

No. 17-21/2001-MSHP/MPR
Government of India
Ministry of Chemicals & Fertilizers
Department of Fertilizers

Shastri Bhawan, New Delhi
May 10, 2012

Office Memorandum

Sub: Judgement dated 8.11.2010 of the Hon'ble Supreme Court of India in the petitions for SLA(C)CC 15688-15689 of 2010 in respect of the Order dated 23.11.2009 of the Hon'ble High Court of Delhi in LPA No. 95/2008 and LPA No. 231/2008 – extension of the benefits to companies who are not the petitioners and also to other complex fertilizers.

The undersigned is directed to state that in pursuance to the judgement of Hon'ble Supreme Court mentioned in the subject the petitioner companies have been allowed vide this Department letter of even number dated 21.11.2011 to claim concession on indigenous and imported DAP sold during 1.4.1997 to 31.3.1998 as per O.M. No. 4-2/96-FD(.) dated 5.3.1997.

2. Pursuance to implementation of the above order off the Hon'ble Supreme Court in favour of the petitioners, a few companies, which were not petitioners to the above-mentioned SLA, have represented for extending similar concession to them also. The representations have been considered in the Department in consultation with Department of Legal Affairs (DLA) and it has been decided to allow all the fertilizer companies to claim concessions on indigenous and imported DAP sold during 1.4.1997 to 31.3.1998 as per the O.M. No. 4-2/96-FD(.) dated 5.3.1997.

3. It has also been decided to extend the concessions as per O.M. No. 4-2/96-FD(.) dated 5.3.1997 to complex fertilizers also sold during 1.4.1997 to 31.3.1998.

4. This issues with the approval of competent authority.



(Sanjay Kumar Sinha)
Director
Tel: 2338 4889

1. Director (FA), Department of Fertilizers, Udyog Bhavan, New Delhi.
2. Controller of Accounts/P&AO, Department of Fertilizers.
3. AFA/Section Officer (Fin), Department of Fertilizers.
4. US (Concession)/AD (Accounts), Concession Wing.
5. Secretary, Department of Agriculture & Cooperation, Krishi Bhavan, New Delhi.
6. Fertilizer Association of India (FAI), New Delhi.
7. All indigenous complex fertilizer producing companies.
8. M/s Rashtriya Chemicals & Fertilizers Limited, Priyadarshini, Eastern Express Highway, Sion, Mumbai-400 022.
- ✓ 9. NIC, for uploading it on website.