



उ०प्र० पावर कारपोरेशन लि०

(उ०प्र० सरकार का उपक्रम)

"वाणिज्य एवं ऊर्जा लेखा"

चतुर्थ तल, शक्ति भवन विस्तार, 14-अशोक मार्ग, लखनऊ

दूरभाष सं०: 0522-2287868, फैक्स सं०: 0522-2287834

ई-मेल : cecomuppcl@gmail.com वेबसाईट- www.uppcl.org

CIN : U32201UP1999SGC024928

अति महत्वपूर्ण
ड्राफ्ट ई-मेल

सं० १५१ / मु०अ०(वा० एवं ऊ०ले०) / सी०यू०-दो / ई०डी०

दिनांक: फरवरी, 6, 2018

प्रबन्ध निदेशक,
पूर्वांचल / पश्चिमांचल / मध्यांचल / दक्षिणांचल,
विद्युत वितरण निगम लि०,
वाराणसी / मेरठ / लखनऊ / आगरा।

प्रबन्ध निदेशक,
केस्को,
कानपुर।

विषय: नई औद्योगिक इकाइयों / पायनियर इकाइयों को उ०प्र० सरकार की औद्योगिक नीति- 2004, औद्योगिक नीति- 2012, औद्योगिक नीति- 2017 के अन्तर्गत इलेक्ट्रिसिटी ड्यूटी से छूट के सम्बन्ध में।

महोदय,

कृपया उ०प्र० औद्योगिक एवं सेवा क्षेत्र नीति 2004 के अन्तर्गत अधिसूचना सं० 1765/चौबीस-3-2009-2000 (24)/09 दिनांक 21-01-2010 के पूर्व स्थापित नई औद्योगिक/पायनियर इकाइयों को इलेक्ट्रिसिटी ड्यूटी में छूट दिए जाने सम्बन्धी ऊर्जा अनुभाग-3 उ०प्र० शासन के अधिसूचना संख्या 276/24-पी०-32018 दिनांक 5-2-2018, उ०प्र० अवस्थापना एवं औद्योगिक निवेश नीति 2012 के अन्तर्गत नई औद्योगिक/पायनियर इकाइयों को इलेक्ट्रिसिटी ड्यूटी में छूट दिए जाने सम्बन्धी ऊर्जा अनुभाग-3 उ०प्र० शासन के अधिसूचना संख्या 274/24-पी०-3-2018-2000 (124)/2009 लखनऊ दिनांक 5-2-2018, तथा उ०प्र० औद्योगिक निवेश एवं रोजगार प्रोत्साहन नीति, 2017 के अन्तर्गत नई औद्योगिक इकाइयों को इलेक्ट्रिसिटी ड्यूटी में छूट दिए जाने सम्बन्धी ऊर्जा अनुभाग-3 उ०प्र० शासन के अधिसूचना संख्या 275/24-पी०-3-2018-2000 (124)/2009 लखनऊ दिनांक 5-2-2018 की छायाप्रतियाँ संलग्न करते हुए आपसे अनुरोध है कि नियमानुसार इलेक्ट्रिसिटी ड्यूटी में छूट दिए जाने सम्बन्धी अग्रेतर कार्यवाही सुनिश्चित करवाने का कष्ट करें।

संलग्नक: यथोपरि।

भवदीय,

मुख्य अभियन्ता (स्तर-1)

वाणिज्य एवं ऊर्जा लेखा

पत्रांक: १५१ / मु०अ०(वा० एवं ऊ०ले०) / सीयू-2 / ई०डी० तददिनांक:

१८ फरवरी २०१८

प्रतिलिपि निम्नलिखित को सूचनार्थ एवं आवश्यक कार्यवाही हेतु प्रेषित:-

1. अध्यक्ष महोदय के निजी सचिव, उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन, लखनऊ।
2. प्रबन्ध निदेशक महोदय के निजी सचिव, उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन, लखनऊ।
3. निदेशक (वाणिज्य), उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन, लखनऊ।
4. निदेशक, विद्युत सुरक्षा, उ०प्र० शासन, गोमती नगर, लखनऊ।
5. अधीक्षण अभियन्ता (आई०टी०), पाँचवा तल, उ०प्र० पावर कारपोरेशन लि०, शक्ति भवन विस्तार, लखनऊ।

मुख्य अभियन्ता (स्तर-1)

वाणिज्य एवं ऊर्जा लेखा

१८ फरवरी २०१८

Government Of Uttar Pradesh
Urja Anubhag-3
No.....276...../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, Gorakhpur 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...."

3. 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 kumar
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-B 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

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
Principal Secretary.

No. 274

(i)24-P-3-2018 dated: 05/02/2018.

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-B 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,

442/mos 110
6/2

**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.

By Order,

Alok Kumar
Principal Secretary.

Director (com) / Palhan
for immediate action
5/2/18
UPPCL

Chief Engineer (Com. &)

Matter is regarding electricity duty,
i.s.o for up's pleasure.

06/02/2018
CE

No. 275 (i)24-P-3-2018 dated: 05/02/2018.

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-B 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,