



GOVERNMENT OF ODISHA  
MSME DEPARTMENT

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**NOTIFICATION**

No. I-MSME(OFP-2016)-07/2017(Pt.) 600 /MSME, Bhubaneswar, the 31<sup>st</sup> January, 2017

Subject: OPERATIONAL GUIDELINES FOR SANCTION & DISBURSEMENT OF ASSISTANCE FOR REEFER VEHICLE UNDER OFPP-2016.

(See Para 7.3 of OFPP-2016)

- 1. Short Title:** - Operational guidelines for sanction & disbursement of assistance for Reefer Vehicle under provisions of Para-7.3 of Odisha Food Processing Policy, 2016.
- 2. Extent:** - It shall extend to the urban areas of whole of the State of Odisha.
- 3. Commencement:** - It shall come into force from 24.11.2016 i.e; the 'Effective Date' of this policy and remain in force until applicability of IPR-2015.
- 4. Terms and Expressions:** -Terms and expressions used in this operational guideline, but not specifically defined here, shall have the same meaning as in Odisha Food Processing Policy, 2016 (OFPP-2016).

**5. Policy Provisions:-**

"Financial assistance in the form of credit linked back ended subsidy @ 35% of the cost of standalone New Reefer Vehicle / Mobile pre-cooling van up to a maximum of Rs.25.00 lakh shall be provided for carrying & transporting both Horticultural & non-Horticultural produce."

**6. Eligibility: -**

- 6.1** The assistance will be available to the individual Entrepreneurs, Partnership firms, Regd. Societies, Co-operatives, SHGs, Companies or Corporations for purchase of new vehicles.

- 6.2** The date of 1st Fixed Capital Investment (FCI) for new enterprises should be on or, after the effective date of this policy. The new enterprises must have commenced commercial operation within three years from date of 1st FCI.
- 6.3** The Projects necessarily be supported by Bank/FIs by way of term loan.
- 6.4** Standalone reefer vehicle(s) / mobile pre-cooling van (reefer unit and reefer cabinet permanently mounted on the vehicle) will be eligible.
- 6.5** Market linkage with producer or, processor may be preferred.
- 6.6** Incentives as envisaged in this policy shall not be applicable to the vehicle if the similar incentives are availed under any other policies of State Government or Government of India or, availed under CIS as per Para-7.2 of the Odisha Food Processing Policy, 2016.
- 6.7** The applicable incentive shall not be sanctioned & disbursed if the enterprise is found closed / has gone out of production. In such a case, it may be deferred and will be released on satisfactory resumption of production.
- 6.8** All enterprises which have availed loan shall be required to get their projects appraised and or approved by the Financial Institutions / Bank(s).
- 7. Determination of date of 1st Fixed Capital Investment:** The date of 1st Fixed Capital investment (FCI) will be the date of purchase of reefer vehicle / mobile pre-cooling van.
- 8. Determination of date of commercial operation:**  
The date of commercial operation of the vehicle for availing of this assistance shall be determined by the General Manager RIC/DIC basing on the totality of documentary evidence as recorded in the Production Certificate or, such other certificate as may be introduced by the Government in lieu of Production Certificate.
- 9. Time frame for filing application: -**
- 9.1** The applicant shall file his/ her /its claim, within One year from the date of commencement of commercial operation/ within one year from the date of notification of the operational guidelines whichever is later.

**9.2** Application in the prescribed form received after the due date / incomplete in any respect shall be liable to be summarily rejected.

**10 Procedure: -**

**10.1** All applicants claiming assistance shall submit application in the prescribed form appended to this operational guideline at Annexure 'A' along with an undertaking in Annexure A(1) and copies of all relevant documents as mentioned in the Checklist at Annexure 'B'. Application shall be submitted before the concerned General Manager, Regional Industries Centre / District Industries Centers in duplicate.

**10.2** Copies of the documents as indicated in the checklist shall be self-certified by the applicant.

**10.3** On receipt of application with copies of relevant documents, the acknowledgement as prescribed at Annexure- 'C' shall be issued to the applicant duly signed by the General Manager, RIC /DIC / their authorized officer on the day of receipt.

**10.4** The application of shall be examined and scrutinized by the concerned RIC / DIC, who shall determine the date of first fixed capital investment, entitlement for assistance under the scheme. After scrutiny and examination, correction, if any required on the application form, shall be made under the signature of General Manager, RIC /DIC / their authorized officer along with signature of the applicant.

**10.5** After completion of examination, scrutiny of the proposal, the RIC / DIC shall transmit the application and relevant documents in duplicate in Annexure –D alongwith assessment report in Annexure-D(1) to the Director of Industries, Odisha within 15 days of receipt of proposal under intimation to the applicant unit. The second set of application with copies of relevant documents shall be retained in the office of General Manager, RIC / DIC for record. A committee comprising of Addl. Director of Industries / Jt. Director of Industries, GM, RIC / DIC concerned and representative of financing bank shall inspect the vehicle and submit a report within 15 days.

## **11 Approval & Sanction:-**

- 11.1** The applications shall be placed by the Director of Industries in the State Directorate Level Committee (SDLC) alongwith report of Joint inspection team for scrutiny & approval of assistance within 30 days.
- 11.2** Upon receipt of approval of SDLC, the Director of Industries, Odisha shall issue sanction letter in Annexure -'E' in favour of the unit under intimation to concerned GM, RIC / DIC and the applicant within 07 days. Necessary funds shall be placed by Director of Industries, Odisha with RICs / DICs as per sanction order for this purpose.
- 11.3** The enterprise on receipt of sanction letter shall be required to execute Agreement with DIC/ RIC/ DI/ as per Appendix-A and submit advance money receipt in Annexure-E(1).
- 11.4** In case of rejection by any of the State Level Committees, the same will be communicated by DI to the concerned enterprises in the format prescribed at Annexure-'F'.

## **12. Disbursement of financial assistance:**

- 12.1** On receipt of the sanction order, the GM, RIC / DIC shall further complete the process of signing agreement in the prescribed format as at Appendix-A, advance Money Receipt in triplicate and any other documents as may be required.
- 12.2** The disbursement of sanctioned amount for such proposals shall be made by the General Manager, RIC / DIC within 03 days of compliance by the applicant cited in the sanction order. The CIS shall be released through financing institution / bank from which it has availed the term loan subject to availability of funds under the policy. In case of self-financed units the subsidy amount can be disbursed directly to the unit.
- 12.3** The GM, RIC / DIC is required to submit Utilization Certificate in OGFR Form Annexure-VI to the Director of Industries within 15 days after disbursement of CIS in favour of the enterprise.

## **13 Funds & Audit:**

- 13.1** Funds: The Directorate of Industries, Odisha in consultation with DICs/ RICs will estimate the requirement of funds and furnish the requirement

to the MSME Department by 30th November for budget provision every year. The State Govt. in MSME Department will provide funds to Directorate of Industries, Odisha, who shall in turn place the funds to the extent necessary with RIC / DICs. The GM, RIC / DIC shall be the Disbursing Agency for CIS. The Disbursing Agency will maintain regular accounts for each case & shall be accountable to the Audit and the State Govt. Directorate of Industries will furnish the utilization certificate in OGFR-Annexure VI along with the list of beneficiaries disbursed with assistance at the end of each financial year.

**13.2 Audit:** The accounts maintained by the DI, Odisha / RICs / DICs shall be audited by the Finance Department / AG, Odisha.

**14. Maintenance of Records:**

The receipt / forwarding / sanction / rejection / disbursement of Subsidy on reefer vehicle shall be monitored both electronically & manually at DIC /RIC/Directorate of Industries level.

**15. Recovery of Subsidy on Reefer Vehicle:**

In the following events or circumstances, Subsidy on Plant & Machinery received by an enterprise shall be recoverable from it under the provision of OPDR Act as arrears of land revenue, unless refunded within a period of one month from the date of an order issued to this effect by the concerned GM, RIC/ DIC or Director of Industries, Odisha:

- (i) Where an enterprise in the opinion of any of the State Level Committees has availed of the subsidy on Reefer Vehicle by misrepresentation of facts, fraud or by furnishing false & misleading information or by suppressing facts / material or is disbursed in excess of the amount actually admissible for whatsoever reason.
- (ii) Where the Subsidy on Reefer Vehicle amount becomes recoverable in terms of the stipulation contained in the Agreement in Appendix-A or the beneficiary unit violate any other condition of Agreement / Guidelines or Government Rules.

**16. Miscellaneous:**

**16.1** Application for condonation of delay in implementation of projects due to force majeure (like natural calamities) only shall be dealt on case to

case basis. The General Manager, RIC / DIC shall examine such case and forward the application made by the entrepreneur with justification to the Director of Industries, Odisha, who shall examine and recommend the same to MSME Department for placement of the same to the Empowered Committee for consideration.

- 16.2** DIC / RIC/DI may inspect the enterprise individually / jointly if required.
- 16.3** Administration of CIS in the contingencies like change of ownership etc. within the period of this incentive shall be governed as per the terms & conditions stipulated in the Agreement.
- 16.4** The Enterprise shall furnish its audited financial statements and other periodical statements of each financial year to the DIC/ RIC / DI during the period of incentives.
- 16.5** Any change in facts or circumstances affecting the eligibility of the unit shall be intimated immediately to the DIC /RIC/ Directorate of Industries, Odisha by the unit.
- 17.** Where any doubt arises regarding implementation of these rules, the same shall be referred to Government of Odisha in the MSME Department whose decision shall be final and binding on all the parties.
- 18.** Time limit prescribed in this guideline is of working days from date of receipt by the concerned authority only.

This operational guideline has been concurred in by Finance Department vide their UOR No. 12-ES-II /Dated: 21.01.2017.

By Order of Governor

  
31.1.17  
(L.N.Gupta)

Principal Secretary to Government

Memo No. I-MSME(OFP-2016)-07/2017(Pt.) 601 /MSME Dated 31-01-2017

Copy forwarded to All Departments/ All Heads of Departments/ Director of Industries, Odisha / All PSUs/ All Revenue Divisional Commissioners/ All Collectors/ All RICs/ All DICs/ Head, State Portal Group, IT Centre, Secretariat, Bhubaneswar/ All Sections of MSME Department/ Guard File (5 copies) for information and necessary action.

  
21/1/17  
Additional Secretary to Government

**APPLICATION FOR AVAILING ASSISTANCE IN THE FORM OF CREDIT LINKED  
BACK ENDED SUBSIDY ON THE COST OF NEW REEFER VEHICLE / MOBILE  
PRE-COOLING VAN UNDER ODISHA FOOD PROCESSING POLICY, 2016**

**Application received after due date / incomplete in any respect shall be liable for rejection**

**(See Para 7.2 of OFPP-2016)**

**(Strike out whichever is not applicable)**

**From:**

M/s \_\_\_\_\_

At \_\_\_\_\_

PO \_\_\_\_\_

Sub-Division: \_\_\_\_\_

Dist. \_\_\_\_\_

Contact No(s): \_\_\_\_\_

Email Id: \_\_\_\_\_

**To**

The General Manager,  
Regional Industries Centre / District Industries Centre,  
\_\_\_\_\_

**Sub:** Application for assistance in the form of Credit Linked Back Ended Subsidy on the Cost of New Reefer Vehicle / Mobile Pre-Cooling Van under the provisions of Odisha Food Processing Policy- 2016.

Sir / Madam,

In accordance with the provisions laid down in Odisha Food Processing Policy- 2016, its operational guidelines notified by MSME Department, Government of Odisha, the application for sanction of Subsidy on the Cost of New Reefer Vehicle / Mobile Pre-Cooling Van @ 35% is submitted with following particulars:

|    |  |   |  |
|----|--|---|--|
| 1. | Category of the Unit : Micro / Small /Medium Enterprises | : |  |
| 2. | Address of Registered office                             | : |  |
| 3. | Type of organisation                                     | : |  |
| 4. | Name of promoter(s)                                      | : |  |

| 5.   | Entrepreneur's Identification Number (EIN) & Date   | :                           |  |      |          |  |  |  |  |
|------|---|-----------------------------|--|------|----------|--|--|--|--|
| 6.   | Production Certificate Number & Date  | :                           |  |      |          |  |  |  |  |
| 7.   | Items of activity with installed capacity   | :                           | <table border="1"> <thead> <tr> <th>Item</th> <th>Quantity</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table> | Item | Quantity |  |  |  |  |
| Item | Quantity  |                             |  |      |          |  |  |  |  |
|      |   |                             |  |      |          |  |  |  |  |
|      |   |                             |  |      |          |  |  |  |  |
| 8.   | Employment generated:<br>i. Direct<br>ii. Indirect<br>Out of which :<br>SC :<br>ST :<br>Women :<br>Min. Community:  | :                           |  |      |          |  |  |  |  |
| 9.   | Name of the Financer, with IFSC & MICR No.  | :                           |  |      |          |  |  |  |  |
| 10.  | Amount of loan sanctioned with date   | :                           |  |      |          |  |  |  |  |
| 11.  | Term Loan A/c No.   | :                           |  |      |          |  |  |  |  |
| 12.  | Date of first fixed capital investment i.e. investment in Vehicle / Refrigeration Unit (specify the investment)   | :                           |  |      |          |  |  |  |  |
| 13.  | Date of starting production as per Production Certificate   | :                           |  |      |          |  |  |  |  |
| 14.  | Whether Production has commenced within three years from the 1st date of FCI, if no, whether project implementation delay has been condoned by Empowered Committee. | :                           |  |      |          |  |  |  |  |
| 15.  | Details of cost of Reefer Vehicle / Pre-Cooling Van (Rs. in lakhs):   |                             |  |      |          |  |  |  |  |
|      | As per project cost approved by Financial Institution / DIC   | Actual expenditure incurred | Remarks  |      |          |  |  |  |  |
| 16.  | Amount of CIS claimed (Rs)  |                             |  |      |          |  |  |  |  |
| 17.  | Have applied for /availed CIS from any source, if so furnish the details.   |                             |  |      |          |  |  |  |  |

I, Sri S/o at present (designation) of M/s \_\_\_\_\_ (name of the enterprise) certify that the information furnished as above is true and correct to the best of my knowledge and belief.

Place:

Signature of the Proprietor/ Managing Partner/  
Managing Director/Authorized Signatory in full  
and on behalf of M/s



## SELF-UNDERTAKING

(On non-judicial stamp paper of not less than Rs.10/-)

(Strike out whichever is not applicable)

From

M/s. \_\_\_\_\_

At/PO \_\_\_\_\_

Dist. \_\_\_\_\_

- i) I / We hereby undertake that claim for Credit Linked Back Ended Subsidy on Reefer Vehicle / Mobile Pre-Cooling Van under Odisha Food Processing Policy, 2016 is for Rs. \_\_\_\_\_ (in words).
- ii) I / We shall abide by the terms and conditions prescribed under the provisions of Odisha Food processing Policy, 2016 and its operational guidelines.
- iii) I / We shall repay/surrender the Capital Investment Subsidy or any part thereof with penal interest as decided by the authority;
  - (a) If the information stated in the application & supporting documents is found to be false/ incorrect / misleading or misrepresented and there has been suppression of facts / materials or if found to have been disbursed in excess of the amount actually admissible for whatsoever reason.
  - (b) If the enterprise goes out of production for a period exceeding six months at a time for any reasons other than labour troubles, want of electric power or for the reason which is beyond the control of entrepreneur / management during the period of incentives.
- iv) This enterprise has not applied / availed CIS in any manner under any other scheme of the State Govt. or the Central Govt. or any Financial Institution(s).

I / we shall furnish its audited financial statements and other periodical statements of each financial year to the RIC / DIC /Directorate of Industries, Odisha during the period of incentives.

Signature of the Proprietor / Managing Partner /  
Managing Director / Authorised Signatory of  
M/s-----

Date-

## CHECK LIST

Copies of documents to be attached with the application shall be self-attested by applicant

(Strike out whichever is not applicable)

|    |   |
|----|---|
| 1  | Application Form in Annexure-A  |
| 2  | Undertaking in Annexure-A(1)  |
| 3  | Copy of Entrepreneurs' Identification Number (EIN)  |
| 4  | Production Certificate issued by GM, RIC / DIC  |
| 5  | Copy of agreement between applicant and producer / processor, if any.   |
| 6  | Sanction letter of term loan  |
| 7  | Appraisal report of bank / financial institution  |
| 8  | Certificate of incorporation/registration of the organization, Memorandum and Articles of Association and Bye laws of the society / partnership deed etc. (if applicable).  |
| 9  | Bio-data/background of the promoter/promoters of the organization.  |
| 10 | Invoices of suppliers of Reefer Vehicles/ Mobile pre-cooling vans required for the project. The same should be self-attested by the promoter and verified by officials of DIC/ DIC not below the rank of Assistant Manager. |
| 11 | Copy of Registration Certificate issued by Regional Transport Authority duly certified by a Public Notary.  |
| 12 | Photograph and video CD of the Reefer Vehicles/ Mobile pre-cooling vans from all directions clearly indicating the front and back number plate, and the Reefer Vehicles/ Mobile pre-cooling vans.                           |

OFFICE OF THE GENERAL MANAGER, RIC / DIC, \_\_\_\_\_

Letter No. \_\_\_\_\_ / Date \_\_\_\_\_

**Acknowledgement**

\*\*\*

(To be issued by authorized officer / General Manager, RIC / DIC on the day of  
receipt)

(Strike out whichever is not applicable)

To

The \_\_\_\_\_  
\_\_\_\_\_ (Name of the applicant )

Sir / Madam,

Received the application for assistance for "Reefer Vehicle / Mobile Pre-  
Cooling Van" under the provisions of Odisha Food Processing Policy- 2016 &  
its operational guidelines along with documents mentioned below from

\_\_\_\_\_ on \_\_\_\_\_ (date) through post / person.

List of documents

1

2

Signature of authorized officer /  
General Manager, RIC/ DIC with seal & date

## OFFICE OF THE GENERAL MANAGER, RIC / DIC

No \_\_\_\_\_ / Dt. \_\_\_\_\_

(Strike out whichever is not applicable)

From

General Manager,  
RIC / DIC, \_\_\_\_\_

To

The Director of Industries, Odisha,  
CuttackSub: Recommendation for assistance for Reefer Vehicle / Mobile Pre-Cooling  
Van under para 7.3 of Odisha Food Processing Policy-2016.

Sir,

In accordance with the provisions laid down in Odisha Food Processing Policy-2016 and its operational guidelines, I am to furnish herewith the application with copies of all relevant documents filed by \_\_\_\_\_

\_\_\_\_\_ (Applicant) At. \_\_\_\_\_ P.O.  
\_\_\_\_\_ Dist. \_\_\_\_\_ bearing Production Certificate No.  
\_\_\_\_\_ / Dated \_\_\_\_\_. The particulars of the unit are given below:

|    |  |  |
|----|--|--|
| 1  | Name of the enterprise   |  |
| 2  | Date of receipt of application from the Applicant (applicant) for assistance for Reefer Vehicle / Refrigerated Van |  |
| 3  | Status of the Unit (Working / Closed)  |  |
| 4  | Date of first fixed capital investment i.e. 1st date of investment in vehicle / refrigeration unit                 |  |
| 5. | Date of commercial production as per Production Certificate  |  |

The enterprise is eligible for assistance under Reefer Vehicle / Mobile Pre-Cooling Van under the provisions of OFPP-2016.

Encl. (One set of application with supporting documents)

Yours faithfully,

General Manager, RIC /DIC  
\_\_\_\_\_

Memo No. \_\_\_\_\_ / dt. \_\_\_\_\_

Copy forwarded to \_\_\_\_\_ (applicant) for information and necessary action.

General Manager, RIC /DIC  
\_\_\_\_\_

**ASSESSMENT OF SUBSIDY AMOUNT OF REEFER VEHICLE / MOBILE PRE-COOLING VAN**  
(See Para- 7.3 of OFPP-2016)

1. Name of promoter : \_\_\_\_\_
2. Correspondence address : \_\_\_\_\_
3. Permanent Address : \_\_\_\_\_

| Sl. No. | Details of Machinery & Equipment                      | Quantity | Supplier | Bill / Invoice No. & Date | Basic cost + Taxes (in Rs.) | Status |
|---------|---|----------|----------|---------------------------|-----------------------------|--------|
| 1.      | Cost of vehicle chassis including tax                 |          |          |                           |                             |        |
| 2.      | Reefer unit   |          |          |                           |                             |        |
| 3.      | Assembling charges of refrigeration unit with vehicle |          |          |                           |                             |        |
|         |   |          |          |                           |                             |        |
|         |   |          |          |                           |                             |        |
|         | <b>Total</b>  |          |          |                           |                             |        |

- Encl: 1. All invoices / Bills enclosed with due certification of verification on their body by an officer of RIC / DIC not below the rank of Asst. Manager  
2. Coloured Photographs of the vehicle

Certified that the Reefer Vehicle / Refrigerated Van was purchased on \_\_\_\_\_ The unit is eligible for an assistance @35% (subject to a maximum of Rs.25.00 lakhs) of Rs. \_\_\_\_\_.

General Manager,  
RIC /DIC,

\_\_\_\_\_

**SANCTION LETTER**  
(See Para 7.3 of OFPP-2016)  
**OFFICE OF THE DIRECTOR OF INDUSTRIES, ODISHA, CUTTACK.**

Lt. No.                      /Dt  
(Strike out whichever is not applicable)

To

\_\_\_\_\_

\_\_\_\_\_

**Sub:- Sanction of Capital Investment Subsidy @ 35% of Credit Linked Back-ended Subsidy for Reefer Vehicle under Para-7.3 of Odisha Food Processing Policy, 2016.**

**Ref: Your application dated: \_\_\_\_\_ for availing subsidy as per para-7.3 of OFPP-2016**

Dear Sir / Madam,

We are pleased to inform you that the State Directorate Level Committee under OFPP-2016 in its meeting held on \_\_\_\_\_ have approved Credit Linked Back Ended Subsidy of Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ only) in favour of your unit @ 35% under the provisions of above Policy.

Basing on the documents furnished by you & recommended by concerned GM, RIC/DIC from time to time for the purpose of sanction of capital investment subsidy (CIS), the eligible cost of Plant & Machinery of the enterprise has been assessed as under:

In Rs. in lakhs

|  |  |
|--|--|
| Eligible Cost of Reefer Vehicle  |  |
| Credit linked back-ended subsidy @ 35%<br>(Maximum up to Rs.25.00 lakhs) |  |

The said sanction of subsidy is subject to the following conditions in addition to the conditions prescribed under the scheme.

The above sanctioned amount can be disbursed in full subject to availability of funds.

You shall also have to execute an agreement with concerned GM, RIC/ DIC and the agreement shall be on non-judicial stamp paper of not less than Rs.100/-, which shall be kept by the office of GM, RIC / DIC / Inspector General Registration, Cuttack.

The agreement should be executed by the proprietor, in the case of proprietary concern. In case of partnership, agreement should be

executed by all the partners; however, if any one of the partner hold a general power of attorney, he may execute the agreement on behalf of the remaining partners. In case of a company, you are requested to furnish a certified true copy of the resolution passed by the Board of Directors of your company for availing and utilizing the CIS sanctioned.

Erasures, if any should be properly, initialed No. blank should be left in the agreement and all the blanks should be filled in with proper initials. You shall also have to produce a Certificate on the working status of your unit from your financier duly countersigned by the concerned GM, RIC/ DIC.

Yours faithfully,

Director of Industries, Odisha

Memo No. \_\_\_\_\_ / Date: \_\_\_\_\_

Copy forwarded to Branch Manager, \_\_\_\_\_ (Name of the financing institution/ bank) for information and necessary action.

Addl. Director of Industries, Odisha /  
Joint Director of Industries, Odisha

Memo No. \_\_\_\_\_ / Date: \_\_\_\_\_

Copy forwarded to General Manager, RIC / DIC \_\_\_\_\_ for information and necessary action. He is requested to ensure that the unit complies with all pre-conditions and submits all necessary documents such as copies of valid statutory clearances/ licenses / approvals(if any) prior to release of CIS and intimate the same to the undersigned.

Addl. Director of Industries, Odisha /  
Joint Director of Industries, Odisha

Memo No. \_\_\_\_\_ / Date: \_\_\_\_\_

Copy to Additional Secretary to Govt. MSME Department, Bhubaneswar for information and necessary action.

Addl. Director of Industries, Odisha /  
Joint Director of Industries, Odisha

Memo No. \_\_\_\_\_ (2)/ Date: \_\_\_\_\_

Copy to Chief Accounts Officer/ DDO(Hqr.), Industries Directorate for information and necessary action.

Addl. Director of Industries, Odisha /  
Joint Director of Industries, Odisha

FORMAT FOR ADVANCED MONEY RECEIPT

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(To be submitted by authorised signatory of enterprise in their letter head at the time of execution of agreement)

Received with thanks from \_\_\_\_\_ sum of Rs.  
(Rupees \_\_\_\_\_ ) only by cheque / draft No.  
\_\_\_\_\_ dated @ 35% Credit Linked Back Ended Subsidy for Reefer  
Vehicle as per the terms and conditions laid down in the agreement  
executed by us on \_\_\_\_\_ .

Authorised Signatory of M/s \_\_\_\_\_

Place : \_\_\_\_\_



OFFICE OF THE DIRECTOR OF INDUSTRIES, ODISHA, CUTTACK

No.

Dt

(Strike out whichever is not applicable)

To

The General Manager,  
RIC / DIC, \_\_\_\_\_

Sub: Rejection of proposal of M/s \_\_\_\_\_

Ref: Your letter No. \_\_\_\_\_ dated \_\_\_\_\_

Sir / Madam,

This is to inform that proposal for Capital Investment Subsidy (CIS) on Plant & machinery of the captioned unit under the provisions of OFPP-2016 is rejected due to following reasons:

(Specify the reasons)

- 1.
- 2.
- 3.
- 4.

Addl. Director of Industries, Odisha /  
Joint Director of Industries

Memo No. \_\_\_\_\_ dated \_\_\_\_\_  
Copy to M/s \_\_\_\_\_ for information.

Addl. Director of Industries, Odisha /  
Joint Director of Industries

## AGREEMENT

(On Non-judicial stamp paper of not less than Rs.100/- and to be notarized)

This INDENTURE made on this day of \_\_\_\_\_, 20\_\_ between a private /

public limited company incorporated under companies Act, 1956, a cooperative society registered under the Orissa Cooperative Society Act 1962 and having its registered office at

\_\_\_\_\_

OR

Carrying on business as a sole Proprietor / Partner / Director / Managing Director /Trustee / others in the firm with the name and style of M/s. \_\_\_\_\_ having its office at here in after called the entrepreneur (which expression shall unless it be repugnant to the context or meaning there of be deemed to include its successor or successors and assigns / the partners for the time being of the said firm and their assigns / his / their, executors, administrators and assigns) of the first part,

And

The General Manager, RIC /DIC\_\_\_\_\_ representing the Governor of Odisha, exercising the executive powers of the Government of the State of Odisha (here in after referred to as "the Governor" which expression shall unless it be repugnant to the context or meaning the thereof be deemed to include his successor of successors and assigns) of second part, as :-

- a) The Government of Odisha have framed a scheme as Capital Investment Subsidy under the provisions of Odisha Food Processing Policy, 2016 (OFPP-2016) for the enterprise / industrial units with a view to promote growth of industries standing therein that Government of Odisha will grant a subsidy to the Project Proponent who set up new industries in the districts of the State if the said parties satisfy the terms and conditions laid down under the Policy and its Rules & Guidelines which shall be deemed to be a part of this agreement.

b) The Government of Odisha (hereinafter referred to as the Government has appointed the General Manager, RIC / DIC \_\_\_\_\_ to act as the Disbursing Agency of the said investment subsidy.

c) The Entrepreneurs have set up an industries at on plot No. \_\_\_ Khata No. \_\_\_\_\_ measurement of area \_\_\_ Mouza \_\_\_\_\_ District standing in the name of and have satisfied other conditions of the capital investment subsidy scheme and have, therefore, become entitled to the benefits under the said Subsidy scheme.

d) The entrepreneurs by their application dated the day of 20 applied to the Government for the grant of (Rupees @ 25 %/ 33% / 35% / 50% Subsidy amounting to Rs. \_\_\_\_\_ (Rupees \_\_\_\_\_ ) and whereas

i) Relying on the said application and subsequent representations made by the entrepreneurs, the Government have sanctioned 10% subsidy on Plant & Machinery of Rs. and the GM, RIC/DIC \_\_\_\_\_ has agreed to pay the same on behalf of the Government to the entrepreneur on their executing the necessary documents as hereinafter appearing and creating the fixed assets to the tune of Rs.

ii) Now this INDENTURE witnesses and it is hereby agreed by and between the parties hereto as under :-

1. In consideration of the Government agreeing to give to the entrepreneurs under the said scheme, in such instalments the Government in its sole discretion think fit, an aggregate amount of and by way of the subsidy to the entrepreneurs creating the fixed assets of Rs. for the purpose of the said unit and the entrepreneurs do and each of them do hereby covenant with the Government as under:-

2. The DI, Odisha will be entitled in its sole discretion to make disbursement of the Subsidy or of any part thereof of either in one or more instalments to the party on it complying with the terms & conditions of the Subsidy scheme and of this agreement.

3. In the event of any of the State Level Committees ultimately deciding for any reasons whatsoever that the entrepreneurs are entitled to a

lesser amount of subsidy the excess amount of the Subsidy shall be repaid by the entrepreneurs to the DI, Odisha along with interest thereon @ 12 1/2% per annum or such other rate as the Government might decide from time to time from the date of payment of the said amount of Rs. or, any part thereof paid under this agreement till the repayment.

4. The entrepreneurs shall duly observe and perform the covenants and the conditions to be observed and performed by him / them under the said scheme.
5. The entrepreneurs shall not without prior approval of the State Level Committee change the location of the whole or any part of the enterprise or affect any substantial change in the said project within a period of 5 years from the commercial production of the unit.
6. The entrepreneurs shall promptly furnish all the information asked for to the RIC / DIC, / Director of Industries / Government and also furnish certified copies of its audited balance sheet and profit & loss amount within a period of 6 months from the end of the year and also such other periodicals statements in such form and by such dates as may be prescribed by the Government from time to time to the RIC/ DIC, / Director of Industries, Orissa / State Government.
7. The said sum of Rs. \_\_\_\_\_ or such part thereof as may have been till then paid by the Government to the entrepreneurs shall become forthwith repayable by the entrepreneurs to the Government in each and every of the following events namely :-
  - a) If the entrepreneurs goes out of production within 5 years from the date of start of production.
  - b) (i). If the entrepreneur(s) change(s) the location of whole or any part of the enterprise or effect any substantial construction or disposal of substantial part of their total fixed capital investment within a period of 5

years after going into commercial production.

(ii). If any information furnished by the entrepreneur (s) in his / their application for the subsidy or otherwise particularly regarding location, capital investment and production, capacity of the said unit prior to the sanctioning of the sum of Rs. \_\_\_\_\_ as the subsidy is found to be incorrect or false or misleading and there has been suppression of any material / facts.

- c) If a distress of execution shall be levied upon any property of the entrepreneurs or any part of the said factory or a receiver thereof is appointed.
- d) If the entrepreneurs shall commit a breach of any one of the covenants or provisions herein contained and on his / their part to be observed and performed.
- e) If the entrepreneurs close the said factory for a period exceeding 6 months at a time for reasons other than the labour troubles, want of electric power or raw material or shall cease to carry on business for any reason whatsoever within 5 years from the date of commercial production.
- f) If the entrepreneurs or any of them file a petition for being adjudicated as insolvent or are / is adjudicated as insolvent.
- g) If any petition for winding up the entrepreneurs company is presenting to any court or the entrepreneurs company passes any resolution for being wound up.
- h) If the entrepreneurs fail or neglect to forth with execute such further documents as may be required by the Government or to duly comply with any direction given to it by the Government or the RIC/ DIC. In each one of the aforesaid contingencies the entrepreneurs are to repay the whole amount mentioned above with interest thereon @ 12½% per annum or such rate as the Government might decide from time to time from the date of disbursement of the subsidy till the repayment.

8. Whenever any sum due and payable by the entrepreneur under these presents shall be in arrears the same shall be deemed to be public demand and may without prejudice to any other right and the remedies of the Government be recovered from the entrepreneurs as a public demand under the Orissa Public Demand Recovery Act, 1962.
9. The entrepreneurs shall permit any person or persons authorized by the Government in that behalf at any time and from time to time during the usual time or business to inspect and examine any part of the said factory and shall render to him / them such assistance as may be required for the Government and furnish to such person or person as aforesaid all such information relating to the said factory as may be required by such person or persons.
10. The entrepreneurs shall observe and perform all instruction and direction that may be issued from time to time by the Government or the DI, Odisha or RIC / DIC, in relation to utilisation of the said sum of Rs. and shall for 7 years hereinafter submit to the Government yearly periodical progress reports on the working of the said unit at the time and the form prescribed by Government or the Corporation.
11. The entrepreneurs shall -
  - a) Furnish further information asked for by the Government of Odisha or by the State Level Committee or by the RIC/ DIC, /DI, Odisha from time to time.
  - b) Furnish to the RIC/ DIC/ DI(O) certified copies of the annual statement of accounts including the balance sheet and also periodical statements in such form and by such dates as may be prescribed by the Government or the RIC/ DIC, \_\_\_\_\_ from time to time.
  - c) Furnish true copies of documents as may be required by the Government or the RIC/ DIC/DI, Odisha.
12. In the event of any dispute or difference arising between the parties hereto in respect of or in relation to this agreement or any provision herein contained either during the subsistence of this agreement or thereafter the same shall be referred to the sole arbitration or a suitable person acceptable to the entrepreneurs as well as the Government and / or the RIC/ DIC, \_\_\_\_\_ /DI, Odisha or any other person nominated by Govt. and his decision thereof shall be final and

binding on the parties. Such arbitration shall be under the provision of the Arbitration Act, 1940 and shall be held in Cuttack.

13. The entrepreneurs agree that in respect of any matters arising under this agreement the courts at Cuttack along with have exclusive jurisdiction and that the entrepreneurs submit to the same will not object that the courts at Cuttack have no jurisdiction for any reason whatsoever.

14. In the event of any action arising under any of the clause herein above the entrepreneurs agree to pay to the GM, RIC / DIC the legal charges and such other costs as the GM, RIC / DIC may be required to incur in connection with the aforesaid action.

15. The entrepreneurs agree to bear and pay all the costs charged and the expenses incidental to the preparation and the execution of the agreement.

In Witness whereof of parties hereto have affixed their common seal of this writing the day and year first herein above written.

The common seal of:

Is there into affixed pursuant to the resolution of the Board of Directors of the company passed on the day of in the presence of who has / have put his/their signatures.

In token of his / their presence in the presence of

In the witness thereof the entrepreneurs have put their (Respective land here today \_\_\_\_\_ year

herein above written)

Signed and delivered by the \_\_\_\_\_

With name in the presence of Witness

1.

2.

Signature of Officer

Acting in the premises for on behalf of the Government of Orissa in the presence of

Witness

1.

2.

Signature of

**FLOW CHART FOR REEFER VEHICLE  
UNDER  
OFPP-2016**

