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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF COMPANY AFFAIRS)

NOTIFICATION

New Delhi, the 23rd September, 2003

G.S.R 757(E). - In exercise of the powers conferred by clause (b) of sub-section (2) of section 63, read with sub-section (3) of section 10, of the Competition Act, 2002 (12 of 2003), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement.- (1) These rules may be called the Competition Commission of India (Oath of Office and of Secrecy for Chairperson and other members) Rules, 2003.

(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, -

(a) "Act" means the Competition Act, 2002 (12 of 2003);

(b) "Chairperson" means the Chairperson of the Commission appointed under sub-section (1) of section 8 of the Act;

(c) "Commission" means the Competition Commission of India established under sub-section (1) of section 7 of the Act;

(d) "Form" means a form specified in the Schedule to these Rules;

(e) "Member" means a member of the Commission appointed under sub-section (1) of section 8 of the Act.

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

3. Oath of office and of secrecy.- (1) Every person appointed to be the Chairperson shall, before entering upon his office, make and subscribe to an oath of office and of secrecy before the Minister in charge of the Department of Company Affairs in the Form I and Form II, respectively, as specified in the Schedule annexed to these rules.

(2) Every person appointed to be a member shall, before entering upon his office, make and subscribe to an oath of office and of secrecy before the Chairperson, or, in his absence, before the senior-most member acting as Chairperson, or, in the absence of such Chairperson or senior-most member acting as Chairperson, before the Secretary to the Government of India in the Department of Company Affairs, in Form I and Form II, respectively, as specified in the Schedule annexed to these rules.

THE SCHEDULE

FORM I

(See rule 3)

Form of oath of office for Chairperson/Members of the

Competition Commission of India

"I, A.B., having been appointed as Chairperson/member of the Competition Commission of India do solemnly affirm

swear in the name of God

that I will faithfully and conscientiously discharge my duties as Chairperson/member to the best of my ability, knowledge and judgment, without fear or favour, affection or ill-will."

FORM II

(See rule 3)

Form of oath of secrecy for Chairperson/Members of the

Competition Commission of India

"I, A.B., having been appointed as Chairperson/member of the Competition Commission of India do solemnly affirm

swear in the name of God

that I will not directly or indirectly communicate or reveal to any person or persons any matter which shall be brought under my consideration or shall become known to me as Chairperson/member of the said Commission except as may be required for the due discharge of my duties as Chairperson/member."

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[File No.1/10/2003-CL.V]

Rajiv Mehrishi,
Joint Secretary to the Govt of India