

**First Schedule | Part I - Professional Misconduct in relation to members in Practice**

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| Guilty if he,  |  |
| C1   | Allow any person to practice in his name , except CA in practice as partner or full time employee  |
| C2   | <p>Pay/allow or agree to pay or allow dorectly or indirectly any share, commission or brokerage in fee/profit of his professional business to any person otherthan,</p> <ol style="list-style-type: none"> <li>1) CA</li> <li>2) A Partner</li> <li>3) Retired Partner</li> <li>4) Legal Representative of Deceased Partner</li> <li>5) Member of any other professional bodies</li> <li>6) Other person with prescribed qualification.</li> </ol> <p>For the purpose of rendering such professional services from time to time in or outside India.</p> <p>Exceptions<br/> <b>Goodwill</b><br/> <b>Sharing Fee with Govt in special cases</b></p> |
| C3   | Accept or agree to accept any part of the profit of the professional work of a person who is not a member of the institute.  |
| C4   | <p>Enter in to partnership in or outside India with any person other than the following</p> <p>CA In Practice<br/>                     Member of professinal bodies<br/>                     Person resident outside India entitled to registred as member<br/>                     Qualification recognised by CG or Council</p>  |
| C5   | <p>Secures any professional Business through service of a person who is not an employee or not his partner or</p> <p>By means which are not open to a CA</p>   |

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| C6  | Solicits clients or professional work either directly or indirectly by Circulers , Advertisements , Personal Communication, Interview or any other means.   |
| C7  | 1) Advertise his professional Attainments or services<br>2) Use any designation other than Chartered Accountant.  |
| C8  | Accept a position as auditor previously held by another chartered accountant or by certified auditor without,<br>first communicating with him in writing.   |
| C9  | Accept an apointment as auditor of a company without first ascertaining the requirements of sec 139 to 142 of companies act 2013.   |
| C10 | <p>Charge of offer to charge<br/>Accept or offer to accept<br/>In Respect of any professional employment<br/>Fees which is based on a % of Profit or<br/>Which are contingent upon the finding or result of such employment,<br/>Except as permitted under regulations.</p> <p><b>Exceptions</b></p> <ol style="list-style-type: none"> <li>1- Receiver or Liquidator</li> <li>2- Auditor of a co-operative society</li> <li>3- Valuer for the purpose of Direct Tax and duties</li> <li>4- Certain Management consultancy service as decided by council</li> <li>5- Certain Fund Raising service</li> <li>6- Debt recovery service</li> <li>7- Service related to cost Optimisation</li> <li>8- Any other service as council decide - Acting as Insolvency Professional, Non Assurance Service to Non Audit Clients</li> </ol> |

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| <b>C11</b> | <b>Engage in any Business or Profession other than CA unless permitted by council,</b>   |
|            | <p>General Permission</p> <ol style="list-style-type: none"> <li>1- Director in company not being WTD or MD unless he or any of his partner is interested in such company as an auditor</li> <li>2- Employment under CA in Practice</li> <li>3- Private Tutorship</li> <li>4- Authorship of Books and Articles</li> <li>5- Holding agency of LIC for limited purpose of Renewal commission.</li> <li>6- Attending classes and appearing for any examination.</li> <li>7- leadership office for Charitable-educational or other non commercial organisations.</li> <li>8- Acting as Notary Public , Justice of the Peace, Special Executive Magistrate.</li> <li>9-Part Time tutorship under the coaching organisation of Institute.</li> <li>10- Valuation of Papers, acting as paper setter, head examiner , moderator for any examination</li> <li>11- Editorship of Professional Journals.</li> <li>12- Acting Surveyor and loss assessor under the insurance act</li> <li>13- Recovery consultant in the banking sector</li> <li>14- owning agricultural land and carrying out agricultural activity.</li> <li>15- Holding of Public elective office such as M.P, MLA etc</li> </ol> |
|            | <b>For any other work CA in practice need Specail Permission</b>   |
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| <b>C12</b> | <p><b>Guilty- if he allow a person not being a member of the ICAI in practice or a member not being his partner</b></p> <p><b>to sign on his behalf or on behalf of the firm</b></p>   |

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|   | <p>Any General document can be signed in which attestation is not involved</p> <p>Examples</p> <ol style="list-style-type: none"> <li>1- Issue of Questionnaire</li> <li>2- Draft Observations</li> <li>3- Audit Schedule</li> <li>4- Cash Verification/ Physical verification of stock</li> <li>5- Bill/Invoice Raise</li> <li>6- Routine Tax Matter attending</li> </ol> |
| <b>First Schedule   Part II - Professional Misconduct in relation to members in Service</b> |  |
| C1  | <p>Pay or allow or agree to Pay or allow</p> <p>Directly or Indirectly to any person</p> <p>any share in the emoluments of the employment undertaken by him.</p>   |
| C2  | <p>Accept or Agree to Accept</p> <p>any part of fees, profit or gains from</p> <p>a lawyer , a chartered accountant or broker engage by such company, firm or person or</p> <p>by way of commission or gratification</p>   |
| <b>First Schedule   Part III - Professional Misconduct in relation to members Generally</b> |  |
| Guilty if he,   |  |
| C1  | <p>Not being a Fellow of the Institute but act as a fellow of the Institute</p>  |

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| C2  | Does not supply the information called for<br>Does not comply with the requirement asked for,by<br><br>The Institute , Council or any other committees , Director(discipline), Board of Discipline, Disciplinary Committee, QRB or the Appellate Authority |
| C3  | 1- While Inviting Professional work from another CA<br>2- While Responding to Tenders or enquiries<br>3- While Advertising through writeup or as provided in C6 & C7<br><br><b>Gives Information knowing it to be false.</b>                               |
| <b>First Schedule   Part IV - Other Misconduct in relation to members Generally</b> |  |
|   | <b>Guilty if he,</b>   |
| C1  | Is held guilty by any civil or criminal court for an offence which is punishable with imprisonment for a term not exceeding six months.  |
| C2  | In the Opinion of Council, brings disrepute to the profession or the Institute as a result of his action whether or not related to his professional work.  |