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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL

Industry, Commerce & Enterprises Department
4, Abanindra Nath Tagore Sarani, Kolkata 700 016.

NOTIFICATION

No.374-ICE/O/IPI/GEN-MIS/30/2017

Dated, 24th October, 2017.

In exercise of the power conferred by sub-section (1) of section 9 of the West Bengal Single Window System (Management, Control and Miscellaneous Provisions) Act, 2017, the Governor is pleased hereby to make, with immediate effect, the following rules, namely:—

Rules

1. **Short title.**— These rules may be called the West Bengal Single Window System (Management, Control and Miscellaneous Provisions) Rules, 2017.
2. **Definitions.** – (1) In these rules, unless the context otherwise requires,—
 - (a) “Act” means the West Bengal Single Window System (Management, Control and Miscellaneous Provisions) Act, 2017;
 - (b) “agency” means single window agency, namely, *Silpa Sathi* established under the aegis of the West Bengal Industrial Development Corporation Limited which is an incorporated body under the Companies Act, 2013 (No. 18 of 2013), to provide services required for setting up industries and operating business in the State of West Bengal through Single Window System;
 - (c) “business” means an industrial undertaking or an enterprise or any other establishment, by whatever name called, going to be engaged or engaged in the manufacture or production of goods, or engaged in providing or rendering of any service or services;
 - (d) “CAF” means the Common Application Form generated online through the Single Window System under applicable Acts, Rules, Policies, Schemes or Orders notified by the State Government;

- (e) “competent authority” means any department or organization of the State Government including local bodies which are entrusted with the power and responsibilities to grant or issue clearances and/or incentives and to provide services as per applicable Acts, rules, policies and schemes for setting up or commencement of operations of an enterprise in the State of West Bengal;
- (f) “Fee” means the fee prescribed under applicable Acts, Rules, Policies, Schemes or Orders notified by the State Government for submitting applications for permissions, no objection certificates, clearances, allotments, consents, approvals, registrations, incentives, licenses and the like;
- (g) “High Powered Committee” means a High Powered Committee constituted under section 3 to manage and control the Single Window System in the State of West Bengal;
- (h) “investor” means any person who invests capital in any new business or in an existing business for expansion, modernization or diversification;
- (i) “notification” means a notification published in the *Official Gazette*;
- (j) “right to service” means right to obtain service as defined in sub-section (j) of section 2 of the West Bengal Right to Public Services Act, 2013 (West Ben. Act XVII of 2013);
- (k) “section” means a section of the Act;
- (l) “services” means grant or issue of permissions, approvals, certificates, enrolments, registrations, licences, allotments, consents, no objection certificates and incentives, to be granted by any competent authority to set up and operate a business;
- (m) “Single Window System” means a web-portal serving as a gateway for obtaining necessary services under the applicable Acts, rules, policies and schemes made thereunder from a single point in a time-bound manner;
- (n) “Staff” or “Officer” means any employee of the Department or Agency of the State Government, Local Body, Statutory Body, State-owned Corporations or any other Authority or Agency constituted or established under any Notification of the State Government or under administrative control of the State Government;
- (o) “State Government” means Government of West Bengal;
- (p) “stipulated time limit” means maximum time to provide the service as defined in sub-section (m) of section 2 of the West Bengal Right to Public Services Act, 2013.

(2) Words and expressions used and not defined in these rules but defined in the Act, shall have the same meanings as respectively, assigned to them in the Act.

3. **Single Window Agency.**— “*Silpa Sathi*” is the Single Window Agency established under the aegis of the West Bengal Industrial Development Corporation Limited, an incorporated body under the Companies Act, 2013, and the nodal agency of the Department of Industry, Commerce and Enterprises, Government of West Bengal, responsible for catalysing investment promotion and facilitation of Industry in the State of West Bengal. The Single Window Agency will provide services required for setting up industries and operating business in the State of West Bengal through Single Window System.
4. **Common Application Form (CAF) and Single Transaction.**— Every application for seeking permissions, no objection certificates, clearances, allotments, consents, approvals, registrations, incentives, licenses and the like shall be submitted online in Common Application Form (CAF) through the Single Window System. The Common Application Form (CAF) shall be duly filled in online and submitted online along with common required documents and fees merged into a single transaction.
5. **Provisions of Single Window System.**— (1) The Single Window System shall have —
 - (a) the provision of online submission of application through Common Application Form (CAF) generated online;

- (b) the provision of online payment merging all fees, applicable under various Acts, rules, policies and schemes, for which an application is submitted in Common Application Form (CAF), into a single transaction;
 - (c) the provision of online approval, tracking of real time status of application and delivery of services;
 - (d) the provision of sending out alert through short message service (SMS) or e-mail notification to the applicant as and when the application is submitted and/or query is raised and/or application is approved/rejected;
 - (e) the provision of sending automated short message service (SMS) or e-mail notification to the respective Head of competent authority concerned with status information on the applications in which clearances are likely to breach the stipulated time.
- (2) The Single Window System may, for purpose of the effective functioning of the system, include any other provision not mentioned in sub-section (1), subject to approval of the High Powered Committee or the State Government.
- 6. Processing and monitoring of applications at the level of Single Window Agency.**— (1) The Single Window Agency shall facilitate, help and guide the investors to fill up and submit the complete and correct applications online.
- (2) An automated acknowledgement shall be sent to the applicant through email for every application submitted online through the Single Window System and the application shall be auto forwarded to the competent authority concerned.
 - (3) All applications auto forwarded to the competent authority concerned through the Single Window System shall be deemed to have been forwarded by the Single Window Agency.
 - (4) The Single Window Agency shall monitor the disposal of applications within the stipulated time.
 - (5) The Single Window System itself shall formulate a Common Application Form (CAF) online, combining common information and common documents contained in application forms of various permissions, no objection certificates, clearances, allotments, consents, approvals, registrations, incentives, licenses and the like for which an investor will make application through the system.
- 7. Role and functions of Competent Authority.**— (1) The Competent Authority shall consider and dispose of the applications forwarded to it by the Single Window Agency within the stipulated time.
- (2) The Competent Authority shall seek all queries or clarifications related to investor's application once through the Single Window System and within seven days of receiving the application.
 - (3) The Competent Authority shall send its orders sanctioning or rejecting the applications, as the case may be, to the investors through the Single Window System.
- 8. Removal of doubt.**— If any difficulty arises in the application or interpretation of these rules, it shall be decided by the High Powered Committee established under the Act, whose decision thereon shall be final.

By order of the Governor,

S. KISHORE

Principal Secretary to the Government of West Bengal