

MADHYA PRADESH FACILITATION ACT, 2008

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2008. TABLE OF CONTENTS title.extern Definitions. Level Investment Committee. Furw•lions of Apex Level Committee PO"crs Of Level Committee. Slate prmnotion Empowered Committee. Of State Level Committee of State Committee. District Level Empowered Committee. Of District powers of District Level Committee. Nodal Functions or State Level Nodal of District Level Nodal Agency. Combined Application Form. 982 (6) 16. 20 21, 12 S: If Certification. Time limit for of application. Penalty cognizance Of offence. of action taken in faith. Power to make rules. power to rcnu»ve difficulties. MADHYA PRADESH ACT No. 21 or 2008, THE MADHYA PRADESH INVESTMENT FACILITATION ACT, "Madtwa dated 12th Augwt. An Act to provide the facilitation or new investments in industrial and Other projects by simplifying the regulatory framework. reducing procedural requirements and rationahsing and to provide for friendly environment IO an investor in the State Of Madhya Pradesh and matters therewith thereto. Be it enacted by the Madhya Pradesh Legislature in the Fifty-ninth year of Republic of (l) This Act may called Facilitation Act, (2) It extends to of the pra&sh_ (3) It Come into force on date as the State may. by 2. In this Act, Context (a) (b) (d) (g) Level Committee" a Constituted by the State Government undet Section •Clearances" means grant issue of no-objection certificate. letter of intent, allotments approvals. registrations. the like by any authority or in with settling up or an industrial or service in State Of Shall irlrude such clearances till mxkutaking commences means any agency Of the State Government. Corporation, authority. Gram Panehayat. Municipality. Municipal local bMy Which are entrusted with the and to grant or •uwtO•miæd package" means package of sanctioned by the Apex Level Committee for the project of in add.tiO" to the existing assistance or facilities available in Madhya Pradesh under various any department Of the of Madhya "District Level Committee" means the District Level promotion Eml%'wered Committee constituted by 'he State Government under Section 9. "District Centre" the district of Of Commerce, Industry Employment Of the Government or Madhya Pradesh; means a or of a having majority investment in an 982 (7) (n) (o) (p) (q) 12 2C08 policy" means the industrial or policies declared by the Government of Madhya by the Government Of India. as the Case may be, for of industrial, commercial and Other activities; "Industrial undertaking" means an undertaking engaged in manufacturing or woviding service or doing any Other or activities IS may be specified by the State Government or the Central means an undertaking Which is engaged in manufacturing or or such activities Which may bc registered under relevant Acts and rules or the Department of Commerce. Industry and Employment of the Governmetü O' Madhya or Government of India; "Investment" fixed capital investment by an investor or or project; a firm, or institution Who to invest in the State Of Madhya Pradesh; "Madhya Pradesh Trade and Investment Facilitation Corporation Limited (TRIFAC)" the agency established fcy effective implementation Of Single Window System, having at Bhopal; "Nodal Agency" means the at State o' at the Level 12; • Project" means an with investment for manufacturing prevcessing or t»th or providing senice or Ching any other business or commercial aaivity in the State as may bc srxcified by State Government an existing unit undertaking its expansion or diversification or modernization; •Single Winckyw (Clearance) System" means a mechanism or system established by the State Government. under which applications are received. examined. and are issued in a unified manner from through the of a Single designated to facilitate Clearances for investment 3. (I) The State Government may, by notification, constitute an Level Investment Promotion Ernvv'wered Committee consisting of such members as may specified therein. (2) The Level Shall examine and the received from any relating IO industrial Other projects to Set up in the State having limit as may notified by the State from time to time. (3) members Of the Apex C.ommittee Shall atterrl its and in Case a is

unable he shall depute a Senior Level to the meeting. With a written authorisation take appropriate in the

4. The Level Committee shall at least once in every two at place and shall adopt such procedure business as it may decide. (2) Level Committee shall examine the for the setting up Of any industrial undertaking, which are submitted before it and shall take appropriate decisions. including sanction customized packages on such and may call the investor and concerned departments or to their case in force it. (3) The Level Committee may also consider matters referred to it by the State Level Committee and take appropriate decisions 982 (8) Stü Lod 12 (1) The Apex Level Committee shall be the final authority in granting for the placed in force it and shall have at par With the Economic Affairs of State Cabinet and Apex Level consider granting a customized package on a keeping in View the of proposal made by an investor. (2) Decisions taken by the Level Committee shall binding on all Government and departments or authorities shall require Clearances permissions Within limit : that the relevant provisions Of the applicable Acts and Rules Of the State Central Government are with by the investor. 6. (1) The State Government may, by notification. constitute a State Level Investment Empowered Committee Of such persons as may be therein. A Of the •State Level Committee shall its and in case he is to attend. he may a Level With a written to take decision in 7 _ (1) The State Level Committee shall least once in two and at such and shall to its as it may decide, (2) The State Level Committee shall consider the brought before it for setting up Of undertakings or projects with investment Of limit as may be by the State to shall take appropriate decisions. (3) State Level shall and decide the matters referred to it by District Level Committee. 8. (1) State shall to grant Clearances to the it With Of financial limits by State Government. (2) taken by State Committee shall binding on the or and other authorities shall the required as by State Level Committee Within the Stipulated time limit : that investment has With the of the relevant Acts Of the or at that time. (3) The State Level Committee may refer the proposals Of investment exceeding its limit to the for consideration in appropriate cases, The State Government may. by notification. constitute a District Level Investment Of as may be provided therein. (2) A of District Level shall attend. personally and in he is to attend the he may Level Officer with written authorisation to take in the (1) District Level Committee shall at such place and shall such to transact its as may District Level Committee shall it up of any project or industrial unit with investment Of may mentioned by the State Within the district and shall decisions. Which shall be Communicated to the investors and the departments 12 2038 (3) The concerned District Trade and Industry Centre under the Department of Commerce. and Employment, Government Of shall function as the Secretariat Nodal Agency for the District Level Committee. 11. (1) The District Level Committee shall authorised for granting clearances according to the investment proposals up to the financial limits mentioned by the State Government. (2) The decisions taken by the District Level Committee shall be binding on the departments or authorities concerned at the district level such departments or authorities shall issue the required clearances within the time limit, subject to by investors of the provisions Of the applicable Central or State Acts and the rules thereunder 12. For the proper functioning and working of the Level Committee. State Level Committee and District Level Committee, the State Government may, by order. appoint the agency shown against each committee in the Table below or any other agency as the Nodal Agency in Of the Apex Level State Level Committee District Level Committee Nodal Agency Madhya Pradesh Trade and Investment Facilitation Corporation Ltd., Bhopal. District Trade and Industry Centre of the concerned District

13. The Agency at the State level shall,—(i) (iii) (v) carry out investment facilitation activities by extending assistance to investors; as for the State Level Committee; co-ordinate and follow up with the concerned departments for obtaining the sanction or approvals required for the setting up of the industrial undertakings; information regarding and etc. make available to the entrepreneurs; receive from investors or entrepreneurs the combined application forms and forward the same to the departments or agencies for getting or approvals in the stipulated limit. 982 (9) Note in the 14. The functions of the District Level Nodal Agency shall as follows to Out investment promotional activities in the district: (iii) to guide and assist entrepreneurs in investment and in setting up their projects Or industrial units in the district: to issue application forms meant for various clearances to the entrepreneurs and also to the up forms from them to facilitate required Clearances the departments and authorities within stipulated time: to service to the District Level 982 limit 12 2028 The State Government may prescribe combined application form for the use of Whose projects are to be to the Level State Level in of the existing forms applicable Acts rules of State the application forms Central ACTS or rules may be as such in combined application form and the

combined application form shall be issued for approvals from the State. All its agencies or agencies of the Central Government and all the departments of the State shall accede to the form for issue. Every entrepreneur shall furnish the form at the time of submitting the duly completed combined application form and thereafter once in a year to the Agency undertaking that shall comply with the provisions of relevant Acts and rules made thereunder. The undertaking shall be in such form as may be made by the State in consultation with the authorities concerned for the purpose of issuing patenting and giving other benefits to the inventor. The State in the Department of Commerce, Industry and Employment, may, with or without any time limit for processing disposal of application in respect of approvals or etc. IS. (1) Any entrepreneur, who fails to comply with the conditions or the undertaking in certification given to the Agency or the Government, shall be punishable with fine which may extend to the first offence for the second offence with which may extend to thousand rupees. (2) No person shall take cognizance of any offence under sub-section (1) within previous of the State. 19. Any thing in any law for the time being in force in no suit Criminal shall be against the Chairperson or other members of or State or District Level Committee of any of such or Agency, of anything which is in faith done or to this Act any rule made. 20. (1) State Government may, by notification, to previous publication, rules carry out the provisions of this Act. (2) rule made Act shall be laid, as and as may be, before the State Legislature while it is in session. 21. If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, do anything that is necessary or expedient for the purposes of this Act. diffR-uuu. f2FTtQ5 31/01/09 2008 21 2008) 1 (3) 1 2009 ft--u--t, I *T-ä-qfi) .e-r@ßF4, 348 (Z) 31 / 09 -qfi-q GOVERNMENT OF MADHYA PRADESH COMMERCE, INDUSTRY AND EMPLOYMENT DEPARTMENT No. F.20-02/03//B-Xi MANTRALAYA, BHOPAL NOTIFICATION Bhopal, dated:- 31.01.09 In exercise of the powers conferred by sub-section (3) of section 1 of the Madhya Pradesh Investment Facilitation Act, 2008 (No.21 of 2008), the State Government, hereby, appoints the 1st February, 2009 as the date on which the said Act shall come into force. BY ORDER AND THE NAME OF THE GOVERNOR OF MADHYA PRADESH (M. S. SOLANKI) DEPUTY SECRETARY GOVERNMENT OF MADHYA PRADESH -COMMERCE, INDUSTRY & EMPLOYMENT DEPARTMENT 20—2 1. fäää--\$, \$1 25 I fro, 31 / 01/09