

# **Chhattisgarh State Electricity Regulatory Commission**

Civil lines, G.E. Road, Raipur - 492 001

Tele: 771-5073555, 5073551 Fax- 5073553

E-mail: secretary@chhattisgarhserc.org

Website: www.chhattisgarhserc.org

Raipur, 17<sup>th</sup> October 2005

No.15/CSERC/2005.In exercise of the power conferred on it under Section 127 read with clause (zo) of sub-section (2) of Section 181 of the Electricity Act, 2003(36 of 2003), the Chhattisgarh State Electricity Regulatory Commission hereby makes the following Regulations related to **Procedure for filing appeal before the Appellate Authority.**

## **CSERC (PROCEDURE FOR FILING APPEAL BEFORE THE APPELLATE AUTHORITY) REGULATIONS, 2005.**

### **1. Short title, extent and commencement**

- (1) These Regulations shall be called the Chhattisgarh State Electricity Regulatory Commission (Procedure for filing appeal before the Appellate Authority) Regulations, 2005.
- (2) These shall extend to the whole of the State of Chhattisgarh.
- (3) These Regulations shall come into force from the date of their publication in the Chhattisgarh Rajpatra.

### **2. Definitions**

- (1) In these Regulations, unless the context otherwise requires:-
  - (a) "Act" means the Electricity Act, 2003(36 of 2003);
  - (b) "Appellate Authority" means the authority as prescribed by the Central Government under sub-section (1) of Section 127 read with clause (u) of sub-section (2) of Section 176 of the Act.
  - (c) "Commission" means the Chhattisgarh State Electricity Regulatory Commission;
  - (d) "Month" means the calendar month. The period of about 30 days between the two consecutive meter readings shall also be regarded as a month for the purpose of billing, where relevant;

- (2) Words or expressions used in these Regulations and not defined shall bear the same meaning as assigned to them in the Act and the Regulations made by the Commission.

### **3. Filing of appeal**

- (1) A person aggrieved by a final order passed by the assessing officer under section 126 of the Act, may, within thirty(30) days of the said order, file an appeal before the Appellate Authority.
- (2) The appeal shall be filed in the form specified in the Schedule to these Regulations.
- (3) The appeal shall be accompanied by the following fees:  
  
1% of the assessed amount subject to minimum of Rs.500 and maximum of Rs.10,000.
- (4) The fee shall be paid in such manner as the Appellate Authority may specify.
- (5) No appeal against final assessment order shall be entertained unless an amount equal to one-third of the final assessed amount is deposited in cash or by way of bank draft with the licensee and documentary evidence of that has been enclosed along with the appeal.
- (6) No appeal shall be in cases where the final order made by the assessing officer is with the consent of the parties.

### **4. Disposal of appeal**

- (1) The appellate authority shall dispose of the appeal after hearing the parties within 60 days of receiving the appeal. He shall send copy of the order to the assessing officer and the appellant.
- (2) The order of the appellate authority shall be final.

### **5. Default in making Payment**

When a person defaults in making payment of the assessed amount, he, in addition to the assessed amount, shall be liable to pay, on the expiry of thirty days from the date of order of assessment, interest at the rate of one percent (1%) per month compounded every six months.

## **6. Miscellaneous**

- (1) Subject to the provisions of the Act and these Regulations, the Commission may, from time to time, issue orders and practice directions with regard to the implementation of these Regulations and procedures to be followed.
- (2) The Commission may, at any time, add, vary, alter, modify or amend any of the provisions of these Regulations.

**Note:** In case of any difference in the interpretation or understanding of the provisions of the Hindi version of these Regulations with that of English version (the original version), the later will prevail and in case of any dispute in this regard, the decision of the Commission shall be final and binding.

**By order of the Commission**

**(N.K. Rupwani),  
Secretary,**

**Form of Appeal**  
(Regulation 3(2))

**APPEAL BEFORE THE APPELLATE AUTHORITY UNDER SECTION 127 OF  
THE ELECTRICITY ACT, 2003**

Appeal against final order No.....dated....of assessing officer Sh.....,  
Place.....

1. Appellant  
(Name and address )

AND

2. Respondent  
(Name and address)  
i. Licensee  
ii. Assessing officer

**Appeal under Section 127 of the Electricity Act 2003**

S.No.	Particulars
1.	Name of Appellant -
2.	Address with Telephone No -
3.	Address of the place of connection -
4.	Purpose of connection -
5.	Service connection No -
6.	Tariff Category -
7.	Connected Load/Contract Demand (HP/KW/KVA) -
8.	Amount of provisional Bill --
9.	Amount of final Bill in relation to the Appeal - (Annex photocopy of the final bill)
10.	Details of payment of fee to appellate authority -

11.	Details of payment of 1/3 <sup>rd</sup> amount of final bill to the licensee- (Annex photocopy of the receipt).
12.	Name, designation and address of the Assessing Officer in relation to the appeal -

13. Grounds of appeal (Documents in support, if any, to be annexed)

- 1.
- 2.
- 3.

14. This is to certify that

- a. The Final order was not passed with the consent of both the parties as per section 127(5) of the Electricity Act 2003.
- b. The matter of the appeal has not been pending before any court of Law or any other authority.

15. Prayer

It is therefore, prayed that .....

.....  
 .....

Name & Signature of the Appellant

VERIFICATION \*

I, ..... son of .....aged.....residing at ..... do solemnly affirm and declare that statements made in paragraphs .....of the appeal are true to my knowledge and belief and statements made in paragraphs ..... to ..... are based on information and I believe them to be true.

Solemnly affirm at ..... on this ....day of .....that the contents of the above appeal are true to my knowledge, no part of it is false and nothing material has been concealed.

Place:

Name & Signature of the Appellant

Date :

Identified before me

(\* To be affirmed before authorized authority, i.e. Notary)

List of Documents attached:

1. True copy/photo copy of the final order of the assessing officer.
2. Photo copy of the final assessment bill.
3. Photo copy of the receipt of deposition of fee or its reference.
4. Photo copy of the receipt of deposition of 1/3rd of final assessed bill.
- 5.
- 6.