



GOVERNMENT OF ASSAM
INDUSTRIES, COMMERCE & PUBLIC ENTERPRISE DEPARTMENT
JANATA BHAWAN:::BLOCK 'C', 2nd FLOOR
DISPUR::: GUWAHATI-6

NOTIFICATION

Dated Dispur, the 17th January, 2022

No. **MI.40/2017/190**: In partial modification of this Department's Notification No.MI.40/2017/156 dated 28.6.2021; certain amendments have been made in the **Assam Industrial Land Management Policy, 2021** (as annexed at **Annexure-I**).

Assam Industrial Land Management Policy, 2021 (as amended) is hereby notified, and shall come into force with immediate effect and until further orders.

Sd/-(M.P.Singh, IAS)
Secretary to the Govt. of Assam,
Industries, Commerce & PE Department

Memo No. MI.40/2017/190-A

Dated Dispur, the 17th January, 2022

Copy to:

1. The Commissioner, Industries & Commerce, Assam, Udyog Bhawan, Bamunimaidam, Guwahati-21.
2. The Managing Director, Assam Industrial Development Corporation Limited, R.G. Baruah Road, Guwahati-24.
3. The Managing Director, Assam Industrial Infrastructure Development Corporation, Industrial Estate, Bamunimaidam, Guwahati-21.
4. The Managing Director, Assam Small Industries Development Corporation Ltd., Bamunimaidam, Guwahati-21.
5. All General Managers, DI&CC,
6. The P.S. to Principal Secretary to the Govt. of Assam, Industries & Commerce Department for kind appraisal of Principal Secretary.
7. The P.A. to Secretary to the Govt. of Assam, Industries & Commerce Department for kind appraisal of Secretary (All).

By order etc.

Joint Secretary to the Govt. of Assam,
Industries, Commerce & PE Department

AMMENDMENT IN ASSAM INDUSTRIAL LAND MANAGEMENT POLICY (AILMP), 2021

1. Sl. No. 1 of AILMP, 2021 - Definition of Developed Land, Semi-Developed Land, Undeveloped land and Lease Rent is incorporated as below:

"Developed Land" – Developed land means an area primarily set up for establishment of industrial units to manufacture products or service units and having basic infrastructure facilities like developed plots, approach road, boundary walls, internal roads, drainage system, water distribution facilities, power distribution, administrative buildings for the common facilities, security of the Industrial Area etc.

"Semi-Developed Land" – Semi- Developed land means an area primarily set up for establishment of industrial units to manufacture products or service units and having minimum infrastructure facilities like boundary wall, approach road, security of the Industrial Area etc.

"Un- Developed Land" – Un-Developed land means land as is where is basis with no infrastructure development facilities other than approach road.

"Lease Rent" – Lease Rent means the rent fixed by the Corporation from time to time for industrial sheds located in different industrial areas as monthly lease rent.

2. Sl. No. 8 of AILMP, 2021

Validity of in-principle approval letter in Sl. No. 8 (i) is amended as below:

ALLOTMENT OF LAND

- i. **In- principal approval:** After submission of application along with payment of processing fee including applicable taxes, security deposit and 10% of Land Development Charge as Down Payment and all other requisite documents, if an applicant is found suitable for allotment of land, in-principal approval will be issued to the unit with a validity of 3 (three) months for payment of balance 90% of the total Land Development Cost.

The validity of in-principle may be extended on special cases up to a period of another 3 (three) months subject to the compound interest payable @ 12% per annum on balance Land Development Charge from the date of issue of in-principle allotment letter.

3. Sl. No. 13 (ii) of AILMP, 2021

ADMINISTRATIVE AND MAINTENANCE CHARGE (AMC)

The Allottee shall pay the Administrative and Maintenance Charges (AMC) under the respective industrial area per month against the invoice. The AMC will be payable from 3 (three) months from the date of handing over of the physical possession of land to the allottee.

The rate determined by the Corporation shall be final, conclusive and binding on the Allottee and it shall not be questioned in any Court of Law or otherwise. The rate shall be increased by 10% in every 3 (three) years w.e.f the date of first fixation of rate under AILMP, 2021.

The following are considered as a pricing strategy of calculation of AMC:

For calculation of Administrative and Maintenance Charges (AMC) the following parameters are to be considered:

Sl. No.	Description of Parameters
A	Charges for 1 (one) year
1.	Estimated maintenance cost of the Infrastructure including electricity bill & water charges (if any)
2.	Administrative expenditures
3.	Annual Ground Rent
	Sub Total

It may be noted that at present there is inconsistency in rates for Developed Land, Semi Developed Land, Undeveloped Land in different Industrial Areas. The Corporation charges 50% of the rate calculated for Developed Land for the Semi Developed land in IGC Matia. However, there is no concession in rates for other Semi-Developed/ Un- Developed areas under the Corporation.

Further to Develop the Semi Developed Land/Undeveloped Land the unit have to invest a huge amount of money on the allotted land. Also, the Corporation does not incur any expenses in maintain the Undeveloped Land.

Therefore, to avoid this inconsistency the Annual Administrative and maintenance Charge the rate for Semi-Developed/ Un- Developed may be fixed at 50% of the rate calculated for Developed Land.

Therefore, in case of Semi-Developed/ Un- Developed Land the Administrative and Maintenance Charges (AMC) may be fixed at 50% of the rate calculated for Developed Land.

4. Sl. No. 23 of AILMP, 2021

“TRANSFER OF PLOTS AND CHANGE IN CONSTITUTION” under Clause No. 23, Sl. No. 5 is amended by allowing transfer of plots due to change of constitution of the original allottee to other where shareholding of original allottee's is less than 51% or nil in respect of capital and distribution of profit as proposed below:

The transfer of Plot due to change of constitution of the original allottee to other where shareholding of original allottee's (during first allotment) is less than 51% or nil in respect of capital and distribution of profit is allowed subject to the following fulfilment of the land allotment criteria:

1. The allottee should have been in commercial production for at least 5 (five) years from the date of commercial production or 3 (three) years from the date of commercial production of the last product approved by the Corporation.
2. The allottee shall clear the outstanding dues before transfer of plots.
3. The allottee shall have to obtain No Dues Certificate from the respective Govt. Deptt.s or Organizations such as APDCL/ Financial Institutions/ Banks for obtaining No Objection Certificate for Transfer of Plot.
4. The allottee shall pay the difference amount of the prevailing Land Development Charge (LDC) at the time of transfer with the amount paid at the time of the initial allotment.
5. The allottee to whom the transfer is made shall execute land lease agreement with the respective Corporation for the remaining lease period as per the latest applicable rules.

Note: In case, where the existing allotment is made through bidding process and if the original allottee intends to transfer of his/her plot, then the allottee shall pay the difference amount of the present base price of LDC at the time of transfer from the amount paid at the time of initial allotment.

2nd para of Building Regulation may be amended as:

"The maximum permissible area for construction of Factory/Industrial Shed/Warehouse shall not exceed 60% of the total allotted area except open space for Greenery, access road and Passage. The Allottee/ Lessee must keep minimum 5 % of the total area for Greenery. The respective Corporation may notify Building Regulations time to time."

6. A new Serial number 35 in AILMP 2021 is incorporated regarding provision for allotment of Industrial Sheds located in different Industrial Areas.

(i) Application Process : The application for allotment of Industrial sheds under respective Corporations located in different Industrial areas shall be submitted through online mode in Ease of Doing Business portal of Government of Assam (<https://eodb.assam.gov.in/>) in the prescribed form of the portal and submit necessary information/ documents as prescribed in the portal.

- a) Detailed Project Report
- b) UdyogAdhaar/ Industrial Entrepreneurship Memorandum (IEM)
- c) PAN of the Proprietor/ Partnership firm
- d) KYC documents of the Directors/ Proprietors / Partners
- e) Partnership Deed in case of Partnership Firm, Memorandum and Articles of Association in case of Private Limited, or Limited Companies along with a copy of Certificate of incorporation of the company and the name of promoters in case of Private Limited Company.
- f) Machine layout of the Industrial shed
- g) Any other documents as may be required by the respective Corporation.
- h) Processing fees as determined by the respective Corporation.

(ii) Monthly Lease rent: The Allottee shall pay the monthly lease rent of the Industrial Shed fixed by the Corporation after allotment of land. The respective Corporation reserves the right to revise the monthly lease rent of the Industrial sheds from time to time.

(iii) Upfront Amount: The upfront amount payable for allotment of Industrial shed shall be equivalent to monthly lease rent of 11 (eleven) months for the Industrial Shed to be paid within 3 (Three) months from the issue of In-Principle Approval Letter which may be extended up to maximum 6 (Six) months.

(iv) Processing Fees: A non-refundable Processing Fee of 1% of total monthly lease rent for 12 months' subject to a ceiling of Rs. 10,000.00 (Rupees Ten Thousand) only in a single application plus applicable taxes shall be payable at the time of application.

(v) Period of Lease: The lease period for the Industrial shed shall be granted for a period of 30 (Thirty) years initially which may be extended up to another 30 (Thirty) years on payment of lease premium equivalent to monthly lease of 6 (Six) months at the prevailing monthly lease rent at the time of renewal subject to payment of all outstanding dues and shall be under Commercial Production.

Other terms and condition as mentioned in the AILMP, 2021 i.e. from serial number 14 onwards shall remain same in case of Industrial Shed also.
