OPERATIONAL GUIDELINES REIMBURSEMENT OF ENTERTAINMENT TAX UNDER IPR-2015 (To be suitably replaced after implementation of GST)

- Short Title: Operational guidelines for reimbursement of Entertainment Tax under provisions of Para 5.4.6 of Industrial Policy Resolution –2015.
- 2. Extent: It shall extend to the whole of the State of Odisha.
- Commencement: It shall come into force from the "Effective Date" of Industrial Policy Resolution-2015 i.e.24.08.2015.
- 4. Terms and Expressions: -Terms and expressions used in this operational guideline, but not specifically defined / explained here, shall have the same meaning as in Industrial Policy Resolution –2015.
- 5. Definitions / Explanations
 - 1. "Entertainment Tax" means the Tax payable under Odisha Entertainment Tax Act-2005.
 - A multiplex is a cinema, movie house, film house, Film Theater or picture house complex with multiple screens, typically more than one screen within a single complex.

6. Policy Provisions:-

Para- 5.4.6 of Industrial Policy Resolution, 2015.

- (a) New Multiplex Cinema hall of at least 3 screens with minimum capital investment of Rs.3.00 crores and above with modern projection system, sound system, air conditioning, shall be eligible for reimbursement of 100% of ET for a period of 5 years starting from the date of commencement of its operation.
- (b) If the existing cinema hall is upgraded to a multiplex and modernized with minimum investment of rupees one crore, then 100% ET reimbursement to be allowed for five years from the date of commencement of operation after such up gradation.

7. Eligibility:-

7.1 New Multiplex Cinema hall of at least 03 Screens with minimum capital investment of Rs.3.00 crore & above with modern Projection system, Sound system, Air conditioner, where first fixed capital investment commences after the effective date of this IPR.

- 7.2 The existing cinema hall that has commenced operation before the effective date of this IPR is upgraded to a multiplex and modernized with minimum investment of rupees one crore, where first fixed capital investment commences after the effective date of this IPR for such up gradation and modernization.
- 7.3 Eligible units which has availed Entertainment Tax reimbursement under any scheme of the State Govt (GoO) or the Govt. of India (GoI) or Govt. Agencies or any Financial Institutions, it shall be eligible for the differential benefit only.
- 7.4 Eligible units can choose to avail a particular incentive under either this policy or the sectoral policy.
- 7.5 The eligibility for this incentive shall be certified by OFDC and 100% reimbursement of Entertainment Tax to be allowed for five years from the date of commencement of operation / from the date of commencement of operation after up gradation and modernization.

8 Time frame for filing application: -

- **8.1** Application in the prescribed form received after the due date / incomplete in any respect shall be liable to be summarily rejected.
- 8.2 Eligible units shall file its claim complete in all respect, within One year from the date of commencement of operation / from the date of commencement of operation after up gradation and modernization.

9 Procedure:-

- 9.1 Eligible units 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' within the prescribed time limit as per the following category-
 - Micro, Small & Medium Enterprises shall file application in duplicate with General Manager, RIC / DIC
 - Large Industries shall file application in triplicate with Managing Director, IPICOL.

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

- 9.2 On receipt of application, the acknowledgement as prescribed at Annexure-'C' shall be dispatched to the applicant / applicant unit duly signed by the authorized officer / General Manager, RIC / DIC / IPICOL on the day of receipt.
- 9.3 Application for reimbursement of Entertainment Tax shall be submitted with requisite document along with copy of eligibility certificate issued by OFDC within the prescribed time limit. The entrepreneur shall approach OFDC for issue of such eligibility certificate on commencement of Operation and OFDC shall certify the eligibility in the format prescribed at annexure- "D" within 15 days, if found eligible.
- 9.4 The eligibility certificate if not issued by OFDC, one set of application along with requisite documents will be send by respective RIC / DIC / IPICOL to OFDC and OFD C after examining the eligibility will return the application to RIC / DIC / IPICOL with required certify the eligibility in the format prescribed at annexure- "D" if found eligible within 10 days of receipt of application.
- 9.5 RIC / DIC / IPICOL shall verify the eligibility, working status & veracity of facts concerning the claim for reimbursement of Entertainment Tax and recommend one set of application with all requisite documents in the format prescribed at Annexure- "E" to Commercial Tax Authority under intimation to Directorate of Industries, Odisha within 3 days.
- 9.6 Commercial Tax Authority shall verify the actual Entertainment Tax received from the unit during the period of claim and certify the amount for reimbursement to the Directorate of Industries within 7 days from receipt application from RIC / DIC / IPICOL in the format prescribed at Annexure "F".
- 9.7 Considering the eligibility & working status of the unit, necessary sanction for reimbursement of Entertainment Tax shall be issued by the Director of Industries, Odisha in favour of the applicant unit in the Format prescribed at Annexure- G' within next 3 days under intimation to Commercial Tax authority / IPICOL / RIC / DIC / OFDC.
- 9.8 In case of rejection of application, the reasons of rejection shall be communicated to the applicant unit as early as possible or within 30 days of receipt of application by concerned General Manager, RIC / DIC / IPICOL / OFDC / D.I Odisha in the format prescribed at Annexure 'H'.

10 Disbursement- Disbursement of sanctioned amount for reimbursement of Entertainment Tax of shall be made **Director of Industries**, **Odisha**, the Disbursing Agency, within a period of 30 days after receipt of funds under intimation to **RIC /DIC / IPICOL**.

11 Maintenance of Records:-

The receipt / approval / sanction / rejection / disposal of claim of unit shall be monitored both electronically & manually at RIC / DIC / Directorate of Industries, Odisha level.

12 Recovery:-

- 12.1 The Reimbursement of Entertainment Tax and or any part thereof shall be suspended / recoverable with penal interest as decided by the authority on following events as per terms of undertaking made by the unit in the body of application form.
 - If the information furnished is found to be false/ incorrect / misleading or mis-represented and there has been suppression of facts / materials or availed in excess of the reimbursement actually admissible for whatsoever reason.
 - 2. If the industrial unit goes out of operation 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 this incentive.
 - If eligibility of the unit ceases / discontinue during the period of this incentive.

13 Miscellaneous:-

- 13.1 RIC / DIC / A.C.C.T / DCCT / Directorate of Industries, Odisha / IPICOL /OFDC / Financer, jointly / single, may inspect the industrial unit, if felt necessary.
- 13.2 Industrial Unit shall furnish its audited financial statements and other periodical statements of each financial year to the RIC / DIC /IPICOL / Directorate of Industries, Odisha during the period of incentives.
- 13.3 Any change in facts or circumstances affecting the eligibility of the unit shall be intimated immediately to the RIC / DIC / IPICOL / Directorate of Industries, Odisha by the unit.

- 13.4 Cessation / discontinuation of eligibility during the incentive period may be reported by RIC / DIC / IPICOL/ OFDC to Directorate of Industries, Odisha
- 13.5 Time limit prescribed in this guideline is of working days only.
- **14.** This has been concurred in by Finance Department vide their UOR No. 97-ES-II/F, dated 06.07.2015.

GOVERNMENT OF ODISHA INDUSTRIES DEPARTMENT

Memo No <u>5938</u> /I., Bhubaneswar, dated 2/9/2015 XIV-HI-45/2015

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

Joint Secretary to Government

APPLICATION FOR REIMBURSEMENT OF ENTERTAINMENT TAX UNDER INDUSTRIAL POLICY RESOLUTION -2015.

	ate / incomplete in any respect shall be liable for rejection the whichever is not applicable)
M/s	t which ever is not applicable)
At/PO	·
Dist.	
(Location of the Industrial Unit)	
То	
The General Manager / Project Ma	anager,
	trict Industries Centre
The Managing Director,	
IPICOL, IPICOL House,	*
Janpath, Bhubaneswar.	
Sub: Application for Reimbursem	ent of Entertainment Tax under IPR-2015.
Sir,	9

In accordance with the provisions laid down in Industrial Policy Resolution – 2015 and its operational guidelines, the claim is submitted with following particulars for reimbursement of Entertainment Tax under provisions enunciated at Para 5.4.6 of IPR-2015.

1	Category of the Unit			
	a Micro / Small / Medium Enterprises /			*
		Large Industries		
	b	New Multiplex Cinema Hall / Existing	:	
		Cinema Hall up graded to a multiplex &		
		modernized		
	С	Priority Sector- Tourism & Hospitality (:	
		Para 6.11 of Odisha Tourism Policy-		
		2013)		
	d	Pioneer Unit under IPR-2015		
2	Address of Registered office			
3	Type of organization (Proprietorship		:	
	Pa	rtnership / Co-operative / Private Limited		
	/ P	ublic Limited)		
4	Na	me of Proprietor / Managing Partner /	:	
		anaging Director / Authorized Signatory		
5	EN	M / IEM / I L No. and date	:	•

Ac	tivity			New		ex &
	Odisha		:	Item Quantity Value	Item Quanti Value	ty
Em	nployment generated) RSSQLE	:		underlier inte	10/1
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lar ba	nd / building / plant & machine lancing equipment. (New / Up-gr	ery and		namenamen and as known and as the	ger au ooi oeteen per enteen doi oeneen do	tax tax tax tax Rei
a b	Land & land development Building &Civil construction				On completi on	On acco unt of Up-grada tion to multi plex & mode rnize d)
С	Electrification & electrical installations				665 7f	AMES TOTAL
d		STORE THE	5 1	vein da en de l	am te	
е	Other fixed assets of permanent nature	AU 10 3			MS 30 Markw	
f	Margin money for Working Capital	el Are		Spl E 18	em n Masin	
	Total		_			
Me	eans of Finance			New	multiplex	&
				Other Est	Sel-Villide	vdejer R henne
		n in airi	-	O TOURS OF STREET		
				Maria de la		VC COLUMN
	nount of term loan availed	1 90 4.8	1.	D to wate	RAG HO W	avieus)
	Em Da (Nombour baland nombour baland	modernized) Date of first fixed capital investmand / building / plant & machine balancing equipment. (New / Up-gr multiplex & modernized) Total capital investment (Head-wise) a Land & land development (Head-wise) b Building & Civil construction c Electrification & electrical installations d Plant & Machinery e Other fixed assets of permanent nature f Margin money for Working Capital Total Means of Finance Internal sources Financial Institution Name of the Financial Institution Date of sanction of Term loan	Employment generated Date of Operation (New / Up-graded to multiplex & modernized) Date of first fixed capital investment i.e. land / building / plant & machinery and balancing equipment. (New / Up-graded to multiplex & modernized) Total capital investment (Head-wise) Scheme provision a Land & land development b Building & Civil construction c Electrification & electrical installations d Plant & Machinery e Other fixed assets of permanent nature f Margin money for Working Capital Total Means of Finance Internal sources Financial Institution Name of the Financial Institution Date of sanction of Term loan	Employment generated : Date of Operation (New / Up-graded to multiplex & modernized) Date of first fixed capital investment i.e. : land / building / plant & machinery and balancing equipment. (New / Up-graded to multiplex & modernized) Total capital investment (Head-wise) Schematic provisions d Building &Civil construction c Electrification & electrical installations d Plant & Machinery e Other fixed assets of permanent nature f Margin money for Working Capital Total Means of Finance Internal sources Financial Institution Name of the Financial Institution Date of sanction of Term loan	Employment generated Date of Operation (New / Up-graded to multiplex & modernized) Date of first fixed capital investment i.e. I land / building / plant & machinery and balancing equipment. (New / Up-graded to multiplex & modernized) Total capital investment (Head-wise) Schematic provisions As on provisions As on provisions Date of fixed capital investment i.e. I land / building / plant & machinery and balancing equipment. (New / Up-graded to multiplex & modernized) Total capital investment (Head-wise) Schematic provisions As on provisions Date of Sanction of Term loan Internal sources Financial Institution Name of the Financial Institution Date of sanction of Term loan	multiple modern Item Quantity Value

12	Registration Number & Date (Issued by Commercial Tax Authority)	
	a Admission fees & Tax collection :	
	authorization certificate under Odisha : Entertainment Tax Act, 2006	
13	Certificate granted by District Administration to New Multiplex Cinema Hall / Existing Cinema hall up-graded to Multiplex and modernised for operation No & Date	*
14	Period of Reimbursement of Entertainment tax requested	
15	Reimbursement of Entertainment Tax / Reimbursement of Entertainment Tax availed from GoO / GoI / Govt. Agencies / Financial Institution earlier. Mention the period & quantum of benefit availed	
16	Differential benefit claimed (Mention details of claim)	
17.	Bank Account No.	
18.	IFSC Code & MICR Code of the Bank	
	branch	*

I ,Sri	s/o		at present
	(designation) of M/S		(name of the
unit / enterprise	certify that the information furnished	as above	
	y knowledge and belief.		

I hereby undertake to abide by the terms and conditions prescribed under the provisions of Odisha Industrial Policy –2015 and its operational guidelines.

I hereby undertake to repay / surrender the incentives or any part thereof availed with penal interest as decided by the authority-

- If the information furnished is found to be false/ incorrect / misleading or mis-represented and there has been suppression of facts / materials or availed in excess of the reimbursement actually admissible for whatsoever reason.
- 2. If the industrial unit goes out of operation 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 this incentive.
- If eligibility of the unit ceases / discontinue during the period of this incentive.

I hereby certify that this enterprise / unit has not applied / availed the incentive claimed here under any other scheme of the State Govt. or the Central Govt. or any Financial Institution(s).

I hereby certify that reimbursement of Entertainment Tax claimed here is exclusively on exhibition of Cinema by the Multiplex Cinema Hall.

I hereby undertake to furnish its audited Financial statements and other periodical statements of each financial year to the DIC / RIC / Directorate of Industries, Odisha during the period of incentive.

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

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 Proprietor /
Managing Partner/Managing Director / Authorized Signatory
(Strike out whichever is not applicable)

1	Entrepreneurs Memorandum- I / Entrepreneurs Memorandum- II / IEM / Industrial
	License
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	Certificate of eligibility issued by OFDC in favour of New Multiplex Cinema Hall /
	Existing Cinema Hall up graded to Multiplex and modernized
5	Approved DPR / Project Profile / Scheme -as the case may be for New Multiplex
	Cinema Hall / Existing Cinema Hall up graded to Multiplex and modernized
6	Document in support of date of first investment in fixed capital i.e. land / building / plant
	& machinery and balancing equipment in case of New Multiplex Cinema Hall /
	Existing Cinema Hall up graded to Multiplex and modernized
7	Certificate on Date of Operation in case of New Multiplex Cinema Hall / Existing
	Cinema Hall up graded to Multiplex and modernized
8	Admission fees & Tax collection authorization certificate under Odisha Entertainment
	Tax Act, 2005
9	Certificate granted by District Administration to New Multiplex Cinema Hall / Existing
	Cinema Hall up graded to Multiplex and modernized for operation No & Date
10	Term loan sanction order of OSFC / Banks / FI (New Multiplex Cinema Hall / Existing
	Cinema Hall up graded to Multiplex and modernized)
11	Quantum & period of reimbursement of Entertainment Tax / Reimbursement of
	Entertainment Tax availed from GoO / GoI / Govt. Agencies / Financial
	Institution earlier / undertaking on non-availment of reimbursement of
	Entertainment Tax / Reimbursement of Entertainment Tax availed from GoO /
	Gol / Govt. Agencies / Financial Institution earlier as applicable
	•

Annexure –C (FOR OFFICE USE)

OFFICE OF THE GENERAL MANAGER, RIC / DIC / MAGING DIRECTOR, IPICOL, IPICOL HOUSE, JANPATH, BHUBNESWAR
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)
Го
Sri
M/s
Received the application for under the
provisions of INDUSTRIAL POLICY RESOLUTION —2015 and its operational guidelines along with documents mentioned below from M/s At/PO At/PO on dtthrough post / person.
List of documents
· · · · · · · · · · · · · · · · · · ·
2.
3.
Signature of authorized officer / General Manager, RIC/ DIC / IPICOL with seal & date
Annexure –C (TO BE DISPATCHED TO THE APPLICANT) OFFICE OF THE GENERAL MANAGER, RIC / DIC / MAGING DIRECTOR, IPICOL, IPICOL HOUSE, JANPATH, BHUBNESWAR
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)
Го
Sri
M/s
Received the application for
under the provisions of INDUSTRIAL POLICY RESOLUTION -2015 and its
operational guidelines along with documents mentioned below from M/s
_ist of documents
1.
2.
3.
Signature of authorized officer / General Manager, RIC/ DIC / IPICOL with seal & date

OFFICE OF THE MANAGING DIRECTOR, ODISHA FILM DEVELOPMENT CORPORATION,

No----- Date -----

Buxibazar, Cuttack

(Strike out whichever is not applicable)

		Certificate	of Eligibility	y	
This is to	certify that	M/s		At/PO	Dist.
(Loc	ation of the nev	v Multiplex Cir	nema Hall / E	xisting Cinema	Hall upgraded to
multiplex and mod	ernized) bearing	g EM- II / IE	M No	Dateis	a new Multiplex
Cinema Hall / Ex	kisting Cinema	Hall upgraded	to multiplex	and modernize	ed having
Screens (at least 03	3 Screens) with r	modern Projec	tion system, S	Sound system, A	Air conditioner. It
has commenced th	ne first fixed cap	oital investmen	t on (aft	er the effective d	late) and the
capital investment	amounts to Rs.	crores,	(minimum ca	ipital investment o	of Rs.3.00 crore &
above / one crore abo	ove)				
It is a working	unit and eligible	for 100% rein	nbursement of	f Entertainment	Tax (ET) starting
from the date of its	commissioning /	operation	(date) un	der the provision	s of IPR-2015.
					Signature of
Date					
				Managino	g Director, OFDC

Annexure- E

OFFICE OF THE GENERAL MANAGER, RIC / DIC / MAGING DIRECTOR, IPICOL, IPICOL HOUSE, JANPATH, BHUBNESWAR
Letter No / Date (Strike out whichever is not applicable)
From
Sri
General Manager, RIC /DIC /
Managing Director, IPICOL, IPICOL House, Janpath, Bhubaneswar.
То
The DCCT / ACCT, Incharge of Circle,
Sub:- Recommendation of Application of M/s for reimbursement of Entry Tax under IPR-2015.
Sir, M/s At PO Dist bearing EM -II / IEM-II No Dt Dt has commenced operation on and has made application in the prescribed format with requisite documents on dt for reimbursement of Entertainment Tax under the provisions of IPR-2015 and its operational guidelines. The IPR applicability of the unit, working status & veracity of facts concerning the claim for reimbursement of Entertainment Tax has been verified and found that the unit is entitled for 100% reimbursement of Entertainment Tax for a period of five years as a new unit / existing Cinema Hall upgraded to a multiplex and modernized under the provisions IPR-2015. The captioned unit has undertaken to have availed / not availed reimbursement of Entertainment Tax / Reimbursement of Entertainment Tax availed from GoO / Gol / Govt. Agencies / Financial Institution earlier to the extent of Rs / % / for years. The differential of benefit comes to One set of application in the format prescribed with all requisite documents are furnished herewith for issue of Certificate for reimbursement of Entertainment Tax in favour of captioned unit. Yours faithfully,
Enclos. 1.
2.
3.
General Manager, RIC /DIC / Managing Director, IPICOL
Memo No/ dated
Copy to the Director of Industries, Odisha, Cuttack for information & necessary action.

General Manager, RIC /DIC - - - / Managing Director, IPICOL

Annexure-F

Signature of Commercial Tax Officer
In charge of Circle
With Seal & date

OFFICE OF THE DIRECTOR OF INDUSTRIES, ODISHA (Strike out whichever is not applicable) Sanction Order

Orde	er No/	Date:	<u>IO L</u> RAWZGIKAGU KIO
benefit / for Rs In to i.e. (mention production to the end of final Year / 5 th Financial Year / 6	n words (Rupees on period)ancial year / 2 nd Finar th (If operation starts	(From the ncial Year / 3 rd Fin between the	nent of ET paid / differential only for the period from date of commencement of Financial Year / 4 th Financial 1 st Financial Year) Financial Dist.: under provisions
Cinema hall / existing ciner	pplicable only Entertains the mails satisfying the	ainment Tax pa e eligibility criter	aid towards New Multiplex
			Director of Industries, Odisha
Memo No	Dt	otor / Ma Partne	er / Mg Director / Authorized
Signatory of M/s	At· PO	Dist	for information.
oignatory or ivino	of autopasses as a	TOX-2141 TOPPO	The second secon
			Director of Industries, Odisha
Memo No.	Dt		
Copy forwarded to	Commissioner, Comi	mercial Taxes, f	Odisha, Cuttack / Deputy / for information & necessary
			Director of Industries, Odisha
Memo No	Dt		
Copy forwarded to G necessary action.	Seneral Manager, RIC	: / DIC	_ for information and
		Г	Director of Industries, Odisha
Memo No.	Dt.		
Copy forwarded to information and necessary		PICOL, IPICOL	House, Janapath, BBSRfor
			Singator of Industries Odiobo
Momo No	Dt		Director of Industries, Odisha
Copy forwarded to Department for information.		ernment, Indus	stries Department / MSME
			Director of Industries, Odisha
Memo NoCopy forwarded to F	Dt	d File for info	ation
Copy forwarded to F	kecord Keeper / Guar	a rile for inform	ation.

Director of Industries, Odisha

Annexure- H

CUTTACK /	OFFICE OF THE DIRECTOR OF INDUSTRIES, ODISHA, CUTTACK.
	Letter No / Date
	(Strike out whichever is not applicable)
То	Committee of the Commit
Sri	
IVI/S	
At	
PO	
Sub-Divisi	on
DIST.	cation of the Industrial Unit)
(200	satisfied the medical office
Sir,	
This is to i	nform that your application for
	under IPR-2015 is rejected due to following reasons.
(Specify the reaso	
	nis)
1.	
2.	
0	
3.	
4.	
	Signature of General Manager, PIC / DIC
	Signature of General Manager, RIC / DIC / Authorized Officer of the IPICOL / OFDC
	Director of Industries, Odisha
	with seal & date
	with seal & date

OFFICE OF THE GENERAL MANAGER, RIC / DIC------ / INDUSTRIAL PROMOTION AND INVESTMENT CORPORATION OF ODISHA LIMITED, IPICOL HOUSE, JANPATH, BHUBANESWAR. / ODISHA FILM DEVELOPMENT CORPORATION, BUXIBAZAR,