

EXPLANATORY MEMORANDUM

Memorandum explaining the reasons and circumstances leading to the HPERC (Conduct of Business) (Ninth Amendment) Regulations, 2018

It has been observed that many petitions/applications are moved before this Commission without giving full address, telephone contact numbers and even the office address of the persons/Advocates representing them are not available. Even the petitions are drawn in a sketchy way; and are not accompanied by a certified copy of the impugned Orders, index containing their detail; proof service of advance copies on the opposite side or his/her Advocate on record; and the details of amount of fees paid thereon. In the absence of these particulars, the processing of the petitions expeditiously becomes difficult and even the communication of the Court notices and of the interim/final orders, in relation thereto, gets delayed unnecessarily.

Further it is observed that since this Commission is “Two Members Commission” the provisions of quorum as provided in regulation 9-C of this Commission’s Conduct of Business Regulations, have become inoperative and unworkable. The aforesaid provisions were being mis construed in relation to the functioning of the earlier Single Member Commission. Hence this provisions needs to be suitably amended.

It has, therefore, become necessary to make the provisions more reasonable and rational. The proposed amendments are designed to meet the aforesaid objectives.

Sd/-
Secretary