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GOVERNMENT OF WEST BENGAL
Department of Micro, Small & Medium Enterprises and Textiles

No. 523-MSMET(III)/21-14/2014

Date: 24/09/14

NOTIFICATION

Whereas, the Governor is of the opinion that it is necessary to provide incentives to encourage private sector to set up industrial parks at own land for promotion and development of MSMEs.

Now, therefore, the Governor is pleased to sanction the implementation of a new incentive scheme in the State for growth of the micro, small and medium enterprises through creation of new industrial parks with basic common infrastructural facilities for sustaining competitiveness in compliance with environmental norms.

1. Title of the Scheme:

The Scheme will be called West Bengal Incentive Scheme 2014 for Approved Industrial Park (hereinafter referred to as WBIS-2014 for AIP) for Micro, Small and Medium Enterprises (MSMEs).

2. Objective:

The objective of the Scheme is to encourage private sector to set up industrial parks at own land with quality infrastructure in order to catalyze and promote industrial growth, employment generation, technology upgradation and environmental compliance with state assistance in the form of fiscal and non-fiscal incentives from the government.

3. Commencement and Duration:

The Scheme will come into force on and from the date of notification in the whole of West Bengal and shall remain in force up to 5 years, if not withdrawn / amended by a notification in the official gazette to that effect.

4. Definitions:

In the Scheme, unless the context otherwise requires:

- i) “Department” means the Department of Micro, Small & Medium Enterprises and Textiles, Government of West Bengal.
- ii) “Approved Industrial Park” (hereinafter referred to as AIP) means, Industrial Park for MSMEs Approved by “State Level Empowered Committee” (SLEC) under the

- Scheme and subsequently notified by the State Government in the Department of Micro, Small & Medium Enterprises and Textiles, Government of West Bengal.
- iii) “State Level Empowered Committee” (hereinafter referred to as SLEC) means the Committee constituted under paragraph 12 of the Scheme.
 - iv) “WBSIDC” means West Bengal Small Industries Development Corporation Ltd., which is authorized by the Department to act as the nodal organization for operation of the Scheme.
 - v) “SPV” means Special Purpose Vehicle, which will procure or is in legal possession of the land for the AIP and will be responsible for designing, development, financing, construction, management, operation and maintenance of the AIP.
 - vi) “Basic and Essential Common Infrastructure Facilities” includes the facilities of land development, land filling, boundary walls, internal roads and street lighting, storm water drainage, sewerage system, STP & WTP (if applicable), water distribution network, electrical main distribution network, telecommunication network, common fire fighting infrastructure, solid waste disposal, landscaping, guardhouse, gate, and misc. civil structures in the AIP and such other facilities as are for common use for industrial activities which have been identified and approved by SLEC during approval.
 - vii) “Form” means forms appended to the Scheme.
 - viii) “Micro Unit/ Enterprise” means a unit/ enterprise classified as such in MSMED Act, 2006.
 - ix) “Small Unit/ Enterprise” means a unit/ enterprise classified as such in MSMED Act, 2006.
 - x) “Medium Unit/ Enterprise” means a unit/ enterprise classified as such in MSMED Act, 2006.
 - xi) “State Government” means the Government of West Bengal.
 - xii) “Unit/Enterprise” means any unit/enterprise in the micro, small and medium sector including industrial cooperatives and industrial self help groups, which has filed Entrepreneurs’ Memorandum (EM) and has been allotted an EM No.
 - xiii) ‘Approved Project’ means “Approved Industrial Park” (AIP).
 - xiv) “Commencement of Approved Industrial Park” means the date of operation of the AIP, which denotes the date when all the approved Basic and Essential Common Infrastructural Facilities have been constructed / installed and minimum 80% of the saleable land plot/ shed / buildings/ installations has been allotted to MSMEs.
 - xv) “Private Sector” means any Industry Association/ Industrial and Corporate House or Institution registered under Societies Act or Partnership Act or the Companies Act and/ or consortium of them.

5. Applicability of WBIS-2014 for AIP for MSMEs:

The WBIS-2014 for AIP for MSMEs shall be applicable to all Approved Industrial Park commencing after the approval of SLEC, subject to the fulfillment of terms and conditions specified under the Scheme.

6. Criteria and features of Approved Industrial Park:

- i) The Approved Industrial Park shall be established by private sector at own land, which will be required to form a Special Purpose Vehicle (SPV) registered under Companies Act.

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- ii) The responsibility of designing, development, financing, construction, management, operation and maintenance of the AIP shall be with the SPV.
- iii) The SPV shall procure or shall be in legal possession of the land for the AIP.
- iv) Procurement of land shall be in harmony with the existing provisions of the policies of the State Government.
- v) SPV shall be responsible to develop the master plan/ layout plan of the AIP adhering to the Urban Planning/ Town & Country Planning rules and shall have to obtain the master plan / layout plan approval from relevant State Government Department with respect to adherence of rules (FAR, Land use, Area Statement, Open Space, Fire Safety, Waste water Management, Water Conservation, Drainage, Sewerage, Solid Waste Disposal, Utility shifting, Power, water, telecommunication, road connectivity and network, etc) including conformation of specification of infrastructure facilities/ utilities and quality standard. The SPV shall also be responsible for compliance of other statutory norms (Consent to Establish for the Park based on the activities of the proposed Units envisaged, Mutation, Conversion, Exemption of 14Y of WBLR/ UC Acts, if applicable, etc) as relevant from concerned State Government Departments/ Govt. of India/ Authorities. All the compliances/ approvals/ licenses shall have to be obtained before construction of the Park.
- vi) The minimum land area required for development of an AIP will be 20 acres.
- vii) Each AIP shall have land plot/ shed / buildings/ installations for a minimum 20 number of MSME Units.
- viii) The SPV shall construct/ install the mandatory Basic and Essential Common Infrastructural Facilities in the AIP, which would include facilities of land development, land filling, boundary walls, internal roads and street lighting, storm water drainage, sewerage system, STP & WTP (if applicable), water distribution network, electrical main distribution network, telecommunication network, common fire fighting infrastructure, solid waste disposal, landscaping, guardhouse, gate, and misc. civil structures and such other facilities as are for common use for industrial activities which have been identified and approved by SLEC during approval.
- ix) Minimum 60% of the total land in the AIP shall be allotted for industrial activities. The remaining land shall be utilized for Basic and Essential Common Infrastructure Facilities and greenery, while maximum 5% land can be earmarked for hostel/ housing facilities meant only for the occupants of the AIP.
- x) The SPV shall have to start construction activities of the AIP within 3 months from the date of approval under the Scheme.
- xi) The construction/ installation of the Basic and Essential Common Infrastructure Facilities and allotment of minimum 80% of the saleable land/plot/shed/buildings/installations to MSMEs and fulfillment of other compliances under this Scheme shall have to be completed within 2 years from the date of approval of the AIP. In case of delay, beyond the control of the SPV, approval for extension for a maximum period of 6 months shall have to be obtained from SLEC before expiry of the specified 2 years. In case the SPV defaults, the approval given to an AIP shall stand withdrawn on completion of specified 2 years or after the extended time period.
- xii) The SPV shall manage and maintain the AIP for a minimum period of five years from the date of completion of construction/ installation of the Basic and Essential Common Infrastructure Facilities and allotment of minimum 80% of the sealable land

to MSMEs. Any change in shareholding pattern in the SPV till the completion of 5 years maintenance period of the AIP shall have to obtain approval from SLEC. In case of default, the SPV is liable to refund the disbursed/ reimbursed incentive amount to the State Government.

- xiii) The SPV shall allot the saleable land plot/ shed / buildings/ installations of the AIP to MSMEs through open advertisement in newspapers declaring rates of plot of land/ shed / buildings/ installations. In case applications more than the available plot of land/ shed / buildings/ installations are received then allotment shall be made through lottery.
- xiv) The SLEC may prescribe other conditions for Approved Industrial Park, which shall be final and binding on the SPV/ AIP.
- xv) The SPV shall submit periodic progress report in prescribed format and intimate the allotment details of land plot/ shed / buildings/ installations in the AIP at regular interval.
- xvi) WBSIDC shall be the nodal organization authorized for operation of the Scheme.

7. Assistance from State Government:

- i) WBSIDC shall invite and receive applications from Private Sector for setting up industrial parks under the Scheme and scrutinize, verify and recommend the eligible applications to the SLEC for approval and subsequently process incentive claim and disburse the sanctioned amount of incentives to the SPV of the AIP.
- ii) WBSIDC shall inspect and monitor the progress of development of the AIP periodically. The SPV shall take into consideration any recommendation from WBSIDC related to the development of the AIP, which it feels as necessary for fulfilling compliances of development of the AIP under this Scheme. The SPV shall also have to inform and obtain necessary consent from WBSIDC before installing the CETP with respect to selection of accredited vendor, chosen technology and cost estimate.
- iii) WBSIDC shall provide facilitation service in obtaining all statutory clearances/ licenses within the law. However, WBSIDC shall not have any direct role in the processing of applications for statutory clearances / licenses, which shall be processed and decided by the respective Departments/ agencies. The exemption under 14Y of WBLR Act and Urban Ceiling Act for holding land in excess of the prescribed ceiling shall be considered by the concerned Departments under the existing rules and policies of the State Government.

8. Fiscal incentives and concessions for Approved Industrial Park:

An Approved Industrial Park will be entitled to State incentives as follows: -

A. Incentive for Basic and Essential Common Infrastructure Facilities:

One time back-ended incentive for development of Basic and Essential Common Infrastructure Facilities based on land area in the following manner:

- i. 20 acres to 39 acres – Rs. 2 crore
- ii. 40 acres to 59 acres - Rs. 4 crore
- iii. 60 acres to 79 acres - Rs. 6 crore
- iv. 80 acres to 99 acres - Rs. 8 crore

v. 100 acres and above - Rs. 10 crore

While calculating incentive the land area in acre will be taken as least whole number.

B. Incentive for Common Effluent Treatment Plant (CETP):

- i) An Approved Industrial Park shall be entitled to incentive as reimbursement for installation of CETP, wherever applicable, based on land area of AIP @ Rs. 5 lakh per acre, subject to a maximum of Rs. 5 crore. While calculating incentive for CETP, the land area in acre will be taken as least whole number.
- ii) For availing this incentive, the SPV shall have to obtain prior approval justifying the feasibility and requirement for the CETP in the AIP. The SPV shall also have to inform and obtain necessary consent from WBSIDC before installing the CETP with respect to the accredited vendor, selected technology and cost estimate.

C. Reimbursement of Stamp Duty:

An Approved Industrial Park shall be entitled to reimbursement of stamp duty paid by the SPV for the purpose of registration of land documents within the State relating to purchase of land for development up of the AIP.

D. **Incentives** shall be provided on reimbursement basis after physical verification of the Basic and Essential Common Infrastructure Facilities constructed in the AIP and fulfillment of other compliances under this Scheme and stipulated conditions as recommended by WBSIDC and approved by SLEC. The inspection shall be undertaken by WBSIDC or through an accredited Third Party Inspection agency.

E. The fiscal and non-fiscal incentives and concessions shall be available to the SPV only and reimbursement shall be made only for the expenditure that has been incurred by it.

F. The SPV availing of incentives under the Scheme shall be eligible to avail incentives under any other scheme of the State Government / Government of India except for the same item and excluding the cluster infrastructure development assistance as available in MSME Policy of the State Government. Individual Units coming up in the AIP shall be eligible to avail incentives under various schemes of the State Government/Central Government as per their eligibility.

9. Setting up a Power Sub Station:

Power substation catering to the AIP, for which the requirement is justified and approved, shall be set up by the concerned State Government agency free of cost. Suitable land for setting up the substation shall be provided by the SPV without cost.

10. Submission of application and approval for setting up of Approved Industrial Park:

- (i) WBSIDC shall invite applications from Private Sector for setting up of industrial parks from time to time indicating pre-determined selection criteria as per this Scheme as well as prescribing other conditions.
- (ii) The Private Sector/ SPV shall apply in Form - I to WBSIDC along with requisite papers/ documents justifying the feasibility of the industrial park and proposed expenditure for developing the AIP. The application shall be submitted along with Detailed Project Report (DPR), Operation & Maintenance (O&M) Plan and land documents demonstrating legal possession of land for the park as mentioned under this Scheme.

(iii) WBSIDC will scrutinize, verify and recommend the eligible applications to the SLEC for final selection and approval.

(iv) SLEC shall consider each application on a case-to-case basis subject to fulfillment of pre-determined selection criteria as per this Scheme and may prescribe other terms and conditions and accord approval.

(iv) The Department shall notify the Approved Industrial Park under this Scheme. The approval shall remain valid for a period of 2 years from the date of approval, unless extended by another 6 months and approved by SLEC.

(v) The SPV shall have to report to WBSIDC about start of construction of the AIP within 3 months of the date approval of the AIP.

11. Submission of Claim for Incentive and Disbursement:

(i) The SPV shall submit application of claim for incentives in Form - II to WBSIDC along with requisite papers/ documents/ completion report in prescribed format after the fulfillment of all compliances under this Scheme and any other stipulated conditions as approved by SLEC.

(ii) On receipt of the application, WBSIDC shall make scrutiny/ enquiry of the particulars furnished and undertake physical verification of the Basic and Essential Common Infrastructure Facilities constructed in the AIP, carried out by itself or through accredited Third Party Inspection agency and on being satisfied shall recommend the admissible amount of incentive to the State Level Empowered Committee for sanction for disbursement.

(iii) The Department shall release the incentive amount to WBSIDC on receipt of recommendation of SLEC. WBSIDC shall disburse the fund to the SPV within 7 working days of the receipt of the fund from the Department.

(iv) WBSIDC shall be entitled to charge 2% of the incentive received by the SPV from the Department under this Scheme which it shall charge from the SPV as its administrative expenses.

12. Constitution of State Level Empowered Committee

The State Level Empowered Committee consisting of following members shall be constituted for selection and approval of applications for development of AIP and sanction of incentives under the Scheme: -

- | | | |
|------|---|---------------------|
| i. | Principal Secretary to the Govt. of West Bengal,
Micro, Small & Medium Enterprises & Textiles Department | - Chairman. |
| ii. | Principal Secretary to the Govt. of West Bengal,
Finance Department | - Member |
| iii. | Land Reforms Commissioner to the Govt. of West Bengal,
Land & Land Reforms Department | - Member |
| iv. | Managing Director, WBSIDC | - Member- Secretary |
| v. | Managing Director, WBIDC | - Member |
| vi. | Managing Director, WBFC | - Member |
| vii. | Director, MSSE | - Member |

13. Withdrawal of approval under the Scheme:

The State Level Empowered Committee may withdraw the approval given to an AIP on recommendation from WBSIDC at any time if the SPV/ AIP fails to comply with any of the terms and conditions specified under this Scheme.

14. Power to amend:

Notwithstanding anything contained in any of the provisions of WBIS-2014 for AIP for MSMEs, the State Government may at any time modify, vary, alter, amend or withdraw any of the provisions made hereinabove in the Scheme and such modifications, variations, alterations, amendments and withdrawal shall be effective from the date specified in the order so made in this behalf.

This Scheme is issued with the concurrence of the Finance Department vide their U.O. No. 18 Group C dated 15.05.2014

By Order of the Governor

Sd/-

(RAJIVA SINHA)

Principal Secretary to the
Government of West Bengal

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FORM – I

Application for approval of industrial park under West Bengal Incentive Scheme, 2014 for Approved Industrial Park for MSMEs shall contain the following information:

1. Name and address of Private Sector/ SPV:
Tel No:
Fax No:
e-Mail:

2. Name of contact person:
Designation:
Address:
Tel. No.:
Mob. No.:
e-mail.:

3. Constitution of Private Sector and shareholding in proposed SPV:

4. Details of Directors/ Members of Private Sector and proposed in SPV:

Sl. No.	Name and address with telephone no.	Designation
1.		
2.		

5. Location of the proposed industrial park:
Village:
Post:
District:
Pin Code:

6. Proposed area of the park (in acre):

7. Area statement (in acre and percentage):
 - 7.1 Area earmarked for common infrastructure facilities:
 - 7.2 Area earmarked for landscaping/ open space:
 - 7.3 Area earmarked for industrial activities:
 - 7.4 Saleable area:
 - 7.5 Area earmarked for hostel / housing facilities for the occupants of the park:

8. Number of MSMEs to be located in the park:

9. Estimated Project Cost (Rs. in Lakh)
 - (a) Land and Land Development:
 - (b) Common infrastructural facilities :

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- (c) Others (specify):
Total:
10. Proposed Means of finance (Rs. in Lakh):
(a) Private Sector contribution:
(b) Term loan from bank/ financial institutions:
(c) Others (specify):
Total:
11. Proposed investment in common infrastructural facilities (Rs. in Lakh)
(a) Land development, Land filling and Boundary walls:
(b) Internal roads (asphalt / concrete) and street lighting:
(c) Storm water drainage:
(d) Sewerage system:
(e) STP and WTP:
(f) Water distribution network:
(g) Electrical main distribution network:
(h) Telecommunication network:
(i) Common Fire fighting infrastructure:
(j) Solid waste disposal:
(k) Landscaping:
(l) Guard house, gate and miscellaneous civil structures (specify):
(m) Others (specify)
12. Power requirement:
(a) Proposed load:
(b) Expected maximum demand in KVA:
13. Water requirement:
(a) Domestic requirement (Ltr./ day):
(b) Industrial Requirement (Ltr./day):
14. Whether installation of a Power Substation is required – Yes/ No
14.1 If, yes, give details along with justification and area earmarked in the AIP:
15. Whether installation of a Common Effluent Treatment Plant is required – Yes/No
15.1 If, yes, give details along with justification:
16. List of statutory clearances to be obtained:
16.1 Details of facilitation required from WBSIDC for obtaining the statutory clearances:
17. Schedule of setting up the park:
17.1 Expected date of start of construction:

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- 17.2 Expected date of completion of construction:
17.3 Expected date of allotment of 80% saleable land plot/ shed / buildings/ installations:
18. Fiscal incentives and concessions proposed to be availed:

Items	Amount (in Rs)
i) Incentive for Basic & Essential Common Infrastructure Facilities	
ii) Incentive for Common Effluent Treatment Plant (CETP), if any	
iii) Reimbursement of Stamp Duty	
Total	

19. Expected employment generation:
20. Any other information:

Declaration

I/We hereby certify that the above statements are true and correct to the best of my/our knowledge and belief.

I/We also undertake that we have understood all provisions of the West Bengal Incentive Scheme, 2014 for Approved Industrial Park for MSMEs and all provisions of the Scheme and other conditions as prescribed shall be binding on us, if the industrial park is approved under the Scheme.

Date:

Place:

Signature of the applicant Private Sector/ SPV with Seal
Name and designation of the signatory

Documents to be attached:

1. Registration certificate of the applicant Private Sector/ SPV.
2. Memorandum and Articles of Associations of Private Sector/ SPV.
3. Company credentials and Financial Statements (Balance Sheet and Profit & Loss) of the Private Sector in last 3 years.
4. Detailed Project Report, Layout plan, Project Cost estimate, Business Plan and O&M Plan of the proposed industrial park.
5. Copy of land deed / legal possession of the land for the park.
6. Any other documents /papers required to be submitted in accordance with EOI/ RFP/ RFQ.

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Form – II

Application for grant of incentive under West Bengal Incentive Scheme, 2014 for Approved Industrial Park for MSMEs:

To
The Managing Director
WBSIDC Ltd.

Sir,

I,, son/ daughter of authorized signatory of the SPV for Industrial Park located at approved under Notification No....., dated..... hereby apply for grant of incentives of Rs..... under the existing terms and conditions of WBIS-2014 for Approved Industrial Park for MSMEs.

1. Name and address of SPV
Tel No.
Fax No.
e-Mail

2. Name of contact person
Designation
Address
Tel. No.
Mob. No.
E-mail.

3. Constitution and shareholding of the SPV

4. Details of Directors/ Members of the SPV

5. Location of the Approved Industrial Park
Village:
Post:
District:
Pin Code:

6. Area of the Approved Industrial Park (in acre)

7. Area statement (in acre and percentage)
 - 7.1 Area developed for common infrastructure facilities
 - 7.2 Area developed for landscaping/ open space
 - 7.3 Area developed for industrial activities

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- 7.4 Saleable area developed
- 7.5 Area developed for hostel / housing facilities for the occupants of the park
- 8. Number of MSMEs located in the Approved Industrial Park:
- 9. Completion schedule
 - 9.1 Date of approval under the Scheme:
 - 9.2 Date of validity/ approved extension, if any:
 - 9.3 Date of start of construction:
 - 9.4 Date of completion of construction of Basic and Common Infrastructure Facilities and CETP, if any:
 - 9.5 Date of completion of allotment of 80% saleable land plot/ shed / buildings/ installations
- 10. Project Cost

Basic and Common Infrastructure facilities	Cost (in Rs.)
Land development , Land filling and Boundary walls	
Internal roads (asphalt / concrete) and street lighting	
Storm water drainage	
Sewerage system	
STP and WTP	
Water distribution network	
Electrical main distribution network	
Telecommunication network	
Common fire fighting infrastructure	
Solid waste disposal	
Landscaping	
Guard house, gate and miscellaneous civil structures (specify)	
Others (specify)	

- 11. Means of Finance:

Description	Actual (in Rs)
SPV's contribution	
Term Loan from Bank/ Financial Institutions	
Others (Specify)	
Total	

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12. Incentives claimed:

Items	Amount (in Rs)
i)	
ii)	
iii)	
iv)	
Total	

Declaration :

I/We on behalf of do hereby undertake that

- i) I/We shall manage, maintain and operate the Approved Industrial Park for a minimum period of five years from the date of completion of construction/ installation of the Basic and Essential Common Infrastructure Facilities and allotment of minimum 80% of the sealable land/ plot/ building to MSMEs. I/We shall not change the shareholding pattern in the SPV till the completion of five years maintenance period of the AIP unless approved.
- ii) I/We shall abide by the provisions under the Scheme and also other conditions prescribed by the SLEC, failing which I/We shall be liable to refund the disbursed /reimbursed amount in full.

I/We hereby certify that the above statements are true and correct to the best of my/our knowledge and belief.

Date:
Place

Signature of the applicant SPV with Seal
Name and designation of the signatory

Document copies to be enclosed:

1. Registration Certificate of the SPV.
 2. Memorandum and Articles of Association of the SPV.
 3. Shareholders Agreement of the SPV.
 4. Approved Layout plan.
 5. Land deed.
 6. Certificate for mutation and conversion of land.
 7. Consent to Establish Certificate from WBPCB.
 8. Other statutory approvals/ clearances / licenses.
 9. Approval notification under the Scheme and approved extension if any.
 10. Certificate of completion of construction of Basic and Common Infrastructure Facilities and CETP, if any.
 11. Details of MSMEs with EM no. to which plot of land/ shed / buildings/ installations have been allotted
 12. Detailed expenditure statement certified by a Chartered Accountant.
 13. O&M Plan
 14. Any other documents/ papers found necessary.
- i) It will invite and receive applications from private sector for setting up industrial parks and also process incentive claims and recommend the cases to SLEC and subsequently disburse the approved and sanctioned amount of incentives to the AIP. It will also assist in obtaining statutory clearances / licenses within the law and monitor the development of the AIP.