

## THE MANIPUR INDUSTRIAL ESTATES RULES, 1998

The Governor of Manipur in exercise of the powers conferred by Art. 162 of the Constitution of India hereby prescribes terms and conditions for allotment of building in the Industrial Estate constructed/ to be constructed by the Government of Manipur.

1. The terms and conditions for allotment of factory building/ shed at the Industrial Estates shall come into force from the date of publication in the Official Gazette.

2. **Site for factory building:**

The factory buildings in the Industrial Estate shall be built for industries at such place/ places and sites as the Government of Manipur may decide from time to time.

3. **Undertakings for which factory buildings may be allotted:**

The factory building constructed by the Government of Manipur may be allotted to the entrepreneurs of Small Scale Industries/ Enterprises or any other undertaking relating to the Department of Industry which is of public importance, as may be determined by the Director of Commerce & Industries, Manipur keeping in view of the requirements of the place where an Industrial Estate is setup and the overall development of the State of Manipur.

4. **Eligibility for allotment of factory buildings:**

The following class of entrepreneurs will be eligible for the allotment of any factory buildings in the Industrial Estate.

- (a) The entrepreneurs must be a bonafide citizen of India, who in the opinion of the Director of Commerce & Industries, Manipur may be able to establish and successfully operate any Small Scale Industry and to comply with the requirement of these conditions of allotment.
- (b) The entrepreneur must not be a defaulter of any Government dues or of any Financial Institutions.
- (c) The entrepreneur must be a person who has not taken loan for factory building.
- (d) Not more than one shed of 'A' type or not more than two sheds of any other type shall be allotted to any single party and shed/ sheds allotted should be equipped within two months of the allotment. However, in exceptional case the allotment committee for allotment of factory building may consider for allotment of factory building in addition to buildings already allotted to the

existing SSI/ Enterprise in the Industrial Estate, whereas the Committee observes that without such provision the Industrial Unit will be hampered in its function, and in the opinion of the Committee the past performance of the unit has been outstanding.

5. No person who has already been allotted the building in any Industrial Estate/ Areas in Manipur shall be eligible for re-allotment of any building.

6. **Application for allotment of factory buildings:**

- (a) The application for allotment of building in any Industrial Estate/ Area shall be addressed to the Director of Commerce & Industries, Manipur or any other officer as may be specified on his behalf by the Director of Commerce & Industries, Manipur, in the prescribed form obtainable from the office of the Director of Commerce & Industries, Manipur.
- (b) The application must be accompanied with earnest money of Rs. 100/- in the form of National Plan Savings Certificates pledged to the Governor of Manipur or in Treasury Challan otherwise the application is liable to be rejected straightway with no further correspondence in the matter.
- (c) In the event of allotment of factory building, the allottee shall deposit in addition to the earnest money of Rs. 100/- a further sum as prescribed by the State Government as security and produce two guarantors for due performance of the terms of the allotment and payment of monthly rent regularly.

7. **Disposal of applications:**

The application received for allotment of factory building shall be examined by the Committee consisting of (1) Secretary/ Commissioner (Comm.&Ind.), Government of Manipur as Chairman (2) Secretary Law or Officer authorised on his behalf, Member (3) Director of Commerce & Industries, Manipur, Member Secretary. The Committee shall take into consideration the following priorities while recommending the allotment.

- (a) (i) 50% of the factory buildings shall be earmarked for the technocrats who start new industries and first preference will be given to entrepreneurs who have received technical training from the institutions run or recognised by the Government or University.
- (ii) Existing industries in Manipur, which are badly housed at present.

- (iii) Women Entrepreneurs and entrepreneurs from the Weaker Sections.
  - (iv) Entrepreneurs who have received National Award.
  - (v) Entrepreneurs who proposed to start industry for production of items of national importance.
- (b) Allotment shall be blockwise and in the one block as far as possible only one type of industry be located.
- (c) After the application has been received, scrutinised and sorted out according to the priorities and rules, the Committee should take specific decisions on individual applications on merits.

8. **Order of allotment:**

The recommendation made by the Committee for allotment of factory building in the Industrial Estate/ Area shall be placed before the Government and on receipt of the approval of the Government, the Director of Commerce & Industries, Manipur shall issue order for allotment of factory building to the selected applicants indicating, place, number, size of factory building, and conditions on which the factory is allotted to the applicants.

9. The rents will be charged at the rates prescribed by the State Government from time to time.
10. In case of failure to pay the rents regularly the allotment is liable to be cancelled and on such cancellation the allottee shall vacate the allotted premises within a time specified in the order of cancellation. In case of failure to vacate such allotted shed, the allottee is liable to be evicted under the provision of the Manipur Public Premises(Eviction of Unauthorised Occupants) Act. 1978 and the arrear rents is liable to be recovered as arrears of land revenue. For the first five years in each case only 50% of the rent mentioned in Rule 9 above may be subsidised for entrepreneurs of all categories and 55% in case of Export Oriented Units(EOU) and unit setup by weaker section. In this regard, the allottee shall submit his claim addressed to the Director of Commerce & Industries, Manipur and the decision of the Director of the Commerce & Industries, Manipur shall be the final.

11. **Maintenance of factory building:**

The Director of Commerce & Industries, Manipur may make annual repair of the factory building/ premises if considered necessary to protect the allotted premises. The allottee shall have the right to repair the allotted factory building/premises subject to the conditions that he should apply to the Director of Commerce & Industries, Manipur for such repair/renovation along with the estimated cost likely to be incurred in repairing the premises.

The Director of Commerce & Industries, Manipur on receipt of such applications may approved the estimated costs in consultation with the Chief Engineer(Building Division), PWD, Government of Manipur or any Engineer of competent authority in this regard and may order to the adjustment of the expenses so incurred against the rent payable by the allottee in respect of the premises.

12. Duration of allotment of factory building/premises:

Minimum period of allotment at the first instance shall be for a period of 3 (three) years which may be extended from year to year if the Director of Commerce & Industries, Manipur is satisfied that the unit/allottee is running the enterprise satisfactorily and there has been no breach of the terms of the allotment.

13. The period of allotment shall stand terminated on the expiry of the period, if the period is not extended by the Director of Commerce & Industries, Manipur or in case the allottee fails to perform the terms and conditions on which the factory building/ premises is allotted or commits breach of the terms and conditions thereof. Either the allottee or the Director of Commerce & Industries, Manipur shall be entitled to terminate the period of allotment by giving three months notice by either of them.
14. On the expiry of the period of allotment or on the termination of the allotment by the Director of Commerce & Industries, Manipur in the manner indicated in Rule 13 of the Rules, the allottee shall deliver vacant possession of the allotted factory building/ premises and in case of failure to vacate the same, the allottee is liable to be evicted under the provisions of the Manipur Public Premises (Eviction of Unauthorised Occupants) Act. 1978.
15. The allottee is not entitled to sublet the allotted factory building/premises to any person. If any person other than the allottee is found occupying any building/premises of the Industrial Estate without the written permission of Director of Commerce & Industries, Manipur the occupant shall be treated as trespasser and shall be liable to be evicted under the provision of the Manipur Public Premises(Eviction of Unauthorised Occupants) Act. 1978 and the cost of eviction shall be recovered from such person.

16. If the allottee fails to pay monthly rent of the allotted factory building/premises within the first week of every calendar month, the allotment is liable to be cancelled/terminated and liable to be evicted under the provisions of Manipur Public Premises (Eviction of Unauthorised Occupants) Act, 1978. And arrears of rent may be recovered as arrears of land revenue.
17. The Director of Commerce & Industries, Manipur shall have the right and authority to attach and seize any machinery installed inside the allotted premises for recovery of the arrear of rents and such seized machinery and property may be sold by public auction for recovery of rent, the balance if any shall be recovered from other property of the allottee as arrears of land revenue.
18. **Repeal and Saving:**
  - (1) "The Manipur Industrial Estate Rules 1971" is hereby repealed.
  - (2) Notwithstanding such repeal anything done or any action taken under the said Rules shall be deemed to have been done or taken under the corresponding provisions of these rules.

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