

**CENTRAL ELECTRICITY REGULATORY COMMISSION  
NEW DELHI**

**Petition No. 136/SM/2013**

- Subject : Default in opening of Letter of Credit in accordance with Central Electricity Regulatory Commission (Unscheduled Interchange Charges and related matters) Regulations, 2009.
- Date of hearing : 13.8.2013
- Coram : Shri V.S.Verma, Member  
Shri M. Deena Dayalan, Member
- Respondents : Power Development Department, Jammu and Kashmir  
Secretary, Power Development Department, Jammu and Kashmir
- Parties present : Shri Suhail Malik, Advocate for the petitioner  
Shri Vikas Sharma, PDD, Jammu and Kashmir  
Shri Umesh Pandey, PDD, Jammu and Kashmir  
Shri H.K.Chawla, NRLDC

**Record of Proceedings**

Learned counsel for the respondents submitted that the Electricity Act, 2003 does not extend to the State of Jammu and Kashmir and therefore, PDD, J&K is not amenable to the jurisdiction of CERC. In this regard, learned counsel submitted that he had taken instructions from Principal Secretary, Power Development Department, Jammu and Kashmir.

2. Learned counsel submitted that notwithstanding his submission with regard to the jurisdiction of CERC, the matter is receiving consideration of the PDD, J &K.

3. The Commission directed the Principal Secretary, Power Development Department, Jammu and Kashmir to file his response to the notice dated 18.7.2013 and submission made by the learned counsel during the hearing on affidavit by 30.8.2013.

4. The petition shall be listed for hearing on 10.9.2013.

**By order of the Commission,**

**Sd/-  
(T. Rout)  
Chief (Law)**