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**Government of Jharkhand
Department of Industries, Mines and Geology
Nepal House, Doranda, Ranchi**

Resolution

**JHARKHAND INDUSTRIAL AREA DEVELOPMENT AUTHORITY REGULATIONS
2016**

In exercise of powers conferred by section 15 of the Bihar Industrial Area Development Authority Act 1974 as adopted by the Government of Jharkhand vide Notification No. 339 dated 02.03.2001 issued by the Department of Science Technology, Information Technology and Industries, Ranchi, Jharkhand Industrial Area Development Authority, JIADA, with the previous approval of the State government of Jharkhand, hereby makes the following regulations to carry out the purposes of the said Act.

CHAPTER – I

GENERAL

1.1 SHORT TITLE, OBJECTIVE, EXTENT AND COMMENCEMENT

- i. This regulation shall be called the Jharkhand Industrial Area Development Authority Regulations, 2016
- ii. The main objective of this regulation is to make provision for planned Development of Industrial Area and promotion of industries and matters appurtenant thereto including judicious allotment of land under the command area of Jharkhand Industrial Area Development Authority for industrial purposes.
- iii. These Regulations shall extend to the whole command area of Jharkhand Industrial Area Development Authority, wherever exists.
- iv. These Regulations shall come into force on such date as the State Government may specify by notification in the official gazette and shall supersede all earlier Government/Board Resolutions, orders or Regulations, if any. However, actions/deeds under earlier orders/circulars/guidelines/resolutions of Government/Board shall be valid.

1.2 DEFINITIONS - In these regulations unless the context otherwise requires:

- (a) **“Act”** means Bihar Industrial Area Development Authority Act, 1974 and as amended vide Bihar Act 27 of 1992 and as adopted by the Government of Jharkhand vide notification no. 339 dated

02.03.2001 issued by the Secretary Department of Science Technology, Information Technology and Industries as Jharkhand Industrial Area Development Authority Act, 2001 and as may be amended from time to time.

- (b) **"Applicant"** means a person or entity who intends to set up industry in the command area of Jharkhand Industrial Area Development Authority who may be :
- i. Individual
 - ii. Proprietorship firm
 - iii. Registered partnership firm
 - iv. Private Limited Company
 - v. Limited liability registered partnership firm
 - vi. Public Limited Company
 - vii. Government Company
 - viii. State/Central Public Sector Undertaking
 - ix. Hindu Undivided Family (HUF)
 - x. Consortium of above applicants
- (c) **"Authority"** means Jharkhand Industrial Area Development Authority (JIADA) and includes its Board of Directors.
- (d) **"Board of Directors"** means the Authority constituted under section 3 of the Act.
- (e) **"Building byelaws"** means a standard made by appropriate authority for approval of plan for construction, completion/occupation of building for industrial purposes or otherwise.
- (f) **"Chairman"** means Chairperson of the Authority or of the Board of Directors
- (g) **"Industrial Policy"** means the industrial policy or polices declared by the Government of Jharkhand or by the Government of India, as the case may be, for promotion of industrial, commercial and other related activities.
- (h) **"LAC"** means Land Allotment Committee constituted by the Authority.
- (i) **"Managing Director"** means Managing Director of the Authority constituted under section 3 of the Act who shall be Chief Executive Officer of the Authority.
- (j) **"Meeting"** means meeting of the Authority or of the Board of Directors.
- (k) **"Member"** means a member constituting the Authority or Director on the Board of Directors
- (l) **"PCC"** means Project Clearance Committee constituted by the Authority
- (m) **"PWD Code"** means PWD code of the Government of Jharkhand.
- (n) **"Rules"** means Jharkhand Industrial Area Development Authority Rules, 2001 and as may be amended from time to time.
- (o) **"Secretary"** means Secretary of the Authority or the Board of Directors
- (p) **"Section"** means a section of the Act.
- (q) **"State government"** means Government of Jharkhand.
- (r) **"Chief Executive Officer"** means Chief Executive Officer of the concerned Regional Office of the Authority

CHAPTER – II

2. PROCESS OF CONDUCT OF BUSINESS OF THE AUTHORITY

- i. The members of the Authority/Board of Directors shall meet atleast once in every three months to transact its business. However, if necessary, the meeting may be held as and when required.
- ii. The Secretary of the Authority shall call meeting with the approval of the Chairman or the Managing Director. A meeting may also be called on written request by any member of the Authority or the Board of Directors.

- iii. The meeting of the Authority shall ordinarily be held in the office of the Authority but the Chairman may direct the meeting to be held at any other place.
- iv. A notice in writing specifying the date, time and place as well as agenda of meeting shall be served on each member at least 7 days prior to the meeting in writing by registered post or through special messenger or through electronic mail by taking acknowledgement. In special circumstances, the meeting may be convened at a shorter notice to transact business of an urgent nature and in such cases, the notice shall be sent through special messenger or through electronic mail.
- v. The adjourned meeting may be held at such place, date and time as may be decided by the Chairman and no quorum will be necessary for an adjourned meeting.
- vi. Three members entitled to vote at a meeting shall constitute the quorum without which no business could be transacted at any such meeting.
- vii. The Chairman, or, in his absence, any member elected by the members present at the meeting shall preside over the meeting.
- viii. Decisions in the meetings of the Authority/Board of Directors will be as far as possible taken on the basis of unanimity, but in case of difference of opinion amongst the members, decision shall be taken on the basis of majority of the members. In the event of equality of votes, the Chairman shall have casting or second vote.
- ix. Minutes of the proceeding of all meeting shall be recorded in minute's book to be maintained for the purpose and shall be signed by the Chairman of the meeting and the minutes shall be confirmed in the subsequent meeting.
- x. The Authority/Board of Directors may, from time to time, for the purposes of carrying out its duties and responsibilities under the Act or Rules made there under, constitute a Committee or Committees consisting of its own members and if need be the expert from outside and refer to them such matters as the Authority/Board of Directors consider necessary. Acceptance and implementations of the recommendations of the Committees or Sub Committees shall be subject to approval by the Authority/Board of Directors.
- xi. The powers and functions of such Committee or Committees shall be within the ambit of the terms referred to it by the Authority/Board of Directors.

CHAPTER – III

3. POWERS AND DUTIES OF CHAIRMAN AND MANAGING DIRECTOR

- i. The Chairman shall be the head of the Authority/Board of Directors and
 - (a) Shall preside over the meetings of the Board of Directors and regulate its deliberations.
 - (b) Shall do all acts and things for fulfilment of objectives for which Jharkhand Industrial Area Development Authority was constituted.

- ii. Subject to the general control and supervision over the affairs of the Authority, the Managing Director shall:
 - (a) Be the Chief Executive Officer of the Authority and shall be the disciplinary authority in respect of the persons employed in Jharkhand Industrial Area Development Authority and shall exercise all such powers and authority with regard to establishment matters like appointment, promotion, disciplinary action, leave and benefit to the employees of the Authority.
 - (b) Shall receive and spend, subject to budgetary provisions, money on behalf of Jharkhand Industrial Area Development Authority and ensure proper maintenance of accounts, vouchers and receipts thereof.
 - (c) Perform all duties and responsibilities and exercise all powers vested under the Act and Rules made there under and also that may be specifically entrusted by the Authority/Board of Directors from time to time.

CHAPTER – IV

4. DUTIES AND RESPONSIBILITIES OF THE SECRETARY

There shall be a Secretary of the Authority appointed by State Government whose duties and responsibilities shall be

- i. Preparation of agenda for the meetings of the Authority/Board of Directors
- ii. Preparing and sending notice to all the members of Authority/Board of Directors
- iii. Attending meeting of the Authority/Board of Directors
- iv. Preparation of the minutes of the meeting of the Authority/Board of Directors
- v. Complying with the directions of the Authority/Board of Directors, follow up for ensuring implementation of the decisions and instructions of the Authority/Board of Directors/Managing Director.
- vi. Organizing and controlling the office staff, field staff and all other personnel under control of the Authority.
- vii. Compiling and filing necessary report and returns to the State government and other statutory authorities.
- viii. To make all correspondences on behalf of Jharkhand Industrial Area Development Authority under authorization of the Managing Director and
- ix. Discharge all other functions assigned from time to time by the Managing Director.

CHAPTER – V

5. TREATMENT OF FUNDS

- i. All money received by the Authority by way of fees, fines, levy charges, grants, loans etc. shall be credited to the Authority's account/fund as per prevailing accounting norms and all expenditure incurred by the Authority shall be paid out of the respective fund.
- ii. The Managing Director shall operate the funds of the Authority and no money shall be paid from the funds of the Authority except on an order to pay is passed by the Managing Director.
- iii. Provided that the Managing Director may delegate this power to any other officer of the Authority, who shall exercise such powers under general guidance and supervision of the Managing Director and subject to such financial limit and restriction that may be imposed by the Managing Director.