

GUIDELINES FOR ODISHA HEALTH CARE INVESTMENT PROMOTION POLICY, 2016 UNDER IPR- 2015

1. **Short Title:** - Guidelines for constitution of Odisha Health Care Investment Promotion Policy, 2016 under Industrial Policy Resolution, 2015.
2. **Extent:** -It shall extend to the identified priority districts i.e Bolangir, Boudh, Gajapati, Kalahandi, Kandhmal, Koraput, Malkangiri, Nawrangpur, Nuapada, Rayagada and Sonepur of the State of Odisha.
3. **Commencement:** - It shall come into force from the "Effective Date" of issue of resolution of Odisha Health Care Investment Promotion Policy, 2016 i.e. 26.11.2016 and continue till 05 years from the date of its resolution and until substituted by another policy.
4. **Terms and Expressions:** -Terms and expressions used in this operational guideline shall carry the original / same meaning as in Odisha Health Care Investment Promotion Policy, 2016 unless specifically defined / explained hereunder.
5. **Objective:** - The objective of constitution of Odisha Health Care Investment Promotion Policy, 2016 is to provide quality healthcare services and attracting higher investment in the healthcare sector in the priority districts of the State.
6. **Definitions / Explanations :-**
 - i. Priority district : Bolangir, Boudh, Gajapati, Kalahandi, Kandhmal, Koraput, Malkangiri, Nawrangpur, Nuapada, Rayagada and Sonepur
 - ii. A hospital shall be an institution for healthcare services (including modern allopathy and mental health) providing specialized treatment including but not limited to curative and rehabilitative care services and including promotional, preventive healthcare services.
 - iii. Authorised Officer of the Health & FW Department means an Officer from the O/o the Director Health Services (DHS), Odisha not below the rank of Joint Director.
7. **Policy Provisions-** Quality Health Care Services in the priority district in the State shall be provided to the promoters. The hospital projects shall be graded as follows:
 - Grade '1': Hospitals under 100 beds
 - Grade '2': Hospitals 101– 200 beds
 - Grade '3': Hospitals 201– 300 beds
 - Grade '4': Hospitals 301– 400 beds
 - Grade '5': Hospitals 401– 500 beds
 - Grade '6' and above: For every additional 100 beds above 500, the Hospital will qualify for the next higher Grade.

The minimum requisite number of doctors and support staff for each grade will be as per the Indian Public Health Standards (IPHS) guidelines.

All incentives, support and assistance under the Policy shall be applicable for eligible hospital projects developed under Grade '1' and above, with minimum of 50 beds in the identified Priority Districts.

Enterprises intending to establish healthcare facilities as part of Corporate Social Responsibility shall also be encouraged for the development of hospital projects in priority districts. Dovetailing of the CSR funds with the various schemes of the Government for setting up such hospital projects shall also be explored.

An existing hospital in the priority district, which upgrades into a multi-specialty hospital or a super specialty hospital; shall be eligible to avail incentives on additional capital investment for the expansion on the same line as available for setting up new hospitals in this policy, provided the new capacity / expansion planned has at least 50% additional beds of the existing capacity and the existing capacity is of at least 100 beds.

Capital subsidy shall be provided on capital investments made in the project. The subsidy will not be provided on capital investment made towards cost of land, working capital and operative expenses. The subsidy shall be limited to 30% of the capital investment subject to ceiling of Rs. 10 Crore for Grade '1' and additional ceiling of Rs. 5 crore for each higher grade hospital as applicable under provisions of this Policy. An existing hospital in the priority district, which upgrades into a multi-specialty hospital or a super specialty hospital; shall be eligible to avail incentives on additional capital investment for the expansion on the same line as available for setting up new hospitals in this policy, provided the new capacity / expansion planned has at least 50% additional beds of the existing capacity and the existing capacity is of at least 100 beds. Government will provide priority in allocation of land for the new hospital projects in priority districts subject to availability at concessional land rates mentioned in the Industrial Policy Resolution 2015 and as revised from time to time. Applicable norms of Govt. and Medical Council of India shall be applicable for assessment of land requirement for setting up a new project.

8. Eligibility: -

- a. Any individual / promoter / organisation/ Trust / PSUs desirous of setting up of following graded hospital projects as per the Indian Public Health Standard (IPHS) guidelines norms in any / all priority districts of the State:
 - Grade '1': Hospitals 51-100 beds
 - Grade '2': Hospitals 101– 200 beds
 - Grade '3': Hospitals 201– 300 beds
 - Grade '4': Hospitals 301– 400 beds
 - Grade '5': Hospitals 401– 500 beds
 - Grade '6' and above: For every additional 100 beds above 500, the Hospital will qualify for the next higher Grade.
- b. Enterprises intending to establish healthcare facilities as part of Corporate Social Responsibility shall also be eligible for the development of hospital projects in priority districts.
- c. An existing hospital in the priority district, which upgrades into a multi-specialty hospital or a super specialty hospital; shall be eligible to avail incentives on additional capital investment for the expansion on the same line as available for setting up new hospitals in this policy, provided the new capacity / expansion planned has at least 50% additional beds of the existing capacity and the existing capacity is of at least 100 beds.

9. Time frame and procedure for Processing the Application: -

1. Applicant seeking to set up health care projects in any of the priority districts in the State shall apply to the Nodal Agency i.e. authorised officer of the O/o the DHS, Odisha not below the rank of Joint Director through an Application Form as specified in Annexure-I. The authorised officer of the O/o the DHS, Odisha will carry out a preliminary examination to ensure that the application is complete before issuing acknowledgement.
2. The applicant shall also furnish
 - a. A copy of the plan / estimate of the project certified by the approved Architecture / Civil Engineer respectively.

- b. A copy of the equipment and instrument and cost thereof required for the project as per the IPHS guidelines from the approved agencies as at **Annexure- II**.
 - c. The grant of capital subsidy in favour of the promoter will be considered based on a & b.
 - d. The applicant shall also furnish a declaration of self certification in the prescribed format as at **Annexure-III**.
3. After the initial scrutiny as per the check list at **Annexure I (A)** the authorised officer of the O/o the DHS, Odisha shall forward the fully completed Application Form within three (03) working days to the Convener of the Facilitation Cell at IDCO.
 4. The Facilitation Cell shall scrutinize, assess and process the application for approval by the State Level Single Window Clearance Authority and High Level Authority, as specified in **Annexure-IV**.
 5. The convener of the Facilitation Cell, if required, may ask for additional information from the applicant only once not later than ten (10) days from the date of receipt of the Application Form for preliminary assessment of the project. The applicant shall furnish the additional information within seven (07) days to the convener of the Facilitation Cell to ensure completeness of the Application Form and to facilitate project assessment.
 6. In case, the Facilitation Cell refers any particular application to the concerned Department(s), the Department should convey its views within seven (7) days from the receipt of the application.
 7. If no response is received from the Department/applicant within the timelines given above, the Facilitation Cell is authorized to process the application on merit and place it before the Single Window Agency for its decision.
 8. The State Level Single Window Clearance Authority shall dispose the application within 30 days of receipt by the Nodal Agency.

10. Allotment of land/ sanction of capital subsidy

10.1 Allotment of land

- (a) Based on the decision of SLSWCA, IDCO will initiate land allotment /acquisition process, as applicable, for the project and the investor will be duly communicated.
- (b) The allotment of land will be on the basis of location and bed strength of the hospital:

Grade	Bed Strength	Requirement of Land as per IPHS in Acres	Proposed Area (in Acres)		
			Rural	Urban	
				Corporation	Other than corporation
1.	Up to 100	0.5-1	1.0	0.5	1.0
2.	101-200	1-2	2.0	1.0	1.5
3.	201-300	2-3	3	2	2.5
4.	301-400	2.5-4	4	2.5	3
5.	401-500	3-5	5	3	4
6.	500 and above	5-10	10	5	6

- (c) After allotment of land on receipt of payment as per Industrial Policy Resolution (IPR) 2015, the promoter can go ahead with the establishment of the hospital as per the applicable norms of State Government, notified from time to time.
- (d) The promoter shall take up construction within 6 months of settlement of land. The construction shall be compliant to IPHS guidelines as per the plan furnished with the application. No deviation from the approved plan shall be permitted.
- (e) An agreement is to be executed by the promoter with the DHS, Odisha in the prescribed format at Annexure- V within 15 days of the allotment of land.

10.2 Capital subsidy

- (a) The promoter shall apply to the authorised officer for grant of 50% of capital subsidy (as per eligibility at para-7) on the proposed capital investments made in the project with authenticated documents after allotment of land and completion of 25% of construction of building duly certified by him to the effect that the proposed capital investments are genuine and do not include the cost of land.
- (b) The authorised officer jointly with the DHS, Odisha, authorised representative of the District Collector, CDMO of the concerned district and the Executive Engineer of R & B Division of the concerned area shall examine the eligibility and veracity of facts concerning the claim, visit the project site and assess the total investment within 15 days from the date of receipt of the application.
- (c) The inspection team shall submit the assessment report with due recommendation for release of above mentioned 50% of the approved grant of capital subsidy in favour of the promoter.
- (d) The promoter shall be eligible for release of the next instalment of 25% of Capital Subsidy only after completion of the building and inspection for registration under Clinical Establishment Act.
- (e) The inspection team as mentioned at (b) above area shall examine the eligibility and veracity of facts concerning the claim, visit the project site and assess the total investment within 15 days from the date of receipt of the application.
- (f) The inspection team shall submit the assessment report with due recommendation for release of 25% of the approved grant of capital subsidy in favour of the promoter.
- (g) The promoter shall be eligible for the release of last instalment i.e. remaining 25% capital subsidy only after issue of registration under The Odisha Clinical Establishment (Control and Regulation) Act, 1990 maintenance of minimum requirement and standard within 06 months of operation based on the recommendation of the inspection team.
- (h) After receipt of each recommendation of the inspection team, the Department will release funds to the DHS, Odisha accordingly for online transmission to the promoter subject to furnishing of Utilization Certificate of the funds released in the last instalment in the prescribed format.

11. Provision, Management of Funds, Accounting & Auditing procedure.

- 11.1 The DHS, Odisha will estimate the requirement of funds and furnish the requirement to the Health & FW Department for budget provision every year under the Odisha Health Care Investment Promotion Policy, 2016. The State Government in Health & Family Welfare Department will provide funds to DHS, Odisha who shall be the disbursing agency. The Health & FW Department will maintain regular account for each case and shall be accountable to

the audit and the State Government. DHS, Odisha will furnish the utilisation certificate in OGFR 7(A) along with the list of beneficiaries disbursed with assistance at the end of each financial year.

11.2 Audit : The accounts relating to the corpus of the fund and records maintained for the purpose will be subject to audit by A.G (A&E), Odisha and the internal audit wing of Health & FW Department.

12. Maintenance of Records

Health & FW Department and DHS, Odisha shall maintain records pertaining to receipt, total cost of the projects approved for financing from the fund and transfer from the fund to meet the expenditure for approved projects. The DHS, Odisha shall furnish half yearly status report to Health & FW Department.

13. Recovery of subsidy on capital investment

In the following events or circumstances subsidy on capital investment receipt by a promoter shall be recoverable from it under the provision of OPDR Act as arrear of land revenue unless refunded within a period of one month from the date of an order issued to this effect by the DHS, Odisha.

- i. Where a promoter in the opinion of the SLSWCC has availed the subsidy on capital investment by misrepresentation, fraud or by furnishing false and misleading information or by suppressing facts / materials or disbursed in excess of the amount actually admissible for whatsoever reason.
- ii. Where the subsidy on capital investment amount becomes recoverable in terms of the stipulation contained in the agreement at Annexure- V or the promoter violates any other condition of the rules and guidelines and agreement.

14. Health & FW Department shall have the final authority to clarify doubts relating to interpretation of any term and / or resolve any dispute relating to the operation of the fund. Government in Health & FW Department may relax the guidelines in case there are difficulties or hardships encountered in the process of implementation / operation.

15. The operational guidelines for Odisha Health Care Investment Promotion Policy, 2016 has been concurred in by Finance Department and P & C Department vide their UOR No. 348/PSF, dated. 31.01.2017 & No.117/DC-cum-ACS, dtd.03.02.2017 respectively.

By order of the Governor

(Dr.P.K. Meherda)

Commissioner-cum-Secretary to Government

**GOVERNMENT OF ODISHA
HEALTH AND FAMILY WELFARE DEPARTMENT**

Memo. No. 3471/A

Date 03-02-2017

Copy forwarded to All Departments/All Heads of Department/ All PSUs/All ROCS/All Collectors/ F.A. cum Joint Secretary, Health & FW Department/ All Directorates of Health & FW Department / Head, Portal Group, IT Centre, Secretariat, Bhubaneswar/All Section of Health & FW Department/Guard File(5 Copies) for information & necessary action.

Deputy Secretary to Government

Preliminary Project Assessment Application

Sl. No.		
	Name of the Company	
1.	Correspondence Address	Corporate Office Address
	Address Line 1:	Address Line 1:
	Address Line 2:	Address Line 2:
	Address Line 3:	Address Line 3:
	City	City
	PIN code	PIN code
	State	State
	Country	Country
	Phone Number	Phone Number
	Mobile Number	Mobile Number
	FAX Number	FAX Number
	Email ID	Email ID
	Constitution company (PSU / Private Sector Undertaking / Co-operative / Partnership / others):	
	Company Registration Details (Date, Place and Registration No.):	
	CIN, if applicable	
	PAN:	
	TIN / VAT, whatever is applicable :	
	Number of employees in the company	
	[REDACTED]	
a.	Name of the Promoter	
b.	Position (Managing Director / CEO/ Managing Partner / Other (please specify)	
c.	Board of Directors / Member/ Trustee	
d.	Share holding pattern, Please attach the details	
		Last 03 years
A.	Annual Turn Over	
B.	Profit Before Tax	
C.	Net Worth	
D.	Reserves and Surplus	
E.	Share Capital	
	[REDACTED]	
A.	Name , if different from (1)	
B.	Location of the Hospital	
C.	Whether located in IDCO Industrial Estate, if yes please furnish the name of the estate	
D.	Extent of land in acres	—— Acres
E.	Registration No.	
F.	Bed strength	
G.	Date of functioning	
H.	Details of Manpower	
I.	Details of facility provided	
	[REDACTED]	
A.	Name of the Project	
B.	Registration No. of the Trust /	

	Society/ NGO/ Company		
C.	Bed strength		
D.	Specialities		
E.	Details of facilities to be provided		
[REDACTED]			
A.	Land		
B.	Building		
C.	Equipment		
D.	Others		
	Total Project Cost		
[REDACTED]			
A.	Bank / Institutional Finance		
B.	Equity contribution		
C.	FDI		
D.	Subsidy / Grant		
E.	Others		
[REDACTED]			
		Existing (NA if not applicable)	Proposed (NA if not applicable)
A.	Managerial		
B.	Doctor		
C.	Nursing staff		
D.	Paramedics		
E.	Others		
	Total Employment		
8. Land requirement			
A.	Prospective location of land (Area / District Name)		
B.	Extent of land required (in acres)		
C.	Whether land is required in IDCO Industrial Estate or within the land Bank of IDCO ? If yes, please mention the name of the Industrial estate or the land schedule of land bank		
D.	Whether the proposed land is being acquired by the company directly ? Yes / No		
If the land is to be acquired by IDCO, please specify the land schedule area, if available			
[REDACTED]			
A.	Temporary connection (During construction)		
i.	Power required (Yes / No)		
ii.	If yes, load demand (in KW)		
iii.	Expected demand start date (MM/DD/YY)		
B.	Regular connection (During production)		
i.	Power required (Yes/ No). If No, please provide details as mentioned in (c)		
ii.	New load demand (in KW)		
iii.	Type of process (Batch / Continuous)		
C.	If you planning to set up a Captive Power Plant (CPP) or drawing power from an independent power producer (IPP), please provide the relevant details		
[REDACTED]			
		Existing	Proposed
i.	Requirement (KL per day)		
ii.	Existing allocation, if any		

iii.	Please provide source of water		
iv.	<ul style="list-style-type: none"> • Ground water • Surface water 		
v.	Please provide details of Rain Water harvesting and water conservation measures being proposed by the company		
A.	Provide details of waste water management <ul style="list-style-type: none"> • Treatment technology • Quantum of recycling of waste water • Management of Hazardous waste, if any 		
12. Proposed project schedule			
A.	Start Project Construction (MM/DD/YY)		
B.	Start of hospital functioning (MM/DD/YY)		
13.	Bank name & Account No. <ul style="list-style-type: none"> a. IFSC code b. MICR code 		

Signature of the authorised officer

LIST OF ENCLOSURE(S)

(Please indicate Y or N or NA in the box for 'Yes' or 'No' or 'Not Applicable' as the case maybe against the respective clearances required)

1. Company Related

- PAN card of the company
- TIN/VAT number certificate, if available
- MoA/Partnership Deed Attachment / EMI/IEM
- Certificate of incorporation/registration
- Net worth certified by a CA
- Annual Report of the Company for the last Financial Year (if applicable)
- Feasibility Report of the proposed project.
- Resolution and delegation of the Board to submit CAF for the proposed project
- Experience in setting up of hospitals with details on number of beds, location, date of functioning, manpower, details of facility provided, copy of certificate issued by the Competent Authority relating to establishment of hospital elsewhere
- Declaration to the effect :
 - to abide by the Standards of Clinical Establishment Act/ Policies/ Guidelines/ Instruction laid down by the State Government
 - to adhere to MCI/ DCI/ GOI/ Supreme Court's guidelines and directions
 - to adhere to the time frame for establishment of hospital
 - to the effect that the land allotted for health care facility shall not be utilised for any other purpose.

2. Covering letter

3. Self-certification

Check list for the authorised Officer

1. Company Related (v) or (x)

- PAN card of the company
- TIN/VAT number certificate, if available
- MoA/Partnership Deed Attachment / EMI/IEM
- Certificate of incorporation/registration
- Net worth certified by a CA
- Annual Report of the Company for the last Financial Year (if applicable)
- Feasibility Report of the proposed project.
- Resolution and delegation of the Board to submit CAF for the proposed project
- Experience in setting up of hospitals with details on number of beds, location, date of functioning, manpower, details of facility provided, copy of certificate issued by the Competent Authority relating to establishment of hospital elsewhere
- Declaration to the effect :
 - to abide by the Standards of Clinical Establishment Act/ Policies/ Guidelines/ Instruction laid down by the State Government
 - to adhere to MCI/ DCI/ GOI/ Supreme Court's guidelines and directions
 - to adhere to the time frame for establishment of hospital
 - to the effect that the land allotted for health care facility shall not be utilised for any other purpose.

2. Covering letter

3. Self-certification

**PROFORMA FOR VALUATION OF INSTRUMENTS AND EQUIPMENTS FOR -----BEDDED HOSPITAL IN
THE DISTRICT OF -----**

Sl.	Name with details specification	Name and address of the approved supplier	Invoice No. & Date	Cost	Duty / Tax/ Ins. Etc	Total cost of the assets (6 &7)	Remarks
1	2	3	4	5	6	7	8
1							
2							
3							

Certified that the assets as above shall be installed in my / our hospital at the time of functioning and actually required in process of operation. The information

Signature of the promoter / authorised representative of the project
--

Date

Declaration of Self Certification to be filed along Application Form

..... Son / D/o /W/o aged residing at..... who is the
(Designation)..... of M/shereby give the following undertaking:

1. Our firm/Company is proposing to set up a ——bedded hospital at, District
to provide health care services.
2. We certify that the particulars furnished in the Application Form are true, correct, and
complete to the best of our knowledge and undertake to adhere to the declarations
made there under. The . firm/ company shall be made liable for penal action if the
particulars furnished are found to be false/ incorrect or incomplete and our failure to
adhere to the declarations made.

Place:

Date:

**Name & Signature of Proprietor/ Managing Partner/
Managing Director/ Authorised Signatory**

Information to be placed before SLSWCA

1.	Name and address of the project	:	
2.	Location of the project		
3.	Name of the proprietor / Managing Partner / Managing Director / Director / authorised person / Representative of the Unit present during valuation with his signature		Name : Signature & Date
4.	Date of receipt of the application by authorised Officer of Health & FW Department		
5.	Type / category of hospital (Grade 1 to 6)		
6.	Financer (Self / OSFC/ Bank)		
7.	Total Cost of project		
8.	Investment in a. Land b. Building c. Equipment and instrument d. Others (Manpower, Operative expenses etc.)		
9.	Cost of 8.b & 8.c for Grant of subsidy		
10.	Amount of subsidy (30% of Sl. 9 <= 10 Crores)		
11.	Additional ceiling, if any		
12.	Amount of subsidy recommended		

Brief note on the project, eligibility, applicability of OHIPP, 2016, Loan accounts, recommendations / suggestions and any other details.

The application submitted by M/s _____ is scrutinized and appraised. The proposal is in compliant with Odisha Health Care Investment Promotion Policy Resolution and other conditions. The Competent Authority may approve the project and allot land to the extent of _____ acres in _____ subject to the terms and conditions.

Designated Officer of Facilitation Cell (IPICOL)

Agreement

This INDENTURE made in 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 hereinafter called the promoter (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

Director Health Services, Govt. 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 policy for provision of land as per IPR rate and grant of capital subsidy under the provisions of Odisha Health Care investment Promotion Policy, 2016 units with a view to provide quality health care services in the identified districts of the State through public /private sector promoters. If the said parties satisfy the terms and conditions laid down under the Policy and its 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 Director Health Services, Govt. of Odisha to act as the Disbursing Agency of the said Investment Subsidy. The promoters will set up health care unit on plot No. at 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 on Capital Investment scheme.
- c) The promoters by their application dated the day of 20 applied to the Government for the grant of (Rupees =-----% Subsidy on Capital Investment amounting to Rs. (Rupees) and whereas :-
- d) Relying on the said application and subsequent representations made by the promoters, the Government have sanctioned _____ % subsidy on Capital Investment of Rs. _____ and the DHS, Odisha has agreed to pay the same on behalf _____ of the _____ Government DHS, Odisha has agreed to pay the same on behalf of the Government to the promoter on their executing the necessary documents as hereinafter appearing and creating the fixed assets to the tune of Rs. _____
- i. Now this INDENTURE witnesses and it is hereby agreed by and between the parties hereto as under :-
 1. In consideration of the Govt. agreeing to give to the promoters under the said policy, in such instalments the Govt. in its sole discretion think fit, an agreement amount of -----and by way of the subsidy on capital investment to the promoter creating the fixed assets of Rs. ___for the purpose of the said unit and the promoter do and each of them do hereby convenient with the Govt. as under.
 2. The DHS, Odisha will be entitled in its sole discretion to make disbursement of the Subsidy on Capital Investment 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 on Capital Investment and of this agreement.
 3. In the event of the SLSWCA ultimately deciding for any reasons whatsoever that the promoters are entitled to a lesser amount of subsidy the excess amount of the Subsidy on Capital Investment shall be repaid by the promoter to the DHS,

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 promoter shall duly observe and perform the covenants and the conditions to be observed and performed by him / them under the said policy.
5. The promoter shall not without prior approval of the SLSWCC change the location of the whole or any part of the project or affect any substantial change in the said project within a period of 5 years from the commercial operation of the unit.
6. The promoter shall promptly furnish all the information asked for to the DHS, Odisha 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 DHS, Odisha.
7. The said sum of Rs. _____ or such part thereof as may have been till then paid by the Government to the promoter shall become forthwith repayable by the promoter to the Government in each and every of the following events namely :-
 - a. If the promoter go out of commercial operation within 5 years from the date of start of operation.
 - b. (i) If the promoter (s) change(s) the location of whole or any part of the project unit 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 operation.
(ii) If any information furnished by the promoter (s) in his / their application for the subsidy or otherwise particularly regarding location, capital investment and operation, 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 promoter or any part of the said unit or a receiver thereof is appointed.
 - d. If the promoter 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 promoter close the said unit 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 operation.
 - f. If the promoter 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 promoter company is presenting to any court or the promoter company passes any resolution for being wound up.
 - h. If the promoter 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. In each one of the aforesaid contingencies the promoter are to repay the whole amount mentioned above with interest thereon @ 12 1/2% 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 promoter 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 promoter as a public demand under the Orissa Public Demand Recovery Act, 1962.
9. The promoter 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 unit and shall render to him

/ them such assistance as may be required for the Govt. and furnish to such person or person as aforesaid all such information relating to the said unit as may be required by such person or persons.

10. The promoter shall observe and perform all instruction and direction that may be issued from time to time by the DHS, Odisha in relation to utilization of the said and shall for 7 years hereinafter to submit sum of Rs.-----the Govt. yearly periodical progress reports on the working of the said unit at the time and the form prescribed by Govt. or the corporation.
11. The promoter shall
 - a) Furnish further information asked for by the Government of Odisha or by the SLSWCC or by the DHS, Odisha from time to time.
 - b)Furnish to the DHS, Odisha 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 DHS, Odisha from time to time
 - c) Furnish true copies of documents is may be required by the Government or the DHS, 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 promoter as well as the Government and / or the DHS, 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
13. The promoter agree that in respect of any matters arising under this agreement the courts at Cuttack along with have exclusive jurisdiction and that the promoter 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 promoter agree to pay to the DHS, Odisha the legal charges and such other costs as the DHS, Odisha may be required to incur in connection with the aforesaid action
15. The promoter 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 hereof 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 promoter 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