

COMPETITION APPELLATE TRIBUNAL (FORM AND FEE FOR FILING AN APPEAL AND FEE FOR FILING COMPENSATION APPLICATIONS) RULES, 2

Rü0-33004'99 REGDNO.D.L.-330W99 Che Gazette of •tidia Ni. 3291 No. 3291 LXTRAOQDINARY PART "—Section 38ub-section (i) PUBLISHED BY AttrH0Rry 4, 14, 1931 NEW DELI-IL THURSDAY, JUNE 4, 2009/JYAßTHA 14, 1931 4 2009 -«r.•r.t. (2003 12) (2) 533 (2) 63 (2) (ZO (39 2009 ' 2002 (2003 12) CT) 53Qi (1) (q) (e) (g) (q) 2102 GV2009 ' 53ü_ t ; ' 311ubT' 7 (1) ' 53F1 (2) 2 THE GAZETTE OF : EXL*.AORDNARY (31) t I (2) t t 2002 (2003 12) t. t 3. at« - (1) mar (3) qtü at« ur (4) qzt t a-gi (5) zrg 2.5 5 ate 1. 2. 3. 1. 2. 1000 2.500 3.00000 gg 2500 1000 1000 Mqg S, 00, 000 2500 Rg 10m 3 (ii) fiæQr (3) 3tR 2002 53« (1) (2) 200... .. (wertui) 2002 q•rzhq) 2002 2. 3. 4. (ii) (i_ii) (iv) 4 5. THE GAZETTE OF INDIA : EXTRAOR.DNARY (ii) (iv) (vi) u—søc. zrg (2) I •fig) (i) (ii) 8. (9 10. 11. gg 12. qg t, 13. 14. 5 15. 16. 1. 2. 3. 4. 1B. 19. 20. zn 21. (ata*) IPSEC. 3 i 6 THE GAZETTE. OF : EXTRAORDINARY , 200... (afr*) [15. 1/4/2008-€r.q«.] MINISI*RYOF CORORATE AFFAIRS rormcxncn New Debi, Jurr, 200 G.S.R. exedse pwæ•ss cmferæd by dauses (ma) and (me) of sub-seçäon (2) of section 63 read sub-seün (2) section 53B and sub-section (Z) of section 53N, of the Competidon Act, 2002 (12 of 2003) the Cen&al Gow•nment hereby mak= the following rules, namely: - 1. Short EBe and oommenozn«t. — (1) Thse rules may be called tie CompeBtion Appellate Tribunal (Form and fee for filing an appeal and fee for filing compensation appfjcaåons) Rules, 2009. 2. (2) They shall come into ftxce on t')e date of tildr pubicün in the Official Gazete. Definiåons. — (1) In tze rules, unles cont0(t oewwise requires, - (a) *Act' means tie M, 2002 (12 2003); 7 (b) 'appeal' means an appeal preferred unda sub-seçdon (1) of seçion 53B Act; (c) 'Appellate Tribunal' means the Compeåtion Appellate Tribunal stablished under sub-seçon (1) of section 53A•of the Act; (d) 'Chairperson' means t:he Chairperson of the Appellate Tribunal appointed under sub-section (1) of section 53D of the Act; (e) 'Commission' means the Competition Commission of India under sub- section (1) of seçäon 7 of the Act; 'Form' means the form spedfied in .the Schedule to these Rules; (g) 'Member' means the Member of the Compeåtion Appellate Tribunal appointed under sub-seçon (2) of section 53D; (h) 'party' means a person who prefers an appeal before the Appellate Tribunal and ihdudes respondent; (i) 'Register' means the Registrar of the Appellate Tribunal and includes ari omcer of such Appellate Tribunal who is authorized by the Chairperson to function as Registrar; 0) 'Registry' means the registry of the Appellate Tribunal. (2) lhe words and expresions used but not defined in these rule and defined in the Compedton Act, 2002 (12 of 2003) shall have the same meaning assigned to them in tuat Act

3. Form and verification while filing an appeal.- (1) A memorandum of appeal shall be presented in the Registry or shall be sent by addressed to Registrar of the Appellate Tribunal in the Form appended to these rules. (2) A memorandum of appeal sent by shall be deemed to have been presented on the day it was received in the registry. (3) Every Memorandum of Appeal shall be in five copies and shall be accompanied with the cerbfied copy of the direction or decision or order against which the appeal is filed. (4) where a party-is represented by an aUt10ized representative, a copy of he authorisation to act as the authorised representative and the written consent tEreö by such authorized representative, shall be appended to memorandum of the appeal. 8 GAZETTE OF INDIA : DCI*AORDINARY mn—sæ.3 1 (5) Ewy rnemrandum te Tribunal in English and in case it is in some man it élan be accompanied by rarsiated in English ±ati be füty twe Mtoen, iibograpTEd or • pdnbed in double on one of an inner margin of about four centrneers widtl on and a marøn 2.5 an, and margin San, duly paginated, iröued and *itåed in p.a fam. (6) Procedure for filing be appeal be as tie Tribunal

4. Fee- (1) Every rneavandum of and cunpensation applicadon shall be accompanied with a fee provi&d in *Jb-nk (2) and fee may be remitted in tie of demand draft drawn in favour of Pay and Minl*y of •Affairs, payable at New Delhi.(2Xi) The amount of fee payde in respe« of compensadon apliczion made tie Apellae Tribunal #1all be Appeal 1. 2

3. Amount of penalty imposed I-Ss fran twatty m.sand rupes tiousand nw•e rupæs but les than one lati Ore lakh or more rupee Compensatioi applicaöon 1

2. Arnount of ompensaåm daimed Les ten-one lakh rupees More tian one laå rupees "mumt fee payable Rs.1,000 Rs.2,500 Rs.2,90 plus Rs.1,000 for one lakti penalty or bereof, a rnodman of Ées

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4. **TYE address of of Mööee jn t' appeal are as set out hereurwer : (i) Postal address indihüv PIN (ii) Phone number (iii) E-mail (iv) Fax Number (v) Mobib Number (vi) Address of authorized hore number.** Fax number, e-mail and mobile number. JurisdiMion of the A.peUate 5. The appellant declares that the su*ct be is tt•e of this Tribunal.- Limitation 6. -me Appellant/s declare that the is petbd in (2) of seüa 53B of he Act. (Explain how epod perbd presa-ibed in case die appeal is preferred anet the expiry of 60 days from order/üection&cision against whiã this appeat is pteferred). In case tw .p•d bated .by läntün, be number of days of delay should be given with for cm&ndion of delay. Facts of the case TYE fads of the case ere given below : (give here a concise stabn•mt of fees in a order by ebötün of issl.es induding tte question of arising in .ped. Each should deal wit", as far as possible a separate issue.) Formulate (i) the facts in issue speMy ttE parties and (ii) summarize the questions of law hat arise in : (a) Facts in issue (b) Question of law 9. Grounds raised wiül legal provisions 10. Matters not fibd or my ot. court The appellant futüer declares that the not previously any writ petition or suit regardin the matter in respee of *ich Wore my court or any authority nor any such writ or suit is pen&v büe aty üwm. in case the appllant previously my or sun, tte stage at *ich it is pending and, if decided, the outc«ne of be .ec&d a copy of the order should also be annexed l

12. Details of interim application, if any, filed against the order of the Appellate Tribunal against the same impugned order/direction. by Respondents with numbers, dates... and interim order, if any passed in that appeal (if known)

17. Date. List of enclosures : the order appealed as communicated in original is filed ? If not, explain the reason for not filing the same. 16. Whether the appellant/s is ready to file written submissions/arguments before the first hearing after serving the copy of the same on Respondents

20. Any other relevant or material particulars/details which the appellant(s) deems necessary to set out : necessary to set out : Relief sought 21. In view of the facts mentioned in para 7 above, points in dispute and questions of law set out in Para 8, the appellant prays for the following relief (s) : (a) (b) Dated

at Counsel for Appellant(s) this day of 200 . Appellant (s) 12 THE GAERTE OF INDIA :
DCI*AORDINARY DECI-AUTON BY APPELLANT The appellant(s) above named hereby soknnty
declare (s) that nothing •material has been concealed or suppressed and further declze(s) that the
enclosures and typed set of material papers relied upon and fibd are tn.E copies of the reproduction of the
originals I true transhü tteæof. • Verified at Counsel for Appellant (s) on this at day of 200.
APPELLANT(S) (Name of the awdlant) Slo. W/o. Dlo. [indicate any one, as the case may be] in the
office of hereby verify that the contents of the paras reswent• of to my personal knowledge/derived from
record) and para working as do are true to to are believed to be true on legal advice and that I haw not
suppressed any material Date : Place : Sigruw m of or au&odzed [F. No. 1/42008-0] AVINASH K.
SRIVASTAVA, secy. Mega, Govt. of Prz. New Publi±ed by of Daly-110054.

