

Minutes of the Governing Body Meeting of Forum of Indian Regulators (FOIR)

VENUE: Casuarina, India Habitat Centre, Lodhi Road, New Delhi

DATE: 15th June, 2011.

The meeting was chaired by Dr. Pramod Deo, Chairperson, CERC/Hony. Chairman, FOIR. The list of participants is **enclosed** at **Annexure-I**.

2. Shri Rajiv Bansal, Secretary, CERC/Executive Secretary, FOIR welcomed all the members of the Governing Body. The Governing Body thereafter took the agenda items for consideration and approval.

Agenda Item No. 1: Confirmation of the Minutes of the Governing Body Meeting held on 31st May, 2010 at New Delhi

FOIR Secretariat briefed the members that it had sent letters inviting the regulatory bodies from the financial sector and to which it had not received any positive response so far. Shri Sushanta K. Chatterjee, Deputy Chief (Regulatory Affairs), CERC referred to a letter written by the Pension Fund Regulatory and Development Authority (PFRDA) and circulated by the Petroleum and Natural Gas Regulatory Board (PNGRB) stating that they had taken up the recommendations of the Administrative Reforms Commission (ARC)-II on “Creating an Effective Regulatory Framework” with the High Level Coordination Committee on Financial Markets in March 2010, which concluded that the financial sector regulations are different from the regulatory framework contemplated by the ARC. The members were also informed that the Hony. Chairman, CERC/FOIR had recently received a letter from the Ministry of Corporate Affairs proposing to convene a quarterly interaction between the regulators for improving the ease of doing business in India by corporates. Hony. Chairman, FOIR has given in-principle consent to such a concept of closer interaction between the regulatory bodies representing different sectors.

Shri L. Mansingh, Chairperson, PNGRB/Hony. Vice-Chairman, FOIR pointed out that the Working Group on “Assessing the Capacity Building Requirements for Regulatory Staff” can play a very important role in the current scenario as the regulatory bodies require professionally qualified people who need to undergo periodic training. There was also a suggestion for transfer of manpower on a

deputation basis among regulatory bodies as a possible alternative to attract and retain skilled resources. The members were informed that the Working Group on “Assessing the Capacity Building Requirements for Regulatory Staff” was constituted in July, 2010 under the Chairmanship of Shri Dhanendra Kumar, Chairperson, Competition Commission of India (CCI). Chairperson, CCI has since retired.

After a brief discussion it was decided that:

- The Working Group may be reconstituted with Smt. Rani A. Jadhav, Chairperson, Tariff Authority for Major Ports (TAMP) as the Chair.
- It was also decided that reputed institutions like IIMs (say IIM-A or B) should be approached to provide knowledge partnership services to the Working Group and hired as an outsourced consultant.

Shri Rajiv Bansal informed all the Governing Body members that the Working Group on “Assessing need for investment in infrastructure and suggest major areas of improvements to promote investment” has been operationalized and has held its First Meeting.

- After a brief discussion on the Action Taken Report, the Minutes of the Governing Body Meeting on 31st May, 2010 held at New Delhi were endorsed by the members.

Agenda Item No. 2: Confirmation of the Minutes of the last Governing Body Meeting held on 28th January, 2011 at Mysore, Karnataka

Minutes of the above cited meeting were placed before the members for consideration and approval. The members were informed that the Minutes were mainly pertaining to the Working Group on “Recommending measures to expedite implementation of the recommendations of the Administrative Reforms Commission-II”. Shri L. Mansingh called attention to the fact that ARC-II recommendations are available in public domain but nothing much has been done on the same by the Government. He indicated that Forums such as FOIR should play a greater role in taking these recommendations forward. Further, he suggested that National Association of Regulatory Utility Commissioners (NARUC) model should be adopted by all the regulators in order to ensure greater transparency and self-regulation.

- The Governing Body confirmed the Minutes of the last Governing Body Meeting as circulated.

Agenda Item No. 3: Reconstitution of the Governing Body of FOIR for the year 2011-12

It was explained that the reconstituted Governing Body has been proposed on the basis of seniority amongst the electricity regulators as per the Rules and Regulations of FOIR subject to the condition that he/she has at least one year's service left.

Shri L. Mansingh proposed that in order to make FOIR a more representative forum, the post of Hony. Chairman should be filled on a rotation basis. Shri Chatterjee explained the members that as per the amended Rules and Regulations of FOIR, Hony. Chairman, Hony. Vice-Chairmen and Hony. Members shall hold office till he/she continues to hold his/her position in his/her respective Regulatory Commission/organization. He further informed that the senior-most Hony. Vice Chairman (irrespective of the sector he/she represents) having tenure of at least one year may become the Hony. Chairman of FOIR.

The proposed re-constitution of the Governing Body was approved.

Agenda Item No. 4: Discussion on Proposed Budget for the year 2011-12

A copy of the budget for the year 2011-12 (as circulated in the agenda papers) was placed for consideration and approval. Different components under both income and expenditure heads were explained.

- The budget for FY 2011-12 was approved by the Governing Body.

Shri S. Jayaraman, Member, CERC/Hony. Secretary, FOIR suggested that FOIR should conduct more seminars/workshops in order to fully utilize its Research and Training Fund.

FOIR Secretariat briefed the members about the ongoing studies and workshops as a result of which the funds would be optimally utilized in due course of time.

Agenda Item No.5: Discussion on Balance Sheet for the year 2010-11

- The Governing Body considered the Balance Sheet and audited accounts for the year 2010-11 and approved the same.

Agenda Item No. 6: Discussion on appointment of auditors and their remuneration for the year 2011-12

- It was decided that the procedure adopted in CERC/FOR/SAFIR Secretariat for engaging a Chartered Accountant firm be followed to engage Auditor for auditing the accounts of “FOIR” and the remuneration be finalized with the approval of Hony. Chairman, FOIR.

Agenda Item No. 7: Discussion on agenda items for the 12th Annual General Body Meeting

- The agenda items for the 12th Annual General Body Meeting scheduled for the same day were discussed and generally approved.

Any other issues:

- The Governing Body decided that the Meetings of the Governing Body should be held more often.
- It was also suggested that FOIR should be made a more representative interaction platform wherein discussions and deliberations on topical issues across sectors can be made.

The Meeting ended with a vote of thanks to the Chair.

LIST OF PARTICIPANTS WHO ATTENDED THE GOVERNING BODY MEETING
OF FORUM OF INDIAN REGULATORS (FOIR)
HELD ON 15th JUNE, 2011 AT NEW DELHI

S. No.	NAME	DESIGNATION & ORGANIZATION
1	Dr. Pramod Deo	Chairperson, CERC & Hony. Chairman, FOIR
2	Shri L. Mansingh	Chairperson, PNGRB & Hony. Vice-Chairman, FOIR
3	Shri Jayanta Barkakati	Chairperson, AERC & Hony. Vice-Chairman, FOIR
4	Shri S. Jayaraman	Member, CERC & Hony. Secretary, FOIR
5	Shri V.S. Verma	Member, CERC & Hony. Treasurer, FOIR
6	Shri Anand Kumar	Member, UERC & Hony Member, FOIR
7	Shri M.P. Vijayakumar	Member & Representative, AERA
8	Shri Rajiv Bansal	Secretary, CERC & Executive Secretary, FOIR
9	Shri S.K. Chatterjee	Deputy Chief (Regulatory Affairs), CERC
10	Shri Ramanuj Dey	Assistant Secretary, CERC & Executive Treasurer, FOIR