

PRACTICAL INSIGHTS TO PROCURING INDUSTRIAL PERMISSION DURING LOCKDOWN IN GBN

In wake of the unprecedented situation created by Covid-19 pandemic, the Ministry of Home Affairs (**MHA**) by virtue of its Order dated May 01, 2020 (**MHA Order**) further extended the lockdown period till May 17, 2020, however, with certain relaxations. The MHA Order, inter-alia, permitted Special Economic Zone (**SEZ**) with access control/Export Oriented Unit (**EOU**) with access control/Industrial Estate and Industrial Townships with access control/Essential Goods Industries/Medicines & Medical Equipment Industries/Continuous Process Industries/IT Hardware Industries/Jute Industries/Packaging Industries (**Permitted Industries**) to resume operations during the lockdown period, subject to the adherence of the national directives attached to the MHA Order and guidelines issued by the respective State Governments, from time to time.

In light of the MHA Order, the Uttar Pradesh Government (**U.P Government**) on May 03, 2020 issued the guidelines (**Guidelines**) detailing the standard operating protocols to be followed by the Permitted Industries desirous of starting their operations during the lockdown period. Pursuant to the MHA Order and the Guidelines, the U.P Government further vide letter bearing reference no. 1003/77-6-20-L.C.08/2019T.C. dated May 05, 2020 directed the Permitted Industries desirous of starting their operations during the lockdown period, in the red zone (non-containment area), to file an application with the Department of Infrastructure & Industrial Development or the Department of Micro Small & Medium Enterprises (as the case may be). It is further clarified that the concerned Department (as mentioned above) after reviewing the application would recommend the same to the concerned District officer, who would grant the necessary permission, without delay, within 3 working days from the date of submission of the application.



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To facilitate the filing of the application, seeking industrial permission in Gautam Buddha Nagar (**GBN**) during the lockdown period, the U.P Government has introduced a dedicated web portal (**Portal**) with the link (**ipassgbn.azurewebsites.net/auth/login**). The Permitted Industries are required to create an account on the Portal and submit the online application along with the requisite documents prescribed therein. The online application once filed gets automatically marked to the concerned Department, who further recommends it to the concerned District officer for necessary action.

The information required at the time of filing of the online application includes name and address of the company/unit; description of the product/service; name and contact details of the head of the company/unit; details of the tehsil, industrial area, unit type; total number of employees in the company/unit and the total number of the employees who are required to work during the lockdown period.

The documentation required for seeking the online permission on the Portal are detailed below:

- (a) **Photo of the applicant** – photo of the head of the company/unit would be required.
- (b) **Address proof of the company/unit** – copy of the incorporation certificate/latest utility bill/registered lease deed/registration certificate providing for the address of the company/unit in GBN would be required.
- (c) **Functional certificate/LOA by the concerned authority** – copy of the valid letter of authorisation/registration or functional certificate issued by the concerned authority would be required.
- (d) **Rent permission (if any)** – copy of the valid rent permission obtained by the landlord from the concerned authority would be required if the company/unit is operating from a leased premise.
- (e) **List of minimum employees** – the Portal provides for a template detailing the information required to be submitted in respect of the employees who are required to work during the lockdown period. The said information includes their name, aadhar number and ESIC number (if any). The information needs to be submitted in the excel sheet which can be downloaded from the Portal.
- (f) **Pool vehicle list** – the Portal provides for a template detailing the information required to be submitted in respect of the vehicles which the company/unit intends to use for transportation of the employees during the lockdown period. The said information includes vehicle registration number, make, model and seating capacity number. The information needs to be submitted in the excel sheet which can be downloaded from the Portal.

However, if the employees intends to travel through their private vehicle and the company/unit is not required to arrange for pool vehicle, a declaration in the excel sheet

may be submitted that no vehicle pooling would be done and all the employees would travel using their private vehicle.

- (g) **RT-PCR test documents** – the entities with more than 50 employees before starting the operations needs to get the RT-PCR test done of at least 5% of the total employees (on random selection basis), up to maximum of 25 employees, and ensure that none of them is infected. Copy of the RT-PCR test reports would be required.

It is important to note that uploading of the documents is not mandatory pre-approval and can be uploaded (as and when available), in piecemeal, within one week of the starting of the operations by the company/unit, except RT-PCR test documents which should be uploaded on the Portal before the operations are started.

It is a great initiative taken by the U.P Government, whereby the permitted industries which intends to start their operations during the lockdown period, can obtain the permission online, with minimum documentation, in hassle free manner. It is noteworthy to mention that the U.P Government has the right to cancel/withdraw the permission so granted, if the company/unit fails to adhere to the guidelines and directives issued by the Central Government/State Government/District Administration, from time to time, on this subject matter.

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