opt not more than two persons to represent the interests of commerce, trade and industry and the Central or State Governments with the [previous] approval of the Council provided that such co-opted persons shall have no right to vote at the meetings of the Regional Council.]

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each such State or Union territory as is having, on the date of the issue of the notice referred to in sub-regulation (2), such minimum number of members as may be decided by the Council for each election.]

(2) The Council shall publish in the journal a notice stating the number of persons to be elected to each Regional Council and calling for nominations of candidates for election by a specified date which shall not be less than fourteen days from the date of the publication of the said notice in the journal. Such notice shall also be displayed for information of members at the offices of each Regional Council.

(3) The Regional Council as constituted under sub-regulations (1) and (2) of Regulation 111 may, at its first meeting, co-opt not more than two persons to represent the interests of commerce, trade and industry and the Central or State government with the [previous] approval of the Council provided that such co-opted persons shall have no right to vote at the meetings of the Regional Council.]

116. Eligibility to vote in and stand for election.-

[65]Omitted.

117. Vacancies.-

(1) A member of a Regional Council may at any time resign his membership by writing under his hand addressed to the Chairman of the Regional Council and the seat of such member shall become vacant when such resignation is notified in the Journal or when the Regional Council next meets, whichever is earlier.

[66][(2) An elected member of a Regional Council who has

65 Omitted by the Company Secretaries (Amendment) Regulation, 1988. Notification No. 531:Legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4 dated 26.07.2010 :

116. Eligibility to vote in and stand for election

(1) Subject to the other provisions or these regulations; every Associate or Fellow shall be entitled to vote in and stand for election to the Regional Council which according to his professional address he belonged to for at least ninety days prior to the date on which the notification calling for nominations is published.

Provided his entrance fee, annual membership fee and other dues for and in respect of the year previous to that in which the election is held are not in arrears.

Provided further that a member in the region whose name stands removed from the register maintained by the Council [on the date of poll] shall not be eligible either to vote in or stand for the election notwithstanding the fact that his name has been published in the list of voters, and/or list of candidates, as the case may be.

(2) Every candidate standing for election to the respective Regional Council shall alongwith the nomination papers pay at the headquarter office a fee of not exceeding rupees two thousand five hundred as may be notified by the Council before each election in cash or by demand draft which shall not be refundable under any circumstances except in the event of the rejections of his nomination.

66 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

[(2) An elected member of a Regional Council who does not attend three consecutive meeting of the Regional council or Committees thereof shall be deemed to have vacated office at the conclusion of the third meeting unless he applies for leave of absence in writing and it is granted for each meeting.]

been found guilty of any professional or other misconduct and awarded penalty of fine or does not attend three consecutive meetings of the Regional Council or Committee thereof, unless he applies for leave of absence in writing and it is granted for each meeting, shall be deemed to have vacated office from the date of the order or at the conclusion of the third meeting unless he applies for leave of absence in writing and it is granted for each meeting.]

(3) Any vacancy caused by the resignation, death or removal from the Register of an elected member of the Regional Council may be fi by the Regional Council by co-option of another member entitled to vote in and stand for election to the Regional Council with the approval of the President.

(4) If a member of the Regional Council [67][including a member of the Council becoming a member of the Regional Council under clause (a) of sub-regulation (2) of Regulation 111] changes his professional address from the regional constituency to which he belonged to at the time of election or co-option, as the case may be, to another regional constituency, such member shall cease to be member of that Regional Council from that date. The vacancy so caused may be fi by the Regional Council by co-option of another member in the same manner as provided in sub-regulation (3).

(5) In the case of a member of a Regional Council being elected to the Council, without prejudice to his right to be represented on the Regional Council under clause (a) of sub-regulation (2) of Regulation 111, he shall cease to be an elected member of the Regional Council and the vacancy thus caused may be filled up by co-options by the Regional Council in the manner set out in sub-regulation (3).

(6) A co-opted member shall hold office as a member of the Regional Council for the duration of office of that Regional Council.

67. Inserted by the Company Secretaries (Amendment) Regulations, 1988, Notification No.01 of August, 1988 published in the Gazette of India Extraordinary, dated 22.08.1988

[68]**[118. Duration of office.-**

(1) The duration of office of the Regional Council shall ordinarily be four years from the date of its constitution, which shall be specified by the Council by a notification in this behalf in the Journal.

(2) On the expiry of the duration of a Regional Council, a new Regional Council shall be constituted in the manner provided in these regulations.]

119. Proceedings of the Regional Council.-

(1) One-third of the members of the Regional Council for the time being shall constitute the quorum.

[69][(2) Every Regional Council shall at its first meeting held after its constitution and in subsequent years at a meeting to he held in December of every year elect from amongst its members a Chairman, a Vice-Chairman, a Secretary and a Treasurer thereof to hold office for a period commencing

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68 Substituted by the Company Secretaries (Amendment) Regulations, 2010. Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.07.2010, for the following:

118. Duration of office

(1) The duration of office of a Regional Council shall ordinarily be three years from the date of its constitution, which shall be specified by the Council by a notification in this behalf in the Journal.

Provided that the Council may, if in its opinion circumstances so warrant, extend or shorten the duration of a Regional Council by a like notification.

(2) On the expiry of the duration of a Regional Council a new Regional Council shall be constituted in the manner provided in these regulations.

69 Substituted by the Company Secretaries (Amendment) Regulations, 1985, Notification No. 710:2:(M)(1), published in the Gazette of India, Extraordinary, dated 30.12.85 for the following:

[(2) Every Regional Council shall at its first meeting, of the Regional Council after the annual general meeting of the regional constituency, elect from amongst its members a Chairman, Vice-Chairman, a Secretary and a treasurer thereof, and so often as any of those offices become vacant, the Regional Council shall elect another person from amongst its members to hold that office. The said office bearers shall hold office until the first meeting of the Regional Council immediately following the next annual general meeting of the regional constituency.]

from the date of its first meeting after constitution or from 1st January of the subsequent year as the case may be, till the 31st December of that year and so often as any of those offices become vacant, the Regional Council shall elect another person from amongst its members to hold the office for the remaining period of a year.]

Provided that the retiring office bearers shall be eligible for re-election to any of the offices of the Regional Council if they continue to be members of the Regional Council.

(3) The first meeting of the Regional Council referred to in sub-regulation (2) shall be called and held within one month from the date of its constitution [70][* * * * * *].

(4) If within half an hour from the time appointed for the said first meeting of the Regional Council referred to hereinbefore, a quorum as mentioned in sub-regulation (1) above is not present, the said first meeting shall notwithstanding anything contained in that Regulation stand adjourned to the same day in the next week at the same time and place and at such adjourned meeting of the Regional Council, the member or members present, shall constitute the quorum and shall have power to transact all the business which could properly have been transacted at the original meeting.

120. Meeting of the Regional Council.-

The provisions of regulations in respect of meeting of the Council and its Committees shall be applicable to the meeting of the Regional Council and its Committees *mutatis mutandis*.

121. Chief executive authority.-

The Chairman of the Regional Council shall be the chief executive authority of the Regional Council.

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70 The following was omitted by the Company Secretaries (Amendment) Regulations, 1985, Notification No.710:2(M)(1), published in the Gazette of India: Extraordinary, dated 30.12.85:

[or from the date of the annual general meeting of the regional constituency, As the case may be]

122. Functions of the Secretary and the Treasurer.-

The Secretary of the Regional Council shall be responsible for the performance of general duties of the office of the Regional Council under the direction of the Chairman. The Secretary of the Regional Council may, if there is no Treasurer, act as Treasurer. The Treasurer shall cause proper accounts to be maintained of the moneys received and expended and of the assets and liabilities of the Regional Council.

123. Continuance in office.-

On the expiry of the duration of the Regional Council, the Chairman, Vice-Chairman Secretary and Treasurer for the time being, shall discharge the duties and functions, respectively of the Chairman, Vice-Chairman, Secretary and Treasurer, as provided in these regulations until such time as the next regional Council is constituted and its Chairman, Vice-Chairman, Secretary and Treasurer are elected under the provisions of these regulations to take over charge of their respective offices.

124. Appointment of staff,-

Subject to the prior approval of the President, a Regional Council may appoint such staff for its office as it may from time to time consider necessary for the purpose of carrying out its function.

125. Committee of the Regional Council.-

A Regional Council shall constitute such Committees as the Council may direct and may constitute such other Committees as it deems necessary for the purpose of carrying out the functions entrusted to the Regional Council.

126. Chairman of the Committee.-

A Regional Council shall nominate a member of a Committee to be its Chairman provided that in the case of any Committee

constituted at the direction of the Council, unless otherwise nominated by the Council, the Chairman of the Regional Council shall be the Chairman.

127. Term of office of Committee.-

[71][Every member of a committee constituted under Regulation 125 shall hold office until the meeting of the Regional Council to be held in December of every year, but subject to him being a member of the Regional Council, he shall be eligible for re-election to the Committee.

Provided that, a Committee constituted for a specific purpose shall stand dissolved on the completion of the assignment and every member of such a Committee shall hold office until such dissolution.]

128. Finance and accounts of Regional Council.-

(1) No Regional Council shall borrow money without the prior approval of the Council.

(2) In addition to the annual subscription allocated to the Regional Council by the Council and any further grants-in-aid that the Council may make to it, a Regional Council may raise, on a voluntary basis, such additional subscriptions and fees in respect of any particular activity from the participating persons as it may deem necessary, accept donations and raise funds in any other manner as it deems necessary with the prior approval of the President.

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71 Substituted by the Company Secretaries (Amendment) Regulations, 1985, Notification No. 710:2(M)(1), published in the Gazette of India: Extraordinary dated 30.12.85 for the following :

[Every member of a Committee shall hold office until the first meeting of the Regional council held after the next annual general meeting of the regional constituency, but subject to him being a member of the Regional Council, he shall be eligible for re-election to the Committee.

Provided that, a committee constituted for a specific purpose shall stand dissolved on the completion of the assignment and every members of such a Committee shall hold office until such dissolution.]

129. Expenditure from fund.-

The funds of a Regional council shall be employed for such purposes as may from time to time be sanctioned by the Regional Council.

Provided, that no funds shall be applied either directly or indirectly, for payments to the members of the Regional Council except for reimbursing them for any expenses actually incurred by them in connection with the activities of the Regional Council concerned.

130. Audit.-

The Accounts of each Regional Council shall be audited every year by an auditor who is a Chartered Accountant, as may be elected at the annual general meeting of the Regional constituency and the remuneration of the auditor, if any, shall also be fixed at that meeting. The accounts together with the auditor's report and the report of the Regional Council shall be sent to all the members borne on the Regional register and the Auditor and Secretary of the Institute at least fourteen days before the date of annual general meeting. Any casual vacancy in the office of the auditor shall be filled by the Regional Council and the remuneration, if any, of such auditor shall also be fixed by the Regional Council.

131. Accounts and report to the Council.-

A copy of the audited accounts and the report of the Regional Council as adopted by the annual general meeting shall be sent to the Council not later than fourteen days from the date of the annual general meeting.

132. Annual general meetings of the regional constituencies.-

(1) A Regional Council shall convene on or before thirty-first July of every year an annual general meeting of the regional constituency.

(2) The business at an annual general meeting shall be to consider and adopt the report of the Regional Council and the accounts alongwith auditor's report to appoint auditor and fix his remuneration, if any, and to transact such other business as may be brought before the meeting with the permission of the Chairman.

133. Extraordinary general meeting.-

(1) A Regional Council may, as often, as it considers necessary, and shall on the requisition made in writing by at least one-fifth of the total number of members born on the regional register convene an extraordinary general meeting and any such requisition shall-

(a) specify the object for which the meeting is called,

(b) be signed by the members making the same, and

(c) be delivered at the office of the Regional Council.

(2) When a requisition is made under sub-regulation (1), the Regional Council shall convene an extraordinary general meeting within six weeks from the receipt of such requisition.

134. Notice of meeting.-

Not less than fourteen days, notice of every general meeting specifying the date, place, hour and business of such meeting shall be given to all the members as appearing on the regional register of members, to the auditor of the Regional Council and the Secretary.

135. Notice of proposals.-

Any members borne on the regional register may propose any resolution for the consideration of a general meeting by giving not less than ten days' notice in that behalf, addressed to the Secretary of the Regional Council.

136. Chairman.-

The Chairman or in his absence, the Vice-Chairman of

the Regional Council shall be the Chairman of all general meetings of the regional constituency. In the absence of both, the members present may elect one of their member to act as Chairman of the meeting.

137. Quorum for general meetings.-

Fifteen members entitled to vote under Regulation 139 shall constitute quorum for a general meeting of a regional constituency.

138. Adjournment.-

If, within half an hour from the time appointed for the general meeting a quorum is not present, the meeting if convened upon the requisition of members, shall stand dissolved, and in any other case 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 at the meeting shall constitute the quorum to transact the business which would have been transacted at the original meeting.

139. Voting at general meeting.-

(1) No person shall be entitled to vote at the meeting of the members of the regional constituency unless his name is borne on the regional register and he is not in default toward payment of his annual fees.

(2) Every member present at a general meeting shall have one vote and no voting by proxy shall be allowed.

140. Decisions to be by majority.-

The decision at any general meeting shall be taken by the majority of members, present and voting on any resolution.

141. Dissolution of the Regional Council.-

(1) Notwithstanding anything contained in these regulations, the Council-

(a) may, if it considers necessary so to do, dissolve a Regional Council after giving an opportunity to it to state its case; and

(b) shall dissolve a Regional Council if, not less than three-fourth of the members on the regional register have passed a resolution to that effect at a general meeting.

(2) Upon the dissolution of a Regional Council and until a new Regional Council is constituted, the function of the Regional Council shall be discharged by the Council.

IndiaCode

Chapter XIII

Chapters of the Institute

142. Requirements and Conditions.-

The Council may by notification in the Journal specify the requirements and conditions with respect to the constitution and recognition of the Chapters of the Institute.

143. Notification with Journal.-

The Chapters of the Institute constituted in accordance with the requirements and conditions referred to in the preceding Regulation shall be notified in the Journal.

144. Functioning of Chapters.-

A Chapter at all times shall function subject to the control, supervision and direction of the Council through the Regional Council within whose jurisdiction the Chapter is situate and shall carry out such directions as may, from time to time, be issued by the Council or the relevant Regional Council.

145. Dissolution/Reconstruction of Chapter.-

The Council, may at any time, if it considers necessary so to do, dissolve and/or reconstitute a Chapter.

Chapter XIV

Miscellaneous

146. Location of the office of the Institute.-

The office of the Institute shall be located in the Union Territory of Delhi.

147. Administration of the Institute.-

The Council shall be responsible for the management of the affairs of the Institute and of the Regional Councils.

148. Custody of common seal.-

The common seal of the Institute shall be in the custody of the Secretary.

149. Affixing common seal.-

All instruments on which the common seal is required to be affixed by or under any law shall be so affixed with the previous authority of the Council and countersigned by the Secretary.

[72]**[149A Preparation of Budget.-**

(1) Before the beginning of the next financial year, the Secretary shall cause the annual financial statement (the Budget) prepared including therein all anticipated income and expenditure for the financial year and place the same before the Council for approval.

(2) The Secretary shall take into consideration the requirements of the Regional Council and Chapters while preparing the annual financial statement (the Budget).

(3) The Council shall consider the annual financial statement (the Budget) placed before it and shall approve the same with or without modification before the commencement of the next financial year.]

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72 Inserted by the Company Secretaries (Amendment) Regulations, 2012, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 04.06.2012

[73]**[150. Maintenance of accounts.-**

(1) It shall be the duty of the Finance Committee to maintain or cause to be maintained proper books of accounts with respect to –

(a) all sums of money received and expended by the Institute and the matters in respect of which the receipt and expenditure takes place;

(b) all sales and purchases of goods;

(c) all the assets and liabilities of the Institute;

(d) any other items specified in this regard by the Council.

(2) The annual accounts of the Council shall be prepared for every year. Such annual accounts shall comprise of the Balance Sheet of the Institute, Income and Expenditure Account of the Institute comprising the surplus or deficit of the Institute for that year, and cash flow statement for that year.

(3) While preparing the annual accounts, the Finance Committee shall take into consideration the annual accounts of the respective Regional Councils and Chapters and consolidate the same with the annual accounts of the Institute.]

[74]**[151. Audit of accounts.-**

(1) The Annual accounts of the Institute shall be audited by a

73 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010 for the following :

[*150. Maintenance of accounts* – It shall be the duty of the Secretary to maintain or cause to be maintained proper accounts of the receipts and expenditure of the Institute.]

74 Substituted by the Company Secretaries (Amendment) Regulations, 2012, Notification No.531:legal:710/1/M/1, published in the Gazette of India Extraordinary, Part III, Section 4, dated 04.06.2012 for the following:

[*151. Audit of accounts.-* The Council shall, not less than months before thirtieth September of each year deliver to the auditor the accounts of the previous year and the auditor shall examine such accounts and report thereon, not later than one month before thirtieth September of that year. The auditor shall be entitled to ask for any information or explanation regarding the accounts from the Secretary and such information shall be supplied to him in so far as may be available at that time]

Chartered Accountant or the firm or Chartered Accountants.

(2) The Council shall not less than two months before thirtieth September of each year deliver to the auditor the accounts of the previous year and the auditor shall examine such accounts and report thereon, not later than one month before thirtieth September of that year.

(3) The auditor shall be entitled to ask for any information or explanation regarding the accounts from the Secretary and such information and explanation shall be supplied to him in so far as may be available at that time.]

[75][152. Appointment of auditor and his retirement.-

(1) The auditor shall be appointed by the Council at the annual meeting of the Council on the recommendation of the Executive Committee as provided in Sub-section (5) of Section 18 of the Act.

(2) The auditor shall retire at the conclusion of the Annual Meeting of the Council next after the meeting at which he was appointed, but shall be eligible for re-appointment.]

153. Auditor's remuneration.-

The Council shall determine the remuneration, if any, to be paid to the auditor.

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75 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010 for the following :

[*152. Appointment of auditor and his retirement*

(1) The auditor shall be elected at each Annual Meeting of the Council from amongst Chartered Accountants who have been duly nominated by two members of the Council; each such nomination shall be signed by members nominating and by the candidate, and shall be deposited at the office of the Council at least three days before the meeting. The auditor who is in office shall be deemed to be nominated at each annual Meeting unless he has intimated to the Secretary his desire not to be re-elected. Notwithstanding anything herein contained the first auditor appointed by the Council at its first meeting held after the commencement of the Act shall hold office until the first Annual Meeting of the Council.

(2) The auditor shall retire at the conclusion of the Annual Meeting of the Council next after the meeting at which he has elected, but shall be eligible for re-election.]

[76]**[154. Auditor's vacancy in office.-**

In the event of any vacancy occurring in the office of auditor before the expiry of his term of office in the normal course or in the event of a vacancy not being filled up at the Annual Meeting, the said vacancy may be filled by the Executive Committee and the auditor so appointed by the Executive Committee shall hold office until the conclusion of the next Annual Meeting but shall be eligible for re-appointment.

Provided that, during the period of such vacancy the existing auditor may, continue to act.]

[77]**[154A. Comparison of actual income and expenditure with budget estimates.-**

(1) The Council shall approve the budget prior to the commencement of each financial year indicating expenditure proposed to be incurred and anticipated revenues for the forthcoming year.

(2) The budget refers to in sub-regulation (1) apart from the other things separately record capital items and the revenue items.

(3) The budget for the capital items shall provide proposed expenditure apart from the other items on land, building, capital equipments, books and library.

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76 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010 for the following :

[154. *Auditor's vacancy in office*

In the event of any vacancy occurring in the office of auditor before the expiry of his term of office in the normal course or in the event of a vacancy not being filled up at any Annual Meeting the said vacancy may be filled by the Council and the auditor so appointed by the Council shall hold office until the conclusion of the next Annual Meeting, but shall be eligible for election:

Provided that, during the period of such vacancy the continuing auditor, if any, may act.]

77 Inserted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010.

(4) The budget for revenue items shall provide anticipated income and proposed expenditure for the forthcoming year in relation to, apart from the other items, in respect of distance education, examination, services to members and salary and establishment.

(5) The budget so approved may be revised during the year to incorporate the expected changes.

(6) The auditors of the Council shall also compare the actual income and expenditure with the budget estimates approved by the Council and submit a report to the Council on the material departures.]

[78]**[155. Approval, circulation and publication of audited accounts and Council report.-**

(1) The Council shall as soon as may be practicable at the end of each year circulate the audited accounts to its members at least 15 days in advance and consider and approve these accounts in a special meeting convened for the purpose in pursuance of Sub-section (5A) of Section 18 of the Act.

(2) The Council shall cause to be published in the Gazette of India a copy of the audited accounts and the report of the Council for that year duly approved by the Council and shall forward a copy of the said accounts and report to the Central Government and to all members of the Institute on or before the 30th day of September of the year next following in pursuance of Sub-section 5(B) of Section 18 of the Act.]

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78 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010 for the following :

[155. *Publication and circulation of audited accounts and Council report*

The Council shall cause to be published in the Gazette of India a copy of the audited accounts and the report of the Council for that year and shall forward copies of the said accounts and its report to the Central Government, and to all members in pursuance of Sub-section (5) of Section 18 of the Act, on or before the thirtieth day of September of the year next following.]

[79][155A. Special Audit.-

(1) In the event it is brought to the notice of the Council that the accounts of the Institute do not represent a true and actual view of the Institute's finances, the Council shall itself cause special audit to be conducted.

(2) If the information that the accounts of the Council do not represent a true and fair view of its finances is sent to the Council by the Central Government, then, the Council may, wherever appropriate cause a special audit or take such action as it considers necessary and shall furnish an Action Taken Report on it to the Central Government.]

156. Powers and duties of the President and Vice-President.-

(1) The President shall exercise such powers and perform such duties as are conferred on or vested in him by the Act or these regulations, or as may be delegated to him by the Council from time to time

(2) The President may direct any business to be brought before the Council or any Committee for consideration. If the office of the President is vacant or if the President, for any reason, is unable to exercise the powers or duties of his office, the Vice-President shall act in his place and shall exercise the powers and perform the duties of the President.

157. Powers and duties of the Secretary.-

Subject to the general supervision of the President or the relevant Standing Committee, the Secretary shall exercise and perform, in addition to the powers and duties specified by the Act or in these regulations, the following powers and duties, namely,-

(a) being incharge of the office of the Institute as its executive head, managing it and attending to all correspondence;

79 Inserted by the Company Secretaries (Amendment) Regulations, 2012, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 04.06.2012.

(b) maintaining registers, documents and forms as required by the Act and these regulations;

(c) being incharge of all the property of the Institute;

(d) making necessary arrangements for receiving moneys due to the Council and also issuing receipts therefor;

(e) incurring all revenue expenditure within the limits sanctioned by the Council or the Committee and incurring capital expenditure including for the purpose of purchasing books for the library of the Institute within the limits sanctioned by the Council or the Committees;

(f) causing proper accounts to be maintained and delivering of accounts books, or furnishing information to the auditor appointed by the Council for the purpose of audit of the accounts of the Institute;

(g) making all other payments as sanctioned by the Council, Committees or the President;

(h) paying salary and allowances to the members of the staff, granting of leave to them, and sanctioning their increments within the prescribed scales;

(i) exercising disciplinary control over the staff except dismissal in respect of which the sanction of the President shall be necessary;

(j) admitting candidates to the examinations held under these regulations and making all necessary arrangements for the conduct of the examinations;

(k) refunding or transferring of fees received in accordance with these regulations for the examinations, enrolment, issue of certificates of practice and allied matters;

(l) registering and noting of suspension, cancellation or termination of registration of students;

(m) recognising practical experience, sponsoring candidates for practical training, granting exemption

from practical training requirements as may be delegated by the Council and the Committees concerned from time to time;

(n) enrolling Associates, admitting Fellow, removing the names of members from the Register owing to death or non-payment of prescribed fees and dues to the Institute, restoring membership, issuing and canceling certificates of practice and issuing notifications therefore as may be delegated by the Council and the Executive Committees from time to time;

(o) signing and issuing all notifications on behalf of the Council as required under the Act and these regulations;

(p) subject to the approval for the President, signing vakalatnamas, on behalf of the Council, appointing solicitors or advocates on behalf of the Council and filing papers, affidavits and other documents in civil, criminal, revenue courts and other offices;

(q) receiving complaints and submitting the same to the Disciplinary Committee and to make such enquiry and collect such information as may be required or directed by the President, the Committee or the Council and submit to them such information as may come to his knowledge;

(r) issuing pass certificates, licentiateship certificates, membership certificates, certificates of practice and its renewal letters to the persons who are entitled thereto in accordance with the provisions of the Act and these regulations;

(s) keeping in his custody the common seal of the Institute and to affix the same to any document or instrument in accordance with Regulation 149;

(t) keeping in his custody forms of certificates of membership

and of practice, blocks, engravings, facsimile and bills relating to printing of such certificates;

(u) calling any information or particulars as he may consider proper for processing applications for registration of students or admission or enrolment of members of the Institute; and

(v) performing such other duties and functions as are incidental and ancillary to as may be required for the performance of the above duties and exercising such other powers as may be delegated to him by the Council, Committees or the President from time to time.

[80]**[157A. Terms and conditions of service of the employees.-**

The employees of the Council and the Institute shall be governed by the Institute of Company Secretaries of India Employees terms and conditions of Service specified in Schedule 'F'.]

158. Indemnity from losses and expenses.-

The members of the Council, the Auditor, the Secretary and other officers of the Institute shall be indemnified by the Institute against all losses and expenses incurred by them in the *bona fide* discharge of their respective duties.

159. Issue of duplicate certificates.-

(1) In the event of the loss by the holder of a certificate issued in any of the appropriate forms, 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 thereof to him on payment of a fee of [81][rupees two hundred] for a

80 Inserted by the Company Secretaries (Amendment) Regulations, 2012, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 04.06.2012.

81 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [rupees twenty].

duplicate of a certificate in the appropriate form relating to members and [82][rupees one hundred] for a duplicate of a certificate relating to students.

(2) Where any such certificate is damaged or mutilated, the Council may, on an application made in this behalf, issue a duplicate thereof on receipt of the fee prescribed in sub-regulation (1) and on return of the damaged or mutilated certificate.

160. Service of notices.-

(1) *To members and others* – All notices required by the Act or these regulations to be given to members, students and others shall be forwarded by post [83][or speed post or courier service or permitted electronic mode or by hand delivery or by leaving it] to such address as may last have been registered with the Institute, and in proving that such notice has been given, it shall be sufficient to prove that such notice was properly addressed and put in the post, postage duly prepaid.

[84][(2) *To Institute* - A notice or documents may be served on the Institute or an officer thereof by sending it to the Institute or the officer at the office of the Institute at National Capital Region by registered post or speed post or courier services or permitted electronic mode or by leaving it at its head office at National Capital Region or other offices of the Institute.]

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82 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for [rupees ten].

83 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

84 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[(2) *To institute*–Any documents or official communication to be served on the Institute or an officer of the Institute including President, Vice-President or the Secretary, shall be addressed to the office by post under a certificate of posting or by registered post or by delivering it at the office of the Institute at Delhi].

[85]**[161. Publication of List of Members.-**

(1) The list of members of the Institute as on the 1st day of April each year published in print or electronic form, under Sub-section (3) of Section 19, shall be sent to any member, on his request and on his making payment of such amount as may be determined by the Council which shall not exceed rupees three thousand.

(2) In publishing the list of members as stated in sub-regulation (1), the Council may distinguish, in such manner as it may think fit, between the Associates and Fellows in practice and between the Associates and Fellows not in practice and provide such other information pertaining to each member in the list of members as it considers necessary and useful :

Provided that a copy of the list of members or the Compact Disc or any other electronic form, as the case may be sent free of charge to Registrars of Companies, Regional Directors under the Ministry of Corporate Affairs and such other bodies as the Council may specify from time to time.

Provided further copies of the list in print or Compact Disc or in other electronic form, as the case may be, shall also be made available to others on payment of the amount as determined by the Council under sub-regulation (1), in addition to the postal charges, if any.]

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85 Substituted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010 for the following :

[161. *Publication of list members* – In publishing the list of members under Sub-section (3) of Section 19, the Council may indicate in such manner as it deems fit, the Associates and Fellows who are in practice and provide such other information pertaining to each member in the list of members as it considers necessary and useful. A copy of the list shall be sent free of charge to all members who make a request for it to the Secretary, all Registrars of Companies, Regional Directors under the Department of Company Affairs, Secretary, Department of Company Affairs, the Ministry of Finance, Commerce and Industry; and such other bodies as the Council may specify from time to time. Copies of the list shall also be made available to all other persons at such reasonable price as the Council may fix from time to time.

162. Members to supply information.-

For the purpose of publication of the list referred to in Regulation 161 the Council may require the members to supply any information regarding their present address, place of business, partners, whether practising or not, and such other particulars as may be deemed necessary. If the members fail to supply the information in time, the list may be drawn on such information as the Council may possess.

163. Branch office.-

Every Company Secretary in practice or a firm of such Company Secretaries maintaining more than one office at the commencement of the Act shall send within three months of the commencement of these Regulations to the Council a list of offices and persons in charge thereof. Any change in regard to any branch office or offices shall also be intimated to the Council not later than a month of such change.

164. Offices not in-charge of members.-

Where a Company Secretary in practice or a firm of such Company Secretaries has any office in India at the commencement of the Act which is not in separate charge of a member, he or it shall take steps within three months from the date of commencement of these regulations to regularise the position by obtaining exemption from the Council or otherwise.

165. Particulars of offices and firms.-

(1) Every Company Secretary in practice and every firm of such Company Secretaries shall submit to the Council in the appropriate form the particulars of his office or that of the firm within three months from the date of commencement of these regulations or the commencement of practice or formation of the firm, as the case may be, whichever is later. Any subsequent change in the particulars submitted shall be sent so as to reach the Council within thirty days after the change was effected.

(2) A Register of Offices and Firms shall be maintained by the Council.

[86]**[165A. Multidisciplinary Firm.-**

A member in practice may form multi-disciplinary firm with the member of other professional bodies as prescribed under regulations 168A and 168B in accordance with the regulating guidelines of the Council for functioning and regulation of such multidisciplinary firm].

166. Particulars of nationality and domicile.-

Every member shall submit to the Council particulars regarding his nationality and domicile and shall also intimate to the Council any subsequent change in such particulars not later than thirty days from the date of such change.

167. Place of business of practising member in India.-

It shall be obligatory on every member in practice to have a place of business in India in his own charge or in charge of another member. Particulars of such place of business shall be supplied by the member to the Council initially and whenever there is a change of such place of business within thirty days of such change.

Provided that the Council may, in the case of a person not covered by the proviso to Sub-section (1) to Section 4, allow a member to specify a place of business in India (whether he has business in India or not) which is neither in his own charge nor incharge of another member of the Institute, and in that event, such place shall be deemed to be the place of business for the purposes of Section 19 and his professional address for purposes of [87][sub-regulation (1) or Regulation 62].

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86 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

87 Substituted by the Company Secretaries (Amendment) Regulation, 1988. Notification No. 531:Legal:710(2)(M)(2), published in the Gazette of India,

Particulars of any change of such place of business shall be furnished to the Council within thirty days of such change.

Provided further that in the case of such a member who is a salaried employee of a Company Secretary in practice or a firm of such Company Secretaries in practice, the place of business of his employer(s) shall be deemed to be his place of business for the purpose of Section 19.

168. Company Secretaries in practice not to engage in any other business or occupation.-

(1) A Company Secretary in practice shall not engage in any business or occupation other than the profession of Company Secretary unless it is permitted by a general or specific resolution of the Council.

Provided that a Company Secretary in practice who at the commencement of the Act was engaged in any business or occupation other than the profession of Company Secretary may continue to engage himself in such business or occupation for a period of six months from the commencement of these regulations.

(2) Without prejudice to the discretion vested in the Council in this behalf, a Company Secretary in practice may act as a secretary, trustee, executor, administrator, arbitrator, receiver, appraiser, valuer, internal auditor, management auditor, management consultant or as a representative on financial matters including taxation and may take up an appointment that may be made by the Central or any State Government, Court of Law, Labour Tribunals, or any other statutory authority.

[88]**[168A. Other Professional bodies.-**

(1) For the purposes of clauses (2), (3) and (5) of Part I of

Extraordinary, Part III, Section 4 dated 22.08.1988 for [sub-regulation (2) of regulation 61")].

88 Inserted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010.

the First Schedule to the Act, a person has to be member of any of the following, namely :-

(a) The Institute of Chartered Accountants of India established under the Chartered Accountants Act, 1949 (No.38 of 1949);

(b) The Institute of Cost and Works Accountants of India established under the Cost and Works Accountants Act, 1959 (No. 23 of 1959);

(c) Bar Council of India established under the Advocates Act, 1961 (No. 25 of 1961);

(d) The Indian Institute of Architects established under the Architects Act, 1972 (No. 20 of 1972);

(e) The Institute of Actuaries of India established under the Actuaries Act, 2006 (No. 35 of 2006);

(f) the membership of the professional bodies or institutions whose qualifications relating to Company Secretaryship are recognized by the Council under Sub-section (2) of Section 38 of the Act.

(2) For the purposes of clauses (2), (3) and (5) of Part I of the First Schedule to the Act, the following shall be the persons qualified in India, namely :-

(a) Chartered Accountant within the meaning of the Chartered Accountants Act, 1949;

(b) Cost Accountant within the meaning of the Cost and Works Accountants Act, 1959;

(c) Actuary within the meaning of the Actuaries Act, 2006;

(d) Bachelor in Engineering from a University established by law or an institution recognized by law;

(e) Bachelor in Technology from a University established by law or an institution recognized by law;

(f) Bachelor in Architecture from a University established by law or an institution recognized by law;

(g) Bachelor of Law from a University established by law or an institution recognized by law;

(h) Master in Business Administration from Universities established by Law or Technical Institutions recognized by All India Council for Technical Education.]

[89]**[168B. Membership of Professional body for Partnership.-**

(1) For the purposes of entering into partnership under clauses (4) and (5) of Part I of the First Schedule to the Act, a person shall be a member of any of the following professional bodies, namely:-

(a) The Institute of Chartered Accountants of India established under the Chartered Accountants Act, 1949 (No. 38 of 1949);

(b) The Institute of Cost and Works Accountants of India established under the Cost and Works Accountants Act, 1959 (No.23 of 1959);

(c) Bar Council of India established under the Advocates Act, 1961 (No. 25 of 1961);

(d) The Institute of Engineers or Engineering from a University established by law or an institution recognized by law;

(e) The Indian Institute of Architects established under the Architects Act, 1972 (No. 20 of 1972);

(f) The Institute of Actuaries of India established, under the Actuaries Act, 2006 (No. 35 of 2006);

(g) Professional bodies or institutions outside India whose qualifications relating to Company Secretary recognized by the Council under Sub-section (2) of Section 38 of the Act.]

89 Inserted by the Company Secretaries (Amendment) Regulations, 2010, Notification No. 531:legal:710/1/M/1, published in the Gazette of India, Extraordinary, Part III, Section 4, dated 26.7.2010.

[90]**[169. Trade or firm name to require Council approval.-**

(1) No Company Secretary in practice [91][or Multidisciplinary Firm] who is not a partner of a firm of such Company Secretaries shall practice under any name or style other than his own except with the prior approval of the Council.

(2) No firm of Company Secretaries in practice [92][or Multidisciplinary Firm] shall practice under any name or style except with the previous approval of the Council.

[93][(2A) An application in such Form as may be determined by the Council, is required to be made to the Institute for obtaining prior approval of the trade or firm name proposed to be used by the company secretary in practice or by a firm of Company Secretaries in practice or Multidisciplinary Firm].

(3) The Council may, at its discretion, refuse to approve the particular trade, firm or other name:-

(i) if the same of similar or nearly similar name is already used by a Company Secretary in practice or a firm of such Company Secretaries and has been entered in the Register of Offices and Firms maintained under Regulation 165; or

(ii) if that name, in the opinion of the Council, is undesirable.

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90 Substituted by the Company Secretaries (Amendment) Regulations, 1985, Notification No.710:2(M)(1), published in the Gazette of India Extraordinary, dated 30.12.1985 for the following:

[169. *Company Secretaries to practice only in their individual names* – No Company Secretary who is not a partner of a firm of Company Secretaries shall practice under any name or style other than his own name except with the prior approval of the Council]

91 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

92 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

93 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020

(4) Without prejudice to the generality of the powers conferred upon the Council under sub-regulation (3), a firm name may be considered undesirable if it does not bear the names of its partners, present or past, except when the firm name has been acquired by payment of goodwill or otherwise.

(5) Where the same trade or firm name has been inadvertently registered in the past in the Register of Offices and Firms maintained under Regulation 165 in the case of two or more members or firms, the Council may direct the member(s) or the firm(s), as the case may be, other than the one whose name was registered first in the Register of Offices and Firms maintained under Regulation 165, to alter the name in such manner as the Council may direct in this behalf and the member or the firm shall inform the Council of having effected such alteration within three months of the issue of such direction.]

170. Constitution or reconstitution of firms to require Council's approval.-

(1) After the commencement of these regulations no firm of Company Secretaries shall be constituted or reconstituted except with the prior approval of the Council.

(2) The Council shall not refuse to accord approval to the constitution or reconstitution of a firm under sub-regulation (1) unless it is of the opinion that the terms of the partnership agreement permit directly or indirectly, the doing of anything by the firm or any partner thereof which amounts to professional misconduct in relation to a Company Secretary in practice, or that the terms and conditions of the proposed partnership are not fair and reasonable or that, having regard to the circumstances of the cases, the constitution or reconstitution of the proposed partnership would not be in the interests of the general public.

[94][(3) omitted

94 The following sub-regulations were omitted by the Company Secretaries (Amendment) Regulations, 1985, Notification No. 710:2:(M)(1), published in the Gazette of India: Extraordinary dated 30.12.85:

[(3) The Council may, at its discretion, refuse to register, the name of a firm if that name is already used by a Company Secretary in practice

(4) omitted]

171. Power to charge fees.-

The rates and extent of all other fees payable under these regulations other than those specified in Schedule B shall be determined by the Council from time to time by resolution.

[95]**[172. Mode of payment of fees.-**

All fees and other dues payable to the Institute shall be paid or remitted in favour of "The Institute of Company Secretaries of India", through such modes as may be determined by the Council].

173. Power to withdraw or cancel certificate.-

Any certificate issued under the authority of the Council on the strength of incorrect, misleading or false information, or by mistake or inadvertence, may be withdrawn or treated as cancelled after giving a reasonable opportunity or notice to the person concerned to state his case.

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or a firm or such Company Secretaries and has been entered in the Register of Offices and Firms.

(4) Were the same firm has been inadvertently registered in the past in the Register of Office and Firms, the Council may direct the firm other than the one whose name was registered first in the Register of Office and Firms, the Council may direct the firm other than the one whose name was registered first in the Register of Offices and Firms, to alter the name in such manner as the Council may direct in this behalf and the firm shall inform the Council of having effected such alteration within three months of the issue of such direction.]

95 Substituted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020, for the following:

[172. Mode of payment of fees: All fees and other dues payable to the Institute shall be remitted in cash or by, crossed bank draft or by money order or pay order, or by, crossed bank draft or by money order or pay order, or postal order in respect or places where banking facilities are not available, drawn in favour of "The Institute of Company Secretaries of India", payable at New Delhi or in banks authorized by the Council or in such other manner as may be directed by the Council from time to time].

174. Power to remove difficulties.-

[96][If any difficulty arises in giving effect to the provisions of the Company Secretaries (Amendment) Regulations, 2001 in so far as it relates to the switch over from the syllabus contained in Schedule C or Schedule CC or Schedule CCA to the syllabus contained in Schedule CCB of these regulations, the Council may by general or specific resolution, do anything not inconsistent with these regulations which appear to it to be necessary or expedient for the purpose of removing the difficulty.]

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SCHEDULE A

PROFORMA

(See Reg. 3)

Register of Members

1. Particulars of membership
   (a) ACS No. and Date of entry in the Register
   (b) FCS No. and Date of admission as Fellow
2. Name in full……..……..
3. Date of birth……..……..
4. (a) Nationality……..……...
   (b) Domicile……..……..
5. Qualification……..…….

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96 Substituted by the Company Secretaries (Amendment) Regulations, 2001, Notification No. ICSI/710/2/M/26, published in the Gazette of India; Extraordinary, Part III – Section 4, dated 10th August, 2001 for the following:

[If any difficulty arises in giving effect to the provisions of the Company Secretaries (Amendment) Regulation, 1985 in so far as it relates to the switchover from the syllabus contained in Schedule C to the syllable contained in Schedule CC of these regulations, the Council may by general or specific resolution and with the approval of the Central Government, do anything not inconsistent with these regulations which appear to it to be necessary or expedient for the purpose of removing the difficulty.]

6. Address……

   (a) Professional……

   (b) Residential……...

   [97][(c) Mobile No……..…..

   (d) Tel. No. ……

   (e) Email id. ……..……]

7. Whether the member holds a certificate of practice ……..…..

8. Particulars of practice as Company Secretary.……..

   (a) Certificate to Practice No……

   (b) Date of effect……..

   (c) Whether practicing independently, in partnership, or employed in a firm of Company Secretaries in practice ……

9. Whether holding a salaried employment, if not in practice ……..……

10. Change of address, if any ……

11. Particulars of fees received ……

12. Remarks ……

[98][Schedule C, Schedule CC, Schedule CCA, Schedule CCB, Schedule D and Schedule E - Omitted]

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97 Inserted by the Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

98 Omitted by Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

[99][SCHEDULE F

The Institute of Company Secretaries of India Service Rules, 1979 as amended by the Council from time to time.]

[100][Schedule G and Schedule H - omitted]

99 Inserted by the Company Secretaries (Amendment) Regulations, 2012 Notification No 710/1/(M)/2 published in the Gazette of India, Extra Ordinary, Part III Section 4 dated 4th June 2012.

100 Omitted by Company Secretaries (Amendment) Regulations, 2020, Notification No.710/1(M)/1, published in the Gazette of India, Extraordinary dated 03-02-2020.

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APPROPRIATE FORMS

Part I – Applicable to Members

FORM 'A'

APPLICATION FOR ADMISSION AS AN ASSOCIATE MEMBER

[See Reg. 5(1)]

To,

The Secretary to the Council of
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi - 110 003

Sir,

I hereby apply for admission as Associate Member of the Institute of Company Secretaries of India in accordance with the provisions contained in the Company Secretaries Act, 1980 and the Regulations made there under and declare that I am not subject to any of the disabilities stated in the Act or the regulations of the Institute. The required particulars are furnished below:

1.	Name in Full (In Block Letters)	_____ _____ _____ First Name Middle Name Surname
2.	Father's Name	
3.	Date of Birth*	_____ _____ _____ Day Month Year
4.	(i) Nationality (ii) Citizenship (iii) Domicile (Permanent place of residence)	_____ _____ _____ _____

5.	If not an Indian citizen, whether Certificate of Indian Domicile has been obtained**	☐ Yes ☐ NO
6.	Educational/ Professional Qualifications	
7.	Address (In Capital Letters) (i) Professional***	Designation _____ Name of Company/Organisation _____ Address _____ _____ City _____ State _____ Pin Code _____ Telephone No. _____ Fax No _____ E-Mail _____ Mobile No. _____ Website : _____ PAN : _____ Aadhaar Number : _____
	(ii) Residential	_____ City _____ State _____ Pin Code _____ Mobile No. _____

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		Telephone No. _____ Fax No _____ E-Mail _____
	(iii) Address for all correspondence (Please tick desired address)	☐ Professional ☐ Residential
8.	(a) Registration Number as a student for Company Secretaries Examinations conducted by the Company Law Board/ Dissolved Company/ Institute with month & year of passing the Final examination	Regn. No. _____ Name of the body _____ Passed in (Month & Year) _____ Licentiate No. (if enrolled as Licentiate ICSI) _____
	(b) Particulars of such other company secretaryship qualification acquired from foreign body recognised by the Central Government/ the Council as being equivalent to the Institute's examination and training	(i) Name of Foreign Body _____ (ii) Student Registration No. _____ (iii) Date of Registration _____ (iv) Month, year & place from where appeared for the Final Examination of that body _____ _____ (v) Membership number, date & place of admission Membership No. _____ Date _____ Place _____

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<table>
<tr><td rowspan="4">9.</td><td colspan="3">Details of Practical experience acquired as provided under regulation 46 AB (1) or 48 of Company Secretaries Regulations, 1982 (as amended upto 1st April, 2014)</td></tr>
<tr><td rowspan="2">Name of the organisation, paid-up share capital/ reserves, if any</td><td>Period</td><td rowspan="2">Nature of supervisory Experience with designation</td></tr>
<tr><td>From</td><td>To</td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td></td><td></td></tr>
<tr><td rowspan="4">10.</td><td colspan="3">Details of practical training undergone under regulation 50 of the Company Secretaries Regulations, 1982 under the old training structure applicable to the students registered for Executive Programme on or before 31st March, 2014 who did not opt for the new training structure.</td></tr>
<tr><td rowspan="2">Name of organisation</td><td colspan="2">Period of Training</td></tr>
<tr><td>From</td><td>To</td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td rowspan="4">11.</td><td colspan="3">Details of practical training undergone under regulation 46BA of the Company Secretaries (Amendment) Regulations, 2020.</td></tr>
<tr><td rowspan="2">Name of Organization</td><td colspan="2">Period of Training</td></tr>
<tr><td>From</td><td>To</td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td></td></tr>
</table>

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<table>
<tr><td>12.</td><td>Details of training undergone with specialized agency under regulation 50(b) of the Company Secretaries Regulations, 1982 under the old training structure applicable to the students registered for Executive Programme on or before 31st March, 2014 who did not opt for the new training structure.
<table>
<tr><td rowspan="2">Name of Organization</td><td colspan="2">Period of Training</td></tr>
<tr><td>From</td><td>To</td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td></td></tr>
</table></td></tr>
<tr><td>13.</td><td>Details of total or partial exemption from training granted under regulation 46 AB (2) or 46BC or 48, 51, 52 & 53
<table>
<tr><td colspan="3">Details of Exemption</td></tr>
<tr><td>Period</td><td>Regulation</td><td>Nature of Training</td></tr>
<tr><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td></td></tr>
</table></td></tr>
<tr><td>14.</td><td>Details of Management Skills Orientation Programme (MSOP)/ (CLDP) /(SMTP) attended :
(i) Organized by : _____
(ii) Period : From To</td></tr>
<tr><td>15.</td><td>I hereby declare that I am/am not a permanent resident of India/resident outside India under the Foreign Exchange Management Act, 1999.</td></tr>
</table>

16.	I hereby undertake that if admitted as an associate member of the Institute, I shall be bound by the Company Secretaries Act, 1980 and the regulations made there-under as amended from time to time and shall abide by such bye-laws, rules, standing orders, directions, conditions or guidelines as may be laid down by the Council and made applicable to me from time to time.
17.	I enclose i. Fitness certificate from two current members (i.e. who are not defaulters) having at least three years of standing as a member of the Institute. ii. Specimen signature card with photograph. iii. I voluntarily submit my CSBF application form for enrolment as a life member of Company Secretaries Benevolent Fund along with a DD for Rs. 10,000/- drawn in favour of 'Company Secretaries Benevolent Fund' payable at Delhi or through online mode towards Life Membership fee. **Note: Please upload photo image and signature after getting ACS Membership Number.**

I solemnly declare that what I have stated above is true and correct to the best of my knowledge and belief.

Yours faithfully,

Place:

Date:

Signature

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* Applicant is requested to attach photocopies of certificates of his/her date of birth and degree examination(s) self attested (with name and date).

** Applicant is requested to attach certificate of Indian Domicile in original alongwith photostat copy thereof, if not an Indian citizen.

*** **In case professional address is not provided, the residential address would be treated as professional address and also** communication address by default and the same would be displayed on the website

**** Rs. 2000/- Entrance Fee

Rs. 1500/- Annual Associate Membership Fee (Rs. 750/- if admitted during October-March)

Total Rs. 3,500/- plus applicable GST.

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CERTIFICATE OF FITNESS FOR ADMISSION TO ASSOCIATE MEMBERSHIP

(*Pursuant to regulation 54/46AD*)

Certified that Mr./Ms. _____ _____ who is applying for being admitted as an Associate member of "The Institute of Company Secretaries of India" and claims to have acquired necessary practical experience and undergone the prescribed practical training, is in my opinion, a fit and appropriate person to be admitted to the membership of the Institute.

Signature _____

Date : Name _____

Place : Membership No. ACS/FCS _____

CERTIFICATE OF FITNESS FOR ADMISSION TO ASSOCIATE MEMBERSHIP

(Pursuant to regulation 54/46AD)

Certified that Mr./Ms. _____

_____ who is applying for being admitted as an Associate member of "The Institute of Company Secretaries of India" and claims to have acquired necessary practical experience and undergone the prescribed practical training, is in my opinion, a fit and appropriate person to be admitted to the membership of the Institute.

Signature _____

Date : Name _____

Place : Membership No. ACS/FCS _____

Note : Certificate of Fitness for admission to Associate Membership is to be obtained from at least two current members (i.e. who are not defaulters) having a standing of three years of membership.

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1.	Booth No. _____	Sl. No. _____
2.	Booth No. _____	Sl. No. _____
3.	Booth No. _____	Sl. No. _____
4.	Booth No. _____	Sl. No. _____

THE INSTITUTE OF
Company Secretaries of India
भारतीय कम्पनी सचिव संस्थान
IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament
(Under the jurisdiction of Ministry of Corporate Affairs)
ICSI House, 22, Institutional Area, Lodi Road, New Delhi 110 003
tel 011-4534 1000 fax +91-11-2462 6727
email info@icsi.edu website www.icsi.edu

SPECIMEN SIGNATURE CARD

Name .....

(In capital latters)

ACS/FCS Number .....

Specimen Signatures

1. _____

2. _____

Duly signed passport size photograph of the applicant

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CHECKLIST TO BE SUBMITTED ALONGWITH FORM A DULY SIGNED BY THE STUDENT AT THE TIME OF APPLYING FOR ADMISSION AS AN ASSOCIATE MEMBERSHIP OF ICSI

SL. NO	PARTICULARS	TICK THE CHECK BOX
1.	Form-A *In Original (duly signed)*	☐
2.	Passport Size coloured photograph	☐
3.	Specimen Signature Card	☐
4.	Certificate of fitness	☐

5.	Proof of Date of Birth (Self Attested (with Name and date) photocopy of Admit Card of Class Xth or certificate or marks sheet of class Xth or School Leaving Certificate *(in which your date of Birth and full name is mentioned)or* Self Attested (with Name and date) photocopy of passport) *(Should be self attested with date, by the applicant)*	☐
6.	Proof of Graduation/ Foundation pass of ICSI or CSEET/Foundation pass of ICAI(Cost)/CPT pass of ICAI (Self Attested (with Name and date) photocopy of Degree of Graduation provided by the University concerned *(please attach all parts of Marks sheets of Graduation, if degree certificate is not yet received from the university.*)/Marks sheet/certificate of Foundation pass of ICAI(Cost)/CPT pass of ICAI or attach photocopy of Marks Sheet/ or certificate of Foundation Examination of ICSI, if student has passed Foundation Programme Examination of ICSI) or Certificate of CS Executive Entrance Test (CSEET) *(Should be self attested with date, by the applicant)*	☐

7.	Proof of passing of Professional Programme or Final Examination of ICSI	☐
8.	Proof of completion of following Training requirements as per Company Secretaries Regulations (as applicable): - • EDP Completion Certificate *(Previously TOP)* • 30 days EDP Completion Certificate (as per Company Secretaries (Amendment) Regulations, 2020) • 24 hours PDP Completion Certificate *(Previously ADP)* • 15 days Academic Program (if applicable) • CLDP/MSOP Completion Certificate *(Previously SMTP)*	☐
9.	Proof of completion of all Training requirements as per Company Secretaries Regulations:- • 15 months / 1Year / 2year/ 3year/ 21 months Training Completion Certificate *(Ensure submission of all Quarterly Reports and Project Report in respect of your training (duly authenticated by the trainer) with the Institute before applying for ACS).* OR	☐

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	03 months (or as required) Practical Training Completion Certificate along a copy of letter granting exemption from 12 months or more training. 15 days specialised Training Completion Certificate with ROC/ Stock Exchange / FI etc. OR A copy of letter granting Exemption from 15 days specialised training with ROC/Stock Exchange / FI etc. OR 12 months training exemption letter under modified training structure and 15 days Academic Program (if applicable). OR 21 months practical training and Executive Development Programme exemption letter	
10.	Fee • Entrance fee for Associate Membership: Rs. 2000/- • Annual Associate Membership Fee for ACS: Rs. 1500/- (*if applying between April- Sept.)* OR Rs. 750/- *(if applying between Oct-March)*	☐
11	Copy of PAN and Aadhar card (Also fill the details in Form A)	☐

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FORM 'B'

APPLICATION FOR ADMISSION AS FELLOW MEMBER

[See Reg. 5(2)]

To,

The Secretary to the Council of
The Institute of Company Secretaries of India
'ICSI House', 22, Institutional Area, Lodi Road,
New Delhi - 110003

Sir,

I being an Associate (bearing Membership No. _____ and admitted on _____) hereby apply for entry in the Register of members as a Fellow of the Institute of Company Secretaries of India in accordance with the provisions contained in the Company Secretaries Act, 1980 and Regulations made thereunder and declare that I am not subject to any of the disabilities stated in the aforesaid Act or the Regulations. The required particulars are furnished below:

1.	Name in Full (In Block Letters)	_____ _____ _____ First Name Middle Name Surname
2.	Address (i) Professional	Designation _____ Name of Company/Organisation _____ Address _____ _____ Pin Code _____ Telephone No. _____ Fax No _____ E-Mail _____ Mobile No. _____

		Website : _____ PAN : _____ Aadhaar Number : _____
	(ii) Residential	Address _____ _____ Pin Code _____ Telephone No. _____ Fax No _____ E-Mail _____ Mobile No. _____
	(iii) For all correspondence (Please tick desired address)	☐ Professional ☐ Residential
3.	Changes in educational and professional qualifications after admission as Associate Member (if any)	
4.	Change in domicile, nationality or residentship after admission as Associate Membership (if any) with permanent or communication address in India (if applicable).	

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<table>
<tr><td rowspan="4">5.</td><td colspan="2">Statement of experience:
(i) As Company Secretary in Practice with period and Certificate of Practice No.</td><td colspan="4"></td></tr>
<tr><td colspan="6">(ii) Details of experience including as a company secretary or in a position as mentioned in the guidelines for elevation from ACS to FCS available on the Institute's website in organization (s) present and past showing concisely the work upon which engaged and the degree of personal responsibility involved therein with a certificate of experience and organisation chart duly signed by the competent authority.</td></tr>
<tr><td>Name of the Organisation and its paid-up share capital</td><td>Exact official title</td><td colspan="2">Period</td><td>Salary</td><td>Reporting to</td><td>Nature of Duties</td></tr>
<tr><td></td><td></td><td>From</td><td>To</td><td></td><td></td><td></td></tr>
<tr><td></td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
<tr><td>6.</td><td colspan="6">I hereby declare that I have not found guilty of any professional or other misconduct and my name has not been removed from the Register or been imposed fine referred in sub-section (3) of sections 21A or sub-section (3) of section 21B of the Company Secretaries Act, 1980 (as amended from time to time) at any time during the preceding five years from the date of application.</td></tr>
<tr><td>7.</td><td colspan="6">I hereby declare that I have completed minimum numbers of Professional Development Credit Hours as determined by the Council.</td></tr>
<tr><td>8.</td><td colspan="6">I hereby declare that I am/am not a permanent resident of India/resident outside India under Foreign Exchange Management Act, 1999.</td></tr>
</table>

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9.	I hereby declare that what is stated here in above is true and correct to the best of my knowledge and I understand that my application for fellow membership is considered on the basis of correctness of the particulars furnished here-in above.
10.	I enclose: a. Copy of certificate of practice issued by ICSI for practising members b. Experience certificate in case of members in employment c. Copy of appointment letter and relieving letter in case experience certificate is not available or as may be required by ICSI d. Copy of DIR-12 filed by company towards appointment and cessation in case employed in the post of Company Secretary. e. Organisation chart from current employer. (Delete whichever is not applicable)

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Yours faithfully,

Place :

Date :

Signature

FORM: BB

APPLICATION FOR RESTORATION OF MEMBERSHIP

To,

The Secretary to the Council of
The Institute of Company Secretaries of India
'ICSI' House, 22, Institutional Area
Lodi Road

New Delhi-110003

Sir,

I hereby apply for restoration of my name in the Register as an Associate/Fellow Member of the Institute of Company Secretaries of India in accordance with the provisions contained in the Company Secretaries Act, 1980 and Regulations made thereunder and declare that I am eligible for the membership of the Institute and am not subject to any disabilities stated in the act or the Regulations of the Institute. The required particulars are furnished below:

1. **Name in full** : _____ _____ _____
   (In Block Letters) First Middle Surname
2. Address

   (i) Professional

   Designation

   Name of Company _____

   Address _____
   _____
   _____

   Pin Code: _____City:_____
   State: _____

   Telephone No._____Fax _____
   Mobile No._____

E–mail _____

(ii) Residential

Address _____

_____

_____

Pin Code:_____ City:_____
State:_____

Telephone No. _____ Fax_____
Mobile No._____

E –mail _____

3. Date of admission as Associate /Fellow Member of the Institute:_____
4. Membership Number: ACS/FCS _____
5. I hereby undertake that if re-admitted as an Associate/ Fellow Member of the Institute, I will be bound by the Company Secretaries Act, 1980 and the Regulations made there under, as amended from time to time.
6. I also undertake that such instances will not recur and I will make the payment of annual membership fee in future within the stipulated time (i.e. on or before 30th June of each year).
7. I have paid a sum of ₹ _____ being the arrears of Annual Membership fee of ₹ _____ for the years _____ to _____ and restoration fee of ₹ 250/- alongwith entrance fee (₹ 2000/- for Associates & Fellows) plus applicable GST @ 18%.
8. I solemnly declare that what I have stated above is true and correct.

Place : Yours faithfully,

Date: Signature

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FORM 'C'

Certificate of Membership

[See Reg. 9(1)]

This is to certify that _____ of _____was admitted as an Associate/Fellow of The Institute of Company Secretaries of India on the _____ day of _____One thousand nine hundred and Given by the Council under the common seal of The Institute of Company Secretaries of India, this _____ day of _____ One thousand nine hundred and _____

Secretary President

FORM – D

APPLICATION FOR THE ISSUE/RENEWAL/ RESTORATION OF CERTIFICATE OF PRACTICE

***See Reg. 10 & 14**

For any change in address please go to 'change of address' link under manage account by login through Member's portal

(For the Financial Year 2020-21)

To

The Secretary,
The Institute of Company Secretaries of India
'ICSI HOUSE', 22, Institutional Area, Lodi Road,
New Delhi -110 003

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Sir,

I furnish below my particulars :		
(i) Membership Number	FCS :	ACS:
(ii) Name in full	Mr./Ms./Dr.	
(in block letters)	Surname Middle Name Name	
(iii) Date of Birth:		
iv) Professional Address: Please attach office address proof		
(v) Phone Nos. (Resi.)		(Off.)
(vi) Mobile No		Email id
(vii) Website of the member, if any.		
(viii) Details of Professional Qualifications		

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1. Submitted for (tick whichever is applicable):

(a) Issue# _____ (b) Renewal _____
(c) Restoration _____

 # Completion of Orientation Programme is a pre-requisite for issuance of Certificate of Practice as per theCompany Secretaries (Amendment) Regulations, 2020

2. (a) Particulars of Certificate of Practice issued / surrendered/Cancelled earlier

Sl. No.	Certificate of Practice No.	Date of issue of CP	Date of surrender / Cancellation of CP

(b) Unique Code Number
(i) Individual (ii) Proprietorship concern (iii) Partnership firm (iv) LLP
3. Area of Practice

Sl. No.	Area of Practice	Please tick (If Applicable)
1	Corporate Law	
2	Financial Service and Consultancy	
3	Securities/Commodities Exchange Market	
4	Finance including Project/Working Capital/Loan Syndication(Specify the areas handling)	
5	Corporate Restructuring (Handling Merger, acquisitions, demerger issues etc). Specify the areas handling as drafting of scheme, appearing before various regulatory bodies for approval of scheme, getting the scheme implemented, legal compliances with various regulatory bodies etc)	
6	Excise/Customs/ Service Tax (Filling of returns, Handling assessment, appearing before the appellate authority)	
7	Sales Tax/VAT Practice (Filling of returns, Handling assessment, appearing before the appellate authority)	
8	Income Tax Practice (Filling of returns, Handling assessment, appearing before the appellate authority)	

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9	Company Law Practice (Filling of returns, Handling assessment, appearing before the appellate authority)	
10	Foreign Exchange Management (Specify the areas being handled i.e. filling of various forms/returns, appearing before RBI etc)	
11	Foreign Collaborations & Joint Ventures	
12	Intellectual Property Rights (Specify the areas being handled)	
13	Depositories	
14	Monopolies/Restrictive Trade Practices/Competition Law	
15	Consumer Protection Laws	
16	Arbitration and Conciliation	
17	Import and Export Policy & Procedure	
18	Environment Laws (Specify the areas)	
19	Labour and Industrial Laws (Specify the areas)	
20	Societies/Trusts/Co-operative Societies & NCTs (Non Co-operative Trust Societies)	
21	Financial Consultancy	
22	Other Economic Laws	
23	SEBI / Securities Appellate Tribunal	
24	Banking and Insurance	
25	Areas of practice as prescribed under Regulation 168(2) may be added	

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26	Authorised Collection Centre (ACC) for e-Stamping	
27	Any Other Service (Please specify)	

4. Verification:

(i) I state that I am/shall be engaged in the profession of Company Secretary only on whole-time basis and not in any other profession, business, occupation or employment. I am not enrolled as an Advocate on the rolls of any Bar Council and do not hold certificate of practice from any professional body including Institute of Chartered Accountants of India and the Institute of Cost Accountants of India.*

(ii) I hereby undertake that, I shall follow all the provisions of the Company Secretaries Act, 1980, regulations made thereunder as amended from time to time as well as the applicable guidelines, issued by the Institute from time to time.

(iii) I state that as and when I cease to be in practice, I shall duly inform the Council and shall surrender forthwith the certificate of practice as required by the Company Secretaries Act, 1980, and the regulations made thereunder, as amended from time to time.

(iv) I hereby undertake that, I shall adhere to the mandatory ceiling as regards issuing of Secretarial Audit Report (pursuant to Section 204 of the Companies Act, 2013) and certification/ signing of Annual Return (pursuant to Section 92 of the Companies Act, 2013) in terms of the Guidelines for Issuing Secretarial Audit Report, Signing and Certification of Annual Return respectively issued by the Institute from time to time.

(v) I hereby declare that I have complied with KYC/KYM norms issued by the Council of the ICSI.

(vi) I undertake to subject myself to peer review as and when directed by the Peer Review Board.

(vii) (a) I state that I have been / have not been peer reviewed for the year ……. and a certificate no. …….. dated …… has been issued to me by the Peer Review Board.**

(vii) (b) I state that I have a sole proprietorship firm in the name and style of_____ _____w.e.f._____, which has been / has not been peer reviewed for the year ……. and a certificate no. …….. dated …… has been issued to the firm by the Peer Review Board.**

(vii) (c) I state that I have a partnership in the name and style of _____ w.e.f. _____ having the following other partners:

1. Name _____ ACS/ FCS _____ CP No. _____
2. Name _____ ACS/FCS _____ CP No. _____
3. Name_____ ACS/FCS _____ CP No. _____, which has been / has not been peer reviewed for the year ……. and a certificate no. …….. dated …… has been issued to the firm by the Peer Review Board.**

(vii) (d) I state that I have a LLP in the name and style of _____ w.e.f._____ having the following other partners:

1. Name _____ ACS/FCS _____ CP No._____
2. Name _____ ACS/FCS _____ CP No._____

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3. Name _____
ACS/FCS _____ CP No. _____, which has been / has not been peer reviewed for the year ……. and a certificate no. …….. dated …… has been issued to the firm by the Peer Review Board.**

(viii) I state that I have issued _____nos. advertisements during the year_____ (previous FY) in accordance with the Guidelines for Advertisement by Company Secretary in Practice issued by the Institute.**

(Please write 0 if not applicable)

(ix) I state that I have issued _____ nos. Corporate Governance compliance certificates under Clause 49 of the Listing agreement during the year _____ (previous FY).**

(Please write 0 if not applicable)

(x) I state that I have issued _____ nos. Reconciliation of Share Capital Audit Report on a quarterly basis of _____ nos. Companies under Section 55A of the Securities and Exchange Board of India (Depositories and Participants) Regulations, 1996 during the year _____ (previous FY).**

(Please write 0 if not applicable)

(xi) I state that I have undertaken _____nos. Secretarial Audits under Section 204 of the Companies Act, 2013 as per list attached in the format as under during the year ___ (previous FY)**

Sl. No.	*Name of the Company*	*CIN No. of Company*	*Date of Signing*
1.			
2.			
3.			

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(Please write 0 if not applicable)

(xii) I state that I have issued _____ nos. certificates of Annual Return during the year ___ (previous FY) in accordance with the Guidelines for Issuing Secretarial Audit Report, Signing and Certification of Annual Return issued by the Institute from time to time.**

(Please write 0 if not applicable)

(xiii) I declare that I have been maintaining a register of attestation/certification services rendered by me/my firm in accordance with the Guidelines for Requirement of Maintenance of a Register of Attestation/Certification Services Rendered by Practising Company Secretary/ Firm of Practising Company Secretaries issued by the Institute. **

(xiv) I declare that I have given UDIN issued by the Institute for every document signed or certified by me towards attestation/certification services rendered by me as a practising company secretary.****"The details of UDIN generated are as follows:"**

(xv) I declare that I have completed the Orientation Programme as required under the Company Secretaries (Amendment) Regulations,2020.* vide Certificate No._____, organised by _____ from _____ (date) to _____ (date).

(xvi) "I affirm to have adhered to the Auditing Standards issued by ICSI for audits undertaken by me."

5. I hereby declare that I have secured ---------- no. of Credit Hours with a self-certification affirming that I have attended the professional development programmes mentioned therein held during the financial year

6. I further declare that the particulars furnished above are true and correct.

Place : Date :

Any relevant/additional document

---

* In case of issue of Certificate of Practice, following documents are required:

** Applicable in case of renewal /restoration of Certificate of Practice

- Copy of Orientation programme completion certificate
- Copy of the relieving letter in case earlier in employment.
- Copy of Form DIR 12 regarding cessation of employment in case working earlier as Company Secretary.
- Copy of letter of cancellation of Certificate of Practice of other professional bodies (if applicable).
- Self declaration duly signed by applicant that not in employment as on application date.

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FORM E

CP ____
Certificate of Practice

[See Reg. 10(2)]

This is to certify that _____ of _____ Bearing A.C.S./F.C.S. No. _____ is entitled to practice as Company Secretary.

This certificate is issued subject to the provisions of the Company Secretaries Act, 1980 and the regulations framed thereunder, as amended from time to time and shall be effective from _____day of_____19_____and is renewable on year to year basis.

Given under the common seal of the Institute of Company Secretaries of India, this _____ day of _____ One thousand nine hundred and_____

Secretary *President*

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FORM F

Renewal of Certificate of Practice

[See Reg. 10(3)]

No. C.P.:_____ Dated_____ __

Dear Sir/Madam

I hereby acknowledge the receipt of annual certificate fee of Rs. _____sent by you for renewal of Certificate of Practice for the year _____.

The existing certificate of practice granted to you has accordingly been renewed for the year _____ in pursuance of regulation 10(3) of the Company Secretaries Regulations, 1982.

Issued by the authority of the Council.

Yours faithfully,

Secretary

FORM 1

Form for giving Particulars of Offices and Firms

[See Reg. 165]

1. Name of the company secretary or firm of company secretaries in practice.
2. Name(s) of the proprietor/partners of the firm with membership number(s)
3. Date of commencement of firm.
4. Address of the head office of the company secretary/ firm.
5. *Addresses of the branch offices of the company secretary/firm, if any
6. *The date(s) of opening of branch office(s).
7. Name of the member Incharge of each of the office i.e., head office and branch offices, with membership No.
8. Whether any of the members mentioned in column 7 above are in charge of any other office of company secretary or a firm or such company secretary or a firm of such company secretaries and whether any of them is engaged in full-time of part-time occupation elsewhere. If so, full particulars should be given.
9. *Name(s) of the member(s) of the Institute with membership number(s) who is/are working as paid assistant(s) in the firm/under the company secretary in practice and date of joining of each member.

* Delete, if not applicable.

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Place : Signature
Date : of the Company Secretary/Partners
of the firm with the membership number.

N.B. This form must be singed by all partners. Until this is done, the existence of partnership or change relating thereto will not be recognized. An attested copy of the partnership deed should be sent with this form duly authenticated by a partner of the firm.

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Part II – Applicable to Students

FORM NO. ST7

Professional Programme Certificate

{See Reg. 42(3)}

C.No……. (Regn. No. ……....) Roll No……...

THE INSTITUTE OF
Company Secretaries of India
भारतीय कम्पनी सचिव संस्थान
IN PURSUIT OF PROFESSIONAL EXCELLENCE
Statutory body under an Act of Parliament
(Under the jurisdiction of Ministry of Corporate Affairs)

This is to certify that

.....(Name of the Student) of ……...(Name of the City/ District) has passed the

PROFESSIONAL PROGRAMME EXAMINATION

held by The Institute of Company Secretaries of India in the month of ……20…

Given under the authority of the Council, this ….…day of ……..(Month & Year)

Authorized Signatory Secretary

Note : Issue of Pass Certificates to Foundation & Executive Programme Stage passed students has been discontinued with effect from June, 2010 Session of CS Examinations.

FORM No. ST 8

Application for Licentiate ICSI

[See Reg. 29(1)]

The Secretary

The Institute of Company Secretaries of India
'ICSI HOUSE', 22, Institutional Area, Lodi Road
New Delhi – 110 003.

Sir,

I hereby apply for enrolment as a Licentiate of the Institute of Company Secretaries of India in accordance with Regulation 29 of the Company Secretaries Regulations, 1982. The required particulars are furnished below:

1. Name in full: Mr./Miss/Mrs. _____
   (in block letters)
2. Father's/Husband's Name: _____
3. Nationality _____
4. Domicile _____
5. Complete postal address to which communication to be sent _____
6. Occupation, if any with designation and full address _____
7. Educational/Professional Qualifications _____
8. The year and month in which the final examination passed/ completed:

Groups	*Year*	*Month*	*Roll No.*
____	___	___	___
____	___	___	___

9. Student Registration Number _____
10. I hereby undertake that if admitted as Licentiate ICSI

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of the Institute, I shall abide by regulations, bye-laws, rules, standing orders, directions, conditions or guidelines as may be laid down by the Council and made applicable to me from time to time.

11. A Bank draft drawn on…… Bank bearing No… dated… for Rs……. towards the annual subscription/difference in annual subscription is enclosed.

Yours faithfully,

Place ……

Date ……

Signature & Name

FORM No. ST 9

(EMBLEM)

THE INSTITUTE OF COMPANY SECRETARIES OF INDIA

Licentiateship Certificate

(See Reg. 29)

This is to certify that_____ son/daughter/wife of Shri_____ of_____ has been enrolled as Licentiate of The Institute of Company Secretaries of India and is entitled to use the descriptive letters "Licentiate ICSI".

This certificate is issued subject to the provisions of the Company Secretaries Act, 1980 and the regulations framed thereunder, as amended from time to time and shall be effective from_____ day of_____ 20_____ and is renewable on year to year basis.

Given under the authority of the Council this_____ day of_____ 20..

Secretary

(This Certificate is the property of the Institute)

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