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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 121]

भोपाल, बुधवार, दिनांक 20 मार्च 2013—फाल्गुन 29, शक 1934

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 20 मार्च 2013

क्र. 2298-99-इक्कीस-अ(प्रा.).—भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश निवेश क्षेत्र विकास और प्रबन्ध विधेयक, 2013 (क्रमांक 6, सन् 2013) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
राजेश यादव, अपर सचिव.

MADHYA PRADESH BILL

No. 6 OF 2013

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**MADHYA PRADESH BILL
NO. 6 OF 2013**

**THE MADHYA PRADESH INVESTMENT REGION DEVELOPMENT AND
MANAGEMENT BILL, 2013**

A Bill to provide for planning, operation and development of investment region, implementation of investment region development and management schemes in Madhya Pradesh and for matters connected therewith or incidental thereto.

Be it enacted by the Madhya Pradesh Legislature in the sixty-fourth year of the Republic of India as follows;—

CHAPTER I

PRELIMINARY

1. **Short title, extent, commencement and application.**— (1) This Act may be called the Madhya Pradesh Investment Region Development and Management Act, 2013.

- (2) It extends to the whole of the State of Madhya Pradesh.
- (3) It shall come into force from the date of its publication in the Madhya Pradesh Gazette.
- (4) Nothing in this Act shall apply to-
 - (i) lands comprised within a cantonment under the Cantonments Act, 2006 (No. 41 of 2006);
 - (ii) lands in occupation of the Central Government or its authorized agency; and
 - (iii) lands under the control of railway administration for the purpose of construction and maintenance of works under Chapter IV of the Railway Act, 1989 (No. 24 of 1989).

2. **Definitions.**—In this Act, unless the context otherwise requires,—

- (a) “Agency” means a body corporate or any Special Purpose Vehicle (SPV) or any organization registered/constituted under the applicable law, which may be authorized by the State Government for the purpose of development and management of the investment region;
- (b) “amenities” means all basic and essential services including roads, water supply, street lighting, power supply, sewerage, drainage, collection, treatment and disposal of industrial and municipal wastes, public health, education, transport, fire fighting services, public parks, clubs, markets, shops and outlets and such other facilities or services;
- (c) “appellate authority” means any officer or agency authorized by the State Government to hear the appeals against the decisions of Agency;
- (d) “building” means a house, hut, shed or other structure for whatever purpose and with whatever material constructed and every parts thereof, whether temporary or permanent and whether used as human habitation or not and includes a well, toilet, drainage and sewerage system, fixed platform, verandah, plinth, door steps, compound wall, fencing and the like and any work connected therewith but does not include plant or machinery comprised in a building;
- (e) “Chief Executive Officer” (CEO) means the Chief Executive Officer of the Agency and may be called by whatsoever name;
- (f) “development” with its grammatical variations means the carrying out of a building, engineering, mining or other operation in, or over or under land, or the making of any material change in any building or land or in the use of either, and includes sub-division of any land;
- (g) “development scheme” or “scheme” in relation to investment region means scheme published under sub-section (2) of section 8 and duly amended from time to time;
- (h) “Director” means the Director of Town and Country Planning appointed under the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973);
- (i) “Government” means Union Government, Union Territories, Government of Madhya Pradesh and other State Governments;

- (j) “industry” means any undertaking or a business concern or any other establishment, by whatever name called, engaged in the manufacture or production of goods, in any manner, pertaining to any industry or engaged in providing or rendering of any service or services;
- (k) “investment region” means an area for which a scheme under this Act has been notified by the State Government and includes area used for the purpose of manufacturing, services, commercial, residential, social and for other amenities;
- (l) “infrastructure” includes industrial, commercial, social or residential infrastructure or any facility in respect of development scheme;
- (m) “land” shall have the same meaning as assigned to it in clause (k) of sub-section (1) of section 2 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959);
- (n) “local authority” means –
- (i) “Gram Panchayat” constituted by or under the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994);
- (ii) “Municipal Corporation” constituted by or under the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956);
- (iii) “Municipal Council” constituted by or under the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961);
- (iv) “Nagar Parishad” constituted by or under the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961);
- (o) “occupier” includes –
- (i) tenant;
- (ii) owner in occupation of or otherwise using his land;
- (iii) rent free tenant;
- (iv) licensee;
- (v) any person liable to pay to the owner, damages for the use and occupation of the land;
- (p) “owner” means the owner of land or building and includes a mortgagee in possession, a person who for the time being is receiving or is entitled to receive, or has received, the rent or premium for any land whether on his own account or on behalf of or for the further benefit of any other person or as an agent trustee, guardian or receiver for any other person or for religious or charitable institutions or who would receive the rent or be entitled to receive the rent or premium if the land were to be let and includes a Head of a Government Department, the Chief Executive Officer, by whatever name designated of a local authority, statutory authority, Agency, corporation or undertaking in respect of properties under their control;
- (q) “planning area” means any area declared to be a planning area under the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973);
- (r) “plot” means a piece of land or premises situated in duly approved layout of the scheme;
- (s) “scheme area” means the area over which the investment region development and management scheme is prepared and published under section 4;

- (t) "Town and Country Development Authority" means the Town and Country Development Authority established under section 38 of Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973).

CHAPTER II

PREPARATION OF INVESTMENT REGION DEVELOPMENT AND MANAGEMENT SCHEME

3. **Provisions under Investment region development and management scheme.**-An Investment region development and management scheme may make provision for acquisition, development, sale or leasing of land for providing infrastructure and amenities for the investment region including:—

- (i) any work that would bring improvement in the investment region;
- (ii) reconstruction for the purpose of buildings, roads, drains, sewage lines and other similar amenities in and around any existing investment region;
- (iii) acquisition of land for construction of dam/canal and such other related works to meet the water requirement of investment regions;
- (iv) acquisition of land for construction of power generating plants, waste disposal sites and such other related works;
- (v) acquisition of land for construction of logistic hub, dry port, container depot, storage depot and such other related works; and
- (vi) acquisition of land for construction of Information Technology Park, exhibition grounds or convention center with hotels to facilitate industrial activities and related works.

4. **Publication of scheme area.**—

- (1) The State Government may authorize an agency to identify an area in which scheme may be proposed.
- (2) The Agency shall identify the land on which scheme may be taken up and submit the proposal of preparing the scheme on the identified land, to the State Government in such manner as may be prescribed.
- (3) The State Government may approve the draft scheme area submitted by the Agency with such modifications, as it may consider appropriate.
- (4) The draft scheme area, as approved by the State Government under sub-section (3) hereinabove, within a period of 30 days of such approval, shall be published by the Agency in the official Gazette and also in such manner as may be prescribed, inviting objections from the owners of the land and such other persons as may be interested, in a manner as prescribed.
- (5) The objections and suggestions, which may be received by the Agency under sub-section (4), with respect to the said draft scheme area, shall be heard and decided by the Agency, in such manner as may be prescribed.
- (6) The Agency shall after deciding the objections, if any, made under sub-section (4) approve the scheme area with such modifications, as it may deem appropriate. The Agency shall published in the Gazette the final approved scheme area.

- (7) Any person aggrieved by any decision taken by the Agency under sub-section (6) hereinabove, may, within 15 days of such publication in the official Gazette of final scheme area, prefer an appeal to the appellate authority and it shall decide such appeal within 45 days in the manner as prescribed. The appellate authority shall, after examining the record, pass such order as he thinks fit and his order shall be final:

Provided that no order shall be passed unless the person affected thereby and the Agency has been given a reasonable opportunity of being heard.

5. Preparation of draft for investment region development and management scheme.—

- (1) The Agency shall prepare the draft Investment Area Development Scheme for such area as has been notified under section 4 hereinabove, having such contents as considered appropriate.
- (2) For the purpose of preparing such draft, the Agency may authorize an officer/organization to carry out the survey of area, prepare existing land use map and take such other actions as are necessary for preparation of such scheme.
- (3) Thereupon it shall be lawful for any officer/organization, either generally or specially authorized by the Agency in this behalf, and for his servants and workmen to.—
- (a) enter upon and survey and take levels of any land in such locality,
 - (b) dig bore into the sub-soil,
 - (c) do all other acts necessary to ascertain whether the land can be adapted for such purpose,
 - (d) set out the boundaries of the land proposed to be taken and the line of work proposed to be made thereon,
 - (e) mark such levels, boundaries and line by placing marks and cutting trenches:

Provided that no person shall enter into any building or upon any enclosed court or garden attached to a dwelling – house without the consent of the occupier thereof and without previously giving such occupier at least seven days notice in writing of his intention to do so.

6. Contents of investment region development and management scheme.-

The Development scheme under the Investment Area prepared under section 5 shall :

- (a) indicate broadly the land use proposed in the scheme area ;
- (b) allocate broadly areas or zones of land, keeping in view the regulations for natural hazard prone areas, for.—
 - (i) industrial, residential, commercial, agricultural and common utility and amenities purpose;
 - (ii) open spaces, parks and gardens, green-belts, zoological gardens and playgrounds;
 - (iii) public institutions and offices;
 - (iv) road networks;
 - (v) any other purpose that the Agency may deem fit;
- (c) lay down the pattern of Highways connecting the scheme area with the rest of the region, ring roads, arterial roads and major roads in and around the scheme area;
- (d) make proposals for general landscaping and preservation of natural areas;

- (e) project the requirement of the scheme area for amenities and utilities such as water, drainage, electricity and suggest measures for their fulfillment;
- (f) propose broad-based regulation for zoning, by way of guidelines, within each zone or sector to determine the height and size of buildings and structures, open spaces, court yards and the use to which such buildings and structures and land may be put etc;
- (g) lay down the broad-based traffic circulation patterns in a scheme area.
- (h) suggest architectural control features and elevation and frontage of buildings and structures;
- (i) indicate measures for flood control, prevention of air and water pollution and disposal of garbage and general environmental control.

7. Publication of draft scheme by the Agency.—

- (1) The Agency shall as far as possible prepare the draft scheme within a period of 180 days from the date of final publication of scheme area under section 4.
- (2) The draft development scheme as prepared by the Agency shall be published in official Gazette and also in such manner as prescribed, inviting objections from the owners of the land and such other persons as may be interested.

8. Objections, appeal, approval and final publication.—

- (1) The objections and suggestions, which may be received by the Agency under sub-section (2) of section 7 with respect to the said draft development scheme, shall be heard and decided by the Agency.
- (2) The Agency shall after deciding the objections, if any, made under sub-section (2) of section 7 above, approve the final Development scheme with such modifications as it may deem appropriate. The scheme so approved shall be published in the official Gazette and also in two newspapers having wide circulation in the area in which the scheme is to be implemented, in the manner prescribed.
- (3) Any person aggrieved by any decision taken by the Agency under sub-section (2) hereinabove, may, within 30 days of such publication in the Gazette of final scheme area, prefer an appeal to the Appellate Authority and Appellate Authority shall decide such appeal within 45 days in the manner as prescribed.

9. Acquisition of land.—

- (1) The Agency shall, after the scheme is finally published under sub-section (2) of section 8, proceed to acquire the land by executing an agreement with owner in such form and on such terms and conditions as may be prescribed by the State Government.
- (2) The Agency shall submit the proposal of acquiring land under the Land Acquisition Act, 1894 (No. 1 of 1894) to the District Collector of such land whose owner does not enter into the agreement mentioned in sub-section (1) hereinabove within a period of six months from the date of publication of the scheme in the Gazette.
- (3) The Collector of the district may, on an application made in this behalf by the Agency, allot the Government land after following the due procedure to the Agency and such land shall hereafter rest in the Agency free of all encumbrances.

- (4) The Agency shall undertake execution of the investment region development and management scheme on the land or part thereof which may have been acquired by it through agreement, under sub-section (1) or acquisition under sub-section (2) hereinabove in such manner as may be prescribed.

**CHAPTER III
CONTROL OF DEVELOPMENT**

10. Control of development and land use.—

- (1) The overall control of development and use of land in the scheme area shall vest in the State Government.
- (2) Subject to the provisions of sub-section (1) hereinabove and the rules made under this Act, the overall control of development and use of land in the scheme area shall vest in the Agency or an officer appointed by it, with effect from such date as the State Government may, by notification, appoint in this behalf.
- (3) The State Government may make rules to regulate and control development and use of land in scheme area and may, by notification, apply the said rules to any scheme area from such date as may be specified therein.
- (4) On application of rules to a scheme area, the provision of this section and its application to that scheme area shall be subject to the provisions of those rules.

11. Development in accordance with the permission granted by the Agency.— Notwithstanding anything contained in the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam 1973, (No. 23 of 1973), the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956), the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961), or rules made thereunder, after the approval of the draft scheme area under sub-section (7) of section 4 hereinabove, no person shall, within the published scheme area, change the use of any land or building or carry out any development save in accordance with the development authorized by the Agency.

12. Final scheme to be the development plan of scheme area.—

- (1) The Scheme shall come into force from the date of its publication in the official Gazette under sub-section (2) of section 8.
- (2) After the coming into force of the scheme, the use and development of land shall conform to the provisions of the scheme:

Provided that the State Government may, at its discretion, permit the continued use of constructed area for the purpose for which it was being used at the time of coming into operation of the scheme.
- (3) Notwithstanding anything contained in section 172 of the Madhya Pradesh Land Revenue Code, 1959 (No. 20 of 1959) every permission to divert land granted under that section shall be subject to development scheme published finally under provisions of this Act and the rules made there under.

13. Provisions of certain Acts shall cease to be in force with the State Government's notification.— Notwithstanding anything contained in the Madhya Pradesh Nagar Tatha Gram Nivesh Adhiniyam, 1973 (No. 23 of 1973), the Madhya Pradesh Panchayat Raj Avam Gram Swaraj Adhiniyam, 1993 (No. 1 of 1994), the Madhya Pradesh Municipal Corporation Act, 1956 (No. 23 of 1956), the Madhya Pradesh Municipalities Act, 1961 (No. 37 of 1961), or rules made thereunder, the Municipal Corporation, Municipal Council, Nagar Parishad, or the Gram

Panchayat, as the case may be, shall, in relation to the approved scheme areas, cease to exercise such power, or perform such functions or discharge such duties, from such date as the State Government may, by notification, prescribe.

14. Merger or division of a plot.—

- (1) The Agency or an officer so authorized by it may, subject to the provisions of this Act and such conditions as may be prescribed, on an application of the owner, allow merger or division of the plot.
- (2) An application under sub-section (1) hereinabove shall contain such details, documents and accompanied by such fee as may be prescribed.

15. Penalty for unauthorized development, building construction or for use other than in conformity with the development plan and scheme.—Any person who, whether at his own instance or at the instance of any other person, commences, undertakes or carries out any development, building construction or changes use of any land.—

- (a) without obtaining the permission required under this Act;
- (b) in contravention of the permission granted or any condition subject to which such permission has been granted;
- (c) after the permission for development or building construction has been duly revoked;
- (d) in contravention of any permission which has been duly modified,

shall be punished with simple imprisonment for a term which may extend to six months, or with fine which may extend to fifty thousand rupees or both.

16. Power to require removal of unauthorized development.—For any development contrary to the provisions of the Act, the Agency shall have the power to pull down, demolish or remove any building constructed or erection made and recover the cost of pulling down, demolition or removal from the person concerned, in a manner as may be prescribed.

17. Appeal against order of the Agency.—

- (1) Any person aggrieved by the decision of the Agency, within 30 days (including public holidays) from the date of decision, appeal before the appellate authority.
- (2) The appellate authority, after hearing the Agency and the aggrieved person and considering all relevant facts, may accept or reject the appeal or modify the decision taken by the Agency. The decision of the appellate authority shall be final.

18. Allotment, recovery of arrears, penalty and forfeiture for breach of conditions.—

- (1) Premises, land or the amenities developed or to be developed in the scheme area by the Agency shall be allotted in accordance with transparent procedure laid down by the Agency.
- (2) Where any transferee makes any default in the payment of any consideration money or installment thereof or any other amount due on account of the allotment or transfer of any premises, land or the amenities by the Agency or any rent or charges due to the Agency in respect of any lease, or where any transferee or occupier makes any default in the payment of any charges or fee under this Act, the Chief Executive Officer of the agency may direct that, in addition to the amount of arrears, a further sum in the form of interest and/or penalty shall be recovered from the transferee or occupier, as the case may be, as prescribed.

- (3) In the case of non-payment of consideration money or any installment thereof on account of the transfer by the Agency of any premises, land or the amenities, or in case of any breach of any condition of such transfer or breach of any rules or regulations made under this Act, the Chief Executive Officer of the Agency may resume the premises, land or the amenities so transferred and may further forfeit the whole or any part of the money, if any, paid in respect thereof, in a manner as prescribed.
- (4) Where the Chief Executive Officer of the Agency orders resumption of any site or building under sub-section (3) hereinabove, any officer authorized by the Chief Executive Officer of the Agency may take possession thereof on behalf of the Agency, in a manner as prescribed.

19. Powers of entry etc.—The Chief Executive Officer of the Agency may authorize any person(s) to enter into or open any land or building, for the purposes of: —

- (a) making any enquiry, inspection, measurement or survey or taking levels of such land or building;
- (b) examining works under construction or ascertaining and fixing the course of sewers or drains over land of any title;
- (c) ascertaining whether any building is being or has been erected or re-erected without sanction or in contravention of sanction or permission given under this Act or rules and regulations made thereunder;
- (d) doing any other thing necessary for the efficient administration of this Act.

CHAPTER IV

TAXES AND MATTERS TO BE PROVIDED BY THE AGENCY

20. Taxes to be imposed under this Act.—

Notwithstanding anything contained in any other law for the time being in force the State Government may impose in the scheme area or part thereof, the following taxes:—

- (a) tax on the owners of buildings or land situated within the notified investment development area;
- (b) general sanitary cess, for construction and maintenance of public toilets;
- (c) general lighting tax, where the lighting of public roads and places is undertaken by the agency;
- (d) general fire tax, for the conduct and management of the fire service and for the protection of life and property in case of fire;
- (e) betterment tax on properties whose value may have improved as a result of investment area development scheme undertaken by the agency;
- (f) toll on bridge and road constructed by the Agency;
- (g) tax on advertisements through hoardings or boards;
- (h) tax on theaters, multiplex, cinema hall and other shows for public amusement;
- (i) tax on commercial and office complex.

(2) The mode of assessment, collection and recovery of the taxes as mentioned hereinabove shall be in a manner as prescribed.

(3) The taxes levied under sub-section (1) hereinabove, shall not be leviable on the buildings and lands owned by or vested in the Government and the Agency.

(4) The responsibility for payment of taxes levied on any land or building under sub-section (1) shall be of the owner thereof.

(5) The taxes charged and levied on the owner may also be recovered from any occupier of the land or building, in the manner as prescribed.

(6) If any dispute arises as to the amount of tax assessed, an appeal shall lie from the decision of the Agency or an officer appointed on this behalf by the Agency to the appellate authority, whose decision shall be final.

21. Imposition of user charges.—The Agency by any general or special order made in this behalf, may impose user charges for the following services rendered inside the approved scheme area, in a manner as prescribed; -

- (a) a water charge for the provision of water supply in respect of lands and buildings to which a water supply is furnished by the agency;
- (b) a drainage, sewerage or effluent charge where a system of disposal has been introduced;
- (c) a charge for management of solid waste where the Agency has introduced a system of disposal of waste;
- (d) charges for any other specified services rendered by the Agency.

22. Matters to be provided for by the Agency.— (1) The Agency shall ordinarily make adequate provisions, for each of the following matters in the scheme area, namely: -

- (a) lighting public streets, places and building;
- (b) cleaning public streets, places and sewers and all spaces not being private property, which are open to the enjoyment of the public, whether such spaces are vested with the Agency or not, removing noxious vegetation, and abating all public nuisance;
- (c) the maintenance of the fire-brigade for extinguishing fire, and protection of life and property when fires occur;
- (d) regulating or abating dangerous or offensive trades or practices;
- (e) removing obstructions and projections in public streets and places and in spaces not being private property, which are open to the enjoyment of the public;
- (f) securing or removing dangerous buildings or places;
- (g) constructing, altering and maintaining public streets, culverts and boundary marks, drains, sewers and providing public facilities for drinking water;
- (h) the management and maintenance of all water works and the construction and maintenance of new work and means for providing a sufficient supply of suitable water for public and private purposes;
- (i) the erection in proper and convenient situations on scheme land toilets, and other conveniences for the public and the maintenance and the cleansing of the same;
- (j) the maintenance of an ambulance service;
- (k) the maintenance of Agency's office and of all public monuments and other property vested in the Agency;

- (l) provision of traffic signs;
- (m) the maintenance of public park, gardens, recreation grounds, public places and open spaces in existence and vested in the Agency;
- (n) fulfilling any obligation imposed by this Act or any other law for the time being in force;
- (o) construction, establishing or maintaining public parks or gardens, library, museums, halls, theatres, stadiums, offices, sarais, rest houses other public building;
- (p) planting and maintaining road side and other trees;
- (q) making a survey;
- (r) the detention of ownerless dogs or stray pigs, or detention of animals causing nuisance;
- (s) securing or assisting and maintaining pipe and other fitting for the supply of water to private premises from water works maintained by the Agency;
- (t) fair and exhibitions, or athletics or games competitions or tournaments;
- (u) constructing and maintaining such roads and buildings and other Government works as the Government may transfer to the agency;
- (v) organization and management of chemical or bacteriological laboratories for the examination on analysis of water, food or drugs, for the detection of disease or for researches connected with public health;
- (w) the construction and maintenance in the public streets of drinking fountains for human beings and water-troughs for animals;
- (x) the playing of music in squares, gardens or other places of public resort;
- (y) the construction, purchase, organization, maintenance or management of public transport facilities for the conveyance of the public;
- (z) prevention of vagrancy, establishing and maintaining poor houses;
- (za) establishing and maintaining a farm or factory for the disposal of sewages;
- (zb) swimming pools, public wash houses, bathing places, and other institution designed for the improvement of public health;
- (zc) the purchase of any undertaking for the supply of electric energy or gas or starting or subsidizing of any such undertaking;
- (zd) measures to meet any calamity;
- (ze) the regulation of lodging houses, and boarding houses, hotels;
- (zf) establishing and maintaining means necessary for public medical relief;
- (zg) matters likely to promote the public health, safety or convenience of the public;
- (zh) urban planning including town planning;
- (zi) regulations of land-use and construction of buildings;
- (zj) planning for economic and social development;
- (zk) nothing contained in above shall restrict the power of the agency to make provisions for any function required for the scheme area.

(2) No suit for damages or for specific performance shall be maintainable against the Agency or any officer thereof, on the ground that any of the duties specified in sub-section (1) hereinabove have not been performed.

CHAPTER V
MISCELLANEOUS

23. **Exemption of fee for registration.**—The agreement mentioned in sub-section (1) of section 9 and also any instrument executed between owner of the land and the agency for giving effect to such agreement shall not be chargeable with any fee under the Registration Act, 1908 (No. 16 of 1908).

24. **Exemption of stamp duty on instrument of agreement.**— The agreement mentioned in sub-section (1) of section 9 and also any instrument executed between owner of the land and the Agency for giving effect to such agreement shall not be chargeable with any duty under the Indian Stamp Act, 1899 (No. 2 of 1899).

25. **Modification of scheme.**—The State Government may, on proposal submitted by the Agency and if it considers it necessary in public interest to do so, modify the scheme in such manner and to such extent as it may consider appropriate.

26. **Investment region development and management scheme, public purpose.**— Land needed for the purpose of scheme shall be deemed to be a land needed as required for a public purpose within the meaning of the Land Acquisition Act, 1894 (No. 1 of 1894).

27. **Disposal of property.**—The Agency shall dispose the property owned by it in a manner as may be prescribed.

28. **Members, officers and employees to be public servants.**—All members, officers and employees of the Agency shall, while acting or purporting to act in pursuance of the provisions of this Act or the rules and regulations made thereunder be deemed to be public servants within the meaning of Section 21 of the Indian Penal Code, 1860 (No.45 of 1860).

29. **Protection of action taken in good faith.**—No suit, prosecution or other legal proceeding shall lie against the Agency or any of its members, officers and employees for anything which is in good faith done or intended to be done in pursuance of the provisions of this Act or any rules and regulations made thereunder.

30. **Powers of the Agency to make regulations for administration of its affairs.**—(1) The Agency may, make regulations not inconsistent with the provisions of this Act or the rules made thereunder, for the administration of the affairs of the Agency.

(2) In particular and without prejudice to the generality of the foregoing power, such regulations may provide for all or any of the following matters, namely—

- (a) the summoning and holding of meetings of the Agency and the number of members necessary to form a quorum thereat;
- (b) the powers and duties of the Chief Executive Officer of the Agency;
- (c) the management of properties of the Agency;
- (d) fees and charges to be levied by the Agency;
- (e) such other matters as are to be provided for in regulation.

31. **Delegation of powers by Agency.**—The Agency may delegate any function assigned to it or any power vested in it under this Act, except the power under section 4, 7 and 8 (3), to its Chief Executive Officer by whatsoever name called, or any of its officer that it considers appropriate.

32. **Power of the State Government to give directions.**—(1) In the discharge of its duties, the Agency appointed under this Act shall be bound by such directions, on matters of policy as may be given to it by the State Government.

(2) If any dispute arises between the State Government and any Agency, as to whether a question is or is not a question of policy, the decision of the State Government shall be final.

33. **Powers to make rules and regulations.**—(1) The State Government may, by notification, make rules for carrying out the purposes of this Act. All rules made under this Act shall be laid on the table of the Legislative Assembly.

(2) The Agency, may, subject to the provisions of this Act and rules made thereunder, make regulations generally to carry out the purposes of this Act.

34. **Power to remove difficulties.**—If any difficulty arises in giving effect to the provisions of this Act, the State Government may, by order, not inconsistent with the provisions of this Act, remove the difficulty:

Provided that no such order shall be made after the expiry of a period of two years from the commencement of this Act.

STATEMENT OF OBJECTS AND REASONS

Madhya Pradesh occupies central position in the country and is richly endowed with a variety of natural resources. The State's location gives it unique logistical advantage in the country. In this context, establishment of high quality industrial infrastructure, economic corridors and mega manufacturing and commercial hubs acquires special importance.

2. The above-mentioned objective can be achieved through creation of large sized investment regions and industrial areas in the State. This strategy would be in line with the strategy of the Government of India in relation to development of Delhi-Mumbai Industrial Corridor (DMIC) passing through 6 States including Madhya Pradesh.

3. The Government of India has decided to implement the project of Dedicated Freight Corridor (DFC) between Delhi and Mumbai. The area falling within 150 Kms. on both sides of the DFC will be developed as the Industrial Corridor which covers 10 districts of the State. As part of the Delhi-Mumbai Industrial Corridor, 2 mega Investment Regions and 2 large sized Industrial Areas are proposed to be developed by the State Government. Such investment / industrial nodes will be developed as global manufacturing and commercial hubs with high quality infrastructure. Implementation of above projects will lead to enhanced economic activities in the State resulting into generation of employment on a large scale.

4. In the above context, with the objective of facilitating consolidated planning, development, management and maintenance of world-class mega investment regions in the State, it is expedient and necessary to introduce the Madhya Pradesh Investment Region Development and Management Bill, 2013.

5. The Bill provides for provisions relating to preparation of investment region development and management scheme, control of development, taxes to be realized by the agencies, procedure for establishment of units and facilities in the investment regions, allotment of premises, eviction and recovery of dues, redressal of grievances, powers to make rules and give directions for carrying out the purposes of this Act. The Bill mainly proposes to provide for the following matters:—

- (i) The State Government shall authorize the Agency, constituted under the applicable law, for the purpose of development and management of the investment region. The Agency shall prepare draft scheme for the investment region, invite objections and suggestions and finalize it after the approval of the State Government.
- (ii) The Agency shall proceed to acquire the land by executing an agreement with owner in such form and on such terms and conditions as may be prescribed by the State Government.
- (iii) The agreement executed in respect of acquisition of land by the Agency with mutual consent of the land owners shall be exempted from any fee under the Registration Act, 1908. Similarly, such agreement shall be exempted from any duty under the Indian Stamp Act, 1899.
- (iv) The overall control of development and use of land in the scheme area shall vest in the State Government.

- (v) After finalization of Development Plan of the Investment Region, no person shall, within the published scheme area, change the use of land or build or carry out any development save in accordance with the development plan finalized by the Agency.
- (vi) Authorized Agency may impose taxes and other charges in the scheme area exercising the powers conferred by the Act for development and maintenance of the Investment Region.
- (vii) Any person aggrieved by the decision of the Agency may appeal before Appellate Authority within specified time limit.
- (viii) The Agency appointed under the proposed Act shall be bound by such directions, on policy matters, that may be given to it by the State Government.

6. Hence this Bill.

Bhopal :

Dated the 8th March, 2013

KAILASH VIJAYVARGIYA
MEMBER-IN-CHARGE