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**GOVERNMENT OF INDIA
MINISTRY OF POWER**

Notification

New Delhi, the 22nd January, 2007

G.S.R.(E).- In exercise of the powers conferred by sub-section (1) of section 176 and clauses (q), (t) 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 following rules, namely:-

1. **Short title and commencement.-** (1) 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.
2. **Definitions.-** In these rules, unless the context otherwise requires,-
 - (a) "Act" means the Electricity Act, 2003 (36 of 2003);
 - (b) "Advocate" means a person who is entitled to practice the profession of law under the Advocates Act, 1961 (25 of 1961) ;
 - (c) "Chairperson" means the Chairperson of the Appellate Tribunal appointed under sub-section (2) of section 113 of the Act;
 - (d) "Member means", Members of the Tribunal appointed under sub-section (3) of section 113 of the Act;
 - (e) "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;
 - (f) "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;
 - (g) "Registry" means the Registry of the Tribunal;
 - (h) "Tribunal" means the Appellate Tribunal for Electricity established under section 110 of the Act;
 - (i) "Section" means a section of the Act;
 - (j) 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.
3. **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 office of the Tribunal is closed, that day and any succeeding days on which the Tribunal remains closed shall also be excluded.
4. **Forms.-** The forms prescribed by these rules with such modifications or variations as the 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 direction or rule.-** Every rule, direction, order, summons, warrant or other mandatory process shall be issued in the name of the Chairperson and shall be signed by the Registrar or any other officer specifically authorized in that behalf by the Chairperson, with the day, month and year of signing and shall be sealed with the seal of the Tribunal.

6. **Official seal of the Tribunal.-** The official seal of the Tribunal shall be such, as the Chairperson may from time to time specify and shall be in the custody of the Registrar.

7. **Custody of the records.-** The Registrar shall have the custody of the records of the Tribunal and no record or document filed in any cause or matter shall be allowed to be taken out of the custody of the Tribunal without the leave of the Tribunal.

Provided a member of the establishment with prior written approval of the Registrar may remove any official paper or record for official purposes from the Tribunal.

8. **Sitting hours of the Tribunal.-** The sitting hours of the Tribunal shall ordinarily be 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 Chairperson and this will not disable the Bench of the Tribunal to extend its sitting as it deems fit.

9. **Working hours of the Tribunal.-** (1) The office of the Tribunal shall remain open on all working days from 10.00 A.M. to 5.30 P.M.

(2) The Filing Counter of the Registry shall be open on all working days from 10.30 AM to 5.00 P.M.

10. **Calender.-** The Calendar of days of working of Tribunal in a year shall be as decided by the Chairperson and Members of the Tribunal.

11. **Motion cases.-** All urgent matters filed before 12 noon shall be listed before the Tribunal on the following working day, if it is complete in all respects as provided in these rules and in exceptional cases, it may be received after 12 noon but before 3.00 P.M. for listing on the following day, with the specific permission of the Tribunal or Chairperson.

12. **Power to exempt.-** The Tribunal may on sufficient cause being shown, exempt the parties from compliance with any requirement of these rules and may give such directions in matters of practice and procedure, as it may consider just and expedient on the application moved in this behalf to render substantial justice.

13. **Power to extend time.-** The Tribunal may extend the time appointed by these rules or fixed by any order, for doing any act or taking any proceeding, upon such terms, if any, as the justice of the case may require, and any enlargement may be ordered, although the application therefore is not made until after the expiration of the time appointed or allowed.