

GOVERNMENT OF ODISHA
MSME DEPARTMENT

NOTIFICATION

No. I-MSME(OFP-2016)-07/2017(Pt.) 604 /MSME, Bhubaneswar, the 31st January, 2017

Subject: OPERATIONAL GUIDELINES FOR CREATION OF INFRASTRUCTURE FACILITIES FOR RUNNING DEGREE / DIPLOMA COURSE IN FOOD PROCESSING TECHNOLOGY UNDER OFPP-2016.

(See Para 7.5.1 of OFPP-2016)

1. **Short Title:** - Operational guidelines for assistance under the scheme of Creation of Infrastructure facilities for running Degree / Diploma Course in food processing technology under provisions of Para- 7.5.1 of Odisha Food Processing Policy, 2016.
2. **Extent:** - It shall extend to the 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.

5. **Policy Provisions:-**

"Assistance for Creation of Infrastructure facilities for running Degree / Diploma / Certificate Courses in Food Processing Technology:

One time capital grant @ 50% of the cost up to Rs.1.00 crore will be provided to recognized University / Institution in the state for creation of infrastructure facilities for running a recognized Degree / Diploma Course in Food Processing Technology. The assistance will be limited for pilot projects, laboratory equipment, technical / academic books / journals, facilities of testing food items."

6. **Eligibility:** -

- 6.1. Universities / Institutions in the State recognized by UGC / AICTE, in Govt. or Private sector for running Degree / Diploma course in Food Processing Technology will be eligible for capital grant for starting the course as well as for upgradation of existing infrastructure facilities for above courses.

6.2. **Eligibility Conditions:**

The assistance will be limited for:

- i. Laboratory equipment
- ii. Pilot project for processing of food products

- iii. Facilities for testing of food items
- iv. Technical / academic books/journals including online publications.

The contribution of these institutes will be in form of Land, Building and Manpower & all other recurring costs. Amount of assistance for technical / academic books and subscriptions for journals including e-journals / magazines on related subjects will not exceed 10% of equipment cost. Items like computer / laptop etc. will not be considered for assistance.

6.3. Incentives as envisaged in this policy shall not be applicable to an Universities / Institutions if the similar incentives are availed under any other policies of State Government or Government of India.

6.4. Conditions for assisting and monitoring of the projects :

The Institute is required to submit yearly progress report (as on 31st December) in the Annexure- G and it should be submitted to the Director of Industries latest by 31st January every year on utilization of funds, installation of Machinery & equipment, No. of courses conducted, No. of students enrolled during the year etc.

Funded Institutions will be required to work as business incubation centres for food industry / take up training programme on behalf of the State/UT Government. The project will be subjected to periodical evaluations. The institute, if required by State/UT Government, may undertake field evaluation studies related to food processing sector.

7. Time frame for filing application: - Eligible institutions shall file its claim complete in all respect, within one year from the date of commencement of course/ within one year from the date of notification of the operational guidelines whichever is later.

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

8. Procedure: -

8.1. Eligible University / Institution claiming assistance for creation of infrastructure facilities for running degree / diploma course in food processing technology 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'. Application shall be submitted before the concerned General Manager, Regional Industries Centre / District Industries Centers in duplicate

8.2. Copies of the documents as indicated in the checklist shall be self-certified by Authorized Signatory of the organization

- 8.3.** 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.
- 8.4.** The application 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. The process of examination, Scrutiny, etc. shall be completed within 15 days of receipt of proposal.
- 8.5.** After completion of examination, scrutiny of the proposal, the RIC / DIC shall transmit the application and relevant documents (one set) along with a site inspection report as in Annexure—D to the Director of Industries, Odisha within 15 days of receipt of proposal under intimation to the applicant unit. One set of application with copies of relevant documents shall be retained in the office of General Manager, RIC / DIC for record.
- 8.6.** A Joint site inspection shall be conducted by Addl. Director of Industries / Joint Director of Industries, GM, RIC / DIC concerned, Tahasildar, representative of financing bank, if any and a report will be submitted to the Director of Industries, Odisha within next 15 days.
- 8.7.** The Director of Industries, Odisha, on receipt of application of the concerned enterprise from RIC / DIC, and Joint Site Inspection Report may further examine the application on receipt of complete information and place it for approval in the State Directorate Level Committee (SDLC) for scrutiny & processing.
- 8.8. Sanction of assistance:-**
- 8.9.** In case the assistance amount is upto Rs.25.00 lakhs, the SDLC will accord necessary approval. In case the assistance amount exceeds Rs.25.00 lakhs, the same will be placed in Sub-S.L.E.C for necessary approval. This process will be completed within 30 days.
- 8.10.** Upon receipt of approval of SDLC / Sub-S.L.E.C, the Director of Industries, Odisha will issue sanction order within 07 days in Annexure-E. Necessary funds shall be placed with concerned RIC/ DIC.
- 8.11. Disbursement of financial assistance under the scheme:**
- 8.11.1.** Upon receipt of sanction order from the Director of

Industries, Odisha, the concerned General Manager, RIC / DIC shall further complete the process of signing agreement (Appendix-A), undertaking (Appendix-'B') and acceptance of Terms & Conditions (Appendix-'C') as required.

8.11.2. The disbursement of sanctioned amount for such proposals shall be made by the GM, RIC / DIC within 03 days of issuance of sanction order subject to availability of funds under the policy through the financing agency from which it has availed the term loan / directly to the organization or., institution in case of self-financed / Govt. Organizations. The grantee shall submit Utilization Certificate in OGFR Annexure-VI.

9. Rejection: In case of rejection of application at the level of General Manager, RIC / DIC / Director of Industries, Odisha, Scrutiny Committee or SLC, the reasons of rejection shall be communicated to the applicant enterprise by the concerned authority within a maximum period of 30 days from the date of the rejection/decision taken in the format prescribed at Annexure-'F'.

10. The receipt of claim filed by the enterprises and assistance provided under this scheme shall be monitored both electronically & manually at DIC / RIC and Directorate of Industries, Odisha level.

11. Recovery- The amount disbursed under this scheme or any part thereof shall be recoverable forthwith with penal interest as decided by the SLC on following events.

11.1 If the information furnished is found to be false/ incorrect / misleading or misrepresented and there has been suppression of facts / materials or disbursed in excess of the amount actually admissible for whatsoever reason after disbursement of incentive.

11.2 If the institution/ college/ university discontinues the approved courses for a period exceeding one academic session at a time for any reasons which is beyond the control of institution/college/university during the first 10 years from the date of commencement of production.

11.3 If the institution /college / university discontinues the approved courses completely within the first 10 years from the date of commencement of production.

12. Miscellaneous:-

12.1 Directorate of Industries, Odisha/ RIC / DIC may inspect the enterprise individually /jointly, if felt necessary.

12.2 Institution/college/university shall furnish information, reports,

periodical statements, etc. to the RIC / DIC / Directorate of Industries, Odisha / Electrical authority concerned as and when required.

12.3 The beneficiary organization which has availed incentives under this scheme will not be allowed to shift its' location without prior intimation / approval of RIC / DIC / Director of Industries, Odisha.

12.4 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.) 605 /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.


Additional Secretary to Government

APPLICATION FOR ASSISTANCE UNDER SCHEME FOR CREATION OF
INFRASTRUCTURE FACILITIES FOR RUNNING DEGREE / DIPLOMA
COURSE IN FOOD PROCESSING TECHNOLOGY UNDER OFPP-2016

(See Para 7.5.1 of OFPP-2016)

*Application received after the due date / incomplete in any respect
shall be liable for rejection (Strike out whichever
is not applicable)*

From:

M/s _____

At _____

PO _____

Sub-Division _____

Dist. _____

{Location of the Enterprise}

To

The General Manager,
Regional Industries Centre /District Industries Centre, -

Sub: Assistance for creation of infrastructure facilities for running
degree / diploma course in food processing technology under
Odisha Food Processing Policy- 2016.

Sir,

In accordance with the provisions laid down in Odisha Food
Processing Policy- 2016, its operational guidelines notified by MSME
Department, Government of Odisha the claim for "Assistance for
creation of infrastructure facilities for running degree / diploma
course in food processing technology" is submitted with following
particulars.

1	Name and address of the Institute/College / University	
2	Status of institute/college / University- whether Government or Private	
3	Address of the Institute/ University running the course	
4	Brief of the past activity	[Give details as Enclosure-I]
5	Disciplines to be covered & objectives of the project with intake capacity.	[Give details as Enclosure-II]

6	Details of Degree /diploma to be awarded and whether recognized by University/ AICTE etc.	Give details here. [Enclose copy of recognition as Enclosure- III-A]
7	Details of Degree /diploma to be awarded and whether affiliated by University/ AICTE etc.	Give details here. [Enclose copy of recognition as Enclosure- III-B]
8	Course content and duration of the course.	Give details here. [Enclose copy of Syllabus as Enclosure-IV]
9	Details of Laboratory/ Pilot plants to be set up	[Give details at Enclosure-V]
10	Details of equipment Existing if any	[Give details of existing equipment in a tabulated format as Enclosure-VI indicating name, no., cost]
11	Details of equipments acquired	[Give details of proposed equipment in a tabulated format as Enclosure-VII]
12	Details of infrastructure including space available and ownership thereof with documentary evidence.	[Give details of classrooms, laboratories, pilot plant, library etc in numbers for the proposed courses with area of each as Enclosure-VIII]
13	Details of faculties available	[Give details of existing and proposed faculties in a tabulated format as Enclosure- IX indicating name of the faculty, qualification, experience]
14	Total Project Cost (Rupees in Lakhs)	
	A. Recurring cost i. Salaries & Wages ii. Utilities iii. Consumables iv. Others (Pl. Specify)	
	B. Non- Recurring Cost i. Land ii. Building iii. Machineries (a)Indigenous (b)Imported iv. Pilot Plant v. Books & Journals Total (Rupees in Lakhs)	

15	Means of Finances (Rupees in Lakhs) i. Own Contribution ii. Term Loan from Bank/F.I iii. Other Organization (Please specify) Total	
16	Implementation schedule.	[Attach detailed implementation schedule in bar chart indicating various milestones to be achieved for
17	Term Loan A/c No. of the Enterprise Name of Bank Branch with IFSC	

I, Sri _____ s/d/o _____ at present _____ (designation) of M/S (Name of the Institute/university) 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 Odisha Food Processing Policy 2016 and its operational guidelines.

I hereby undertake to furnish information, reports, periodical statements etc to the DIC /RIC/ Directorate of Industries, Odisha as and when required.

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

Enclosure:-

- 1.
- 2.

Signature of the Authorized Signatory in

full and on behalf of

Date-

Place-

CHECK LIST

Copies of documents to be attached with the application shall be self-attested by
 Authorized Signatory
(Strike out whichever is not applicable)

1.	Registration details of the institution/university	
2.	Power of Attorney / Board Resolution / Society Resolution, as applicable, while signing as Authorized person.	
3.	Course has been recognized by AICTE / University/ Deemed University as applicable	
4.	An undertaking in the case of private institution/university on non-judicial stamp paper of minimum value of Rs. 10/- duly notarised, confirming that the institute will run the course for a minimum period of 10 years or else will be considered for recall of grant by the Director of industries, Odisha	
5.	An undertaking that the equipments for the said purpose has been purchased through a fair procedure.	
6.	An undertaking that the institute/university will prominently display the building where facilities created out of out of the funds assisted under OFPP-2016.	
7.	Document in support of date of first investment in fixed capital of enterprise i.e. building / plant & machinery and balancing equipment	
8.	Document in support of delay in implementation condoned by Government if any	
9.	Detailed project report duly signed by head of the institute	
10.	Sanction letter of term loan from bank / financial institutions (if any)	
11.	Appraisal report from Bank / Financial Institution (if any)	
12.	Annual reports and Audited Statement of Accounts of last three years of the university/institution	
13.	Blue Print of the building Plan	
14.	Self-certified Invoices/ receipts from the suppliers/vendors	
15.	Enclosures as mentioned in the application form	

16. An undertaking duly executed on non-judicial stamp paper of Rs.100/- or more duly notarized by Notary Public affirming:
that organization's sister concern (s)/ related group institution/college/university as well as the applicant institute itself availed any financial assistance for a food processing project in the past from any State Govt. or Central Govt. and their agencies or not. If yes, the details thereof.
that the sister concern (s)/ related/group institution/college/university has not obtained/applied for or will not obtain any grant/subsidy from any Ministry/Department of Central Govt./GOI organization/agencies for the same purpose/activity /same components.

Annexure —C (FOR OFFICE USE)
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,

Sri _____

M/s. _____

Received the application for assistance for "Creation of infrastructure
facilities for running degree / diploma course in food processing
technology" under the provisions of Odisha Food Processing Policy- 2016
and its operational guidelines along with documents mentioned below
from M/s _____ At/Po-

_____ on dt. _____ through
post / person.

List of documents

1

2

Signature of authorized officer / General
Manager, RIC/ DC

with seal & date

OFFICE OF THE GENERAL MANAGER, RIC / DIC

No.

Dt.

(Strike out whichever is not applicable)

From

General Manager,
RIC / DIC

To

Director of Industries, Odisha,
Cuttack

Sub: Recommendation for assistance for Creation of infrastructure facilities for running degree / diploma course in food processing technology under the provisions 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

At P.O. _____ Dist. _____ bearing
Registration no. _____ date _____.

The particulars of the unit are given below.

1	Date of receipt of application from the institute for assistance for creation of infrastructure facilities for running degree / diploma course in food processing technology	
2	Name and address of the Institute/College / University	
3	Status of college / University- whether Government or Private	
4	Address of the Institute/College / University running the course	
5	Details of Degree /diploma awarded and whether recognized by University/AICTE etc.	
6	Course content and duration of the course.	

7	Details of Laboratory/ Pilot plants set up		
8	Details of equipment Existing Proposed		
9	Details of infrastructure including space available		
10	Details of faculties available		
11	Total Project Cost (Rupees in Lakhs) Non Recurring i. Land ii. Building iii. Machineries (a)Indigenous (b)Imported iv. Pilot Plant v. Books & Journals Total		
12	Means of Finances (Rupees in Lakhs) i. Own Contribution ii. Term Loan from Bank/F.I iii. Other Organization (Please Specify) Total		
13	Term Loan A/c No. of the Enterprise (if any)		
14	Name of Bank Branch with IFSC		

The enterprise is eligible for assistance for creation of infrastructure facilities for running degree / diploma course in food processing technology 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 M/s _____ for information.

General Manager, RIC /DIC

OFFICE OF THE DIRECTOR OF INDUSTRIES, ODISHA, CUTTACK.
SANCTION LETTER

No. _____ / Dated the _____ 20
(Strike out whichever is not applicable)

To

(Names of cluster representatives/Entrepreneurs)

Sub:- Sanction of Capital grant @ 50% of cost under Creation of Infrastructure facilities for running Degree / Diploma / Certificate Course in Food Processing Technology under Para-7.5.1 of Odisha Food Processing Policy, 2016.

Ref: 1) Your application dated: _____ for availing reimbursement for _____ as per Para-7.5.1 of OFPP-2016.

Sir,

We are pleased to inform you that the appropriate State Level Committee under OFPP-2016 in its meeting held on _____ have approved capital grant for an amount of Rs. _____ (Rupees _____ only) in favour of _____ under Creation of Infrastructure facilities for running Degree / Diploma in Food Processing Technology as per Para 7.5.1 of OFPP-2016.

Basing on the documents furnished by you & recommended by concerned GM, RIC/DIC from time to time for the purpose of sanction of eligible capital grant as indicated below:

	Rs. in lakhs
Cost of Laboratory equipment, Pilot plant for processing of food products, Facilities for testing of food items, as per syllabus of proposed course, Technical / academic books/journals including online publications.	
Credit linked back-ended subsidy @ 50% (Maximum up to Rs.1.00 crore)	

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

The said sanction of capital grant 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 capital grant 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 organisation from your financier duly countersigned by the concerned GM, RIC/ DIC.

Yours faithfully,

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 assistance 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

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 _____

Ref: Your letter No. _____ dated _____

Sir / Madam,

This is to inform that proposal for assistance for creation of infrastructure facilities for running Degree/ Diploma course 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 _____ for information.

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

Yearly progress report for Creation of Infrastructure Facilities for running Degree/ Diploma in Food Processing Technology.

(To be submitted for the year ending 31st December by 31st January of the subsequent year)

Report for the period ending December (Year)

1. Name of the Institute

2. Address

3. Objective of Project

4. Total Project Cost

a) Amount of grant sanctioned (facility / equipment wise)

b) Amount of grant released with date

c) Amount spent during the period

5. Progress report (briefly) indicating Activities undertaken / action initiated

6. Programme / activities for next 6 months (keeping overall project implementation in view)

Head of the University / Institution with Seal & Signature

AGREEMENT

(On Non-Judicial Stamp paper of not less than Rs.100/-)
(Strike out whichever is not applicable)

This INDENTURE made in this _____ day of _____, 200----
between a private / public limited company incorporated under companies Act,
1956, a cooperative society registered under the Odisha Cooperative Society
Act 1962 and having its registered office at _____

OR

Carrying on business as a sole proprietor / partners in the firm with the
name and style of M/s. _____ having its office at
_____ hereinafter called the Entrepreneur / Enterprise (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 under the administrative control of
MSME Department, Government of Odisha, 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 Grant under
the provisions of Odisha Food Processing Policy-2016 for the Food Processing
Entrepreneur / Enterprise with a view to promote growth of Industries standing
therein that Government of Odisha will grant a subsidy to the parties who set
up enterprises 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 (hereinafter referred to as the
RIC / DIC) to act as the Agent for the disbursement of the said investment
subsidy.

c) The Entrepreneur / Enterprise 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 _____ scheme and have, therefore, become entitled to the benefits under the said scheme.

d) The Entrepreneur / Enterprise by their application dated the day of _____ 200__ applied to the Government for the grant of (Rupees _____ @ _____% capital investment subsidy and whereas :-

i) Relying on the said application and subsequent representations made by the Entrepreneur / Enterprise, the Government have sanctioned _____% capital investment subsidy and the DI(O) has agreed to pay the same on behalf of the Government to the Entrepreneur / Enterprise 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 Entrepreneur / Enterprise under the said scheme, in such installments the Government in its sole discretion think fit, an aggregate amount of _____ and by way of the capital investment subsidy to the Entrepreneur / Enterprise creating the fixed assets of Rs. _____ for the purpose of the said unit and the Entrepreneur / Enterprise do and each of them do hereby covenant with the Government as under :-

2. The RIC / DIC will be entitled in its sole discretion to make disbursement of the capital investment subsidy or of any part thereof of either in one or more installments to the party on it complying with the terms & conditions of the Capital investment subsidy scheme and of this agreement.

3. In the event of the State Level Committee ultimately deciding for any reasons whatsoever that the Entrepreneur / Enterprise is entitled to a lesser amount of subsidy the excess amount of the capital investment subsidy shall be repaid by the Entrepreneur / Enterprise to the RIC / DIC / DI(O) _____ as agent of the Government along with interest thereon @ _____

12½% per annum or such other higher 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 Entrepreneur / Enterprise shall duly observe and perform the covenants and the conditions to be observed and performed by him / them under the said scheme.

5. The Entrepreneur / Enterprise shall not without prior approval of the State Level Committee change the location of the whole or any part of the industrial unit or affect any substantial change in the said project within a period of 5 years from the commercial production of the unit.

6. The Entrepreneur / Enterprise shall promptly furnish all the information asked for to the RIC / DIC / DI(O)/ 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 DI(O) / State Government.

7. The said sum of Rs. _____ or such part thereof as may have been till then paid by the Government to the Entrepreneur / Enterprise shall become forthwith repayable by the Entrepreneur / Enterprise to the Government in each and every of the following events namely ;-

a) If the Entrepreneur / Enterprise go out of production within 5 years from the date of start of commercial production.

b) (i) If the Entrepreneur / Enterprise 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 the Entrepreneur / Enterprise shift the registered office of the unit outside the State without taking prior permission of the State Government.

c) If any information furnished by the Entrepreneur / Enterprise 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.

- d) If a distress of execution shall be levied upon any property of the Entrepreneur / Enterprise or, any part of the said factory or a receiver thereof is appointed.
- e) If the Entrepreneur / Enterprise shall commit a breach of any one of the covenants or provisions herein contained and on his / their part to be observed and performed.
- f) If the Entrepreneur / Enterprise 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.
- g) If the Entrepreneur / Enterprise or any of them file a petition for being adjudicated as insolvent or are / is adjudicated as insolvent.
- h) If any petition for winding up the Entrepreneur / Enterprise company is presenting to any court or the Entrepreneur / Enterprise company passes any resolution for being wound up.
- i) If the Entrepreneur / Enterprise / Entrepreneur 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 DI(O). In each one of the aforesaid contingencies the Entrepreneur / Enterprise are to repay the whole amount mentioned above with interest thereon @ 12 ½% per annum or such higher 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 / Enterprise / 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 Entrepreneur / Enterprise as a public demand under the Odisha Public Demand Recovery Act, 1962.

9. The Entrepreneur / Enterprise / Entrepreneur 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 Entrepreneur / Enterprise / Entrepreneur shall observe and perform all instruction and direction that may be issued from time to time by the Government or the DI(O) in relation to utilisation of the said sum of Rs. _____ and shall for 5 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 Entrepreneur / Enterprise / Entrepreneur shall -

- a). Furnish further information asked for by the Government of Odisha or by the State Level Committee or by the DI(O) from time to time.
- b). Furnish to the 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 DI(O) from time to time.
- c). Furnish true copies of documents as may be required by the Government or the DI(O).

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 Entrepreneur / Enterprise as well as the Government and / or the DI(O) 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 Entrepreneur / Enterprise agree that in respect of any matters arising under this agreement the courts at Cuttack along with have exclusive jurisdiction and that the Entrepreneur / Enterprise 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 Entrepreneur / Enterprise agree to pay to the DI(O) as agent of the Government legal charges and such other costs as the DI(O) may be required to incur in connection with the aforesaid action.

15. The Entrepreneur / Enterprise 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 organization have put their (Respective hand 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 Odisha in the presence of
Witness

- 1.
- 2.

Signature of