



West Bengal Electricity Regulatory Commission

FD-415A, Poura Bhawan, 3rd Floor, Sector-III

Bidhannagar, Kolkata – 700 106

Tel: (033) 2359 3397, 2189

Fax: (033) 2359 3397

Website: www.wberc.net

E-mail: wberc99@gmail.com

wberc@cal3.vsnl.net.in

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Dated : 23rd April 2014

From:

K. P. Bhar, IAS (Retd)

Secretary, W.B.E.R.C

To

The Additional Chief Secretary,

Government of West Bengal,

Department of Power & Non-conventional Energy Sources,

New Secretariat Building,

1, Kiron Sankar Roy Road,

Kolkata – 700001.

Subject : Regarding Appeal under Section 127 of the Electricity Act, 2003 against final order of assessment made by the Assessing Officer under Section 126 of the Act

Sir,

In reference to the above mentioned subject, I am directed to bring to the notice of the Government the following aspect : -

- I. Sub-Section 1 of Section 127 of the Electricity Act, 2003 (**the Act**) provides that any person aggrieved by the final order of assessment made by the Assessing Officer under Section 126 of the Act, may prefer appeal within 30 days of the said Order to the prescribed Appellate Authority.
- II. Matter relating to form of appeal petition, its verification and fees to be paid has been specified by this Commission in relevant Regulations made by the Commission. Regulation nos. 5.4 and 5.6 of West Bengal Electricity Regulatory Commission (Electricity Supply Code) Regulations 2013 (**the Supply Code Regulations**) mentioned a guideline in short for the purpose of preferring appeal under Sub-Section I of Section 127 of the Act.
- III. Notification no. 51 dated 18.02.2008 as amended from time to time, notified by the Government of West Bengal, Department of Power & NES prescribed areawise, licenseewise and voltagewise list of Appellate Authorities with address to function under Section 127 of the Act.
- IV. Of late, it has come to the notice of the Commission that many persons (electricity consumers under jurisdiction of this Commission) aggrieved by the final order of the Assessing Officer under Section 126 of the Act, find it difficult to locate the concerned Appellate Authority to whom they would prefer the appeal.

2. In view of the above, I am further directed to request that for the interest of the electricity consumers desiring to prefer an appeal under Section 127 of the Act, the Government may kindly consider to advise/instruct through the licensees, the Assessing Officers of different distribution licensees to the effect that **Assessing Officers would mention in their final order of assessment, name and/or designation along with address and telephone No. of the concerned Appellate Authority under Section 127 of the Act** as notified, so that concerned persons (electricity consumers) may file appeal petition against the said order of Assessing Officers as aforesaid.

Yours faithfully,



(K P Bhar)
Secretary

