

Terms of Reference(TOR) for Evaluation of Functions & Outcome of District Level Single Window Clearance Committee(DLSWCC)

Study Title

Title of the proposed study is "Evaluating the Functions & Outcome of District Level Single Window Clearance Committee (DLSWCC)"

Background

The Govt of Karnataka enacted "The Karnataka Industries(Facilitation) Act 2002" and Rules for the Promotion of Industrial Development and facilitation of new Investments to simplify the regulatory frame work by reducing procedural requirement and rationalizing the documents and to provide for an investors friendly environment in the State of Karnataka and also to expedient the Implementation of industrial and other projects in the State by providing single point guidance and assistance to promoters.

As per The Karnataka Industries(Facilitation) Act 2002", the Karnataka Udyoga Mitra had been appointed as ' Nodal Agency' at the State level for the project cost of Rs.3.00 Cr. and above. 'District Industries Centers ' have been nominated as the 'District Nodal Agency' at the district level to undertake investment promotional activities and to render necessary guidance and assistance to entrepreneurs up to project cost of Rs.3.00Cr.

Govt by its order no: CI/208/SPI/2002 dated: 04/08/2004 constitutes District Level Single Window Clearance Committee under the Chairmanship of Deputy Commissioner.

Functions of the District Level Single Window Clearance Committee

1) The Committee should meet at such times and such places and shall adopt procedures to transact its business as prescribed.

2) The District Level Single Window Clearance Committee should examine the proposals for setting up Industrial undertakings and should take decision and communicate its decision to the entrepreneurs and departments or authorities concerned with in such time as prescribed.

Powers of the committee:-

The District Level Single Window Clearance Committee shall be the final authority in granting of approvals for the projects placed before it. The approvals given by the committee at the district level shall be binding on the departments or authorities concerned and such departments or authorities shall issue the required clearance within the stipulated time subject to compliances by the entrepreneurs of provisions of the applicable Central or State Acts and the rules made there under.

Meeting of the District Level Single Window Clearance Committee:

The Committee (DLSWCC) shall meet at least once in a month at District Headquarters or such other place or places as the Chairman may specify to transact of the Committee.

The Member Secretary shall issue a meeting notice, convening a meeting of the District Level Single Window Clearance Committee (DLSWCC) indicating a date, time and place of the meeting. He shall enclose agenda to the meeting notice for the transaction of the business in the said meeting. He shall send notice of meeting at least seven days in advance.

He shall place all the proposals received before the committee for its consideration.

The District Level Single Window Clearance Committee shall examine all the proposals placed before it and take appropriate decision.

The Member-Secretary shall prepare proceedings and obtain the approval of the Chairman of the District Level Single Window Clearance Committee within seven days of the meeting.

After the proceedings are approved, the Member-Secretary shall communicate the decision of the committee within a period of seven days of such approval to the authorities or department concerned and to the entrepreneurs concerned.

Combined Application Form(CAF):- There shall be a Combined Application Form(CAF), as specified on Form I.

Form of Undertaking: - The undertaking that every entrepreneur shall furnish shall be in Form II.

Rationalisation of Inspection:- Rationalisation of Inspections under Section-16 of the Act shall be coordinated by Directorate of Factories and Boilers.

Appeal:- An appeal under sub-section (i) of section 13.

Evaluation Scope, Purpose and Objective

The importance of taking the evaluation of the DLSWCC is to study the effectiveness of the functioning of the committee as per the Facilitation Act provided, the main objective is to improve the effectiveness of the decision taken in DLSWCC in providing the solutions for the issues & problems of MSME's that are taken up in the meeting.

Evaluation Questions

- 1) Whether the DLSWCC are receiving the proposals for approval of the projects and the procedure adopted by the committee for granting the approvals.
- 2) How many approvals for projects have been given by the DLSWCs each financial year in each district since the coming up of the Karnataka Industries Facilitation Act 2002? Is there any trend or statistically significant output emerging from the data?
- 3) What is the average time that the DLSWCs take for deciding (approving or rejecting) a project? Is the time taken significantly different for different districts? What are the causes for those taking more time and methods to reduce it?

- 4) What is the status of litigation, if it has been a byproduct, of the decisions of DLSWCs? What are the causes district wise, year wise? What guidelines should be issues for functioning of DLSWCs to reduce litigation, if it can be avoided .
- 5) What is the perception of the users who have approached DLSWCs for getting their projects cleared?
- 6) Based upon the data that is generated far from 3 above, what should be the time if deemed approval given to DLSWCs in each district?
- 7) Whether the District Level Single Window Clearance Committee (DLSWCC) is meeting regularly? If yes, how frequently number of meetings held year-wise and date of Meetings, approval and facilitations provided, issues and problems discussed shall be analyzed. If no, Reason for not conducting the meetings shall be evaluated, analyzed and reported.
- 8) Whether the DLSWCC is functioning as per the Industrial facilitation Act 2002.
- 9) Whether the decision of DLSWCC is communicated to the applicants /department or authorities concerned – Time taken to communicate the decision and whether the compliance report is received and revived by the committee.
- 10) Whether the decision taken by DLSWCC is binding on the other departments or authorities concerned
- 11) Whether Meeting notices convening the meeting date/ agenda notes/ proceedings are sent in time.
- 12) Whether projects are actually approved by the committee and if so the details of components such as land, power, water, KSPCB issues are discussed and decisions taken.
- 13) Whether the combined application form is obtained from the applicant and whether the details in the combined application form is filled up and scrutinized by the member secretary office.
- 14) Whether the DLSWCC meeting is effective and useful to the applicants.

- 15) Whether all the members are personally attending the meeting or Representative of the members are attending the meeting, whether the decisions are taken by the committee based on the feedback or information given by the representatives by members.
- 16) Whether the reports regarding approval of projects are sent to higher authorities or not, if reports are sent the quality of the report and whether any format has been devised for submitting the report. If reports are not sent the evaluator shall suggest various means and formats required in consultation with the Head Office.
- 17) Feedback from the District Industries Association , Chairman, Member of the committee with regard to functioning/strengthening /Empowering of DLSWCC.
- 18) Whether any difficulties, constraints are faced during the approval/decision and implementation.
- 19) Whether the decision of District Level Single Window Clearance committee pertains only to project approvals or it also covers policy matters/suggestions for the benefit of MSME sector projects.
- 20) How District Level Single Window Clearance committee is monitoring the approved projects
- 21) What is the follow-up mechanism for implementation of approved projects
- 22) What is the weight age given to monitoring
- 23) How does the District Level Single Window Clearance committee ensure its decisions are being implemented by all the concerned departments/agencies.
- 24) Proportion of MSME projects approved in the District Level Single Window

Evaluation methodology

The evaluator is required to visit the District Industries Center, obtain the data for 10 years and analyze the data, good and bad practices shall be highlighted in the report. Obtain the opinion of Chairman, Members Secretary and some of the important members such as KIADB, KSSIDC, KSPCB, Concerned Electricity Supplying company and other member as deem fit by the evaluator. The evaluator is also required to interview few applicants for their opinion on functioning of DLSWCCs.

The necessary questioner shall be adopted for collecting the data and obtaining the opinions.

Deliverables and time schedules

Joint Directors of DICs, of the respective districts will provide the required information and data to the Evaluator. The details of contacts of the Joint Directors and other stake holders shall be obtained from the Directorate of Industries and Commerce. The following timelines and deliverables are expected:

- a. Work plan submission – within one month after the release of the contract sum.
- b. Primary data collection, interviews with stake holders and agencies concerned – within three months after the work plan is approved by KEA.
- c. Draft evaluation report submission – within one month after completing the data collection and interviews. This report will be submitted for approval by a joint team of KEA and line department/agency officers.
- d. Final report submission – within one month after the draft report is approved

Excluding the time taken for approval, the study will be completed within 6 months.

Cost and schedule of Budget releases

Cost , schedule and budget release are suggested by the Karnataka Evaluation Authority as follows:

- a. The first installment of Consultation fee amounting to 30% of the total fee shall be payable as advance to the Consultant after the approval of the inception report, but only on execution of a Bank guarantee of a scheduled nationalized bank valid for a period of at least 12 months from the date of issuance of advance.
- b. The second installment of Consultation fee amounting to 50% of the total fee shall be payable to the Consultant after the approval of the Draft report.
- c. The third and final installment of Consultation fee amounting to 20% of the total fee shall be payable to the Consultant after the receipt of the 10 hard and 3 soft copies of the final report in the form and presentation style approved by the KEA. Three hard and one soft copy of final report along with all raw data, literature relied upon, data process etc. To be given to KEA for hosting on website.

Contact person to get further details about the study

Joint Director(ID) cell # 9449089624 / Deputy Director(ID) cell # 9945840603/

Assistant Director(ID) cell # 9845245012

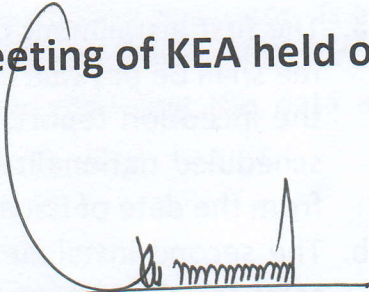
Office Tele fax No: 080-22386798

E-Mail id: jd-id@karnatakaindustry.gov.in/ dd-id@karnatakaindustry.gov.in

Agency for evaluation

Karnataka Evaluation Authority may suggest approved/ empanelled agency for the study.

**Approved in 8th Technical Committee Meeting of KEA held on
21-04-2014**



CHIEF EVALUATION OFFICER
Karnataka Evaluation Authority,
Bangalore-560001.