

Government of Haryana
Industries and Commerce Department

Notification

The 18th April, 2016

No. 49/43/2015-4IB1 in pursuance to the provision under chapter 12 of Enterprises Promotion Policy, 2015 notified vide No. 49/43/2015-4IB1 dated 14th August, 2015, the Governor of Haryana is pleased to formulate scheme for grant of Exemption from payment of Electricity Duty and Open Access Charges to the various sectors of industries as per details given below:

1. Quantum and period of Exemption:

- (i) **Mega Projects:** 100% Exemption from payment of Electricity Duty for new mega project for a period of 5 years in 'B' & 'C' category blocks and 7 years in 'D' category blocks from the date of release of electricity connection.
- (ii) **Large Units:** 100% Exemption only for new enterprise for 5 years in 'C' category blocks & 7 years in 'D' category blocks from the date of release of electricity connection.
- (iii) **Micro, Small & Medium Enterprises:** 100% Exemption for 7 years for all new enterprises in 'B', 'C' & 'D' category blocks from the date of release of electricity connection.
- (iv) **Textile Sector (apparel/knitting/embroidery/technical textiles):** 100% Exemption for 10 years only for new enterprises in 'B', 'C' & 'D' category blocks from the date of release of electricity connection.
- (v) **Agro Industries and Food Processing Sector:** 100% Exemption for 10 years only for new enterprises in 'B', 'C' & 'D' category blocks from the date of release of electricity connection.
- (vi) **Footwear Sector (Value Addition Products excluding leather processing):** 100% Exemption for 10 years only for new enterprises in 'C' & 'D' category blocks from the date of release of electricity connection.
- (vii) **Large Service Enterprises:** 75% exemption only for new enterprises for 5 years in 'C' & 'D' category blocks and 50% in 'B' category blocks for the large service enterprises as identified in the EPP-2015.
- (viii) **Defence/Aero Space/Auto Components/Electronics/Railways Sector:** 100% Exemption for 10 years only for new enterprises in 'B', 'C' & 'D' category blocks from the date of release of electricity connection.

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2. Open Access Charges Exemption:

Exemption from open access charges of 93 paise per unit in case of Medium and Large Units of Textile Sector, Agro and Food Processing Sector, Footwear Sector and Defence/ Aero Space/ Electronics/ Auto Components/ Railways Sector in 'C' & 'D' category blocks.

3. Commencement and Applicability :

The Scheme shall commence with effect from 15.8.2015 for granting Electricity Duty/ open access charges Exemption and shall remain in operation for a period of 5 years. The units which have gone into commercial production after 14.08.2015 and before 14.08.2020 shall be admissible.

4. Eligibility:

All the new Micro, Small, Medium, Large and Mega industrial units in the identified category of Blocks, which have filed IEM/ EM Part-II/ Udyog Adhaar Memorandum after going into commercial production. The Industrial units must also comply with the following conditions:

- i. The electricity duty exemption shall be available on the power load being used for the production purposes. The electricity duty exemption shall not be available on light load.
- ii. The unit should not have been placed in the restrictive list as notified by the State government from time to time.
- iii. The unit should have obtained NOC/CLU from competent Authority if applicable.
- iv. The unit should be in commercial production.

5. Procedure for Electricity Duty/ Open Access Charges Exemption claims:

- a. Application on prescribed Form (Annexure-I) for the grant of electricity duty exemption, along with listed documents would be submitted on the web portal of the department.
- b. The application would be processed and examined. The deficiencies, if any, would be communicated to the applicant on-line within a period of 10 working days and the applicant would be given a time period of eight weeks to rectify the deficiencies so pointed out.
- c. In case the deficiencies are not removed within prescribed period, the claim shall be filed by the Competent Authority, under intimation to the party through e-mail. The enterprise shall not be required to submit any additional document other than those specified under Annexure-I without approval of competent authority.

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6. Condonation of delay in submission of claims:

The Joint Director/ Deputy Director, District Industries Centre shall be competent to condone the delay in submitting the Electricity Duty Exemption claims after the period of 03 months of the release of electricity connection. However, the time period shall be counted from the date of release of electricity connection. The total period shall be limited to from the date of release of power connection by excluding delayed period.

For example, release of connection to 'A' industrial unit is say 01.01.2016, the industrial unit is required to submit application on or before 31.03.2016. If 'A' unit applies for exemption on 28.02.2016, then it will be eligible for ED exemption for 3/5/7/10 years (whichever is applicable) w.e.f. 01.01.2016 to the period ending 3/5/7/10 years. However, if a 'A' unit applies for exemption on 31.03.2017, after condonation of delay, it would be eligible from 01.04.2017 to the period ending 3/5/7/10 years. It means the industrial unit has lost the ED exemption for the period 01.01.2016 to 31.03.2017.

7. Competent Authority for sanction:

The Joint Director/ Deputy Director District Industries Centre shall be Competent Authority to issue Electricity Duty/ Open Access Charges exemption certificate for Micro, Small and Medium Enterprises and Additional Director for Large and Mega projects within 30 days from the date of completion of the claim for granting exemption from payment of ED/Open Access Charges by power utilities.

8. Appellate Authority:

Appeal shall lie before the Director of Industries & Commerce against the decision of Competent Authority within a period of 30 days from the date of communication of orders appealed against.

9. Penal Action

In case, it is found at any stage that the applicant has claimed the exemption on the basis of wrong facts, the applicant shall besides refunding 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.

(Devender Singh)
Principal Secretary to Government of Haryana,
Industries and Commerce Department

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Annexure-I

**Application for the Grant of Electricity Duty/ Open Access Charges Exemption for
new Industrial units/Enterprises.**

Sr. No.	Particulars	Details
1	Name of the applicant (Authorized person of the unit)	
2	Name & Address of the unit with telephone no. and e-mail	
3	Constitution of the Unit [Proprietary, Partnership, Pvt. Ltd., Public Ltd., LLP (Limited Liability Partnership)]	
4	Name of the block in which the enterprise located and category of blocks i.e. B/C/D	
5	Category of the unit (Micro/ Small/ Medium/ Large/ Mega).	
6	IEM/EM Part-II/ UAM No. & date	
7	Date of commencement of commercial production	
8	Item of manufacture/processing	
9	Category of units i) Micro/ Small/ Medium ii) Large/ Mega iii) Textile/ Agro & Food/ Footwear/ Defence/ Aerospace/ Auto Components/ Electronics/ Railways Sector iv) Large Service Enterprises	
10	Details of Fixed Capital Investment: i. Land ii. Building iii. Plant & Machinery/ Equipments iv. Others Total	
11	Date of release of electric connection	
12	Connected load	
13	Whether the unit falls under the restrictive/ negative list.	
14	Period for exemption from ED/Open Access Charges.	

15. Self attested copies of documents to be attached with the application:
- i. Acknowledgement of EM part-II/UAM.
 - ii. Certificate of Incorporation/ Partnership deed.
 - iii. Board resolution/ Power of attorney
 - iv. Change of Land Use (CLU)/ NOC from competent authority, if applicable.
 - v. Performa signed by concerned SDO/Xen, UHBVNL/ DHBVNL in Annexure-II.
 - vi. CA Certificate regarding investment in plant & machinery for new unit (Annexure-III).

Signature of the applicant
(with seal)

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Declaration:

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 application for exemption from Electricity Duty/
Open Access Charges with the Department of Industries and Commerce, Haryana.

2. I do hereby 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, I do hereby undertake to refund the
entire amount of exemption granted to me alongwith 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 applicant
(with seal)

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Annexure-II

Performa for detail of electrical installation of M/S _____

Sr. No.	Details of Electrical installation and connected load	Authority who inspected electrical installation	No. & date vide which permission for electrical connection given	Date of release of electrical connection

SDO/XEN
UHBVNL/DHBVNL

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Annexure-III

Certificate from Chartered Accountant regarding investment in plant & machinery (on a CA letter head)

To whom it may concern

The records of M/s with their regd. office at and factory located at in respect of investment in plant & machinery* (original purchase value) of the company has been verified. It is certified that the investment in plant & machinery as on date..... stands as Rs.....

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

Dated: