



Jammu & Kashmir State Electricity Regulatory Commission

Consolidated Amendments REGULATIONS

July, 2011

Jammu and Kashmir State Electricity Regulatory Commission

NOTIFICATION

No. JKSERC/14

Jammu Dated: 14.07.2011

In exercise of the power conferred by subsection (1) of section 138 of Jammu and Kashmir Electricity Act 2010, (Act NO. XIII of 2010), the Jammu and Kashmir State Electricity Regulatory hereby makes the following amendments in the various regulations notified by it in the past, consequent upon the repealing of the Jammu and Kashmir Electricity Act, 1997 Svt and the Jammu and Kashmir Electricity Regulatory Commission Act, 2000, so as to bring these Regulations in conformity with the provisions of the Jammu and Kashmir Electricity Act, 2010.

Chapter – I

1. **Short title and commencement:-** These Regulations may be called Jammu and Kashmir State Electricity Commission (Consolidated Amendments) Regulations, 2011.
2. They shall come into force on the date of publication in State Government Gazette.

Chapter – II

The following amendments are incorporated in the Jammu and Kashmir State Electricity Commission (Conduct of Business) Regulations, 2005 originally notified in the State Government Gazette on 5th April, 2005.

(i) In Opening Para

The words "by subsection (1) of section 36 of Jammu and Kashmir State Electricity Regulatory Commission Act 2000 (Act No. VIII of 2000)" shall be substituted by the words "subsection (1) of section 138 of Jammu and Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

(ii) In Regulation 2 (1) (a)

The words "The Jammu and Kashmir State Electricity Regulatory Commission Act 2000 (Act No. VIII of 2000)" shall be substituted by the words "Jammu and Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

(iii) In Regulation 2 (1) (e)

The words "section 13 of the Act" shall be substituted by words "subsection (1) of section 68 of the Act."

(iv) In Regulation 2 (1) (g)

The words "a person licensed under Part – II of Jammu and Kashmir Electricity Act, 1997 (Act No. XIV of 1997 Svt/1940 AD) to supply energy or a person who has obtained sanction under section 28 of the Act to engage in the business of supplying energy" shall be substituted by words "a person who has been granted a license under section 14 of the Act"

(v) In Regulation 42(1)

The word "section 29", shall be substituted by the words "section 77".

(vi) In Regulation 44 (2)

The words "section 8 and 17 of the Act" should be substituted by the words section 55 and 71 of the Act".

(vii) In Regulation 46

The words "section 17" shall be substituted by the words "section 55".

(viii) In Regulation 56 (1)

The words "section 13" shall be substituted by the words "section 68"

(ix) In Regulation 56(2)

The words "21 (Twenty One) members appointed by the Commission to represent the interest mentioned in the sub-section (2) of section 13 of the Act" shall be substituted by the words "eleven members excluding the ex-officio members to represent the interests of commerce, industry, trans[port, agriculture, labour, consumers, non-governmental organisation and academics research bodies in electricity sectors".

(x) In Regulation 56 (3)

Sub Regulation 56 (3) shall be deleted.

(xi) In Regulation 56(4) & 56(5)

Sub Regulation 56(4) and Sub Regulation 56(5) are renumbered as 56(3) and 56(4) respectively.

Chapter – III

Following amendments are incorporated in the Jammu and Kashmir State Electricity Regulatory Commission (Appointment of Consultant) Regulation, 2005, originally notified on 26.05.2005.

(i) In opening para

The words "section 7(4) and 36 of Jammu & Kashmir State Electricity Regulatory Commission Act, 2000 (Act No. VIII of 2000)" shall be substituted by the words "section 70(5) and 138 of Jammu & Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

(ii) In Regulation 2(1)(a)

The words "The Jammu and Kashmir State Electricity Regulatory Commission Act 2000 (Act No. VIII of 2000)" shall be substituted by the words "Jammu and Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

Chapter- IV

Following amendments are incorporated in Jammu and Kashmir Electricity Regulatory Commission (Power Purchase and Procurement) Regulation 2005, originally notified on 21.06.2005.

(i) In opening para.

The words "sections 36 read with section 8(1)©" shall be substituted by the words "section 138 read with section 71(1) (b) of Jammu & Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

(ii) In Regulation 1(3)

The words "Jammu & Kashmir Electricity Act, Svt. 1997 or Jammu & Kashmir Electricity Duty, 1963 or the Jammu &

Kashmir State Electricity Regulatory Commission Act, 2000" shall be substituted by Jammu & Kashmir Electricity Act, 2010 (Act No. XIII of 2010) and Jammu & Kashmir Electricity Duty Act, 1963.

Chapter- V

Following amendments are incorporated in Jammu and Kashmir Electricity Regulatory Commission (Open Access in Intra-State Transmission and Distribution) Regulations, 2006, originally notified on 25.01.2006.

(i) In Opening Para.

The words "section 8(1) (D) AND 36 OF Jammu & Kashmir State Electricity Regulatory Commission Act, 2000" be substituted by the words "section 33, 36, 71(1) and 138 of the Jammu & Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

(ii) In Regulation 2(1) under "Definitions"

The words "Jammu & Kashmir State Electricity Regulatory Commission Act, 2000" appearing in the definition of "Act" shall be substituted by the words "Jammu & Kashmir Electricity Act, 2010 (Act XIII of 2010)".

(iii) The words "Electricity Act Svt 1997" appearing in the definition of "Consumer" shall be substituted by the words "Jammu & Kashmir Electricity Act, 2010".

(iv) The words "or J&K Electricity Act, Svt 1997" appearing in para one of the definition of "Works" shall be deleted.

The words "Jammu & Kashmir Electricity Act Svt. 1997 or the Jammu & Kashmir Electricity Duty Act, 1963 or the Jammu & Kashmir State Electricity Regulatory Commission Act, 2000" appearing in para two of the definition of "Works" shall be substituted by the words "Jammu & Kashmir Electricity Duty Act 1963 or Jammu & Kashmir Electricity Act 2010"

(v) In transmission services agreement forming Annexure-II

Under definition of "Act" the words "Jammu & Kashmir State Electricity Commission Act, 2000" shall be substituted by the words "Jammu & Kashmir Electricity Act, 2010 (Act XIII of 2010)".

Chapter- VI

Following amendments are incorporated in Jammu & Kashmir State Electricity Regulatory Commission (Distribution Performance Standards) Regulation, 2006, originally notified on 19.06.2006.

(i) In opening para

The words "section 8(1)(d) and 36 of the Jammu and Kashmir State Electricity Regulatory Commission Act, 2000" shall be substituted by the words "section 71 (1)(i) and 138 of Jammu & Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

(ii) In Regulation 2.1 under "Definitions"

- (a) The words "Jammu and Kashmir State Electricity Regulatory Commission Act, 2000" appearing in the definition of "Act" shall be substituted by the words "Jammu & Kashmir Electricity Act, 2010 (Act No. XIII of 2010)".

- (b) The words "Jammu and Kashmir Electricity Act of Svt. 1997" appearing in the definition of "Applicant" shall be substituted by the word "Act".
- (c) The words "J&K Electricity Act of Svt. 1997" appearing in definition of "Consumer" shall be substituted by the word "Act".
- (d) The words section 35 of Jammu and Kashmir Electricity Act of Svt. 1997" appearing in the definition of "Electrical Inspector" shall be substituted by the words "section 124 of the Act".
- (e) The words "Voltage level above 650 volts but does not exceed 33000 volts subject to the permissible variation" appearing in the definition of "HV/HT" shall be substituted by the words "as may be specified by the Authority (CEA) from time to time".
- (f) The words "licensed under part-II of Jammu & Kashmir Act 1997 (Act No. XIV of 1997 Svt/1940 AD) to supply energy or a person who has obtained sanction under section 28 of that Act to engage in the business of supply energy" appearing in the definition of Licensee" shall be substituted by the words" who has been granted a licence under section 14 of the Act".
- (g)
 - i) The words "the Jammu and Kashmir Act Svt 1997, or" appearing in the definition of "Words and Expressions" shall be deleted.
 - ii) The words "the Jammu and Kashmir State Electricity Regulatory Commission Act 2000" appearing in the definition of "Words and Expressions"

shall be substituted by the words "Jammu and Kashmir Electricity Act, 2010".

(iii) In Regulation 10.1

The Words "the Jammu and Kashmir Act of Svt 1997 (Schedule IV, V, VI, VII and VIII)" shall be substituted by the words" Jammu & Kashmir Electrify Act, 2010".

Chapter-VII

Following are incorporated in Jammu and Kashmir Electricity Grid Code Regulations, originally notified on 20.11.2007.

(i) In opening para

The words "Section 8(1)(d) and 36 of the Jammu and Kashmir State Electricity Regulatory Commission Act 2000" shall be substituted by words "Section 71(1)(h) and 138 of the Jammu and Kashmir Electricity Act 2010.

(ii) In Regulation 2 under "Definition"

The words "Jammu and Kashmir State Electricity Regulatory Commission Act, 2000" appearing in the definition of "Act" shall be substituted by the words "Jammu and Kashmir Electricity Act, 2010".

(iii) In Regulation 2 in the last para under "Definitions"

The words "the Jammu and Kashmir Electricity Act Svt. 1997 or the J&K Electricity Duty Act, 1963 or the J&K State Electricity Regulatory Commission Act, 2000" shall be substituted

by the words "the J&K Electricity Duty Act, 1963 or the Jammu & Kashmir Electricity Act, 2000".

Chapter- VIII

following amendments are incorporated in Jammu and Kashmir State Electricity Regulatory Commission (Security Deposit) Regulation, 2008 originally notified on 24.10.2008.

(i) In opening para

The words "section 17(2)(f) of the Jammu and Kashmir State Electricity Regulatory Commission Act 2000" shall be substituted by the words "section 71 (1)(a) and 138 of Jammu and Kashmir Electricity Act, 2010.

(ii) In Regulation 2.1(a)

The words "Jammu and Kashmir State Electricity Regulatory Commission Act 2000" shall be substituted by the words "Jammu and Kashmir Electricity Act, 2010 (Act No. XIII of 2010).

(iii) In Regulation 2.1 in the concluding para under "Definition"

The words "Jammu and Kashmir Electricity Act Svt. 1997 or the J&K Electricity Duty Act, 1963 or the J&K State Electricity Regulatory Commission Act, 2000" shall be substituted by "the words "J&K Electricity Duty Act, 1963 or the Jammu and Kashmir Electricity Act, 2010".

(iv) In Regulation 3.1

The words "section 17(2)(f) of the Jammu and Kashmir State Electricity Regulatory Commission Act, 2000" shall be

substituted by the words "Section 71(1)(a) of Jammu and Kashmir Electricity Act, 2010".

(v) In Regulation 5.1

The words "J&K Electricity Regulatory Commission Act, 2000" shall be substituted by the "Act".

(vi) In Notification No.:11 of 2009 dated 29th April, 2009 (Jammu and Kashmir State Electricity Regulatory Commission (J&K SERC) (Amendment of Security Deposit) Regulation, 2009

The Words "sub-section (1) of section 36 of Jammu and Kashmir State Electricity Regulatory Commission Act, 2000" shall be substituted by the words "section 71(1)(b) of the Jammu and Kashmir Electricity Act, 2010".

By order of the Commission

Sd/-
Secretary
Jammu & Kashmir
State Electricity Regulatory Commission