APPELLATE TRIBUNAL FOR ELECTRICITY (PROCEDURE, FORM, FEE AND RECORD OF PROCEEDINGS) RULES, 2007

R0.FO.D.L-3N)049 Che Gazette of •tidia 261 No. PART (i) PUBIX•-IA) BY AUIYORITY 22, 2007ÄTV 2, 1928 NEW DDHI, MOM)AY, JANUARY 22, 2007MAGHA 2, 1928 22 2007 2003 (2003 36) 176 (1) 176 *rq) fiqq, 2004 37 l. (fr-qr, faq, 2007 I 2. 2003 (2003ÄT 36) 1961 (1961 (71) 113 (q) (q) 3. 212 GI/2007 (1) 2 4. 5. 6. 7. 8. 9. 10. 11. 12. : EXIRAORDNARY qgi 7TH Rfif& 3tR efi fäg orafä- f2g vrg 37EfrH 10.30 1 15 2.h5 5 00 f$-fT - (1) 10 00 dé 5 30 R&lT I (2) 10.30 5.00 - 12 åå 3%Hfä 12 3.00 I ge fäg 3 13. 14. 15. 16. 17. (T) (q) atq - &-qt 7g 3tq 3TÜrafr $1 fig Ng (mt'T*) aFq - qii 3tR 3ü$r 7Tt gtt 2.5 étÉ 5 (2) 111 (1) 121 4 18

20. THE GAZEITE OF INDIA : EXTRAORDIN ARY (5) 3#ra AT qfr<fåa (7) RfÄ (9 (q) (v) i•-fÄ--RT -$ I [PARr IPSEC.30] GIRT f&lfä. frTfrT7 (4) fäg $1 quf•q 5 21. 22. 23. 24

25. VT fizrt 3fræ zn atr • t, .r« - (1) fig vrgr t t, 3tH øtHT t tl fizi zrq€r tTTr, (2) VT grg t t qrgTT, 4.0 49 8 36. 37. 38. 39. 40. (2) IME GAETIEOF INDIA : AR Y 3ii€1 [PART qrg, öé tfh-qs VT 3.M<T t, ZIT fivelRT $1 3trq t, - Rfå afi aft; t, 8-81 a, (2) Qié 3tq 3-1ütrq-VI (45) 9 41. 42. 43. (q) (z) (q) (v) (u) (q) (9 (u) (q) tFTG; (ii) (iii) 2/2 U? C — 10 44. 45. 46

47. THE GAZETIE OF INDIA : EXTRAORDINARY 3F:q fäg 3tg (z) (q) gfrf - f?vr 125 $1 46 vrft - (1) 3Fäf frig G), fäg 11 49.50. 51. 52. 53. 54. (3) q•rt q•rtr t, graft I - 47 gg - qgt, 3ffr«reff $T erfi Trg qvf - yvntt qRv•rTR - (1) GTTg, ur 5.rRfi@, - (1) fäg 12 55. 56. 57. 58. : EXTRAORDINARY (2) 3üfh a, (4) ftut I - (1) 111 (2) 121 zæ-rf& I (2) fåqa GINT SAT, (4) fäf?d (2) arq $1 aft 3T€zrrzr-IX 3fi-åu 3Ffffä ft I 59. 60. 61. 62 63. - (1) 57 (1) (2) 10.30 tFfFT 3.00 $1 tFrfitr 10,30 12.39 2.30 4.30 erræ?T 3tR OTT 14 [PARr IPSEC. 3(i)l 64. - t. 31? 3FZ1 Rfå fif& 65. Rfå - tfå t, Nfå tfå zrr 66. - $r t, grä 3hR Q; fåfä 67. - (1) 3åq fifå tfä fift t 3fr 7TH a-q-a ot? OTT Rfä t fig t, ÜTR, i-ml fig - 68. 69. 70. 15 71. 72. 73. 74. 75. 76. 77. - 1908(1908 5) 11, 3 - $1 zrr a--rvaT artrRr t, zrr t, Rzrr t t VIII a.-rg7T 3tR $1 1908 @ßfil (2) Rig t, qTgvrr, IX g&r0, 16 78. 79. 80. 81. 82. 83. 84

85. THE GAZETIEOF : EXTRAORDINARY ur e-r«vq tR--1 7T4T t, (2) 3firåu us-a, - ft*fäa 1908 16 26 - f2Tå@i $1 - fH Qit f?kJ tt - (1) RTya-fi X (2) 3iT€1T\-iX i 17 q-rvrtl zrR q•rvfil 86.87. 88. 89. 90. 91. 92. 93. 94. 2) 2- b7i XI - (1) qgt Rig t. (2) fäg g-aTg Gt fäg q-afkT $T a.rzr - fhl 18 95. 96. 97. 98. 99

100. THE GAÆIMIEOF INDIA : EXTRAORDINARY [PART YI—SEC. (2) (4) f@ft $1 gas - (1) fäg fö;-å - (1) fib711 fib (3) 30B f) e, öé gfit@zri - cfié ag å 'AfåtQVT F; 349 yf&at - (1) 5 2.5 q-4 (30 5 21.5 - ftfå [30)] 19 101 102. 103. 104 105. 106. 107. q? 3.T$fh ya-qi (1) (3fiH) $1 (3) 3ia @TVTTI (4) frg 3(EIN-XV Giff - (1) <-vTT-XII ÄTå fig I - t-å ft-a-q (i) (iii) (v) (vii) (viii) (ix) (x) (xi) (xii) (xiii) EXTRAORDINARY 111 (2) zrr 10,000 VO 121 fig fäg fäg 1 , 00, 000/-Röq-g 30, 000/-?öq-g 5, 000/-*iq-g 3, 000/-Vjq-g 3, 1 , 000/-vr;qg 25 /-V;qg 25 2, 000/*itAT 500/•-qg 25/-v;qg 21 1. 2. 3. RY-I 20 2003 111 1 2 200 2003 3TT&T) 2003 (ii) (iii) 2 4. 5. 6. 7. 8. (iv) (v) (i) (ii) (iii) (iv) (v) THE INDIA : giu, [PART 11—Sæ. i)) K+-TN 3#r€T2fi/3Tfrd12tT 111 vg- 45 t) I (p-gt ltfå I q-gi (i) fäÄT< (ii) 9. 10. 11. 12. 13. 14. 15. 16. qvä. fäg $1 1. 2. 3. 4. 24 17. 18. 19. 20

21. THE INDIA : 3#röTT2ff/VäT aft t-q-r-q 7 8 itfå gg (3%åÄä) fäg 200 [PARE II—SÆ. 3(i)] (9 (71) d2ZT EåTTUTI etA7JTIAi) fåg 25 ----(3TtftaT2ff 20 2€) 2003 $1 200 W/ 121 3åg 2 12 1. 2. 3. 4. 5. 6. 7. 8. 9

10. GAZETTE OF : EXTRAORDINARY 31fåQ5TO 121 -$1 79--TT FT2frT 2003 fifÄ ft-fifi 2.27 11. 12. 13. 14. 1. 2. 3. Hi-rn . (75) (O 200 -g-q-q-ö t 200 (31*fTf3i) 200 GAZETIEOF INDIA : EXTRAORDINARY 111 20 qV@) 200 200 Niu - 200 2. 3. 4. zrg 200 [PAKI* II—SEC. 3(i)] 1. 2. 3

4. NEGAÆVIEOF INDIA : EXTRAORDINARY 3Kå-IV 22 üü) (q€ 200 (ii) (iii) 31 5.: fig fig aff ...200. 200 THE GAÆI*IEOF INDIA: EXIRAORDINARY R'q-v 57 üü) 57 Gg -$1 fä-g 1. 2. 3. 4. 5. 6. 7. Q5TVJT 091 3ßfå -61-(3-0 -RI 3 atr tl a Lat n-IEGA&TIEOF INDIA : EXTRAORDINARY 67 [PAKr 3(i 200 fifi Ng frg I 5 qtTT IPAXT 200 - IT-IEGAENEOF : EXTRAORDINARY 70 - OTttra/3Tüff/ q-dT) (3fiXTTe?r - 200 zrq) ZRT) EXTRAORDINARY 73 üÜ) 77 üü) 2003 120 fäg OTTt111—os3 i 1. 2. 3. 4. 5. 6. 7. 9 gRut (31ü@fh R-«r) 4) XI (Rug 87 Q) *o... 200 qüT/.. •mn--oz i INDIA: EXTRAORDINARY MINISI'RY OF IOWER NOTIFICATK)N New Delhi, the 22ndJanuary, 2007 G.S.R. 33(E). —In exercise

of the powers conferred by sub-section (l) of section 176 and (z) of sub-section (2) of section 176 of the Electricity Act, 2003 (36 of 2003) and in supersession of the Appellate Tribunal for Electricity (Form, Verification and fee for filing an appeal) Rules, 2004, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the foliowing rules, namely:- 1. 2

3. Short title and commencement.- (l)These rules may be called the Appellate Tribunal for Electricity (Procedure, Form, Fee and Record of Proceedings) Rules, 2007 (2)They shall come into force on the date of their publication in the Official Gazette. Definitions.— In these rules, unless the context otherwise requires,- (a) (b) (c) (d) (e) (f) (g) (h) (i) (j) "Act" means the Electricity Act, 2003 (36 of 2003); "Advocate" means a person who is entitled to practice the profession of law under the Advocates Act, 1961 (25 of 1961) ; 'Chairperson" means the Chairperson of the Appellate Tribunal appointed under sub-section (2) of section 1 13 of the Act; "Member means", Members of the Tribunal appointed under sub-section (3) of section 1 13 of the Act; "Interlocutory Application" means an application in any appeal or original petition on proceeding already instituted in the Tribunal, but not being a proceeding for execution of the order or direction of Tribunal; "Registrar" means, the Registrar of the Tribunal and includes any other officer or staff member of the Tribunal to whom the Power and functions of the Registrar may be delegated or assigned or who is authorized to act as such by the Chairperson from time to time; "Registry" means the Registry of the Tribunal; "Tribunal" means the Appellate Tribunal for Electricity established under section 110 of the Act; "Section" means a section of the Act; The words and expressions used herein and not defined, but defined in the Act, shall have the meanings respectively assigned to them in the Act. Computation of time period.- Where a period is prescribed by the Act and these rules or under any other law or is fixed by the Tribunal for doing any act, in computing the time, the day from which the said period is to be reckoned shall be excluded, and if the last day expires on a day when the offce of the Tribunal is closed, that day and any succeeding days on which the Tribunal remains closed shall also be excluded. Forms.- The forms prescribed by these rules with such modifications or variations as the 4. circumstances of each case may require shall be used for the purpose mentioned therein and where no

form is prescribed to cover a contingency, a form as may be approved by the Registrar, shall be used,

5. Format of order or direcdor or rule.- Every rule, dire&t, oret, surnmons, warrant Of obet mandatory process shall be issued in the name of the Chairperson and shall be sig•ed by the Reiüar any other offcer specifically authorized in that behalf by åe ChairperSon, Witt-ffe day, monå nd yer of signing and shall be sealed wiå the seal of the Tribunal 6. om&l sal of tbe Tribunal.- The offcial seal of Tribunal shall" be st*t, as the may from time to time speci$' and -shall be in the custody Of dE Custody of the records.- The Registrar shall have custody of the records of the Tribunal and no record or document filed in any cause or matter shall be allowed to be out of fie euno$' of öe Tribunal without ffe leave ofåe Tribunal. Provided a member of tie est±lishmentvwiå prior-written approval Of the Registrar may rémösee any offcial paper or record for offcial purposes from the Tribunal

8. Sitdng hours of the Tribunal.- ne sitting hours of tte Tribunal shall ordinarily from -10.30 AM. to 1.15 P.M. and from 2.15 P.M. to 5.00 p.m. subject to any order made by the Chairperso«and fiiS will not disa>le the Bench of the Tribunal to extend its sitting as it deems fit

9. Warki% hours of the Tribunal.-(l) The omce of the Tribunal shall remain open on all working days from 10.00 A.M. to 5.30 P.M. (2) The Filing Counter ofåe Registry shall be open on all working days from 10.30 AM to 5.00 P.M. IO. Calender.- The Calendu of days of wating of Tribunal in a year be decided by thé Chairperson and Members of åe Tribunal. I l. Motion cases.- All urgent before 12 noon shall be listed before the Tribunal on fre following working day; if it is complete in all respects as pmvided in frese rules and in cases$it may received after 12 noon but before 3.DO P.M. for listing on the following day, with the specific permission of the Tribunal or Chairperson. Power to exempt.- The Tribunal may on suffcient cause being shown, exempt the petties from' 12. compliance with any requirement of these rules and may give such directions in matters of pzetice and procedure, as it may consider just and expedient on the application moved in fis. behetf to render substantial justice. Power to extend time.- The Tribunal may extend the time appointed by rules-or fixed by 13. any order, for doing any aotor taking any proceeding, upon such terns, if any, as may require, and any enlargement may be ordered, althoU$1 the application therefore ts bntil the expiration of the time appointed or allowed. CHAPTER-n POWERS OF THE REGISTRAR Powers and functions of the Registrar.- The Registrar shall have thé following powers and functions, namely:- (a) registration of appeals, petitions and applications; to receive applications for amendment of appeal •or petition or appliégtion or (b) subsequent proceedings. (c) to receive applications for fresh summons or notices and reprding eriiees diereof; (O (g) (k) to receive *cations fredi summms or notice and for short date summ«u and to receive applications for substituted service of summons or nc*ices; to receive foc seeking orders concerning the uimission md inspection of docunents; træmissjoa of a direction/ order to the civil court as directed by Tribunal wiå the prescribed certificate(s) for exewtion etc; and such other incidental/matters AS the Chairperson may direct from time to time

15. All bdjoumments shall normally be sought before the concerned bench in extraordinary circumstances, the Registrar may, if so directed by the Tribunal in chambers, at my time adjourn any matter and lay the same before the Tribunal in chambers.16. powers of-Oe Chairperson.- The Chairperson may assign or delegate to a Deputy ot any other suitable officer all or some of the functions required by these rules to be exercised by R"iärar CHAPTER-III "*ASTITUTION OF PROCEEDINGS/PETITION/APPEALS ETC. 17. for proceedings. -(1) Every appeal or petition or application or caveat petition or oWimorcounter presented to the Tribunal shall be in English and in case it is in some other Indian itAall be accompanied by a copy translated in English and shall be fairly and legibly type written, •lithographed or primed in double spacing on one side of standard petition paper with an inner mugin ofabout four centimeters width on top and with a right margin of 2.5 cm, and left margin of 5 cm, duly paginated, indexed and stitched together in paper book form; (2) The cause title shall state "In the Appellate Triburial For Electricity" and shall specifr the jurisdiction Appellate, Original or Special Original respectively under section 111(1) and section 121 of the Actin which it is presented and also set out the proceedings or order of the authority against which it is I or petition or application or counter or objections shall be divided into paragraphs and shall (3) be numbered consecutively end each paragraph shall contain as nearly as may be, a separate fut or alWion or point. (4) Where Saka or other dates are used, corresponding dates of Gregorian Calendar shall also be given. (5) Full name, parentage.•description of each party and address and in case a party sues or being sued h.' GF'suuative character, shall also be set

out at the beginning of the appeal or petition or application not be repeated. in the subsequent proceedings in the same appeal or petition or application. (6) names of parties shall benumbered consecutively and a separate line should be allotted to the —unend description of each party. These numbers shall not be changed and in the event of the death of a during the pendency of the appeal or petition or matter, his legal heirs or representative, as the case nay be, if more than one shall be shown by sub-numbers. Where fresh parties are brought in, they may be numbend consecutively in the particular category, in which they are brought in. (7) Every proceeding shall state immediately after the cause title the provision of law under which it is ta ..hdic•lars to be set out in the address service.- The address for service of summons shall be every appeal or petition or application or caveat on behalf of a party and shall as far as possible followU1g items namely:- •ut(a) the name of the road, street, lane and Municipal Division/Ward, Municipal Door and other number of the house; Wi(b) the name of the town or village; (c) PIN C.&. and (d) uy odErpaRicular neeury'to i the n:mber, mobile —be a&eg, (fmy

19. Every interlineation; eraser or •corection or in any .eal or petitim or •eplication or shall be. die party or -his .nt presenting it. 20. P—todon (l) Every l, ption, caveat, and documents shall be presented in triplicate by tie appellant or or die cue may in•p€ßon or by his or by an duly appoed in Eblf in the prescribed form withßti*ed fee theflling non gomßliarwe of 4iis may coo—g a valid ground to refuse to entertain the same. (2) Every appeal Of shall be accompanied by a•cenifiedcopy (3) All uch documents filed igthe Triunal shall oecompmied by an index in their detaik md the amount of fee paid thereon. (4) Suffcieatoumberofcopiesofthe appeal or petitionoc am>licatioo shall also on the opposite patty ag In the E*nding matters, all applications shall be presented after serving Oereof in •aymce (5) on the opposite side or his/her advocate on record. (6) fee by •the rules. with required number of of size and notice Brms as pmscribed •longwi± mefnømndumof appeal 2b. a*iant file threenebentieabd•eopies of.— pctitim or pplicatioa or —er be, and sigil dekwt toeach of,the opposite 22. .(l) The loe caveat in •ppeal peti€oa may this by.aying a copy by:; registeted g)St or serving the.ume oa e.eeed petmner —d caveat in

form contain suchduilB anåpttiedus of authority apiast who* directions the appeal or is being instituted by the e.æted appellant with full address for service moth< aide, Qpeal pæmøuld be served befor the appeal or ptition or inwim is up: diis will not of —imodcts in cae of urFcy. (2) Thecaveat shall remain valid for a priöd ofninetydays from dde of iB fiUing

23. At tW60t of mery appou die and iftany.of the senior Every party in the manner provided by these rules. 24. A, document bth« thm • hgiishlangwæ Oa ba in any proceeding befre thoi*late Tribuul by Regisry a cow in English, whk:h is aged to. W. boå to •nm•dvoute engaged behalf of parties in thecæe Of by any other counsel epæed in the case •authenticates such certificate or prepared by a for Regis&ar on paymem of such charges as he may order. (2) petäioo or will not be set down for hearing unut uless all paties confirm that all the documents filed on which they intend to rely. in English or hwebeen English and are filed into Tribunal THE INDIA : Y 11—sæ.301 25. Endorsement and scrutiny of petition or appeal or document.-(l) The person in charge of the filing-counter shall immediately on receipt of petition or appeal Or application or document affix the date stamp of Tribunal thereon and also on the additional copies of the index and return the acknowledgement to the party and he shall also affix his initials on the stamp affixed on the first page of the copies and enter the particulars of all such documents in the register after daily filing and assign a diary number which shall be entered below the date stamp and thereafter cause it to be sent for scrutiny. (2) If, on scrutiny, the appeal or petition or application or document. is found to be defective, such document shall, After notice to the party, be retumed for compliance and if there is a failure to comply within seven days from the date of return, the same shall be placed before the Registrar who may pass appropriate orders. (3) The Registrar may for sufficient cause return the said document for rectification or amendment to the party filing the same, and for this purpose may allow to the party concerned such reasonable time as he may consider necessary or extend the time for compliance. (4) Where the party fails to take any step for the removal of the defect within the time fixed for the same, the Registrar may, for reasons to be recorded in writing, decline to register the pleading or document

26. Registration of proceedings admitted.- On admission of appeal or petition or caveat or application, the same shall be numbered and registered in the appropriate register maintained in this behalf and its number shall be entered therein

27. Exparte amendments.- In every appeal or petition or application, arithmetical, grammatical, clerical and such other errors may be rectified on the orders of the Registrar without notice to Parties

28. Calling for records.- On the admission of appeal or petition or application the Registrar Shall, if so directed by the Tribunal, call for the records relating to the proceedings from the respective Commission- or adjudicating authority and retransmit the same at the conclusion of the proceedings or at any time. Production of authorization for and on behalf of an association.- Where an appeal or 29. application or petition or other proceeding purported to be instituted by or on behalf of an association, the person or persons who sign (s) or verify(ies) the same shall produce along with such application, for verification by the Registry, a true copy of the resolution of the association empowering such person(s) to do so: Provided that the Registrar may at any time call upon the party to produce such further materials as he deems fit for satisfying himself about due authorization: Provided further that it shall set out the list of members for whose benefit the proceedings are instituted. Interlocutory applications.- Every Inter-locutory application for stay, direction, condonation of 30. delay, exemption from production of copy of order appealed against or extension of time prayed for in pending matters shall be in prescribed form and the requirements prescribed in that behalf shall be complied with by the applicant, besides filing a affidavit supporting the application. 31. Pröcedure on production of defaced, torn or damaged documents.- When a document produced along with any pleading appears to be defaced, torn, or in any way damaged or otherwise its condition or appearance requires special notice, a mention regarding its condition and appearance shall be made by the party producing the same in the Index of such a pleading and the same shall be verified and initialed by the officer authorized to receive the same. 47 CHAPTER IV CAUSE LIST 32. Prepamd0D and publication of daily cause list.- (l) The Registry shall publish on the Notice Board of the Registry before the closing of working on each working day the cause list for the next working day and subject to the directions of the.Chairperson, listing. of cases in the Daily Cause List shall be in the following order of priority, unless otherwiseordered by the concerned Bench; namely;- a) cases for of orders"; b) cases for "clarification"; c) cases for "admission"; d) cases for "orders or directions"; e) part-heard cases, latest part-

heard having precedence;and f) cases posted as per numerical order or as directed by the Bench; (2) ne title of åe daily •cause list shall consist of the number ofthe appeal or petition, the day, date and time of the court siting, court hall number and the coram indicating the names of the Chairpæson, Jbdicial memba and Technical constituting the Bench. (3) Against ffe number of ewh case listed in the daily cause list, the following shall be shown, namely;- (a) names of the Egal FEtitioners for both sides and Etingout in brackets die rank of the parties whom they répr€*ent; (b) mmeg of the parties, if unrepresented, with their rmks in brukets. (4) The objections and directions, if any, of the Registry shall be briefly indicated in the daily cause list in remarks' column, whenever compliance:is.required

33. Carry forward of cause and adjournmeit of case on account ornon sitting of a Bench.- (l) If by reason of declaration df holiday or for any other unforeseen reason; the Beach does nm åe day, the Daily Cause List for that day shall, unless otherwise dfrected, be treated as the Daily Cause List for the nexi working day in addition to the cases posted for that day. (2) Whm sitting ofa particular Bench is cancelled for the reason of inability of Member(s) of the Bench, Reginmr ±ali. unlws otherwise directed, adjourn the cases posted before that to a convenient or posting or directions shall be notified on the Notice Board cumpR-v RECORD OF PROCEEDEGS 34. Diariz- Diaries shall be kept by the clerk-in-charge in such form as may be prescribed in each appeal petition or application and they shall be written legibly. The diary in the main file shall contain a concise history of the appeal or petition or application, the subsunce of the order(s) p.ssed thereon and in execution proc&dings it shall contain a complete record of all proceedings in execution of order or direction or rule and shall be checked by the Deputy Registrar and initialed once in a fortnight

35. Order sheet- (1) Order shall be maintained in every proceedings and shall contain all orders passed by the Tribunal from time to time .(2) All orders passed by Tribunal shall be in English and the same shall be signed by the members of the Tribunal the Bench: Provided thn the routine orders, such as call for of the records, put up with records, adjourned and any Odier oræt as may be directed by the of die Tribunal shall be signed by the Court Master. (3) The order sheet shall also contain the reference number of the appeal or petition or application, date of order md all incidental details including short causetitle thereof. THEGAm'1EOF INDIA : EX'*IRAORDINARY 36. Maintenance of court diary.- (l) The Court Master of the Bench concerned shall maintain legibly a Court Diary, wherein he shall record the proceedings of the court for each sitting with respect to the applications or petitions or appeals listed in the daily cause list. (2) 'Ihe matters to be recorded in the Court Diary 'hall include details as to whether the case is adjoumed, orpart-heard or heard and disposed of or heard and orders reserved, as the case may be, along with of next sitting wherever applicable

37. Statute or citations for reference.- The parties or legal practitioners shall, before the commencement of the proceedings for the day, furnish to the Court Master a list of law journals, repons, staMOS and Gher citations, which may be needed for reference or xerox copy of full text thereof

38. Calli* of cases in court.- Subject to the orders of the Bench, the Court Master shall call the cases in the cause list in the serial order

39. Rqe"on ofcourt work.- (l) When the Tribunal is holding a sitting, the Deputy Registrar shall insure :- (a) that no inconvenience or wastage of time is caused to the Bench in making ayailable the services of Court Master or Stenographer or peon or attender; (b) the Court Master shall ensure that perfect silence is maintained in and around the Court Hall and no disturbance whatsoever is caused to the functioning of the Bench and that porr cue is taken to maintain dignity and decorum of the court. (2) Whenthe Bench passes order or issues directions, the Court Master shall ensure that the records of case along with proceedings or orders of the Bench are transmitted immediately to the Registry and the Registy shall veri$' the case records received from the Court Master with reference to the cause list and take immediate steps to communicate the directions or orders of the Bench. cHAY1'ER MAINTENANCE OF REGISTERS 40. to be mainuieed.- The following Registers shall be maintained and posted on a day to day basis by Registry of the Tribunal by such ministerial offcer or offcers as the Registrar may, subject to ny Oder of the Chairperson, direct:- a) b) c) d) e) g) Register of Appeals; Register of Petitions; Register of original Petitions; Reginerof original special Petitions; Register of unnumbered Petitions or Appeals; Register of Caveats lodged; and Register of Inrerlætdory Applications; 41. of records in pending matten.— lhe record of appeal or petition shall be divided into 61BN'ing four parts and shall be collated and maintained. (a)

Main file : (Appeal or Petition being kept separately); (b) Miscellaneous application file; (c) Process file; and (d) Execution file 42. Conte* of main me.- The main file shall be kept in the following order and it shall be mainuined ag permanent record till ordered to be destroyed under the rules:- (a) (b) Index; Order sheet; (c) (d) (e) (O (g) Final order or judgement; Memo of appeal or petition as åe case may be together with my sct»dule annexed thereto; Counter or reply or objection, if any, (i) Oral evidence or proof of affidavit (ii) Evidence taken on commission; and (iii) Documentary evidence. Written arguments. 43

44. Conteno of process me.- The process file shall conuin the following items; namely,- a. b. c. d. e. index; powers of attomey or summons and other processes and affdaviB relating thQ0f; applications for summoning witness; letters calling and all other miscellaneous papers such as postal acknowledgements Executionfile.- ne execution file shall contain the following items, namely,• a. b. c. d. e. index; the order sheet; the execution application; all processes and other papers 9'ith such execution transmission of order to civil court, if ordered; and result of execution; File for miscellaneous applications.- For all miscellaneous applications bere may only one file with a title page prefixed to it and immediately after the title page, tie diary, tir miwellaneous applications, supporting affidavit, the order sheet and all other documents shall be filed

46. Detrucüon of r«ord.- Record tribunal, except permment record, shall be to be destroyed by the Registrar or Registrar after six years from the final conclusion of the and if any appeal is filed section 125 of the•Act, the same shall be destroyed after 0b'htlHi Fior order of the Chairperson. For purpose of Rule 46 Pamanent record shall inchde order; appeal register, petition such other record as may be ordered to be included by the Chairperson. CHAPTER-VU SERVICE OF PROCESS / APPEARANCE OF RESPONDENTS AND OBJECTONS 47. Igueof notice.- (l) Where notice of an appeal or petition for or inter•locutory *cation is issued by the Tribunal, copies of the same, the affidavit in support theE0f and if so ordered by the Tribunal the copy of other documents flEd åerewith, if any, shall be served along with thenotice on the other side. (2) The aforesaid Copies shall show the of presentation of the appeal or petition orinter- locutory application and the name of the advocate, Nif any, of such party with his address for grvice and the interim order, if any, made thereon. (3) The Tribunal may order for issuing notice in apptoyiate cases and also permit the party eoncemed for service of said notice on the other side by Dasti and in sucö case, deliver notice to such and it is for s&ch party to file affidavit of service with proof. (4) Acknowledgement the date fixed for retum THE GAZETTEOF EXTRAORDINARY 11—Sw.30)] 48. Summons.- Whenever summons or notice is ordered by private service, the appellant or applicant or petitioner as the case may be, unless already served on the other side in shall arrange to serve the copy of ail appeals or petitions or applications by registered post or courier service and file affidavit of service with its proof of acknowledgement before the date fixed for hearing

49. Steps for issue of fresh notice.- If any notice is returned unserved in the circumstances not specified in rule 47, that fact and the reason. thereof shall be notified immediately on the notice board of the Registry. The applicant or petitioner or his advocate shall within seven days from the date of such notification take steps to serve the notice afresh

50. Consequence of failure to take steps for issue of fresh notice.- Where, after a summon has been issued to the other side, and returned unserved, and the applicant or petitioner or appellant, as the case may be, fails to take necessary' steps within a period as ordered by the Tribuna! from the date of return of the notice on the respondent(s). the Registrar shall post the case before the Bench for further directions or for dismissal for non prosecution

51. Entries regarding service of notice or process.- The Judicial Branch of the Registry shall record in the column in the order sheet "Notes of the Registry", the details regarding completion of service of notice on the-respondents, such as date of issue of notice, date of service, date of return of notice, if unserved, steps taken for issuing fresh notice and date of completion of services etc

52. Default of appearance of respondent and consequences.- Where the respondent, despite effective service of summons or notice on him does not appear before the date fixed for hearing, the Tribunal may proceed to hear the appeal or application or petition exparte and pass final order on merits. Provided that it is open to the Tribunal to seek the assistance of any counsel as it deems fit in case the matter involves intricate and substantial questions of law having wide ramifications. (I) The respondent, if so directed, 53. Filing of objections by respondent, form and conseq uences.- shall file objections or counter within the

time allowed by the Tribunal. The objections or counter shall be verified as an appeal or petition and wherever new facts are sought to be introduced with the leave of the Tribunal for the first time, the same shall be affirmed by a supporting affidavit. The respondent, if permitted to file objections or counter in any proceeding Shal) also file three (2) copies thereof after serving copies of the same on the appellant or petitioner or their Counsel on record or authorized representative, as the case may be. (l) When the Tribunal is closed for vacation, Sitting of vacation Bench and posting of cases.- 54. the vacation Bench shall sit dn such days as may be specified by Chairperson or in his absence the seniormost member available, (2) During the vacation, only the matters which are required to be immediately or promptly dealt with, shall be received in the Registry and the Registrar on being satisfied about the urgency, shall order registration and posting of such cases. Inspection of records may be permitted during the vacation according to the rules. (3) (4) Certified copies may also be supplied during the vacation according to the rules. (5) Nothing in this rules shall disable vacation Bench from taking the appeal or petition for final hearing, if so directed b" Bench

CHAPTER VIII FEE ON 1'€TiTION / APPEAL, PROCESS FEE AND AWARD OF COSTS Fee for filing appeal or petition either under sub- Fee payable on appcai or petition etc.- (l) 55. section(2) of section ! il or section 121, interlocutory application. application, enclosures or annexures, lodging caveat and process fee shall bc, as prescribed in the Schedule of fee appended to these rules. The fee and process fee shall be deposited by separate demand draft favouring the Pay and (2) Accounts Officer, Mitiis!ry of Power payable at New Delhi. 51 The Tribunal may, to advance the cause of justice and in suitable cases, waive payment of such fee or portion thereof, taking into consideration the economic qondition or indigent circumstances of the petitioner or appellant or applicant or such other reason, as the Cage may be. (4) The Central Government shall review the fee prescribed for various purposes after every two years and the Schedule of fee may be amended by a notification

56. Award of costs in the proceedings.z (l) Whenever the Tribunal deems fit, ft may award cost for meeting the legal expenses of the respondent of defaulting party. (2) The Tribunal may in suitable cases diéect appellant or respondent to bear the cost of •litigätion of the other side, and in case of abuse of process of court, impose exemplary costs on defaulting party

CHAPTER IX INSPECTION OF RÉCÖRD 57. Inspection of the records.- (1) The parties to any case or their counsel may be allowed toins>ect the record of the case by making an application in writing to the Registrar and fee prescribed-therefin. (2) Subject to such terms and conditions as may be prescribed by the Chairperson by a general.or special order, a person who is not a party to the proceeding, may also be allowed to inspect the proceedings after obtaining the permission of the Registrar in writing

58. Grant of inspection.- Inspection of records of a pending or decided case before the Tribunal shall be allowed only on the order of the Registrar. Application for grant of inspection.- (I) Application for inspeétion of record uhder sub- 59. rule (l) and (2) of rule 57, shall be in the form prescribed and presented at the filihg count# of the Registry between 10.30 AM and 3.00 PM oh any working day and two days before he date on which inspection is sought, unless otherwise permitted by the Registrar. (2) The Registry shall submit the application with its remark; before the Registrar, who shall on consideration of the same, pass appropriate orders, Inspection of records of a pending case shall not ordinarily be permitted on the date C•xed for (3) hearing of the case or on the preceding day

60. Fee payable for inspection.- Fee as given in the Schedule of the fees amxnded to these rules Shall be payable by way of Demand Draft or Indian Postal Order to-be drawn in favour of the and Accounts Officer, Ministry of Power, New Delhi on any application for inspection of records ofa pend-ng or decided 61. Mode of inspection.- (l) On grant of permission for inspection of the records, the Deputy Registrar shall arrange to procure the records of the case and allow inspection of such records on the date and time fixed by the Registrar between 10.30 AM and 12.30 PM and between 2.30 PM and 4.30 PM in the immediate presence of an officer authorized in tlEt behalf. The person inspecting the records shall not in any manner cause dislocation, mutilation, tampering (2) or damage to the records in the course of inspection. (3) The person inspecting the records shall not make any marking on any record or paper so inspected and taking notes, if any, of the documents or records inspected may be done Oni" in pencil. (4) The person supervising •the inspection, may at any time prohibit fprther inspection, if in .his opinion, any of the records are likely•to be damaged in the process of inspection or the person inspecting the records

has violated or attempted to Violate the provisions of these rules and shall make a report about the matter to the Registrar and seek further orders from the Registrar and,such notes Shal} be made in column (8) of the Inspection Register

62. Maintenance of register of inspection.- The Deputy Registrar shall cause to maintain a Register for the purpose of inspection of documents or records and shall obtain therein the signature of the person making such inspection on the Register as well as on the application on the conclusion of inspection. 3(i)] CHAPTER X APPEARANCE OF LEGAL PRACTITIONER Appearance of legal practidoners.- Subject to as hereinafter provided, no legal practitioner shall be entitled to appear and act, in any proceeding before the Tribunal unless he files into Tribunal a in tie prescribed

form duly executed by or on t*half of the party for whom he appears. No—indon or engagement of another legal practitioner.- Where a legal practitioner who has filed be Vakalatnama engages or nominates another legal practitioner to appear and argue his client's case but not to for the client, the Tribunal may permit such other legal practitioner to appear and argue on an oml requeÄ being made before commencement of the proceedings. 6S. Consent. for engaging another legal praeddoner.-: A legal practitioner proposing to file a Vüaltmama in any pending case or proceeding before the Tribunal in which there is already a legal on record, shall do so only with the written consent of the legal practitioner on record or when such consent is refused, with the permission of the' Tribunal after revocation of Vakalatnama on an applic8ion in this behalf, which shall receive consideration only after service of such application on be counsel already on record. Restdedons on appearance.- A legal practitioner who has tendered advice in connection with the innitution of any case or other proceeding before the Tribunal or has drawn pleadings in connection with my uch matter or has during the progress of any such matter acted for a party, shall not, appear in such case or proceeding or other matter arising therefrom in any •matter connected therewith for any person wbose interest is opposed to tiat of his former client; except with the prior permission of the Tribunal. Form and execution of Vakalatnama.- (l) Every Vakalatnama authorizing a legal practitioner to and act shall be in {he prescribed Form and the name of the legal practitioner so appointed shall be inseted in the Vakalatnama before it is executed and it shall be dated at the time of its execution and and its execution shall be attested by an advocate or notary or a gazetted officer serving in connection with the affairs G? the Union or of any State in India or a legal practitioner other than the legal prsctitioner accepting the Vakalatnama. (2) The authority attesting the Vakalatnama under sub rule (l) shall certify that it has been duly executed in his presence and subscribe his signature giving his name and designation. Attestation shall be mü only after the name of the legal practitioner is inserted in the Vakalatnama before its execution. Wben a Vakalatnama is executed by a party who appears to be illiterate, blind or not acquainted with the language of the Vakalamama, the attestor shall certify that the Vakalatnama was read, translated and *ined in his presence to executant, in the language known to such executant, that he seemed to it and that he sigted or affxed his thumb mark in his presence with full knowledge and uaÖeMmding. (3) Every Vakalatnama shall contain an endorsement of acceptance by the legal practitioner in whose favour it is executed and shall also bear his address for service and if the Vakalatnama is in favour of more enn one practitioner, it shall be signed and accepted by all of them, giving the address for service of uy one of them. g. Restriction on party's right to be heard.- The party who has engaged ä legal practitioner to »pear6r. him before the Tribunal shall not be entitled to be heard in person unless permitted by the Trbtmal'. h&sional dress for the advocate.- While appearing before the Tribunal, the Advocate shall professk aal dress as prescribed for appearance before the Court or wear a coat with a tie or CHAPTER AFFDA.VITS 70. Tide of amdavib.- Every affdavit shall be titled as "In the Appellate Tribunal for Electricity." followed tie cause title Of the application orothet proceeding in 'Whim ttE •iS sougt to Wusd 11. Fom and of tbe amdavit.- The affidavit shall conform to the requirements of order XIX, rule 3 of Civil Procedure Code, 1908 (5 of 1908)

72. Penong authorized to attest.- A fid w i ts shall be swom or affirmed before any J udiciat Magime or Civil judge or Registrar and Deputy Regimr of the Tribunal or Notary or District Registrar or Sub-Registrar, who shall affx his official seal or åe Officer of any civil or criminal court in state or any 73. Aßdavtu of illiteratewbå•d penons.- Where an affdavit is sworn or affrmed h' any person who appas to Willitrate, blind or the laa'guae in Whi&åe is tW8Üestor slnli ca€$•' the wasread, OT him or his to ete depment and he to undasund its-nd kissiputure or mrk in the of Ofe attator in Fcrm No. vm. '4. of d •po•ent.• If the is. not known to the atestor, his be tenfied by a person known to him and the person identi&ing shall affx his signature in token thereof IS. Anyxer— to tbe amdavit- mcument accompanying an affdavit shall be referred to therein as Annexure number and the shall make the endorsement thereon that tbik is the document marked puting Ann«ure in aff&viL ne aneor shall sign therein shall -mention the name and his designation. CHAPTER m AND ETUH OF 76. for producdon of otherwise provided hera*, discovery or production and retum of documents shall be regulated by the provisions of the' of Civil Procedure, 1908. (fj Ai appbcdion tor summms to prauce shall be plain paper setting out poductioe of which is sought, the relevancy of die deument€ •nd ' case die of a certified copy would serve the purpose, whether application was made to the propr omcer and the result å«eof. (3) A summons for production of documents in the cugody ofa public officer oth« than a court shall be Fcym• No. IX and shall be to of

i>puünent or Other authority as may specified TribmaL '1. Seo summoning of Notwiåstanding anythi9g conuined in these rules, the Tribunal may, suo motu, issue of or ether in a public officer

18. Marungof&umeno.- (l)The documents When produced Shall Gtlasvs : (a) If relied upon by the appellant's or petitioner's side, they shall be numbered as 'A' *ties, (b) If relied upon by the respondent's side, they shall be marked as 'B' series. (e)The Tribunal exhibits shall be marked as 'C' series INDIA: EXTRAORDINARY 11—Sæ, 30) (2) The Tribunal may direct the applicant to deposit in Tribunal by way of Demand Draft or Indian Postal Order drawn in favour of the Pay and Accounts Officer, Ministry of Power, New Delhi, a sum sufficient to defray the expenses for transmission of the records before the summons is issued

79. Return and transmission of documents.- (l) An application for return of the documents produced shall be numbered. No such application shall be entertained after the destruction of the records. (2) The Tribunal may, at any time, direct return of documents produced subject to such conditions as it deems fit. CHAPTER xm EXAMr€ATION OF WITNESSES AND ISSUE OF COMMISSIONS 80. Procedure for examination of witnesses, issue of Commissions.- The provisions of the Orders XVI and XXVI of the Code of Civil Procedure, 1908, shall mutatis mutandis apply in the matter of summoning and enforcing attendance of any person and examining him on oath and issuing commission for the examination of witnesses or for production of documents

81. Examination in camera.- The Tribunal may in its discretion examine any witness in camera 82 Form of oath or affirmation to witness.- Oath shall be administered to a witness in the following form : " I do swear in the name of God/solemnly affirm that what I shall state shall be truth, the whole truth and nothing but the truth"

83. Form of oath or affirmation to interpreter.- Oath or solemn affirmation shall be administered to the Interpreter in the following form before his assistance is taken for examining a witness : do swear in the name of God/solemnly affirm that I will faithfully and truly interpret and explain all questions put to and evidenee given by witness and translate correctly and accurately all documents given to me for translation." 84. Officer to administer oath.- The oath or affrmation shall be administered by the Court Offcer or the Commissioner of Oaths

85. Form recording of deposition.- No. X (l) The Deposition of a witness shall be recorded in Form (2) Each page of the deposition shall be initialed by the Members constituting the Bench. Corrections, if any, pointed out by the witness may, if the Bench/Commissioner is satisfied; be (3) carried out and duly initialled. If not satisfied, a note to the effect be appended at the bottom of the deposition. Numbering of witnesses.- The witnesses called by' the applicant or petitioner shall be 86. numbered consecutively as P Ws and those by the respondents as RWs

Form No. Xl by the Registrar

88. Witness batta payable.- (l) Where the Tribunal issues summons to a Government servant to give evidence or to produce documents. the person so summoned may draw from the Government traveling and daily allowances admissible to him as per rules. (2) Where there is no provision for payment of TA and DA by the employer to the person summoned to give evidence or to produce documents, he shall be entitled,to be paid as batta, (a sum found by the Registrar sufficient to defray the traveling and other expenses), having regard to the status and position of the witness. The party applying for the summons shall deposit with the Registrar the amount of batta as estimated by the Registrar well before the summons is issued. If the witness is summoned as a court witness, the amount estimated by the Registrar shall be paid as per the directions of the Tribunal. (3) The aforesaid provisions would govern the payment of batta to the interpreter as well

89. Records to be furnished to the commissioner.' The Commissioner shall; be furnished by the Tribunal with such of the records of the case as the Tribunal considers necessary for executing the Commission. Original documents will be furnished only if a copy does not serve the purpose or cannot be obtained without unreasonable expense or delay. Delivery and return of records shall . be made under proper acknowledgement

90. Taking of specimen handwriting, signature etc..-The Commissioner may, if necessary, take specimen of the handwriting, signature or fingerprint ofany witness examined before him. CHAPTER xrv PRONOUNCEMENT OF ORDERS 91. Order.- The finål decision of the Tribunal on an application/petition before the Tribunal shall be described as Judgement

92. Operative portion of the order.- All orders or directions of the Bench shall be stated in clear and precise terms in the last paragraph of the order

93. Corrections.- The Member of the Bench who has prepared tbe order shall initial all corrections and affix his initials at the bottom of each page

94. Pronouncement of order.- (l) The Bench shall as far as possible pronounce the order immediately after the hearing is concluded. (2) When the orders are reserved, the date for pronouncement of order shall be notified in the cause list which shall be a valid notice of intimation of pronouncement. (3) Reading of the operative portion of the order in the open court shall be deemed to be pronouncement of the ordér. (4) Any order reserved by a Circuit Bench of the Tribunal may also be pronounced at theprincipal place of sitting of the Bench in one of the aforesaid modes as exigencies of the situation require

95. Pronouncement of order by any one memberof the bench.- (l) Any Member; öf the Bench may pronounce the order for and on behalf of the Bench. (2) When an order is pronounced underthigrule, the Court Master shall make a note in the sheet, that the order of the Bench consisting of Chairperson and Members was pron ced in open court on behalf of the Bench consisting of Two,ffbree Members. Authorizing any to pronounce order.- (l) If the Members of the Bench+who heard the case are not readily available or have ceased to be Members of the Tribunal, the Chairperson may authorize any other Member to pronounce the order on his behalf after being satisfied that the order has been duly prepared and signed by ail the Members who heard the case. The order pronounced the Member so authorized shall be deemed to be duly pronounced. (2) The Member so authorized for pronouncement of the order affix his signatu in the order sheet of the case stating that he has pronounced the order as provided inhhis rule. IME GAZETTEOF EXTRAORDINARY (3) If the order cannot be signed by reason of death, retirement or resignation or for any other reason by any one of the Members of the Bench who heard the case, it shall be deemed to have been released from part-heard and listed afresh for hearing

97. Making of entries by Court Master.- Immediately on pronouncement of an order by the Bench, the Court Master shall make necessary endorsement on the case file regarding the date of such pronouncement, the nature of disposal and the constitution of the Bench pronouncing the order and he shall also make necessary entries in the court diary maintained by him

98. Transmission of order by the Court Master.- (1) The Court Master shall immediately on pronouncement of order, transmit the order with the case file to the Deputy Registrar.. (2) On receipt of the order from the Court Master, the Deputy Registrar shall after due scrutiny, satisfy himself that the provisions of these rules have been duly compiled with and in token thereof affix his initials with date on

the outer cover of the order. The Deputy Registrar shall thereafter cause to transmit the case file and the order to the Registry for taking steps to prepare copies and their communication to the parties

99. Format of order.- (l) Ail orders shall be neatly and fairly typewritten in double space on one side only on durable foolscap folio paper of metric A-4 size (30.5 cm long and 21.5 cm wide) with left side margin of 5 cm and right side margin of 2.5 cm. Corrections, if any, in the order shall be carried out neatly. Sufficient space may be left both at the bottom and at the top of each page of the order to make its appearance elegant. (2) Members.constituting the Bench shall affix their signatures in the order of their seniority from right to left. Indexing of case files after disposal.- After communication of the order to the parties or 100. legal practitioners, the official concerned shall arrange the records with pagination and prepare in the Index Sheet iri Form no. to be prescribed by the Tribunal. He shall affix initials and then transmit the records with the Index initials to the records room. Transmission of files or records ofl the Transmission of files or records or orders.- 101. cases or orders shall be made only after obtaining acknowledgement in the movement register maintained at different sections or levels as per the directions of the Registrar. Copies of orders in library.- (l) The officer in charge of the Reg• shall send copies of 102. every order (final) to the library. (2) Copies of all orders received in each month shall be kept at the library in a separate folder, arranged ii the order of date of pronouncement, duly indexed and stitched. (3) At the end of every year, a consolidated index shall also be prepared and kept in a file in the library. (4) The order folders and the indices may be made available for reference in the library to the legal practitioners

CHAPTER XV SUPREME COURT ORDERS Register of SLPs/Appeal.- (l) A Register in Form no. XII shall be maintained in regard to 103. SLPs or Appeals against the orders of the Tribunal to the Supreme Court and necessary erfries therein be promptly made by the Judicial Branch. (2) The register shall be placed for scrutiny by the Chairperson in the first week of every month. 57 104. Placing of Supreme Court orders before Tribunal.- Whenever an interim or final order passed by the Supreme Court of India in an appeal or other proceeding preferred against a decision of the Tribunal is received, the same shall forthwith be placed before the Chairperson / Members for information and kept in the relevant case file. Immediate attention of .the Registrar shall be drawn to the directions requiring compliance

105. Registrar to ensure compliance of Supreme Court orders.- It shall be the duty of the Registrar to take expeditious steps to comply with the directions of the Supreme Court CHAPTER XVI MISCELLANEOUS 106. Filing through electronic media.- The Tribunal may allow filing of appeal or petition or application through electronic media such as online filing and provide for rectification of defects by e-mail or net and in such filing, these rules shall be adopted as nearly as possible on and from a date to be notified separately and the Chairperson may issue instructions in this behalf from time to time

107. Removal of diffculties and issue of directions.- Notwithstanding anything contained in the rules, wherever tte rules are silent or no provision is made, the Chairperson may issue appropriate directions to renwve diffculties and issue such orders or circulars to govern the situation or contingency that may arise •orking ofåe Tribunal. • (iii) (iv) (v) (vi) SCHEDULE (FEES) The fee payable shall be in respect of appeal under sub(2) of section 111 of the where the respondents are four or less Rs. One takh and where Respondents exceed four, an fee of Rs. 10,000/- shall be paid for each respondent For petition under section121 of the Act, if the Respondents are four or less Rs. One lakh And where Respondents exceed four, Additional Fee of Rs. 10,000/- for each respondent If proceedings are instituted by more than one Appellants/Petitioners, or association fee payable on such Appeal/petitäon Review petition fee Execution Petition Transmission of order or directionto Civil Court for execution. Rs. Rs.30,OOO/- Rs.5,OOO/- Rs.3,OOO/- 2) Z lnc —9 (vii) (viii) (ix) (x) (xi) (xii) (xiii) THEGAZETIEOF INDIA : EXTRAORDINARY For lodging caveat Interlocutory application Vakalat/authorization Court fee payable Copying charges for furnishing certified copy — per page One time process fee payable with each appeal/ petition/interlocutory application/every proceeding instituted. Inspection Fee Enclosure/Annexure Court fee

FORM -l { See Rule 20 | Rs.3000/- Rs. 25/- Rs. 25/- Rs.2000/- Rs. 500/- Rs. 25/- Memorandum of Appeal Preferred under sub-section and 2 of Section 111 of The Electricity Act, 2003 IN THE APPELLATE TRIBUNAL FOR ELECTRICITY AT NEW DELHI APPELLATE JURISDICTION APPEAL NO. OF 200 Between A.B. And CAUSE TITLE .Appellant (s) . Respondent(s) 1. 2. 3. [including appropriate commission/adjudicating officer) (with short address) Details of Appeal .of the Electricity Act, 2003 against impugned order of th [appeal unde.- section ..passed under sectio (adjudicating offcedappropriate commission) dated . of the Electricity Acti 2003. Date on which the order appealed against is communicated and proof thereof, if any. The address of the appellant for service is as set out hereunder: i) jii) M Postal address including PIN code Phone number including mobile number. *nail Fac No. 9 v) Address of Counsel with Phone No., Fax No., e-mal The address of the respondents for service of all notices in the appeal are as set out hereunder 4. 5. 6. 7. 8. 9. IO. 11. 12. i) iii) iv) v) vi) Postal address including PIN code Phone number E-mail Fax Number Mobile Number Address of Counsel with Phone number, Fax e-mail and mobile number. Jurisdiction of the Appellate Tribunal' The appellant declares that the subject matter of the appeal is within the jurisdiction of this Tribunal. Limitation The Appellant/s declare that the appeal is mthin the period specified in sub-section (2) Of section 111 of the Act. (Explain how the appeal is within the period prescribed in case the appeal is preferred after the expiry of 45 days from the date of order/direction/decision against which this appeal is preferred). In case the appeal •ed by limitation, the number of days of delay should given along with interlocutory application for condonation of delay. Facts of the case The facts of the case are given belåw • (give here a concise statement of facts in a chronological order followed by elaboration of issues including the question of law arising in the appegl, Each paragraph shwld deal with, as far as possible a separate issue.) Formulate (i) the facts in issue or specify the disputé between the parties and (ij) summarize the questions of law that arise for consideration in the appeal (a) Facts in issue (b) Question of-law Grounds raised with legal provisions Matters not previously filed or pending with any other court The appellant further declares that the appellant had not previously filed any writ petition or suit regarding the matter in respect of which this appeal is preferred 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 Vhich it is pending and, if decided, the outcome of the same should be specified and a copy of the order should also be annexed l. Specify below explaining-the grounds for such relief (s) and the legal provisions, if any, relied upon. Details of Interim Application, if any, preferred along with appeal. EXTRAORDINARY [PARr11—Sæ.3 i)) 13. 14. 15. 16. 17. 18. 19. 20

21. Details of appeal/s, if any preferred before this Appellate Tribunal against the same impugned order/direction, by Respondents with numbers, dates... and interim order, if any passed in that appeal (if known). Details of Index [An index containing the details of the documents in chronological order relied upon is enclosed J. Particulars of fee payable and details of bank draft in favour of Pay and Accounts Officer, Ministry of Power, New Delhi. In respect of the fee for appeal. Name of the Bank Date. List of enclosures 1. 2. 3

4. Branch—payable at Delhi. DD No. Whether the order appealed as communicated in original is filed ? If not, explain the reason for not filing the same. Whether the apoel\ant/s is ready to file written submissions/arguments before the first hearing after serving the copy of the same on Respondents. Whether the copy memorandum of appeal with all enclosures has been forwarded to all respondents and interested parties, if so, enclose postal receipt/courier receipt in addition to payment of Prescribed process fee. Any other relevant or material particulars / details which the appellant(s) deems necessary to set out Reliefs Sought 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) c) Dated at Counsel for Appellant(s) this day of 200 Appellant (s) 61 DECLARATION BY APPELLANT The appellant(s) above named hereby solemnly declare (s) that nothing material has been concealed or suppressed and further declare(s) that the enclosures and typed set of material papers relied upon and filed herewith are true copies of the original(s)/fair reproduction of the originals / true translation thereof. Verified at Counsel for Appellant (s) the case may be] the office of on this at Verifiption day of 200 APPELLANT(S) (Name of the appellant) S/o. W/o. D/o. [indicate any one, as age resident of contents of the paras to knowledge/derived from official record) and para working as in dp hereby verify that the are true to my personal to are believed to be true on legal advice and that I have not suppressed any material facts. Date Place Signature of the appettant or autiortzed offcer THE GA7FTTEOF INDIA : EXTRAORDINAR Y

FORM 11 [see Rule 20] I PAW Petition under Sections 121/111 (6) of the Electricity Act 2003 Before the Appellate Tribunal for Electricity, New Delhi (Original Jurisdiction) OriginallOriginal Special Petition No of 200 Betvæen And C.D. .....Petitioner(s) . Respondent(s) [including appropriate commission/adjudicating officer] (with address) The petitioner/s above named beg/s to prefer this original petition for issue of orders or instructions or directions under section 121 of the Electricity Act and state as follova 1. 2. 3. 4. 5

6. The address for service on the petitioner is The address for service on Respondent/s appropriate commission/adjudicating bfficeris fare... Mhether direction/order/rulefinstruction sought for is within jurisdiction of the Tribunal under section 121. Set out the details and explain the circumstances under which the present original petition is being moved. Set out the details of representations/demands made on the Respondent appropriate Commission and reply/order is any received. Set out the grievance or prejudice caused to the petitioner and consequences Of not issuing directions/orders/instructions prayed for. Set out the basis of claims, legal contentions/grounds based on which reliefs are sought for. 7. 8. 9. 10. 11. 12. 13

14. Whether proceedings, if any already instituted before other forums and the result of the proceedings. Whether any other remedy is avai(able under the Electricity Act 2003 or any other Statutory Provision of Law or Rule, If so, why nöt invoked, (set out in detail) Whether petition in respect of reliefs prayed for any proceeding in pending before the Appellate Tribunal at the instance of Respondents / or any other third party. Particulars of fee payable and details of bank draft in favour of the Pay and Accounts Officer, Ministry of Power, New Delhi. In respect of the fee for-appeal. Name of the Bank Branch — payable DD No. dated 2. List of enclosures and copies filed • 1. 2. 3. 'Mwther copy of memorandum of petion wüh ali enclosures has been forwarded to all respondents and all interested parties, if so, enclose postal receipt]comer receipt in addition töpayment of process fee as prescribed by the rules. Any other material particular which the Petitioner deems relevant for the petition may also be set out. Relief sought for : a) b) c) Dated at Counsel for Petidoner this day of 200 Petitioner 64 THEGAZETTEOF INDIA : EXTRAORDINARY DECLARATION The petitioner (s) above named hereby solemnly declare (s) that nothing material has been concealed or suppressed and further declare that the enclosures and typed set of material papers relied upon and filed herewith are original and fair reproduction of originals or true translation thereof. of 200 Verified at dated at Counsel for Petitioner(s) this day VERIFICATION (PART Petitioner (s) (Name of the petitioner) S/o.W/o.D/o. (indicate any one, as the case may be) the offipe of age resident of that the contents of the paras to working as in do hereby verify are true to my personal knowledge / derived from official record) and para to are believed to be true on legal advice and that I have not suppressed any material facts. Date Place Signature of the Petitioner or authorized officer

FORM Ill See Rule 20 INTERLOCUTORY APPLICATION BEFORE THE APPELLATE TRIBUNAL FOR ELECTRICITY IA NO. OF 200 In Appeal/Original Petition No. CAUSE TITLE of 200 Appeal / Petition short cause title of 200 Set out the Appeal No. 200 Set out the 1 Appeal No Cause Title — Interlocutory Application Petition for stay/direction/dispense with/condone delay/calling records The applicant above named state/s as follows 1 2

3. Set out the relief (s) Brief facts Basis on which interim orders prayed for Balance of convenience, if any .(Al! interlocutory applications shall be supported by an affidavit sworn by the Applicant/on its behalf-and attested by a Notary Public). DEC4RATlON The applicant above named hereby solemnly declare that nothing material 'has been concealed or suppressed and further declare that the enclosures and typed set of material papers relied upon and filed herewith are true copies of the originals or fair reproduction of the originals or true translation thereof. Verified at dated at this day of 200 6 Applicant Counsel for Applicant as the case may be) the office of VERIFICATION (Name of the applicant) S/o.W/o.D/o. (indicate any one, age resident of to that the contents of the paras in working as do hereby verify are true to my to personal knowledge/ derived from official record) and para are believed to be true on legal advice and that I have not suppressed any material facts. Date place alfa Signature of the Appellant/Petitioner or authorized officer 9 (6 Between And CD NE GAZETIEOF INDIA : EXTRAORDINARY CAVEAT PETITION IV FORM [See Rule 22] Memorandum of Caveat Before the Appellate Tribunal for Electricity (Caveat No. of 200) CAUSE TITLE .....Caveator . ...Expected Appellant/Petitioner [PARTH—SEC.] 1. 2. 3. 4

5. Set out details of the order against which appeal/application/petition is expected, in the matter of dispute between AB and CD a) Address for service on the caveator b) Address for service on the Counsel for the caveator Specify the authority who passed the order with reference number and date (enclose copy of order appealed against Set out the details of expected Appellant (s)/Petitioner (s) With address (i) (iii) Prayer Let no orders be passed in the appeal expected to be filed or any interlocutory application that may be preferred by the expected Appellant/Petitioner without service of notice on the caveator. The caveator undertakes to accept service of appeal or petition or application and appear before this Tribunal on the date and time at which the appeal/petition/appfication is moved by Respondent/expected appellant/petitioner. 67 Dated at New Delhi Counsel for Caveator Day of (Month) 200 Caveator Verification The caveator above named state and verify that the contents of this caveat lodged ze true and correct. Verified at New Delhi on This Application No. day of 200 Caveator

FORM NO. V [See Rule 571 Pending/Disposed of APPELLATE TRIBUNAL•FOR ELECTRICITY in BENCH of 200 Applicant/s/3rd party/AppellanVPetitioner vs Respondent/s Application for Inspection of Documenb/Records under Rule 67 I hereby apply for grant of permission to inspect the documents/records in the above case The details are as follows - 1 2. Name and address of the person seeking inspection Whether he is a party to the case/his Legal Practitioner and if so, his rank therein. u-IE GAZETTEOF INDIA : EXIRAORDINARY 11—-sw.30)) 3. Details of the papers/documents sought to be inspected Reasons for seeking the Inspection 4. The date and duration of the inspection sought for 5. Whether fee is paid and if so, the mode of payment

6. If a third party, whether a vakalat has been filed with Court Fee 7. Stamp Verification . state that the above facts are true and correct Place Date Office use Granted inspection for hours on Applicant /rejected Endorsement after inspection. the applicant above named inspected presence of Mr... . between inspection is completed/concluded. Registrar APT EL the documents/records on . .....to .tn -the . and Dated day 2006 Apphcant/Counsel Appeal/Petition /No.

Form No. VI [See Rule 67 | FORM OF VAKALATÅNAMA APPELLATE TRIBUNAL FOR ELECTRICITY BENCH of 200 .Appellant No.. above appeal/petition do hereby appoint and retain Shri Appellant/s Respondent/s [Respondent No. . . .in the .Advocate/s to appear, plead and act for me/us in the above appeal/petition and to conduct and prosecute all proceedings that may be taken in respect thereof and applications for return of documents, enter into compromise and to draw moneys payable to me/us in the said proceeding and also to appear in all applications for review and for leave to the Supreme Court of India in atl applications for review of judgeaent. Place Date Executed in my presence *Signature with date. (Name and Designation) (Address for service on the Counsel for Appellant/Respondent. Fbrnish Full Address.. Phone No Fax No. Signature of the Party "Accepted" *Signature with date (Name and Designation) *The following certification t Sbe given when the party is unacquainted with the language of the vakalat or is blind or illiterate:- language known to The contents of the vakalat ama were truly and audibly read over/translated into the party executing the vak tnama and he seems to have understood the gme. Signature with date (Name and Designation) NEGAZETIEOF INDIA : EXTRAORDINARY Form No. VII [See Rule 70] APPELLATE TRIBUNAL FOR ELECTRICITY Appeal/Petition/ BENCH Of 200 vs AFFIDAVIT (P,xrr II—SEC. Appellant/Applicant Respondent/s .aged ..years, son/daughter/wife of . ..(name and occupation of the deponent). residing at (Full address) . .do hereby swear in the name of God/solemnly affirm and state as follows Para. Para. para 1 2 3 . .are within my personal knowledge and contents of Contents of Paragraphs Mos . are based on information received by me which I believe the same to Paragraphs Nos. be true (state the source of information wherever possible and the grounds for belief, if any). Place Date No. of corrections on page nos. Identified by Sworn/solemnly affirmed before me on this the *To add endorsement in Form No when necessary Signature of the Deponent Name in Block Letters Before me day of 200. Signature (Name and Designation of the Attesting Authority with Seal) APPELLATE TRIBWAL ELECTRICITY NO. t See R'*73 Certification when deponent is unacquainted the language of the affidavit or is blind or illiterate. Contents of the afidavit were truly and audibly read overmanslated into ..language known to the deponent and he seems to have understood the same and afixed his LTVSignature/Mark. AppeaVPetition No.. Between (By Advocate Shri... (By Advocate Shri (Signature) Name and designation with date. FORM NO. IX [See Rule 77 APELLATE TRIBUNAL FOR ELECTRICITY BENCH OF 200.. Appellant/Petitioner ResponderWs Under Section 120 of Electricity Act 2003 r/w C.P.C. mereas the Tribunal suo motu or on consideration of the request made by Shri) having been satisfied that production of the . ..(Appellant/Petitioner No. following documents/reØrds under. your controi/custody is necessary for proper decision of the above case, you are hereby directed to case production of the said documents/records before . day this Tribunal forward duly authenticated copies thereof on or before the of.....200.. (Enter description of documents requisitioned) "By Order of Tribunal " Date • Appeal/Petition No. THE GAZETIEOF INDIA: EXTRAORDINARY FORM NO. X [See Rule 85 J APPELLATE TRIBUNAL FOR ELECTRICITY .....BENCH of 200. 1. 2. 3. 4. 5. 6

7. Deposition of PWIRW Name Father's/Mother's/Husband's Name Age Occupation Place of Residence and addiess Name of the Officer administering the Oath / affirmation Name of the Interpreter if any, duly Sworn/ solemnly affirmed Duly sworn/ solemnly/ affirmed Examination-in-chief : By Date Cross examination : By Re-examination, if any (Signature of the witness on each page) Statement of witness as recorded was read over/translated to the witness, who admitted it to be correct. Certified that witness/in/ Signature of the Member of the Tribunat with date

FORM NO. Xl [See Rute 87] CERTIFICATE OF DISCHARGE . appeared before this Tribunal as a No. of 20. appellant]petitioner/respondent/as Court witness on this on behalf of the day of 200 He was paid/not paid and that he was relieved at any T.A. and D.A]Batta of Rs.. Date (Seal of theTribunal) .on. Signature of the Registrar 73 FORM NO. XII t See Rule 103 APPELLATE TRIBUNAL FOR ELECTRICITY ..BENCH REGISTER OF SLP8/APPEALS TO SUPREME COURT Sl. No. of SLP/apr B•eor• No.of case app•abd •galr•t Name of the Ap#anV Respondent Date of dispatch Of records to SC of receipt of from SLP di•miw- allowed dab Directio n wit) Final order In •ppe•l with Direct. ion If any, for cmpli ance by Tribun Sbp:s Taken for complian Remarks AJAY SHANKAR. AMI. secy. PriMed by thc ELr•ger. Goyt. Of Road. Mayaßu•i. New Delhi-110064 and by thc Controller of Pub:ligations. Delhi- 110034.