

SPECIAL COURT (TRIAL OF OFFENCES RELATING TO TRANSACTIONS IN SECURITIES) RULES, 1992

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SPECIAL COURT (TRIAL OF OFFENCES RELATING TO TRANSACTIONS IN SECURITIES) RULES, 1992

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 ¹ [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;

(f) any other person whose rights or interests in securities are affected : 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.

1. Substituted for "Special Court (Trial of Offences Relating to Transactions in Securities) Ordinance, 1992 (hereinafter referred to as the Ordinance)" by the Special Court (Trial of Offences Relating to Transactions in Securities) Amendment Rules, 1992, w.e.f. 5-11-1992.

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 ¹ [Act], he may proceed to notify the name of the person under that sub-section.

1. Substituted for "Ordinance", "constitute an offence" by the Special Court (Trial of Offences Relating to Transactions in Securities) Amendment Rules, 1992, w.e.f. 5-11-1992.

5. Duty of Custodian :-

It shall be the duty of the Custodian to furnish to the Central Government a monthly return in the form appended to these rules, and such other statements and information relating to or connected with the functions of Custodian specified in section 3 and Section 4 of the Special Court (Trial of Offences Relating to Transactions in Securities) Act, 1992, as the Central Government may require from time to time.]