

**OBJECTIVE/PURPOSE OF THE APPELLATE TRIBUNAL  
FOR ELECTRICITY (APTEL), NEW DELHI**

**Mission/Vision Statement of APTEL**

*On 10<sup>th</sup> June, 2003, the Electricity Act was notified by the Govt. of India. This Act seeks to consolidate the laws relating to generation, transmission, distribution, trading and use of electricity and generally for taking measures conducive to development of electricity industry, promoting competition therein, protecting interest of consumers and supply of electricity to all areas, rationalization of electricity tariff ensuring transparent policies regarding subsidies, promotion of efficient and environmentally benign policies, constitution of Central Electricity Authority, Regulatory Commissions and establishment of Appellate Tribunal and for matters connected therewith or incidental thereto. The Act extends to the whole of India except the state of Jammu & Kashmir.*

*By virtue of Section 110 of the Electricity Act, 2003 (Central Act 36 of 2003) (hither after referred as the Act), an Appellate Tribunal for Electricity having jurisdiction throughout India has been set up to hear appeals or original petitions against the orders of the Adjudicating officer or The Central Regulatory*

*Commission or State Regulatory Commission or Joint Commission constituted under Section 76 (i) or 82 or 83 of the Act. The Tribunal is conferred with original jurisdiction to hear petitions under Section 121 of the Act and issue directions to any Appropriate Commission for the performance of its statutory functions. This Tribunal has been established by the Ministry of Power, Govt. of India w.e.f.7<sup>th</sup> April, 2004 notified vide S.O. 478 (E). This Tribunal shall ordinarily sit at Delhi.*

### **Brief history of the APTEL**

*The Appellate Tribunal commenced functioning and hearing of appeals, petitions etc. from 21<sup>st</sup> July'2005 as per notification issued by the Ministry of Power on 19/7/2005.*

*The Appellate Tribunal consists of a Hon'ble Chairperson and four members. Out of them two are Technical Members and one Judicial Member under the Electricity Act,'2003 and one Technical Member for Petroleum and Natural Gas.*

*The first Chairperson of the Tribunal was Hon'ble Mr. Justice Anil Dev Singh, who assumed office of APTEL on 13/5/2005 along with Hon'ble Mr. Justice E. Padnaman as Judicial member and Hon'ble Mr.A.A. Khan and Hon'ble Mr. H.L. Bajaj as Technical Members.*

*Presently, Hon'ble Mr. Justice M. Karpaga Vinayagam is the Chairperson of APTEL, who assumed office on 14.11.2008. Hon'ble Mr. Rakesh Nath assumed office as Technical Member on 3.3.2010 Hon'ble Mr. Partha Sakha Datta is the Judicial Member who assumed office on 16.4.2010. Hon'ble Mr. M.B. Lal has assumed office as Technical Member (P&NG) for the 2<sup>nd</sup> time on 18.8.2010. Hon'ble Mr. V.J.Talwar has assumed office as Technical Member on 3.12.2010.*

*Registrar of APTEL is in-charge of Registry, Administration, Establishment and Finance.*

### **Duties of APTEL**

*To hear cases filed under Section 111 of the Electricity Act 2003 against the orders passed by the CERC, JERCs & various State Commissions and adjudicating Officers and dispose of the same within 180 days from the date of filing.*

*Further, APTEL is to entertain cases filed under Section 33 of the Petroleum and Natural Gas Regulatory Board Act, 2006 against the orders passed by the Petroleum and Natural Gas Regulatory Board and dispose of the same within 90 days from the date of filing.*

### **Main activities / functions of the APTEL**

*Main activities of APTEL are to entertain the appeals both under the Electricity Act, 2003 and under of the Petroleum and Natural Gas Regulatory Board Act, 2006 against the orders passed by the Central, Joint and State Commissions as well as the Petroleum and Natural Gas Regulatory Board and dispose of the same within the stipulated period of 180 and 90 days respectively.*

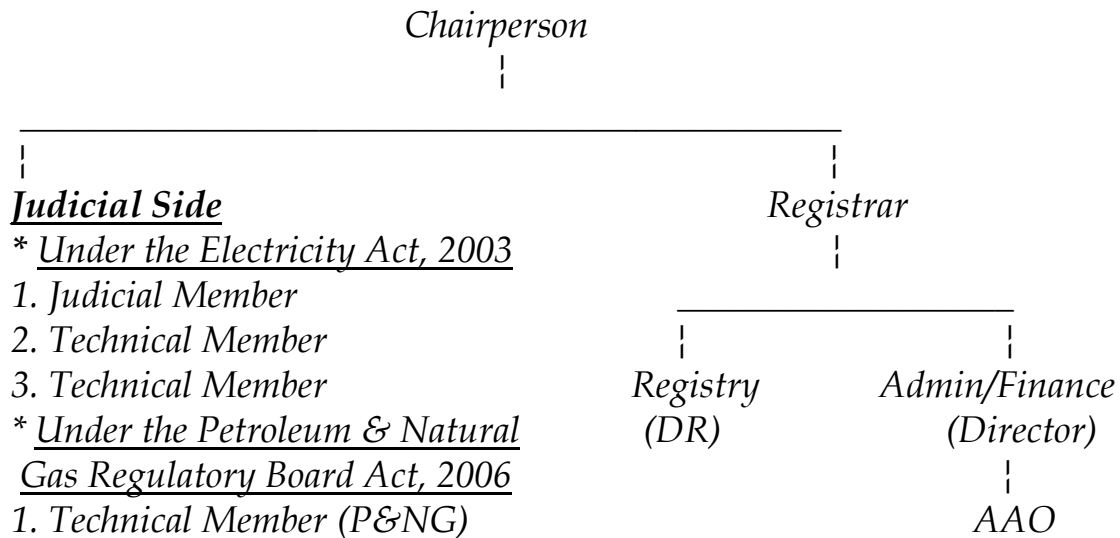
### **List of services being provided by the APTEL with a brief write-up**

- i) Receiving appeals under Section 111 of the Electricity Act 2003.*
- ii) Receiving appeals under section 33 of the Petroleum and Natural Gas Regulatory Board Act, 2006*
- iii) Perusal of the same.*
- iv) Preparation of defect letters wherever necessary*
- v) After representation of the papers subsequent to compliance of the defects, perusal of the same.*
- vi) If the papers are in order numbering the appeal.*
- vii) Issuance of letters to the appellant/ caveat or intimating the posting of the cases before court.*
- viii) Receiving caveats.*
- ix) Hearing of the appeals in court.*
- x) Disposal of the appeals.*

- xi) After disposal communication to be sent to the Power Ministry.*
- xii) Copy of Judgment to be sent to respective Commission / Board.*
- xiii) Communication about disposal to be sent to all parties.*
- xiv) Issuance of certified copies on application.*
- xv) Posting of the Judgments on the website of APTEL ([www.aptel.gov.in](http://www.aptel.gov.in))*
- xvi) Preparation of cause lists.*
- xvii) Uploading of the same on the website apart from pasting it on the notice boards of the Tribunal.*
- xviii) Posting of daily orders on the website of APTEL ([www.aptel.gov.in](http://www.aptel.gov.in))*
- xix) In reserved matters, issuance of notice to parties.*
- xx) Maintaining all kinds of Registers.*
- xxi) Attending to RTI applications.*

*To sum up, as soon as the appeals are filed they are being thoroughly checked up as to whether they are filed both under the Electricity Act, 2003 and The Petroleum and Natural Gas Regulatory Board Act, 2006, the papers are scrutinized to see whether they are filed within limitation in the proper format with due court fees etc. and if there is any defect in filing, defect letter is issued giving sufficient time for the purpose of rectifying the defects. After rectification of the defects, the appeal nos. are given and the matters are posted before court thereafter.*

**Organizational Structure Diagram at various levels namely State, directorate, region district, block etc.**



- *Judicial matters are heard by the APTEL in open court. Two courts are functioning for this purpose. Each court consists of a Judicial Member and a Technical Member. Cases are heard under Electricity Act, 2003 as well as under the Petroleum and Natural Gas Regulatory Board Act, 2006.*

**Expectation of The Public Authority From The Public For Enhancing Its Effectiveness And Efficiency**

*Since matters are heard and disposed off in Public courts, where there is public participation, nothing remains for APTEL to expect from the public for enhancing its effectiveness and efficiency.*

**Arrangements And Methods Made For Seeking Public Participation / Contribution**

*Being an Appellate Tribunal, whenever a case is filed, the proceedings are conducted in the open court wherein both the parties are present to put forth their respective case. The dates of hearing fixed by the court are only in the open court and it is known to the parties concerned. Further, since the proceedings are conducted in open court they are open to all and accordingly the entire proceedings are transparent.*

**Mechanism available for monitoring the service delivery and public grievance resolution.**

*On the judicial side, since everything is done in the open court, the proceedings are transparent and therefore do not give any opportunity for any public grievances.*

*Other than Judicial matters, Registrar as HoD entertains the grievances/complaints, etc.*

**II. Details of the powers and duties of officers and employees of the organization.**

**Delegation of Power**

**Chairperson:** *Same powers as conferred on a Department of the Central Government.*

**Registrar:** *Head of the Department.*

**Director (Adm):** *Head of Office.*

### **Duties of Officers and employees**

**Registrar:** *He is responsible for smooth conduct of business of the Tribunal and in-charge of administration and Registry. He is vested with the powers of Head of the Department and is assisted by the Director (Administration) and Deputy Registrar.*

**Director (Administration):** *He is responsible for the functioning of the Administration and Accounts Branch and has also been given the powers of the Head of the Office. He is assisted by the Administrative & Accounts Officer.*

**Deputy Registrar:** *Deputy Registrar is in charge of the judicial matters and for smooth functioning of the Registry and day-to-day activities of Courts.*

III. **List of rules, regulations, instructions, manual and records, held by public authority or under its control or used by its employees for discharging functions as per the following format.**



<b>Name/Title of document</b>	<b>FR</b>
ACT	1. The Electricity Act, 2003
	2. Petroleum Act, 1934
	3. The Petroleum and Natural Gas Regulatory Board Act, 2006
	3.(a) Petroleum and Natural Gas Regulatory Board (Removal of Difficulties) Order, 2008
	4. Right to Information Act, 2005
	5. Constitution of India
Brief Write-up on the document	Ministry of Power, Ministry of Petroleum & Natural Gas, Ministry of Personnel and Public Grievance and Pension, Ministry of Law and Justice are Nodal Ministries in Govt. of India for above subject.
From where one can get a copy of rules, regulations, instructions, manual and records.	Are available in printed form in open market and also can be downloaded from the websites of Nodal Ministries.
Fee charged by the department for a copy of rules, regulations instructions, manual and records (if any)	N.A.
<b>Name/Title of document</b>	<b>SR</b>
Regulations	Rules for Filing Appeals/Petitions Forms
	Form - I (Memorandum of Appeal)
	Form – II (Petition under Section 121/111)
	Form - III (Interlocutory Application )
	Form –IV (Memorandum of Caveat)
	Form-VI (Vakalatnama)
	Form – VII (Affidavit)
	Form – VIII (Affidavits of illiterate, Blind Persons )
	Form – IX (Suo Motu Summoning of documents)
	Form – X (Recording of Deposition)
	Form – XI (Certificate if discharge)
	Form – XII (Registers of SLPs/Appeals)
Notifications	1. Appellate Tribunal for Electricity - Notification.
	2. Jurisdiction of the benches of the Appellate Tribunal for Electricity
	3. Salary and allowances payable to and the other terms and conditions of services of the Chairperson and Members of the Appellate Tribunal for Electricity – Notification
	4. The Appellate Tribunal for Electricity (Salaries, Allowances and other conditions of Service of the

	Chairperson and Members) (Amendment) Rules 2008.
	5. Salary and Allowances and other conditions of services of the officers and employees of Appellate Tribunal – Notification.
	6. Salary and Allowances and other conditions of services of the officers and employees (Second Amendment) rules, 2008 – Notification.
	7. Electricity Rules, 2005 regarding requirement of captive generating plant compliance by transmission license etc.
	8. Energy Conservation (Inspection) Rules 2009
Brief Write-up on the document	Ministry of Power, Ministry of Petroleum & Natural Gas, Ministry of Personnel and Public Grievance and Pension, Ministry of Law and Justice are Nodal Ministries in Govt. of India for above subject. These documents are useful for functioning of APTEL.
From where one can get a copy of rules, regulations, instructions, manual and records.	Are available in printed form in open market and also can be downloaded from the websites of APTEL and may get from Registry of APTEL.
Fee charged by the department for a copy of rules, regulations instructions, manual and records (if any)	As prescribed.

➤ *All other Admin / Finance / establishment related rules/regulations etc. applicable for Central Government employees issued by Nodal Ministry / Department viz. DoPT, Ministry of Finance, Ministry of Health etc. are applicable – are available on the websites of respective Ministry / Department.*

**IV. Whether there is any provision to seek consultant/participation of public or its representatives for formulation of policies? If there**

**is, please provide details of such policy in following format.**

*APTEL need not seek consultation / participation of public or its representatives, since there is no provision for formulation of policies by APTEL.*

- V. **Whether there is any provision to seek consultation/participation of public or its representatives for formulation of policies? If there is, please provide details of provisions in following format.**

*(Repetition of question as above)*

- VI. **Use the format given below to give the information about the official documents. Also mention the place where the documents are available e.g. at secretariat level, directorate level, others(Please mention the level in place of writing "Others")**

- *Documents relating to legal matters are available in Registry.*
- *Documents relating to Admin/Finance are available in Admin & Accounts Branch.*

**VII. Please provide information on Boards, Councils, Committees and Other Bodies related to the public authority in the following format:**

*At present there is no such Boards / Councils / Committees and Other Bodies relating to APTEL.*

**VIII. Please provide contact information about the Public Information Officers, Assistant Public Information Officers and Departmental Appellate Authority of the Public authority.**

***PIOs / Appellate Authorities***

Sl. No.	Name and Designation of PIO	RTI authorities	Telephone Nos.	e-mail address
1.	Shri S. Syed Mahaboob Deputy Registrar	PIO	24368480 (office)	dyregr- aptel@nic.in
2.	Shri Krinwant Sahay Registrar	Appellate Authority	24368478 (office)	Registrar- aptel@nic.in

**IX. What is the procedure followed to take a decision for various matters? A reference to Secretariat Manual and rule of Business Manual, and other Rules/regulations etc. can be made)**

*As soon as matters are filed before the APTEL, after verification of the papers appeal numbers are given and the*

*matters are posted before Hon'ble Court for hearing after due notice to the parties concerned. After giving opportunity of being heard to all the parties concerned in the matters the same are disposed of.*

- X. **What are the documented procedures / laid down procedures / Defined Criteria / Rules to arrive at a particular decision matters? What are different levels through which a decision process moves?**

*On the judicial side, as soon as papers are filed under Section 111 (1) of the Electricity Act, 2003, and under Section 33 of the Petroleum and Natural Gas Regulatory Board Act, 2006, the correctness of the same is verified, if defects are there, defect letter is issued for rectification of the same, after rectification of the defects, appeal is numbered and posted before the Hon'ble Court for hearing. After due hearing decision is rendered by the Hon'ble Tribunal.*

- XI. **What are the arrangements to communicate the decision to the public?**

*On the judicial side, the orders passed in this Tribunal are two fold. One is daily orders namely till a final decision is*

*arrived at, cases are adjourned for some reason or the other to subsequent hearing dates. Those orders are passed in the open court, subsequently they are typed and after obtaining signature from the respective Hon'ble Members they are uploaded on the website of APTEL ([www.aptel.gov.in](http://www.aptel.gov.in)) apart from issuing certified copies wherever requested for, after payment of the due copying charging as per the rules.*

*As soon as a final decision is rendered by the Hon'ble Tribunal, communication of the same is being sent to all the parties in the appeal as per Section 111(4) of the Electricity Act, 2003 apart from uploading the same on the website of APTEL. Further, a copy of the judgment is forwarded to the respective Commission as well as Ministry of Power.*

**XII. Who are the offices at various levels whose opinions are sought for the process of decision making?**

*As this is a Judicial Body whenever cases are filed before it, the same are heard in open court in the presence of all parties concerned in those matters apart from public. Decisions are rendered after giving opportunity of being heard to all parties concerned, and therefore, there is nothing for seeking any option from anybody.*

**XIII. Who are the offices at various levels whose opinions are sought for the process of decision making?**

*(Repetition of question as in XII above)*

**XIV. Who is the final authority that vets the decision?**

*On the Administrative side the Hon'ble Chairperson / Registrar as the case may be are the ultimate authority to take decisions.*

*On the Judicial Side decisions are rendered only in the open Courts by the Hon'ble Members after hearing the parties concerned.*

**XV. Please provide information separately in the following format for the important matters on which the decision is taken by the public authority.**

*All judgments/decisions, orders passed by the APTEL are available on the website.*

**XVI. Directory of Officers and Employees.**

**Directory of Officers (As on 01.03.2011)**

<b>Name</b>	<b>Designation</b>	<b>Scale of Pay</b>	<b>Contact Nos.</b>
Justice M. Karpaga Vinayagam	Chairperson	Rs.90000/- Fixed	Off.: 24368484
Justice Partha Sakha Datta	Judicial Member	Rs.80000/- Fixed	Off.: 24368494
Shri Rakesh Nath	Technical Member	Rs.80000/- Fixed	Off.: 24368474
Shri V.J. Talwar	Technical Member	Rs.80000/- Fixed	Off.: 24368489
Shri Mahesh B. Lal	Technical Member(P&NG)	Rs.80000/- Fixed	Off.: 24368486
Shri Krinwant Sahay	Registrar	PB-4 (37400-67000) GB-10000	Off.: 24368478
Shri S.Syed Mahaboob	Deputy Registrar	PB-3 (15600-39100) GB-7600	Off.: 24368480 Mobile: 9891714087 dyregr- aptel@nic.in
Shri Girish Sahai	Director	PB-3 (15600-39100) GP-7600	Off.: 24361518 Fax: 24368481
Smt.Veena Sethi	PPS	PB-3 (15600-39100) GP- 6600	Off.: 24368474
Sh.Harish Chandra Joshi	PS	PB-2 (9300-34800) GP-4600	
Smt. T. Surekha	Court Master	PB-2 (9300-34800) GP-4600	Off.: 24368472
Sh.Rajendra Kumar Tewari	-do-	PB-2 (9300-34800) GP-4600	Off.: 24368494



**XVII. Please provide information about the details of the budget for different activities under different schemes in the given format:**

HEAD	BE 2010-11	RE 2010-11
	(In Rupees)	
Salaries	15000000	12500000
Medical	3000000	1500000
Domestic Travel Expenses	1000000	500000
Foreign Travel Expenses	5000000	5000000
Rent, Rates, Taxes	30000000	43000000
Office Expenses	15000000	16500000
Other Adm. Expenses	500000	500000
	<b>69500000</b>	<b>79500000</b>

**XVIII. The manner of Execution of Subsidy Programmes  
Please provide the information as per the following format:**

N.A.

**XIX. Particulars of Recipients of concessions, permits or authorization granted by it. Please provide the information as per the following format.**

*Even though fixed Court Fee is prescribed for filing appeals / Original Petitions etc. before APTEL, in certain cases fee may be waived or reduced on the Judicial side by APTEL invoking*

*the provision under rule 55(3) of the Appellate Tribunal for Electricity (Procedure, Form, Fee and Record of Proceedings) Rules, 2007.*

**XX. Please provide the details of the Norms/Standards set by the Department for execution of various activities/programmes.**

*As the Judicial Body entertains appeals from the parties under the Electricity Act, 2003 and Petroleum and Natural Gas Regulatory Board Act 2006, there are no separate Norms for the activities of APTEL, other than Judicial Norms*

**XXI. Please provide the details of the information related to the various schemes which are available in the electronic format.**

**On the judicial side**

- 1. Judgments*
- 2. Daily orders*
- 3. Daily cause lists*
- 4. Constitution of Benches*
- 5. Profiles of the Hon'ble Chairperson and Hon'ble Members.*
- 6. Acts*
- 7. Rules, including all Forms*
- 8. Notifications, including Vacation Notifications*

9. *Calendar of APTEL*

10. *Details about APTEL at Home Page*

11. *Public Information Officer (PIO) / Appellate Authority under RTI Act.*

**XXII. Means, methods or facilitation available to the public which are adopted by the department for dissemination of information.**

*On the judicial side, all the proceedings are transparent. Proceedings are conducted in open Court. Cause lists are daily pasted on the Notice Boards of APTEL, apart from uploading on the website of APTEL ([www.aptel.gov.in](http://www.aptel.gov.in)). Daily orders and Judgments are uploaded then and there on the website of APTEL.*

**XXIII. Frequency Asked Questions and their Answers**

*On the judicial side the answer is "NIL".*

**XXIV. Related to seeking information**

*On the judicial side "NIL".*

**XXV. With relation to training imparted to public by Public Authority.**

*There is no such scheme to provide training to the public.*

