

Government of West Bengal
Commerce and Industries Department
4, Abanindra Nath Thakur Sarani, Kolkata-700016
Administration Branch

No. : 308- CI/O/ADN/GEN-INC/5/12

Dated, Kolkata, the 12th September, 2014

NOTIFICATION

The Governor is pleased to bring in the following amendments with immediate effect in the “West Bengal State Support for Industries Scheme, 2013” for Industrial Projects of Large Scale to be set up in the State which was notified through the Kolkata Gazette Extraordinary dated October 1, 2013 vide Memo No.146-CI/O/ADN/GEN-INC/5/12 dated, Kolkata, the 1st October, 2013:-

Amendments

1. In Sub-para 3.6 of Para 3 entitled “**Category of Industries**” the word and figures, ‘**Scale-1: Investment in ‘Plant & Machinery’ of Rs.10 Cr. and up to Rs.100 Cr.’**

shall be substituted by the words and figures –

‘Scale-1: Investment in ‘Plant & Machinery’ of Rs.10 Cr. **(Rs. 5 Cr. for ‘Expansion’ as defined hereinafter)** and up to Rs.100 Cr.’.

2. In Sub-para 3.8 of Para 3 entitled “**Eligible Units**” the words and figures, ‘started investment in Plant and Machinery on and after **01/04/2013**, having final registration certificate certifying the first date of Commencement of Commercial Production issued by the DI;’

shall be substituted by the words and figures –

‘starting commercial production on and after **01/09/2013**, having final registration certificate certifying the first date of Commencement of Commercial Production issued by the Director of Industries;

Provided that if commercial production commences before the date of issue of any statutory clearance (s), a unit will be eligible for all admissible incentives from the date of issue of the last statutory clearance.

N.B. It is also clarified that in the case of a single registration obtained by a unit for production of more than one product, the date of commencement of commercial production of any one of the products occurring first, will be considered and certified to be the date of commencement of commercial production of the registered unit as a whole for all the registered products taken together, notwithstanding the commencement of commercial production of any other product of the unit, under the same registration, occurring on a subsequent date’.

3. In Sub-para 3.10 of Para 3 entitled “**Fixed Capital Investment**”, the words and figures, ‘... 01/04/2013 in the Plant and Machinery including equipment installed for pollution control measures.’

shall be substituted by the words and figures –

‘... 01/04/2011 in the Plant and Machinery including equipment installed for pollution control measures, till the date of commencement of commercial production; provided that the first date of commencement of commercial production with such investment shall be a date after 01/09/2013.’

4. In Sub-Para 3.10.4 of Para 3 relating to “starting date of advance for FCI”, the words and figures, ‘01/04/2013’

shall be substituted by the words and figures –

‘01/04/2011’.

5. In Sub-Para 3.12.1 of Para 3 entitled “**New Unit**”, the words and figures, ‘A unit in the large scale sector for manufacturing goods in West Bengal which **started** investment in Plant and Machinery on and after **01/04/2013** and registered with the Director of Industries for the first time’

shall be substituted by the words and figures –

‘A unit in the large scale sector for manufacturing goods in West Bengal **for the first time**, which **starts commercial production on and after 01/09/2013** and is registered with the Director of Industries’.

6. In Sub-Para 3.12.2 of Para 3, the words and figures, ‘Expansion in a new location, of an existing unit already registered under a previous incentive scheme for the same or a different product which started investment in Plant and Machinery on and after 01/04/2013;’

shall be substituted by the words and figures –

‘Expansion’ means expansion of total production capacity of an existing unit at a new location or the same location, either for a new or a different product, irrespective of whether such pre-expansion unit is already registered, or not, under the same or a previous Incentive Scheme, but subject to the following conditions:

- (a) A minimum fixed capital investment of Rs. 5.00 crore is made for such expansion;
- (b) The total fixed capital investment for the pre-expansion capacity and the expanded capacity taken together, becomes more than Rs. 10.00 crore;
- (c) such expansion must result in increase over and above the capacity of the existing pre-expansion unit,

- (i) if registered, as recorded in the registration certificate under this Scheme, or any previous Scheme, or
 - (ii) if unregistered, as recorded with any Central or State Government Authority, to be proved by the applicant seeking registration;
- (d) Commercial production of such expansion at new location was/is started on or after 01/09/2013’.

7. In Sub-Para 3.12.3 of Para 3, the words and figures, ‘Expansion with the same or new product in the same location of an existing unit already registered under a previous scheme which started investment in Plant and Machinery on and after 01/04/2013’

- shall be omitted from the Scheme.

8. The proviso in Paragraph 3.12 entitled “**New Unit**”, the words and figures, ‘In case of expansion by same product, the unit has to achieve production up to 70% of the installed capacity in the existing set up and Certificate from the Sales Tax Authority certifying the exact quantum of production during last three years are required for this purpose.

However, expansion in the same location shall not be entitled to the benefit under “Waiver of Electricity Duty” ’

shall be substituted by the words and figures –

‘Provided that failure to comply with any of the aforesaid conditions for expansion, if detected at any time after the issue of Registration Certificate in Part – I or in Part – II, or Eligibility Certificate, as the case may be, shall make such certificate liable for revocation in terms of Sub-para 5.5 of Para 5 of this Scheme;

Provided further that, expansion in the same location, for the same product or a different product, shall not be entitled to the benefit under “Waiver of Electricity Duty”.

N.B. It is also clarified that separate registrations of more than one product at the same location under this Scheme may be allowed one after another, but not simultaneously. Registrations, subsequent to the first registration under this Scheme, will be treated as registration of ‘Expansion’ for a different product, subject to compliance with all other conditions and criteria, and also subject to exclusive additional fixed capital investment for each of such separately registered products and production capacities’.

9. In Sub-Para 3.15 of Para 3, the words and figures, “**Registration Certificate**”, hereinafter referred to as RC means final Registration Certificate issued by the DI certifying the first date of Commencement of Commercial Production also’

shall be substituted by the words and figures –

“**Registration Certificate**”, hereinafter referred to as RC means final Registration Certificate issued by the DI in RC (Part II) certifying the first date of Commencement of Commercial Production and preceded by Preliminary Registration Certificate issued by DI in RC (Part-I) as provided in Annexure-IV’

10. In Sub-para 4.1 of Para 4, the words and figures, ‘Those units that have been registered under any previous scheme’

shall be substituted by the words and figures –

‘Those units for which Eligibility Certificate (EC) or Registration Certificate (Part-II) as the case may be, has already been issued for any product or service under any previous Scheme of the State Government’.

11. In Sub-para 4.5 of Para 4, the words and figures, ‘... will not be entitled to the benefits under this scheme or the benefits shall be adjusted ...’

shall be substituted by the words and figures –

‘...will not be entitled to the **identical** benefits under this scheme, or the **identical** benefits shall be adjusted ...’.

12. In Sub-para 5.3 of Para-5, the words and figures, ‘...one week of commencement of commercial production.’

shall be substituted by the words and figures –

‘... 30 days of the commencement of commercial production. However, the date of effect of all the admissible benefits under this Scheme shall be the date of commencement of commercial production, or the date of issue of last statutory clearance, whichever is later’.

13. In Para 7 the words and figures, ‘Fiscal incentives and Concessions for Investment under Scale-1(Rs.10 - 100 Cr FCI): The total incentives under all heads shall not be more than 100% of FCI’

shall be substituted by the words and figures –

‘Fiscal incentives and Concessions for Investment under Scale-1 Rs.10 Cr. (Rs. 5 Cr. for Expansion) and up to Rs.100 Cr.): The total incentives under all heads, excluding Waiver of electricity Duty, shall not be more than 100% of FCI’.

14. In Sub-para 7.4 entitled “**Stamp Duty**”, the words and figures, ‘... Stamp Duty refund for all the areas....’

shall be substituted by the words and figures –

‘... Stamp Duty refund for the areas as noted in para 8.2...’

15. In Sub-para 8.2 entitled “**Exemption from Stamp Duty**” the words and figures, ‘... shall be exempted as below:’

shall be substituted by the words and figures –

‘... shall be reimbursed after issue of Registration Certificate in Part-II, as below:’

16. In Sub-para 9.4 entitled “**Waiver of Electricity Duty for EoUs, VAT/CST exempted Units and Power Intensive Units**”, the words and figures, ‘... will be entitled to receive Waiver of Electricity Duty without ceiling for no. of years and percentage of waiver in line with clause no. 7.2 above.’

shall be substituted by the words and figures –

‘... will be entitled to receive Waiver of Electricity Duty without any ceiling for the number of years and also for percentage of waiver in terms of Sub-para 7.2 above;

Provided that the quantum of Waiver of Electricity Duty itself shall not be more than 100% of fixed capital investment;

Provided further that the Power Intensive Units (PIU) will not be entitled to any benefit other than the Waiver of Electricity Duty in terms of Sub-para 7.2.

Provided that conditions mentioned in Sub-para 3.12.2 proviso will be applicable’

17. In Sub-para 11.3 relating to “**Incentives to service related activities ...**”, the words and figures, ‘Benefits by way of incentives ...’

shall be substituted by the words and figures –

‘Identical benefits, by way of incentives ...’

18. In Sub-para 12.4 entitled “**Mode of Payment and operational procedures**”, the words and figures, ‘The Managing Director, WBIDC shall take note of it and ensure that the benefit under this head is duly accounted for while releasing total incentives under all heads which shall not be more than 100% of FCI’

- *shall be omitted from the Scheme.*

19. In Paragraph 12.8 entitled “**Mode of Payment and operational procedures**”, the words and figures, ‘... Waiver of Electricity Duty...’

- shall be omitted from the Scheme.

20. In Paragraph 12.11 relating to “**Verification by WBIDC**”, the words and figures, ‘... quarterly status report ...’

shall be substituted by the words and figures –

‘...quarterly status report (Annexure-III)...’

21. In Paragraph 12 entitled “**Mode of Payment and operational procedures**”, *the following words and figures shall be added –*

‘N.B.

I. It is clarified that respective amounts of all the admissible incentives under this Scheme will be calculated and determined on the basis of, and restricted to, the products, production capacity and amount of fixed capital investment, registered in the Registration Certificates in Part - I and in Part-II.

II. It is also clarified that claim of change in the product or production capacity or amount of fixed capital investment, or location of the unit or all of these, in the Registration Certificate in Part-I or in Part – II, will not be considered after issuance of Registration Certificate in Part-II’.

22. After ANEXURE – II, the words and figures, ‘**[See Para 12.11] QUATERLY STATUS REPORT**’ –

shall be substituted by the words and figures –

‘**ANNEXURE – III [See Para 12.11] QUATERLY STATUS REPORT**’

23. After ANEXURE – III and before ANNEXURE-V –

following words and figures shall be included –

‘ANNEXURE-IV
[See Para 3.15]

GOVERNMENT OF WEST BENGAL
DIRECTORATE OF INDUSTRIES

(address).....

Online Application Acknowledgement	
No.	Date

REGISTRATION CERTIFICATE (PART-I) under WBSSIS-2013

vide Clause No. 3.15 [as amended up to 12.09.2014]

DI-Govt. of WB	Registration (Part –I) No.	Date:	
Online Application	Acknowledgement No.	Date:	
Govt. of India/WB	IEM (A)/EM (I) Ack. No.	Date:	
ROC-Gol/Other	CIN/ Regn. /Licence No.:	Date:	

1	Name of the Company/Firm	
2	Office Address with e-mail, phone/fax	
3	Area of Land Procured (in acres)	
4	Approved Location (as per Para 3.3)	
(a)	P.O.	
(b)	P.S. / Block / Municipality	
(c)	Mouza & JL No.	
(d)	Plot Nos.	
(e)	District	
5	Registered Item (s) of Production	Approved Annual Capacity
(a)		
(b)		

7	Estimated Fixed Capital Investment	
8	Estimated Direct Employment	
9	Expansion or New <i>(as per Clause 3.12)</i>	
10	Category as per WBPCB norms	
11	Classification of Area of Location	
12	Scale of Investment <i>(as per Clause 3.6)</i>	
13	Expected Date of Commencement of Commercial Production	

14	Validity period of this RC (Part-I) <i>(as per Para 4.4 of the scheme)</i>	
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This Registration Certificate is being issued subject to the conditions mentioned overleaf.

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**Director of Industries,
West Bengal.**

STATEMENT OF CLEARANCES/APPROVALS OBTAINED FROM COMPETENT AUTHORITY

SL.	DESCRIPTION	ISSUING AUTHORITY	No. & DATE	REMARKS
1	Consent to Establish			
2	Mutation in Land Records or Possession Certificate from PSU/Local Body/Authority			
3	Conversion of Classification of Land in Land Records			
4	Factory Licence			
5	Permission for Use of Water			
6	Assurance of Financing			
7	Others, if any (please specify)			

CONDITIONS OF REGISTRATION CERTIFICATE (PART – I)

1. This certificate is being issued on the basis of information submitted by the applicant company in the prescribed form under WBSSIS-2013(as amended up to 12.09.2014), without any verification. If any of the information submitted by the Co. is found to be incorrect/false, this RC shall be revoked.
2. This certificate does not communicate any commitment on the part of the State Government, or this Directorate, for sanction and disbursement of incentive in any time bound manner and the same should not be construed as a matter of right by the Co. receiving this certificate.
3. The company must submit quarterly progress report for the project/unit regularly in the proforma and in the manner prescribed separately by this Directorate from time to time, till issuance of RC (Part-II).
4. The company must seek necessary amendment of this certificate for any change in the project parameters (name of the co., location, employment, investment, product, capacity, NOC of WBPCB etc.), with necessary supporting documents and fees **before commencement of commercial production**, failing which this certificate will stand as revoked.
5. Non-compliance or violation of any of the aforesaid conditions will make this certificate liable to be revoked.

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**Director of Industries,
West Bengal.**

**GOVERNMENT OF WEST BENGAL
DIRECTORATE OF INDUSTRIES**

(address).....
.....

Online Application Acknowledgement No. Date

REGISTRATION CERTIFICATE (PART-II) under WBSSIS-2013

vide Clause No. 3.15 [as amended up to 12.09.2014]

DI-Govt. of WB	Registration (Part – II) No.	Date:	
DI-Govt. of WB	Registration (Part – I) No.	Date:	
Govt. of India/WB	IEM (B)/EM (II) Ack. No.	Date:	
ROC-Gol/Other	CIN/ Regn. /Licence No.:	Date:	

1	Name of the Company	
2	Office Address with e-mail id, phone no.	
3	Area of Land Procured (in acres)	
4	Approved Location (<i>as per Para 3.3</i>)	
(a)	P.O.	
(b)	P.S. /Block/Municipality	
(c)	Mouza & JL No.	
(d)	Plot Nos.	
(e)	District	
5	Registered Item(s) of Production	Approved Annual Capacity
(a)		
(b)		
7	Actual Fixed Capital Investment	

CONDITIONS OF REGISTRATION CERTIFICATE (PART – II)

6. This certificate is being issued on the basis of information submitted by the applicant company in the prescribed form under WBSSIS-2013(as amended up to 12.09.2014). If any of the information submitted by the Co. is found to be incorrect/false, this RC shall be revoked.
7. This certificate does not communicate any commitment on the part of the State Government, or this Directorate, for sanction and disbursement of incentive in any time bound manner and the same should not be construed as a matter of right by the Co. receiving this certificate.
8. The company must submit quarterly status report in Annexure –III vide sub-para 12.11 of the Scheme, in the manner as may be prescribed by WBIDC from time to time.
9. The company must also submit monthly production return for the unit regularly in the proforma and in the manner prescribed separately by this Directorate from time to time.
10. Non-compliance or violation of any of the aforesaid conditions will make this certificate liable to be revoked.

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**Director of Industries
West Bengal'**

24. In Form No. I, “Application for Preliminary Registration Certificate, RC in Part-I under West Bengal State Support for Industries Scheme, 2013”, after serial number 6.2,

following words and figures to be added –

‘6.3 Likely date of Commencement of Commercial Production against Items of manufacture noted in item No. 6 above, for which registration is sought.’

25. In Form No. I, “Application for Preliminary Registration Certificate, RC in Part-I under West Bengal State Support for Industries Scheme, 2013”, after item number 16,

following words and figures to be added –

‘17 Reference Number and other details of land conversion (documents to be attached)’

26. In the “CHECK LIST Form No. I”, after the row with details NOC (Consent to establish) from WBPCB in item number 2,

following row to be added –

‘Reference of land conversion’

27. In the “ Form No. IA” in the column 3 of clause 2 & clause 3, the words and figures, ‘... not before 01.04.2013’

shall be substituted by the words and figures –

‘...not before 01.04.2011’

These amendments are issued with the concurrence of the Finance Department, Government of West Bengal, vide their U/O No. 18 Gr. H. (Misc) dated, 04.08.2014 and approval of Standing Committee of the Cabinet on Industry, Infrastructure & Employment in its 35th meeting dated,05.08.2014 Agenda-VI forwarded vide No. 35(7)-Cab.Sub.Com.(I.I.&E.)-(Pro)-8(01)/2014 dated, 12.08.2014

By order of the Governor,

Sd/-

(C. M. Bachhawat)

*Additional Chief Secretary to the Govt. of West Bengal.
Commerce & Industries Department.*