

Chartered Accountants Act, 1949 - Rules framed by High Court

PUNJAB

India

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Rule

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Chartered Accountants Act, 1949 - Rules framed by High CourtRules framed by Punjab High court under the Chartered Accountants Act, 1949The Honourable the Chief Justice and Judges are pleased to make the following rules relating to cases under the Chartered Accountants Act, 1949.

1. Register of cases.

- All cases received by the High Court under Section 21 of the Chartered Accountants Act, 1949, shall be numbered and entered in a special register.

2. Filing of the finding, etc. in the Court.

- The Council of the Institute of Chartered Accountants of India (hereinafter referred to as the Council) shall file in the office of the Deputy Registrar the finding of the Council along with the report of the Disciplinary Committee and all other relevant papers which were before the Council and the Disciplinary Committee and in particular the following documents :-(a) Complaint or information.(b) Written statement of defence.(c) Depositions of witnesses together with exhibits.(d) Notes of the hearing before the Disciplinary Committee and the Council. The Council shall furnish to the Deputy Registrar two extra copies of the aforesaid papers. The Council shall also furnish to the Deputy Registrar, the postal addresses of all persons on whom notices are required to be served under Section 21(2) of the said Act.

3. Fixing date of hearing.

- When the finding of the Council and the other papers have been filed in Court, the Deputy Registrar shall fix a date for the hearing of the case and shall forthwith issue notices in the Forms given in Appendix A.

4. Service of Notices.

- Such notices shall be sent by registered post to all persons to whom notices are required to be sent under the provisions of Section 21(2) of the said Act at the addresses supplied by the Council, and shall be served not less than 15 days before the date fixed for hearing of the case.

5. Case to be heard before Bench.

- The case shall be heard by a Bench consisting of not less than two judges to be nominated by the Chief Justice.

6. Copy of the final order to be sent to the Council.

- The Deputy Registrar shall send a certified copy of the final order passed in the case to the Council of the Institute of Chartered Accountants. Appendix 'A' Form Punjab High Court, Chandigarh Notice under rule 3. - In the matter of the Chartered Accountants Act (Act XXXVIII of 1949) and in the matter of a member of the Institute of Chartered Accountants of India., _____ Petitioner Versus _____ Respondent(s). To (1) Member of the Institute _____, the respondent above-named. (2) Secretary of the Council of the Institute of Chartered Accountants of India. (3) Secretary to the Ministry of Finance, Government of India, New Delhi. Whereas the Council of the Institute of Chartered Accountants of India has filed in this court its finding, dated the _____ 19, and the Report of the Disciplinary Committee, dated the _____ 19, in the above case. Now take notice that the High Court will proceed to hear the said case and pass orders thereon on the _____ day of _____ 19, at 10 O'Clock in the forenoon when you may appear either in person or by an Advocate and make your submissions to the Court. Given under my hand and the seal of the Court. Dated this _____ day of _____ 19. Deputy Registrar.