

## Practice Direction

Dated 01.07.2021

Regulation 11 of the Competition Commission of India (General) Regulations, 2009 provides the mechanism for signing of pleadings. This Regulation *inter alia* provides that the pleadings shall be signed by the Managing Director and in his absence, any Director, duly authorised by the Board of Directors in the case of a company.

The Commission noted the difficulties which may be faced by the parties representing companies in getting the pleadings signed by the Managing Director/Director. Accordingly, the Commission, in order to ease regulatory compliance, in the exercise of its powers conferred under Section 36 of the Act read with Regulation 54 of the General Regulations, directed that in addition to the existing modes of signing of pleadings as provided in Regulation 11 of the General Regulations, the parties shall be at liberty to sign the pleadings through any of their employees, who has been authorised by the Board or any other equivalent body to issue such authorisations on behalf of the concerned entity.

It is also clarified that this arrangement shall hold for all entities and shall not be confined to companies alone *i.e.* this dispensation shall be available to all entities irrespective of their constitution *i.e.* be it company, partnership firm, LLP *etc.*

It is, however, made clear that the authorised representative must be an employee of the entity concerned and not the specified professionals (including the counsel) in terms of Regulation 35 of the General Regulations who are authorised to appear before the Commission.

The counsel may also continue to append their signatures, if so desired, in terms of *extant* Regulation 11(3), in addition (and not in derogation) to the signatures impressed by representatives who have been authorised to sign pleadings by the entities, as explained above, and a copy of such authorisation shall also be enclosed along with the pleadings.