

CHECK-LIST FOR ACCEPTING APPEALS/PETITIONS

1. **Thick** cover paper together with blank paper (legal size).
2. **Memorandum** Memorandum of Appeal, Petition, Affidavit, Counter, Rejoinder, Vakalatnama, etc., shall be in green legal papers.
3. **Cause** title should have the name of appellant and the name of respondents with complete address with PIN code along with telephone/fax/e-mail address (if any).
4. **All the parties** before the Commission should be shown in the cause-title of the Appeal.
5. **Index** should be on the cover page.
6. **List** of dates and events leading to appeal together with **synopsis**.
7. **Provision** of law to be mentioned.
8. **Pagination** should be proper and continuous. Where there is more than one volume, pagination shall be done continuously in all the volumes, each volume containing three hundred pages to the extent possible.
9. **Format.** The APPEAL/Petition should be in the form as specified under Appellate Tribunal for Electricity (Procedure, Form, Fee and Record of Proceedings) Rules, 2007 dated 22.01.2007. Appeal/Petition shall be typed in double space in the Format.
10. **E-Mail address** of all the parties [both appellant (s) and respondent (s)] shall be given in the Memorandum of Appeal for the purpose of communication of the final judgments.
11. **Limitation.** The limitation for filing Appeal is 45 days from the date of order or the date when a copy of the order made by the Adjudicating Officer or the appropriate commission is received by the aggrieved person, as the case may be. If there is a delay, then necessary application supported by affidavit setting out the reasons which prevented the party from filing the appeal in time shall be filed.
12. **Fees:** The required fee should be attached i.e. Rs.1,00,000/- if the number of respondents are four or less than four and if the respondents are more than four Rs. 10,000/- per respondent be added. One time processing fee (Rs. 2,000/-) to be paid with each appeal / petition / Interlocutory application /every proceeding instituted. (Photocopy of DDs to be enclosed.)
Payment details: payment should be in the form of Demand draft in favour of the "Pay and Accounts Officer, Ministry of Power, New Delhi"
13. **Affidavit** should be filed to affirm the facts stated in the memo of appeal.
14. **Verification.** Verification should be checked and should ensure that there are no blanks.

15. Vakalatnama Details:

The Vakalatnama should be checked with respect to:

- (a) Whether it has been executed. (Here the array of parties to be given).
- (b) It should be accepted by the Advocate along with signature and stamp of Advocate. (Name of the accepting advocate to be given in capital).
- (c) It should be attested by Notary/ Gazetted Officer/ Advocate other than the Advocate on record.
- (d) Prescribed Court-fee to be affixed. (Rs. 25/-)
- (e) Advocate Welfare Fund stamp to be affixed as per procedure.
- (f) In case of appeal being filed by companies/corporate bodies the memo of appeals/petitions and Vakalatnama should be signed by the Principal Officer or Company Secretary of the Corporation/Corporate Body with Seal. In case someone else is filing on behalf of the company then the resolution of the company authorizing such person to sign must be enclosed with the appeal.
- (g) Authorization Court fee: Rs.25/-.
Note: In case if Company/Organization is representing itself then Vakalatnama may not be filed with the Appeal.
- (h) Complete name and full address with Contact no./e-mail of the filing advocates shall be given.

16. Four copies plus as many as number of respondents to be filed.

17. Authenticated /Certified copy of the impugned order to be filed.

18. Copy of the Petition before the Commission/Extract of the prayer in the case of Tariff Order etc. on which the impugned order was passed shall be filed.

19. All Annexures should be clear and legible in bold letters and in double space.

20. The Annexures enclosed along with the Appeal shall accompany therewith all the enclosures/annexures which were filed before the Commission and a certificate to that effect be attached to the Memorandum of Appeal by the appellant/counsel at the time of filing.

21. If any document annexed with appeal is not in English then translation in English should be attached and a certificate at foot of the document issued by Advocate should state "True and correct translation of document".

22. Caveat: Whether any caveat has been filed in the matter. If so, notice must be served on the party filing the caveat about the date of hearing, if it is within its validity period.

23. Duly filled-in "Opening Sheet" to be filed.

24. A CD containing the Memorandum of Appeal to be filed, with cause title particulars exhibited on the outer cover.

Dated: 26/03/2010

OPENING SHEET
(To be enclosed at the time of filing)

Appeal/ AFR No.	Date of filing	Appellants	Respondents	Counsel of Appellants	Full DD Details	Relief sought- briefly & accurately for permanent record purpose with provisions of law involved.