

**GOVERNMENT OF INDIA
CORPORATE AFFAIRS
LOK SABHA**

UNSTARRED QUESTION NO:3716
ANSWERED ON:30.07.2009
COMPANY SECRETARIES
Pradhan Shri Nityananda

Will the Minister of CORPORATE AFFAIRS be pleased to state:

- (a) whether appointments of company secretaries under section 383-A of the Companies Act, 1956 is compulsory for all listed or unlisted companies;
- (b) if so, the details thereof;
- (c) whether certain Public Sector Undertakings have not appointed their company secretaries;
- (d) if so, the details thereof alongwith the reasons therefor; and
- (e) the steps taken by the Government in this regard?

Answer

THE MINISTER OF CORPORATE AFFAIRS(SHRI SALMAN KHURSHID)

- (a) & (b) As per section 383A of the Companies Act, 1956 read with Companies (Appointment and Qualifications of Secretary) Rules, 1988, every company having paid up share capital of Rs. 5 crore or more is required to appoint a whole time company secretary.
- (c) & (d) As per available information 233 Public Sector Undertakings (PSUs) have not appointed Company Secretary. Normally, PSUs are unable to appoint Company Secretary due to financial position of such PSUs and non-availability of suitable Company Secretaries.
- (e) Registrars of Companies have been empowered to take suitable action against the defaulting companies.