

**Jammu & Kashmir
State Electricity Regulatory Commission**

Notification No.: JKSERC/18 of 2012

Dated: 26-04-2012

Whereas the Jammu & Kashmir State Electricity Act, 2010 (Act No.: XIII of 2010) was notified on 29th April, 2010 and it came into force the same day;

And whereas Section 49 of the said Act stipulates as under:-

- (1) No licensee shall supply electricity, after the expiry of two years from the commencement of the Act, except through installation of a correct meter in accordance with the regulations to be made in this behalf by the Commission:

Provided that the licensee may require the consumer to give him security for the price of a meter and enter into an agreement for the hire thereof, unless the consumer elects to purchase a meter:

Provided further that the Commission may, by notification, extend the said period of two years for a class or classes of persons or for such area as may be specified in that notification.

- (2) For proper accounting and audit in the generation, transmission and distribution or trading of electricity, the Commission may direct the installation of meters by a generating company or licensee at such stages of generation, transmission or distribution or trading of electricity and at such locations of generation, transmission or distribution or trading as it may deem necessary.

- (3) If a person makes default in complying with the provisions contained in this section or the regulations made under sub-section (1), the Commission may make such order as it thinks fit for requiring the default to be made good by the generating company or licensee or by any officers of a company or other association or any other person who is responsible for its default.

And whereas in its order on Annual Revenue Requirement and Determination of Retail Tariff for financial year 2012-13 for JKPDD notified on 16th April, 2012, the State Electricity Regulatory Commission (JKSERC) has interalia, made it clear that the Act mandates supply of electricity to all consumers through correct meters only and that the power supply is not legally possible to unmetered consumers beyond April, 2012 and JKPDD shall approach the competent authority with a clear cut plan of metering, with milestones to get the deadline extended;

And whereas JKPDD has filed a petition dated 25th April, 2012 before the Commission seeking extension of period for installation of 100% correct meters at all levels and to all unmetered consumers in the state together with metering plan showing phase wise target for 100% metering by "almost 1(one) year".

And whereas the cut off date of 28th April, 2012 for installation of 100% correct meters at all levels and to all persons could not be accomplished by the deemed Transmission and Distribution Licensee (PDD, Govt. of J&K) for the reasons recorded in their petition dated 25th April, 2012;

And whereas difficulties have arisen regarding the validity of supplying electricity to unmetered consumers after the expiry of two years from the commencement of the Act, without extension to the said period of 2 years.

Now, therefore, the J&K State Electricity Regulatory Commission, in exercise of the powers vested in it under the second proviso to Section 49 (I) of the Act hereby extends the period for supply of electricity, beyond the expiry of two years from the commencement of the Act for installation of correct meters upto 30th June, 2013.

(i) It shall be applicable to the Distribution Licensee (JKPDD) in its licensed areas.

(ii) It shall extend to all classes (categories) of consumers.

By order of the Commission

Sd/-
Secretary,
Jammu & Kashmir
State Electricity Regulatory Commission,
Jammu