

F.No. 23011/10/2010-MPR
Government of India
Ministry of Chemicals & Fertilizers
Department of Fertilizers

Shastri Bhavan,
New Delhi, The 7th September 2011

To

M/s Deyvani Phosphate Private Limited,
33-C, New Fatehpura,
Udaipur-313001 (Rajasthan).

Sub: Criteria for eligibility for claiming subsidy on SSP under Notification dated 13.8.2009 and 21.4.2010 during 1.10.2009 to 30.4.2010 and from 1.5.2010 onwards - Regarding

Sir,

I am directed to refer to your letter No. DPPL/MCF/subsidy/2011-12/505 dated 13.5.2011 submitted to Department of Fertilizers in pursuance of the orders dated 12.5.2011 of the Hon'ble High Court of Delhi at New Delhi in W.P.(C) 7384/2010 and CM APPL 14632/2010 in the matter of Devyani Phosphate Private Limited and Ors v/s Union of India.

2. The revised policy for ad-hoc concession for SSP fertilizer applicable w.e.f. 1.10.2009 to 30.4.2010 issued vide Notification No. 22011/4/2007-MPR dated 13th August, 2009 and the Nutrient Based Subsidy Policy for SSP applicable w.e.f. 1.5.2010 onwards issued vide Notification No. 23011/1/2010-MPR dated 21.4.2010, inter alia, lay down that subsidy for SSP during the above said period will be provided to those eligible SSP units only which have either annual capacity utilization of at least 50% or annual production of 40,000 MTs of SSP.

3. In the representation dated 13.5.2011 and other representations, M/s Devyani Phosphate Private Limited requested to Department of Fertilizers to waive the above-mentioned condition in the policy guidelines issued on 13.8.2009 and 21.4.2010 and release subsidy on the sales of SSP made by the Company w.e.f. 1.10.2009 without applying the above mentioned criteria.

4. The above said representation of Devyani Phosphate Private Limited has been considered in the Department and accordingly the Government has decided to follow the policy already approved by the Cabinet and communicated to the fertilizer industry as per abovesaid notifications dated 13.8.2009 and 21.4.2010 during the period in question.

5. This issues in pursuance of the orders dated 12.5.2011 of the Hon'ble High Court of Delhi at New Delhi in W.P.(C) 7384/2010 and CM APPL 14632/2010 in the matter of Devyani Phosphate Private Limited and Ors v/s Union of India.

6. This issues with the approval of the competent authority and concurrence of Internal Finance Division, DOF vide Dy. No. 800/AS&FA dated 05.09.2011.

Yours faithfully,


(Varinder Gupta)

Under Secretary to the Government of India

Tel: 23388536

Copy for information to:

1. All the manufacturers / marketers of SSP.
2. Managing Director, Projects & Development India Ltd.
3. Director (F.A.).Dir (Finance)/AFA.
4. CA/Pay & Accounts Office.
- ✓ 5. NIC for uploading in the Website.