

No. 2493-F-3-02-2011-XIII.—In exercise of the powers conferred by sub-section (1) of Section 12 of the Madhya Pradesh Vidyut Shulk Adhiniyam, 2012 (No. 17 of 2012), the State Government, hereby, makes the following further amendment in the schedule to the said Act, namely:—

AMENDMENT

In the said Act, for the Schedule, the following Schedule shall be substituted, namely:—

"SCHEDULE

[See Section 3 (1)]

PART-A

Electricity sold/supplied for the purpose as shown below

LOW TENSION CONSUMER

S. No.	Consumer Category	Consumed Electricity (in units)	Rate of electricity duty in Percentage of tariff per unit of electricity per month
(1)	(2)	(3)	(4)
1.	Domestic Consumer	(a) up to 100 units (b) above 100 units	9 12
2.	Non-Domestic Consumer	(a) up to 50 units (b) above 50 units	9 15
3.	Industry		9
Note: Industry includes Power Looms, Flour Mills, Oil expeller, Thresher and similar other machinery used for agricultural processing.			
4.	Stone Crusher (Stone aggregates-Gitti, Gitta, Gajri)		9
5.	Mines		40
6.	For any other class not included under Sr. No. 1 to 5.		12
HIGH TENSION CONSUMER			
7.	Mines		40
8.	Cement Industry and Captive Mines of Cement Industry.		15
9.	Stone Crusher (Stone aggregates-Gitti, Gitta, Baid).		15
10.	Other Industry not included in serial No. 7 to 9.		9
11.	For any other class consumer not included in serial No. 7 to 10.		15

Provided that if electricity sold or supplied for consumption for any one purpose, is used either wholly or partially, without the consent of Distribution Licensee or Franchisee, as the case may be, for consumption or any other purpose for which a higher rate of duty is chargeable the entire electricity sold or supplied shall be charged at the highest rate applicable.

PART-B

[See Section 3 (2)]

12. For consumption of electricity obtained through open access from outside the State. The rate of duty shall be calculated as if the electricity is supplied by Distribution Licensee.

PART-C

[See Section 3 (3)]

13. Electricity sold or supplied by generating company, producer and captive generating plant to any consumer in the State. The rate of duty shall be same as if the electricity is supplied by the Distribution Licensee to that consumer.
14. For the electricity consumed by captive generating plants, producers or generating companies for their auxiliary consumption and for their own consumption. 12 percent of the tariff which would have been applicable if the electricity is supplied by Distribution Licensee.

Explanation.—For the purposes of this Schedule.—

- (a) "month" means such period as may be prescribed and till such period is prescribed, the billing month;
- (b) "mine" means a mine to which the Mines Act, 1952 (No. 35 of 1952) applied and includes the premises or machinery situated in or adjacent to a mine and used for crushing, processing, treating or transporting the mineral;
- (c) The electricity duty shall be calculated on the basis of actual percentage of tariff in a month and fraction of 50 paise and above shall be rounded off to the next higher rupee and the fractions of less than 50 paise shall be ignored;
- (d) "tariff" means the rate of electricity per unit as may be determined from time to time by the Madhya Pradesh Electricity Regulatory Commission on the various categories of consumption;
- (e) "category of consumer" means the category of consumer as defined in tariff order determined by the Madhya Pradesh Electricity Regulatory Commission.

Note.—Notwithstanding anything contained at serial number 13 and 14 above, any person producing electricity from generating station based on renewable source of energy shall be exempted from payment of electricity duty on electricity sold or supplied to the third party and on consumption of this electrical energy for captive use for the period and subject to the conditions mentioned in the table below :—

TABLE

S. No.	Renewable source	Period of exemption	Conditions
(1)	(2)	(3)	(4)
1.	Solar, Wind and Biomass based generating station.	10 years	Period of exemption as mentioned in column (3) would commence from the date of commencement of generation of electricity by such generating station:

(1)	(2)	(3)	(4)
2.	Small Hydro based generating stations.	5 years	<p>Provided that the exemption shall not be available on energy supplied by a Distribution Licensee/Trading Company/Franchisee to the generator for its auxiliary consumption :</p> <p>Provided further that the exemption shall be available only to the projects established under any of the policies issued by the New and Renewable Energy Department, Government of Madhya Pradesh for promoting setting up of generating projects based on renewable sources of energy, namely, Policy for Implementation of Biomass based Electricity (Power) Projects in Madhya Pradesh, 2011, Policy for Implementation of Small Hydel Power based electricity projects in Madhya Pradesh, 2011, Wind Power Projects Policy, 2012 and Policy for Implementation of Solar Power based projects in Madhya Pradesh, 2012:</p>

Provided that also any person getting benefit of exemption from payment of electricity duty under Notification No. F-1475-XIII-2002 dated 1st March, 2002, read with Notification No. F-3-13-2007 dated 24th March, 2007, issued under the repealed Madhya Pradesh Electricity Duty Act, (No. 10 of 1949) shall continue to get such exemption till the completion of the period specified in the said notification as per sub-section (2) of Section 15 of Madhya Pradesh Vidyut Shulk Adhiniyam, 2012.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
आई. सी. पी. केशरी, प्रमुख सचिव.