

CHHATTISGARH AUDYOGIK NIVESH PRO TSAHAN ADHINIYAM 2002

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 12. 14 15. 24 2002 CHHATTISGARH ACT (No. 7 of 2002) CHHATTISGARH AUDYOGIK NIVESH
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17. IS.24 2002 CHAPTER OBLIGATION OF THE INVESTORS Commiunenl Investmenl. Cornmitrneill
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 make rules. & 11 24 2002 CHHATTISGARH ACT (No. 7 of 2002) CHHATTISGARH AUDYOGIK
 NIVESH PRO TSAHAN ADHINIYAM, 2002 An act promote industrial investments in the State of
 Chhattisgarh, by vesting certain rights specified hercin, in a person or persons including bodies, corporate,
 intending to make investments in various economic sectors for furthering industrial and economic growth;
 and to empower an agency or agencies designated by the State for facilitating such investments by making
 processes and procedures transparent and mutually beneficial, in the best interests of the investors and the
 State of Chhattisgarh and further, to cast certain obligations and responsibilities on such agencies to
 perform functions entrusted to them within specified period. Be it enacted in the 53rd year of the Republic
 of India. as f0130ws (2) {3) CHAPTER-I PRELIMINARY This Act may be catted the Chhattisgarh
 Audyogik Nivesh Protsahan Adhiniyam, 2002 (No. 7 of 2002). It extends to the whole of the State of
 Chhattisgarh; shan came into force from a date as may be notified in the State Government Gazette. Short
 extent and Commeneuent. Definitions, Kn this Ordinance. unless the context otherwise requires (v)
 "Board" means the State investment Promotion Board. under Section 9; "District Committee" means the
 District Investment Promotion Committee under Section 3; "IDivisional Committee" means the Divisional
 Investment Promotion Committee under Section 6; "Industrial Facilitation Services" means the assistance
 provided by the State Government from the time the investor submits a valid project proposal to the Stute
 Investment Promotion Board till the lime the ptoject goes into commecvial production; "Government"
 means the State Government of Chhattisgarh. "Government Agencytl means any deparunent of the
 Government or any body corporate. by whatever name called. owned or controiled by the Government;
 "Investment" means any or all of the prelinhinary and pre-operative expenses, capital expenditure, lease on
 land and equipment, interest during construction, (x) District I n vest.nent Promotion C...nmitt'ft.
 Constitution of the District Invest•nent Pro•nolinn Comtnitt«•. 3. 4. 24 2002 and adminislraucv expenses

etc.. relating to the project; "Investor" means any person or persons, or his authorized nominees, including Companies incorporated under the Indian Companies Act



1956. Public Trusts registered under the Public Trusts Act, Private Trusts registered under the Indian Trusts Act. 1882 (No. 2 of 1882). registered Societies: and shall include any other bodies corporate including those from outside India qualified to invest in India under relevant laws for the time being in force or under the relevant policies of the Government of India or the State Government as may be applicable at the time of such investment; "Local Co-ordination Committee" means a committee constituted under Section 'Local Government' means and includes. Municipal bodies, by whatever name called, constituted under Article 243 Q of the Constitution of India, and Panchayats constituted under Article 243 B therein; "Project" means a project to be undertaken by the investor, in which he proposes to make investment in the State; "Project Affected Persons" means and includes all persons affected due to displacement or acquisition of land (flowed by them by -the establishment of a project; "Secretary" means a Secretary of the State Government, by whatever name

CHAPTER-II INVESTMENT PROMOTION AUTHORITIES The State Government shall constitute for each District, a Committee to be designated as the District Investment Promotion Committee for promoting and facilitating the implementation of industrial or other projects.' A District Investment Promotion Committee shall consist of the following members, namely:- (b) (c) A Chairperson, who shall be the Collector of the Revenue District _ Such number of persons from the District, not exceeding five, as the State Government may nominate from (he fields of industry, trade and commerce, labour and education, General Manager of the District Trade and Industries Centre, by whatever name designated, who shall be ex-officio the Convener of the Committee. (e) (g) (h) 5. 24 2002 Representative of the Chhattisgarh State Electricity Board, not below the rank of an Executive Engineer, by whatever name designated, Nominee of the Department of Labour of the State Government not below the rank of an Assistant Commissioner, Nominee of the Department of Forests of the State Government not below the rank of a Divisional Forest Officer, Nominee of the Department of Water Resources of the State Government, not below the rank of an Executive Engineer, Nominee of the Department of Public Works of the State Government, not below the rank of an Executive Engineer, Nominee of the Department of Mineral Resources, of the State Government, being not below the rank of a District Mining Officer, Nominee of the Department of Agriculture of the State Government, not below the rank of a Deputy Director, Chairperson of the relevant Local government in whose jurisdiction the Project is proposed to be located, or his nominee not below the rank of the Commissioner or Chief Municipal Officer in the case of an urban body, or not below the rank of a Chief Executive Officer in the case of a Zila Panchayat, Nominee of the Department of Housing and Environment of the State Government, not below the rank of an Assistant Director of the Town & Country Planning Organization. Notwithstanding anything contained in any law enacted by the Legislative Assembly of the State and for the time being in force, each District Committee shall, the purpose of promoting and facilitating investments in projects, exercise powers of any Local Government or of any authority or agency of the State Government within the District, In respect of the following; Functions and overriding powers of the District Investment Promotion Committee. (a) (b) (c) (d) allotment of land in identified industrial area for the project or projects; Identification, allocation and facilitation of sources of water and other utilities including electric power; all approvals in respect of matters relating to the implementation of the project from the local governments; and approvals, if any, relating to matters concerning the welfare of labour. (2) (3) Divisional investment promotion committee and (ings) (herein). Constitution of the Divisional Investment Promotion Committee (4 6. 24 2002 The District Committee shall hold at least one meeting every month; Provided that the State Government may at any time require in writing that a meeting of the District Committee be held, and the Committee, shall then proceed to hold meeting as expeditiously as it can, but not later than seven working days in any case, to dispose such matters as may be referred to it. The members of the District Committee shall be jointly and severally responsible for providing the services specified in Schedule-II within the time period prescribed therein, -provided that if the time period can not be adhered-to for any reason, the investor and the Divisional Committee shall be communicated in writing before the expiry of the period. The State Government shall constitute for each Revenue Division, a Committee to be designated as the Divisional Investment Promotion Committee for promoting and facilitating the implementation of industrial and other projects; A Divisional Investment Promotion Committee shall consist of the following members, namely (b) (c) (d) (e) (g) (h) A Chairperson, who shall be the Commissioner of the Revenue Division. Such number of persons, not exceeding five, as the State Government may nominate from the fields of industry, trade and commerce, labour and education.

Collector of the District in which the Project is proposed. Chairperson of the Chhattisgarh State Electricity Board or his nominee not below the rank of a Chief Engineer. Secretary in charge of matter relating to Labour, or his nominee not below the rank of a Deputy Commissioner. Secretary in charge of matter relating to Forests, or his nominee not below the rank of a Conservator of Forests. Secretary in charge of matter relating to Water Resources, or his nominee not below the rank of a Chief Engineer. Secretary in charge of matter relating to Public Works, or his nominee not below the rank of a Superintending Engineer. Secretary in charge of matter relating to Mining, or his nominee not below the rank of a Joint Director. 8. (k) (m) (2) 24 2002 Secretary in charge of matter relating to Agriculture, or his nominee not below the rank of a Joint Director. Chairperson of the relevant Local Government in whose jurisdiction the Project is proposed to be located, or his nominee not below the rank of the Commissioner or Chief Municipal Officer in the case of an urban body, or not below the rank of Chief Executive Officer in the case of a Zila Panchayat. Secretary in charge of matter relating to Housing and Environment, or his nominee not below the rank of a Deputy Director of the Town and Country Planning Organization. A nominee of the Secretary in charge of the matter relating to Industries, not below the rank of a Joint Director; who shall be the ex-officio Convener of the Committee. Notwithstanding anything contained in any law enacted by the Legislative Assembly of the State and for the time being in force, each Divisional Committee shall, for the purpose of promoting and facilitating investments, exercise powers of any local government or of any authority or agency of the State Government within the Division, in respect of the following:— Functions and overriding powers of the Divisional Investment Promotion Committee. (n) (b) (c) (c) identification and allotment of land for the project or projects; identification, allocation and facilitation of sources of water and other utilities including electric power; all approvals in respect of matters relating to the implementation of the project from the local governments: approvals, if any, relating to the Chhattisgarh Environment Protection Board; Explanation— for the purposes of this clause the Divisional Committee shall be deemed to be an Officer of the Board for the exercise of powers delegated by it, and approvals, if any, relating to matters concerning the welfare of labour. The Divisional Committee shall hold at least one meeting every month: Provided that upon request in writing by an investor, a meeting of the Divisional Committee may be held within two weeks of such requisition; Provided further that if no meeting is held upon such request and within the said period, the investor shall be informed in writing the reasons therefor; 9. 24 2002 Provided also that the State Government may at any time require in writing that a meeting of the Divisional Committee be held, and the Committee shall then proceed to hold a meeting as expeditiously as it can, but not later than seven working days in any case. It shall dispose of such matters as may be referred to it. The members of the Divisional Committee shall be jointly and severally responsible for providing the services specified in Schedule (I) within the time period prescribed therein; provided that if the time period can not be adhered to for any reason the investor and the State Board shall be communicated in writing before the expiry of the time period. The State Government shall constitute a State Investment Promotion Board for promoting and facilitating the implementation of industrial and other projects. (1) The State Investment Promotion Board shall consist of the following members, namely . State Investment Promotion Board. Constituents or the State Investment Promotion Board. (a) (c) (e) (g) (h) (m) (n) A Chairperson, who shall be the Chief Minister of Chhattisgarh. A Vice Chairperson, who shall be the Minister-in-charge of matters relating to Industries. Such member of persons, not exceeding seven, as the State Government may nominate from the fields of industry, trade and commerce, labour and academics. Minister-in-charge of matters relating to Finance. Minister-in-charge of matters relating to Energy. Minister-in-charge of matters relating to Labour. Minister-in-charge of matters relating to Forests. Minister-in-charge of matters relating to Water Resources. Minister-in-charge of matters relating to Agriculture. Minister-in-charge of matters relating to Public Works. Minister-in-charge of matters relating to Minerals. Minister-in-charge of matters relating to Local Government Minister-in-charge of matters relating to Housing and Environment. State Minister-in-charge of matters relating to industries. 198(22) Functions and overriding powers of the State Investment Promotion Board. (O) (p) 24 2002 Chief Secretary of the Government; and Secretary in charge of matters relating to Industries by whatever name designated, shall ex-officio be the Convener of the Committee. (2) The State Board shall have the power to regulate its own procedure. Notwithstanding anything contained in any law enacted by the Legislative Assembly of the State and for the time being in force, the State Board shall, for the purpose of promoting and facilitating investments, exercise powers of the State Government

or any authority or agency under it, in respect of the following: (a) (b) (c) (d) (e) (g) All proposals that may be referred to it by the District and Divisional Committees; All proposals that are brought before it by the investor. To hear and decide representations from Investors against any decision of the Divisional Investment Promotion Committee, Nothing contained in the foregoing clauses of this sub-section shall prevent the Board from considering suo motu proposals in regard to investments in projects; Simplification of procedures of the State Government in respect of any or all matters relating to the investment and the operations of the project. Fixation of Minimum Wages consistent with the welfare of labour and competitiveness of investment in the State: To take action according to Government policies in respect of all matters relating to promotion of investment in all sectors of the economy of the State. (2) The Board shall hold at least one meeting every months; Provided that upon a request in writing by an investor. a meeting of the State Board may be held within two weeks of such requisition; Provided further that if no meeting is held upon such request and within the said period. the investor shall be informed in writing the reasons therefor; 12. (3) (2) (3) (4) (5) (6) 24 2002 CHAPTER-III SERVICES FOR THE INVESTORS

All proposals for investment in the State. of various categories as mentioned in Schedule-I, or any expression of interest in respect of any project proposed to be located therein, shall be received by the Conveners of the District Committee. the Divisional Committee or the State Board, as the case may be; and, each such Convener shall be designated the Point of Investor Contact at the level of the District Committee or Divisional Committee or the State Board, as the case may be. The Point of Investor Contact shall cause to furnish all information in respect of the proposal as may be necessary for assisting the investor to complete all documentation in respect of the project. and shall thereafter. as soon as may be and in any case not later than fifteen working days from the date of receipt of the proposal, proceed to bring the proposal before the District Committee, or Divisional Committee or the State Board. as the case may be. The Point of Investor Contact shall cause the District Committee or Divisional Committee or the State Board, as the case may be. to process, and give approvals where necessary. to the proposal within the time period specified in Schedule 11. The Point of Investor Contact at the level of the District Committee or the Divisional Committee. as the case may be. shall convey to the State Board. all such approvals that may have been granted by the Committee, stating therein reasons for not processing or approving other proposals. if any; and it shall be the responsibility of the Point of Investor Contact in his capacity as the Convener of the State Board to place before it all such proposals, as well as any proposals required to be presented before the Board for its approval in terms of sub-section (1) of Section The Point of Investor Contact at the level of District Committee or Divisional Committee or the State Board, as the case may be, shall ensure that the investor shall not be required to contact any other agency or authority of the Government in respect of any activity required for the successful establishment of the project in the State, unless so required under any law of the Parliament for the time being in force; and. to inform status of the proposal to the investor at such regular intervals of time as State Board may decide. The Point of Investor Contact shall obtain and forward the appropriate approvals of the State Investment Promotion Board to the Central Government, all such proposals as may require the recommendations of the State Government or any of its agencies for any decision to be made by the Central Government. 198(23) Points of investor contact. 198(24) Facilitation services for the Investor. Local Co-ordination Committee.

13. 14. (7) (k) (2) (1) (3) (4) (5) 24 2002 All communications in respect of the investment proposals that may be entered into with investors, for and on behalf of the agencies or authorities of the Government. including that on behalf of the Local Government as well as the District Committee or Committee or the State Board. as the case may be. shall only be made by the appropriate Point of Investor Contact and none other. The appropriate Point of investor Contact shall cause to provide to the investor, free of any charges, such person or persons, being officers of the Government or any of its agencies or authorities, to assist the investor in any or all such activities as may be incidental to the purpose of investment Provided, that any service as may be required. other than the Investor Facilitation Services, shall be paid for by the investor. on such fee, charges or terms as may be laid down or prescribed by the appropriate authority under any law, or rules thereof, for the time being in force. The District Committee or Divisional Committee or the State Board, as the case may be acting through the appropriate Point of Investor Contact, shall at every stage in the implementation of the project, and after its completion, continue to assist the investor. or where appropriate, the project authorities, for the maintenance of a work environment conducive to successful project activities. , There shall be formed. upon a request to be made in writing by the investor.

a Local Co-ordination Committee for a project for the purpose of resolving local issues that arise in the timely implementation of the project. Each such Committee shall consist of such persons as may be nominated by the investor, the Local Government, and the State Government or the Collector of the District. The Local Co-ordination Committee shall meet at such time and place as the Committee may decide. The Local Co-ordination Committee shall, as expeditiously as it may, bring to the notice of the District Committee or Divisional Committee of the State Board, as the case may be, all matters requiring attention of the concerned Committee or the board; which shall thereupon proceed expeditiously to remove such difficulties. The nominee of the Collector of the District shall maintain records of the business transacted by the Local Co-ordination Committee and take necessary follow up action. 15. 16. 17. 18. 20 24 2002 No agency or authority of the Government or the Local Government, as the case may be, including functionaries therein, shall disclose to any other investor or to a person not duly authorized, any information



forming the intellectual property of the investor or any other information regarding the project without the consent of such investor. Provided, that all information in respect of the terms and conditions of the investment being made in the State and the facilities, if any, provided to the investor by the Government or any of its agencies or authorities, or by any Local Government, shall be notified by the State Board for information of the public. The provisions of this Act shall apply to all investment proposals that have been under consideration of the State Government or any of its agencies, authorities or undertakings on the date the Act comes into force.

CHAPTER-IV OBLIGATION OF THE INVESTOR The investor shall proceed to take action under Chapter III of this Act, only after satisfying himself of the feasibility of investing in the State. The investor shall undertake to discharge his obligations for the Project Affected Persons whose land is acquired for the project by training at least one member of each family of such persons in skills that would ensure employment to the person so trained, either under the investor or otherwise.

CHAPTER-V EXCEPTIONS The District Committee or Divisional Committee or the State Board, as the case may be, shall not reject any proposal except for reasons to be communicated in writing to the investor within seven working days of such rejection. Provided further, that the investor may submit a revised proposal redressing the grounds of rejection of the initial proposal within a further period of fifteen working days; and any such revised proposal shall be deemed to be a new proposal for the purpose of Conditionality. Transitional Provision. Commitment Investment Commitment for project affected persons. Exceptional grounds for rejection. Schedule-I of the Act. The State Government may make rules for carrying out the purpose of this Act. Power to make rules. —J 198(26) 24 2002

SCHEDULE - (See Section - 12) The Investment Promotion Authorities referred to in Chapter 11 shall receive, process and issue approvals in respect of applications for industrial and other investments in the State of Chhattisgarh, as per the following classification Investment promotion Authority State Investment Promotion Board Divisional Investment Promotion Committee. District Investment Promotion Committee

Limit of Capital Investment (i) All project proposals above Rs. 100.00 crores. All project proposals below Rs. 100.00 crores, where the project area falls in more than one division; All project proposals below Rs. 100.00 crores, and above Rs. 5.00 crores where the project area falls within the same division; All project proposals below Rs. 5.00 crores, where the project area falls in more than one district of the division. Rs. 5.00 crores or below, provided the entire project area falls within the same district. Explanation:- For the purposes of this Schedule, the term "Capital Investment" shall have the same meaning as under the generally accepted accounting principles, prescribed by the Institute of Chartered Accountant of India. 24 2002

SCHEDULE - (See Section - 5, 8 & 12) The investor shall be entitled to services from the Investment Promotion Authorities under Chapter with in the periods of time indicated against each activity;- 4 5. 6. 7

8. Preliminary Meeting with Convener of the Board or the Committee as the case may be within 7 working days from date of expression of intent. Response to investors proposal within 7 working days from the date of expression of intent or 3 working days from the date of the Preliminary Meeting whichever is later to be conveyed by the Point of Investor Contact. Memorandum of Understanding to be signed within 15 working days from the date of communication of response to the proposal followed by firm agreement as convenient to the investor between the investor and the appropriate agency or authority or undertaking of the Government. Land transfer in the case of government revenue lands. 45 working days from the date of identification and application to the Point of Investor Contact and payment of value thereof; and Section 4 notification for Land Acquisition to be made within 15 working days; land transfer through private negotiations would be facilitated and once settled between the investor and the private land owners the mutation and registration formalities shall be completed within 30 working days all land transfers have to be consistent with Constitutional and statutory provisions in regard to land in the Vth Schedule areas. Clearances in respect of other Local Government, or statutory requirements of the State Government or its agencies or authorities shall be obtained within a period of 30 working days from the date of land transfer, or 75 working days from the date of identification of the site; whichever is earlier. Arrangement for requirements of infrastructure such as power shall be made within 45 working days from the date of transfer, or 75 working days from the date of identification of the site for the project; whichever is earlier. All recommendations such as for mining or environmental clearances, wherever required to be forwarded to the Central Government, shall be so forwarded, complete in all respects of documentation, within 45 working days from the date of transfer of land, or 75 working days from the date

of identification of the site; which ever is earlier. Preliminary Site visit for deciding on the location may be arranged free of cost if so required by the investor within 2 Working days for the preliminary meetings with the members of the Board or the Committees. €1. 3i./ (P4V17/2002. ' Mt. 2-22-*qrrg Q. 30-5-2001. " 3 2005 1926 3 2005 02.01.2005 a, m-TPT 3 4 2 (2) (2) (3) 3 2005 3Rfũ-f>-u-q (m. 16 2004) 2004. 2002 (vieiEF1) 2004 1 2002 "(VEö--ZF) a-ral \$1 2 (8TH) oqui<.- 10 3. 4. 5. 6. 7. (4) (2) 3 2005 "(QT-EF) 12 \$1 Rfa--« üé" Mfd -va--ö 10 Grrq. (3) (4) 8. '(3) (4) 3 2005 E..TRI (2) 312kia.- €6) 0) (u) (z.) -åVâT qfra aT@Tüq (u) (u) 3 2005 fâFtT 12 (5) @ fr-fi fig 12 \$1 ft-of-a f0-G um 10 (3) ft.-ft. zrr I fiRfiu 0, 12 (2) 9. 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After clause (i) of section- 2 of the Chhattisgarh Audyogik Nivesh Protsahan Adhiniyam, 2002 (hereinafter referred to as Principal Act), the following clauses shall be inserted, namely :- "(i-a) "Advisory Board" means the State Industries Advisory Board constituted under section 9; (i-b) "Clearance" means and includes grant or issue of no objection certificate, consent, enrolment, registration, permission, approval, licence, allotment, and the like by any competent authority in connection with scuing up 01' an industrial undertaking in the State of Chhattisgarh. (i-c) "Competent Authority" means and includes any Departfflent or Agency of the State Government, Grarn Panchayat, Municipality or other local body, which is entrusted with the powers ånd responsibilities to grant or issue any clearance; " Clause (iii) of section 2 of the Principal Act, shall be omitted. Amcnd:ncnt of section 4 Amendment of section 5 Omission of section 6,7 & 8 Amendment of section 9 Amendment of section IO 3. 4. 5. 6. 7. (3) (4) (1) (2) (3) 3 2005 After clause (iv) -of section 2 of the Principal Act, the following clause shall be inserted, namely :- "(iv-a) "Industrial Undertaking" means and includes an undertaking engaged in manufacturing or processing or both or providing service or doing any other business or commercial activity specified by the State Government; After clause (x) of section 2 of the Principal Act, the following clause shall be inserted, namely :- "(x-a) "Nodal Agency" means the State level or the District level agency notified under sub section (l) of section 12;" Clause (b) or scclion 4 of the Principal Act shall be omitted. In sub-section (3) of section 5 of the Principal Act, for the words "the services specified in Schedule 11 within the time period specified therein" the words "such services and within such time period as may be prescribed" and for the words "Divisional Committee" the words "State Board shall be substituted. Sections 6,7 and 8 of the Principal Act shall be omitted. For section 9 of the Principal Act, the following section shall be substituted, namely:- "9. State Investment State Government shall constitute a State Investment Promotion Board and Promotion Board a State Industry Advisory Board for & State Industry promoting facilitating and Advisory Board: implementation of industrial and other projects in the State." In section IO of the Principal Act, - clause (c) of sub section (1) Shaki be omitted. after clause (m) of sub-section (1) the following clause shall be inserted, namely "(mm) Minister in charge of matters relating to Revenue." in clause (p) of sub-section (l), for the word "Committee" the word " Board" shall be substituted. 3 2005 (4) After sub section (2) the following sub sections shall be added, namely : "(3) The Slate Board .may constitute one or more Committee and may delegate any of its powers and -functions to such Committee. (4) The State Industry Advisory Board shall consist of the following members, namely:- (a) (b) (c) (d) (f) (g) A Chairperson, who shall be the Chief Minister Of the State. A Vice-Chairperson, who shall be the Minister in charge of matters relating to Industries. Ministers in charge and secretaries of such other l)cpartments of the State Government, as the State Government may specify'. Such number of persons, not exceeding five, as the State Government may nominate from amongst the office bearers of the organisations representing commerce, trade and industry. Such number of eminent persons and experts, not exceeding five, as the State Government may nominate from the fields of commerce, trade and industry. Such number of persons, not exceeding five, as the State Government may nominate from the fields of labour and human resource development. Secretary in charge of matters relating to Industries, by whatever name designated, shall ex- officio be the Convener of the Advisory Board. " Amendlnent of

section 11 8. In section 11 of the Principal Act, - (l) for clauses (a) to (g) of sub section (l), the following clauses shall be substituted, namely :- "(a) Cases referred to it by any District Committee in respect of which there is difference of opinion amongst members of such Committee. (b) Cases referred to it by the State level nodal agency in respect of which any competent authority has failed to take decision within the limit prescribed under clause (b) of sub section (5) of section 12. (c) (d) (f) (g) 3 2005 Cases referred to it by any competent authority for decision in connection with any approval required under any enactment of the State Legislature for implementation of investor's project. Cases requiring recommendation of the State Government or any State Government Agency for obtaining approval of the Central Government under any enactment of Parliament for implementation of investor's project, referred to the Board by;- (i) the competent authority itself, or (ii) the State level nodal agency where a competent authority has failed to take decision within the time limit prescribed under clause (b) of sub section (5) of section 12. Representations received from investors against decisions of District Committees. Suo motu examination and review of any decision taken by a District Committee or the Committee constituted under sub section (3) of section 10. Such other matters as may be prescribed. Provided that the Board, while proceeding to decide (2) Amendment of section 12 9. any matter that ought to have been decided by any Department or Agency of the State Government, shall call for the views or comments, as the case may be, of the concerned Department or Agency. Provided further that if no views or comments are received by the Board within the time limit fixed by it, it shall be competent for the Board to proceed and decide the matter. Provided also that the Board shall not decide any matter which involves a financial grant or tax concession if such grant or concession, as the case may be, is not provided for in the appropriate policy of the State Government. for sub-section (2), the following sub section shall be substituted, namely :- "(2) The Board shall ordinarily meet once a month or at such intervals as may be necessary for expeditious approval of investment proposals. " For section 12 of the Principal Act the following section shall be substituted, namely :- 3 2005 (1) The State Government may, by a notification to be published in the Official Gazette, appoint a State level nodal agency and a District level nodal agency for each District. (2) 'The State level nodal agency shall be a cell under the State's Industries Department headed by the Convener of the State Board and the District Industries Centre shall be the District level nodal agency. (3) The State level nodal agency and the District level nodal agencies shall be the Points of Investor Contact and shall be responsible for obtaining clearances required by an investor for establishing industrial undertaking in the State. (4) The State level nodal agency and District level nodal agencies shall provide secretarial support to the State Board and District Committees, respectively. (5) Notwithstanding anything contained in any law enacted by the State legislature for the time being in force, the State Government may prescribe,- (a) the procedure for processing and disposal of applications received by the State level and District level nodal agencies; and (b) time limits for processing and disposal of applications by competent authorities. Provided that the State Government shall not prescribe anything under this sub section which is inconsistent with any enactment of Parliament or has been or ought to be prescribed by the Central Government under such enactment. (6) All proposals of expression of interest and applications in connection with investment in the State shall be submitted to, and received by, an authorized officer of the concerned nodal agency as per jurisdiction laid down in Schedule-I. (7) The applications received by the nodal agency shall be processed and disposed off in the manner prescribed. Amendment of section 13. Amendment of section 14, Amendment of section 19. Amendment of section 20. Amendment of Schedule I. 10. 11 12. 13. 14. 3 2005 (8) Notwithstanding anything contained in any law enacted by the State legislature for the time being in force, the State Government may prescribe the clearances required by an investor in respect of which failure of the competent authority to pass final order on investor's application within the prescribed time limit shall result in deemed approval. (9) The nodal agency shall inform the applicant the date of receipt of his application referred to in sub section (8) by the competent authority and the date on which the application was deemed to have been approved under sub section (8). (10) The applicant may proceed to execute the work or take other action following the deemed approval referred to in sub section (8), but not so as to contravene any of the substantive provisions of Acts or rules or bye laws applicable to such clearances. In sub-section (2) of section 13 of the Principal Act, the words "or Divisional Committee" shall be omitted. In sub section (4) of section 14 of the Principal Act, the words "or Divisional Committee" shall be omitted. In section 19 of the Principal Act, the words "or Divisional Committee" shall be omitted. For section 20 of the Principal Act, the following section shall be

substituted, namely :- "(1) The State Government may, by notification in the Official Gazette, make rules for carrying out the purposes of this Act. (2) Without prejudice to the generality of the foregoing power, such rules may provide for all or any of the matters which may be, or, are required to be prescribed. (3) Every rule made under this Act, shall be laid immediately before the Legislative Assembly of the State if it is in session, and if it is not in session, in the session immediately following the date on which such rule is notified. t' For Schedule I of the Principal Act, the following Schedule shall be substituted, namely:- Investment Promotion Authority State Investment Promotion Board District Investment Promotion Committee Amendment of Schedule 11 Repeal of Ordinance No. 6 of 2004 15. 16. 3 2005 "SCHEDULE-I 'l he Invctment Promotion Authorities rferred to in Chapter 11 shall receive, process and issue approvals in respect of applications for industrial and other investrnents in the State of Chhattisgarh, per the following classification. Limit of Capital Investment (i) All Project proposals above Rs. 10.00 crore (ii) All project proposals below Rs. 10.00 crore, where the project area falls in more than one district. Rs. crore or below, provided the entire project area falls within the same district. " Schedule-II of the Principal Act, shall be omitted. Audyogik Nivesh Protsahan (Sanshodhan) Adhyadesh, 2004 (No. 6 of 2004) is hereby repealed. By order and in the name of the Governor of Chhattisgarh, (Vimala Singh Kapoor) Diputy Secretary Chhattisgrah Govt. Law and Legislative Affairs Departmen rra

