

20.09.2022
sayandeep
Sl. No. 22
Ct. No. 05

WPA 15795 of 2022

SRMB Srijan Private Limited (Formerly known as
SRMB Srijan Limited) & Anr.

-Versus-

The State of West Bengal & Ors.

Mr. Soumya Majumder
Mr. Amritam Mandal
Mr. Sushant Biswakarma

.....for the petitioners

Mr. Nilotpall Chatterjee
Mr. Amrita Lal Chatterjee

..... for the State

Mr. T.M. Siddiqui

.....for the WBIDC

The Report filed by the Additional Secretary,
Department of Commerce, Industries and Enterprises,
Government of West Bengal, states in paragraph 4 that
the respondent No. 2 being the Director of Industries
shall conduct a joint inspection of the petitioner's
factory along with WBIDC. The Report also states that
the inspection shall be as per Clause 5.3 of the 2013
Scheme.

The West Bengal State Support for Industries
Scheme, 2013 indicates in Clause 5.2 that upon
submission of an application in Form 1 to the D.I. for
registration of the unit for being qualified for the
incentives under the Scheme and upon being satisfied
with the information furnished by the unit, the D.I.
shall issue the preliminary Registration Certificate-RC-
I to the unit. Clause 5.3 is at a stage subsequent to
RC-I where upon successful submission of the
application, the D.I. shall conduct a joint inspection of

the factory with WBIDC and upon obtaining the views of WBIDC and being satisfied with the information furnished by the unit the D.I. shall issue a final Registration Certificate-RC-II. RC-II is primarily for certifying the first date of commencement of commercial production with certain other particulars as stated in the Clause 5.3 of the Scheme. The time frame contemplated under 5.3 for submission of application for RC-II is one week of commencement of commercial production.

Since the Report suggests that the respondents are due to conduct inspection of the petitioners' factory, it can be presumed that the petitioner has already crossed the hurdle of RC-I. Hence, the respondents are directed to issue RC-I to the petitioners within a period of four weeks from today. The respondents are also directed to conduct the inspection of the petitioners' factory along with WBIDC as per Clause 5.3 of the Scheme and issue RC-II upon being satisfied of the fulfillment of the conditions thereunder within a period of six weeks from today.

WPA 15795 of 2022 is disposed of in terms of the above.

(Moushumi Bhattacharya, J.)