

MADHYA PRADESH UDYOGON KI STHAPNA EVAM PARICHALAN KA SARALIKARAN ADHINIYAM, 2023

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agency! means the nodal agency referred to in section 5; "notification" means a notification published in the Madhya Pradesh Gazette and the word 'notified' shall be construed accordingly; "notified area" means a geographical delimitation notified under section 3. "prescribed" means prescribed by the rules made under this Act: "State" means the State of Madhya Pradesh; and "State Level Empowered Committee (SLEC)" means State Level Empowered Committee constituted under section 4. The Government may notify such areas within which any industrial unit, being established or operationalized shall be eligible to seek acknowledgement certificate under section 7. (1) The Government may, by notification, constitute a State Level Empowered Committee consisting of such members as may be specified therein. (2) The State Level Empowered Committee shall— 230 (7) Power to notify areas. State Level Empowered Committee. (SLEC) (a) (b) (c) (d) propose areas to be notified under section 3; assist industrial units to obtain acknowledgement certificate; facilitate amicable settlement of disputes, if any, between an industrial unit and any Competent Authority; exercise and perform such other powers and function as assigned by the Government for giving effect to the provision of this Act. 230 (8) Nodal Agency. Powers and Functions of nodal agency. Intention to invest. Effect of the acknowledgement Certificate. 5. 6. 8, 6 2023 The Madhya Pradesh Industrial Development Corporation Limited shall be the nodal agency for the purposes of this Act, unless the Government by notification, authorizes any other agency of the State, as the nodal agency for such notified areas as it may consider appropriate. (1) The nodal agency shall assist and facilitate establishment of industrial units in the notified areas. (2) The nodal agency shall maintain the record of intention to invest received and acknowledgement certificate issued under this Act; (3) The Government may assign such other powers and functions to the nodal agency as it may deem appropriate for giving effect to the provisions of this Act. (1) Any person who intends to start an industrial unit in a notified area may furnish to the nodal agency an intention to invest in such form and in such manner, as may be prescribed. Explanation.— Any person who has applied to the Competent Authority for obtaining all or any of the approvals may also opt to furnish intention to invest under this sub-section. (2) On receipt of intention to invest, completed in all respects, the nodal agency may issue an acknowledgment certificate in such form and manner as may be prescribed. (1) Subject to the provisions of this act an acknowledgment Certificate shall have the effect of an approval, for a period of three years from the date of its issuance: Provided that the acknowledgement certificate shall not entitle any person to use any parcel of land contrary to the provisions of the layout approved by a Competent Authority or the development plan notified under the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973), where such plan is in force. Explanation.— Any person who furnishes intention to invest may specify the approvals in respect of which acknowledgement certificate is being applied for. (2) Industrial units commencing commercial operations prior to the expiry of the period of three years from the date of issue of acknowledgement certificate, shall be required to obtain all the necessary approvals before the commencement of commercial operations; (3) During the period of three years specified in sub-section (1), no Competent Authority shall undertake any inspection for the purpose of, or in connection with, any approval 9 10. 11, 12, 13. 14. 6 2023 Provided that inspections shall be carried only when the industrial unit applies for approvals. prior to the commencement of commercial operation or after expiry of three years from the date of issuance of acknowledgement certificate, Where the Government or any authority of the State is empowered to exempt any industrial unit from any approval or inspection or any provisions relating thereto under any Central Act. the Government or, any such authority, as the case may be, shall, subject to the provisions of such Central Act. exercise such powers to grant such exemption to an industrial unit established in the State from the date of issue of the acknowledgement certificate under section 7. No suit, prosecution or other legal shall lie against the Government or State Level Empowered Committee or Nodal Agency or Competent Authority or any employee of Government, Nodal Agency or Competent Authority or Members of State Level Empowered Committee for anything which in good faith is done or intended to be done under this Act or any rules made thereunder, (1) The provisions of this Act shall have effect, notwithstanding anything contained in any other State law for the time being in force, (2) In particular and without prejudice to the generality of the foregoing provisions of this Act, such provisions shall have effect notwithstanding anything contained in the applicable Acts and the provisions of the applicable Acts shall be read as amended in conformity with the provisions of this Act (3) In particular and without prejudice to the generality of the foregoing provisions of this Act, such provisions shall have effect notwithstanding anything contained in the rules and regulations made under the

applicable Acts and the provisions of such rules and regulations shall be read as amended in conformity with the provisions of this Act; In the event of any conflict between the provisions of this Act and any Central Act, such Central Act shall have overriding effect. Nothing in this Act shall be construed as exempting any industrial unit from the application of the provisions of any law for the time being in force, or any regulatory measures and standards prescribed thereunder, except to the extent provided in this Act.

(1) State Government may, by notification, make rules to carry out the provisions of this Act. (2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the State Legislature. 230

(9) Exemption. Protection of action taken in good faith. Ordinance to override State laws. Overriding effect of Central Act. Applicability Power to make rules. 230 (10) Power to remove difficulties. Repeat and saving. 15. 16, 6 2023

If any difficulty arises in giving effect to the provisions of this Act, the Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty, (1) The

Madhya Pradesh Udyogon Ki Sthapana Evam Parichalan Ka Saralikaran Adhyadesh. 2023 (No. I of 2023) is hereby repealed. (2) Notwithstanding the repeal of the said ordinance, anything done or any action taken

under the said Ordinance shall be deemed to have been done or taken under the corresponding provision of this Act. gnT

