

Ministry of Finance
Financial Sector Legislative Reforms Commission
18/2, Satsang Vihar Marg
Special Institutional Area, Near JNU East Gate
New Delhi-110067.

Financial Sector Legislative Reforms Commission (FSLRC)

In pursuance to the announcement made by the Finance Minister in the budget of 2010-11 to rewrite and harmonise financial sector legislations, rules and regulations the Govt has notified the Resolution constituting the FSLRC on 24.3.2011. This had become necessary as the institutional framework governing India's financial sector was built over a century. The tenure of the Commission is 2 years w.e.f. the date of its setting.

There are over 60 Acts and multiple Rules/Regulations in the sector and many of them date back decades when the financial landscape was very different from what is obtaining today. Large number of amendments made in in these Acts over time has increased the ambiguity and complexity of the system. The Commission would simplify and rewrite financial sector legislations, including subordinate legislations, to bring them in line with the requirements of the sector to achieve harmony and synergy among them. This will remove ambiguity, regulatory gaps and overlaps among the various legislations making them more coherent and dynamic and help cater to the requirements of a large and fast growing economy in tune with the changing financial landscape in an inter-connected financial world. In the long-term, it would help usher in the next generation of reforms, contribute to efficient financial intermediation enhancing the growth potential of the nation.

The **composition** of the Commission is as follows:

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|----------------------------------|------------------|
| Justice (Retd.) B. N. Srikrishna | Chairman |
| Justice (Retd.) Debi Prosad Pal | Member |
| Dr. P.J. Nayak | -do- |
| Smt. K.J. Udeshi | -do- |
| Shri Yezdi H.Malegam | -do- |
| Prof. Jayant R Varma | -do- |
| Prof. M. Govinda Rao | -do- |
| Shri C. Achuthan | -do- |
| Shri Dhirendra Swarup | Member Convenor |
| Dr Thomas Mathew, JS(CM) | Nominee Member |
| Shri C K G Nair | Secretary, FSLRC |

2. The **Terms of Reference** of the Commission include the following:

- (i) Examining the architecture of the legislative and regulatory system governing the Financial sector in India,

- (ii) Examine if legislation should mandate statement of principles of legislative intent behind every piece of subordinate legislation in order to make the purposive intent of the legislation clear and transparent to users of the law and to the Courts.
- (iii) Examine if public feedback for draft subordinate legislation should be made mandatory, with exception for emergency measures.
- (iv) Examine prescription of parameters for invocation of emergency powers where regulatory action may be taken on *ex parte* basis.
- (v) Examine the interplay of exchange controls under FEMA and FDI Policy with other regulatory regimes within the financial sector.
- (vi) Examine the most appropriate means of oversight over regulators and their autonomy from government.
- (vii) Examine the need for re-statement of the law and immediate repeal of any out-dated legislation on the basis of judicial decisions and policy shifts in the last two decades of the financial sector post-liberalisation.
- (viii) Examination of issues of data privacy and protection of consumer of financial services in the Indian market.
- (ix) Examination of legislation relating to the role of information technology in the delivery of financial services in India, and their effectiveness.
- (x) Examination of all recommendations already made by various expert committees set up by the government and by regulators and to implement measures that can be easily accepted.
- (xi) Examine the role of state governments and legislatures in ensuring a smooth inter-state financial services infrastructure in India.
- (xii) Examination of any other related issues.

**Financial Sector Legislative Reforms Commission
(Telephone Directory as on 1.8.2011)**

| Name | Designation | Telephone No. |
|--|--------------------|---|
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| Dhirendra Swarup | Member Convener | 011-26516603 011-26516602 (Fax) |
| DP Hura | PS | |
| CKG Nair | Secretary | 011-26516604 011-26516602 (Fax) |
| Ram Rattan | PS | 011-26516604 |
| A.K. Sinha | Deputy Secretary | 011-26516605 011-26516602 (Fax) |