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PART I—Orders and Notifications by the Governor of West Bengal, the High Court, Government Treasury, etc.

GOVERNMENT OF WEST BENGAL
DEPARTMENT OF INFORMATION TECHNOLOGY & ELECTRONICS
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NOTIFICATION

No. 490-Estt/ITE-18011/2/2021

Dated: 06.09.2021

WHEREAS, internet data consumption in India is increasing at a rapid pace. While more than ninety percent of 624 million internet users in the country use internet on their mobile making India's share in the world data at twenty percent but the data storage capacity stands at two percent globally.

AND, WHEREAS, in 2020, the country had over 300 million rural internet users vis-à-vis over 335 million urban internet users leading to development of India's 375 MW Data Centre capacity which is expected to become more than 1000 MW capacity by the end of 2025. These capacity additions would tentatively draw more than USD 4.9 Billion as investment while impending passage of Personal Data Privacy Bill 2019 in the Parliament will further attract big-ticket investments in Data Centre development in the recent future.

AND, WHEREAS, West Bengal on the other hand has around 20% of internet users while Kolkata stands 3rd in internet usage with more than 62 lakh users access internet on daily basis. As digital inclusiveness in every beneficiary-oriented scheme has become a reality in West Bengal, the capacity of the State Data Centre has grown in strength. From 24 TB storage capacity in 2012 to 720 TB storage capacity in 2021 and presently being upgraded to become 1.5 PB data centre by 2022. It is estimated that by 2025 more than 3000 Government web-applications, responsible for the State's digital governance, will be hosted on the Cloud Infrastructure of the State Data Centre alone.

AND, WHEREAS, the prospective data centre units will benefit from this fast digital transformation including the upcoming Bengal Silicon Valley Tech Hub at New Town, Rajarhat. The new submarine cable landing station being developed at Tajpur will hasten the growth of data centres across the State. The two electronics manufacturing clusters (EMC) at Kalyani and Falta will create ancillary units for the new data centres.

NOW THEREFORE, the Governor is pleased to notify the '**West Bengal Data Centre Policy, 2021**' (attached herewith) with the vision of making West Bengal, the most preferred destination for Data Centre Industry in the country.

This policy shall come into effect from the date of this notification and will remain operative for 5 years or till that time any new policy/amendment is introduced as a replacement, whichever is earlier.

This issues with the concurrence of the Department of Finance, Government of West Bengal, vide their U.O. No Revenue/2021-2022/0006 dated 31.08.2021 alongwith approval of the State Cabinet, obtained on 02.09.2021, vide Cabinet Sectt. U/O No CAB(D)-81 dated 06.9.2021.

By order of the Governor,

SANJAY KUMAR DAS

Joint Secretary to the Government of West Bengal

West Bengal Data Centre Policy 2021

Notified vide no. 490 - Estt/ITE-18011/2/2021 dated 06.09.2021

BY

**DEPARTMENT OF INFORMATION TECHNOLOGY & ELECTRONICS
GOVERNMENT OF WEST BENGAL**

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1. Preamble

Internet data consumption in India is increasing at a rapid pace. With 624 million internet users in the country of which 572 million access internet on their mobile. Average per-capita monthly mobile usage stands at 13.5 GB. This enormous volume of data traffic is driving the demand towards data storage and processing centres in the country. India's share in the world data is estimated to be around 20% whereas only 2% in data storage capacity.

It was estimated that in 2020, there were over 300 million internet users in rural India compared to 335 million urban internet users. But it is worth mentioning that the majority of Indian internet users were between 20 and 29 years of age, and a slightly higher proportion of these users were from rural parts.

India's 375 MW Data Centre capacity in 2020 is expected to become more than 1000 MW capacity by the end of 2025. These capacity additions would require Greenfield investments of more than USD 4.9 Billion to fuel the future development of this sector. The data localisation mandate from Government of India (GoI) coupled with impending passage of Personal Data Privacy Bill 2019 in both House of the Parliament; is wooing big-ticket investments in Data Centre domain.

West Bengal on the other hand has around 20% of internet users while Kolkata stands 3RD in internet usage with more than 62 lakh users access internet on daily basis. The State 22 operational IT parks comprising more than 10 lakh square-feet of built-up space comprising plug & play facilities. The State also boasts of two hardware parks and two electronic manufacturing clusters. The State's Information Technology & Electronics Department has set up dedicated "Incubation Centres at various locations with 'plug & play' facilities, in order to promote Start-up and MSMEs. Incubation Centres are "Plug & Play Ready", thus saving both time & initial investment for entrepreneurs.

As digital inclusiveness in every beneficiary-oriented scheme has become a reality in West Bengal, the capacity of the State Data Centre has grown in strength. From 24 TB storage capacity in 2012 to 720 TB storage capacity in 2021 and presently being upgraded to become 1.5 PB data centre in 2022. It is estimated that by 2025, more than 3000 Government web-applications will be responsible for digital governance,

The prospective data centre units will benefit from this fast digital transformation including the upcoming Bengal Silicon Valley Tech Hub at New Town, Rajarhat. The new submarine cable landing station being developed at Tajpur will hasten the growth of data centres across the State. The two electronics manufacturing clusters (EMC) at Kalyani and Falta will create ancillary units for the new data centres.

To prove fidelity and irrefutability of any digital data while resolving a dispute, most of the time copy of the every digitally generated data is kept at a pre-destined Disaster Recovery Site or Backup data storage. With regulation requiring the said storage to be kept locally, more data centres are not only necessary; they are a dire necessity.

2. Vision

To make West Bengal, the most preferred destination for Data Centre Industry.

3. Mission

- 3.1. To build a world class Data Centre ecosystem in the State of West Bengal by attracting foreign and domestic investments.
- 3.2. To mentor MSMEs/ Start-ups leverage the new ecosystem and grow into unicorns.
- 3.3. To generate employment opportunities and provide critical skill-based training to increase employability.
- 3.4. To create an anonymised public transactional data repository for various academic and industrial use.

4. Target

- 4.1. To develop a 400 MW capacity Data Centre Industry in West Bengal by 2025.
- 4.2. To attract investment of around INR 20,000 Crores to support this growth.
- 4.3. To set up three dedicated State-of-the-art Data Centre Parks across the State.

5. General Conditions.

- 5.1. Policy will be valid for 5 years from the date of its notification or till that time any new policy/ amendment is introduced as a replacement, whichever is earlier.
- 5.2. Every Data Centre campus shall be provided with access to high speed and continuous water supply for heavy duty cooling systems.
- 5.3. The Data Centre organisations, by virtue of being IT units and would serve global clients on 24x7x365 basis, shall be classified under "Essential Services".
- 5.4. Construction in the Data Centre Parks or specially those to develop Data Centre building(s) shall be allowed 3.0+ 1.0 (Purchasable) FAR. Basement parking, storage and space used for DG sets installation will not be considered as part of FAR. Data Centre buildings shall be exempted from requirements like garage provisions, windows etc., stipulated for other buildings by local authorities, as to be notified by the Nodal Agency after due consultation with stakeholders. Up to 60% ground coverage shall be allowed to every Data Centre construction.
- 5.5. Self-Certification under various Acts to be notified by Empowered Committee will exempt these from inspections under those Acts except inspections arising out of specific Complaint.
- 5.6. Data Centres located in the State will be given preference in public procurement of cloud storage by Government Departments and its agencies at competitive rates.
- 5.7. Setting up of Edge Data Centres at various Government IT Parks and Industrial Parks will be promoted with preferential incentives.

6. Policy Promotion

WBEIDC Limited (Webel) shall promote this policy at various national/international forums attracting investment in the State. The major promotional tasks are as follows.

- i. Promoting the State as preferred destination for attracting investment in Data Centre Industry.
- ii. Organising and participating in national and international conferences, summits, road shows and events to promote this policy.
- iii. Use of print, electronic and social media to create awareness about this Policy.

7. Governance

7.1. Nodal Agency

WBEIDC Limited (Webel) shall be the Nodal Agency responsible for the effective implementation of the Data Centre Policy 2021. The Department of Information Technology and Electronics (DoIT&E) shall perform the role of the State Nodal Department in its implementation. Webel, under the aegis of the DoIT&E shall be responsible for creating a conducive policy environment for sustained growth of Data Centre ecosystem in the State. The 'Shilpa Sathi portal shall be used for all single window clearances.

7.2. Policy Implementation Unit (PI)

A PIU under MD, Webel shall be set up to oversee the work. The PIU shall be responsible for effective implementation of the policy including the approval of investment proposals, disbursement of incentives, making recommendations to Empowered Committee etc. Other responsibilities of the PIU includes coordination with government functionaries, engagement with industry associations, stakeholders, corporates etc.

7.3. Advisory Group

To attract new Data Centre(s) and encourage Start-ups and MSMEs to grow around this ecosystem, an Advisory Group shall be constituted under Chairmanship of Minister-in-Charge, IT & Electronics involving experts with domain knowledge, industry representatives and other stakeholders with Principal Secretary, IT&E as Vice-Chairman and MD, WBEIDC as Convenor.

7.4. Empowered Committee

A State level Empowered Committee under the Chairmanship of the Chief Secretary shall be set up to monitor the effective implementation of this policy. The Committee shall be responsible to remove any impediment pertaining to the effective implementation of the policy. It shall also be responsible for inter-departmental coordination with respect to timely resolution of investor issues at all levels. Representatives from Departments such as IT&E, IC&E, Fire & Emergency Services, Public Works, Planning & Statistics and Environment etc. They will study the emerging trends in the industry and formulate requisite technical standards for improving the regulatory norms governing setting up Data Centres in the State, so that the regulations are kept in line with the industry best practices and conform to international standards. Recommendations given by the empowered committee shall be implemented by the Nodal Agency under guidance of the Nodal Department following due diligence.

7.5. Definition

A Data Centre Unit is a dedicated secure space within a building/centralized location where computing and networking equipment is concentrated for the purpose of collecting, storing, processing, distributing or allowing access to large amounts of data with a minimum power consumption of 1 MW. A minimum of 40 MW Data Centre Capacity shall be considered under Data Centre Park.

Condition of these definitions including power consumption limit can be modified by notification by Empowered Committee.

8. Financial Incentives

8.1. Stamp Duty Exemption

To provide 100% exemption of stamp duty and registration fees for any transaction related to setting up Data Centre(s) in the State.

8.2. Electricity Duty Waiver

To provide waiver of electricity duty, on the actual electricity consumption for 5 years, from the date of start of commercial operations.

9. Non-Financial Incentives

9.1. Power

9.1.1. Government shall term electricity used by the Data Centres to be industrial' irrespective of their establishment and location.

- 9.1.2. Government shall establish dual power grid networks to ensure uninterrupted supply of electricity.
- 9.1.3. Government shall explore ways to provide affordable power backup infrastructure to the companies setting up their data centre(s) in Data Centre Parks.
- 9.1.4. Companies willing to establish captive firms shall be extended complete support from the Government for obtaining approvals and permits through a single window.
- 9.1.5. Edge Data Centres being set up at various IT Parks or Industrial Parks will be supported with quality power and internet facilities.

9.2. Electricity Supply and Internet Connectivity

24X7 uninterrupted Power Supply and Internet Connectivity shall be facilitated for the Data Centre(s) set up across the State irrespective of their location. Webel shall provide feasible assistance in obtaining power and fibre connectivity to the Data Centre(s) and Data Centre Park(s). Besides, they will be hand held in applying for the Government benefits/incentives receivable by them.

9.3. Water Supply

24X7 uninterrupted and high-speed water supply to the data centre(s) will be facilitated by Webel. In addition, Data Centres will be supported to set up captive water treatment plants while for the Data Centre Parks, Webel shall ensure setting up of such as part of common infrastructure.

9.4. Special provisions in building norms

A separate guideline on building plan for data centre will be issued in due course. Until then, Data Centre building(s) shall be allowed 3.0+ 1.0 (Purchasable) FAR, Basement parking, storage and space used for DG sets installation will not be considered as part of FAR. Up to 60% ground coverage shall be allowed to every Data Centre construction. The provisions are exercisable subject to the Aviation norms in vogue.

9.5. Right of way

Laying of underground optical fibre networks, to and from the Data Centre(s) will be provided with the "Right of way as per West Bengal Broad Band Policy 2020. However, Empowered Committee may give further relaxations by issuing a notification, if such need is felt.

9.6. Relaxation for Special Category

Three shift operations with women even in the night shift will be allowed for Data Centre(s) subject to the provision that the Data Centre authorities shall self-certify the precautions being taken for safety and security of employees.