

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II,
SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF CORPORATE AFFAIRS
NOTIFICATION

New Delhi, 22 May, 2019

G.S.R. _____.— In exercise of the powers conferred by sub-section (10) of section 132 read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules, namely:-

1. Short title and commencement. – (1) These rules may be called the National Financial Reporting Authority (Meeting for Transaction of Business) Rules, 2019.

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

2. Definitions. – (1) In these rules, unless the context otherwise requires, –

(a) “Act” means the Companies Act, 2013 (18 of 2013);

(b) “Authority” means National Financial Reporting Authority constituted under sub-section (1) of section 132 of the Act;

(c) “chairperson” means the chairperson of the National Financial Reporting Authority appointed under sub-section (3) of section 132 of the Act;

(d) “full-time member” means a member who has been appointed as such under sub-section (3) of section 132 of the Act and includes the chairperson;

(e) “member” means any member, including the chairperson, so appointed under sub-section (3) of section 132 of the Act;

(f) "part - time member" means a member other than a full-time member, appointed as such under sub-section (3) of section 132 of the Act;

(g) "Secretary" means the Secretary of the Authority appointed under sub-section (11) of section 132 of the Act and includes an officer of the Authority authorised by the chairperson to function as Secretary.

(2) Words and expressions used and not defined in these rules but defined in the Act shall have the same meanings as respectively assigned to them in the Act.

3. Meetings for transaction of business and procedure thereof. – (1) The meetings of the Authority shall ordinarily be held at its head office situated in New Delhi for the purpose of discharging its functions:

Provided that the Authority may also hold meetings at its other offices or at any other place in India, whenever, in the opinion of the Authority, it is expedient to do so.

(2) The chairperson shall decide in advance, the date, time, place and the agenda for each meeting of the Authority.

(3) The Secretary, and such other officers and persons as permitted by the chairperson, shall attend a meeting of the Authority.

(4) If the chairperson, for any reason, is unable to attend a meeting of the Authority, the senior-most full-time member present at the meeting, shall preside at the meeting.

(5) The Authority may grant leave of absence to a member not present in the meeting and such leave of absence shall be recorded in the minutes of the meeting.

(6) Any member unable to be present in a meeting for any reason, may choose to participate in the said meeting through video conferencing.

(7) Wherever considered necessary, a business may be transacted by a resolution passed by circulation of an agenda to the members:

Provided that a resolution passed through circulation of the agenda to the members shall be placed before the next meeting of the Authority for ratification.

(8) Matters placed for consideration of the Authority shall be decided by a majority of the members present and voting, and in the event of an equality of votes, the chairperson or in his absence, the member presiding, shall have a second or casting vote.

(9) The quorum for a meeting of the Authority shall be four Members, of which at least one member shall be a full-time member.

(10) The Authority shall cause the minutes of all the proceedings to be maintained in the books kept for the purpose which may be in the form of binders containing loose leaves, duly numbered.

(11) A copy of draft minutes of the proceedings of each meeting of the Authority shall be circulated as soon as possible for confirmation by the members.

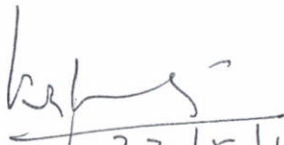
(12) The confirmed minutes shall be signed by the chairperson or the member presiding at the succeeding meeting, and taken on record thereafter.

(13) A member, who has any pecuniary interest, direct or indirect in any matter that is brought up for consideration at a meeting of the Authority, shall, as soon as possible after relevant circumstances have come to his knowledge, disclose the nature of his interest at such meeting and such disclosure shall be recorded in the proceedings of the Authority, and such member shall not take any part in any deliberation or decision of the Authority with respect to that matter.

(14) If any doubt arises in the procedure to be adopted in a meeting, the same shall be placed before the chairperson or in his absence, the member presiding, whose decision in this regard shall be final.

4. Power to regulate procedure in certain circumstances. – In a situation not provided for in these rules, the chairperson may, for reasons to be recorded in writing, determine the procedure in a particular case.

5. Effect of any irregularities of procedure.- No act or proceeding of the Authority shall be invalid merely by reason of any irregularities in the procedure of the Authority not affecting the merits of the case.



22/5/19

[F. No. 1/4/2016 CL-I]
K.V.R. MURTY, Joint Secretary