

## **Arbitration and Appeals**

### **Arbitration by the Commission.-**

(1) Notwithstanding anything contained in the Arbitration and Conciliation Act, 1996 (Central Act No. 26 of 1996), any dispute arising between licensees shall be referred to the Commission. The Commission may proceed to act as arbitrator or nominate arbitrator or arbitrators to adjudicate and settle such dispute. The practice or procedure to be followed in connection with any such adjudication and settlement shall be such as may be prescribed by regulations.

(2) Where an award is made by the arbitrator appointed by the Commission, it shall be filed before the Commission and the Commission may pass appropriate orders on the award including orders to,-

Confirm and enforce the award;

Set aside or modify the award; or

Remit the award for reconsideration by the arbitrator.

(3) The award given by the Commission under sub-section (1) or the order passed by the Commission under sub-section (2) shall be a decision or order of the Commission and shall be appealable as provided in this Act.

(4) An award made by the commission under sub-section (1), or an order passed by the Commission under sub-section (2) shall be enforceable as if it was a decree of the Civil Court.

(5) The Commission may make such interim orders as it may consider appropriate at any time before the commencement or during the pendency or proceedings under this section.

**Appeals from decisions of Electrical Inspectors.-**Notwithstanding anything to the contrary in the Indian Electricity Act, 1910 (Central Act No. 9 of 1910) or the Electricity (Supply) Act, 1948 (Central Act No. 54 of 1948), or any rule made thereunder, an appeal shall lie from the decision of an Electrical Inspector (other than an Inspector of the Central Government or the Central Electricity Authority) to the Commission.

### **Appeals against the orders of the Commission.-**

(1) Any person aggrieved by any decision or order of the Commission passed under this Act, may file an appeal to the High Court.

(2) Except as provided under sub-section(1), no appeal or revision shall lie to any court from any decision or order of the Commission.

(3) Every appeal under this section shall be preferred within sixty days from the date of communication of the decision or order of the Commission to the person aggrieved by the said decision or order;

Provided that the High Court may entertain an appeal after the expiry of the said period of sixty days if it is satisfied that the aggrieved person had sufficient cause for not preferring the appeal within the said period of sixty days.