

STANDARD OPERATING PROCEDURE FOR ALLOTMENT OF LAND/ SHED

1. The details of land parcels/ plots/ sheds/ space within constructed buildings – available for allotment – would be listed, tabulated and geo-tagged. This database shall be made available on **Ease of Doing Business (EoDB) portal** and websites of various agencies [*i.e.* Industrial Development Corporations (IDCs) and the Commissionerate of Industries & Commerce (C-I&C)]. The databases hosted by EoDB portal and the websites concerned would be hyperlinked to one another, and synced on a regular basis. These databases would thus be integrated and together form a comprehensive mega-database – representing the Industrial Land Bank and accessible from all the websites.

The Agencies would update their respective databases, and sync them with the EoDB Website, on a monthly basis [and eventually – on a real-time basis automatically].

2. Any entrepreneur requiring – (i) land within the Industrial Estates, Integrated Industrial Development Centres, Industrial Growth Centres or Industrial Areas; or (ii) constructed sheds or space within constructed buildings therein – in the State of Assam for the setting up of an Industry would:

- (1) Access the EoDB Website,
- (2) Select the Agency concerned,
- (3) Select the parcels of land/ shed/ space within industrial building – giving preference, and
- (4) Proceed to the link for applying online in the EoDB website.

N.B.: EoDB website can be approached from hyperlinks placed in the Industries Department, IDCs, and Investment Cell Websites.

3. The application form can be submitted online through EoDB portal (<https://easeofdoingbusinessinassam.in/>)

4. **Information** to be entered in the online application form:

- Company Profile and Details of the Promoters
- Entrepreneur Memorandum (EM-1/ EM-II/ IEM) – as applicable
- Photo ID and Address Proof of the Applicant
- PAN Card and ADHAR Card Details of the Applicant
- Whether Mortgage of Lease-Hold Rights is sought for raising Capital from Bank/ Financial Institution.

5. **Documents** to be uploaded along with the application:

- Techno-Economic Feasibility Report/ Project Profile
- Appraisal by Bank/ Financial Institution for availing financial assistance.
- Plant Layout – indicating the area for installation of machinery, space for raw material/ finished products, generator set, utility services, etc.
- Last 3 (Three) Years Balance Sheets of the Enterprise (in case of existing unit)
- Solvency Certificate from Bank/ Financial Institution (in case of a new unit).

6. **Requisite Fees** needed to be paid online:

- Processing Fee of 1% of the Total Value of the Land;
- Security Deposit of ₹5.00 per Sq. Metre to be adjusted with the rent or development charges.
- 10% of total Development Charges to be paid with application as advance.

N.B.: (1) Processing Fee is not refundable.

(2) Security Deposit paid on Renting/ Leasing of land is not interest bearing and adjustable or refundable only if it fulfils criteria after allotment of land.

(3) Start-Ups, as defined in the Assam Start-Up Policy 2017, registered on MASI shall be exempted from paying any Processing Fee or Advance of Development Charges.

(4) The advance on Development Charge is not interest bearing & refundable if not allotted land.

7. On receipt of application forms, an **Auto-generated Receipt/ Acknowledgement Letter** would be given online to the Applicant.

8. **Placement before Land Allotment Committee**

- Proposal will be placed in State Level Committee for Land Allotment of the Corporation/ PSU which is headed by Chief Executive of concerned Corporation/ PSU if the area of the land required for allotment is 5 acres or less
- For allotment of land above 5 acres, the application will be placed in the State-Level Land Allotment Committee, which is headed by the senior-most Secretary of the Department of Industries and Commerce.

9. Based on the Land Allotment Guidelines, the Land Allotment Committees would approve or reject the application for land allotment.

10. If there are multiple claimants of one particular plot, the land Allotment Committees may select any one on the basis of most suitability.

11. **Auction:** Some land parcels/ industrial infrastructure may be identified beforehand by the Corporation/ PSU/ Agency concerned – where the land/ shed/ space allotment shall be made by auction. When these plots/ sheds/ spaces are put up for auction, the minimum threshold value for the auction shall also be decided upon by the Corporation/ PSU/ Agency concerned. Only the eligible applicants would be allowed to participate in the auction, the eligibility criteria will be notified by the Corporation/ PSU/ Agency concerned. The Bid Process would be opened for a limited period. Wide publicity would be given to ensure maximum participation, and thereby highest possible bid value.

12. Once the approval is accorded by State Level or Corporation/ PSU/ Agency Level Land Allotment Committee, the respective Corporation/ PSU/ agency would issue the **Letter of Intimation** along with **Notices for Payment and Checking of Original Documents**.

In case of rejection or non-selection at any level, the respective corporation/ PSU/ agency would issue a **Letter of Intimation** accordingly.

The letters and notices shall be sent online to the email id entered by the applicant; while an sms message shall be sent immediately – intimating about the same – to the mobile number entered by the applicant through an sms gateway provider.

The Letter of Allotment/ Intimation of Rejection would be given to the applicant within two weeks from the date of application marked by auto-generation of receipt.

13. After satisfactory checking of original documents, and payment of remaining development fees, the lease agreement deed would be executed between AIDC [or any other IDC (*i.e.* AIIDC/ ASIDC), PSU or Commissionerate of Industries & Commerce] & the applicant within 1 (one) week from date of issuance of the **Allotment Letter**.

14. After execution of other necessary formalities, the applicant is given possession of the Land within 1 (one) week.
15. MD of the concerned agency may also consider to allot the land on receipt of the value of the land in advance, and being satisfied about the genuineness of the Promoter/ Company and viability of the Project in anticipation of the approval of the Land Allotment Committee. Such allotments shall be made in exceptional cases only, where there is no application is pending for that plot of land or the land is ideal for a long period. The quantum of land allotment will be based as per guidelines of the land allotment as in normal cases.

16. Cancellation of Allotment –

The allotment of land/ shed/ space to any private investor may be cancelled in case of:

- Failure to pay the requisite recurring maintenance charges and other fees (*if any*) regularly;
- Failure to start industrial activity within the stipulated time as mandated by allotment order;
- Violation of any of the terms and conditions of allotment by the investor; and
- Discovery of false claims, false declaration or other wrong doing during the allotment process and/ or any Order to that effect from any competent Court.

17. The allottee may also relinquish the allotment, and hand over the land free from all encumbrances.

18. **Refunds:** In case of cancellation of lease deed, if the allottee makes a request for refund of fees paid; the same shall be considered by the allotting authority i.e. State Level Committee for land allotment [viz. Industrial Development Corporations (IDCs) and the Commissionerate of Industries & Commerce (C-I&C)] as follows –

1. If any applicant makes a request for refund of advance paid by him withdrawing his application before Letter of Allotment is issued, full advance shall be refunded only. The Processing Fee is non-refundable.
2. If the application for allotment could not be considered for want of vacant plots/ sheds, full advance, security money shall be refunded.
3. If the Letter of Allotment for premises is issued but the allottee fails to comply with the terms and conditions of allotment and consequent to cancellation, the security money will be forfeited.
4. In case, power supply is obtained by the allottee, before any refund is considered, a "No Dues Certificate" and "Dismantling Certificate" from APDCL or any other power distribution company in operation shall have to be submitted.
5. In case, the allottee had mortgaged his lease-hold rights to any bank or financial institution for securing loans; then the allottee has to free that lease-hold rights by providing other collaterals before any refund can be considered.

19. **Relinquishment:** The Industrial house after getting allotment of land and created some infrastructure for the allotted purpose may also relinquish the allotted land to Corporation/ PSU agencies, if they are not interested to continue their business in the industrial area etc. In that case following steps will be taken to give a fair value of the immovable infrastructure created in the allotted premises.

The following steps will be taken by agencies while allotting the land to new entrepreneurs:

1. Valuation of the immovable assets to get a fair value/ over and above the value expected by the industrialists.
2. Valuated value will be the base price for immovable infrastructure, below which the assets will not be allotted to entrepreneurs.

3. Agencies will determine the administrative costs, costs of valuation etc. during recovery process and the same will be deducted from refundable amount to the industrialist who relinquishes the land and assets.

Annexures:

- Annexure A:** **Detailed Guidelines for Selection by the Selection Committee –
along with Timelines for Different Processes**
- Annexure B:** **Online Application Form**
- Annexure C:** **Format of Allotment Letter, Notice for Payment of Residual Fees
and Checking Original Documents, and Letter of Intimation**
- Annexure D:** **Format of Lease Agreement of the allotted land**