



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
LEGISLATIVE DEPARTMENT : : : LEGISLATIVE BRANCH

NOTIFICATION

The 29th January, 2022

No. LGL.166/2021/13.— The following Act of the Assam Legislative Assembly which received the assent of the Governor of Assam on 24th January, 2022 is hereby published for general information.

ASSAM ACT NO. XLVIII OF 2021

(Received the assent of the Governor on 24th January, 2022)

**THE ASSAM MICRO, SMALL AND MEDIUM ENTERPRISES
(FACILITATION OF ESTABLISHMENT AND OPERATION)
(AMENDMENT) ACT, 2021**

AN ACT

further to amend the Assam Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) Act, 2020.

Preamble

Whereas, it is expedient further to amend the Assam Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) Act, 2020, hereinafter referred to as the principal Act, in the manner hereinafter appearing;

**Assam
Act No. XIV
of 2020**

It is hereby enacted in the Seventy- second Year of the Republic of India as follows: -

**Short title,
extent and
commencement**

1. (1) This Act may be called Assam Micro, Small and Medium Enterprises (Facilitation of Establishment and Operation) (Amendment) Act, 2021.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

**Amendment of
section 2**

2. In the principal Act, in section 2, after clause (k), the following new clauses (l), (m) and (n) shall be inserted, namely: -

- “(l) “Notified Industrial Area” means delineated enclave designated by the Government of Assam for setting up of Micro, Small and Medium Enterprises.
- (m) “Deemed Industrial Area” means any area where large number of Industries have been growing up and can clearly be distinguished as Industrial Cluster, which shall be notified as “Deemed Industrial Area” by the Office of Commissioner of Industries and Commerce, Assam.
- (n) “Designated Officer” in respect of ‘Notified Industrial Area’ means such Officers not below the rank of Deputy General Manager, of the Assam Industrial Development Corporation Limited, the Assam Small Industries Development Corporation Limited and the Assam Industrial Infrastructure Development Corporation Limited, to be notified by the respective Corporations. “Designated Officer”, in respect of ‘Deemed Industrial Area’ means such Officers not below the rank of General Manager, District Industries and Commerce Centre to be notified by the Office of Commissioner of Industries and Commerce, Assam”.

**Amendment of
section 4**

3. In the principal Act, in section 4, after sub-section (2), a new sub-section (3) shall be inserted, namely: -

“(3) In respect of ‘Notified Industrial Area’ and ‘Deemed Industrial Area’, the Designated Officer shall have the following powers and functions, namely:

(i) Any person or enterprise who intends to set up an Industrial Unit in the “Notified Industrial Area” or “Deemed Industrial Area” shall apply for necessary clearances/ permissions/ NOCs through the Ease of Doing Business portal in an application form as may be prescribed.

(ii) The Designated Officer shall forward that application to the concerned Government Departments or agencies. If Government Departments and agencies fail to recommend the licenses, permission, etc or they don't provide their objections to the Designated Officer within 30 days from the date of receipt of the application, such permissions, clearances, etc. shall be deemed to be recommended/approved by them.

However, approval of Power Connection, Fire Clearance for industrial units shall not be included in the purview of this time limit.

(iii) The Designated Officer shall issue NOC, clearance, permissions, etc. for setting up and operating the industrial unit in a format as may be prescribed.

(iv) Approval shall not be given by the Designated Officer to the units dealing with hazardous items or industries of a specific category to be notified by the Government.”

Amendment of
section 8

4. In the principal Act, for section 8, the following shall be substituted, namely: -

“8. No suit, prosecution or other legal proceedings shall lie against the Government or Nodal Agency/ Designated Officer or competent authority/ Approval Committee or any employee of the Government in respect of anything which is done or intended to be done in good faith under this Act or any rules made thereunder.”.

GEETANJALI DAS SAIKIA,

Secretary to the Government of Assam,
Legislative Department, Dispur, Guwahati-6.