

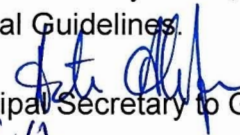
Government of Odisha
Department of Tourism & Culture
(Tourism)

NOTIFICATION


No 6198 / TSM, Bhubaneswar, Dated 16.6 / 2017
T.TSP-II(C)-30/2017

Sub: Operational Guidelines for reimbursement of Stamp Duty under Odisha Tourism Policy, 2016.


Government has notified the Odisha Tourism Policy 2016 vide Tourism Department Resolution No. 11487/ TSM, dtd. 24.11.2016. For reimbursement of Stamp Duty prescribed under Para 8.1.4 of Odisha Tourism Policy 2016, the Government has been pleased to issue the following Operational Guidelines.

Memo No 6199 / TSM, Bhubaneswar, dtd 16.6.17 
Principal Secretary to Govt.


Copy forwarded to the OSD to the Chief Secretary/ PS to DC-cum-ACS/ PS to Principal Secretary, Finance Department/PS to Principal Secretary, Tourism/ PS to Director & Addl. Secretary, Tourism for kind information of Chief Secretary/ DC-cum-ACS/Principal Secretary, Finance/ Principal Secretary, Tourism/ Director & Addl. Secretary, Tourism.

Memo No 6200 / TSM, Bhubaneswar, dtd 16.6.17 
Director & Addl. Secretary to Govt.


Copy forwarded to M.D OTDC/ all Officers/all Tourist Officers/all Sections of Tourism Department for information.

Memo No 6201 / TSM, Bhubaneswar, dtd 16.6.17 
Director & Addl. Secretary to Govt.

Copy forwarded to Chairman/ President, HRAO/ TAAO/ OTOA/ IATO (Odisha Chapter) for information.

Memo No 6202 / TSM, Bhubaneswar, dtd 16.6.17 
Director & Addl. Secretary to Govt.

Copy forwarded to the Computer Cell of Tourism Department for information and necessary action. They are requested to upload the Notification in Tourism Department website for general information.


Director & Addl. Secretary to Govt.

OPERATIONAL GUIDELINES

STAMP DUTY REIMBURSEMENT UNDER TOURISM POLICY 2016

(Pars 8.1.4 of TOURISM POLICY 2016)

1. **Short Title:** - Operational guidelines for Stamp Duty Exemption under provisions of Para- 8.1.4 of Tourism Policy 2016
2. **Extent:** - It shall extend to the whole of the State of Odisha.
3. **Commencement:** - It shall come into force prospectively from the date of issue of operational guideline.
4. **Terms and Expressions:** -Terms and expressions used in this operational guideline, but not specifically defined here, shall have the same meaning as in Tourism Policy 2016.
5. **Policy Provisions:** Para- 8.1.4 of Tourism Policy 2016

All new tourism units shall be eligible to get 100% reimbursement in stamp duty on purchase of land for the project. Such reimbursement shall be made after commercial operation of the project.

6. **Eligibility:** -

- 6.1 All new Tourism Units shall be eligible for availing reimbursement of stamp duty for purchase of land for the tourism project. Existing tourism unit undergoing expansion as defined under clause-6.4 of the tourism policy and existing tourism properties to be developed on PPP mode shall not be eligible for such incentive
- 6.2 The terms "**set up**" mentioned in Clause-6.3 of the Tourism Policy means the date on which the approval of the Bank / Financial Institutions is received by the promoter for the project or the plan of the project is approved by the Local Development Authority. The applicant applying for incentives shall submit either of the two document as a proof of date of set-up.

7. **Time frame for filing application & Procedure :** -

Eligible Tourism unit shall file its claim in the prescribed Application Form complete in all respect, **within one year** from the date of starting commercial operation / **within one year** from the date of notification of this Rules and Operational guidelines, whichever is later. Application received after the due date/ incomplete in any respect shall be liable to be summarily rejected. The tourism units, whose commercial operation has started before the date of notification of the Tourism Policy, 2016 shall not be eligible in getting any subsidy.

8.1 Special Single Window Clearance Committee (SSWCC) – SSWCC shall be the competent authority to sanction subsidy claims of eligible Tourism Units.

8.2 The SSWCC shall go into merits of each case to decide whether the tourism unit qualifies for grant of the subsidy under the frame work of Tourism Policy, 2016 and will determine the quantum of subsidy admissible to the Tourism unit.

8.3 The SSWCC shall discharge all other functions as may be necessary and subservient to the sanction and disbursement of subsidy under this scheme and shall regulate / monitor the implementation of this scheme.

8.4 Meetings of the Committee: The SSWCC may meet monthly or as per requirement.

9. Procedure: -

9.1 Eligible new tourism unit claiming reimbursement of stamp duty shall submit application in the prescribed form appended to this operational guideline at Annexure-'A' along with copies of all relevant documents as mentioned in the Checklist at Annexure-'B' to the designated authority of Department of Tourism.

9.2 The admissibility of the claim due to Stamp Duty on purchase of land shall be scrutinized by Tourism Facilitation Cell and recommend to the SSWCC for approval.

9.3 Sanction of reimbursement of Stamp Duty shall be communicated by Director Tourism, Odisha.

9.4 Reimbursement of stamp duty shall be made by the Director Tourism within **15 days** of sanction **subject to availability of funds under the scheme.**

9.5 The disbursement may be deferred if the unit is found closed and may be effected on resumption of commercial operation

10. Recovery-The amount disbursed towards reimbursement of stamp duty shall be recoverable forth with penal interest as decided by the authority on following events.

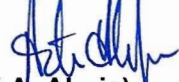
- a) If the information furnished is found to be false/ incorrect / misleading or misrepresented and there has been suppression of facts / materials or disbursed in excess of the amount actually admissible for whatsoever reason.
- b) If the Tourism unit goes out of commercial operation for a period exceeding 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 incentives.

11. Miscellaneous:-

- a) The Director Tourism Odisha or his representative may inspect the industrial unit, if felt necessary.
- b) The Tourism Unit shall furnish its audited financial statements and other periodical statements of each financial year to the Director Tourism Odisha.
- c) The Tourism Unit that had availed stamp duty reimbursement will not be allowed to shift location of the industry without prior approval of Director Tourism Odisha.
- d) **Time limit prescribed in this guidelines are of working days only.**

12. This has been concurred in by Finance Department and communicated vide their UOR No.603/SSM/F dated 01.05.2017.

By Order of Governor



**(A. Ahuja)
Principal Secretary,
Tourism**

APPLICATION FOR REIMBURSEMENT OF STAMP DUTY.

(Para – 8.1.4 of TOURISM POLICY 2016)

Application received incomplete in any respect shall be liable for rejection

(Strike out whichever is not applicable)

From:

M/s. _____

At _____

PO _____

Dist. _____

To

The Director Tourism

Govt. of Odisha.

Sub: Reimbursement of Stamp Duty under the provisions of Tourism Policy 2016.

Sir,

In accordance with the provisions laid down in Tourism Policy 2016, its operational guidelines notified by Department of Tourism, Government of Odisha, the claim for reimbursement of Stamp Duty is submitted with following particulars.

1	Name of the Tourism Unit	:	
2	Address of Registered office	:	
3	Type of organization (Proprietorship / Partnership / Co-operative / Private / Limited / Public Limited)	:	
4	Name of Proprietor/Managing Partner/ Managing Director / Authorized Signatory	:	
5	Sanction Reference of Single Window Clearance Authority	:	
6	Name of the Financial Institution / Banks extended Term loan / Working capital loan (Specify the amount & date of sanction)	:	
7	Type of Activity	:	
8	Date of commencement of commercial operation.	:	Schedule : Actual :
9	Land details : a. Khata No.	:	

	b. Plot No. c. Revenue Village d. Area		
10	Registration detail a. Name & address of the vendor b. Name & address of the purchaser c. Date of sale deed		
11	a. Stamp duty paid b. Registration fee paid		
12	Confirmation of the registering authority on payment of stamp duty		
13	Amount of Claim		
14	Bank Name & Account No.		
15	IFSC Code & MICR Code of Bank		

I, Sri _____ s/o _____ at present _____ (designation) of M/S _____ (name of the tourism unit) 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 Tourism Policy, 2016 and its operational guidelines.

I hereby undertake to repay the stamp duty reimbursed with penal interest as decided by the authority-

- (i) If the information stated above is found to be false/ incorrect / misleading or misrepresented and there has been suppression of facts / materials or if found to have been disbursed in excess of the amount actually admissible for whatsoever reason.
- (ii) If the tourism unit goes out of production 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.

I hereby certify that I / We / the concerned promoter(s) have not defaulted to Banks / Development Financial Institutions / SIDBI / OSFC / IPICOL / Government and Government controlled agencies.

I hereby certify that this tourism unit has not applied / availed stamp duty exemption / reimbursement of stamp duty in any manner under any other scheme of the State Govt. or the Central Govt. or any Financial Institution(s).

I hereby undertake to furnish its audited financial statements and other periodical statements of each financial year to Department of Tourism, Odisha.

Copies of relevant documents in support of information / facts furnished above are self-attested and enclosed herewith.

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

Enclo.-

- 1.
- 2.

Date-

Signature of the Proprietor / Managing Partner/ Managing Director /

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

Place-

Annexure-B**CHECK LIST**

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

1	Entrepreneurs Memorandum- II / IEM / Industrial License.
2	Power of Attorney / Board Resolution / Society Resolution, as applicable, while signing as Partner / Managing Director / Authorized Signatory.
3	Certificate of registration under Indian Partnership Act1932 / Societies Registration Act- 1860 / Certificate of incorporation (Memorandum of association & Article of Association) under Company Act-1956
4	Document in support of date of first investment in fixed capital i.e. land / building / plant & machinery and balancing equipment in respect of Original / Expansion / Modernisation / Diversification
5	Approved DPR / Project Profile / Scheme –as the case may be for Original / E / M / D
6	Certificate of Date of Commercial Operation.
7	Copy of the RoR of the land
8	Copy of the Registered Deed
9	Certification of the Registering Authority confirming payment of Stamp Duty
10	Undertaking – Annexure- B1 (In a separate sheet duly signed by the Proprietor / Managing Partner/ Managing Director / Authorized Signatory)
11	<i>Consent to operate issued by OSPCB except for green category</i>
12	<i>In case of Hotel project star categorization certificate of appropriate authority</i>
13	Details of assistance sanctioned / availed so far with sanction order no & date and other supporting documents from State Govt / Central Govt / Govt. Agencies / Financial Institutions

UNDERTAKING

(Strikeout whichever is not applicable)

- i) I / We shall abide by the terms and conditions prescribed under the provisions of Tourism Policy, 2016 and its operational guidelines.
- ii) I / We shall repay the Stamp Duty reimbursed with penal interest as decided by the authority-
 - (a) If the information stated in the application & supporting documents is found to be false/ incorrect / misleading or mis-represented and there has been suppression of facts / materials or if found to have been disbursed in excess of the amount actually admissible for whatsoever reason.
 - (b) If the tourism unit goes out of production 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 incentives.
- iii) I / we the promoter(s) have not defaulted to Banks / Development Financial Institutions / SIDBI / OSFC / IPICOL / Government and Government controlled agencies.
- iv) This tourism unit has not availed stamp duty exemption / reimbursement of stamp duty in any manner under any other scheme of the State Govt. or the Central Govt. or any Financial Institution(s).

I / we shall furnish its audited financial statements and other periodical statements of each financial year to the Department of Tourism, Odisha during the period of incentives

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

Date.

Annexure –C
(FOR OFFICE USE)

Department of Tourism & Culture (Tourism)
Govt.of Odisha, Bhubaneswar

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

Acknowledgement

(To be issued by authorized officer of Department of Tourism on the day of receipt)

(Strike out whichever is not applicable)

To

Sri _____

M/s. _____

Received the application for reimbursement of stamp duty under Tourism
Policy, 2016 along with documents mentioned
below for the period----- from M/s----- At/PO-----Dist.
_____ on dt. ----- through post / person.

List of

documents 1.

2.

3.

Signature of authorized officer /

Director Tourism, Odisha

with seal & date-----

Annexure –C

(TO BE DISPATCHED TO THE APPLICANT)

Department of Tourism & Culture (Tourism)
Govt. of Odisha, Bhubaneswar

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

Acknowledgement

(To be issued by authorized officer of Department of Tourism on the day of receipt)

(Strike out whichever is not applicable)

To

Sri _____

M/s. _____

Received the application for reimbursement of stamp duty under Tourism
Policy, 2016 along with documents mentioned

below for the period----- from M/s----- At/PO-----

-----Dist. _____ on dt. ----- through post / person.

List of

documents 1.

2.

3.

Signature of authorized officer /

Director Tourism, Odisha

with seal & date-----

Annexure-D

REIMBURSEMENT OF STAMP DUTY UNDER TOURISM POLICY-2016

**CERTIFICATE TO BE FURNISHED BY THE LAND REGISTERING
AUTHORITY.**

(Strike out whichever is not applicable)

Certified that M/s. _____, Proprietor /
Managing Partner / Managing Director / Authorized Signatory Sri
_____ At/PO _____ Dist. _____ (Address of the
Registered office of the unit) has purchased a land, Plot No._____, Khata No._____,
Revenue Village_____, Area ad measuring _____, which has been registered in
the Sub-Registrar Office _____. The registration has been made on
Dt._____ vide Registration Deed No._____, Vendor _____ &
Purchaser _____. An amount of Rs._____ has been paid as stamp
duty and Rs._____ paid as registration charge for the above.

Signature & Seal of Registering Authority

Annexure-E

Department of Tourism & Culture (Tourism)
Govt. of Odisha, Bhubaneswar

(Strike out whichever is not applicable)

SANCTION ORDER

Office order No. _____ dt. _____

Sanction is hereby accorded towards reimbursement of stamp duty on purchase of land in respect of tourism project _____.

for Rs. _____ (Rupees _____) only in favour of M/s.

_____ Proprietor / Managing Partner / Managing Director / Authorized

Signatory Sri _____ At / PO _____ Dist. _____

(Address of the Registered office of the unit) in accordance with the provisions laid down in Tourism Policy 2016 and its operational guidelines.

Director Tourism, Odisha.

Memo No. _____ / Ind., Date. _____

Copy forwarded to M/s. _____ Proprietor / Managing Partner / Managing Director / Authorized Signatory Sri _____

At/PO _____ Dist. _____ for information.

Director Tourism, Odisha.

ANNEXURE-'F'

Department of Tourism & Culture (Tourism)
Govt. of Odisha, Bhubaneswar

No----- Dt.-----

(Strike out whichever is not applicable)

This is to inform that –

The application for reimbursement of stamp duty made by M / S _____
bearing EM- Part-II / IEM / IL / TOURISM POLICY No. _____
dt. _____
under TOURISM POLICY-2016 is rejected due to following reasons.

(Specify the reasons)

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

Director Tourism
with seal & date-----.