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REPORT

Program Name: Colloquium for the Chairpersons/Members of Central sector regulators of Forum of Indian Regulators (FOIR)

Program Date: 21st February 2020

Venue: The Ananta, Udaipur

Participant Profile: Chairpersons and members of Central sector regulators of FOIR

PROGRAM OUTLINE:

The Forum of Indian Regulators Centre at Indian Institute of Corporate Affairs has successfully conducted the “Colloquium for the Chairpersons/Members of Central sector regulators of the Forum of Indian Regulators (FOIR)” on 21st February 2020. The theme for the panel discussion was ‘Ensuring Transparency & Accountability in Regulatory Framework’ The panel comprised of Chairpersons / Members from different regulatory bodies of IBBI, AERA & CERC.

The Panelists were Shri P.K Pujari, Chairperson, (CERC), Dr. M.S Sahoo, Chairperson (IBBI) and Shri Sudhir Raheja, Member (AERA). The panel discussion was moderated by Mr. Shantanu Dixit, Group Coordinator, Prayas Energy Group.

PROGRAM FLOW:

At the outset Dr. S.K Chatterjee, Chief (Regulatory Affairs), CERC welcomed the panelists and presented a brief background of the Colloquium on ‘Ensuring Transparency & Accountability in Regulatory Framework’.

The panel discussion began with the introduction & opening points on the theme by Mr. Shantanu Dixit, moderator for the panel discussion. He shared the background note of the topic with the panelists and stated that the purpose of the colloquium was to increase



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interaction among various infrastructure regulators to discuss on various emerging regulatory trends and concerns. The moderator kept some relevant points across the table that the consumer participation in India is not strong. Their involvement in the regulatory decision-making process is yet to reach the desired level. All the panelists shared their views on the current regulatory mechanisms prevalent in their respective sectors. The role of civil society in the power sector was highlighted and after deliberations, it was agreed that transparency and accountability are two important aspects of the regulatory mechanism in India which need attention of the regulatory bodies for efficient & effective control of various sectors of the market economy. Dr. Sahoo referred to certain books – “The rise of the regulatory State “ by Edward L Glaeser & Andrei Shleifer ; “ Regulation in India : Design, Capacity, Performance “ by Devesh Kapur and Madhav Khosla and “ Understanding the rise of the regulatory state of the South” by Navroz K Dubash and Bronwen Morgan which was noted by all. The members also stated that other regulators especially the new regulators such as RERA must be encouraged to be a part of FOIR.

During the discussion, the moderator raised some critical issues around consumer advocacy, which were enthusiastically taken up by the panelists in the colloquium. It was further established that the creation of consumer fora should be looked upon to create transparency in the regulatory process. The panelists encouraged creation of a process for all regulatory bodies where stakeholders are given fair chance to represent through an appointed consumer representative. They suggested that regulatory mechanisms should be established for consideration of consumer views in the regulatory decision-making process.

On similar lines, accountability can be increased as well, and the regulatory bodies should also focus on the responsibilities assigned to the regulatory officials for internal control. The panelists were of the view that the role of drafting regulations and adjudication should not rest on the same individuals within the regulatory bodies and these roles should be performed by different sets of people to ensure desired objectivity in regulatory and



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adjudication functions. By creating an internal responsibility structure, the accountability on the adjudication and decision-making process can be increased.

With the above points, the panelists had a fruitful discussion with new thoughts on mechanisms to create transparency & accountability in the regulatory bodies. The Colloquium ended with a vote of thanks by Shri Sanoj Kumar Jha, Executive Secretary, FOIR & Secretary, Central Electricity Regulatory Commission (CERC).

IMAGES: Colloquium





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Program Name: Conference for the General Body members of Forum of Indian Regulators (FOIR)

Program Date: 21st February 2020

Venue: The Ananta, Udaipur

No. of participants: 85

Participant Profile: General Body Members of FOIR

PROGRAM OUTLINE:

The Forum of Indian Regulators Centre at Indian Institute of Corporate Affairs has successfully conducted “Conference for the General Body Members of Forum of Indian Regulators (FOIR)” on 21st February 2020. The Conference included a session by Shri R.V Shahi, Former Secretary, Ministry of Power on ‘Regulatory Performance Evaluation’ and a panel discussion on ‘Inter-sectoral Coordination between different Infrastructure Regulators’. A total of eighty-five participants who are Chairpersons & Members along with former Chairpersons & members, from different regulatory bodies such as IBBI, AERA, CERC, various SERCs etc. attended the conference.

PROGRAM FLOW:

The one-day Conference was inaugurated with the address of Shri P.K Pujari, Hony. Vice Chairman, FOIR & Chairperson, CERC. Thereafter, Shri R.V Shahi, Former Secretary, Ministry of Power addressed the audience on ‘Regulatory Performance Evaluation’. He focused on the importance of the role played by the electricity regulatory bodies in the country. He stated that a parameter should be laid out for measuring the performance of the regulatory bodies. These parameters should be created keeping in mind various factors common for all regulatory bodies as well as sectoral factors. Mr. Shahi elaborated on the importance & process of regulatory performance evaluation that needs to be carried out for effective measurement of regulatory processes. The participants were enlightened by the ideas and methods shared by Mr. Shahi and good participation was seen in his session.



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The next session was a panel discussion on 'Inter-sectoral Coordination between different Infrastructure Regulators'. The panelists in the conference were Shri P.K Pujari, Chairperson, CERC, Shri M.S Sahoo, Chairperson, IBBI and Shri Sudhir Raheja, Member, AERA with moderation by Dr. Abha Yadav, Director FOIR Centre (IICA) and Head-School of Competition Law and Market Regulations. Dr. Abha Yadav introduced the topic to the panelists and gave a brief on the background note for the conference. She laid out the importance of inter-sectoral coordination required among various regulatory bodies as all the regulators work with a common agenda to regulate their respective sectors and further focused on the commonalities in the sectoral regulators. The inter sectoral regulatory framework will be useful in better understanding of common problems of the regulators and in turn will lead to better efficiency was the opinion of all. A lot of discussion was centered around the role of the Competition Commission of India and its overlapping features with other sectoral regulators. Dr. Sahoo who has been member of the Competition Commission of India was able to answer all of these questions to the satisfaction of the participants. Shri Sudhir Raheja, member AERA, led a robust discussion on the role of AERA in the regulation of economic policies in the aviation sector.

The panelists shared their views on how more coordination and focus could be created for increasing the interaction & exchange of knowledge. At the end of the conference , it was proposed that FOIR being a forum for various sectoral Regulators, it could serve as a platform for more such discussions on inter sector issues and best practices which can be adopted by all the regulators The participants appreciated the conference content and actively participated in the panel discussion. It was a very interactive session.

The Conference ended with a Vote of Thanks by Shri Sanoj Kumar Jha, Executive Secretary, FOIR & Secretary, Central Electricity Regulatory Commission (CERC).



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Image 1: Conference conducted for the General Body Members of FOIR



Image 2: Shri R.V. Shahi, Former Secretary, Ministry of Power on 'Regulatory Performance Evaluation'.



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Image 3: Group Photograph of the Conference



Image 4: Panel Discussion on 'Inter-sectoral Coordination between different Infrastructure Regulators'

Left to Right: Dr. Abha Yadav, Director FOIR Centre, Shri Sudhir Raheja, Member, AERA, Shri P.K Pujari, Chairperson, CERC, Shri M.S Sahoo, Chairperson, IBBI