

GOVERNMENT OF BIHAR
DEPARTMENT OF INDUSTRIES

NOTIFICATION

In exercise of the powers conferred by section 14 of the Bihar Industrial Area Development Authority Third Act, 1972 (Bihar Act 16 of 1974) the Governor of Bihar is pleased to make the following Rules:-

- I. **Short Title:** These rules may be called the Bihar Industrial Development Authority Rules, 1981.
2. **Definitions:** In these rules, unless there is anything repugnant in the subject or context:-
- a) "The Act" means the Bihar Industrial Area Development Authority Third Act 1974 (Bihar Act 16 of 1974).
- b) "Section" means a section of the Act.
- b) c) "Form" means a form in the schedule to these rules.
- c) d) Other words and expositions shall have the same meaning as are assigned to them in the Act.

3. Entrustment of Duties to Managing Director of the Authority by the State Government Authority under Section 3(4) (d) of the Act.

The following duties are being entrusted to the Managing Directors by the State Government /Authority:

- (1) Allotment and cancellation of plot:
- (2) Purchase of plant & machinery not exceeding Rs. One lakh.
- (3) Sanction expenditure on fixed assets not exceeding Rs. Fifty thousand.
- (4) Accord administrative approval of schemes not exceeding rupees one lakh.

2. Objection against declaration of Development Area under Section 4 (1) of the Act:

- i) Not less than two months before making a declaration under sub-section (1) of section 4 of the Act, the State Government shall cause to be published in the official Gazette and in at least two English and two Hindi dailies published in Bihar, a notification stating that in is proposed to make such a declaration and specifying therein the boundaries of the land or lands in respect of which the declaration is proposed to be made and copies of such notification or the substance thereof shall be published by the District Magistrate concerned and the Authority concerned in such manner as they think fit at their office and at such other places in their jurisdiction including the locality in which the land conditions and modification if any, as may be specified in the order or refuse to grant such approval.

An appeal case lie before the State Government against the order of the Authority within 30 days from the date of its orders in such appeal the decision of the State Government shall be final.

Power of Authority to cancel land allotment deed, levy fee, impose Penal Interests and forfeit instalments under Section 6(2) of the Act.

- 1) If the entrepreneurs do not make payment of the instalments, the Authority or Managing Director of the Authority shall have power to impose penal interest in the shape of fine.
- 2) If the entrepreneurs do not establish its unit or take effective steps for establishment of the unit within the time fixed, the Authority or Managing Director will not only cancel the allotted plots/land but also forfeit also forfeit the instalments paid by the units.

5. Submission of Annual Budget of the Authority under section 8 of the Act.

- i) The annual budget of the authority for the ensuing financial year shall be prepared and submitted in triplicate to the state government by the 15th day of October Every year together with the tentative programmed of work, provision of services and other activities.
 - ii) The estimates of receipt and expenditures of the authority shall be based as far as possible on realistic assessments of the receipts of the Authority including grants , loans, advances etc. under clause (a) of sub-section (I) of section 7 of the Act as indicated by the state government to be paid to the authority in the ensuing year and expenditures to the authority in the ensuing year and expenditures likely to be incurred for the discharge of the functions of the Authority including those assigned to it by the State government under clauses (a) and (d) of sub-section (4) of section 3 and sub-section (3) of section 6 of the Act.
3. Any expenditure, which is not provided for in the budget or which is against any direction of the State Government issued under sub-section (I) of section 8 of the Act will not be incurred except with the prior approval of the State Government.

6. Constitution of screening committee for advising Industrial Authority.

The Authority may appoint committees to advise it in implementation of its programmed in the matter of planning and formulation of its scheme.

7. Removal of encroachments and unauthorized structures and demolition of buildings under section 14 (a) (b) and (c) of the Act.

The authority or Managing Director having been vested with powers under the provisions of the Bihar Land Encroachment Act or any other law for the time being informed with regard to removal of encroachment on the Authority's land and demolition of unauthorized buildings and structures, will be guided by the provisions of the concerned enactment and the rules framed there under for disposal of such cases.

By Order of the Governor of Bihar
Sd/-
Special Secretary to Government
Bihar, Patna.

Memo No. 1962 / Patna, dated-----/

Copy forwarded to all Managing Director of Industrial Area Development Authorities for information and necessary action.

Special Secretary to Government
Bihar, Patna.

Memo No. 1962 / Patna, dated-----/

Copy forwarded to all Departments of the Government for information and necessary action.

Special Secretary to Government
Bihar, Patna.