

Chapter 7.3 : Activity Details for Setting Up Business

PHASE A: STARTING A BUSINESS

Company Incorporation

Business organisations in India are of three principal forms - Corporations, Partnerships & Sole Proprietorships. Company form is most popular and is governed by the Companies Act, 1956. All the forms have to be filed online. For more details refer - <http://www.mca.gov.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks | |
|--|---|---|-------------------------|---|---|---|---|
| 1) Apply for Name | RoC, W.B. | At the time of company formation | 1A | | Rs 500 | (1) Digital Signature of the applicant to be attached with form (2) E.T.- 2 days | |
| 2) Drafting of MoA & AoA | Vetting by RoC | | N.A. | | | (1)Get MoA & AoA signed by atleast two subscribers (2) E.T.- 4 days | |
| 3) Company Incorporation: | | | | | | | |
| a) Declaration of Compliance | RoC, W.B. | Within 6 months of name approval | 1 | | See Remarks | (1) Send physical copy of MoA & AoA to RoC | |
| b) Situation of Registered Office | RoC, W.B. | | 18 | | See Remarks | (2) Along with filing fees, fees for registration of MoA & AoA to be paid. (3) After processing of forms get Certificate of Incorporation from RoC | |
| c) Filing of particulars of Directors etc. | RoC, W.B. | | 32 | Consent of appointed director | See Remarks | (4) Form 1, 18 & 32 to be filed simultaneously (5) E.T.- 10 days (For Form: 1, 18 & 32 together) | |
| 4) Commencement of Business | RoC, W.B. | After Incorporation | 19 / 20 | Prospectus to Form 19 Statement in lieu of prospectus to Form 20 | See Remarks | (1) Obtain Certificate of Incorporation from the RoC (2) E.T. - 2 days Fees for Forms - 1, 18, 32, 19 & 20 depends upon authorised capital | |
| Foreign Investors | | | | | | | |
| (I) Company formation thr | | | | | | | |
| a) Joint Ventures; or | RoC, W.B. | 30 days of setting up place of business | 44 | 1) Charter, Statutes, or Memorandum and Articles | Rs 5000 | | |
| b) Wholly Owned Subsidiaries | RoC, W.B. | | 44 | 2) Details of directors & secretary 3) Approval letter from RBI for the setting up of business 4) Power of attorney or board resolution in favour of authorized representatives | Rs 5000 | | |
| (II) Unincorporated Entity: | | | | | | | |
| a) Liaison Office | Chief General Manager, Exchange Control Dept (Foreign Investment Division), RBI, Central Office, Mumbai | | FNC 1 | 1) Certificate of Incorporation or MoA & AoA | - | | (1) Such offices can undertake activities permitted under the Foreign Exchange Management Regulations |
| b) Project Office | | | | 2) Latest Audited Balance Sheet | | | |
| c) Branch Office | | | | | 3) In case of project office-documentary evidence for funding of project. | | (2) Form FNC1 is to be filed under Foreign Exchange Management Act, 1999 |

RoC, W.B.- Registrar of Companies, West Bengal
B/S: Balance Sheet

MoA: Memorandum of Association
P/L A/c : Profit & Loss Account

AoA: Articles of Association
E.T.- Expected Timelines

PHASE B : INITIAL APPROVALS / CLEARANCES

Filing Industrial Entrepreneur Memoranda (IEM) / Obtaining Industrial License/Approvals

At present Industrial License is required for: (1) Industries under compulsory licensing, (2) Manufacture of items reserved for small scale sector by non-SSI units; & (3) When unit attracts locational restriction. Industries not covered under compulsory licensing have to file IEM under Industries (Development & Regulation) Act, 1951. For more details refer - <http://dipp.nic.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|---|--|---------------------------------------|-----------------------------|--|---------|--|
| Filing IEM | SIA (Dept. of Industrial Policy and Promotion, Ministry of Industry) | Before starting commercial production | IEM | | Rs 1000 | (1) IEM to be filed by industrial undertakings exempt from licensing. (2) 6 copies of IEM in Part A are to be filed. After commercial production Part B to be filed (3) Computerised acknowledgement will be issued immediately. |
| Industrial License | SIA (Dept. of Industrial Policy and Promotion, Ministry of Industry) | Before starting commercial production | FC-IL | | Rs 2500 | (1) Fees to be paid in favour of Pay & Accounts Officer, Dept. of Industrial Dev., Ministry of Industry payable at SBI, Nariman Bhawan, N.Delhi (2) Form FC-IL is in two Parts. For FC only Part A & IL only Part B applicable. (3) E.T.- 4 to 6 weeks |
| STPI Registration | Director, STPK | Before starting commercial production | Regn. Appl. | (1) Board Resolution authorising Registration (2) Trade License. (3) MoA & AoA (4) Brief Project report (5) Letter of allotment of PAN (7) Document of allotment of Importer Exporter Code (6) List Capital Goods to be imported | Rs 2500 | (1) For more details refer : http://stp-kolkata.com/ |
| <i>Micro, Small & Medium En</i> | | | | | | |
| Filing of Entrepreneurs Memorandum (EM) | DIC having jurisdiction | Before starting commercial production | EM | (1) MoA & AoA (2) Power of Attorney/Board Resolution for person signing EM | - | (1) EM in two parts. Part I to be filed as expression of interest & Part II after commencement of production (2) Governed by Micro, Small & Medium Enterprises Development Act, 2006 |

SIA: Secretariat for Industrial Assistance

STPI: Software Technology Parks, India

PAN: Permanent Account Number

FC: Foreign Collaboration

STPK: Software Technology Park, Kolkata

MoA & AoA: Memorandum & Articles of Association

IL: Industrial Licence

DIC: District Industries Centre

SSI : Small Scale Industries

Foreign Direct Investment Clearances/ Foreign Technology Agreement

FDI/Foreign Technology Agreements in sectors/activities under automatic route are approved by RBI. FDI/

Foreign Technology Agreements not covered by automatic route requires prior Government approval and

are considered by FIPB. More details refer - <http://www.rbi.org.in/> & <http://dipp.nic.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|---------------------------------------|----------------------|--|------|--|------|---|
| <i>FDI-Automatic Route:</i> | | | | | | |
| a) On receipt of money for investment | RBI, Regional Office | Report within 30 days of inward remittance | - | Report to contain following details: 1) Name and address of foreign investors 2) Date of receipt and its rupee equivalent 3) Name & address of authorised dealer through which funds received | - | 1) Governed by Foreign Exchange Management Act, 1999 2) For sector specific guidelines on FDI refer Chapter 3 |
| b) On Issue of Shares | RBI, Regional Office | Report within 30 days of issue of shares | | A.Certificate from Company Secretary re: | - | |

| | | | | | | |
|---|---|---------------------------------|------------------------|--|---|--|
| | | | FC-GPR | (1) Compliance of Companies Act,1956 (2) Company is eligible to issue shares (3) Company has original certificates issued by A.Ds for receipt of consideration | | |
| | | | | B.Certificate from Statutory Auditors or Chartered Accountant indicating manner of arriving at price of the shares issued. | | |
| <i>FDI-Non Automatic Route:</i> | | | | | | |
| a) Foreign Investors | Prior Govt. approval for FIPB consideration | | FC-IL | - | (1) Application can be submitted with Indian Missions abroad for forwarding to Dept of Economic Affairs. | |
| b) NRI | SIA | | FC-IL | - | (2) For FC Application no fee is payable (3) Plain paper applications with relevant details can also be made. | |
| Foreign Technology Agreements | | | | | | |
| Automatic Route | RBI, Regional Office | Before starting industrial unit | FT-RBI | | (1) E.T.- 2 Weeks | |
| | | | | | | |
| <i>Non Automatic Route:</i> | | | | | | |
| (1) Technical Collaboration | SIA | Before starting industrial unit | FC-IL | - | Terms of payments under foreign technology collaboration includes technical know how fees, payment for design and drawing, payment for engineering service and royalty. | |
| (2) Financial & Technical Collaboration | FIPB | Before starting industrial unit | FC-IL | - | | |

SIA: Secretariat for Industrial Assistance

FIPB : Foreign Investment Promotion Board

RBI: Reserve Bank of India

Activity Approach FIs for Preliminary Clearance**Consent to Establish from State Pollution Control Board**

All new projects are required to obtain consent to establish from State Pollution Control Board under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981.

For more details refer - <http://www.wbpcb.gov.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks | |
|--|---------------|---------------------------------------|------------------------------|---|-------------|--|--|
| Apply for No Objection Certificate (NOC) | WBPCB | Prior to commencement of work at site | Consent Form | (1) Location map | See Remarks | (1) Industries are being categorised as red, special red, orange, green and exempted based on degree of pollution. | |
| | | | | (2) No objections & site clearance from local authority | | | |
| | | | | (3) Project Report | | | (2) Application fees depends upon capital investment in project. |
| | | | | (4) Flow chart for detail of process | | | (3) E.T.- 2 weeks |
| | | | | (5) Affidavit for Investment in Fixed Assets or Certificate by a C.A. | | | |
| | | | | (6) Copies of land deed / allotment letter/ lease document/rent receipt etc | | | |
| | | | | (7) Technical report for pollution control measures. | | | |
| | | | | (8) Challan for deposit of consent fees | | | |

WBPCB: West Bengal Pollution Control Board

C.A.- Chartered Accountant

Environmental Clearance

Clearance is required for certain projects under Environment (Protection) Rules, 1986 either from Central Govt. or State Govt, projects have been categorised on basis of potential impacts on human health and natural resources.

For more details refer - <http://www.envfor.nic.in>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------|---------------|---------------|------|--------------------------|------|---------|
|------------|---------------|---------------|------|--------------------------|------|---------|

| | | | | | | |
|-----------------------|---|-------------------------------------|----------|--------------------------------|---|---|
| Category 'A' Projects | Ministry of Environment & Forest, GOI | Before commencing construction work | <u>1</u> | Pre-feasibility project report | - | Approval on recommendations of Expert Appraisal Committee |
| Category 'B' Projects | W.B.Environment Impact Assessment Authority | Before commencing construction work | <u>1</u> | Pre-feasibility project report | - | Approval on recommendations of Expert Appraisal Committee |

GOI: Government of India

Trade License / NOC from Municipality / Panchayat

Every person engaged in any trade or profession within Municipality or Panchayat is required to obtain a Certificate of Enlistment or Trade Licence. For more details refer - <http://www.kolkatamycity.com/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|-------------------------|--|--------------------------------|-------------------------|---|-------|---|
| Apply for Trade License | Municipal Corporation/ Municipality /Panchayat | After incorporation of company | For KMC | (1)Proof of place of business. (2)MoA & AoA (2)Form 18 & 32 under Companies Act | Rs 10 | Information given relates only to KMC Area. Form, documents required & fees is determined by each local body. |

KMC: Kolkata Municipal Corporation

MoA: Memorandum of Association

AoA: Articles of Association

RBI Clearance for Export/Import

For making import/export of goods application for IEC is mandatory under Foreign Trade (Development and Regulation) Act, 1992. For more details refer - <http://dgftcom.nic.in>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|--|--------------------------------|------------------------------------|--------------------------------|--|-------------|--|
| Apply for Importer Exporter Code (IEC) | Regional Office, DGFT, Kolkata | Before making any import or export | IEC | (1)Banker Certificate (Format with form) (2) PAN Letter (3)2 Passport size photographs (4) Self addressed envelope & stamp of Rs.30 | Rs.1000 | (1)The applicant can file for the IEC Number online at the http://dgft.gov.in (2) Physical application with documents to reach Regional Office, DGFT within 15 days of its online submission. (3) Fees can also be paid by electronic fund transfer (4) E.T.- 2 days |
| Apply for Licence for import/export of goods | Regional Office, DGFT, Kolkata | Before making any import or export | Aayaat Niryaat | As mentioned in the form | See Remarks | (1) Fees depends upon value of goods specified in licence. |

PAN: Permanent Account Number

DGFT: Director General of Foreign Trade

Activity Preliminary Clearance from FIs**PHASE C : LAND ACQUISITION & REGISTRATION**

- GoWB assists entrepreneurs by providing land in industrial growth centres/industrial estates and in other areas through its various corporations and development authorities.
- WBIDC is the nodal agency for facilitating the acquisition process
- Land Acquisition Act, 1894 and other notifications contains the legal provisions regarding acquisition of land.
- GoWB has recently revised the guidelines to expedite the acquisition process. Now land acquisition is expected to be completed in a period of six to seven months.

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|--|---|----------------------|------|--------------------------|------|---|
| (a) Land in industrial growth centres /industrial estates etc. | WBIDC/WBIIDC/ WBSIDC /Development Authorities | After site selection | | | - | Land allotment on lease only |
| (b) Govt. Vested Land | District Collector /DLLRO | After site selection | | Detailed Project Report | - | (1) To be approached through WBIDC (2) Land given on lease only. |
| (c) Private Land | BLLRO/DLLRO | After site selection | | | - | Selection should primarily be of non agricultural land |

GoWB: Government of West Bengal

WBIDC: West Bengal Industrial Development Corporation

DLLRO: District Land Reform & Land Reform Officer

WBIIDC: West Bengal Industrial Infrastructure Development Corporation

BLLRO:Block Land & Land Reforms Officer

WBSIDC: West Bengal Small Scale Industries Development Corporation

| Mutation of Land | | | | | | |
|--|--|---------------------------|-----------------------------------|---|--|---|
| For more details refer - http://banglarbhumi.nic.in/ | | | | | | |
| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
| Apply for Mutation | Revenue Inspector at Gram Panchayat level | After acquisition of land | Available with granting authority | (1)Registered Deed of Transfer (2) Chain Deed of Transfer (3) Up-to-date Rent Receipt (4)Affidavit in the prescribed format (5)Declaration that in case mutation is allowed applicant will have no claim over the land if in future it vests in the State | Rural Area: Rs 1(Agri)/ Rs 2 (Non agri) , Municipal Area: Rs 5, Urban Agglomeration: Rs.10 | (1) Under West Bengal Land Reforms Act, 1955 (2) Rate per decimal of land (3) E.T.- 7 weeks |
| | BLLRO at the Block or Panchayat Samity level | | | | | |
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BLLRO:Block Land & Land Reforms Officer

| Application for Conversion of Land | | | | | | |
|---|--------------------------------------|--|-----------------------------------|--|---|--|
| If agricultural land is to be used for industrial purpose an application for conversion is to be filed under West Bengal Land Reforms Act, 1955. For more details refer - http://banglarbhumi.nic.in/ | | | | | | |
| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
| Apply for Conversion | State Land & Land Reform Dept./DLLRO | After purchase/ acquisition and mutation | Available with granting authority | (1) Mutation Certificate. (2) Site Plan. (3) Current Record of Right. (4) Project Report (5) Certificate for setting up of Industries by District Industries Centre / DoI / Deptt. Of Commerce & Industry, Govt. of India. (6) Court Fee of Rs. 10 to be affixed on application | (a)Rural Areas: Rs 20(comm), Rs10 (non comm.) (b)Urban Areas: Rs 50(comm.), Rs.20(non-comm.) | (1) Three sets of application for non-municipal areas and four sets for municipal areas (2)Fees mentioned is per decimal of land (3) E.T.- 8 weeks |
| | | | | | | |
| | | | | | | |
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DLLRO: District Land Reform & Land Reform Officer

DoI: Director of Industries

comm: Commercial, non-comm.- Non Commercial

PHASE D : FINANCING ARRANGEMENTS

| Activity No. | Description | | | | | |
|--------------|---------------------------|--|--|--|--|--|
| 11 | Preparation of Detailed P | | | | | |
| | | | | | | |

| Project Appraisal for Sanction of Term Loan & Working Capital Loan | | | | | | |
|---|---------------|------------------------|---|---|------|--|
| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
| Application for Term Loan/ Working Capital Loan | FI's/Banks | After purchase of land | As prescribed by financial institutions | (1)Documentation for Loan Application (2)I.T. Assessment certificate of Directors (3)Proof of Possession of Land (4)Architects estimate for construction cost (5)MoA & AoA (6)Project Report (7)Quotations of P&M | | (1) Unit can approach state or all India Financial Institutions/Banks. (2) Term loans as per RBI Guidelines (3) Refer Chapter on Financing of Projects in West Bengal for details. |
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MoA: Memorandum of Association

AoA: Articles of Association

RBI - Reserve Bank of India

PHASE E : PRE-IMPLEMENTATION APPROVALS**Registration with Director of Industries, West Bengal & Eligibility Certificate from WBIDC**

A unit has to register itself with Director of Industries for availing different incentives and obtaining Eligibility Certificate under [West Bengal Incentive Scheme, 2004](#), [West Bengal Incentive to Power Intensive Industries 2005](#) and [West Bengal IT Incentive Scheme 2004](#). For more details refer [Chapter 3](#).

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|--------------------------------|-------------------------------|--|-------------------|---|------|---|
| Apply for registration of unit | Director of Industries, W. B. | After obtaining IEM/IL/ other State Govt. Registration as applicable | I | (1) MoA & AoA (2) Names & addresses of Director/Partner/ Owner (3) Ack.ref.no. by SIA/IL/LOI/other Govt. authorities (4) Project Report (5) Sanction letter from FI (6) Audited balance sheet last 2 yrs (if expansion case) (7) List of P&M with value (8) Details of raw materials required (9) Existing manufacturing activities in W.B. (10) Consent to establish from WBPCB | - | (1) DoI will issue registration certificate with a copy to WBIDC. WBIDC will issue Eligibility Certificate after scrutiny to enable the unit to apply for various incentives. (2) For Tourism Unit registration certificate is issued by Directorate of Tourism & Eligibility Certificate by W.B.Tourism Dev. Corp. (3) Incentive available to Group B & C projects and some Gr A projects. (4) Industries in Negative List not eligible (5) E.T. - 1 month |

IL: Industrial Licence

LOI: Letter of Intent

MoA: Memorandum of Association

AoA: Articles of Association

SIA: Secretariat for Industrial Assistance

WBPCB - West Bengal Pollution Control Board

Power Connection

Unit has to make application for power supply to the agency within whose command area the unit is located. For more details refer - <http://www.wbpower.nic.in/> & <http://www.dvcindia.org/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|-----------------------|---|--|---------------------------------------|---|-------------|---|
| Application for Power | WBSEB/CESC/DVC/ DPL/DPSC (As per area demarcation) | After sanction of site plan by competent authority | As per applicable Power Supply Agency | (1) Site plan showing the premises, point of supply, road etc. to be submitted (2) Registration Certificate, MoA & AoA (3) Clearance from Pollution Control Authority (4) IEM/ Relevant industrial approvals | See Remarks | (1) <i>Service Areas:</i> (a) WBSEB: Entire State except areas under other utilities (b) CESC: KMC & Howrah Municipality area (c) DPL: Durgapur proper only (d) DPSC: Raniganj Colliary Belt only (e) DVC : Bankura, Burdwan and Purulia (Valley area only) (2) <i>For Consumer portion:</i> (a) Rules of Power Supply Agency to be followed (b) Permission of Chief Electrical Inspector, Electricities Directorate necessary (3) Earnest Money as per quantum of power supply. Cost of connection will depend on power requirement, distance of line length etc (4) E.T.- 5 weeks |

WBSEB: West Bengal State Electricity Board

CESC: Calcutta Electric Supply Corporation

DVC: Damodar Valley Corporation

DPL: Durgapur Projects Ltd.

DPSC: Dishegarh Power Supply Company Ltd.

KMC: Kolkata Municipal Corporation

IEM: Industrial Entrepreneurs Memorandum

MoA & AoA: Memorandum & Articles of Association

Water Supply Connection

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|----------------------------|--|-----------------------------|----------------------------|---|-------------|---|
| Apply for Water Connection | Executive Engineer of local water supply Dept. | After sanction of site plan | Appl. Form | (1) Building sanction plan (2) Payment proof of building sanction fees (3) NOC from assessment and collection dept. (4) Plumber "Niyog patra" (For selection of plumber) | See Remarks | (1) Fees for new conection depends on ferrule or pipe size (2) For permission to use ground water apply to State Water Investigation Directorate (SWID). Prescribed form available at SWID office. (3) For more details refer - http://www.kolkatamycity.com/ |

SWID: State Water Investigation Department

Approval of Factory Layout

Before construction of factory building, plans & layout has to be approved by Chief Inspector of Factories under Factories Act, 1948. For more details refer - <http://dgfasli.nic.in>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|---|------------------------------------|---------------------------------------|-------------------|---|------|---------|
| Apply for approval for const. of factory shed/ building | Chief Inspector of Factories, W.B. | Prior to commencement of work at site | 1 | 1) Flow chart of the manufacturing process | - | |
| | | | | 2) Plan relating to factory site, building, structures, P&M etc | | |

Construction of Building

Approval of Municipality / Panchayat is required for construction of any new building or addition, alteration etc. to existing building. For more details refer - <http://www.kolkatamycity.com/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|---|---|--------------------------------------|------------------------|--------------------------------------|-------------|--|
| Permission for Erection of a new building | Municipal Comm. (KMC) | Before undertaking construction work | Sch. I | As mentioned in the application form | See Remarks | (1) Application fees depends upon height of building |
| (Other than KMC) | Chairman - Municipality / Notified Area Authority | Before undertaking construction work | Form B | As mentioned in the application form | See Remarks | (2) E.T.- 2 weeks |

KMC: Kolkata Municipal Corporation

Consent to Operate from State Pollution Control Board

Units starting operations after Consent to Establish need to apply for consent to operate under Water (Prevention and Control of Pollution) Act, 1974 and Air (Prevention and Control of Pollution) Act, 1981. For more details refer - <http://www.wbpcb.gov.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------------------------|---------------|---|---|--|-------------|--|
| Apply for Consent to Operate | WBPCB | 1 mth prior to commencement commercial production | Consent Form (green / red & orange) | 1) Challan evidencing payment of fees | See Remarks | (1) Consent is valid as follows: Green Category - 5 yrs, Orange Category - 3 yrs, Red category - 2 yrs, and Specified Industries - 1 yr. |
| | | | | 2) Affidavit for Investment in Fixed Assets or Certificate by a C.A. | | |
| | | | | 3) Layout Plan showing outlets | | (2) Application fees depends upon capital investment in project. |
| | | | | 4) Flow Chart for manufacturing process | | |
| | | | | 5) Analysis Report of laboratory for emission details | | |

WBPCB: West Bengal Pollution Control Board

C.A. - Chartered Accountant

Registration & Licensing under Factories Act

Factories Act, 1948 require registration & licensing of factory before starting of operations. For more details refer: <http://dgfasli.nic.in>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------------------------------|------------------------------------|--------------------------------------|-------------------|---|------|--------------|
| Apply for Registration & Licensing | Chief Inspector of Factories, W.B. | Before starting operations | 2 | (1) Details about manufacturing process | - | E.T.- 1 week |
| | | | | (2) List of products to be manufactured | | |
| Notice of Occupation | Chief Inspector of Factories, W.B. | 15 days before occupation of factory | 2 | - | - | |

Boiler Registration

Under Indian Boilers Act-1923 the unit is required to obtain Boiler Registration Certificate for use of steam boilers. For more details refer: <http://dgfasli.nic.in>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|-------------------------------|----------------------------|---------------------------------------|------|--------------------------|------|---|
| Apply for Boiler Registration | Chief Inspector of Boilers | Before starting commercial production | | | - | (1) Apply to inspector of boilers for inspection |
| | | | | | | (2) Inspector inspects the boiler and submits report to chief inspector |

(3 Chief Inspector registers boiler on basis of the report)

Explosives Licence

Any person engaged in manufacture, possession, use, sale, transport and importation of explosives is required to obtain a licence under Explosives Act, 1884 and Explosives Rules, 1983. For more details refer: <http://explosives.nic.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|-------------------|--------------------------------|--|-------------------|--|-------------|--|
| Apply for licence | Chief Controller of Explosives | (1) Before manufacturing explosives | 3 | (1) Site Plan & Building Plan (2) Description of work process | See Remarks | Fees for licence depends upon type and quantity of explosive |
| | | (2) Before possession and sale of explosives | 4 | (3) Description & location of P&M (4) Description of explosives (5) No of persons employed (6) Names & addresses of directors | See Remarks | |

Fire License

Before commencing operations the unit should obtain clearance from Fire Services Dept. to ensure it has installed adequate fire safety equipments. under W.B.Fire Service Act, 1950 and Fire Prevention and Fire Safety Rules,1996. For more details refer: <http://www.wb.gov.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------------------|---------------------------------|----------------------------|----------------------------|--------------------------|------|--------------|
| Apply for Fire License | Collector, Fire License Section | Before starting operations | 393 Z (14) | Plan of the premises | - | E.T.- 1 week |

Central Excise Registration

Central Excise Act, 1944 provides for levy of excise duty on on all excisable goods which are produced or manufactured in India. For more details refer: <http://www.cbec.gov.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------------------|--|---|---------------------|-------------------------------|------|--------------|
| Apply for Registration | D.C or A.C. having jurisdiction over place of business | Before producing, manufacturing or trading in excisable goods | A-1 | (1) Attested copy of PAN card | - | E.T.- 1 week |

D.C.- Deputy Commissioner

A.C.- Assistant Commissioner

VAT Registration

W.B.Value Added Tax, 2003 was enacted to provide full set-off for input tax and also to abolish the burden of several existing taxes, such as turnover tax, surcharge on sales tax, additional surcharge, special additional tax, etc.

For more details refer: <http://www.wbcomtax.nic.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------------------|--|---|-------------------|---|----------------------|--|
| Apply for Registration | D.C. or A.C. or S.T.O. having jurisdiction | Within 30 days from the date of incurring liability | 1 | Declaration in Form B by Managing Director, Director etc. | Court Fees of Rs 100 | (1) W.B. VAT Act,2003 , W.B. VAT Rules, 2005 (2) E.T. - 3 weeks |

D.C.- Deputy Commissioner

A.C.- Assistant Commissioner

S.T.O.- Sales Tax Officer

Service Tax Registration

Companies engaged in providing taxable services are required to apply for registration under Finance Act, 1994. For more details refer: www.servicetax.gov.in

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------------------|--|--|----------------------|-------------------------------|------|---------------|
| Apply for Registration | Superintendent of Central Excise having jurisdiction | Within 30 days of providing taxable service. | ST-1 | (1) PAN Card (2) MoA & AoA | - | E.T. - 1 week |

MoA: Memorandum of Association

AoA: Articles of Association

PAN: Permanent Account Number

PHASE F : IMPLEMENTATION

Recruitment of Manpower

At the time of recruiting employees a company has to get itself registered under various statutes for the benefit of its employees.

Profession Tax Act, 1979 was enacted with the object of levying tax on professions, trades, callings and employments. For more details refer: <http://www.wbcomtax.nic.in/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|---|---|--------------------------------------|----------|----------------------------------|------|--|
| Apply for Registration under Profession Tax Act | Profession Tax Officer having jurisdiction over place of work | Within 90 days from deduction of tax | <u>I</u> | (1) Trade License | - | (1) West Bengal State Tax on Professions, Trades, Callings and Employments Act, 1979 |
| | | | | (2) MoA & AoA | | |
| | | | | (3) Certificate of Incorporation | | |

MoA: Memorandum of Association

AoA: Articles of Association

EPF& MP Act,1952 was enacted to provide for institution of provident funds, pension fund and deposit-linked insurance fund for employees in factories and other establishments. For more details refer: <http://www.epfindia.com/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|---|--------------------------------------|---------------------------------|----------|----------------------------------|------|----------------|
| Registration under Employees Provident Fund | Regional Provident Fund Commissioner | On employing 20 or more persons | <u>1</u> | (1) MoA & AoA | - | E.T. - 8 weeks |
| | | | | (2) Certificate of Incorporation | | |
| | | | | (3) Certificate of Commencement | | |

MoA: Memorandum of Association

AoA: Articles of Association

Employees State Insurance: Employees covered under the scheme are entitled to medical facilities for self and dependants. For more details refer: <http://esic.nic.in>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|------------------------|-----------------------|---|----------|----------------------------------|------|--|
| Registration under ESI | Regional Office, W.B. | 15 days after employing persons covered by given wage ceiling | <u>1</u> | (1) MoA & AoA | - | (1) Wage ceiling limit for coverage under ESI Act,1948 has been raised from Rs 7500 to Rs 10000 p.m. w.e.f. 1.10.06. |
| | | | | (2) Certificate of Incorporation | | |
| | | | | (3) Salary Sheet of employees | | |

MoA: Memorandum of Association

AoA: Articles of Association

Apply for Incentives

For availing incentives under various schemes a unit has to apply in specified forms after commencement of commercial production. For more details refer : <http://wbidc.com> & <http://itwb.org/>

| Activities | Whom to Apply | When to Apply | Form | Documents to be attached | Fees | Remarks |
|---|----------------------------|---|------|--|------|---------|
| West Bengal Incentive Scheme, 2004 | | | | | | |
| 1) State Capital Investment Subsidy | M.D., WBIDC | After commencement of commercial production | II | (1) Techno-Economic Feasibility Report | - | |
| | | | | (2) Loan sanction letter | | |
| | | | | (3) Consent to Operate from WBPCB | | |
| | | | | (4) Certificate from Chartered Accountant per Annexure A to Form II | | |
| | | | | (5) Certificate re: fixed assets per Annexure B to Form II | | |
| 2) Interest Subsidy | M.D., WBIDC | After commencement of commercial production | III | Certificate from Bank/FI in Annexure A to Form III re: payment of interest to be obtained by WBIDC | - | |
| | | | | | | |
| 3) Waiver of Electricity Duty | Directorate of Electricity | After commencement of commercial production | IV | (1)Registration certificate by DoI | - | |
| | | | | (2) Eligibility Certificate by WBIDC | | |
| | | | | (3) Documents re: supply of electricity to unit | | |
| | | | | (4) Last Electricity Bill | | |
| | | | | (5) Commencement of commercial production certificate | | |
| 4) Employment Generation Subsidy | M.D., WBIDC | After commencement of commercial production | V | (1) Documents re: contribution to ESI/EPF | - | |
| | | | | | | |

| | | | | | | |
|---|--|--|------|---|---|---|
| | | | | (2) Details of workers | | |
| | | | | (3) Certificate from RPFC/Director, ESI per Annexure A to Form V re: contributions | | |
| | | | | | | |
| 5) Refund of Stamp Duty & Registration Fee | M.D., WBIDC | After commencement of commercial production | VI | (1) Schedule of Lands (2) Map of Land/Building purchased (3) Evidence of payment of Stamp duty & Registration Fees | - | |
| | | | | | | |
| 6) Subsidy for sanction for use of piped gas | M.D., Greater Calcutta Gas Supply Corporation Ltd.(GCGSCL) | After commencement of commercial production | VII | (1)Registration certificate by DoI (2) Eligibility Certificate by WBIDC (3) Registration certificate from GCGSCL (4) Proof of expenditure incurred to install gas pipeline (5) Gas Bills | - | |
| | | | | | | |
| 7) Capital Investment Subsidy to leather and other units | Director of Industries, W. B. | After commencement of commercial production | VIII | (1) Appraisal Memorandum by FI (2) Letter of Sanction of loan (3) Details of P&M | - | |
| | | | | | | |
| 8) W.B. Incentive to Power Intensive Industries Scheme 2005 | M.D., WBIDC, WBSEB/DPL | After commencement of commercial production | D | (1) Registration certificate by DoI (2) Eligibility Certificate by WBIDC (3) Documents re: supply of electricity to the unit (4) Agreement for concessional energy charge (5) Electricity Bills | - | (1) This Scheme is applicable to units drawing power from WBSEB (2) Units in Group'B' &'C' districts as per WBIS only eligible (3) Units which availed State Capital Investment Subsidy for captive power genset not eligible |
| | | | | | | |
| 9) WB IT Incentive Scheme, 2004: | | | | | | |
| | | | | | | |
| Capital Investment Subsidy to IT Units | Director of Industries, W. B. | On relocation to approved industrial complex | VII | (1) Appraisal Memorandum (2) Letter of sanction of term loan (3) Details of funding of project | - | (1) For claiming various incentives other than Capital Investment Subsidy under W.B. I.T. Scheme 2004, procedure is same as that under WBIS 2004. |