

the consideration of the Commission and any person so required shall, notwithstanding anything contained in sub-section (2) of section 54 of the Indian Income-tax Act, 1922, or in any other law for the time being in force be deemed to be legally bound to furnish such information within the meaning of section 176 of the Indian Penal Code.

(3) The Commission shall be deemed to be a civil court for the purposes of sections 480 and 482 of the Code of Criminal Procedure, 1898 (Act V of 1898).

Explanation.—For the purposes of enforcing the attendance of witnesses, the local limits of the Commission's jurisdiction shall be the limits of the territory of India.

APPENDIX III

RULES OF PROCEDURE OF THE FINANCE COMMISSION

1. Formal meetings of the Commission shall be held as and when necessary for hearing evidence or for meeting representatives of the Central and State Governments and other public bodies. The time and place of such meetings shall be fixed by the Chairman after ascertaining the convenience of the other members.

2. Internal meetings of the Commission shall be informal.

3. All meetings of the Commission shall be held in private session.

4. Meetings shall ordinarily be so arranged that all the members are present. But if for any unavoidable reason any member is unable to be present, a formal meeting may still be held if at least four members, including the Chairman, are present and an informal meeting if three members, including the Chairman, are present.

5. Such officers of the Commission as the Chairman may, after consulting the members, direct shall be present at the meetings of the Commission.

6. No record shall be kept of the proceedings of the informal meetings of the Commission. But if any decision is taken at such a meeting, a record of the decision shall be prepared by the Member-Secretary and circulated to the members of the Commission after approval by the Chairman.

7. No verbatim record of the proceedings of the formal meetings of the Commission shall ordinarily be kept, but the Commission may direct that such a record be kept of the proceedings of any particular meeting or meetings. When no verbatim record is kept a summary of the proceedings of the meeting shall be prepared by or under the direction of the Member-Secretary as soon as possible and, after verification as provided in the succeeding rule, it shall be circulated to other members of the Commission including any member who may have been absent from such meeting.

8. Summaries of proceedings of meetings with representatives of Central and State Governments shall be agreed by the Member-Secretary with a senior officer nominated by that Government and

attending the meeting. When a verbatim record is kept the portion relating to each witness or member shall be agreed with him.

9. No information relating to the meetings or the work of the Commission shall be furnished to the press by any member of the staff except under the direction of the Chairman or Member-Secretary.

10. The Member-Secretary of the Commission, under the general direction of the Chairman, shall be in overall charge of the office of the Commission and shall be responsible to the Commission for its proper working.

11. All communications from the Commission, other than a formal report, shall be signed by the Member-Secretary or by an officer authorised by the Commission to sign on his behalf; but no communication purporting to express the views of the Commission shall be issued except with the prior approval of the Commission obtained at a meeting of the Commission or, if so directed by the Chairman, by circulation among the members.

12. The Member-Secretary shall submit to the Commission all communications or proposals relating to the terms and conditions of service of the members of the Commission or in any way personally concerning a member and shall take no action on such matters except with the approval of the Commission or the member concerned.

13. The Member-Secretary shall keep the Commission informed from time to time of all important matters affecting the office of the Commission.

14. The Chairman or any member of the Commission may direct the office to obtain for him any publication, reports, statistics or other material required in connection with the work of the Commission. All such material shall be obtained by the office as quickly as possible and shall be circulated to all the members of the Commission for their information.

15. All appointments to gazetted posts of the Commission shall be made with the approval of the Chairman, including appointments made by transfer from other Governments or Government departments.

16. All appointments of ministerial staff, including staff obtained on transfer from other Governments or Government departments shall be made by the Member-Secretary.

17. All appointments of Class IV officers shall be made by the Member-Secretary.

18. The provisions of rules 15, 16 and 17 shall be subject to the condition that in respect of appointments of the personal staff of the members of the Commission, the member concerned shall be consulted.

19. The Member-Secretary may grant leave, whether regular or casual, to any member of the staff of the Commission, but, he shall take the orders of the Chairman before granting any regular leave to a gazetted officer. In the case of the personal staff of the Chairman and members of the Commission, he shall consult them before granting any leave.

20. The budget and the revised estimates of the Commission shall be submitted to the Commission for approval before they are communicated by the Member-Secretary to the Finance Ministry.

21. All communications received by the Commission dealing with the matters on which they have to submit a report to the President shall be treated as confidential and no part of such communications shall be communicated to any outside authority except with the approval of the Chairman.