

# BYE – LAWS OF COV INDIA FORUM

## SECTION A GENERAL

### I. PREAMBLE

- 1) The name of the COV is "**COV India Forum**" (hereinafter referred to as the COV').
- 2) The COV is registered as a company under section 8 of the Companies Act, 2013 with its registered office situated at House No 3279 Floor 2nd, Ranjit Nagar, Patel Nagar, New Delhi-110008.
- 3) These bye-laws may not be amended, except with the prior approval of Board of Directors of COV.

### II. DEFINITIONS

- 4) (1) In these bye-laws, unless the context otherwise requires –
  - a. "Act" means the Companies Act, 2013 (18 of 2013);
  - b. "**Associate Member**" means a person who possesses the required qualification and experience as prescribed under this Bye-laws for Associate Member;
  - c. "**Board**" means the Board of Directors of the COV as defined under section 2(10) of Companies Act, 2013 (18 of 2013);
  - d. "**Certificate of Membership**" means the certificate of membership of the COV granted under this bye-law;'
  - e. "**Code of Conduct and Ethics**" means such Guidelines that govern members behaviour, integrity, and conflict resolution and approved by the Board;
  - f. "**Corporate & Institutional Members**" means an Organizations or firms or institutions collaborating with the COV to promote research, development, and best practices in valuation;
  - g. "**Electronic mode**" means through video conferencing or other audio-visual means and such other means as may be recognized under the Information Technology Act, 2000 including amendment thereof;
  - h. "**Fellow Member**" means a person, being an Associate Member who has been in continuous practice in India for at least five years;
  - i. an associate member who possesses the required qualification and experience as prescribed under these Bye-laws for Associate Member;
  - j. "**IVSC**" means International Valuation Standards Council, a global valuation standards body which sets and promotes International Valuation Standards (IVS);

- k. "**Member**" means Member Technician and/or Associate Members and/or Fellow Members of the COV;
- l. "**Member Technician**" means a person who possesses the required qualification and experience as prescribed under these Bye-laws for Member Technician;
- m. "**relative**" shall have the same meaning as assigned to it in section 2(77) of the Companies Act, 2013.

(2) Unless the context otherwise requires, words and expressions used and not defined in these bye-laws shall have the meanings assigned to them in the Code.

### **III. OBJECTIVES**

- 5) The Institution shall endeavor to:
  - a. **Advance the Valuation Profession:** Elevate the stature and expertise of the valuation profession within India, while actively contributing to the global evolution of valuation practices through thought leadership, innovation, and advocacy.
  - b. **Uphold Ethical and Collaborative Excellence:** Establish and enforce rigorous ethical standards, promote continuous professional education, and facilitate collaboration among stakeholders, industry bodies, and academic institutions to strengthen the profession's integrity and relevance.
  - c. **Cultivate Professional Growth and Inclusivity:** Foster lifelong professional development, encourage cutting-edge research, and champion a culture of inclusivity to ensure equitable opportunities for all members, irrespective of background, gender, or experience.
  - d. **Align with Global Best Practices:** Ensure adherence to internationally recognized valuation standards, including those promulgated by the International Valuation Standards Council (IVSC), by integrating such frameworks into institutional practices, training programs, and advocacy initiatives.

### **IV. DUTIES OF THE COV**

- 6) (1) The COV shall maintain high ethical and professional standards in the regulation of its members.
  - (2) The COV shall:
    - a) ensure compliance with the Code and rules, regulations and guidelines issued thereunder governing the conduct of members;
    - b) employ fair, reasonable, just, and non-discriminatory practices for the enrolment and regulation' of its members;
    - c) be accountable to the Board in relation to all bye-laws and directions issued to its members;

- d) develop the profession of valuation professionals;
- e) promote continuous professional development of its valuation members;
- f) continuously improve upon its internal regulations and guidelines to ensure that high standards of professional and ethical conduct are maintained by its valuation members; and
- g) provide information about its activities to the Board.

## **V. COMMITTEES OF THE COV**

### Advisory Committee of Members

- 7) (1) The Board may form an Advisory Committee of members of the COV to advise it on any matters pertaining to-
  - the development of the profession;
  - standards of professional and ethical conduct; and
  - best practices in respect of valuation.
- (2) The Advisory Committee may meet at such places and times as the Board may provide.

### Other Committees of the COV.

- 8) (1) The Board shall constitute-.
  - (a) one or more Membership Committee(s) consisting of such members as it deems fit;
  - (b) a Monitoring Committee consisting of such members as it deems fit;
  - (c) one or more Grievance Redressal Committee(s), with not less than three members, at least one of whom shall be a member of the COV;
  - (d) one or more Disciplinary Committee(s) consisting of at least one member nominated by the Board.
- (2) The Chairperson and members of each of these Committees shall be appointed through an election process as laid down by the Board.  
Provided that until the first election takes place, the Board may constitute the above committees as ad hoc committee.

**SECTION B**  
**MEMBERSHIP REGISTRATION AND RELATED MATTERS**

**VI. CATEGORIES**

9) The category of members admitted shall be open to individuals and entities engaged in valuation, classified as:

- Student Member
- Technician/ Affiliate/ Associate
- Chartered Member
- Fellow Member
- Corporate/Institutional Member

**VII. ELIGIBILITY**

10) No individual shall be enrolled as a member if he is not eligible and having requisite qualification in its category as required under this clause:-

**1. Student Member**

<b>Asset Class</b>	<b>Education</b>	<b>Experience</b>
Plant, Equipment & Infrastructure	Undergraduate or a student pursuing Mechanical, Electrical, Electronics & Communication, Electronics & Instrumentation, Production, Chemical, Textiles, Leather, Metallurgy, or Aeronautical Engineering.	No experience required.
Land and Building	Undergraduate or a student pursuing Civil Engineering, Architecture, or Town Planning.	No experience required
Business Valuation	Undergraduate or a student pursuing Finance, Economics, or Business Administration.	No experience required
Financial Instruments	Undergraduate or a student pursuing Finance, Economics, or Accounting.	No experience required

**2. Technician/ Affiliate/ Associate Member**

<b>Asset Class</b>	<b>Education</b>	<b>Experience</b>
Plant, Equipment & Infrastructure	Graduate or Diploma in Mechanical, Electrical, Electronics & Communication, Electronics & Instrumentation, Production,	No experience required.

	Chemical, Textiles, Leather, Metallurgy, or Aeronautical Engineering.	
Land and Building	Graduate or Diploma in Civil Engineering, Architecture, or Town Planning.	No experience required
Business Valuation	Graduate or Diploma in Finance, Economics, or Business Administration.	No experience required
Financial Instruments	Graduate or Diploma in Finance, Economics, or Accounting.	No experience required

### 3. Chartered Member

Asset Class	Education	Experience
Plant, Equipment & Infrastructure	Graduate in Mechanical, Electrical, Electronics & Communication, Electronics & Instrumentation, Production, Chemical, Textiles, Leather, Metallurgy, or Aeronautical Engineering, OR Postgraduate in these fields or Valuation of Plant and Machinery.	Minimum of 2 years in valuation; 1 year with postgraduate degree.
Land and Building	Graduate in Civil Engineering, Architecture, or Town Planning, OR Postgraduate in these fields or Real Estate Valuation.	No experience required
Business Valuation	Member of ICAI, ICSI, or ICWAI, OR MBA (Finance), Graduate in Finance, Economics, or Business Administration, OR Postgraduate in these fields or Business Valuation.	No experience required
Financial Instruments	Member of ICAI, ICSI, or ICWAI, OR MBA (Finance), OR Postgraduate in Finance or Financial Instruments.	No experience required

### 4. Fellow Member

Asset Class	Education	Experience
Plant, Equipment & Infrastructure	Advanced degree in relevant engineering disciplines or Valuation of Plant and Machinery OR recognized expertise in the field.	Associate Member in Plant, Equipment & Infrastructure who has been in continuous practice in India for at least five years

Land and Building	Advanced degree in Civil Engineering, Architecture, Town Planning, or Real Estate Valuation OR recognized expertise	Associate Member in Land and Building who has been in continuous practice in India for at least five years
Business Valuation	Member of ICAI, ICSI, or ICWAI, OR MBA (Finance), Advanced degree in Finance, Economics, Business Administration, or Business Valuation OR recognized expertise in the field	Associate Member in Business Valuation who has been in continuous practice in India for at least five years
Financial Instruments	Member of ICAI, ICSI, or ICWAI, OR MBA (Finance), OR Postgraduate in Finance or Financial Instruments.	Associate Member in Financial Instruments who has been in continuous practice in India for at least five years

**5. Corporate and Institutional Members:** Valuation firms, institutions, and organizations aligned with the Institution's goals and the Membership committee will issue Corporate and Institution Membership case to case.

Provided that the Board may provide additional eligibility requirements for enrolment of any class of member.

Provided further that such additional requirements shall not discriminate on the grounds of religion, race, caste, gender, place of birth or professional affiliation.

## VIII. MEMBERSHIP DUES AND CONTRIBUTIONS

11) To enroll and maintain status as a Member, individuals and entities shall fulfill the following fees based on their membership category:

Membership Category	Annual Fee (INR)	One-Time Joining Fee (INR)
<b>Member Technician</b>	₹500	₹500
<b>Associate Member</b>	₹1,000	₹1,000
<b>Member</b>	₹1,500	₹1,000
<b>Fellow</b>	₹2,000	₹1,000
<b>Corporate/Institutional</b>	₹10,000–₹25,000	₹2,500

## **IX. PROCEDURE TO OBTAIN MEMBERSHIP**

### **12) Application for Membership:**

- Any person wishing to become a member of the Institution must submit a **written application** expressing their intention to become a member in such form as may be specified by the Board.
- The application should disclose the individual's interest in becoming a member of the institution and must include the following documents:
  - **Identity Proof:** For example, PAN Card, Aadhaar Card, etc.
  - **Address Proof:** Any official document verifying the applicant's address.
  - **Educational Qualifications:** Relevant documents showcasing the applicant's educational background.

### **13) Review of Application by Membership Committee:**

- Upon receiving the application, the Membership Committee will review it.
- The committee may delegate the task of reviewing the application to any other authorized officer of the institution.
- The Membership Committee will assess the applicant's alignment with the company's objectives and eligibility criteria as per the Articles of Association (AoA) and any applicable regulations.

### **14) Acceptance or Rejection of Application:**

- After review, the Membership Committee will decide whether to accept or reject the application for membership.
  - If the application is rejected, the officer reviewing the application will communicate the order of rejection to the applicant.
  - Communication should state the reasons for the rejection.

### **15) Appeal Process:**

- If the applicant's membership application is rejected, the applicant has the right to file an appeal against the rejection.
- The appeal must be submitted in writing to the Membership Committee within a prescribed period (typically 15-30 days from the date of rejection).
- The Membership Committee will review the appeal and make a final decision on the application:
  - If the appeal is accepted, the application will be considered again for membership.
  - If the appeal is rejected, the applicant will be informed accordingly, and the decision will be final.

### **16) Approval by Board of Directors:**

- Once the Membership Committee has accepted the application (either initially or after appeal), the application will be submitted to the Board of Directors for formal approval.
- The Board of Directors will pass a resolution to admit the applicant as a member of the COV.

**17) Payment of Fees:**

- Upon approval by the Board, the new member will be required to pay the requisite membership fees (if applicable) as prescribed by the COV.
- The payment details should be recorded, and the COV will ensure that the fees are collected as per the bye-laws.

**18) Issuance of Membership Number:**

- Upon successful payment of the membership fees, the new member will be allotted a Membership Number.
- The members' details will be updated in the Register of Members of the COV
- A membership certificate (if applicable) will be issued to the new member, confirming their status as a member of the COV.

**19) Communication of Membership Status:**

- The new member will receive formal communication from the COV, confirming their membership status and providing any necessary details about their role and participation.

## SECTION C

### GOVERNANCE OF THE ORGANISATION

#### X. MEMBER RESPONSIBILITIES, RIGHTS AND OBLIGATIONS

##### **20) Professional Responsibilities**

- **Ensure Quality of Work:** Produce accurate and professional valuation reports supported by sound evidence.
- **Act in the Client's Best Interest:** Provide reliable valuations and avoid misleading information or misrepresentation.
- **Provide Unbiased Valuations:** Ensure all reports are impartial and not influenced by client interests or external pressures.

##### **21) Rights and Obligations of Members:**

- Members must pay an annual membership fee, as decided by the Board of Directors.
- Members are expected to comply with the rules, policies, and guidelines framed by the COV.

##### **22) Duties of Members**

In the performance of its functions, a member shall-

- act in good faith in discharge of his duties;
- discharge his functions with utmost integrity and objectivity;
- be independent and impartial;
- discharge his functions with the highest standards of professional competence and professional ethics;
- continuously upgrade his professional expertise;
- perform duties as quickly and efficiently as reasonable;
- comply with applicable laws in the performance of his functions; and
- maintain confidentiality of information obtained in the course of his professional activities unless required to disclose such information by law.

#### XI. REGISTER OF MEMBERS

##### **23) The COV shall maintain a register of its members, containing their-**

- name;
- proof of identity;
- contact details;
- address;
- date of enrolment and membership number;
- details of the partners or directors, as the case may be, where the member is an Corporate and Institutional Members
- details of grievances pending against it with the COV;
- details of disciplinary proceedings pending against it with the COV; and

- details of orders passed against it by the Board or Disciplinary Committee of the COV.

## **XII. SURRENDER OF MEMBERSHIP AND EXPULSION FROM MEMBERSHIP**

### **24) Temporary Surrender of Membership**

- a) A member shall make an application for temporary surrender of his membership of the COV at least thirty days before he-
  - i. becomes a person not resident in India;
  - ii. takes up employment; or
  - iii. starts any business, except as specifically permitted under the Code of Conduct;and upon acceptance of such temporary surrender and on completion of thirty days from the date of application for temporary surrender, the name of the member shall be temporarily struck from the registers of the COV.
- b) No application for temporarily surrender of membership of the COV shall be accepted if –
  - i. there is a grievance or disciplinary proceeding pending against the member before the COV, and he has not given an undertaking to cooperate in such proceeding; or
  - ii. the member has been appointed as a valuer, and the appointment of another registered valuer may be detrimental to such process.
- c) A member may make an application to revive his temporarily surrendered membership when the conditions for temporary surrender as provided in sub-clause (a) cease to be applicable, and upon acceptance of the application for revival, the name of the member shall be re-inserted in the register of the COV.

### **25) Surrender of Membership**

- a. A member who wishes to surrender his membership of the COV may do so by submitting an application for surrender of his membership.
  - b. Upon acceptance of such surrender of his membership, and completion of thirty days from the date of such acceptance, the name of the member shall be struck from the registers of the COV.
- 26) Any fee that is due to the COV from a member surrendering his membership shall be cleared prior to his name being struck from the registers of the Organisation.
- 27) The COV may refuse to accept the surrender of membership by any member if-
- a. there is any grievance or disciplinary proceeding pending against the member before the COV; or

- b. the member has been appointed as a valuer, and the appointment of another valuer may be detrimental to such process.

### **28) Expulsion from Membership**

A member shall be expelled by the COV-

- a. if he becomes ineligible to be enrolled as member;
- b. on expiry of thirty days from the order of the Disciplinary Committee, unless set aside or stayed by the Appellate Panel;
- c. upon non-payment of membership fee despite at least two notices served in writing;
- d. upon the order of any court of law.

## **XIII. MEMBERSHIP: WITHDRAWAL, CESSATION, TERMINATION**

### **29) Withdrawal of Membership**

- A member who wishes to withdraw the membership voluntarily, may do so by submitting a written resignation application to the Board of Directors.
- The letter of resignation should clearly state the members' intention to withdraw from the membership and should be accompanied by any documents that may be required by the bye-laws or Articles of Association of the COV
- Upon receiving the resignation application, the Membership Committee will review and approve the withdrawal request, subject to the terms and conditions stated in the Articles of Association or any agreement(s) entered into by the member.
- Once the resignation is approved by the Board, the COV will update its Register of Members to reflect the cessation of the member's status. The resignation shall take effect once necessary formalities are completed.

### **30) Situation in which Members will Cease to Be a Member of the Company**

- Resignation, expulsion, or non-payment of dues for two consecutive years.
- Expulsion requires a majority vote by the Grievance and Dispute Resolution Committee for ethical breaches

### **31) Termination of Membership by the Company**

In certain situations, the COV may terminate the membership of an individual or entity based on specific actions or conduct that contravenes the bye-laws, Articles of Association, or legal requirements. Such actions may include, but are not limited to:

- Non-compliance with the objectives and principles of the COV.
- Engaging in activities inconsistent with the charitable, social, or non-profit purpose of the COV.
- Breach of membership conditions, including failure to pay dues or contribute to the objectives of the COV.
- Failure to uphold the moral or legal standards of the COV.

In such cases, the **Board of Directors** will pass a resolution for the termination of membership and will update the **Register of Members** accordingly. The affected member will be notified in writing of the termination.

#### **XIV. MONITORING OF MEMBERS**

- 32) The COV shall have a Monitoring Policy to monitor the professional activities and conduct of members for their adherence to the provisions of the law, rules, regulations and guidelines for the time being enforce, these bye-laws, the Code of Conduct and directions given by the Board.
- 33) A member shall submit information, including records of ongoing and concluded engagements as a member, in the manner and format specified by the COV, as per the guidelines frame thereunder.
- 34) The Monitoring Committee shall review the information and records submitted by the members in accordance with the Monitoring Policy,
- 35) The Monitoring Policy shall provide for the following -
  - the frequency of monitoring;
  - the manner and format of submission or collection of information and records of the members, including by way of inspection;
  - the obligations of members to comply with the Monitoring Policy;
  - the use, analysis and storage of information and records;
  - evaluation of performance of members; and
  - any other matters that may be specified by the Governing Board.
- 36) The Monitoring Policy shall -
  - have due regard for the privacy of members,
  - provide for confidentiality of information received, except when disclosure of information is required by the Board or by law, and
  - be non-discriminatory.

#### **XV. GRIEVANCE AND DISCIPLINARY PROCESS**

##### **37) Grievance Redressal Mechanism**

- The Organization shall have a Grievance Redressal Policy which describe the procedure for receiving, processing, redressing and disclosing grievances against –
  - a) any member of the organization;
  - b) any person who has engaged the services of the concerned members of the organization; or

- c) any other person or class of persons as may be provided by the Governing Board.
- The Grievance Redressal Committee, after examining grievance, may-
  - a) dismiss grievance; or
  - b) resolve the matter through mediation.
- The Grievance Redressal Committee shall refer the matter to the Disciplinary Committee, wherever the grievance warrants disciplinary action.
- The Grievance Redressal Policy shall provide for-
  - a) the format and manner for filing grievances;
  - b) maximum time within which the grievance should be submitted and manner in which such grievance should be submitted;
  - c) maximum time for the disposal of the grievance by way of dismissal, reference to the Disciplinary Committee or the initiation of mediation;
  - d) details of the mediation mechanism
  - e) provision of a report of the grievance and mediation proceedings to the parties to the grievance upon dismissal or resolution of the grievance;
  - f) action to be taken in case of malicious or false complaints;
  - g) maintenance of a register of grievances made and resolutions arrived at; and
  - h) periodic review of the Grievance Redressal Mechanism.

### **38) DISCIPLINARY PROCEEDINGS**

- COV may initiate disciplinary proceedings by issuing a show-cause notice against Member:-
  - a) based on a reference made by the Grievances Redressal Committee;
  - b) based on monitoring of members;
  - c) following the directions given by any authority or any court of law; or
  - d) suo moto, based on any information received by it.
- COV shall have a Disciplinary Policy, which shall provide for the following
  - a) the manner in which the Disciplinary Committee may ascertain facts;
  - b) the issue of show-cause notice based on the facts;
  - c) disposal of show-cause notice by a reasoned order, following principles of natural justice and providing opportunity of personal hearing physically or through electronic mode
  - d) timelines for different stages of disposal of show cause notice; and
  - e) rights and obligations of the parties to the proceedings.
- The orders that may be passed by the Disciplinary Committee shall include-
  - a) expulsion of the member;
  - b) suspension of the member for a certain period of time;
  - c) admonishment of the member;
  - d) imposition of monetary penalty.

- The Disciplinary Committee may pass an order for expulsion of a member if it has found that the member has committed-
  - a) an offence under any law for the time being in force, punishable with imprisonment for a term exceeding six months, or an offence involving moral turpitude;
  - b) a gross violation of the Act, rules, regulations and guidelines issued thereunder, bye-laws or directions given by the Board.
- The copy of order passed by the Disciplinary Committee will be sent to both the parties.
- Any person aggrieved by the order of the Disciplinary Committee will make an appeal against such order to the Board within period of 30 days of passing of such order.
- The Board of Directors is satisfied that the order passed by the Disciplinary Committee, will dispose of such appeal.
- If the Board is not satisfied with the order passed by the Disciplinary Committee, then it will proceed with the appeal and dispose of the appeal within the period of 30 days.