

**HARYANA GOVT. GAZ (EXTRA). JULY 6, 2007**  
**(ASAR 15, 1929 SAKA ) 2827**

**HARYANA GOVERNMENT**  
**INDUSTRIES DEPARTMENT**

**Notification**  
**The 6<sup>th</sup> July, 2007**

No. 49/43/2007-41B1. – In exercise of the powers conferred by sub –section (1) of section 14 of the Haryana Industrial Promotion Act, 2005 (6 of 2006), the Governor of Haryana hereby make the following rules providing single point time bound clearances required for and operation of industrial undertakings in the State of Haryana namely:-

1. (1) These rules may be called the Haryana Industrial Promotion rules, 2007
- (2) They shall come into force on date of their publication in the Official Gazette.
2. In these rules, unless the context otherwise requires:-
  - (a) “Act” means the Haryana Industrial Promotion Act, 2005 (6 of 2006).
  - (b) “Composite Application forms” means forms referred to in section 8 duly filled and completed in all respects;
  - (c) “Form” means a form appended to these rules.
  - (d) “section” means a section of the Act. and
  - (e) “undertaking” means an undertaking given by an entrepreneur from time to time under section 10.
3. The High Powered Clearance Committee shall consist of the following members, namely:
  - (1) Principal Secretary to Chief Minister, Haryana      Chairman
  - (2) Principal Secretary to Government, Haryana      Member  
Excise and Taxation Department
  - (3) Principal Secretary to Government, Haryana      Member  
Power Department

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| (4) | Principal Secretary to Government, Haryana<br>Town and Country Planning Department | Member           |
| (5) | Principal Secretary to Government, Haryana<br>Industries Department                | Member           |
| (6) | Principal Secretary to Government, Haryana<br>Labour Department                    | Member           |
| (7) | Principal Secretary to Government, Haryana<br>Environment Department               | Member           |
| (8) | Director of Industries, Haryana  | Member Secretary |
4. (1) The high Powered Clearance Committee shall meet at least once in a month at Chandigarh or at such other place as the Chairman may specify from time to time to transact its business.
- (2) Details of all the Composite Application Form received from entrepreneurs at least fifteen days prior to the ensuing meeting shall be placed before the Committee.
- (3) The Member Secretary shall by issuing a meeting notice, convene a meeting of High Powered Clearance committee Indicating the date, time and place of the meeting. He shall enclose agenda and notes highlighting therein details of the applications cleared, applications cleared with modifications, rejected, information regarding the date on which application has deemed to have been approved in the case of deemed approvals and other observations, if any received from the authority for the transaction of business in the said meeting. He shall send a notice of meeting at least seven days in advance.
- (4) Member Secretary shall also send communication intimating the date, time and place of the High Powered Clearance

Committee meeting to the entrepreneurs, whose cases are included in the agenda.

- (5) All the members and invitees of the High Powered Clearance committee shall attend the meeting in person. In case the member is pre-occupied with other important engagements or business, he shall depute the senior most officer to attend the meeting on his/her behalf with full briefing of the departmental views.
  - (6) The High Powered Clearance Committee shall examine all the proposals placed before it and take appropriate decisions.
  - (7) The Member Secretary of the Committee shall within three days circulate the proceedings of the meeting approval of the Chairman.
  - (8) Within two days of circulation of the proceedings of the meeting, the Member Secretary shall communicate the decision of the Committee to the authorities and the entrepreneur concerned.
  - (9) The authority shall grant or issue the necessary clearances within three days of the receipt of orders of the Committee.
5. State Level Clearance Committee shall consist of the following members, namely:
1. Principal Secretary to Government, Haryana, Chairman  
Industries Department.
  2. Principal Secretary to Government, Haryana, Member  
Power Department

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| 3. | Principal Secretary to Government, Haryana,<br>Excise and Taxation Department       | Member            |
| 4. | Principal Secretary to Government, Haryana,<br>Town and Country Planning Department | Member            |
| 5. | Principal Secretary to Government, Haryana,<br>Labour Department                    | Member            |
| 6. | Principal Secretary to Government, Haryana,<br>Environment Department               | Member            |
| 7. | Director of Industries, Haryana   | Member- Secretary |
6. (1) The State Level Clearance Committee shall meet at least once in a month at Chandigarh or at such other place as the Chairman may specify from time to time to transact its business.
- (2) Details of the Composite Application Forms received from entrepreneurs at least fifteen days prior to the ensuing meeting shall be placed before the Committee.
- (3) The Member –Secretary shall by issuing a meeting notice, convene a meeting of State Level Clearance Committee indicating the date, time and place of the meeting. He shall enclose and notes highlighting therein details of the applications cleared, applications cleared with modifications, rejected, information regarding the date on which application has deemed to have been approved in the case of deemed approvals and other observations, if any, received from the authority for the transaction of business in the said meeting. He shall send a notice of meeting at least seven days in advance.
- (4.) Member –Secretary shall also send communication intimating date, time and lace of the meeting to the entrepreneurs, whose cases are include in the agenda.

- (5) All the members and invites of the State Level Clearance Committee shall attend the meeting in person. In case the member is pre-occupied with other important engagements or business, he shall depute the senior most officer to attend the meeting on this behalf with full briefing of the departmental views.
  - (6) The State Level Clearance Committee shall examine all the proposals placed fore it and take appropriate decisions.
  - (7) The Member- Secretary of the Committee shall within three days circulate the proceeding of the meeting after taking approval of the Chairman.
  - (8) Within two days of circulation of the proceedings of the meeting the Member- Secretary shall communicate the decision of the Committee to the authorities and the entrepreneur concerned.
  - (9) The authority shall grant or issue the necessary clearances within three days of receipt of order of the Committee.
7. (1) The District Level Clearance Committee shall consist of following member, namely:-
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| (a) Deputy Commissioner of the District concerned   | Chairman         |
| (b) Executive Engineer, Uttar Haryana Bijli Vitran Nigam/Dakshin Haryana Bijli Vitran Nigam             | Member           |
| (c) Deputy Excise and Taxation Commissioner   | Member           |
| (d) District Town Planner   | Member           |
| (e) District Level Officer of the Haryana State   | Member           |
| (f) Assistant Director Industrial Safety<br>O/o Labour Commissioner-cum-Chief Inspector<br>of Factories | Member           |
| (g) General Manager, District Industries Center   | Member Secretary |
- (2) Chairman can invite any other members if deemed necessary:

8. (1) The District Level Clearance Committee shall meet at least once on a month at district headquarter or at such other place as the Chairman may specify from time to time to transact its business.
- (2) Details of all the Composite Application Forms receive from entrepreneurs at first fifteen days prior to the ensuing meeting shall be placed before the Committee.
- (3) The Member Secretary shall by issuing a meeting notice, convene a meeting of District Level Clearance Committee indicating the date, time and place of the meeting. He shall enclose agenda and notes highlighting therein details of the applications cleared, applications cleared with modifications, rejected, information regarding the date on which application has deemed to have been approved in the case of deemed approvals and other observations, if any, received from the authority for the transaction of business in the said meeting. He shall send a notice of meeting at least seven days in advance.
- (4) Member-Secretary shall also send communication intimating the date, time and place of the entrepreneurs, whose cases are included in the agenda.
- (5) All the members and invitees of the District Level Clearance Committee shall attend the meeting in person.
- (6) The District Level Clearance Committee shall examine all the proposals placed before it and take appropriate decisions.
- (7) The Member – Secretary of the Committee shall within three days circulate the proceedings of the meeting after taking approval of the Chairman.

9. (1) Every applicant seeking to apply for clearance(s) required for establishment or operation of an industry shall apply to the nodal agency in the relevant part(s) of the Form -I or Form- II of the Composite Application Form in Schedule -I. Where the clearance(s) is not covered by the composite application form the applicant shall file additional form or forms, as the case may be, which shall become part of the composite application form. The application shall be accompanied by requisite fee. The latest fee/tariff structure is given at point 8 of instructions to fill up composite application form and Annexures A, B,C and D of Schedule-I.

(2) Form I comprises of the following parts:-

- (i) Common Sheet-
- (ii) Part A- Additional information required for obtaining change of land use certificate form Haryana Pollution Control Board.
- (iii) Part-B Additional information required for obtaining change of land use certificate form Town and Country Planning Department.
- (iv) Part-C Additional information required for approval of Factory/ Building Plan under the Factories Act, 1948 (Act 63 of 1948)
- (v) Part -D Additional information required for approval of building plan from Town and Country Planning Department.
- (vi) Part-E Application and agreement form for release of electric connection from Dakshin Haryana Bijli Vitran Nigam/ Uttar Haryana Bijli Vitran Nigam.

(3) Form II comprises of the following parts:-

- (i) Part A- Additional information require for Consent form the Haryana Pollution Control Board under the Pollution Control Acts.

- (ii) Part B- License form Chief Inspector of Factories under the Factories Act, 1948 (Act 63 of 1948).
4. The Composite Application Form duly filled in shall be submitted in required number of copies along with relevant enclosures, certificate, fees receipts and attachments
  5. All applicants shall furnish an undertaking as prescribed in Schedule-II along with Composite Applications Form as required under section 10.
  6. The Nodal Agency shall issue the acknowledgment in Schedule – III.
  7. There shall be a check list appended of Form-I and Form –II which shall be completed and signed by the applicant and scrutinized and accepted by the authorized representative of the nodal agency before issuing the acknowledgment.
  8. Before issuing acknowledgment, the authorized representative of the nodal agency shall allot an Identity Number on the composite Application Form and ensure that
    - (i) the application is complete in all respects;
    - (ii) required number of copies of application have been submitted;
    - (iii) all relevant and prescribed documents have been enclosed;
    - (iv) the prescribed fees receipts have been enclosed;
    - (v) undertaking has been furnished by the applicant;
    - (vi) the check list has been filled correctly and signed by the applicant.
10. (1) Immediately after issue of acknowledgement the particulars of the application shall be entered in the register of applications by the authorized representative of the nodal agency.

- (2) The register of application shall be scrutinized and approved by the Head of the Nodal Agency at the end of each working day.
- (3) The relevant parts of the composite Application Forms shall be served on the authority within three working days from the date of filing and a receipt with date shall be obtained from the authority.
- (4) The authority shall process the application and send its orders sanctioning or meeting the application, as the case may be, to the nodal agency so that the same can be given by the applicant.
- (5) Under the provisions of clause (c) of section 9, the authority may ask for additional information from the applicant one before the expiry of the time limit, under intimation to the nodal agency.
- (6) In the case covered under sub rule (5) of this rule, the time limit shall be palpable from the date the additional information has been furnished.
- (7) In the application is rejected or approved with modifications, the committee in terms of sub-section (f) of section 9 shall examine such orders passed by the authority and if the committee considers that there are valid ground for a change in such decision, if shall take a decision which shall be binding on the authority.
- (8) In case of applications (except those where provision of deemed clearances apply pending with authorities concerned beyond the time limit, the Committee shall examine all such applications and pass orders which shall be binding on the authorities.

11. The time limits for processing and disposal of Composite Applications Forms by the authority under the provisions of clause (b) of section 9, shall be as indicated in Schedule IV.
12. The provision of deemed approval under sub-section (1) of section 11 shall be applicable to the clearances as indicated in Schedule V. In case the competent authority fails to pass orders on the application within the time frame stipulated in Schedule V, the Nodal Agency shall issue the letter of deemed approval as indicated in Schedule VI.
13. (1) An appeal shall lie:-
  - (i) to the High Powered Clearance Committee against the decision of the State level Clearance Committee.
  - (ii) to the Clearance Committee against the decision of the District Level Clearance Committee.
- (2) Every appeal shall be accompanied by a fee of five hundred rupees payable in cash. The appeal shall be presented either in person or by an agent duly authorized.
- (3) The appellate authority shall, after giving a reasonable opportunity of being heard to the appellant, pass such order, as it deems fit. The orders of the appellate authority shall be final.
- (4) Every order passed by the appellate authority shall be communicated to the appellant within a period of fifteen days from the date of the order.