

Government of Haryana
Industries and Commerce Department

NOTIFICATION

No. 20/01/2022-4IB1

The 3rd November, 2022

In pursuance to the provision under Clause 5(g) of the Haryana Electric Vehicle Policy-2022 notified in Gazette *vide* No. 20/01/2022-4IB-I dated 08.07.2022, the Governor of Haryana is pleased to notify the “Patent Fee Reimbursement Scheme” Enterprises located in the State with the provisions given hereunder:

1. Objectives of the Scheme

The State Government with this scheme intends to promote innovation in manufacturing of Electric (EV, BEV, FCEV) vehicles, charging infrastructure and EV/Hydrogen/Charging infrastructure component manufacturing and to protect their innovation in the era of globalization and have thus, made provision for grant of financial assistance on grant of patent registration.

2. Quantum of Assistance

Financial support by reimbursement of 100% of the actual expenses (including filing fees, consultancy fees, search fees, maintenance fees and Publishing fees) with a maximum of INR 25 lakhs for domestic and international patent registrations.

3. Definitions

- i. **Electric Vehicle:** Electric Vehicle (EV) refers to automobiles powered by a battery and an electric motor, including battery electric vehicles (BEV) and Fuel Cell Electric Vehicle (FCEV).
- ii. **Battery Electric Vehicle (BEV):** A vehicle which is powered exclusively by an electric motor; whose traction energy is supplied exclusively by traction battery installed in the vehicle; and has an Electric Regenerative Braking System.
- iii. **Fuel Cell Electric Vehicle:** Fuel Cell Electric Vehicle (FCEV) use a propulsion system like that of electric vehicles, where energy stored as hydrogen is converted to electricity by the fuel cell.
- iv. **EV Components:** Components of EV will include Motor Controller, Electric Engine (motor) for EV, Regenerative Braking System, Drive System for EV/FCEV/SHEV, Batteries and Cells (Li-ion, hydrogen or other hi-tech cells) that can be used in EV/FCEV, Battery Management System (BMS), Electric Power Control Unit (EPCU), Battery Heating System, On-board Charger (OBC), Electric Traction Motors and controllers, EV Power Train Components, Components related to transmission mechanism, Traction battery pack, Low Voltage DC-DC Converter(LDC), Power inverter, Vehicle control unit (VCU), EV Charge Port, Fuel Cell Control Unit, Anode Recirculation Blower for FCEV, Hydrogen gas injector for Hydrogen Fuel cells, Humidifier/stack Bypass Valve, Stack-isolation and Control Valve for Hydrogen fuel cells etc.

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- v. **Charging/Battery equipment:** Equipment that is exclusively used to charge the batteries of BEV/PHEV/SHEV. This equipment can be installed at existing fuel stations or separate charging or battery swapping stations

4. Eligibility

The units must comply for the following conditions at the time of application:

- i. Manufacturers of Electric (EV, BEV, FCEV) vehicles, charging infrastructure and EV/Hydrogen/Charging infrastructure component manufacturers shall be eligible for incentives
- ii. A manufacturing unit should use the patented technology / product / process for commercial production
- iii. The unit should have filed Udyam Registration Certificate (URC) and Haryana Udhyaam Memorandum (HUM) on the portal
- iv. The item of manufacture of the unit should not fall in the restrictive list as notified by the State Government from time to time.
- v. The unit should be in commercial production of Patented item / use patented process for commercial production at the time of disbursement and the assistance shall not be released to the closed unit.
- vi. One unit can file reimbursement for only one patent.
- vii. Large and Mega units shall compulsorily establish a battery disposal/recycling/material recovery facility at their proposed plant for claiming any incentive under this policy.

Note: Units availing incentive under this scheme will not be eligible to avail similar incentive under similar head as given in any other Haryana Government policy. The maximum limit of the sum of all fiscal incentives shall not exceed 100% of Fixed Capital Investment (FCI) for manufacturers

5. Commencement and Applicability:

The scheme shall commence with effect from 10.07.2022 and shall remain in operation till a period of 05 years or till the time Government decides to discontinue this scheme, whichever is earlier.

6. Procedure to apply for financial assistance under the scheme:

- i. Application on prescribed Form (Annexure-I) for the reimbursement of expenses incurred in acquiring patent registration along with listed documents would be submitted to the Director/ Director General, Department of Industries & Commerce, Haryana on the web portal of the Department.
- ii. The application would be processed and examined by the Joint Director/Deputy Director, District I&C Centre. They will be responsible for scrutiny and shall clearly recommend for approval/rejection of the claim after conducting the inspection of the unit. The deficiencies, if any, would be communicated to the applicant on-line within

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- a period of 07 days and the applicant would be given a time period of 10 days to rectify the deficiencies so pointed out.
- iii. In case the deficiencies are not removed within the prescribed period, the claim shall be forfeited by the Competent Authority, under intimation to the party through e-mail.
- iv. The enterprise shall not be required to submit any additional document other than those specified under Annexure-I unless required for establishing genuineness of the claim.

7. Competent Authority for sanction:

The Director/ Director General, Department of Industries & Commerce shall be competent authority for sanction of the subsidy within 30 days from the date of submission of the claim.

8. Time limit:

The enterprise shall submit its claim, complete in all respects, within three months of start of commercial production of the unit (where patented technology is used). In case the unit does not apply within 03 months then its entitlement for the subsidy will be forfeited.

9. Interpretation/ Clarification

The Administrative Secretary Industries and Commerce, Haryana shall be competent to make interpretation/clarification of provisions of this scheme.

10. Appeal

An appeal against an order passed by the Competent Authority shall lie with the Administrative Secretary, Industries & Commerce, Haryana within a period of 30 days from the date of communication of orders appealed against. The orders passed by the Administrative Secretary, Industries & Commerce, Haryana in appeal shall be final. Appeal can be submitted in a written format at the office of the Administrative Secretary, Industries & Commerce, Haryana with subject as "Appeal for Patent Fee Reimbursement Scheme under the Haryana Electric Vehicle Policy - 2022"

11. Power to condone delay in submission of application & appeal

The Director/ Director General, Department of Industries & Commerce, Haryana shall be competent to condone the delay up to a period of 03 months after the prescribed time limit.

The Administrative Secretary, Industries & Commerce, Haryana shall be competent to condone the delay up to a period of 06 months after the prescribed time limit. Provided that the competent authority is satisfied with the reasons of late submission of the application on the basis of the substantial evidence/documents/ arguments presented by the applicant.

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12. Penal Action

In case, it is found at any stage that the applicant has claimed the assistance on the basis of wrong facts, the applicant, besides refund of amount of assistance with compound rate of interest @ 12% per annum and facing legal action, will be debarred from grant of any incentives/assistance from the State Government. If the applicant fails to refund the subsidy amount with interest, then the amount shall be recovered as arrear of land revenue. The applicant shall be debarred from public procurement as a result of mismatch in facts and figures.

13. Service Delivery Timeline

Sr. No.	Tasks	Time limit (working days)
1	Letter of Approval	30 days
2	Letter of Sanction	07 days
3	Disbursement	07 days

Anand Mohan Sharan
Additional Chief Secretary to Government of Haryana,
Industries and Commerce Department

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Annexure – I

Format of Application for Financial Assistance for Patent Registration. Part-1

Sr. No.	Particulars	Details
1.	Name of the applicant (Authorized person of the unit)	
2.	Name & Factory address of the unit with telephone no. & email	
3.	Registered Office address	
4.	Category of unit (Micro/ Small/ Medium/Large/ Mega)	
5.	Udyam Registration Certificate (URC) and Haryana Udhyaam Memorandum (HUM) No. & Date	
6.	Bank Details <ul style="list-style-type: none">• Bank Name• Name of Account Holder (authorized person)• Account Number• IFSC• Account type (Saving / Current)	
7.	Date of receipt of Patent	
8.	Item patented	
9.	Number of patents already filed/ granted (National/ International)	
10.	Indian Application Filing number: Date of Filing:	
11.	Is R&D for Invention indigenous i.e. Developed in-House or Collaborative	
12.	If Collaborative, give details of the type of Collaboration.	

Part-2 Invention/Patent Information

13.	Title of Invention	
14.	Brief Description of Invention	
15.	Technical/other fields of Inventions	
16.	Advantage(s) of Inventions	
17.	Novel features of Invention as based on prior art search (attach a comprehensive prior art search clearly indicating subject matter on which search was conducted, fields or keywords searched,	

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	databases used for the search and reference of documents considered relevant to the subject matter of invention):	
18.	Brief description of commercialization plans or commercialization status for the invention. Anticipated revenues from commercializing the invention	
19.	Potential markets and the basis for the Same	

Part-3 Details of Patent Agent/Attorney (if any)

20.	Name of Patent Agents/ Attorney Firm	
21.	Contact Person and Contact Number	
22.	No. of years in handling international patents	
23.	Address of the firm	
24.	Is the International application already filed?	(Yes/ No)
25.	Route of filing: PCT/ Conventional	
26.	Countries Filed or Proposed	

Part-4 Details of Financial Assistance

27.	Total amount of expenditure in acquiring patent registration (in Rs.)	
28.	Amount of financial assistance claimed (in Rs)	
29.	Date of patent Registration	

Self-attested copies of documents to be attached with the application:

- i. Copy of Udyam Registration Certificate (URC) and Haryana Udhyaam Memorandum (HUM).
- ii. Certificate of Incorporation/ Partnership deed/Partnership registration/ Co-operative society registration.
- i. Board resolution/ Power of attorney
- ii. Copy of Patent Registration certification.
- iii. Undertaking/Declaration on non-judicial stamp paper(Annexure-II).
- iv. CA certificate of Expenditure (in original) giving details(Annexure-III).
- v. Copy of the bills raised by certifying agency and proof of payment thereof, product brochure.

Signature of the applicant
(with seal)

Annexure-II

Undertaking/Declaration

(To be submitted on non-judicial stamp paper of Rs. 50/- (Min) duly sworn before a Notary Public (duly affixed with Notarial Stamp; and with Notary Seal & Notary Registration Number or First-Class Magistrate):

I, _____ do hereby solemnly state that I am proprietor/ partner/director/ _____ of M/s _____ located _____ which is engaged in the manufacture of _____ and I have been authorized to file the claim of Patent Registration with the Department of Industries and Commerce, Haryana.

2. The unit will be liable to refund excess subsidy/assistance, if any released due to omission or pointed out by the Audit team of Principal Accountant General, Haryana.

3. I do hereby further affirm that the particulars given in the application are correct. In case any of the statement/ information furnished in the application/ documents later found to be wrong or incorrect or misleading or violation of the eligibility criteria/conditions, I do hereby undertake to refund the entire amount of assistance of Rs. (Rupees) granted to me along with compound rate of interest @12% per annum, besides facing legal action in case facts contained in this application are proved to be wrong at the time of verification/ checking or otherwise at any stage.

Dated:

Signature _____ of _____ the
Proprietor/Partner/Managing
Director/Director(with seal)

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Annexure-III

**Certificate from Chartered Accountant in respect of Proof of Expenditure incurred for acquiring Patent Registration and about investment in plant & machinery and turnover
(on a CA letter head)**

To whom it may concern

The document & records of M/s _____ with their regd. Office at..... and factory located at and Udyam Registration Certificate (URC) is and Haryana Udhya Memorandum (HUM) No dated in respect of the expenditure incurred by acquiring Patent Registration (or its equivalent) have been verified, and it is certified that the said company have incurred a total expenditure of Rs..... (Rupees.....) towards, (including filing fees, consultancy fees, search fees and maintenance fees etc.) in obtaining Patent Registration (Domestic/International) from the certification agency namely as per the following details of payments.

Details of payments

(Name of certification agency/ org.)

Amount paid (in rupees)

- (a) Application fee.....
- (b) Consultancy fees
- (c) Search fees.....
- (d) Maintenance fees.....
- (e) Others, if any.....

Total

Name & signature of the
Chartered Accountant with
stamps & CA membership
Number

Date-----

UDIN No.-----

Payment at (a) to (e) above should be supported by copies of receipts of payments made to the certification agency duly attested. The payment receipts must indicate the purpose for which the payments have been made to the certification agency.