

Punjab Special Economic Zone Policy

PUNJAB

India

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Rule PUNJAB-SPECIAL-ECONOMIC-ZONE-POLICY of 2005

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Punjab Special Economic Zone Policy Department of Industries and Commerce, Notification, dated 11/12th August, 2005 No. 5/58/2002 IIB/4630. - The Governor of Punjab is pleased to formulate the Special Economic Zone Policy to facilitate the Development of Special Economic Zones in the State of Punjab as under :-

1. Preamble.

- Government of India has announced the Policy of Special Economic Zones (SEZs) which are to be deemed foreign territory for tariff and trade operations. Development of SEZs is expected to promote establishment of large, self-contained areas supported by world class infrastructure oriented towards export promotion. SEZs are expected to give boost to the economic and industrial development of the State leading to generation of new employment opportunities. Therefore, Government of Punjab intends to facilitate setting up of SEZs in the State. For this purpose, it has been decided to formulate this SEZ Policy to provide a comprehensive framework for establishment, operation and sustainability of SEZs in the State of Punjab.

2. Objective.

- Punjab Government had notified new Industrial Policy in March, 2003 with the objective to create special thrust in the areas where Punjab has an edge in terms of cost and competitiveness. Now, therefore, to further boost the growth of such industries, State Government will encourage the development of product specific and multi-product SEZs in accordance with the guidelines of Government of India as notified, - vide No. F.2(1)/3/2001- EPZ dated 24th January, 2002 and as amended from time to time.

3. Definitions.

- In this Policy, unless there be something repugnant in the subject or context :-(a)'Policy' means the Punjab SEZ Policy.(b)'Authority' means the Authority set up under this Policy to oversee the implementation of SEZ Policy.(c)'Board' means the Zonal Board constituted by Government of India under the SEZ Scheme of the Government of India.(d)'Committee' means the Single Window Committee constituted under this Policy.(e)'Developer' means a person or body of persons, company, firm or such other private or Government undertaking, who develops, builds, designs, organises, promotes, operates, maintains and/or manages a part or whole of the infrastructure and other facilities in the SEZ.(f)'Development Commissioner' means the officer so appointed by Government of India under Government of India's Policy on SEZ.(g)'GOI' means Government of India.(h)'GOP' means Government of Punjab.(i)'Unit' means the unit/enterprise which occupies space within the SEZ for carrying out its approved business/industrial production activities.

4. Single Window Clearance.

- Government of Punjab shall liberalise the regulatory frame work relating to SEZs by taking following steps :-(a)Most of the clearance shall be brought under deemed clearance route, meaning thereby that in case the clearance is not conveyed within prescribed time schedule, it would deemed to have been granted.(b)In respect of other cases, clearances shall be given at a single point by the Single Window Committee as per guidelines laid down for this purpose.

5. Environment.

- NOCs, consents and other clearances required from the Pollution Control Board for units and activities within the SEZ shall granted in time bound manner. However, the activities/projects which fall within the ambit of the environmental impact assessment required under the notification of 1994 of Government of India, Department of Environment and Forest as amended from time to time will have to obtain environment clearance from Ministry of Environment and Forest, Government of India or from any such authority to whom powers for this purpose are delegated by GOI.

6. Power.

- The Developer of SEZ will have freedom to set up independent power plant for dedicated provision of power to SEZ including generation, transmission and distribution within the SEZ. The option of grid connectivity to draw power from the Punjab State Electricity Board grid shall also be available on the basis of 'pay and use' without any standby charges.

7. Water Supply.

- The Developer of SEZ shall be permitted to set up system and facilities for water extraction, treatment, transmission and distribution within the Zone, provided that applicable standards in this

regard are fully met and complied with. The Developer shall also be permitted to fix and collect the tariff for supply of water within the Zone. The Developer shall be at liberty to request the concerned department of GOP for providing such infrastructure within the SEZ on payment of due charges :Provided that, the use of ground/surface water within the SEZ will be subject to State and National Water Policy :

8. Sales Tax, Levy, Cess and Duties.

- All SEZ units and SEZ Developers will be exempted from the payment of following taxes :-(i)Sales Tax/VAT(ii)Purchase Tax(iii)Octroi(iv)Electricity Duty on power purchased from P.S.E.B. and for consumption within SEZ. The exemption in Electricity Duty will be restricted to 5% of basic Electricity Duty. Additional 5% toward Social Cess will be payable by the SEZ units.(v)Stamp Duty and Registration Fee on purchase of land by developer for establishing SEZ and first sale of Plots/Land in SEZ. The exemption will be limited to 6% basic Stamp Duty, while 3% surcharge for Social Welfare Fund will be chargeable in area where it is applicable.(vi)Property/House Tax(vii)Education/Infrastructure/any other cess.

9. Labour Regulations.

- (i) The powers of Labour Commissioner, G.O.P. will be delegated to the Development Commissioner so appointed in respect of the SEZ.(ii)The System of Self Certification in respect of Labour laws notified under the scheme of Labour Department shall be followed by the units in SEZ.(iii)All units and other establishments set up in SEZ shall be declared as 'Public Utility Services' under the provisions of the Industrial Disputes Act, 1947.

10. Inspections.

- No authority/representative of any department/agency of Government of Punjab shall carry out any physical inspection without the prior approval of Development Commission of SEZ specifying the purpose of inspection.

11. Law and Order.

- G.O.P. and the Developer of SEZ shall make appropriate and exclusive arrangements within and around the SEZ for maintenance of Law and Order.

12. Management of Zones.

- (i) SEZ as approved by Government of India and the designated area falling within it shall be considered for declaring as Industrial Township under the provisions of Article 243(Q) of the Constitution of India. If so declared, a Township authority shall be constituted by the G.O.P. for carrying out the development, operation, management and maintenance of the functions of the Zone and the designated area.(ii)The Developer shall erect substantial boundary marks defining the

limits of the Zone.

13. Levy of Charges.

- For providing, maintaining or continuing any civic amenity or facility within the SEZ, the Developer may levy reasonable charges considered necessary on the occupier of any site or building.

14. Single Window Committee.

- The Single Window Committee will be headed by the Development Commissioner of SEZ and will include officers of all key departments such as Excise and Taxation, Labour, Local Government, Environment, P.S.E.B., Industries etc. Developer of SEZ as well as units located therein will submit their applications for approvals/clearances/permission in respect of any department/agency of G.O.P. to this Committee.

15. Registration of S.S.I. units.

- Provisional as well as permanent registration of S.S.I. units in the SEZ shall be done by the Development Commissioner SEZ or an officer working under him. However, the concerned officer shall provide all the details to concerned General Manager, District Industries Centre on monthly basis.

16. Review Committee.

- G.O.P. shall constitute a Committee under the Chairmanship of Chief Secretary to facilitate the setting up of SEZ and review the progress regarding SEZ from time to time. The Committee shall consist of :- (i) Chief Secretary (ii) Principal Secretary, Department of Industries and Commerce (iii) Principal Secretary, Department of Labour and Employment (iv) Financial Commissioner, Department of Excise and Taxation (v) Secretary, Department of Power (vi) Development Commissioner of the concerned SEZ (vii) Director of Industries and Commerce (viii) Managing Director, P.S.I.E.C. Notifications Published under Punjab Regional Town Planning and Development Act in the Punjab Gazette from time to time. Published in the Punjab Gazette, (Extra.), dated December 18, 1998 Department of Housing and Rural Development The 18th December, 1998 No. 2/27/98-4HGI/5574. - In exercise of the powers conferred under section 2(m) of the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act No. 11 of 1995), the Governor of Punjab is pleased to appoint the following officers of Punjab Urban Planning and Development Authority as Competent Authority to exercise and perform all or any one of the functions of the Competent Authority under rules mentioned against their designation under Punjab Urban Planning and Development Authority (Building) Rules, 1996, with immediate effect:

Rule	Power to be exercised
No.	

Officer Declared as
Competent Authority

1	2	3
Part I		
2(vii)	To approve architectural control sheets	Chief Administrator
2(xxxv)	To approve zoning plan for sector/sub-sector level forSector/sub- sector level.	(i) Chief Administrator
	To approve zoning plan for individual sites	for individual sites.
Part II		
3.	To sanction building plans for erection and re-erection ofbuildings	Estate Officer
4.	To supply architectural designs of buildings	Senior Architect
5.	For submitting the building plans and other documents	Estate Officer
5(2)	To ask for additional information and plans of building to be erected or re-erected	Estate Officer
8.	For submitting and sanction of type design of buildings	Estate Officer
10(1)	For giving notice to obtain completion of building	Estate Officer
10(2)	For issuing the completion certificate or rejecting theapplication	Estate Officer
Part III		
11(1)	For refusing the sanction in case rules are violated	Estate Officer
11(2)	For sanctioning the building plans in case it is in order	Estate Officer
12	In case the building plans are not sanctioned/rejectedwithin 60 days	Estate Officer
13	Power to modify or cancel the sanction of sanctionedbuilding plan	Estate Officer
Part V		
31	To fix the plinth level of building	Divisional Engineer (Public Health)
Part VI		
33	for making application to issue water connection	Divisional Engineer (Public Health)
34	For supplying water meter, surface meter for issue of waterconnection	
35	Power to sanction the water connection and depositingsecurity and charges for the same	Divisional Engineer (Public Health)
36(2a)	For specifying the number of water connections	Divisional Engineer (Public Health)
37	For receiving notice and issue of completion certificate	Estate Officer
38	For receiving application and issue of connection withpublic sewer	Divisional Engineer (Public Health)

38(3)	To sanction or rejection of application for sewer connection	Divisional Engineer (Public Health)
41	For specifying the materials for drains and private sewer incase of industrial, chemical and trade effluent	Divisional Engineer (Public Health)
45(4)	To approve the capacity and number absorption pits	Divisional Engineer (Public Health)

Part VII

48	For registration of Engineers	Estate Officer,
49	For registration of Plumbers	Estate Officer,
52	To issue directions to authorised officer to cancel registration of Engineers and Plumbers.	Chief Administrator

5th. October 1995

Notification No. 9/10/95-2HG2/4955 - In exercise of powers conferred by the sub section (1) of section 143 of Punjab Regional and Town Planning Act, 1995 and all other powers enabling him in this behalf the Governor of Punjab is pleased to specify a distance of one hundred meters on either side of the road reservation of by-pass and thirty meters on either side of the road reservation for any scheduled road, excluding the parts of such scheduled road which is situated within the limits of local authority, for the purpose of the aforesaid Act.

18th. June, 1997

No. 2/3/97-4HGI/2491. - In supersession of notification issue, - vide No. 2/3/92-4HGI/3692, dated the 8th August, 1996 and in exercise of the powers conferred by sub-section (4) of section 175 of the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act No. 11 of 1995), the Governor of Punjab is pleased to direct that the powers of the Chief Administrator exercisable by him under section 45 of the aforesaid Act shall be exercised by Additional Chief Administrator, S.A.S. Nagar, Patiala and Ludhiana in respect of Zone indicated against each :-

Sr. No.	Designation	Area of jurisdiction	
1	2	3	
1	Additional Chief Administrator	S.A.S. Nagar	For Mohali zone
2	Additional Chief Administrator	Patiala	For Patiala Zone and Bhatinda zone till regular Additional Chief Administrator is posted at Bhatinda
3	Additional Chief Administrator	Ludhiana	For Ludhiana Zone and other other Zones viz. Jullundur and Amritsar till regular Additional Chief Administrators are posted at Jalandhar and Amritsar.

Department of Housing and Urban Development (Housing-1 Branch)

3rd. February 2004

Order - In pursuance to the decision taken in the meeting of the Punjab Regional and Town Planning and Development Board constituted under the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act No. 11 of 1995), held under the chairmanship of Hon'ble Chief Minister, Punjab on January 10, 2003, the Governor of Punjab is pleased to constitute a District Level Committee for each District for the promotion of planned growth and development of cities, towns and regions in the State and other related matters. The Committee shall comprise the following :-

1	Minister Incharge of the District (i.e. Chairman of District Planning and Development Board)	.. Chairman
2	Deputy Commissioner	.. Vice-Chairman
3	All M.Ps. of the District	.. Members
4	All M.L.As. of the District	.. Members
5	Mayor of Municipal Corporation/President of Municipal Council/Nagar Panchayat	.. Member
6	Additional Chief Administrator, PUDA	.. Member
7	Chairman, Improvement Trust	.. Member
8	Chairman, Zila Parishad	.. Member
9	Superintending Engineer (Public Health)	.. Member
10	Superintending Engineer, Punjab Water Supply and Sewerage Board	.. Member
11	Superintending Engineer, PWD (B&R)	.. Member
12	Superintending Engineer (Drainage)	.. Member
13	Superintending Engineer, PSEB	.. Member
14	General Manager, District Industries Centre	.. Member
15	Environmental Engineer, Punjab Pollution Control Board	.. Member
16	Chief Agriculture Officer	.. Member
17	Divisional Forest Officer	.. Member
18	District Development and Panchayat Officer	.. Member
19	Representative of Industries Association	.. Member
20	District Town Planner	.. Member-Secretary

2. [The terms and conditions of reference of this Committee are as follows :-

(i) The tenure of this Committee shall be three years and thereafter extendable by the Government. (ii) The Committee shall examine the proposals of Planning Areas and make recommendations to the Board for their notification under Section 56(1) of the Punjab Regional and Town Planning and Development Act, 1995. (iii) The above Committee shall also consider the Planning Areas already notified under Section 56(1) of the above Act and give its views to the Board regarding their final declaration under Section 56(5) of the Act *ibid* so that Master Plans and

Regional Plans could be prepared in respect of the same.(iv)Where an MLA is a Minister or a Parliamentary Secretary, he may nominate one person to represent him on this Committee, if he so desired.This issues with the approval of the Chairman of the Board (Hon'ble Chief Minister, Punjab).] [Published vide Punjab Government Gazette, Feb. 20, 2004, page 705.]Department of Housing and Urban Development (Housing-I Branch), Notification, dated the 21st January, 2005No. 1/149/96-4HG1/569. - In pursuance to the provisions of Section 2(m) of the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act No. 11 of 1995), read with Punjab Urban Planning and Development Authority (Building) Rules, 1996 the statutory rules framed under the aforesaid Act and the Punjab Government, Department of Housing and Urban Development Notification No. 1/149/96-4HG1/550-52, dated 20th January, 2005, the Governor of Punjab is pleased to appoint the following officers of the Department of Town and Country Planning under the overall administrative control of the Department of Housing and Urban Development to exercise the powers of the Competent Authority under the aforesaid rules and the aforesaid Notification within the local limits of their respective territorial jurisdiction :-

Sr. No.	Size of plot (Square metres)	Competent Authority	Remarks
1	500 Sq. metres	Divisional Town Planner (DTP)	
2	5000 Sq. metres	Senior Town Planner (STP)	
3	Over 5000 Sq. metres	Chief Town Planner (CTP)	Plans of Buildings on Plots of size over 25000 Sq. metresshall be sanctioned only with the prior approval of the StateGovernment.

The scrutiny fee already fixed under the Punjab Urban Planning and Development Authority (Building) Rules, 1996, shall be charged but the same shall be deposited into the Government treasury.Nothing in this Notification shall affect to the existing delegation or allocation of work in respect of the Urban Estates developed by or otherwise under the management of the Punjab Urban Planning and Development Authority (PUDA) and the said work shall continue to be disposed of as before.This Notification shall come into force with immediate effect.Department of Housing and Urban Development (Housing-I Branch), Notification, dated the 20st January, 2005No. 1/149/96-4HG-1/550. - In pursuance to the provisions of Rule 1(3)(iv) of the Punjab Urban Planning and Development Authority (Building) Rules, 1996, the statutory rules framed under the Punjab Regional and Town Planning and Development Act, 1995 (Punjab Act No. 11 of 1995), the Governor of Punjab is pleased to direct that the aforesaid Rules shall also apply to all areas in the State of Punjab Municipal Corporation Act, 1976 (Punjab Act No. 42 of 1976) or any Municipal Council or Nagar Panchayat constituted under the Punjab Municipal Act, 1911 (Punjab Act No. 3 of 1911) or the local limits of the jurisdiction of the Cantonment Board, constituted under the Cantonments Board Act, 1924 (Central Act No. 2 of 2924).

- 2. The Governor of Punjab is further pleased to direct that this Notification shall apply only to buildings proposed to come up on a plot of an area exceeding 500 square metres, unless any part of the plot in question is to secure atleast one means of access from any "Scheduled Road", within the meaning of the aforesaid Act No. 11 of 1995, in which case this Notification shall apply irrespective of the area of the plot.**
- 3. Nothing in this Notification shall apply to any "factory" within the meaning of the Factories Act, 1948 (Central Act No. LXIII of 2948), provided its plan has been sanctioned under the said Act of 1948.**
- 4. This Notification shall come into force with immediate effect.**