

GOVERNMENT OF INDIA
MINISTRY OF POWER

New Delhi, the 13th April, 2004

Notification

G.S.R. 260(E). - In exercise of powers conferred by clause (q) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003) the Central Government hereby makes the following rules, namely:-

1. Short title and commencement – (1) These rules may be called the Appellate Tribunal for Electricity (Form, Verification and the Fee for filing an appeal) Rules, 2004.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.-(1) In these rules, unless the context otherwise requires,

- (a) “Act” means the Electricity Act, 2003;
- (b) “Appellate Tribunal” means the Appellate Tribunal for Electricity established under section 110 of the Act;
- (c) “section” means a section of the Act.

(2) The words and expressions used and not defined in these rules but defined in the Act, shall have the meanings respectively assigned to them in the Act.

3. The form and verification while filing an appeal.- The form of filing an appeal under sub-section (2) of section 111 and its verification shall be in the format specified in Form appended to these rules.

4. Fee for filing an appeal.- (1) The fee accompanied with an appeal filed under sub-section (2) of section 111 shall be rupees ten thousand where the respondents are less than four and where respondents are four or more the said fee shall be increased by rupees fifty per respondent.

(2) The fee shall be deposited by demand draft in favour of Accounts Officer, Appellate Tribunal for Electricity and payable at the place of the bench of the Appellate Tribunal.

Form
(See rule 3)

IN THE APPELLATE TRIBUNAL FOR ELECTRICITY
AT NEW DELHI.

APPELLATE JURISDICTION
APPEAL NO. /YEAR

In the matter of:

A.B. (Name and Address of the generating company
or licensee or a group of consumers) ...Appellant(s)

C.D. (add description and the official or residential
Address on which the service of notices is to
be effected on the respondent or respondents.
The details of each respondent are to be given
in a chronological order) ...Respondent(s)

1. Detail of appeal:

[give the particulars of the direction, decision or order of the authority
against which the appeal is preferred].

2. Jurisdiction of the Appellate Tribunal:

The appellant declares that the subject matter of the direction, decision or
order against which he wants redressal is within the jurisdiction of the
Tribunal.

3. Limitation:

[The Appellant further declares that the appeal is within the period
specified in sub-section (2) of section 111 of the Act].

4. Facts of the case:

The facts of the case are given below:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate, issue, fact or otherwise.).

5. Ground of relief with legal provisions:

6. Details of the remedies exhausted:

The appellant declares that he has availed all the remedies available to him under the relevant provisions of the Act and rule framed thereunder.

(Give here chronologically the details of representations made and the outcome of such representations with reference to the number of annexure to be given in support thereof.)

7. Matters not previously filed or pending with any other court:

The appellant further declares that he had not previously filed any writ petition or suit regarding the matter in respect of which this appeal has been made before any court or any other authority nor any such writ petition or suit is pending before any of them.

[In case the appellant previously had filed any such writ petition or suit, the stage at which it is pending and, if decided, the list of the decisions should be given with reference to the number of annexure to be given in support thereof.].

8. Relief sought:

In view of the facts mentioned in para 4 above, the appellant prays for the following relief(s):

(Specify below the relief(s) sought explaining the grounds for such relief (s) and the legal provisions, if any, relied upon.)

9. Interim order, if any, prayed for:

Pending final decision on the application, the appellant seeks issue of the following interim order:

(Give here the nature of the interim order prayed for with reasons)

10. Details of Index:

(An Index containing the details of the documents to be relied upon is enclosed)

11. Particulars of bank draft in favour of the Accounts Officer, Appellate Tribunal in respect of the fee for appeal.

12. List of enclosures:

- 1.
- 2.
- 3.
- 4.

Verification

I.....(Name of the appellant) S/o , W/o, D/o [indicate any one, as the case may be].....age.....working as..... in the office ofresident ofdo hereby verify that the contents of the parasto.....are true to my personal knowledge (derived from official record) and para..... to..... believed to be true on legal advice and that I have not suppressed any material facts.

Date:

Place:

Signature of the appellant or authorised officer

Sd/-

(Ajay Shankar)

Joint Secretary to the Government of India

(F.No. 23/65/2003-R&R)

To

The Manager,
Government of India Press,
Mayapuri, New Delhi

