

The Special Court (Trial of Offences
Relating to Transactions in Securities)
Rules, 1992.

MINISTRY OF FINANCE

(Department of Economic Affairs)

(Banking Division)

NOTIFICATION

New Delhi, the 6th June, 1992

585 (E).--- In exercise of the powers conferred by section 14 of the Special Court (Trial of Offences Relating to Transactions in Securities) Ordinance, 1992, the Central Government hereby makes the following rules, namely:---

1. Short title and commencement:

- (1) These rules may be called the Special Court (Trial of Offences Relating to Transactions in Securities) Rules, 1992.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. Sources of information: The Custodian appointed under sub-section (1) of section 3 of the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992 (hereinafter referred to as the Act) may entertain for consideration any information or complaint in writing submitted personally or sent by post to him by -----

- (a) the Reserve Bank of India;
- (b) any bank or financial institution
- (c) any enforcement or investigating agency or department of the Government;
- (d) any officer or authority of the Government;
- (e) any person who is engaged in transactions of securities as a dealer, agent or broker;

Contd.....

- (f) any other person whose rights or interests in securities are affected:
- * (g) any other source including reports and proceedings before the Special Court established under the Act or any Court or Tribunal for the time being in force as the Custodian may deem fit at any point of time.

(Inserted vide GSR 291 (E) dated 16th April 2008, published in Gazette of India Extra ordinary No. 208 dated 17th April 2008.)*

Provided that the information or complaint sent by any person referred to in clauses (e) and (f) shall not be entertained by the Custodian if it is not accompanied by an affidavit signed by that person and duly verified by a Magistrate or a Notary Public.

3. Cases in which Custodian may reject information: Where an information or a complaint is not accompanied by copies of documents referred to in the information or complaint or is vague or does not contain the name and address of the sender, such information or complaint may be rejected by the Custodian.

4. Condition for making notification: If the material information or the documents received by the Custodian are sufficient in his opinion, to reveal that a person is involved in an offence referred to in sub-section (2) of section 3 of the Act, he may proceed to notify the name of the person under that sub-section.

(The principal rules were published vide Notification No. GSR 585 (E) dated 6th June, 1992 and subsequently amended vide GSR 851(E), dated 5th November 1992, GSR 908(E) dated 2nd December 1992 and GSR 291 (E) dated 16th April 2008.)
