

Commercial Circular No. 263

**Sub :- Exemption of Electricity Duty to New Information Technology or
Information Technology Enabled Services (IT or ITES) Units**

- Ref :-1) Commercial Circular No. 204 dt. 08.08.2013
2) GoM's notification dt. 19th January 2016

Background :-

As per the provisions of Maharashtra Electricity Duty Regulation 1958 Sec. 5 C and Sec 3(2) the State Government is empower to exempt the Electricity Duty to any class of Industry.

The Government of Maharashtra has, vide Government Resolution, Industries, Energy and Labour Department, No. ITP-2013/(C.R.-265)/Ind-2, dated the 25th August, 2015, declared the Maharashtra's Information Technology or Information Technology Enabled Services Policy (IT or ITES)-2015 (hereinafter referred to as the "said Policy") and under the said Policy, exemption is given from the payment of electricity duty in respect of the consumption of the energy by New Information Technology or Information Technology Enabled Services (IT or ITES) units registered with the Directorate of Industries from the date of commencement of production or activity for units in private Information Technology (IT) parks (including Information Technology (IT) hardware and Telecom hardware manufacturing units), in A and B areas and in other areas of the State classified as per the prevailing Package Scheme of Incentives from the date of commencement of production or activity of the units and for Information Technology (IT) parks developed by Information Technology (IT) companies for their own use, i.e. single unit parks except for the support services; and also for the New Information Technology or Information Technology Enabled Services (IT or ITES) units in Information Technology Special Economic Zones (IT SEZs), new Information Technology or Information Technology Enabled Services (IT or ITES) units in Information Technology (IT) parks in Special Economic Zones (SEZs), and 100% exporting Information Technology or Information Technology Enabled Services (IT or ITES) units under registration of Software Technology Parks of India (STPI) or any other designated Competent Authority and the Data Centers located anywhere in the State (hereinafter referred to as "the said Units").

The Government of Maharashtra in the public interest, has exempted, the consumption of energy in respect of the class of premises used by the said Units, from the payment of whole of the electricity duty payable under PART F of the Schedule appended to the said Act;

Now, GoM, in exercise of the powers conferred by section 5A of the Maharashtra Electricity Duty Act (XL of 1958), the Government of Maharashtra have exempted the consumption of energy in respect of the class of premises used by the said Units mentioned in column (2) of the TABLE appended hereto, from the payment of whole of the electricity duty payable under PART F of the Schedule appended to the said Act, for the period mentioned against each of the said Units in column (3) of the said Table :-

Sr.	Premises Of Units	Period
1	2	3
1	New IT or ITES units registered with the Directorate of Industries shall be exempted from payment of electricity duty in public or private IT parks (including IT hardware and Telecom hardware manufacturing units), in A and B areas of the State classified as per the prevailing Package Scheme of incentives at the time of commencement of production or activity of the unit	10 years
2	New IT or ITES units satisfying the criteria referred to the entry 1 above and established under the said Policy in the State other than those parts shall be exempted from payment of electricity duty.	15 years
3	The new IT or ITES units and Data Centers in IT SEZs, new IT or ITES units and Data Centers in IT parks in SEZs, and 100% exporting IT or ITES under registration of STPI or other designated competent authority shall be exempted from payment of electricity duty.	permanently
4	New Data Centers Units, registered with the Director of Industries as defined in Para 5E of the Maharashtra IT or ITES Policy-2015 and as per the provision of Para 3.4 (b) of the Government Resolution date 25 th August 2015 established inside or outside the IT Park, in A and B areas of the State, classified as per the prevailing Package Scheme of incentives at the time of commencement of production or activity of the unit shall be exempted from payment of electricity duty.	10 years
5	Data Centers as defined in Para 5 E of the Maharashtra IT or ITES Policy -2015 and as per the provision Para 3.4 (b) of Government Resolution dated the 25 th August 2015 situated in other than those areas of the State referred to in entry 3 and 4 above shall be exempted from payment of electricity duty.	15 years

Note :-

- (1) The exemption under this table shall commence with effect from the date when the unit specified in the said column (2) starts production or rendering the services.
- (2) The electricity duty shall be exempted for IT parks developed by IT companies for their own use i.e. single units parks for the period mentioned above as per the location of the park.
- (3) The exemption from payment of electricity duty shall be given to the projects mentioned in the notification only after producing registration certificate of Directorate of Industry or Software Technology Parks of India (STPI) or Competent Authority.

The Consumers eligible under above notification will have to make online application for exemption of Electricity Duty as per the guidelines mentioned in the Commercial Circular No. 204 on receipt of online application from the consumer exemption shall be given through system after due verification of the documents regarding the eligibility as mentioned above immediately in current or next billing cycle.

All field officers are requested to take necessary action as mentioned above the instruction issued shall be in force with immediate effect.


 Chief Engineer (Commercial)

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