3. CONDUCT OF BUSINESS, RECEIVING AND INVESTIGATION OF COMPLAINTS, REGULATION, 2007

REGD. NO. D. L.-33004D9 Che Gazette of •tidia 5261 No. 5261 EXTRAORDINARY PART 11—.Section 3—Sub-section (i) PUBLISHED BY AuTHORITY ft*, 30, 9, 1929 NEW DELHI, FRIDAY, NOVEMBER 30, 2007/AC,RAHAYANA 9, 1929 (Ä) 25 ft*, 30 2007 QTÄT.fi. 744(2006 (2006 19) gm-61 (2) (arrqr TFTT) 2007 2006@t; 4841 GI/2007 (z) (v) (2) (3) " aft-«r" TTItTT@t; 1897 9.00 5.30 I (1) 2 4. THE GAZEITE OF INDIA : EXTRAORDINARY [PART 11—SEC.30 3i-r&FT tl 6. - 3iöZ(UT fäofzr 7. fä-«rGT, 3Tarzrr 3FZt 3TQ7tr, 3iÜ$r zn t: zrfüqsr, qrä fif 3*ßFr 3i•i-9r 3T*r t, 3T2t OTT z-zrf*T 8. - Ott I GITQ7fil 3 TO. æi•7aT - (i) 3Fzr (3) t?zr7 -gh 11. 3ft crt - (l) zrr 3ft q-@T, QXzrt, 3ETöT 3fr 3-TN *uT3å, q-c (2) a-a-qi, Rrasra-ä, Qß2T-Q*r, 3-Fzr 3F-zra-T *zrr, 3TVTTl 4 12. THE GAZETTE OF INDIA : EXTRAORDINARY Qiliznftzå - (1) zr (PART LI—SEC. arc -e•-ä7 GT q%zrr tl 13. - (1) qfäüfü-«zr 3-171 QJFF, t, gra : 14. - a-qt3å, 31TZt37 tö*r (it* a-±) fr7zra, 2007 15. - fifi) 3-1fiZF 24 16. - sæ:r$r FFzr-ærzr tcztr 17. - (1) 3m zr 3i7$?T (2) EFr 3TtT a-ä ag its, 3-7 5 6 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. (3) i, 3-TN Mr z&r, zrrRE5TEFäT/@TEFrzraTat 18. - Gr QT @tTrzrä trat qz a-nx zrr zrrtg, 3ii$ zrrfttr 19. - qta-l zrr qtä-ll 7*r-q-a-8r 20. - (1) fiÄTzrat FzrrtT7 38k (3) Qfrzrr at- [gm 3(i)] (4) tzrr srra-r t azFacq ZI. zr zrra &TR8rzr æita-r, 1860 (1860 45) 193 &TTI 22. - (1) - aTt7tr zw &TTI ZfiZFT3å 5trq qx ti-9rT7 gTT Yr qa-T zrfiTr a-ä a-gr ft-zrr (3) zrr cn-q ZIT@Zf5r @mra-a t, qx afra *7TTl zn ZTT@ZFT qrcær t, afra 7 8 THE GAZETIE OF INDIA : EXTRAORDINARY [PART (4) zr fiÄ-rzra (5) zrr f*-a-at zrr zrr 3Fzrq-r 3qot zrr ZtrfiZFT zrr QT qrr zrr 3-fiÄTtr firtFrzra zr ZTzrt (6) tt@a (7) *ezr 3-1üra-T q•rä QrQirz(7 zr (8) zrr m-q;rq-a t ai qtfrF 3tt-ao•g (4) (9) @ zrr 311frzti, g, t, zrr t, 3?rr 9 (IO) 31a-F(&TTI 3-qftra q-t fä R-crr av *vrr uttr 3fiÄTtr 3Ta-r t, ai 3ft æ-aT (11) ZII@ZFT t, (qfia•frzå) 3fr(3-FZt ara zrr 3å-c tt R•z1T tl 23. 3fr(- (1) afr-æT, ur t5#r T) qrzrå qzfi 10 THE GAZETTE OF INDIA : EXTRAORDINARY (PART IPSEC. (2) fäo'rzr OTT ttr arc qr zrr zrr z-zfra-ra t, 3ifåF qfä#fü zr mzrr zrr qfåfiäf@ tra•T 3iR GTTQ7TT (5) grtö t, qi QTQ-rq7 qa-T 3TQ7rTl aztfi-r (6) t, zrÉ (7) #ZIT3-å zrr zBr zrr ztÉ zr 37T*r t zrF 11 (8) qr#r at 7ra-r a•rvzrr, t-$r q-zåq t, EF-gtzntr tF#r *zrfäa-7T tr ti-zfrca q-zfr7 24. RT, Rig, - (1) aft, '*atr 7T?7TT), zrr t, tt 3iZR 3-TGT SäR OTTI *7TT, crt 3fr fiÄT•zra 3-ærc qn•r ZFG'T t, rax (4) q-&a-rå (37 3-TäÄT q%zrr t) ati Fit-a zr e-qfi-qi Tta-r t, 3iTqt qT ätf>7 12 THE GAZETTE OF INDIA : EXTRAORDINARY [PART zt6 zzfr z:zfruf fitfzr (6) 3rrqa tcq@rqi ZFrtaTRzt 2-1M æfi, fttq* OTT, 25. - (l) æv;zr, 3ft7 q•razr z*-zå (4) 3-TTZQZIZF zr at q•rä TZfr37 ZT(T 26. - (1) ll—aoz 3(i)] 13 ærra:zr 3•tmr t:nfi-a (2) fiF#T ga•rå, zrr 3•i7TTå, arai, 3Fzr fär t tl (3) EFråz.rrt ZFTtZIT€r æi@7T, 1860 (1860 45) 193 OTTI (4) äTT8rzr 1860 (1860 45) 228 27. 3-1N - (1) OTT fä-* zWzr zrr (3) @ AT zzra:a 3tr#a 3q-üg (1) (2) t 14 THE GAZEITE OF INDIA : EXTRAORDINARY [PART qfrqr (5) tr zrr sæa-t ftttr& zrra qtTdÜT 28. qrtf zrr#r - (1) aq'rfta qtf a-a ta-r Rr zrr (2) zr fQÄTZTä zr t, star 29. - (1) zrr 3TtzraT a-TN 37 (2) 3ß.zra•T zrr FäTa-R tn•æ-zå 15 30. etrFr - (l) 37 3FZT21T t, 3ft atra-TOT zzr?a 3iüQfi, 31. - 32. 24 3ntqa 33. 34. 37 3--1h cnfta 35. 3itzrzr-ll a-fil 16 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. 36 37 3TJTr 3ß.ÄÄ-1V atq, 37. gas* antr QTRa-zå q-t qfäF sra 38. zrr tR13TQtzraT3å zr 3rar afra, 39. 3-TN t zrr 40. Q-a-a 3fiZFTt 41. zn 42. zr 3Trå ZF*, 17 43. 44. ai 3ßZJTZT-lll at 45. - (1) zr asr 3E:zr trr (3) 3äR&Ttr znvaT 3@fh 90 46. - (1) nrä 3iTJTatq qq zrr 18 THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. (2) Zb-råQT&r 1860 (1860 qsr 45) 193 OTT I (3) q$rraT ætRaT, 1860 (1860 45) 228 47. qr - (l) ftr#r 3rråGT, qr er at (3) 3$t-a 3&Ttr 48. 7iqårzrat - (1) 37 ætr etra-PT qerå æzr-æ:rnr art ßtraor (2) era, æra*, qtzå (3) zr 3Fzrq•r etraTTr zrr q@zrt zrv 9-fr ft5 zr 19 49. - 31fr 3TäTffr7, 7Ttr 50. - fir qr 3iFZT21T *7tr 51. zrt OT zrr tl 52. Änzrai t atr 7T-qr t, tt QT#r 53. - ztr± 54. - 3iFT?T a-Fölü 55. zr - 20 GAZETTE OF INDIA : EXTRAORDINARY [PART IPSEC. 56. - Tr azF arrzr @-8T 57. -(1) g, avra 3fr((2) a•rtra 3TüQT, 58. 31TM - 3fr(18/11/8/2007-atrz-1] Il—avg 3(i)) 21 19) æio æio 3TC) 2 THE GAZETTE OF INDLA : EXTRAORDINARY -11 [PART II—SEC. 3(i)] 3ft (tßT q-a-t) 2. 3. 4. 5. 6. 70 a-r7, : VT2t7T • Ill 3TV) (qfi-tFT, æTR) q7T 1. 3TTt zr -å 3-q-#7 24 THE GAZETTE OF INDIA : EXTRAORDINARY 3TTf.TTfi7 3-cr-#-a t, 3iQT afi ft-arca PETROLEUM AND NATURAL GAS REGULATORY BOARD NOTIFICATION New Delhi, the 30th November, 2007 (PART 9, G.S.R. exercise of the powers conferred by clauses (i), (u), (v) and (w) of sub- section (2) of section 61 of the Petroleum and Natural Gas Regulatory Board Act, 2006 (19 of 2006), the Petroleum and Natural Gas Regulatory Board hereby makes

the following regulations, namely:- Chapter I General I. Short title, commencement and interpretation. - (I) These regulations may be called the Petroleum and Natural Gas Regulatory Board (Conduct of Business, Receiving and Investigation of Complaints) Regulations, 2007. (2) They shall come into force on the date of their publication in the Official Gazette

2. Definitions.- (l) In these regulations, unless the context otherwise requires: a) "Act" means the Petroleum and Natural Gas Regulatory Board Act, 2006; b) "Board" means the Petroleum and Natural Gas Regulatory Board established under sub: section (l) of Section 3 of the Act; c) "Chairperson" means the Chairperson of the Board appointed under Section 4 of the Act; d) "Complaint" shall mean a "complaint" referred in Section 25 of the Act; 3(i)] e) "Member" means a Member of the Board appointed under Section 4 of the Act; t) "Officer" means an officer of the Board; 25 g) "Petition" means and includes all petitions or complaints, applications, representations, replies, rejoinders, supplemental pleadings, other papers and documents; h) "Proceedings" means and include proceedings of all nature that the Board may hold in the discharge of its functions under the Act. (2) Words or expressions occurring in these regulations and not defined herein but defined in the Act shall bear the same meaning as in the Act. (3) Unless defined herein or in the Act, the provisions of the General Clauses Act, 1897 as amended from time to time shall apply to these regulations

3. Working hours of head office and regional offices of the Board.- Unless otherwise directed, the head office and regional offices of the Board shall be open daily except on Saturdays, Sundays and Central Government holidays notified by the Central Government. The office timings shall be from 9.00 AM to 5.30 P M

4. Where the last day for doing of any act falls on a day on which the office of the Board is closed and by reason thereof the act cannot be done on that day, it may be done on the next day on which the office is open

5. The Board may hold sittings for hearing matters at the headquarters or at any other place on days and time to be specified by it

6. Language of the Board.- Unless otherwise decided by the Board, the proceedings of the Board shall be conducted in English or Hindi. 26 THE GAZETTE OF INDIA : EXTRAORDINARY (PART II—SEC. No petition, complaint, documents or other material contained in any language other than English or Hindi may be accepted by the Board, unless the same is accompanied by a translation thereof in English or Hindi: Provided that it shall be the duty of the party submitting such petition, complaint, documents or other material to accompany the correct translation thereof in English or Hindi: Provided further that the Board may in appropriate cases get such translation to English or Hindi, as the case may be, verified by any person or body as it may deem fit, and such translation will have the same meaning as verified by such person or body. 8

9. Seal of the Board.- The Board shall have its own seal. Affixation of seal of the Board. - The seal of the Board shall not be affixed to any instrument except in pursuance of a resolution of the Board. IO. Manner and

form in which contracts to be executed. - (I) Any contract that may be entered into by the Board or on behalf of the Board shall be executed by the Secretary or any other officer duly authorized by the Chairperson in this regard and may in the same manner be varied or discharged. (2) Any document connected with any contract may be signed and verified on behalf of the Board by the Secretary or any other officer duly authorized by the Chairperson in this regard. (3) All contracts made according to the provisions of this regulation shall be valid and binding on the Board. I I. Accounts and documents by whom to be signed. - (l) The Secretary or any officer as may be nominated by the Chairperson are hereby severally authorised for and on behalf of the Board to endorse and transfer negotiable instruments, stock-receipts, stock, debentures, shares, securities and documents of title to movable and immovable properties standing in the name of or held by the Board, and to draw, accept and endorse bills of exchange and other inStruments in 27 1 the current and authorised business of the Board and to sign all other accounts, receipts and documents connected with such business. (2) Plaints, written statements, complaints, affidavits, petitions and any other documents .connected with legal proceedings may be signed and verified on behalf of the Board by the Secretary or any officer authorised by the Chairperson to sign such documents for and on behalf of the Board

12. Participation in proceedings before the Board.- (l) It shall be open to the Board to permit any association or other bodies corporate or any group of consumers to participate in any proceedings before the Board. (2) It shall be open to the Board for the sake of timely completion of proceedings, to direct bunching up associations/groups referred to above so that they can make collective affidavits. (3) The Board may as and when considered appropriate notify a procedure for recognition of associations, groups, forums or bodies corporate as registered consumers' associations for purposes of representing before the Board

13. Representation of consumers' interest.- (I) The Chairperson may appoint any officer of the Board or any other person to represent consumers' interest if considered necessary. (2) The Board may direct payment to the officer or person appointed to represent consumers' interests such fees, costs and expenses by such of the parties in the proceedings as the Board may consider appropriate

CHAPTER 11 GENERAL RULES CONCERNING THE PROCEEDINGS BEFORE THE BOARD 28 14. THE GAZETTE. OF INDIA : EXTRAOR DINARY (PART 11—SEC. Proceedings, etc. before the Board. - The Board may from time to time hold hearings, meetings, discussions, deliberations, inquiries, investigations and consultations as it may consider appropriate in the discharge of its functions under the Act: Provided that the meetings of the Board shall be convened in accordance with the Petroleum and Natural Gas Regulatory Board (Meetings of the Board) Regulations, 2007, amended from time to time

15. Bench to settle disputes.- A Bench consisting of the Member (Legal) and one or more Members nominated by the Chairperson shall decide the disputes under section 24 of the Act, in accordance to the provisions of the Act

16. Authority to represent.- A person may authorise an advocate or a Member of any statutory professional body holding a Certificate of Practice as the Board may from time to time specify to represent him and act and plead on his behalf before the Board. The person may also appear himself or may authorise any of his employees to appear before the Board and to act and plead on his behalf. The Board may from time to time specify the terms and conditions subject to which a person may authorise any other person to represent him and act and plead on his behalf. Initiation of Proceedings. - (I) The Board may initiate any proceedings suo motu or on 17. a petition or complaint filed by any affected or interested person under the provisions of the Act. (2) The notice of the initiation of the proceedings may be issued by the Board and the Board may give such orders and directions as may be deemed necessary, for service of notices to the affected patties, the filing of reply and rejoinder in opposition or in support of the petition or complaint in such form as it may direct. The Board may, if it considers appropriate, issue orders for publication of the petition or complaint inviting comments on the issues involved in the proceedings in such form as the Board may direct. (3) While issuing the notice of inquiry the Board may, in appropriate cases, authorize an officer of the Board or any other person whom the Board considers appropriate to present the matter in the capacity of the petitioner/complainant in the case. 11—ÜÜz 18. Petitions or complaints and pleadings before the Board. - All petitions or complaints to be filed before the Board shall be typewritten, cyclostyled or printed neatly and legibly on one side of white paper and every page shall be

consecutively numbered. The contents of the petition or complaint should be divided appropriately into separate paragraphs, which shall be numbered serially. The petition or complaint shall be accompanied by such documents supporting data and statements as the Board may specify

19. General headings and form of complaint.- The general heading in all petitions or complaints before the Board and in all publications and notices shall be in

20. Affidavit in Support.- (I) The petitions or complaints shall be verified by an affidavit and every such affidavit shall be in

Form Ill. (2) Every affidavit shall be drawn up in the first person and shall state the full name, age, occupation and address of the deponent and the capacity in which he is signing and shall be signed and sworn before a person lawfully authorised to take and receive affidavits. (3) Every affidavit shall clearly and separately indicate the statements, which are true to the - a) knowledge of the deponent; a) information received by the deponent; and b) belief of the deponent. (4) Where any statement in the affidavit is stated to be true to the information received by the deponent, the affidavit shall also disclose the source of the information and a statement that the deponent believes that information to be true

21. Whoever intentionally gives false evidence in any of the proceedings of the Board or fabricates false evidence for the purpose of being used in any of the proceedings shall be punishable in accordance with Section 193 of the Indian Penal Code, 1860 (45 of 1860).29 30 THE GAZETTE OF INDIA : EXTRAORDINARY [PART IPSEC. 3(i)] 22. Presentation and scrutiny of the petitions or complaints. (l) All petitions or complaints shall be filed with ten copies and each set of the petition or complaint shall be complete in all respects. The fees as may be prescribed by the Board shall be payable along with the petition or complaint. (2) All petitions or complaints shall be presented in person or by any duly authorised agent or representative at the head office or such other filing centre or centres as may be notified by the Board from time to time and during the time notified. The petitions or complaints may also be sent by registered post acknowledgement due to the Board at the places mentioned above. The vakalatnama in favour of the advocate and, in the event the petitions or complaints are presented by an authorised representative, the document authorising the representative shall be filed alongwith the petition or complaint, if not already filed on the record of the case. (3) Upon receipt of the petition or complaint, the officer of the Board authorised for the purpose of receiving the petition or complaint, shall acknowledge the receipt by stamping and endorsing the date on which the petition or complaint has been presented and shall issue an acknowledgment with stamp and date to the person filing the petition or complaint. In case the petition or complaint is received by registered post the date on which the petition or complaint is actually received at the office of the Board shall be taken as the date of the presentation of the petition or complaint. (4) The presentation and receipt of the petition or complaint shall be duly numbered and entered in the register maintained for the purpose by the office of the Board. (5) The receiving officer may decline to accept any petition or complaint which does not conform to the provisions of the Act or the Rules or the Regulations or directions given by the Board or is otherwise defective or which is presented otherwise than in accordance with the regulations or directions of the Board: Provided that no petition or complaint shall be refused for defect in the pleadings or in the presentation, without giving an opportunity to the person filing the petition or complaint to 31 rectify the defect within the time which may be given for the purpose. The receiving officer shall advise in writing thf.person filing the petition or complaint of the defects in the petition or complaint filed. (6) A person aggrieved by any order Of the receiving officer in regard to the presentation of the petition or complaint may request for the matter to be placed before the Secretary of the Board for appropriate orders. (7) The Chairperson or any Member as the Chairperson may authorise for the purpose shall be entitled to call for the petition or complaint presented by the party and give such directions regarding the presentation and acceptance of the petition or complaint as he considers appropriate. (8) If on scrutiny, the petition or complaint is not refused or any order of refusal is rectified by the Secretary or by the Chairperson or the Member of the Board authorised for the purpose, the petition or complaint shall be duly registered and given a number as specified in sub-clause (4) above. (9) As soon as the petition or complaint and all necessary documents are lodged and the defects and objections, if any, are removed, and the petition or complaint has been scrutinised and numbered, the petition or complaint shall be put up before the Board for preliminary hearing and admission. (IO) The Board may admit the petition or complaint for hearing without requiring the attendance of the party. The Board shall not pass an order refusing admission without giving the party concerned an opportunity ofbeing heard. The Board may, if it considers appropriate, issue notice to such person or persons, as it may desire to hear the petition or complaint for admission. In the case ofa complaint, the Board shall decide within thirty days whether there is a prima facie case against the entity or entities concerned and may either investigate on its own or refer the matter for investigation, in accordance with the provisions of the Act, to an investigation officer having jurisdiction; and when the matter is referred to such investigating officer, on receipt of report from him, the Board may hear and dispose of the complaint as a dispute in accordance with the 32 THE GAZMTE OF INDIA : EXTRAORDINARY [PART IPSEC. 3(i)] provisions of the Act and in other case, it may pass

such orders and issue such direction as it deems fit. (I I) Ifthe Board admits the petition or complaint, it may give such orders and directions, as may be deemed necessary, for service of notices to the respondent(s) and other affected or interested parties, for the filing of replies and rejoinder in opposition or in support of the petition or complaint in such form as the Board may direct and for the petition or complaint to be placed for hearing before the Board or a Bench, as the case may be

23. Service of notices and processes issued by the Board.- (1) Any notice, process or summons to be issued by the Board may be served by any one or more of the following modes as may be directed by the Board: a) through any of the parties to the proceedings as may be directed by the Board; b) by hand delivery through a messenger; c) by registered post with acknowledgement due; d) by publication in newspapers in cases where the Board is satisfied that it is not reasonably practicable to serve the notices, processes, etc., on any person in the manner mentioned above; e) in any other manner as considered appropriate by the Board. (2) The Board shall be entitled to decide in each case the persons who shall bear the cost Of such service or publication. (3) Every notice or process required to be served on or delivered to any person may be sent to the person or his agent empowered to accept service at the address furnished by him for service or at the place where the person or his agent ordinarily resides or carries on business or personally works for gain. (4) In the event any matter is pending before the Board and the person to be served has authorised an agent or representative to appear for or represent him or her in the matter, such agent or representative shall be deemed to be duly empowered to take service of the notices and ll—ac processes on behalf of the party concerned in all matters and the service on such agent or representative shall be taken as due service on the person to be served. (5) Where a notice is served by a party to the proceedings either in person or through registered post, an affidavit of service shall be filed by such party with the Board giving details of the date and manner of service of notices and processes. (6) Where any petition or complaint is required to be published it shall be published in such

form in the newspapers to be specified, for such duration and within such time as the Board may direct. (7) In default of compliance with the requirements of the regulations or directions of the Board as regards the service of notices, summons or processes or the publication thereof, the Board may. either dismiss the petition or complaint or give such other or further directions as it thinks fit. (8) No service or publication required to be done shall be deemed invalid by reason of any defect in the name or description of a person provided that the Board is satisfied that such service is in other respects sufficient, and no proceedings shall be invalidated by reason of any defect or irregularity unless the Board on an objection taken, is of the opinion that substantial injustice has been caused by such defect or irregularity or there are otherwise sufficient reasons for doing so

24. Filing of reply, opposition, objections, etc.- (I) Each person to whom the notice of inquiry or the petition or complaint is issued (hereinafter called the 'respondent') who intends to oppose or support the•petition or complaint shall file the reply and the documents relied upon within such period with ten copies. In the reply filed, the respondent shall specifically admit, deny or explain the facts stated in the notice of inquiry or the petition or the complaint and may also state such additional facts as he considers necessary for just decision of the case. The reply shall be signed and verified and supported by affidavit in the same manner as in the case of the petition or complaint. 984'/ G Z/D7 33 e THE GAZETTE OF INDIA : EXTRAORDINARY [PART II—SEC. (2) The respondent shall serve a copy of the reply along with the documents duly attested to be true copies on the petitioner or complainant or his authorised representative and file proof of such service with the office of the Board. (3) Where the respondent states additional facts as may be necessary for the just decision of the case, the Board may allow the petitioner/complainant to file a rejoinder to the reply filed by the respondents. The procedure mentioned above for filing of the reply shall apply mutatis mutandis to the filing of the rejoinder. (4) Every person who intends to file objection or comments in regard to a matter pending before the Board, pursuant to the publication made for the purpose (other than the persons to whom notices, processes, etc. have been issued calling for reply) shall deliver to an officer designated by the Board for the purpose the statement of the objection or comments with copies of the documents and evidence in support thereof within the time fixed for the purpose. (5) The Board may permit such person or persons including associations, forums and bodies corporate as it may consider appropriate to participate in the proceedings before the Board if, on the report received from the officer, the Board considers that the participation of such person or persons will facilitate the proceedings and the decision in the matter. (6) Unless permitted by the Board, the person filing objection or comments shall not necessarily be entitled to participate in the proceedings to make oral submissions. However, the Board shall be entitled to take into account the objections and comments filed after giving such opportunity to the parties to the proceedings as the Board considers appropriate to deal with the objections or comments

25. Hearing of the matter.- (I) The Board may determine the stages, manner, the place, the date and the time of the hearing of the matter, as it considérs appropriate. (2) The Board may decide the matter on the pleadings of the parties or may call for the parties to produce evidence by way of affidavit or lead oral evidence in the matter. 35 (3) Ifthe Board directs evidence of a party to be led by way of oral submission, the Board may, if considered necessary or expedient, grant an opportunity to the other party to cross-examine the persons giving evidence. (4) The Board may, if considered necessary or expedient, direct that the evidence of any of the parties be recorded by an officer or person authorised for the purpose by the Chairperson. (5)' The Board may direct the parties to file written note of arguments or submissions in the matter

26. Powers of the Board to call for further information, evidence, etc.- (I) The Board may, at any time before passing orders on any matter, require the parties or any one or more of them or any other person whom the Board considers appropriate to produce such documentary or other evidence as the Board may consider necessary for the purpose of enabling it to pass orders. (2) The Board may direct summoning of the witnesses, discovery and production of any document or other material objects produce-able in evidence, requisition of any public record from any office, examination by an officer of the Board the books, accounts or other documents or information in the custody or control of any person which the Board considers relevant to the matter. (3) Whoever intentionally gives false evidence in any of the proceedings of the Board or fabricates false evidence for. the purpose of being used in any of the proceedings shall be punishable in accordance with Section 193 of the Indian Penal Code, 1860 (45 of

1860). (4) Whoever intentionally offers any insult or causes any interruption in any of the proceedings of the Board, shall be punishable in accordance with Section 228 of the Indian Penal Code, 1860 (45 of 1860)

27. Reference of issues to others.- (I) At any stage of the proceedings, the Board shall be entitled to refer such issue or issues in the matter as it considers appropriate to persons including, 36 THE GAZETTE OF INDIA : EXTRAORDINARY [PART IPSEC. but not limited to, the officers and consultants of the Board whom the Board considers as qualified to give expert advice or opinion. (2) The Chairperson may nominate from time to time any person including, but not limited to the officers and consultants to visit any place or places for inspection and report on the existence or status of the place or any facilities therein. (3) The Board if it thinks fit, may direct the parties to appear before the persons designated in sub-clause (I) or (2) above to present their respective views on the issues or matters referred to. (4) The report or the opinion received from such person shall form a part of the record of the case and the parties shall be given the copies of the report or opinion given by the person designated by the Board. The parties shall be entitled to file their version either in support or in opposition to the report or the opinion. (5) The Board shall duly take into account the report or opinion given by the person, the reply filed by the parties while deciding the matter and if considered necessary the examination before the Board of the person giving the report or the opinion. 28, Procedure to be followed where the party does not appear. - (l) Where, on the date fixed for hearing or any other date to which such hearing may be adjourned, any of the parties or his authorised agent or representative does not appear when the matter is called for hearing, the Board may. in its discretion, either dismiss the petition or complaint for default when the petitioner/complainant or the person who moves the Board for hearing is in default or proceed ex parte. (2) Where a petition or complaint is dismissed in default or decided ex parte, the person aggrieved may file an application within thirty days from the date of such dismissal or being proceeded ex parte, as the case may be, for recall of the order passed, and the Board may recall the order on such terms as it thinks fit, if the Board is satisfied that there was sufficient cause for the non-appearance when the petition or complaint was called for hearing. 01 11—uOZ 3(i)] 37 29. Orders of the Board. - (l) All orders and decisions issued or communicated by the Board shall be certified by the signature of the Secretary or any other officer of the Board empowered in this behalf by the Chairperson and bear the official seal of the Board. (2) All final orders of the Board shall be communicated to the parties to the proceedings under the signature of the Secretary or any officer of the Board empowered in this behalf by the Chairperson. Inspection of records of proceedings and supply of certified copies. - (I) Records of 30. every proceeding, except those parts which for reasons specified by the Board are confidential or privileged or otherwise not to be disclosed to any person, shall be open to inspection either during the proceeding or after the orders have been passed, subject to such person complying with such terms as the Board may direct from time to time including in regard to time, place and manner of inspection and payment of fee. (2) Any person shall be entitled to obtain certified copies of the orders, decisions, directions and reasons in support thereof given by the Board as well as the pleadings, papers and other parts of the records of the Board to which he is entitled to inspect on payment of fee under sub-clause (l) above and complying with other terms which the Board may direct. Interim orders. - The Board may pass such interim orders as the Board may consider 31. appropriate at any stage of the proceedings

CHAPTER 111 SETTLEMENT OF DISPUTES 32. The settlement of disputes in regard to matters mentioned in Section 24 of the Act may be commenced by the Board on the application of any of the persons concerned

33. The Board shall issue notice to the concerned person(s) and to such other person(s) as the Board considers appropriate to show cause as to why the dispute should not be settled by the Board.38 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 34. The Board may, after hearing the parties to whom notices have been issued and if satisfied that no reason or cause has been shown against the proposed settlement, pass an order directing that the disputes or the matter be settled by the Board

35. The procedure for settlement of disputes to be followed by the Board shall be as far as possible the same as in the case of hearing before the Board as provided for in Chapter 11 above

36. The cost of the settlement of disputes and proceedings before the Board shall be bome by such parties and in such sums as the Board may direct

CHAPTER IV INVESTIGATION, INQUIRY, COLLECTION OF INFORMATION, ETC

37. The Board may make such order or orders as it thinks fit for collection of information, inquiry, investigation, entry, search, seizure, and without prejudice to the generality of its powers in regard to the following provisions

38. The Board may at any time, direct the Secretary or any one or more officers of the Board or consultants or any other person as the Board considers appropriate to study, investigate or furnish information with respect to any matter within the purview of the Board under the Act

39. The Board may for the above purpose give such other directions as it may deem fit and specify the time within which the report is to be submitted or information furnished

40. The Board may issue or authorise the Secretary or any officer of the Board to issue directions to any person to produce before it and allow to be examined and kept by an officer of the Board authorised in this behalf the books, accounts, etc.or to fumish information to such officer

41. The Board may, for the purpose of collecting any information, particulars or documents which the Board considers necessary in connection with the discharge of its functions under the Act, issue such directions as may be considered necessary. Cqm 42. If any such report or information obtained appears to the Board to be insufficient or inadequate, the Board or Secretary or any officer of the Board authorised for the purpose may give directions for further inquiry, report and furnishing of information. - 43. The Board may direct such incidental, consequential and supplemental matters be attended to, which may be considered relevant in connection with the above

44. In connection with the discharge of the above functions, the Board may, if it thinks fit, direct a notice of inquiry to be issued and .proceed with the matter in a manner provided under Chapter 11 of these regulations

CHAPTER V MISCELLANEOUS 45. Continuance of proceeding after death, etc. - (I) Where in any proceeding any of the parties to the proceedings dies or is adjudicated as an insolvent or in the case of a company under liquidation or winding-up, the proceedings shall continue with the successors-in-interest, the executor, administrator, receiver, liquidator or other legal representative of the party concerned. (2) The Board may, for reasons to be recorded, treat the proceedings as abated in case the Board so directs and dispense with the need to bring the successors-in-interest, etc. on the record of the case. (3) In case any person wishes to bring on record the successors-in-interest, etc., the application for the purpose shall be filed within ninety days from the event requiring the successors-in- interest to come on record

46. Proceedings to be open to public.- (I) The proceedings before the Board shall be open to the public: Provided that the Board may, if it thinks fit, and for reason to be recorded in writing, order at any stage of the proceedings of any particular case that the public generally or any particular person or group of persons shall have restricted access. 39 40 TIE GAZETI"E OF INDIA : EXTRAORDINARY [PART IPSEC. (2) Whoever intentionally gives false evidence in any of the proceedings of the Board or fabricates false evidence for the purpose of being used in any of the proceedings shall be punishable in accordance with Section 193 of the Indian Penal Code, 1860 (45 of 1860). (3) Whoever intentionally offers any insult or causes any interruption in any of the proceedings of the Board shall be punishable in accordance with Section 228 of the Indian Penal Code, 1860 (45 of 1860)

47. Publication of petition or complaint.- (I) Where any application, petition or complaint, or other matter is required to be published under the Act or these regulations or as per the directions of the Board, it shall, unless the Board otherwise orders or the Act or regulations otherwise provide, be published not less than seven days before the date fixed for hearing. (2) Except as otherwise provided, such publication shall give a heading describing the subject matter in brief. (3) Such publication to be published shall be approved by the officer of the Board authorised for the purpose

48. Inspection of records and confidentiality.- (l) Records of the Board except those parts which for reasons specified by the Board are confidential or privileged, shall be open to inspection by all, subject to complying with the terms as the Board may direct from time to time including in regard to time, place and manner of inspection and payment of fee. (2) The Board may, on such terms and conditions as it considers appropriate, provide for the supply of the certified copies of the documents and papers available with the Board to any person. (3) The Board may, by order, direct that any inforrnation, documents and other papers and materials produced before the Board or any of its officers, consultants, representatives or 41

otherwise which may be, or come into, their possession or custody, shall be confidential or privileged and shall not be available for inspection or supply of copies, and the Board may also direct that such documents, papers or materials shall not be used in any manner except as specifically authorised by the Board

49. Issue of orders and directions on procedures.- Subject to the provisions of the Act and these regulations, the Board may, from time to time, issue orders and directions in regard to the implementation of the regulations and procedure to be followed and various matters which the Board has been empoWered.by these regulations to specify or direct

50. Saving of inherent power of the Board.- Nothing in these regulations shall be deemed to limit or otherwise affect the inherent power of the Board to make such orders as may be necessary for ends of justice or to prevent the abuse of the process of the Board

51. Nothing in these regulations shall .bar the Board from adopting in conformity the provisions of the Act, a procedure, which is at variance with any of the provisions of these regulations, if the Board in view of the special circumstances of a matter or class of matters and forreasons to be recorded in writing, deems it necessary or expedient for dealing with such matter or class of matters

52. Nothing in these regulations shall, expressly or impliedly, bar the Board to deal with any matter or exercise any power under the Act for which no regulations have been framed, and the Board may deal with such matters, powers and functions in a manner it thinks fit

53. General power to amend.- The Board may, at any time and on such terms as to costs or otherwise, as it may think fit, amend any *defect or error in any proceeding before it, and all necessary amendments shall be made for the purpose of determining the real question or issue arising in the proceedings

54. Power to remove difficulties.- If any difficulty arises in giving effect to any of the provisions of these regulations, the Board may, by general or special order, do anything not 484/6+7— (o 42 THE GAZETTE OF INDIA : EXTRAORDINARY [PART 11—SEC. being inconsistent with the provisions of the Act, which appears to it to be necessary or expedient tor the purpose of removing difficulties

55. Extension or abridgment of time prescribed.- Subject to the provisions of the Act, the time prescribed by these regulations or by order of the Board for doing any act may be extended (whether it has already expired or not) or abridged for sufficient reason by order of the Board

56. Effect of non-compliance.- Failure to comply with any requirement of these regulations shall not invalidate any proceeding merely by reason of such failure unless the Board is of the view that such failure has resulted in miscarriage of justice

57. Costs - (l) Subject to such conditions and limitation as may be directed by the Board, the cost of, and incidental to, all proceedings shall be awarded at the discretion of the Board and the Board shall have filll power to determine by whom or out of what funds and to what extent such costs are to be paid and give all necessary directions for the aforesaid purposes.(2) The costS shall be paid within thirty days from the date of the order or within such time as the Board may. by order, direct

58. Enforcement of orders passed by the Board.- The Secr.etary shall ensure enforcement and compliance with the orders passed by the Board, by the persons concerned in accordance with the provisions of the Act and regulations and if necessary, may seek the orders of the Board for directions.
[No. S-Admn]11/S/2007-Vol.-1] AJAY TYAGI , secy. 43

FORM 1 GENERAL HEADING FOR PETITION/COMPLAINT (see Regulation 19) BEFORE THE PETROLEUM AND NATURAL GAS REGULATORY BOARD, NEW DELHI Filing No. Case No. (To be filed by the Office) In the matter of: (Gist of the purpose of the petition or complaint or application) Between: (Names and full addresses of the petitioner/complainant/applicants and names and full addresses of the respondents). 44 To The Chairperson, THE GAZETTE OF : EXTRAORDINARY FORM 11 FORMAT OF PETITION/COMPLAINT (see Regulation 19) The Petroleum and Natural Gas Regulatory Board (Full Address) l. Petitioner's/Complainant's Name, Address and Fax No: 2. Names, Addresses & Fax No. of the Opposite Parties: 3. What the petition/complaint is about: 4. Nature of petition/complaint: 5. Prayer: 6. Documents enclosed in support of the petition/complaint: Place: Date: [PART 11—SEc. Yours faithfully, 45 FORM 111 AFFIDAVIT (see Regulation 20) BEFORE THE PETROLEUM AND NATURAL GAS REGULATORY BOARD, NEW DELHI Filing No. Case NO. (To be filed by the Office) In the matter of: (Gist Of the purpose of the petition or complaint or. application) Between: (Names and full addresses of the petitioner/complainantjapplicant and names and full addresses of the respondent (s)/opposite party (ies). Affidavit verifying the petitions/reply/application/complaint son of aged years, residing at solemnly affirm and say as follows: do I am the Petitioner/Complainant/Appplicant/Respondent etc. or I am a Director/Secretary/partner of of the Petitioner/CompIainant/Applicant/Respondent in the above matter and am duly authorised by the said Petitioner/Complainant/Applicant/Respondent to make this affidavit. in paragraphs 2. The statements made to of the Petition/AppIication/RepIy/CompIaint herein are true to my knowledge and the statements made are based on information and I believe them to be true. in paragraphs to that the contents of the above affidavit Solemnly affirmed at on this day of are true to my knowledge, no part of it is false and nothing material has been concealed there from. DEPONENT Identified before me by Printed by the Manager. Govt. Of India Press, Ring Road. Mayapuri. New Delhi-1 10004 and Published by the Controller or Publications. Delhi-1 10054.