

**OPERATIONAL GUIDELINES FOR  
STAMP DUTY EXEMPTION UNDER IPR- 2022  
(Para 4.5.1 (f), (g), (h) & (i) of IPR 2022)**

- 1. Short Title:** - Operational guidelines for Stamp Duty Exemption under provisions of Para- 4.5.1 (f), (g), (h) & (i) of Industrial Policy Resolution 2022
- 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 Industrial Policy Resolution, 2022 i.e. 01.12.2022
- 4. Terms and Expressions:** -
  - a. Terms and expressions used in this operational guideline, but not specifically defined here, shall have the same meaning as in Industrial Policy Resolution, 2022.
  - b. Instrument for transfer of land before production shall be Agreement to lease, and lease deed shall be executed after commercial production.

**5. Policy Provisions: -**

Para- 4.5.1 (f), (g), (h) & (i) of Industrial Policy Resolution, 2022

- f. No stamp duty will be required to be paid in respect of the land allotted by the Government to IDCO, Government or IDCO to Private Industrial Estate developers
- g. No stamp duty will be required to be paid in respect of transfer of land or shed (*through agreement to lease / lease*) by the Government, IDCO and Private Industrial Estate developers to new industrial units in Priority and Thrust sectors and existing industrial units acquiring fresh land for expansion, modernization and diversification in Priority and Thrust sectors.
- h. 100% Stamp Duty will be exempted on conveyance instruments for units required to be transferred to a new owner / management under the provisions of the State Financial Corporation (SFC) Act, 1951 or under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act 2002, and IBC 2016.
- i. Loan agreements, credit deeds, mortgages and hypothecation deeds executed by the Industrial Units in favour of Banks or Financial Institutions shall be allowed 100% exemption from stamp duty.

**6. Eligibility: -**

1. Private Industrial Estate Developers / New Industrial units in Thrust & Priority Sector / Migrated Industrial units in Thrust & Priority Sector as defined at sl no. I of Annexure-I of IPR-2022 / Existing Industrial units in Thrust & Priority Sector taking up expansion, modernization and diversification as enunciated in the Policy provisions as above shall be eligible for exemption of Stamp

Duty during agreement to lease and lease deed except Units/ activities under all other sectors and listed at Annexure- III of IPR 2022.

2. Industrial unit that has availed this incentive, under any scheme of the State Govt. or the Central Govt. or any Financial Institution(s), shall be eligible for the differential amount of benefit only.

**7. Time frame for filing application:** - Eligible Industrial unit shall file its claim complete in all respect, after receipt of letter on PEAL approval from SLNA/DLNA or acknowledgement of Entrepreneurship Identification Number (EIN) in case of new MSME / Industrial Entrepreneurs' Memorandum (IEM) in case of new Large Industry and/or at the time of execution of required deed (Lease / Agreement to lease/ agreement) and having EIN / PC / IEM/ PEAL approval letter.

**8. Procedure: -**

**8.1** Eligible industrial unit under Thrust /Priority Sector claiming exemption from the payment of Stamp Duty shall submit 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' and undertaking as at annexure-B1 to the concerned GM, RIC/ DIC for processing and recommendation as mentioned in the Order of Revenue & Disaster Management Department.

Application shall be submitted to the concerned General Manager, Regional Industries Centre / District Industries Centers in triplicate (Original Deed/ agreement + two copies).

In case of Private Industrial Estate Developer, IDCO will process the application and recommendation to be made by MD, IDCO/ CMD, IDCO to concerned Sub-Registrar for exemption of Stamp Duty as per the provision in IPR 2022.

**8.2** Copies of the documents as indicated in the checklist shall be self - attested by Proprietor / Managing Partner / Managing Director / Authorized Signatory.

**8.3** On receipt of application with copies of relevant documents, the acknowledgement as prescribed at Annexure-'C' shall be dispatched to the applicant by the General Manager, Regional Industries Centre / District Industries Centers on the day of receipt. The GM, RIC/DIC may authorize any of his officers for the purpose.

**8.4** The General Manager, RIC / DIC shall examine the eligibility and make endorsement in the body of the Deed / Agreement within **3 days** that "the execution of Deed / Agreement shall be allowed 100% exemption of Stamp duty under the provisions of IPR- 2022"

**8.5** General Manager, RIC / DIC after necessary endorsement in the body of the Deed, the application shall be transmitted with original Deed / Agreement and other relevant documents in duplicate to the Director of Industries, Odisha within **1 day** for counter signature under intimation to the applicant. Director of Industries, Odisha shall check the proposal and make the counter signature on the body of the deed /

Agreement below the required endorsement is made and return the original deed / Agreement to be executed with relevant documents (one set) to the General Manager, RIC / DIC within next **3 days** under intimation to the applicant.

**8.6 Recommendation for Exemption of Stamp Duty-** After due endorsement, the Deed / Agreement in Original to be executed with copy of relevant documents shall be sent to the Registering authority by DI, Odisha recommending the exemption within next **2 days** in the format as at **Annexure -D** under intimation to IDCO/ IPICOL and the applicant for execution of the same.

**8.7** On receipt of the recommendation from DI, Odisha the Registering Authority shall allow the exemption and deed / Agreement may be executed within next **7 days**.

**8.8** The amount of exemption (in INR) allowed may be intimated by Registering Authority to the concerned GM, RIC/ DIC/ IDCO recommended for such exemption.

**9. Rejection:** - In case of **rejection** of application at IDCO / RIC / DIC / Director of Industries, Odisha, the reasons of rejection shall be communicated to the applicant unit by the concerned authority as early as possible or within a maximum period of **25 days** of receipt of application from the claimant unit in the format prescribed at Annexure – ' E'.

**10. Miscellaneous: -**

**10.1** IDCO / RIC / DIC / Director of Industries, Odisha / IPICOL may inspect the industrial project individually / jointly, if felt necessary.

**10.2** The amount of exemption on Stamp duty allowed shall be recoverable with penal interest as decided by the authority on following events-

- A. If the information furnished is found to be false/ incorrect / misleading or miss-represented and there has been suppression of facts / materials or allowed in excess of the amount actually admissible for whatsoever reason.
- B. If the industrial unit fails to commence production within **three years** for MSMEs and **five years** for Large Industries from the date of starting first fixed capital investment.

**10.3** Where any doubt arises regarding implementation of these rules, the same shall be referred to Government of Odisha in the Industries Department whose decision shall be final and binding on all the parties as envisaged under Para 10 (e) of IPR-2022.

**10.4** Time limit prescribed in this guideline is of working days only.

**11.** This has been concurred by the Finance Department vide file No. **FIN- ES2-MISC-0002-2023**.

**GOVERNMENT OF ODISHA  
INDUSTRIES DEPARTMENT**

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Memo no. 1085 /., Bhubaneswar Dated 7/2/2023  
IND-HI2-GUID-0001-2022

Copy forwarded to All Departments/All Heads of Departments/ All PSUs/  
All Revenue Divisional Commissioners/All Collectors/ All DICs/All RICs/ Head  
Portal Group, IT centre, Secretariat, Bhubaneswar/ All Sections of Industries  
Departments/Guard File for information and necessary action.

  
Additional Secretary to Government.

**Annexure- A**

**APPLICATION FOR EXEMPTION FROM PAYMENT OF STAMP DUTY.**

(Para 4.5.1 (f), (g), (h) & (i) of IPR 2022)

*Application received incomplete in any respect shall be liable for rejection*

(Strike out whichever is not applicable)

From:

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

At \_\_\_\_\_

PO \_\_\_\_\_

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

To

The Managing Director, IDCO/  
The General Manager, Regional Industries Centre /District Industries Centre,

Sub: Exemption from payment of Stamp Duty under the provisions of Industrial Policy Resolution, 2022.

Sir,

In accordance with the provisions laid down in Industrial Policy Resolution, 2022, its operational guidelines and notification issued by Revenue & Disaster Management Department, Government of Odisha, the claim for exemption of Stamp Duty is submitted with following particulars.

1	Category of the Unit	:	
	Private Industrial Estate Developer / New Industrial unit (Micro / Small / Medium Enterprises / Large Industries) in <b>Priority or Thrust Sector</b> / Existing Industrial units ( Micro / Small / Medium Enterprises / Large Industries) & taking up expansion, modernization and diversification in <b>Priority or Thrust Sector</b> / migrated industrial unit in <b>Priority or Thrust Sector</b> .		
2	Address of Registered office	:	
3	Type of organization (Proprietorship / Partnership / Co-operative / Private Limited / Public Limited)	:	
4	Name of Proprietor / Managing Partner / Managing Director / Authorized Signatory	:	

5	Date of first fixed capital investment i.e. land / building / plant & machinery and balancing equipment.	:			
6	EIN / PC / IEM/ PEAL approval letter & Production Certificate / I L No. and date	:			
7	Items of manufacture / activity (Proposed / Existing / E/M/D) as mentioned in provisional Priority/Thrust sector certificate	:	Item	Quantity	Value
			(i)		
			(ii)		
8	Proposed date of production / Date of Production				
9	Proposed location & Present status of the Project	:			
10	Type of Deed / Agreement to be executed				
11	Amount of Stamp Duty Exemption claimed	:			
12	Amount of Stamp Duty Exemption availed under any scheme of State Govt / Central Govt (Gol) / Govt. Agencies / Financial institutions (mention details)				
13	Amount of deferential claim to be exempted				
14	Statutory clearances, if any				

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

I hereby undertake to abide by the terms and conditions prescribed under the provisions of Industrial Policy 2022 and its operational guidelines

I hereby undertake that the industrial unit shall commence production within stipulated time of three years for Micro, Small & Medium Enterprises and five years for Large Industries from the date of starting first fixed capital investment.

I shall repay the amount of exemption on Stamp duty allowed with penal interest as decided by the authority-

- i. If the information furnished is found to be false/ incorrect / misleading or misrepresented and there has been suppression of facts / materials or allowed in excess of the amount actually admissible for whatsoever reason.
- ii. If the industrial unit fails to commence production within three years for Micro , Small & Medium Enterprises and five years for Large Industries from the date of starting first fixed capital investment.

Copies of relevant documents in support of information / facts furnished above are **enclosed** here with.

Enclosure:-

1.

2.

Date-

Signature of the Proprietor / Managing Partner/ Managing Director /

Authorized Signatory in full and on behalf of M/s-----

Place-

**Annexure –B****CHECK LIST**

Copies of documents to be attached with the application shall be self-attested by  
Proprietor / Managing Partner/Managing Director / Authorized Signatory

(Strike out whichever is not applicable)

1	Entrepreneurs Identification Number / PC / IEM / Industrial License / PEAL approval letter
2	Power of Attorney / Board Resolution / Society Resolution, as applicable, while signing as Partner / Managing Director / Authorized person.
3	Certificate of registration under Indian Partnership Act, 1932 / Societies Registration Act-1860 / Certificate of incorporation (Memorandum of Association & Article of Association) under Company Act-1956
4	Document in support of date of first investment in fixed capital of industrial unit i.e. land / building / plant & machinery and balancing equipment
5	Appraisal/ approval/ documents in support of expansion / modernization / diversification on unit under Thrust/ Priority sector.
6	Certificate on date of first commercial production in case of taking up E/M/D
7	Certificate on migration industrial unit under Thrust/Priority sector in case of Migration
8	Documents in support of Private Industrial Estate developer
9	Deed / Agreement to be executed in Original with two copies
10	Document(s) in support of transfer of unit to a new owner / management under the provisions of the State Financial Corporation (SFC) Act, 1951 or under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act 2002, and IBC 2016
11	Where exemption is requested under the provisions enunciated at Para -4.5.1 (f), (g), (h) & (i) of IPR 2022, a certified copy of the relevant records of the Companies shall be produced by the parties to the instrument to prove that the conditions prescribed are fulfilled
12	Valid statutory clearances / approvals / permissions for authorities including OSPCB, or undertaking thereof
13	Undertaking on non-judicial Stamp Paper duly signed by the applicant in the format – Annexure- B1
14	<del>Provisional Priority/Thrust Sector Certificate or Priority/Thrust Sector Certificate as the case may be</del>
15	Document in support of delay in implementation condoned by Empowered Committee in case of delay



UNDERTAKING  
(Strike out whichever is not applicable)

1. This is to certify that the information furnished in the application for availing Stamp Duty Exemption are true to the best of my / our knowledge & belief.
2. This is to certify that 1<sup>st</sup>. fixed capital investment in the new project / for taking up expansion / modernization / diversification of the existing industrial unit has commenced on or after the effective date of IPR-2022 i e 01.12.2022.
3. The proposed new project / existing project taking up expansion / modernization / diversification has duly been appraised and approved by-----  
-.
4. Further, I / we undertake to repay the amount of Stamp Duty Exempted or any part thereof with interest if,
  - A. The information furnished is found to be false / incorrect / misleading or misrepresented and there has been suppression of facts / materials / exempted in excess of the amount actually admissible for whatsoever reason.
  - B. The unit does not qualify the definition of Expansion / Modernization / Diversification as in Annexure-I, Definition & Interpretations of IPR- 2022.
  - C. The unit does not go into production within three years for Micro, Small & Medium Enterprises and five years for Large Industries from the date of starting first fixed capital investment.
  - D. The industrial unit shifts its location without prior approval of RIC / DIC / Director of Industries, Odisha / MSME Department / Industries Department.

Place:  
Date:

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

**Annexure –C**

**(FOR OFFICE USE)**

**OFFICE OF THE MANAGING DIRECTOR, IDCO /  
THE GENERAL MANAGER, RIC / DIC -----**

Letter No.----- / Date-----

**Acknowledgement**

(To be issued on the day of receipt)  
(Strike out whichever is not applicable)

To

Sri \_\_\_\_\_

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

Received the application for ----- under the provisions of INDUSTRIAL POLICY RESOLUTION-2022 and its operational guidelines along with documents mentioned below from M/s----- At/PO----- Dist. \_\_\_ on dt. ----through post / person.

List of documents

- 1.
- 2.
- 3.

Signature with seal & date-----

**Annexure –C**

**(TO BE DISPATCHED TO THE APPLICANT)**

**OFFICE OF THE MANAGING DIRECTOR, IDCO /  
THE GENERAL MANAGER, RIC / DIC -----**

Letter No.----- / Date-----

**Acknowledgement**

(To be issued on the day of receipt)  
(Strike out whichever is not applicable)

To

Sri \_\_\_\_\_

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

Received the application for ----- under the provisions of INDUSTRIAL POLICY RESOLUTION -2022 and its operational guidelines along with documents mentioned below from M/s----- At/PO----- Dist. \_\_\_\_\_ on dt \_\_\_\_\_ through post / person.

List of documents

- 1.
- 2.
- 3.

Signature with seal & date-----

Annexure-D

OFFICE OF THE MANAGING DIRECTOR, IDCO /  
THE DIRECTOR OF INDUSTRIES, ODISHA

Letter No.----- / Date-----

From:

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To

The Sub- Register,  
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Sub: - Exemption from payment of Stamp Duty under the provisions of -IPR-2022

Sir,

In accordance with the provisions laid down in Industrial Policy Resolution, 2022 and its operational guidelines, I recommend for 100 % exemption of Stamp Duty and furnish herewith the Deed / Agreement ----- (mention type of Deed / Agreement) in Original to be executed with copies of all relevant documents filed by M/ \_\_\_\_\_, At \_\_\_\_\_ P.O. \_\_\_\_\_ Dist. \_\_\_\_\_ bearing EIN / PC / IEM / I L/PEAL approval letter No. \_\_\_\_\_ date \_\_\_\_\_. The particulars are given below.

1	Category (Private Industrial Estate Developer / New Industrial unit (MSME or Large Industries) in <b>Priority or Thrust Sector</b> / Existing Industrial units (MSME or Large Industries) and taking up expansion, modernization and diversification in <b>Priority or Thrust Sector</b> / Migrated industrial unit in <b>Priority or Thrust Sector</b> ) or unit transferred under the provisions of the State Financial Corporation (SFC) Act, 1951 or under Securitization and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act 2002, and IBC 2016	
2	Address of Registered office	
3	Type of organization (Proprietorship / Partnership / Co-operative / Private Limited / Public Limited)	
4	Name of Proprietor / Managing Partner / Managing Director / Authorized Signatory	
5	Type of Deed / Agreement to be executed (Agreement to Lease/ Lease)	

The amount of exemption (in INR) allowed may be intimated to the undersigned for record.

Yours faithfully,

Encl. As above

(Managing Director, IDCO / Director of industries)

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

Copy forwarded to Sri \_\_\_\_\_ M/s \_\_\_\_\_, At \_\_\_\_\_  
P.O. \_\_\_\_\_ Dist. \_\_\_\_\_ for information.

(Managing Director, IDCO / Director of industries)

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

Copy forwarded to the Secretary to Govt, Industries Department / MSME Department  
/ MD, IPICOL/ GM, RIC or DIC \_\_\_\_\_ for information.

(Managing Director, IDCO / Director of industries)

**Annexure-E**

OFFICE OF THE MANAGING DIRECTOR, IDCO /THE MANAGING  
DIRECTOR, IPICOL / THE DIRECTOR OF INDUSTRIES, ODISHA/ THE GENERAL  
MANAGER, RIC / DIC -----

(Strike out whichever is not applicable)

Letter No.----- / Date-----

From:

-----

-----

To

Sri \_\_\_\_\_

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

At \_\_\_\_\_ P.O. \_\_\_\_\_

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

This is to inform that –

The application for exemption from payment of Stamp Duty under provisions of IPR 2022 made by M/s \_\_\_\_\_ bearing EIN / PC / IEM / IL No /PEAL approval letter No. \_\_\_\_\_ Dt \_\_\_\_\_ on dt. \_\_\_\_\_ is **rejected** due to following reasons.

(Specify the reasons)

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

(Signature)

**ABBREVIATIONS**

1. **IDCO**- Odisha Industrial Infrastructure Development Corporation
2. **DIC**-- District Industries Centre
3. **RIC**-- Regional Industries Centre
4. **PC**—Production Certificate
5. **PEAL**- Project Evaluation and Allotment of Land
6. **SLNA**- State Level Nodal Agency
7. **DLNA**- District Level Nodal Agency