

**Government of Bihar
Department of Industries**

Resolution

Subject – Amendment in Bihar Industrial Investment Promotion Policy, 2016

In the background of commitment to holistic and inclusive development of Bihar, State Government has implemented Bihar Industrial Investment Promotion Policy, 2016 with effect from 01.09.2016. Prior to this, Industrial Incentive Policy, 2011 was in place from 01.07.2011 till 30.06.2016. In light of Clause 10.2.2 of Bihar Industrial Investment Promotion Policy, 2016 which refers to periodic review and mid-course correction of the policy, and suggestions received from Industry and Commerce Associations, following amendments are made in the Bihar Industrial Investment Promotion Policy, 2016 ("policy"):-

1. Amedment to "Clause 2.4.: Scope of Policy"

Following sub-clause (g) is added in **Clause 2.4.: Scope of Policy** in the policy:-

"(g) Any unit making an investment of INR 25 Lakhs or more OR providing employment to 25 workers/persons will be eligible to apply under this policy. These conditions shall not be applicable for units sponsored under State Government schemes. Proposals which were already approved by SIPB prior to the date of this notification shall not be affected by these conditions."

2. Amendment to "Clause 3.1.: Food Processing Sector"

Following additional **Sectors and Investment Opportunities** are added in **Priority sectors in the food processing sector** under **Clause 3.1.: Food Processing Sector** in the policy:-

Sectors	Investment Opportunities
Warehousing	(e) Dry warehouse with cleaning and drying facilities
Cold Chain	Integrated farm level processing, transportation, distribution of vegetables and horticulture produces. (Only fixed processing facilities at farm gate shall be entitled to such facilities)
Bottling unit	Juices, Ketchup and Squash based bottling units

3. Amendment to "Clause 3.3.: Small Machine Manufacturing Sector"

Following additional **Sectors and Investment Opportunities** are added in **Priority sectors in the small machine manufacturing sector** under **Clause 3.3.: Small Machine Manufacturing Sector** in the policy:-

Sectors	Investment Opportunities
Agri-input Manufacturing units	Tissue culture labs and crop care chemical units
Non-Agricultural Machinery	Manufacture of machinery and equipment n.e.c.

4. Amendment to "Clause 3.4.: IT, ITeS, Electrical and Electronic Hardware Manufacturing Sector"

Following additional Sector and Investment Opportunity is added in "Electrical Goods" in Priority sectors in the IT, ITeS, Electrical and Electronic Hardware Manufacturing Sector under Clause 3.4.: IT, ITeS, Electrical and Electronic Hardware Manufacturing Sector in the policy:-

Sectors	Investment Opportunities
Electrical Goods	<ul style="list-style-type: none"> • Manufacture of electric generators, transformers and electricity distribution and control apparatus • Manufacture of electric lighting equipment • Manufacture of electrical equipment • Manufacture of wiring and wiring devices

5. Following Clause 3.11. is added under Chapter 3.: Our Priority Sectors in the policy:

"3.11. Wood based Industries Sector

Agro-based industries are an important driver of economic growth in Bihar. Cultivation of fibre, oilseeds, fruits and vegetables, sugarcane along with food grains give Bihar enormous opportunity to establish paper and pulp industries out of waste produced from agri based industries across the state. Additionally, the State's estimated tree cover is about 6,453 hectares which is about 6.85% of the total geographical area of the state outside the forest. Since 2012-13, the State has planted 882 lacs of trees under agro forestry on the lands of farmers besides a total plantation of about 13 crores outside the forest area during the period 2012-13 to 2018-19. In this context, there is a significant potential for wood based industries. The wood based industries are poised to grow rapidly with the increasing demand for furniture, housing construction material, packaging, agriculture good, sports goods, plywood, veneer, matches, etc. Accordingly, the State Government has considered it as one of the thrust areas and has decided to facilitate and incentivize private investment in the sector.

Priority sectors in the wood based Industries sector

The wood based industries listed below shall be considered under the priority sectors for the purpose of availing incentives under this policy.

#	Sectors	Investment Opportunities
1	Pulp and Paper Industries	Establishment of Paper Mills for the production of Paper out of agro forestry and agro based produce
2	Matchwood Industries	Production of Matchsticks and Match Boxes
3	Timber and Sawn Wood Industries	Furniture, housing and construction material made of Timber and Sawn wood
4	Plywood, Plyboard, Laminate and Veneer Manufacturing	(a) For Furniture and Interior Decorations of offices and homes (b) To be used in Floors, walls and roofs in transport vehicles For Floors subjected to heavy wear in various buildings and factories
5	Bamboo based	Production of Bamboo based items

	industries	
6	Particle Board Manufacturing	(a) To be used as a substitute for natural constructional wood To be used for Wood flooring/ Interior decoration/ Furniture
7	Fibre Board Manufacturing	(a) To be used as a roofing material for a low-slope roof. (b) To be used as wall slab, door board, floor, furniture and other decorations instead of wood To be used as heatproof or acoustical materials
8	Value Addition Industries	(a) Wood/ Bamboo seasoning and Preservation industries (b) Briquettes made of Plantation and industrial wood residues (c) Value added briquettes as feed stock for biomass power generation industry, boiler industries and other Industries requiring biomass for meeting the energy demands.

Note:

- (i) For according the status of Priority Sector to Units under Wood Based industries, prior approval of Department of Environment, Forest & Climate Change, Government of Bihar will be required in the cases where they are regulated as per any Act/ Rules.
- (ii) The above list of units/enterprises is only indicative and the State Government may suitably revise the list under the priority sector from time to time."

6. Following **Clause 3.12.** is added under **Chapter 3.: Our Priority Sectors** in the policy:

"3.12. General Manufacturing Industries

Under the General Manufacturing Industries, following facilities/units would be considered as priority sectors:

#	Sectors	Investment Opportunities
1	Fly Ash Bricks Manufacturing	(a) Units manufacturing Fly Ash Bricks (b) Units manufacturing Autoclaved Aerated Concrete (AAC) blocks
2	Rice Straw Based Products	Disposable plates and containers made of rice straw
3	Agri residue including hay-Stack based products.	Agri residue including hay-Stack based units for Ethanol & Bio-fuel including Bio-Gas manufacturing.
4	Automobiles	(a) Manufacture of motor vehicles, trailers and semi-trailers, manufacture of bodies (coachwork) for motor vehicles; manufacture of powered two & three wheelers (b) Manufacture of Electric vehicles and EVSE (c) Manufacture of batteries and accumulators
5	Defence Ancillaries	Manufacture of weapons, ammunition and allied items
6	Jewellery	Manufacture of jewellery, precious and semi precious stone works

#	Sectors	Investment Opportunities
7	Metals & Fabrication	(a) Manufacture of basic iron and steel, basic metals, non ferrous metals, casting of metals (b) Manufacture of fabricated metal products, except machinery and equipment
8	Sports Goods	Manufacture of sports goods from items other than plastic & rubber
9	Telecommunication	Manufacture of telecommunication equipments

Note:

- (i) The above list of units/ enterprises under "Defence Ancillaries" sector will be governed by the over-arching framework of "Make in India" programme.
- (ii) The above list of units/enterprises is only indicative and the State Government may suitably revise the list under the priority sector from time to time."

7. Following Sub-clause (xxi) and (xxii) are added after Sub-clause xx of Clause 6.1.: Guiding Principles/ General Provisions in the policy:-

"(xxi) All licences/clearances required in setting up of industrial units in Bihar shall be provided "deemed clearance" as per Section 6(4) of Bihar Industrial Investment Promotion Act, 2016 and Rule 9 of Bihar Industrial Investment Promotion Rules, 2016.

(xxii) –Effluent treatment plant (ETP) or Air treatment plant (ATP) set up in any existing unit will be considered as new project under the Bihar Industrial Investment Promotion Policy, 2016 and all incentives/ facilities will be provided to them accordingly. For new units, cost of any such Effluent treatment plant (ETP) or Air treatment plant (ATP) shall be included in approved project cost."

8. Clause 6.3. "Dovetailing with Central Government Policies and Schemes" in the Policy is substituted as below:

"6.3. Dovetailing with Central Government Policies and Schemes

Dovetailing of incentives with the central Government schemes would be allowed under this policy. In case of grant availed/ to be availed by the promoter under any scheme of the Government of India which has a State share or is further linked to the State Government schemes, the approved project cost for the purpose of calculation of incentive for this state policy will be arrived at by deducting the project cost corresponding to incentives availed from the State Government."

9. Clause 6.6. "Dovetailing with State Government Schemes for MSME Cluster Development" in the Policy is substituted as below:

"6.6. Dovetailing with State Government Schemes for MSME Cluster Development

Dovetailing of incentives under various State's cluster development scheme would be allowed under this policy. Details of the incentive are as follows:

- (a) **Dovetailing of incentives under the Chief Minister Cluster Development Scheme for the establishment of the CFCs** would be allowed under this policy. It would however be subjected to the condition that the same asset should not be covered under both the

industrial incentive policy and the said scheme. Thus, in case of incentives availed/ to be availed by the promoter on a particular asset of the CFC under the said scheme, the approved project cost for the purpose of calculation of incentive under industrial incentive policy will be arrived at by deducting the value of that asset.

- (b) **District Industrial Innovation Scheme:** In every District, an Innovation Fund shall be made available to all District Magistrates for innovation in setting up of micro (tiny) production units. The fund shall be used towards carrying out small interventions like setting up of Garments manufacturing, Paver Block equipment, Handloom Weaving Centre, Carpentry Centre etc. While setting up such micro (tiny) units, the backward and forward linkage will also be ensured on long-term basis so that these units survive in the long run.
- (c) **Development of Industrial Cluster by State's Public Sector Undertakings (PSUs):** All selected State's Public Sector Undertakings (PSUs) in Bihar shall adopt districts and take up cluster based manufacturing activities in these districts. A committee headed by the Development Commissioner shall allot districts to the PSUs. Care shall be taken while allotting clusters to these PSUs so that they are sectorally aligned to the overall operations of these PSUs. For example – Handicraft related cluster shall be with Upendra Maharathi Shilp Anushandhan Sansthan as they are sectorally aligned to the operation of the PSU. Some of the areas in which these clusters are proposed are as follows: (i) Food Processing, (ii) Garment Manufacturing, (iii) Farm Machinery, (iv) Paver Blocks/ Cement Poles (Electrical), (v) Furniture Manufacturing, (vi) Handlooms, (vii) Handicrafts, and (viii) Leather Products. These PSUs shall use their own resources (Reserves and Surplus) to fund the infrastructure for these clusters. The PSUs shall identify the Artisans/ Skilled Manpower from the database of workers and create a cluster. The backward and forward linkages shall be facilitated and managerial support to these clusters at-least for three years shall be provided by these PSUs."

10. Following **Clause 6.8: Customized Incentive Package for Strategic Investment Projects** is added after **Clause 6.7: Incentive for Private Industrial Park** in the policy:

"Clause 6.8: Customized Incentive Package for Strategic Investment Projects

Any strategic Investment project coming to Bihar shall be entitled to a Customised Package of Incentives, itemised details of which shall be recommended by the State Investment Promotion Board constituted under Section 4 of the Bihar Industrial Investment Promotion Act, 2016. The proposed list of incentives recommended by SIPB shall be approved by the Government before benefits are provided to these units. For this purpose, 'Strategic Investment Project' shall be defined as a new project having investment of above Rs. 500 crores in Plant and Machinery or providing employment to more than 500 persons which shall bring long term direct and indirect benefits to investment climate and employment generation in the state."

11. Following **Clause 6.9: Joint Venture of State PSUs with reputed Private Companies** is added after **Clause 6.8: Customized Incentive Package for Strategic Investment Projects** in the policy:

"Clause 6.9: Joint Venture of State PSUs with reputed Private Companies

The State PSUs shall be encouraged to form Joint Ventures with some of the leading private companies in labour intensive manufacturing sector who are willing to invest in the State. Some of the sectors to be considered under this clause are Food Processing, Medical Equipment, Automobiles, Garments, Farm Machinery, etc. The leaders in manufacturing shall be identified

following a transparent process for forming the Joint Venture. The State PSUs shall jointly invest in equity of these JVs. This will provide a comfort to large multinational/national organisations to set up their manufacturing units in the State.”

12. Following Chapter 6A. Special Incentive Package for attracting Investments and retaining workers returning to Bihar on account of Covid-19 scenario is added after “Chapter 6: General Package of Incentives” in the policy

“6A. Special Incentive Package for attracting Investments and retaining workers returning to Bihar on account of Covid-19 scenario

The current public health crisis (i.e. COVID-19) is causing an unprecedented impact on the overall economy of the State including workers. It is estimated that approx. 25 Lakhs workers working in other States have returned to the State. Therefore, it is important that necessary measures are put in place by the government which can restart various sectors of the economy resulting in employment opportunities for the workforce based on their skill profiles and diversity.

In the given context, there is an urgent need for the State Government to develop a customised incentive package which can revive and revitalise the economy while leveraging upon the strengths of the State i.e. abundant skilled and unskilled workforce returning to Bihar. Thus, the State Government has decided to come out with the customized incentive package which will help in achieving the abovementioned objective. The objective of this incentive package is to generate employment creating new means of livelihood and increasing industrial activities in the State.

A. General

- (a) “Special incentive package for attracting Investments and retaining workers returning to Bihar on account of Covid-19 scenario” shall remain valid for a period of 12 months from the date of notification of this amendment.
- (b) Any unit applying within this period will be eligible for availing the benefit under this special Incentive package for a period of 12 months from the date of SIPB’s approval subject to meeting the above conditions.
- (c) Any unit willing to avail benefits under this special package will have to mandatorily employ at least 20% of the total workers from the pool of workers returning to Bihar. The units should obtain the list of such workers from District Counselling Centres and include such list in their proposal after obtaining necessary confirmation from the respective workers.
- (d) The units shall commence full scale commercial production in 3 years from from the date of obtaining SIPB approval. The units shall attempt to initiate trial production at reduced capacity (say 25% of the overall capacity) by the end of 1st year to enable State retaining the workers returning to Bihar.
- (e) A Committee of Secretaries (CoS) under the chairmanship of Development Commissioner shall be formed for review and inclusion of any additional incentives under this Special Incentive Package for attracting Investments and retaining workers returning to Bihar on account of Covid-19 scenario. The CoS shall have representatives from all key departments in the state:
 - i. Development Commissioner - Chairman
 - ii. Principal Secretary/Secretary, Department of Industries - Member Secretary
 - iii. Principal Secretary/Secretary, Finance Department – Member

- iv. Principal Secretary/Secretary, Labour Resources Department - Member
- v. Principal Secretary/Secretary, Agriculture Department – Member
- vi. Principal Secretary/Secretary, Road Construction Department – Member
- vii. Principal Secretary/Secretary, Department of Environment, Forest & Climate Change – Member
- viii. Principal Secretary/Secretary, Rural Development Department – Member
- ix. Principal Secretary/Secretary, Commercial Taxes Department – Member
- x. Principal Secretary/Secretary, Transport Department – Member
- xi. Principal Secretary/ Secretary, Department of Science and Technology – Member

B. Skill mapping by District Counselling Centre

For effective implementation of this package, it is important that the list of workers returning to Bihar (along with their skill profiles) is maintained at the District level. District Counselling Centre shall examine the skill level of the workers (Skill Profiling) and suggest the options of employment available in the state. The Centre shall work under the supervision of the District Magistrate who shall monitor the progress of the Centre regularly. SIPB and any other committees (as appropriate) shall review the progress of the District Counselling Centers and ensure that a large number of workers are able to find work in the State.

C. District Industrial Innovation Scheme

In every District, an Innovation Fund shall be made available to all District Magistrates for innovation in setting up of micro (tiny) production units. The fund shall be used towards carrying out small interventions like setting up of Garments manufacturing, Paver Block equipment, Handloom Weaving Centre, Carpentry Centre etc. While setting up such micro (tiny) units, the backward and forward linkage will also be ensured on long-term basis so that these units survive in the long run.

D. Development of Industrial Cluster by State's Public Sector Undertakings (PSUs)

All the profit making State's Public Sector Undertakings (PSUs) in Bihar shall adopt districts and take up cluster based manufacturing activities in these districts. A committee headed by the Development Commissioner shall allot districts to the PSUs. Care shall be taken while allotting clusters to these PSUs so that they are sectorally aligned to the overall operations of these PSUs. For example – Handicraft related cluster shall be with Upendra Maharathi Shilp Anushandhan Sansthan as they are sectorally aligned to the operation of the PSU. Some of the areas in which these clusters are proposed are as follows: (i) Food Processing, (ii) Garment Manufacturing, (iii) Farm Machinery, (iv) Paver Blocks/ Cement Poles (Electrical), (v) Furniture Manufacturing, (vi) Handlooms, (vii) Handicrafts, and (viii) Leather Products. These PSUs shall use their own resources (Reserves and Surplus) to fund the infrastructure for these clusters. The PSUs shall identify the Artisans/ Skilled Manpower from the database of workers and create a cluster. The backward and forward linkages shall be identified and managerial support to these clusters at-least for three years shall be provided by these PSUs."

E. Incentive Package for Units relocating from other States to Bihar

In order to promote relocation of existing operational Units from other States to Bihar, following incentives shall be made available to such units in addition to incentives as per Clause 6.2. Package of Incentives as may be applicable to them:

- (a) Eighty percent (80%) of cost of transportation and other costs involved in relocation of Plant and Machinery from other States to Bihar, and costs for their erection and commissioning shall be reimbursed to the Unit after they commence commercial production.
- (b) Eighty percent (80%) of cost of transportation of raw materials for starting the commercial operation will be reimbursed to the units. This can also include costs associated with transportation of finished goods in case it is traded outside the State. The upper limit of this incentive shall be INR 10 Lakhs only.
- (c) All licences/clearances required in setting up of industrial units in Bihar shall be provided "deemed clearance" as per Section 6(4) of the Bihar Industrial Investment Promotion Act, 2016 and Rule 9 of Bihar Industrial Investment Promotion Rules, 2016.
- (d) For a period of one year, such Unit shall be exempted from the requirement of inspection by various agencies (except Bihar State Pollution Control Board and Fire Directorate) unless specifically prescribed and approved by the SIPB.
- (e) Such units will not be required to avail fresh Employee State Insurance (ESI) registration in Bihar. Their ESI registration in previous State shall be valid for Bihar State also.
- (f) For a period of one year, employee contribution up to 12% of salaries, and corresponding employer contribution up to 12% to the employees' provident fund shall be reimbursed to the Unit.
- (g) In order to avail incentives as per (a) to (f) above, such Units shall apply on the SWC portal (www.swc.bihar.gov.in) of the Department of Industries, and their details along with applicable Package of Incentives shall be placed before State Investment Promotion Board for one-time approval."

13. Following Clause (g) – (i) is added after Clause (f) under Chapter 7: Preferential Purchase Policy in the Policy:

- (g) **Promotion of State Based Units:** All the Departments of the state government shall identify within 30 days of this notification all such products which shall be manufactured and procured from the State-based units. The products listed shall be reserved for procurement from State-based Units only directly or indirectly by the State Government agencies. Any contractor engaged by the State Government Agencies for execution of any contracts which involves procurement of these products, need to ensure that these products are procured from the State-based units only. State Government Agencies in all bids shall clearly indicate items that shall be procured from State-based units in the bid documents. The provisions of the Public Procurement Policy for Micro and Small Enterprises, notified under section 11 of MSMED Act, 2006, as amended from time to time, shall be adopted to promote micro and small enterprises.
- (h) **Provision of Prior Experience for Bihar based units:** The prior experience and existence related clause should not be used to disqualify State-based MSME units in favour of units from other States. Any Bihar based MSME unit with a capacity to implement the government order shall be allowed to bid irrespective of the number of years of its existence in the State. It will be the sole responsibility of the State Government agencies in assessing and establishing that the capacity related requirement is met. State Government Agencies will be solely responsible for any dispute/audit observation arising out of this.
- (i) **Review of DBT and Subsidy Schemes:** All DBT and subsidy schemes of the various departments shall be reviewed to ensure that the products are procured only from State

based units. This will ensure that the companies setting up their manufacturing units have a readymade market in Bihar.

14. Second sentence of Clause 6.1.(ii) and Sub-clause (16) of **A. General Definitions of Annexure I - Definitions** are deleted, and Clause 13 in the policy is substituted as below to increase the operational period of the policy,:

"The policy will remain in operation till 31st March, 2025. The amendments to the policy will come into effect from the issuance of the respective notification and will remain effective during the entire period of operation of the policy."

15. In the Notification No. 1937/Patna, dated 27.12.17, titled, "Bihar Industrial Investment Promotion Policy, 2016 for High Priority Sectors", following amendments are made:

15.1. "E-vehicle Manufacturing Sector" shall be added in the Category of High Priority under Clause 2.1.: **Definition of Industrial Unit under High Priority Sectors, Priority Sectors and Non-priority Sectors** as below:-

"For E-vehicle Manufacturing Sector

A unit in which (i) Investment in Fixed Asset and Plant and Machinery (excluding Land) is more than Rs. 5 Crore, and (ii) creating direct employment of at least 50 core workers (excluding support staff such as Drivers, Guards, etc.).

15.2. Following Sub-clause 2.5. is added after Sub-clause 2.4. under Clause 2.: **High Priority Sectors**

"2.5. High Priority Sectors in the E-vehicle Manufacturing Sector:

The High Priority Sectors for investment identified by the State Government in E-vehicle manufacturing sector are listed below:

Sectors	Investment Opportunities
E-Rickshaw	Manufacturing of Two-wheeler & Three-wheeler E-Rickshaw

Note:

(1) Units engaged in mere assembly of e-rickshaw components or those which do no generate substantial value addition shall not be considered under the high priority sector.

(2) The above list of units/enterprises is only indicative and the State Government may suitably revise the list under the high priority sector from time to time."

15.3. Following sectors and corresponding investment opportunities are added under Clause 2.3.: **High Priority Sectors in the Food Processing Sector:**

Sectors	Investment Opportunities
Ethanol Manufacturing	Ethanol manufactured from sugarcane, maize, rice, etc.
Pulses Based	(a) Dal processing units (b) Snacks & Namkeen manufacturing units
Wheat Based	(a) Pasta & Noodles manufacturing units

	(b) 2D & 3D fryums making units (c) Biscuits, Cakes and Bakery products (d) Snacks & Namkeen manufacturing units
Spices and Herb processing	All branded agri based product processing units

15.4. Following sectors and corresponding investment opportunities are added under Clause 2.4.: High Priority Sectors in the Textile, Apparel and Leather Sector:

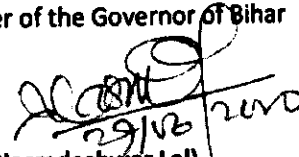
Sectors	Investment Opportunities
Textile based	(a) Yarn manufacturing (b) Dying and Printing

16. The Department of Industries would issue a framework containing detailed guidelines for the implementation of this amendment to the policy and disposal of claims for incentives.

17. If any false declaration is given for the purpose of availing incentives or if incentives are availed for a unit that was not eligible or any violation of condition of this policy, the amount of incentives will be liable to be recovered in accordance with Clause 10.3. of the policy.

18. All the above amendments in the Bihar Industrial Investment Promotion Policy, 2016 will be applicable from the date of issue of the resolution and will remain effective till the Bihar Industrial Investment Promotion Policy, 2016 remains in effect. The above amendments will not be applicable for investment proposals already approved by SIPB.

By the order of the Governor of Bihar

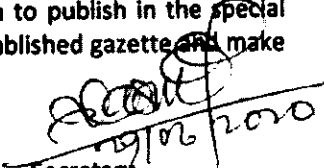

29/06/2020
(Narmadeshwar Lal)
Secretary,

Department of Industries, Bihar, Patna.

Memo No- 883 /Patna, Dated- 29.06.2020

File No- 4/Tech./Policy Amendment/07 / 2020

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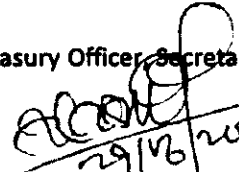

29/06/2020
Secretary,

Department of Industries, Bihar, Patna.

Memo No- 883 /Patna, Dated- 29.06.2020

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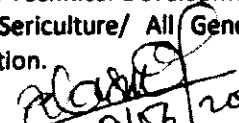

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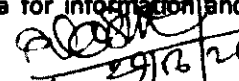

29/06/2020
Secretary,

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Memo No- 883 /Patna, Dated- 29.06.2020

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Copy to: All Divisional Commissioners/ All District officers/All Deputy Development Commissioners/ Resident Commissioner, Bihar Bhawan, New Delhi/ Director, M.S.M.E.D., Patliputra, Patna/Muzaffarpur / Secretary to the Chief Minister, Bihar/ Chairman-Gum-Managing Director, Bihar State Power Holding Company Limited, Patna for information and necessary action.

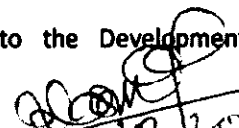

29/06/2020
Secretary,

Department of Industries, Bihar, Patna.

Memo No- 883 /Patna, Dated- 29.06.2020

File No- 4/Tech./Policy Amendment/07 / 2020

Copy to: O.S.D to Chief Secretary, Bihar, Patna/ Principal P.S. to the Development Commissioner, Bihar, Patna for information.

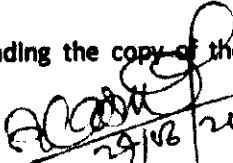

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29/06/2020
Secretary,

Department of Industries, Bihar, Patna