

**Operational Guidelines for exercising option
by Migrated Industrial Unit.**
(SI. No-16 of Annexure-I, DEFINITIONS AND INTERPRETATIONS)

- 1. Short Title:** - Operational guidelines for exercising option by "Migrated Industrial unit" to be treated as New Industrial Unit under Industrial Policy Resolution –2015 (SI.No.16 of Annexure-I)
- 2. Extent:** - It shall extend to the whole of the State of Odisha.
- 3. Commencement:** - It shall come into force from the "Effective Date" of notification of Industrial Policy Resolution –2015 i. e. 24th August, 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 Industrial Policy Resolution –2015.
- 5. Time frame for filing option:** - Migrated Industrial unit shall exercise the option within **180** days from the date of issue of this guideline. Application in the prescribed form for exercising option received after the due date / incomplete in any respect shall be liable to be summarily rejected. There shall be no consideration for condonation of delay in exercising option.
- 6. Definition:** - "Migrated Industrial unit" means industrial unit as defined vide SI.No.16 of Annexure-I of IPR-2015.
- 7. Procedure:** - Industrial unit satisfying the definition shall file application in the prescribed form appended to this operational guideline at Annexure -'A' along with copies of all relevant documents as mentioned in the Checklist at Annexure -'B' to the concerned General Manager, RIC / DIC for Micro & Small Enterprise and to Director of Industries, Odisha by industrial unit other than MSE. Copies of the documents as indicated in the checklist shall be self-attested by Proprietor / Managing Partner/Managing Director / Authorized Signatory.

On receipt of application, the acknowledgement as prescribed at Annexure- 'C' shall be dispatched to the applicant duly signed by the authorized officer / G.M, RIC / DIC / D.I Odisha, as the case may be, on the day of receipt. The G.M, RIC / DIC / D.I Odisha may authorize any of his subordinate officers for the purpose.

RIC / DIC or Directorate of Industries, Odisha will check the veracity of facts concerning the claim taking into consideration the Report of inspection previously conducted. However, in case of industrial units not inspected earlier, RIC / DIC or Directorate of Industries may take-up inspection of the industrial project and furnish report in the format prescribed at Annexure – 'D' **within 7 days** (excluding holidays) of receipt of application.

8. Surrender and / or refund the incentives availed: RIC / DIC or Directorate of Industries, Odisha, as the case may be, shall advise the applicant unit for surrender and or refund of the incentives availed, if any, under earlier IPR(s) and furnish the copies of documents in support of the same within **15 days** from the date of issue of the advise letter.

9. Communication of Approval / Rejection:- Considering the facts available in the application, inspection report and confirmation about surrender and / or refund of the incentives availed, if any, under earlier IPR(s) within the prescribed time limit, General Manager, RIC / DIC or D.I Odisha may **issue certificate** in favour of the applicant unit as "Migrated Industrial Unit" to be treated as New Industrial Unit under IPR -2015 in the format prescribed at Annexure – 'E' within **7 days** of receipt of confirmation on surrender and or refund of the incentives availed.

In case of **rejection** of application, the reasons of rejection shall be communicated to the applicant unit within **30 days** of receipt of application by concerned G.M, RIC / DIC / D.I Odisha in the format prescribed at Annexure– 'F'.

10. Condition: - If the activity of the "Migrated Industrial Unit" fall within the Negative list of IPR -2015, it shall not be eligible for fiscal incentives but shall be eligible for investment facilitation, allotment of land under normal rules and recommendation to the financial institution for term loan and working capital and for recommendation, if necessary, to the Power Distribution Companies.

11. Miscellaneous: -

11.1 Each applicant industrial unit shall give an affidavit to the effect that it shall go into commercial production within two / three years (two years for Micro, Small & Medium Enterprises and three years for the rest) from the effective date and surrender and / or refund the incentives availed, if any, under earlier IPR s within prescribed time limit along with the application.