THE COMPANY SECRETARIES (NOMINATION OF MEMBERS TO THE COUNCIL) RULES, 2006

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In exercise of the powers conferred by clause (a) of Sub-section (2) of Section 38A read with sub-section (2) of section 9 of, the Company Secretaries Act, 1980 (56 of 1980), the Central Government hereby makes the following rules namely :—

1. Short title and commencement

(1) These Rules may be called the Company Secretaries (Nomination of Members to the Council) Rules, 2006.

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

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2. Definitions

(1) In these Rules, unless the context otherwise requires “Act” means the Company Secretaries Act, 1980;

(2) All other words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

3. Field of consideration for nominations

The Central Government shall make nominations to the Council under clause (b) of sub-section (2) of section 9 of the Act from amongst:

(a) persons who are holding a position in Government of India not below the rank of a Director, or

(b) persons of eminence from the fields of law, banking, economics, business, finance, industry, management, public affairs or in any other matter which in opinion of the Central Government may be useful for the profession of Company Secretaries:

Provided that the persons so nominated should not be a member of the Institute.

Explanation. – For the purpose of this rule, 'holding position under Government of India' shall also include a person holding position under the Comptroller and Auditor General of India, Reserve Bank of India or any other Organization under the control of Government of India.

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