



# **TS-iPASS RULES, 2015 & OPERATIONAL GUIDELINES**



# THE TELANGANA STATE INDUSTRIAL PROJECT APPROVAL AND SELF CERTIFICATION SYSTEM (TS-iPASS) RULES, 2015 & OPERATIONAL GUIDELINES

The Telangana State Industrial Project Approval and Self Certification System (TS-iPASS) Rules, 2015 & Operational Guidelines

The Telangana State Industrial Project Approval and Self Certification System (TS-iPASS) Rules has been approved by the state cabinet on June 10, 2015 and it shall come into force w.e.f. 12-6-2015

## THE SALIENT FEATURES OF TS-iPASS RULES:

Notifying the constitution of the **District level TS-iPASS committee** with the District Collector as Chairman with the following functions:

1. Organizing Pre-Scrutiny of the applications twice a week.
2. Providing single point TS-iPASS approvals on behalf of relevant departments.
3. Monitoring the TS-iPASS applications at the department level.
4. Examine and forward appropriate cases to the State level committee in case of rejection of clearances by the competent authority.

Notifying the **State level TS-iPASS committee** with the Spl. Chief Secretary / Prl. Secretary / Secretary Industries as Chairman with the following functions:

1. Organizing Pre-Scrutiny of the applications twice a week
2. Issuing final orders on cases referred by District Committees
3. Providing single point Ts-iPASS approvals as per Competent Authority's approval
4. Monitoring the TS-iPASS applications at District, State & Competent Authority level
5. Examine and forward appropriate cases to the government for review of the decision taken by the competent authority with regard to rejection of approval.

Notifying "**The Telangana State Wide Investment Facilitation Board (T-SWIFT)**" at State Level for state of the Telangana, headed by the Chief Secretary with the following functions:

1. Processing the clearance of Mega Projects
2. Issuing of in principle approval to the mega Projects on receipt of Self-Certification
3. Extend provisional approval within 15 days of receipt of self –certification after a preliminary scrutiny.
4. Pursue with departments through Nodal Officer and obtain clearances before the commencement of production.



## NOTIFYING THE NODAL AGENCIES:

- ◆ At District Level the District Industries Centres headed by the GM DIC will be the Nodal Agency
- ◆ At State level the Commissionerate of Industries will be the Nodal Agency and shall be headed by the Commissioner of Industries.
- ◆ For Mega Projects the Industrial Promotion Cell / Chasing Cell in the office of CMO under the overall superintendence of Chief Secretary will be the Nodal Agency.

## NOTIFICATION OF THE INVESTMENT LIMITS FOR TS-iPASS APPROVALS:

Purview of the Committee	Investment limits
District TS-iPASS	<b>Upto Rs. 5.00 Crores</b> in Plant and Machinery and all other such components constituting capital expenditure.
State TS-iPASS	<b>Rs. 5.00 Crores to Rs.200 Crores</b> in Plant and Machinery and all other such components constituting capital expenditure.
T-SWIFT Board	All Mega Projects with Investments in Plant & Machinery Machinery and all other such components constituting capital expenditure above Rs.200 Crores (or with an employment potential of more than 1000)

## COMBINED APPLICATION FORM (CAF):

- ◆ A Combined Application Form (CAF) seeking clearances from various competent authorities is prescribed for the benefit of the applicants.
- ◆ The applicant need to submit the CAF along with self certification in online mode and shall submit the relevant enclosures, fees, attachments etc., either manually or online to the Nodal Agency.
- ◆ User charges as prescribed in the G.O. is to be paid online / through D.D. along with the CAF

## PRE-SCRUTINY OF CAF:

The Nodal agencies will conduct pre-scrutiny meeting by inviting competent authorities or their representatives twice a week preferably Tuesday and Friday for the benefit of the applicant.



- ◆ Accept those applications which are complete in shape and issue acknowledgement.
- ◆ Ask for additional information in case of incomplete applications in accordance with the rules prescribed under this Act.
- ◆ The Nodal Agency will issue an acknowledgment to the applications, which are found to be in complete shape.

## PROCESSING & MONITORING OF APPLICATIONS:

- ◆ All applications which are complete and in compliance with various requirements under the Act will be captured online for tracking.
- ◆ The actionable points will be sent to the concerned HODs online immediately once the application has been accepted online.
- ◆ The District Nodal Agency, State Nodal Agency and T-SWIFT Board will review regularly (at least once a month) on the status of cases.
- ◆ The Competent Authorities will follow the timelines for approval
- ◆ The Col will have an end to end online system in place which will have all features pertaining to capturing of information, tracking, online payment and shall host various reports.

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## TIME LIMITS FOR PROCESSING AND DISPOSAL OF APPLICATIONS BY COMPETENT AUTHORITIES FOR ALL APPROVALS OF THE STATE:

Project with Investment	Time Limits
Investment in Capital Expenditure less than Rs.200 Crores	Maximum 30 days from the date of issue of Acknowledgement.
Investment in Capital Expenditure more than Rs.200 Crores	Provisional approval within 15 days. (which do not require clearances from agencies other the State Government)



## **DEEMED APPROVALS:**

The provisions of deemed approval under Section 13(1) of the Act shall be applicable to all pending approval applications requiring clearances which are not issued within the time limits prescribed, provided these applications were complete in all respects at the time of their acceptance (including online) and there are no further information/query pending and where the delay in granting approval is held up for want of clearances from agencies/departments/institutions other than those of the state government.

The TS-iPASS approval certificate so issued to the units after the prescribed time limits has lapsed is binding on all concerned department.

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## **LAND TO BE VESTED WITH TSIIC FOR THE PURPOSE OF SETTING UP OF AN INDUSTRY/MANUFACTURING UNIT:**

Government land, as notified (in accordance with Sec 1(3) of G.O.Ms.No.67 dated 26/02/2002 along with amendments in G.O.Ms.No.274 dated 12/06/2007) from time to time by the Government, shall vest with TSIIC for the purpose of setting up of industry/manufacturing or any other purpose as considered by TSIIC. Memo no 8218/Assn.1(3)/2015-1; Revenue (Assgn) Dept, dated May 31st, 2015 transferring 1,45,682.99 acres of government land to TSIIC also is covered under this clause.

TSIIC will be the designated notified authority for all such land and shall take all necessary actions including setting up of IALAs for management of such lands appropriately. Since the said land is meant for setting up industry /other such specified purpose, no conversion of land would be needed for such land and thus no conversion charges need to be collected for such lands, unless otherwise stated by the government for the extent falling under HMDA and for the time period as stated. Further, the layout approvals and building plans for proposals pertaining to these lands shall be accorded by TSIIC duly collecting required fees/charges and apportioning it with the respective local bodies as per the existing rules.

## **CLEARANCES PERTAINING TO GRAM-PANCHAYATS (GP):**

For the Government lands handed over to the TSIIC, all required approvals including layout and building approvals, will be issued by TSIIC (in accordance with Sec 1(3) of G.O.Ms.No.67 dated 26/02/2002 along with amendments in G.O.Ms.No.274 dated 12/06/2007). However, the revenue will be shared with the Grampanchayats, as per rules. Concerned Departments will issue necessary orders.

For other category of lands where an application has been for setting up of an industry, the respective application will be examined and processed in accordance with the relevant local body rules & regulations. The PR&RD department shall work out fixed rate per acre as



conversion charges for such lands, duly specifying conditions. Further the layout and building approvals for all such proposals shall be cleared within a fortnight in accordance.

HMDA shall accord layout and building approval of the industrial/manufacturing units within two weeks in all such cases, which are confirming to the zoning plan or are not objectionable.

## **CLEARANCES FROM HMDA:**

HMDA shall accord layout and building approval of the industrial/manufacturing units within two weeks in all such cases, which are confirming to the zoning plan or are not objectionable. Similarly, the process for conversion of land usage shall be simplified by HMDA for lands (which are not objectionable) to see that conversion is granted within two weeks in such cases. HMDA shall develop online processing of such cases at the earliest, if not in place, and also provide a link to its online facility with TS-iPASS site so that such applications are transferred and processed online automatically.

MA&UD Department shall issue necessary orders amending existing procedure for change of land use pattern within UDA limits/ T&CP limits for issuing the permission for change of land use within two weeks.

## **WATER REQUIREMENT:**

Ten percent (10%) of water from all irrigation projects has been earmarked for industrial use and bulk charges will be paid by TSIC to the concerned authorities which will then apportion the same on respective industries.

## **REVIEW AND REVISION OF DECISIONS OF COMPETENT AUTHORITIES:**

- A. Under the provisions of Section 15(a), in case of rejections of applications seeking clearances or approvals with modification under the state laws by the competent authority, the District TS-iPASS committee may either *suo-motu* or based on an application from the industry, shall examine such cases and will forward appropriate cases in the form of reference to the State TS-iPASS Committee (Annexure-IX) and the State TS-iPASS committee will process such cases as per Section 15(b) of the Act.
- B. Under the provisions of Section 16, in case of rejections of applications seeking clearances or approvals with modification under the state laws by the competent authority, the State Nodal Agency shall examine the issues involved and forward appropriate cases in the form of reference (Annexure-IX), to the Government. The decision of T-SWIFT will be final.



## **RIGHT TO CLEARANCES & GRIEVANCE REDRESSAL UNDER TS-iPASS:**

The applicant has the right to ask for approval or seek explanation for the delay in approvals, if they are not issued within time limit as prescribed in the Act and where clearances are not pending with agencies other than state government. It will be incumbent upon the concerned department /officer concerned to answer for such delays and HoD of the concerned Department shall be accountable for timely processing.

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### **Implementation:**

- a. The unit holder seeking information on the reasons for delay in approvals shall make a request in writing/online to the nodal agency;
- b. The nodal agency shall seek a report (including online) from the concerned department within 2 working days. The concerned department shall either process immediately or furnish proper reason for delay within the next 5 working days (including online) from the date of receipt of the notice.
- c. If the concerned department fails to give a decision on the request for information within 5 days from the date of receipt of application, the concerned officer in the department shall be levied a penalty.
- d. In all such cases, a penalty of Rs.1000/- (Rupees one thousand only) for each day till approval is accorded or reason for rejection/delay in approval is furnished. However, once the total amount of such penalty exceeds Rs.25,000/- (Rupees Twenty Five Thousand only), such cases shall be reported to T-SWIFT.

The penalty is subject to revision by government from time to time.

### **PENALTY:**

As per the provisions of the Section (19) of the Act 3 of 2014 the applicant shall be penalized with fine as prescribed by the government from time to time as well as rectification of the defect if he / she or the organization as the case may be fails to comply with the conditions or undertaking in self- certification given to the Nodal Agency.

### **TIMELINES FOR SETTING UP OF THE INDUSTRY:**

In case the land is allotted by the Government or TSIC or any other Government agency either on market value or otherwise, the Company or allottee has to complete the financial closure within 1 (one) year and start the operations within 2 (two) years from the date of permission, failing which the land will be resumed back.

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