

Laws, Regulations and Rules passed hereunder.

JAMMU AND KASHMIR
STATE ELECTRICITY REGULATORY COMMISSION

Notification

No. 10/J&K/SERC (Consolidated Amendment) Regulation-2008, Jammu dated 22nd December, 2008.- In exercise of the powers conferred by sub-section (1) of section 36 of Jammu and Kashmir State Electricity Regulatory Commission Act, 2000 (Act No. VIII of 2000), the Jammu and Kashmir State Electricity Regulatory Commission hereby makes the following amendments in the Regulation notified by the Commission.

CHAPTER-I

1. Short title and commencement- These regulations may be called Jammu and Kashmir State Electricity Regulatory Commission (Consolidated Amendments) Regulations, 2008.
2. They shall come into force on the date of publication in the State Government Gazette.

CHAPTER-II

Following amendments incorporated in the Regulations No. 1/J&K/SERC/2005 titled Jammu & Kashmir State Electricity Regulatory Commission (Conduct of Business) Regulation, 2005:-

- (i) In Regulation 5 (3)

The words “the seal of Commission and shall be authenticated by an officer” shall be substituted by the words “the seal of the Commission and shall be authenticated by the Secretary or an officer”.

- (ii) In Regulation 8 (C) –

The words “by holding proceedings under” shall be substituted by the words “by holding proceedings”.

- (iii) In Regulation 9

The following shall be added at the end:-

“Provided meetings of the Commission shall be convened when there are more than one member holding office”.

- (iv) In Regulation 22 (b) –

The words “upon a petition filed by the Department or licensee” shall be substituted by the words “upon a petition filed by the utility/licensee”.

- (v) In Regulation 29 (3)-

The words “the person filing objections of comments” shall be substituted by the words “the person filing objections or comments”.

- (vi) In Regulation 30 (1)-

The word “in the proceedings the Commission shall” shall be substituted by the words “in the proceedings before the Commission shall”.

- (vii) In Regulation 40 (1)-

The words “not less than 15 (fifteen) days” shall be substituted by the words “less than 15 (fifteen) days”.

- (viii) In Regulation 46 –

The words “guidelines provided section 17 of the Act the Commission while” shall be substituted by the words “guidelines provided in section 17 of the Act read with Jammu and Kashmir Electricity (Supply) (Repeal) Act, 2004, the Commission while”.

- (ix) In Regulation 47 (7)-

The words “issue guidelines for the filing statement” shall be substituted by the words “issue guidelines for filing the statement”.

- (x) In Regulation 48 (1)-

The words “objections/suggestion” shall be substituted by the words “objections/suggestions”

- (xi) In Regulation 48 (2)-

The words “The licensee of the utility” shall be substituted by the words “The licensee or the utility”.

- (xii) In Regulation 48 (2) (a)-

The words “two daily newspapers Urdu and” shall be substituted by the words “two daily newspapers in Urdu”.

- (xiii) In Regulation 48 (2) (b)-

The words “in specified office” shall be substituted by the words “in specified office (s)”.

- (xiv) In Regulation 48 (2) (c)-

The words “to any interested persons” shall be substituted by the words “to any interested person (s)”.

- (xv) In Regulation 48 (5) -

The words “the tariff given the” shall be substituted by the words “the tariff given to the”.

- (xvi) In Regulation 49-

The words “The Commission may gets the books” shall be substituted by the words “The Commission may get the books” ;

And the words “or another used person” shall be substituted by “or the authorized person(s)”.

- (xvii) In Regulation 62. Quorum for meetings (1)-

The words “If there is no quorum, the meeting shall stand adjourned. No quorum is necessary for the adjourned meeting. If at any time after the meeting is commenced quorum ceases to exist the meeting shall not be dissolved but shall continue” shall be substituted by the words-

“If there is no quorum at the commencement of the meeting, the meeting shall stand adjourned to another date to be fixed by the Chairperson. No quorum is necessary for the adjourned meeting. If at any time after the meeting is commenced quorum ceases to exist, the meeting shall not be dissolved but shall continue”.

- (xviii) In Regulation 68 (2) –

The words “and it shall come into effect from the day the Chairman of the Commission accepts the same” are inserted at the end after the words “as a Committee member”.

(xix) In Regulation 70 (1)-

The words “the Commission on any of its offices consultants,” shall be substituted by the words, “the Commission or any of its officers, consultants,”.

(xx) In Regulation 72. Power of Review, Revision etc. (1)-

The words “within 90 (ninety) days” shall be substituted by the words “within 60 (sixty) days”.

(xxi) In Regulation 74-

The words “Extension of abridgement of time prescribed” shall be substituted by the words “Extension or abridgement of time prescribed”.

(xxii) In Form-2-

The words “..... of the petitioner application/reply” shall be substituted by the words “..... of the petition/application/reply”.

(xxiii) In Form-3-

At Sr. No. 12, the following words shall be deleted:-

The prescribed fee for the petition/application has not been paid”.

CHAPTER –III

Following amendments incorporated in the Regulation No. 5/J&K/SERC/2005 titled Jammu and Kashmir Sate Electricity Regulatory Commission (Terms and Conditions for Determination of Hydro-Generation Tariff) Regulations:-

In Regulation 2 (2)-

The words “utility and the power purchase agreement has been approved” shall be substituted by the words “the utility prior to the allotment of

the project to the utility for construction, operation and maintenance and the power purchase agreement has been approved”.

CHAPTER-IV

Following amendments incorporated in the Regulation No. 2/J&K/SERC/2005 titled Jammu and Kashmir State Electricity Regulatory Commission (Terms and Conditions for Determination of Distribution Tariff) Regulations:-

Chapter-4 :

The Regulation titled “Components of Annual Expenditure” shall be read as “9. Components of Annual Expenditure”.

In Chapter-4-

The Regulation titled “(1) Power Purchase Cost-(1) the existing and proposed” shall be read as “10. Power Purchase Cost-(1) The existing and proposed”.

In Regulation 13 (4) (b)-

The words “the debt and equity amounts at in accordance” shall be substituted by the words “the debt and equity amounts arrived at in accordance”.

In Regulation 18-

The words “the following four components” shall be substituted by the words “the following components”.

CHAPTER-V

Following amendments incorporated in the Regulations No. 3/J&K/SERC/2006 titled Jammu and Kashmir State Electricity Regulatory Commission (Appointment of Consultants) Regulations, 2005:-

Regulation 6 (i) shall be read as under:-

“Fee and charges: - For individual consultant engaged on monthly basis consolidated remuneration shall be paid, as may be decided by the Commission from time to time, but shall not exceed rupees seventy five thousand per month”.

(Consolidated Amendment)

By the order of the Commission.

(Sd.)

Secretary.