

8(33)/2019-IPHW
Government of India
Ministry of Electronics and Information Technology (MeitY)
Electronics Niketan, 6 CGO Complexes,
New Delhi-110003

Dated: 31.5.2019

Subject: Integrity compliance in M-SIPS-Submission of Undertaking(s)

To offset disability and attract investments in electronic manufacturing, Modified Special Incentive Package Scheme (M-SIPS) was notified vide Notification No.175 dated 27.7.2012. The scheme provides subsidy for capital expenditure - 20% for investments in Special Economic Zones (SEZs) and 25% in non-SEZs.

2. The process of approval and disbursement of incentives involves interaction of the M-SIPS applicant or its representatives with the concerned officers of MeitY /PMU Consultants of MeitY and Consultant/Employees of Appraisal Agency and Verification Agency.

3. To obviate any mal-practices, in the financial matters where monies are given to Industry or public by the Government, it has been decided to have some sort of deterrent which would be in the public interest and will promote transparency, equity and discourage resorting to corrupt practices. Therefore, keeping in view the sensitivities involved in the process, taking cue from the instructions of Central Vigilance Commission regarding adoption of Integrity Pact in the matter of procurement, it has been decided to obtain undertaking(s) from the applicants of M-SIPS.

4. The two formats of undertaking(s) are enclosed as Format -A and Format-B. These undertakings are to be furnished by M-SIPS applicants and given under the signatures of either of CMD or MD or Director or CEO duly depicting the designation along-with authorization to do so.

(i) The first undertaking (Format-A) will be given by all M-SIPS applicants whose applications are under consideration of MeitY either for approval or for disbursement of incentives. This undertaking is required to be submitted within 30 days from the issue of this circular in the office of Nodal Officer, M-SIPS, MeitY. The applications of those applicants who do not submit the Undertaking shall not be processed and considered.

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(ii) The second undertaking (Format-B) for confirming the compliance of Integrity Undertaking will be given by applicant in the office of Joint Director/Deputy Director, IPHW Division of MeitY after 30 days of submission of the disbursement application and in any case before the release of incentives. Failure to submission of this Undertaking as per format will lead to withholding of release of incentives.

This issues with the approval of Secretary, MeitY.

Encl.: Two formats of Undertaking(s)



(Rajesh Suri)
Joint Director

To,

All M-SIPS applicants (through MeitY website)

AS&FA/AS(PK)/JS(IPHW)/JS&CVO/OSD to Secretary

Nodal Officer (M-SIPS)/Concerned officers, M-SIPS/ SO(IPHW)

Performa for Initial Undertaking to be furnished by M-SIPS Applicants

((To be signed by full time Director/CEO/CMD/MD of the company/firm duly depicting the designation and submitted on official stationary of the applicant along-with the authorization to do so)

Undertaking (format- A)

1. Whereas, the applicant namely *(name of company with address)* has submitted an application under Modified Special Incentive Scheme (M-SIPS) to Ministry of Electronics and Information Technology(MeitY), Government of India seeking incentives for the project pertaining to manufacturing or expansion of(name of items) at.....(location of plants/factory) with the estimated project cost of Rs..... and estimated Incentives of Rs..... with capex of Rs.....
2. Now, therefore, the applicant including its officers/representatives commits and undertakes that he/she will take all measures necessary to prevent corruption. He/She commits to observe the following principles during his/her association/engagement with MeitY or its agencies or its consultants engaged with the process of appraisal and verification of application for the approval of application and disbursement of incentives under M-SIPS.
 - A The MSIPS applicant will not directly or through any other person or firm, offer, promise or give to any of the MeitY's officer(s) or consultant or agency representative (appraisal or/and verification agency appointed by MeitY to handle the application) involved in the process of dealing with application or to any third person any material or other benefit which he/she is not legally entitled to in order to obtain in exchange any advantage of any kind whatsoever before or during or after the process of the application for grant of approval or disbursement of incentives under M-SIPS.
 - B The M-SIPS applicant will not commit any offence under the relevant IPC/PC Act; Further, the applicant will not use improperly, for purposes of competition or personal gain, or pass on to others, any information or document provided by the MeitY.
 - C The M-SIPS applicant shall disclose the name and address of the duly authorized Agents/Representatives who will be dealing with MeitY or its agencies and the remuneration of these agents or representatives shall not include any hidden amount or component to get the work done in undue manner or causing inducement of whatsoever nature whether in cash or kind to influence the normal process or practice of work.



D. The M-SiPS applicant will disclose any and all payments he/she has made, is committed to or intends to make to agents, brokers or any other intermediaries, other than regular employees or officials of the applicant, in connection with the grant of approval or/and disbursement of incentives.

E. The applicant will not offer any illicit gratification to obtain unfair advantage.

F. The applicant will not collude with other parties to impair transparency and fairness.

G. The applicant will not give any advantage to anyone in exchange for unprofessional behavior.

3. The applicant declares that no previous transgressions occurred in the last 3 years with any other Company in any country conforming to the anti corruption approach or with any other Public Sector Enterprises /Central or State Government or its any instrumentality in India.

4. The applicant agrees that if it is found that the applicant has made any incorrect statement on this subject, the application will be closed or rejected and MeitY reserve the right to initiate legal action of whatsoever nature. In case if MeitY has disbursed the incentives under M-SiPS, the amount disbursed to applicant be recoverable along-with penal interest @ PLR besides black-listing of the applicant and initiation of legal action of whatsoever nature at the discretion of MeitY.

The contents of the above undertaking have been gone through and after understanding the same is being executed/given on day of(month/Year).

Signature

(Name & designation with address)

CMD/MD/Director/CEO



Performa for Undertaking for compliance to be furnished by M-SIPS Applicants before release of Incentives

(To be signed by full time Director/CEO/CMD/MD of the company/firm duly depicting the designation and submitted on official stationary of the applicant along-with the authorization to do so)

Undertaking for Integrity Compliance (format-B)

- 1 Whereas, the applicant namely *(name of company with address)* has submitted an application under Modified Special Incentive Scheme (M-SIPS) to Ministry of Electronics and Information Technology(MeitY), Government of India seeking incentives for the project pertaining to manufacturing or expansion of*(name of items)* at.....*(location of plants/factory)* with the estimated project cost of Rs..... and Incentives of Rs..... with capex of Rs.....
- 2 And Whereas, the applicant has submitted an undertaking for observance and commitment for Integrity vide Undertaking dated..... given under the signatures/authority of applicants.....*(name and designation)* to MeitY in respect of aforesaid application.
- 3 And whereas, the applicant including its officers/representatives gives commitment and undertake that he/she will take all measures necessary to prevent corruption and that he/she will not directly or through any other person or firm, offer, promise or give to any of the MeitY's officer(s) or consultant or agency representative (appraisal or/and verification agency appointed by MeitY to handle the application) involved in the process of dealing with application or to any third person any material or other benefit which he/she is not legally entitled to in order to obtain in exchange any advantage of any kind whatsoever before or during or after the process of the application for grant of approval or disbursement of incentives under M-SIPS.
- 4 And whereas, the application submitted by the applicant has been given the approval by MeitY vide its communication no.dated.... for the project cost of Rs..... with capex of Rs..... and incentives of Rs....., after the appraisal process carried out by MeitY through its agencies.
- 5 And whereas, the applicant has submitted the disbursement application dated to MeitY for claiming incentives of Rs..... on the capex of Rs.....



6 And whereas, MeitY has considered the disbursement application and got verified from its agencies and is in the process of disbursement/release of incentives on the disbursement application dated.....

7 Now, therefore, I/We hereby confirm the compliance thereof with the Integrity Undertaking submitted to MeitY duly certifying that there is no breach to the same and requests that eligible incentives under M-SIPS be released to applicant and the amount of incentives be credited in the bank account of applicant.

The contents of the above Undertaking have been gone through and after duly understanding the same, is being executed/given on day of(month/Year).

Signature
(Name & designation with address)
CMD/MD/Director/CEO

A handwritten signature in black ink, consisting of a stylized, cursive 'M' followed by a horizontal line and a small upward stroke.