

कार्यालय आवेश

उत्तर प्रदेश शासन द्वारा उद्योगों को बढ़ावा देने हेतु विभिन्न नीतियां प्रख्यापित की गयी हैं एवं नीतियों के अंतर्गत स्थापित उद्योगों द्वारा उपभुक्त विद्युत ऊर्जा पर इलेक्ट्रिसिटी ड्यूटी से छूट का प्राविधान किया गया है। इन नीतियों के अंतर्गत उत्तर प्रदेश में स्थापित होने वाले औद्योगिक इकाईयों को इलेक्ट्रिसिटी ड्यूटी से छूट दिये जाने के संबंध में ऊर्जा अनुभाग-3, उ0प्र0 शासन द्वारा निम्न अधिसूचना जारी की गयी है:-

- 1- सोलर इनर्जी नीति-2017 के अंतर्गत जारी अधिसूचना संख्या-272/24-पी-3-2018, दिनांक 5.2.2018
- 2- अवस्थापना एवं औद्योगिक निवेश नीति-2012 के अंतर्गत जारी अधिसूचना संख्या 274/24-पी-3 - 2018-2000(124) / 2009 दिनांक 05.02.2018
- 3- औद्योगिक निवेश एवं रोजगार प्रोत्साहन नीति-2017 के अंतर्गत जारी अधिसूचना संख्या 275/ 24-पी-3-2018-2000(124) / 2009 दिनांक 05.02.2018
- 4- औद्योगिक एवं सेवा क्षेत्र नीति-2004 के अंतर्गत जारी अधिसूचना संख्या 276/24-पी-3 -2018 - 2000(124) / 2009 दिनांक 05.02.2018

भविष्य में अन्य विभागों द्वारा समान नीतियों को प्रख्यापित किये जाने की संभावना को दृष्टिगत रखते हुए इलेक्ट्रिसिटी ड्यूटी से छूट दिये जाने के लिए निम्न प्रक्रिया का पालन किया जायेगा-

- 1- इलेक्ट्रिसिटी ड्यूटी से छूट दिये जाने हेतु जारी अधिसूचना के क्रियान्वयन के लिए निदेशालय के विद्युत कर अनुभाग द्वारा रीजनल/जोनल कार्यालय से समन्वय स्थापित करते हुए पात्र इकाई से प्राप्त इलेक्ट्रिसिटी ड्यूटी से संबंधित विवरण मुख्यालय में प्राप्त करके अग्रेतर कार्यवाही की जायेगी एवं विवरण का रखरखाव प्रत्येक स्तर पर किया जायेगा।
- 2- नीतियों के अंतर्गत निर्गत अधिसूचना के अनुसार इलेक्ट्रिसिटी ड्यूटी से छूट प्राप्त करने हेतु संबंधित विभाग के सक्षम अधिकारी से औद्योगिक इकाई के पात्र होने का पात्रता प्रमाण पत्र इकाई द्वारा प्राप्त किया जायेगा, जिसमें पात्र इकाई को इलेक्ट्रिसिटी ड्यूटी से छूट देने की अपेक्षा का विवरण अंकित हो। अधिसूचना संख्या 276/24-पी-3-2018-2000(124)/2009, दिनांक 05.02.2018 के अंतर्गत छूट का लाभ लेने हेतु आवश्यक कागजात इकाई द्वारा निदेशालय में जमा किये जायेगे।
- 3- इकाई द्वारा विद्युतीय अधिष्ठापनों से संबंधित निम्न विवरण प्रस्तुत किया जायेगा:-
(क) मीटर सीलिंग सर्टीफिकेट एवं लोड स्वीकृति की छायाप्रति।
(ख) विद्युत सुरक्षा निदेशालय द्वारा जारी विद्युतीय अधिष्ठापनों से संबंधित अनापत्ति प्रमाण-पत्र।
(ग) डिस्काम/फ्रेन्चाइजी/लाइसेंसी के सक्षम प्राधिकारी द्वारा जारी इकाई के विद्युतीय अधिष्ठापन को ऊर्जाकृत किये जाने की तिथि का प्रमाण-पत्र।
- 4- इलेक्ट्रिसिटी ड्यूटी से छूट से संबंधित प्रमाण पत्र रीजनल उपनिदेशक द्वारा निर्गत करने के पश्चात उक्त छूट सप्लायर के सक्षम अधिकारी द्वारा दी जायेगी।
- 5- इलेक्ट्रिसिटी ड्यूटी से छूट प्राप्त इकाई द्वारा प्रतिमाह सप्लायर द्वारा जारी विद्युत बिल की छायाप्रति निदेशालय के रीजनल/जोनल कार्यालय में जमा की जायेगी।

- 6- सप्लायर द्वारा दी गयी इलेक्ट्रिसिटी ड्यूटी में छूट से संबंधित विवरण उपभोक्ता द्वारा संलग्न प्रारूप-1 पर उपभुक्त ऊर्जा के विवरण के साथ प्रेषित किया जायेगा।
- 7- सप्लायर द्वारा अनुरक्षित इलेक्ट्रिसिटी ड्यूटी के अभिलेखों की जाँच, उत्तर प्रदेश इलेक्ट्रिसिटी ड्यूटी एक्ट, 1952 एवं इसके अंतर्गत बनी उत्तर प्रदेश इलेक्ट्रिसिटी (ड्यूटी) नियमावली, 1952 में उल्लिखित नियमों के प्रयोजन के लिए शासकीय आदेश संख्या 4901/पी-3/2003-24 दिनांक 05.01.2004 द्वारा नियुक्त निरीक्षाधिकारी द्वारा की जायेगी, यह भी सुनिश्चित किया जायेगा, कि छूट अनुमन्य होने पर छूट का दुरुपयोग न हो, एवं छूट का प्रयोग उसी प्रयोजन हेतु किया जा रहा है, जिस प्रयोजन हेतु छूट अनुमन्य की गयी है।
- 8- इलेक्ट्रिसिटी ड्यूटी में छूट संबंधी अन्य कार्यवाही उत्तर प्रदेश इलेक्ट्रिसिटी ड्यूटी एक्ट, 1952 एवं इसके अंतर्गत बनी उत्तर प्रदेश इलेक्ट्रिसिटी (ड्यूटी) नियमावली, 1952 में उल्लिखित नियमों के अनुसार की जायेगी।
- 9- इलेक्ट्रिसिटी ड्यूटी छूट संबंधी विवरण संलग्न प्रारूप-2 में जोनल/रीजनल कार्यालय द्वारा रजिस्टर में प्रविष्टी करके अनुरक्षित की जायेगी।

160CH

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(शुभ्रा सक्सेना)
कार्यवाहक निदेशक

संख्या- मु0ई0/ई0डी0/छूट/का0आ0 तददिनांक।

उपरोक्त की प्रतिलिपि निम्न लिखित को सूचनाथ एवं आवश्यक कार्यवाही हेतु प्रेषित।

- ✓1- महालेखाकार, उत्तर प्रदेश, इलाहाबाद।
- 2- प्रमुख सचिव, ऊर्जा, अनुभाग-3, उत्तर प्रदेश शासन, लखनऊ।
- 3- प्रमुख सचिव, अतिरिक्त ऊर्जा स्रोत, उत्तर प्रदेश शासन, लखनऊ।
- 4- सचिव, अवस्थापना एवं औद्योगिक विकास विभाग, उत्तर प्रदेश शासन, लखनऊ।
- 5- संयुक्त अधिशाषी निदेशक, उद्योग बन्धु, 12-सी, माल एवेन्यू, लखनऊ।
- 6- अध्यक्ष एवं प्रबन्ध निदेशक, उ0प्र0पावर कारपोरेशन, शक्ति भवन, लखनऊ।
- 7- सचिव, विद्युत नियामक आयोग, मण्डी भवन, लखनऊ।
- 8- प्रबन्ध निदेशक, उ0प्र0 राज्य विद्युत उत्पादन नि0लि0, शक्ति भवन, लखनऊ/ मध्यांचल विद्युत वितरण नि0लि0 लखनऊ/ पूर्वांचल विद्युत वितरण नि0लि0 वाराणसी/ पश्चिमांचल विद्युत वितरण नि0लि0 मेरठ/ दक्षिणांचल विद्युत वितरण नि0लि0 आगरा/ उत्तर प्रदेश जल विद्युत निगम लि0, शक्ति भवन, लखनऊ/ मेसर्स टोरन्ट पावर लि0 आगरा/ मेसर्स नोयडा पावर क0 गाजियाबाद।
- 9- प्रबन्ध निदेशक, केस्को, कानपुर।
- 10- निदेशक, उत्तर प्रदेश नवीन एवं नवीनीकरणीय ऊर्जा विकास अभिकरण, विभूति खण्ड, गोमतीनगर लखनऊ।
- 11- संयुक्त निदेशक प्रथम/द्वितीय विद्युत सुरक्षा, उ0प्र0शासन, लखनऊ।
- 12- ज्ञमस्त उपनिदेशक, विद्युत सुरक्षा, उ0प्र0शासन, मुख्यालय, लखनऊ।
- 13- उपनिदेशक, विद्युत सुरक्षा, उ0प्र0शासन,रीजन.....।
- 14- सहायक निदेशक, विद्युत सुरक्षा, उ0प्र0 शासन,गो. गाजियाबाद.....।

गाजियाबाद

गाजियाबाद

(शुभ्रा सक्सेना)
कार्यवाहक निदेशक

UTTAR PRADESH SHASAN
URJA ANUBHAG-3

No. 272/24-P-3-2018-SA(10)/2018,
Lucknow Dated 05 February, 2018.

In pursuance of the provisions of clause (3) of Article 348 of the Constitution,
the Governor is pleased to order the publication of the following English
translation of Government notification No.272 /24-P-3-2018-SA(10)/2018,
Dated 05 February, 2018.

NOTIFICATION

WHEREAS the Uttar Pradesh Solar Energy Policy, 2017 has been approved by the Cabinet in its meeting dated 06-12-2017.

AND WHEREAS it has been provided in para 9. (iii) of the said Policy that all new units functional within five years from the date of issuance of the said Policy shall be entitled for exemption from electricity duty for a period of ten years.

NOW THEREFORE in exercise of the powers under sub-section (4) of section-3 of the Uttar Pradesh Electricity (Duty) Act, 1952 (U.P. Act no. 33 of 1952) the Governor, having regard to the prevailing charges for supply of energy in any area of the state of Uttar Pradesh, the generating capacity of any part, the need to promote industrial production generally is pleased to direct that all new Solar energy units operational within five years of the issuance of the said policy shall be entitled for exemption from electricity duty for a period of ten years.

By Order

Alok Kumar,
Principal Secretary.

Government Of Uttar Pradesh
Urja Anubhag-3
No.....~~236~~...../24-P-32018
Lucknow : Dated 05 February, 2018

Notification

1. On the basis of exemption in Electricity duty allowed under Para 3.4.2.9 of the Uttar Pradesh Industrial and Service Sector Policy-2004 to all new units for a period of 10 years and Para 4.5 to all units declared as Pioneer Units for a period of 15 years, Department of Energy by issuing notification No. 1765/24-3-2009-2000(124)/09, dated 21.01.2010 created a provision for exemption in electricity duty to all new Industrial and all units declared as Pioneer Units for a period of 10 years and 15 years respectively.

2. With respect to notification dated 21.01.2000 issued by Energy Department, Honorable High Court in writ petition No. 19842/2003 through order dated 07.11.2010 directed exemption in electricity duty to industrial units from the date of issuance of notification. Against above order in civil appeal No. 10446-10447/2017 and No. 10448-10449/2017 filed before the Honorable Supreme Court by M/S Gallant Ispat Limited, Gondkhur and M/S Sarvottam Rolling Mills Pvt. Ltd respectively, Supreme Court passed order dated 11.08.2017 setting aside the order of Hon'ble High Court dated 07.11.2014. Relevant portion of the order passed by Honorable Supreme Court is as follows:-

"... The High Court has taken the view that the appellant would not be entitled to any benefit under the said notification. We cannot agree. While it is correct that the benefit of exemption is required to be made by the exercise of the statutory power under the Act, which came in the form of the notification dated 21.01.2010, what cannot escape our attention is the fact that the appellant's case before the High Court was that he has established his unit, inter alia, on the strength of the representation held out in the Industrial Policy which came to be given effect to by notification date 21.01.2010. There is no dispute on the said fact.

If that is so, the appellant on the basis of the basis of representation held out by the State would be entitled to the benefit of the said notification for the period for which exemption has been promised, commencing from the date of the notification. The benefit under the industrial policy of 2004 will become available to all eligible units not from the date of establishment of the unit but with effect from the date of issuance of the requisite notification under the Act which came to be issued on 21.01.2010."

So, in view of Honorable Supreme Court Order dated 11.08.2017, Industrial units and Pioneer Units established before issuance of notification dated 21.01.2010 of energy department under U.P. Industrial and Service Sectors Policy 2004 and after enforcement of

Industrial and Service Sectors Policy 2004 will be allowed benefits of 10 years and 15 years respectively from the date of notification i.e 21.01.2010 as per law.

4. The adjustment of electricity duty deposited against energy consumed by units established before issuance of notification dated 21.01.2010 and after enactment of Industrial and Service Sectors Policy 2004, will be done from the date of issuance of this notification.
5. The claims submitted by New and Pioneer Units w.e.f 21.01.2010 for electricity duty as per law will be adjusted from date of enactment of this notification and the time period for adjustment can be increased as per requirement.
6. If any units shut, it can avail reimbursement of electricity duty exemption from Director, Electricity Safety.
7. For Example:-
 - i. Establishment date of new unit-01 April, 2007.
 - ii. Period of Electricity Duty exemption from-21.01.2010 to 21.01.2020.
 - iii. Date of enactment of present notification 05.02.2018.
 - iv. From 21.01.2010 to 04.02.2018 (Till date of enactment of present notification) will be credited to beneficiary.
 - v. Electricity Duty will be exempted from 05.02.2018 to 21.01.2020
 - vi. After 21.01.2020 the credited amount will be adjusted against present Electricity Duty till the entire credited amount gets adjusted.
8. Industrial units will have to submit their claims in prescribed format to Director, Electricity Safety and units submitting claims to Director, Electricity Safety only will be allowed adjustment of exemption amount. Along with the claim, the Certificates of being New Unit and Pioneer Unit issued by competent authority duly verified by concerned officer authorized for electricity duty exemption shall have to be submitted.
9. Formats for submission of claim by industrial units and reimbursement to be given by department on it, are attached herewith.

By Order

Alok kumār
Principal Secretary

No. 276 (i)24-P-3-2018 dated: 05/02/18

Copy forwarded to following for information and necessary action:-

- 1) Account General, U.P., Allahabad.
- 2) Secretary, Electricity Regulatory Commission, U.P., Lucknow
- 3) Chairman/M.D., UPPCL, Shakti Bhawan, Lucknow.
- 4) Managing Director, U.P. Rajya Vidhyut Utpadan Nigam Limited, Shakti Bhawan, Lucknow/U.P. Jal Vidhyut Nigam Limited, Shakti Bhawan, Lucknow/Madhyanchal V.V.N.L., Lucknow/ Purvanchal V.V.N.L., Varansi/Pashchimanchal V.V.N.L., Meerut/Dakhshinanchal V.V.N.L., Agra/Kesco, Kanpur.
- 5) Officiating Director, Electricity Safety, U.P., Gomti nagar, Lucknow.
- 6) Micro, Small and Medium Enterprises Anubhag-4/Industrial Development Anubhag-6, U.P. Gov., Lucknow.
- 7) Director, Printing and Account Material, Aishbagh, Lucknow with direction to publish above notification in next publication of part-4, Division-8 of Extraordinary Gazette, U.P. Legal Annexure and to make available 500 copies of it to U.P. Gov. immediately.
- 8) Anubhagiya Order Book.

By Order,


(S.P. SINGH)
Joint Secretary,

Certificate For Claim

- 1- Name of Unit :-
- 2- Unit Owner Name :-
- 3- Father's Name :-
- 4- Established Unit Address :-
- 5- Date of registration in District Industrial Center :-
- 6- Date Of Unit Energisation :-
- 7- Date Of Unit Installation :-
- 8- Certification Number (copy of certificate to be enclosed) of New/Pioneer Unit :-
- 9- Period for exemption from Electricity Duty :-
- 10- Detail of verified electricity duty in prescribed Pro-forma (To be enclosed) by authorized officer of Discom :-
- 11- Copy of Deposited Verified Electricity Bill (To be enclosed) in the period of exemption :-
- 12- Verified amount of total deposited E.D :-
- 13- Adjusted amount against serial no. 12, if any :-

It is certified that I/We, Mr./Mrs. Son/Wife

hereby declare that all above details are true in my/our knowledge and I/We have not hidden any fact in above details/information. If above details/information is found false, Department will be forced to take action.

Signature

Name of consumer

Receipt

(For Office Use)

Received claim letter dated of Rs. from Mr.
Son of Mr. (the Name of Unit

Assistant Director

Zone,

Certificate for Refund

- 1- Name of Unit :-
- 2- Unit Owner Name :-
- 3- Father's Name :-
- 4- Established Unit Address :-
- 5- Date of registration in District Industrial Center :-
- 6- Date Of Unit Energisation :-
- 7- Closer Date Of Unit :-
- 8- Certification Number (copy of certificate to be enclosed) of New/Pioneer Unit :-
- 9- Period for exemption on electricity duty :-
- 10- Detail of verified electricity duty in prescribed Pro-forma (To be enclosed) by authorized officer of Discom :-
- 11- Copy of Deposited Verified Electricity Bill (To be enclosed) in the period of exemption :-
- 12- Total Amount Deposited :-
- 13- Total amount Claim for Refund :-

It is certified that I/We, Mr./Mrs. Son/Wife

hereby declare that all above details are true in my/our knowledge and I/We have not hidden any fact in above details/information. If above details/information is found false, Department will be forced to take action

Signature

Name of consumer

Receipt (For Office Use)

Received claim letter dated of Rs. from Mr.
son of Mr. (the Name of Unit
.....)

Assistant Director

Zone

Detail of Total Amount deposited on Account of E.D. in concerned
Division of Discom.

S.No.	Month	Bill No.	Date	Total Amount of E.D. Deposited	Return/Adjusted Amount, If any

Verified the Above Detail.

Signature

Executive Engineer

Signature

Name of Consumer

DD (L.B.G.) 1110210

**Uttar Pradesh Shashan
Urja Anubhag-3**

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to publish the English translation of notification No. 275/24-P-3-2018-2000(124)/2009 Lucknow, Dated 05 February, 2018

:- NOTIFICATION :-

WHEREAS on the basis of exemption in electricity duty allowed under Para 3.4.2.9 of the Uttar Pradesh Industrial and Service Sector Policy-2004 to all new units for a period of 10 years and Para 4.5 to all units declared as pioneer units for a period of 15 years, Department of Energy by issuing notification No. 1765/24- 3-2009-2000 (124)/09, dated 21.01.2010 created a provision for exemption in electricity duty to all new industrial units and all units declared as pioneer units for a period of 10 years and 15 years respectively.

WHEREAS after approval of Hon'ble Council of Ministers, U.P. Industrial Investment & Employment Promotion Policy-2017 has been decided. Under para 5.7 above policy of 2017, a provision has been created for exemption in electricity duty to all new industrial units for a period of 10 years :

NOW THEREFORE the Governor having regard to the prevailing charges for supply of energy in any area, the generating capacity of any plant, the need to promote industrial production generally, is pleased to direct under sub-section (4) of section 3 of the Uttar Pradesh Electricity Duty Act, 1952 (U.P. Act no. 33 of 1952) that all such industrial units declared as new industrial units shall be exempted from electricity duty for the period of 10 years.

DD (L.B.G.)

By Order,

Alok Kumar
Principal Secretary.

DD (L.B.) 70/6 & 10

Uttar Pradesh Shashan

Urja Anubhag-3

In pursuance of the provisions of clause (3) of Article 348 of the Constitution, the Governor is pleased to publish the English translation of notification NO.274/24-P-3-2018-2000(124)/2009 Lucknow, Dated 05 February, 2018

-: NOTIFICATION :-

WHEREAS on the basis of exemption in electricity duty allowed under Para 3.4.2.9 of the Uttar Pradesh Industrial and Service Sector Policy-2004 to all new units for a period of 10 years and Para 4.5 to all units declared as pioneer units for a period of 15 years, the Department of Energy by issuing notification No. 1765/24- 3-2009-2000 (124)/09, dated 21.01.2010 created a provision for exemption in electricity duty to all new industrial units and all units declared as pioneer units for a period of 10 years and 15 years respectively.

AND WHEREAS after approval of Hon'ble Council of Ministers, Infrastructure & Industrial Investment Policy-2012 has been issued ; under para 5.5 of aforesaid policy, a provision has been created for continuation of exemption in electricity duty to all new industrial units and all units declared as pioneer units for a period of 10 years and 15 years respectively.

NOW THEREFORE the Governor having regard to the prevailing charges for supply of energy in any area, the generating capacity of any plant, the need to promote industrial production generally, is pleased to direct under sub-section (4) of section 3 of the Uttar Pradesh Electricity (Duty) Act, 1952 (U.P. Act no. 33 of 1952) that all such industrial units declared as new industrial units and pioneer units shall be exempted from electricity duty for the period of 10 years and 15 years respectively.

By Order.

Alok Kumar

Deputy Commissioner

DD (L.B.)