

2024

NOTESHEET CONTINUOUS

List Of Reference

PLANNING DEPARTMENT RESEARCH BRANCH

DY

No.

FILE

PLR.22/2024 /Pt.

SUBJECT

**Matters Relating to “Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024”**

NOTES AND ORDER

Letter No. LL (B) .10/2024/32 dated 15.02.2024 from the Deputy Secretary to the Govt. of Meghalaya, Law (B) Department

Letter No. RDG.14/2024/32 dated 16.02.2024 from the Joint Secretary to the Govt. of Meghalaya, Revenue & Disaster Management Department.

R.O. (K.K.)

Sl. 1<sup>C</sup> to 22<sup>C</sup> may please be seen.

This is in response to our Letter No. PLR.22/2024/31 dated 12.02.2024 pertaining to the Views & Comments on the Draft “Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024”


Sl. 1<sup>C</sup> to 21<sup>C</sup> is the response letter from the Deputy Secretary to the Govt. of Meghalaya, Law(B) Department. The letter indicates 18 (Eighteen) observations given by the Law Dept. in relation to the Statement of Object & Reasons, Delegated Legislation, Financial Memorandum for the proposed Bill etc. which may be seen at Sl. 1<sup>C</sup> to 2<sup>C</sup>.

The Law Dept. also attached a version of the Draft Meghalaya State Investment Promotion & Facilitation Bill, 2024 corrected by them which can be seen at Sl. 3<sup>C</sup> to 21<sup>C</sup>.

As per Sl. 2<sup>C</sup>, the Law Dept. has requested our Dept. to furnish clarification to the given observations and corrections before it can be proceeded for further vetting.

Furthermore, Sl. 22<sup>C</sup> is the response from the Joint Secretary to the Govt. of Meghalaya, Revenue & Disaster Management Department which indicates their agreement to the Draft Bill. However, the Dept. stated that the matter related to transfer of land etc., should be in accordance with the provisions of the Meghalaya Transfer of Land (Regulation) Act, 1971 and Rules made there under.

Submitted for your kind perusal and further necessary action.

 20/02/2024

P.O. (U.T.)

Notes pre-page may please  
be referred.

In response to our letter at  
flag - 'X', Law Deptt. and Revenue &  
Disaster Management Deptt. have furnished  
their views & suggestions which are  
placed at Sl. 1-21/c & Sl. 22/c respectively.

The views and suggestions from Law  
Deptt. have been incorporated in the  
revised draft "Meghalaya State Investment  
Promotion and Facilitation Bill (MSIPF), 2024"  
which is placed at flag - Y.

We may perhaps forward this revised  
draft Bill to Law Deptt. again for further  
necessary vetting as per draft at  
flag - D for favour of your approval  
& signature please.

Shah  
20/2/24



It. Secy,


Notes at pre-page may please refer

This relates to the Draft Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024.


Law Deptt vide page 1<sup>st</sup>-2<sup>nd</sup> has made some observations and requested this Deptt. to make corrections in the Draft Bill. The views and suggestions from Law Deptt have been incorporated in the Revised Draft "Meghalaya State Investment Promotion and Facilitation Bill, 2024" which is placed below at flag - 'Y'

As proposed at p. page, we may perhaps forward the Revised Draft Bill to Law Deptt for obtaining further necessary vetting. Draft letter to this effect is placed below for kind approval.

Submitted

  
20/2/24.

PO(VT)  
Ro(RK)

  
20/2/24

Sl. 23<sup>c</sup>  
to 48<sup>c</sup>

Letter No. PLR.22/2024/Pt/23 dated 20.02.2024  
along with enclosures issued to all  
concerned.

Research Officer (W.K.)

A notification was issued vide letter NO. PLR 22/2024/98 dt. 14.03.2024 identifying "Invest Meghalaya Authority" as the nodal agency for Investment Promotion and Facilitation in the state. However, as per verbal communication, we are to issue a revised notification for the IMA as nodal agency as per template so as to enable us to receive the PAN/GST etc details from competent authority.

Draft revised IMA notification placed below for kind approval.

Submitted.  
Mhnp  
10/06/2024

Joint Secy, Hq;

Notes above may kindly refer.

We are to issue a revised notification for the IMA as the Nodal Agency for investment promotion & Facilitation in the state along with the official address i.e. 4K, Goolbunds Pheingring, Shillong - 793001.

Draft revised notification is placed below for kind approval pl.

Submitted.  
10/6/24

Commissioner & Secretary Notes above.

Draft notification for approval pl.

5/10/24

10/06/24

26/6/24

ARO (W.K.)



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**GOVERNMENT OF MEGHALAYA**  
**LAW (B) DEPARTMENT**

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No. LL(B).10/2024/32

Dated Shillong, the 15<sup>th</sup> February, 2024

From : The Deputy Secretary to the Govt. of Meghalaya,  
Law (B) Department.

To,

✓ The Special Officer & Ex-Officio Deputy Secretary Planning,  
Investment Promotion and Sustainable Development Department Govt. of  
Meghalaya.

Subject: - Views and comments on the draft "Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024".

Reference: No. PLR.22/2024/31, dt. 12.2.2024

Sir,

With reference to the subject cited above, I am directed to furnish the following observations of this Department :-

- (1) The Statement of Object and Reasons, Memorandum relating to Delegated Legislation and Financial Memorandum for the proposed Bill needs to be provided.
- (2) The definition clause needs to be arranged in alphabetical order.
- (3) In section 2, the definition of the term "Competent Authority" needs to be more specific as the proposed definition appears to include all departments or government agencies whether or competent or not to grant or issue clearances under the said Act.
- (4) The term "Unified Investment Portal" as provided in section 2, has been defined to mean an online system as constituted under section 4; whereas in section 4 there is no reference of its constitution.
- (5) In Chapter II, the sections need to be reframed in the manner and order in which the authorities referred therein is to be arranged. For instance, the provision for constitution of the Invest Meghalaya Authority (IMA) needs to be followed by the provisions relating to the powers and functions of the IMA.
- (6) In section 5, reference to forms under Central enactments have been made, perhaps concurrence of the Central Government needs to be obtained in case reference is made to those Central enactments which have no delegated powers to State Governments.
- (7) The term "investor" referred in sub-section (2) of section 7 needs to be specified in the definition clause.
- (8) In sub-section (5) of section 11, facilitation of the Nodal Agency in pursuing the clearance of the application to the High Power Committee is not mentioned.
- (9) In section 12, the provision relating to constitution of the Executive Committee of Invest Meghalaya Authority is not mentioned.

- 2
- (10) The term "Entrepreneur" mentioned in sub-section (1) of section 16 may be specified in the definition clause.
  - (11) The term "applicable Acts or rules" referred in section 17, 18, 22 and other parts of the Bill may be specified in the definition clause.
  - (12) The term "appropriate authorities" mentioned in section 18 may be specified.
  - (13) Sub-section (2) of section 20 may be reframed, since it may not be possible for the applicants to know what actions amount to contravention of the relevant Acts or Rules and may create confusion.
  - (14) The marginal heading of section 23 talks about review whereas the contents of this section talks about appeal, the same may be corrected.
  - (15) In section 26, the authority that can impose penalty may be provided.
  - (16) Sub-section (1) of section 27 appears to be vague and needs to be reframed.
  - (17) Since, as per section 29 the Act will override other State laws, the Department must ensure that the extent of this provision should not render the existing laws void.
  - (18) The Bill provides no power to make regulations as referred in Section 34.

Besides the above observation, the corrected draft Meghalaya Family Identification Bill, 2024 is enclosed herewith for necessary action from your end.

In view of the above and the corrections made in the draft at Flag 'X', in the first instance Planning, Investment Promotion and Sustainable Development Department is requested to furnish clarification to this Department before it can be proceeded for further vetting.

This has the approval of the Competent Authority.

Yours faithfully,



(L.A. Lyndem),

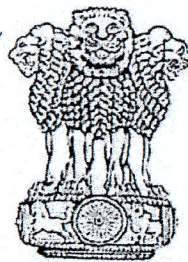
Deputy Secretary to the Govt. of Meghalaya,  
Law (B) Department



Corrected by  
Law Deptt dt 14-2-24

3

Draft Meghalaya State Investment & Business Facilitation  
Bill, 2024



Planning, Investment Promotion and Sustainable Development Department  
Government of Meghalaya

4  
(3)  
AN  
ACT BILL

to provide an accelerated and time bound grant for various licenses, permissions and issuance of clearances required from various competent authority or authorities of the State Government of Meghalaya under various state enactments for setting up industrial or service sector undertakings and the promotion of economic development in the State; to simplify the regulatory framework by reducing procedural requirements and rationalizing documents; to improve ease of doing business, and thereby provide an investor friendly environment in the State of Meghalaya and for the matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-fifth Year of the Republic of India as follows: -

## CHAPTER-I

### PRELIMINARY

#### 1. Short title, extent, and commencement

- (1) This Act may be called the Meghalaya State Investment & Business Facilitation Act, 2024.
- (2) It extends to the whole of the State of Meghalaya.
- (3) It shall come into force on the date of its publication in the Official Gazette.

#### 2. Definitions <sup>Unbold</sup> In this Act, unless the context otherwise requires:

- (10) "Person" shall include individuals or any company, or association or body of individuals, incorporated under relevant Acts of law;
- (2) "Applicant" means a person including an entrepreneur, who himself or on behalf of a legal entity, on being so authorized, makes an e-application for grant of requisite clearances or renewal thereof for setting up or operation of an industrial enterprise, a business or its expansion;
- (13) "Unified Investment Portal (hereinafter referred to as UIP)" means an online system constituted under section 4;
- (3) "Application" means any application submitted by an applicant to avail the services scheduled under online UIP;
- (4) "Clearance" means grant or issue of no-objection certificate, allotment, consents, approvals, permissions, registrations, enrolments, licenses and the like, by any Appropriate Authority in connection with the setting up of an enterprise in the State of Meghalaya and shall include all such permissions as are required under any applicable acts;
- (12) "Service" means services, including functions, obligations, responsibility, or duty, to be provided or rendered by a public authority. This may include licenses, approvals, renewals, no-objection



certificates, clearances, registrations, enrolments and the like, to be issued under various enactments in connection with the setting up of an industrial or service sector undertaking.

7) "Competent Authority" means, -

- (i) any Department or authorities of the Government and its designated officers;
- (ii) any organization or authority or body or corporation or institution or a local authority, established or constituted;
  - (a) by or under the Constitution of India in the State;
  - (b) by any other law made by the State Legislature;
  - (c) by notification Issued by the Government.
- (iii) an Institution, a co-operative society, a Government Company, or an authority owned, controlled, or financed by the State Government;

(6) 8) "Government" means Government of Meghalaya;

(7) 9) "Local Authority" means District Industries Centre, Urban or Rural Local Body, Industrial parks, Municipal Boards, MUDA or any other authority constituted by law and includes development authorities;

(8) 10) "Notification" means a notification published in Meghalaya Gazette, and the word "notified" to be construed accordingly;

(11) 11) "Prescribed" means prescribed by Rules made under this Act;

(1) 12) "Appellate Authority" means an officer appointed by the Government by investing with the power to hear appeals against the orders passed by a Public Authority related to the delivery of service;

(9) 13) "Offence" means any submission or omission made by any person/ entity, knowingly or unknowingly, that is in violation of the provisions of this Act, or any rules, regulations, or guidelines issued thereunder. This includes, but is not limited to, providing false, incorrect, or misleading information; forging, altering, or falsifying any document or part of a document; or using any such forged, altered, or falsified document with the intent to deceive, mislead, or defraud the nodal agency for investment approval during any stage of the application process.

*Pl. to frame the sections in the order of which authority referred herein*

## CHAPTER-II

### CONSTITUTION, POWERS, AND FUNCTIONS OF INVEST MEGHALAYA AUTHORITY, THE GOVERNING COUNCIL, HIGH-POWER COMMITTEE, STATE INVESTMENT COMMITTEE AND DISTRICT INVESTMENT COMMITTEE

3. Invest Meghalaya Authority.

6. The State Government may, by notification appoint a Nodal Agency called "Invest Meghalaya Authority" at the State level, which shall be an authority, will be governed by its Governing Council under the Chairmanship of Chief Minister. The Chief Executive Officer or the Executive Committee of Invest



Meghalaya Authority as notified shall be responsible for the day-to-day operations and shall exercise the powers and perform functions as stated under the MSIPF Act, 2024. The Authority shall consist of a Chief Executive Officer and such number of official and non-official members, as the State Government may appoint. The Chief Executive Officer shall be appointed by the State Government from amongst officers not below the rank of Joint Secretary or persons being distinguished experts with a demonstrated experience in industry or government. A Governing Council of Invest Meghalaya Authority, High-Power Committee, State Investment Committee and District Investment Committee shall be formed in the State for investment clearances under this Act. The Nodal Agency shall be responsible for creation and maintenance of the "Unified Investment Portal" and facilitate investors for obtaining clearance ~~by~~ <sup>U IP</sup> the same.

#### 4. Unified Investment Portal

All applications shall be received, all decision conveyed, and relevant services delivered through an online portal. It shall ensure that there is no physical interface between applicant and concerned officers for delivery of the services. *no reference for constitution*

#### 5. Combined Application Forms (CAF).—

(1) ~~It shall be competent for~~ <sup>shall</sup> The Government ~~to prescribe~~ <sup>or</sup> combined/application forms which may consist of-

(a) Forms under Central enactments without any change;

and

(b) Existing forms or new forms in lieu of the existing forms under State enactments.

(3) All Departments or authorities concerned shall accept such application forms for processing and issue of required clearances.

#### 6. Procedure for online application for obtaining clearance in Unified Investment Portal

(1) The applicant seeking any investment clearance shall register through the Unified Investment Portal (UIP) created by the Invest Meghalaya Authority <sup>?? Pl. specify</sup> for the purpose and on registration, applicant shall be given a unique ID and password for future reference;

(2) The Common Application Form (CAF) as constituted under Section 5, along with prescribed attachment shall be uploaded online as per guidance available in the Unified Investment Portal;

(3) On receipt of the CAF, the system shall automatically forward it shall be processed directly through UIP to the concerned department for vetting of the project.

(4) Upon approval with remarks from the concerned departments, IMA <sup>shall</sup> will present the project proposal to the Governing Council <sup>or</sup> High-Power Committee <sup>or</sup> State Investment Committee <sup>or</sup> District Investment Committee (based on the size of the investment) for in principle approval.



- 7-
- 5) Post in-principal approval, based on the nature of investment, the applicant can apply for relevant requisite clearances/ pre-establishment approvals through the UIP with additional necessary information;
  - 6) On receipt of the additional information and payment of prescribed fees, the UIP shall automatically forward the same to the concerned competent authority;
  - 7) The Competent Authority shall be provided online access to the Unified Investment Portal through secured user ID and password, to process the application forwarded to them;
  - 8) The competent authority shall process the application and communicate the decision regarding approval or rejection of the request along with comments and upload the same in the UIP within the prescribed time limit as notified by the State Government from time to time;
  - 9) At each stage of the application, an e-mail and SMS alerts shall be sent to the applicant;
  - 10) Post obtaining clearance on the application, the applicant can set up the investment and apply for pre-operational approval/clearances as per guidance available in UIP.
  - 11) Post pre- operational approvals and commencement of Production / service, the applicant can apply for incentives under concerned sectoral policies / Industrial Policy as per guidance available in UIP.
7. Constitution, powers, and functions of Governing Council.
- (1) *The State Government may, by notification, constitute a Governing Council which*  
~~There shall be constituted a "Governing Council" for the purposes of this Act. The Governing Council constituted under section 7 shall consist of the Chairman and the following members:~~

| Sl. No. | Members   | Designation      |
|---------|---|------------------|
| (i)     | Chief Minister  | Chairman         |
| (ii)    | Commerce & Industry Minister  | Vice-Chairman    |
| (iii)   | All Cabinet members   | Member           |
| (iv)    | Chief Secretary to Government of Meghalaya,   | Member           |
| (v)     | Senior most Secretary to Government of Meghalaya, Planning Investment Promotion & Sustainable Development Department, | Member Secretary |
| (vi)    | Senior most Secretary to Government of Meghalaya, Commerce & Industries Department                                    | Member           |
| (vii)   | Senior most Secretary to Government of Meghalaya, Finance Department  | Member           |

| Sl. No. | Members  | Designation |
|---------|--|-------------|
| 8       | Other nominations by Committee / State Government if any | Member      |

(2) The Governing Council shall be the Competent Authority at the State level and exercise the following powers and perform the following functions, namely: -

(a) Subject to the overall control and superintendence of the State Government, the Governing Council shall provide overall policy guidance and directions under this Act.

(b) The Governing Council shall be responsible for setting the strategic directions and guidance for the Unified Investment Portal clearances and industries facilitation required for its effective functioning.

(c) The orders and decisions of the Governing Council shall be binding upon all government departments, authorities and agencies and such Departments, Authorities and Agency shall issue requisite clearances and permissions within the stipulated time limit provided that the relevant provisions of the applicable Acts and Rules of the State Government or Central Government are complied by the investor or applicant.

(d) The Governing Council may assign or revoke its functions or powers to High-Power Committee, State Investment committee, District Investment Committee, and Invest Meghalaya Authority for effective implementation of this Act.

(e) The Governing Council shall meet to carry out its functions, but it shall meet at least once annually or as needed at such place, as the Chairman of the Governing Council may decide, for performance review of the High-Power Committee, State Investment committee, District Investment Committee, and Invest Meghalaya Authority; and for providing necessary recommendations and approvals if required. The Governing Council may also consider matters referred by the High-Power Committee, Invest Meghalaya Authority, and the State Government, and take appropriate decisions.

(f) It shall be responsible for creation, sanction, abolition, and re-designation of posts required for effective functioning of the Authority

(g) It shall be responsible for approval of any borrowings or hypothecation of any assets of the Authority, if required

(h) It shall approve the annual budget, accounts and reports including the audit reports of the Authority.

8. Constitution, powers, and functions of High-Power Committee



There shall be constituted a High-Power Committee for the purpose of this Act. The High-Power Committee constituted under section 8 shall consist of the Chairman and the following members:

| Sl. No. | Members  | Designation      |
|---------|--|------------------|
| (i)     | Chief Minister   | Chairman         |
| (ii)    | Commerce & Industry Minister   | Vice-Chairman    |
| (iii)   | Minister of the concerned department for which Investment proposal will be discussed   | Member           |
| (iv)    | Chief Secretary  | Member           |
| (v)     | Senior most officer or authorized representative not below the rank of Secretary of Planning Investment Promotion & Sustainable Development Department   | Member           |
| (vi)    | Senior most officer or authorized representative not below the rank of Secretary of Commerce & Industry Department                                       | Member           |
| (vii)   | Senior most officer or authorized representative not below the rank of Secretary of Finance Department   | Member           |
| (viii)  | Senior most officer or authorized representative not below the rank of Secretary of Forest & Environment Department                                      | Member           |
| (ix)    | Senior most officer or authorized representative not below the rank of Secretary of concerned department for which Investment proposal will be discussed | Member           |
| (x)     | Chief Executive Officer, Invest Meghalaya Authority  | Member-secretary |
| (xi)    | Other nominations by the State Government/ Committee if any  | Member           |

(2) The High-Power Committee for Investments shall be the Competent Authority at the state level and exercise the following powers and perform the following functions, namely: -

(a) The High-Power Committee for Investments shall regularly monitor, supervise, and review the functioning of the State Investment Committee, Invest Meghalaya Authority and District Committee for Investments for industries facilitation and Unified Investment Portal clearances.

- (b) It shall carry out such other functions as may be assigned to it by the Governing Council or the State Government.
- (c) vi. The Committee may assign or revoke the functions <sup>or</sup> powers to the State Investment Committee, Invest Meghalaya Authority and District Investment Committee within the powers <sup>or</sup> functions assigned under this Act or by the Governing Council for effective implementation of this Act.
- (d) vii. The High-Power Committee for Investments shall meet at least once in a <sup>or</sup> quarter or as needed, at such place, as the Chairman of the Committee may decide, for performance review of the State Investment Committee, District Investment Committee, and Invest Meghalaya Authority and for providing necessary recommendations where required.
- (e) viii. To invite competent authorities or expert, who are not members of the Committee, as special invitees for any meeting as desired by the Chairman of the Committee.
- (f) ix. Such other powers and functions as may be prescribed from time to time.
- (g) x. The High-Power Committee for Investments shall give In-~~Principle~~ <sup>Principle</sup> approval referred to it for investments more than INR 10 Cr.
- (h) xi. The High-Powered committee shall grant approval of customized financial incentive packages for new projects under Industrial Policy.

9. Constitution, powers, and functions of State Investment Committee. →

- (i) The State Government may, by notifications, constitute a "State Investment Committee" at state level. ~~The State Investment Committee constituted under section 9 shall consist of the Chairman and following members:~~ <sup>which</sup>

| Sl No | Members  | Designation |
|-------|--|-------------|
| (i)   | Chief Secretary  | Chairman    |
| (ii)  | Senior most officer or authorized representative not below the rank of Secretary of Planning Investment Promotion & Sustainable Development Department | Member      |
| (iii) | Senior most officer or authorized representative not below the rank of Secretary of Commerce & Industry Department                                     | Member      |
| (iv)  | Senior most officer or authorized representative not below the rank of Secretary of Finance Department   | Member      |
| (v)   | Senior most officer or authorized representative not below the rank of Secretary of the concerned department   | Member      |



| Sl No | Members  | Designation      |
|-------|--|------------------|
|       | for which investment proposal will be discussed                                      |                  |
| (6)   | Chief Executive Officer, Invest Meghalaya Authority                                  | Member-secretary |
| (7)   | Director, Commerce & Industries Department   | Member           |
| (8)   | Director of the concerned department for which investment proposal will be discussed | Member           |
| (9)   | Other nominations by Committee / State Government if any                             | Member           |

(2) The State Investment Committee shall be the Competent Authority at the State Level and exercise the following powers and perform the following functions, namely: -

- (a) It shall carry out such other functions as may be assigned to it by the Governing Council or the High-Power Committee or State Government.
- (b) ii. The State Investment Committee shall meet at least once in a month or as needed, at such place, as the Chairman of the Committee may decide, for performance review of the District Investment Committee, and Invest Meghalaya Authority and for providing necessary recommendations where required.
- (c) iii. To meet at such times and places as the Chairman of the Committee may decide and shall transact business as per the procedure as may be prescribed.
- (d) iv. To invite competent authorities or expert, who are not members of the Committee, as special invitees for any meeting as desired by the Chairman of the Committee.
- (e) v. The Member of the State Investment Committee shall attend the meeting convened under clause (b) (ii) and in case he is unable to attend the meeting, he may depute an officer not below the rank of Joint Secretary to take appropriate decision in the meeting.
- (f) vi. Such other powers and functions as may be prescribed from time to time.
- (g) vii. The State Investment Committee for Investments shall give In-Principle approval referred to it for investments more than INR 1 Cr up to INR 10 Cr
- (h) viii. State Investment committee shall grant approval of financial incentive packages for Large, Medium and Small projects under Industrial Policy.

10. ~~Constitution, powers, and functions of District Investment Committee~~

12. Constitution, powers and functions of District Investment Committee

- (1) The State Government may, by notifications, constitute a "District Investment Committee" for each district. The District Investment Committee constituted under section 40 shall consist of the Chairman, and members shall be the following:

| Sl No  | Members   | Designation      |
|--------|---|------------------|
| (i)    | Deputy Commissioner   | Chairman         |
| (ii)   | General Manager-DCIC  | Member-Secretary |
| (iii)  | Assistant Director of Commerce & Industries   | Member           |
| (iv)   | Representative of Invest Meghalaya Authority  | Member           |
| (v)    | District Planning Officer   | Member           |
| (vi)   | Pollution Control Board Officer of the District   | Member           |
| (vii)  | District Officer of Labour Department   | Member           |
| (viii) | Executive Engineer of the District of concerned Electricity Distribution Company under which district falls | Member           |
| (ix)   | Divisional Forest officer   | Member           |
| (x)    | Other nominations by District Authority / State Government if any   | Member           |

- (2) The District Investment Committee shall be the Competent Authority at the district level and exercise the following powers and perform the following functions, namely: -

- (a) To meet monthly or as needed, at such times and places as the Chairman of the Committee may decide and shall transact business as per the procedure as may prescribed;
- (b) To coordinate for all clearances for setting up of industrial units;
- (c) To review and monitor the processing of applications by the competent authorities;
- (d) To invite Competent authorities or experts, who are not members of the Committee, as special invitees for any meeting of the District Investment Committee as desired by the Chairman of the Committee;
- (e) The Member of the District Investment Committee shall attend the meeting convened under clause (a) and in case he is unable to attend the meeting, he may depute an officer to take appropriate decision in the meeting;
- (f) Such other powers and functions as may be prescribed;



3. The District Investment Committee shall coordinate with all line departments for getting all clearances.
4. The District Investment Committee shall give In-Principle Approval referred to it for investments up to INR 1 Cr.
5. The District Investment committee shall provide recommendation of financial incentive packages for Micro units under Industrial Policy.

#### 11. Powers and Functions of Invest Meghalaya Authority as the Nodal Agency.

- (1) The Nodal Agency will be responsible for creation of a <sup>UIP</sup> Unified Investment Portal, so that the investors may submit <sup>the</sup> application forms online as required by them for obtaining various clearances;
- (2) The ~~Invest Meghalaya Authority~~ will act as a Nodal Agency shall provide secretarial support to the Governing Council, State Investment Committee and District Investment Committee, as the case may be;
- (3) The Nodal Agency, on receipt of self-certification by the applicant shall arrange In-Principle approval from the respective committees on the basis of investment amount for project kick off;
- (4) Under the superintendence, direction and control of the respective committees, the nodal agency shall acknowledge all applications and shall forward the applications to the concerned competent authority within three working days;
- (5) The Nodal Agency will facilitate Governing Council, State Investment Committee and District Investment Committee in pursuing the clearance of the applications with the competent authorities.
- (6) The Nodal Agency shall prepare a <sup>as provided under section 5</sup> Combined Application Form, for online submission by the investors for obtaining various clearances, ~~which shall consist of~~
- ~~forms under the relevant Central enactments without any change; and~~
  - ~~existing forms or new forms in lieu of the existing forms under the relevant state enactments.~~
- (7) The Nodal Agency shall publish downloadable application forms, comprehensive check lists, <sup>and other</sup> ~~requirements, as the case may be,~~ covering all activities in Unified Investment Portal. <sup>UIP;</sup>
- (8) The Nodal Agency shall perform any other functions ~~as~~ entrusted to ~~them~~ for carrying out the provisions of this Act.

*Total about High Power Committee?*

#### 12. Constitution and Powers of Executive Committee of Invest Meghalaya Authority

- (1) All decisions of the Executive Committee shall have the same effect as if taken by the Authority under this Act.

*Pl. specify Constitution clause*

- (2) The Executive Committee shall monitor, supervise, and review the functioning of the Invest Meghalaya Authority for industries facilitation and Unified Investment Portal clearances;
- (3) The Executive Committee may appoint District Commerce & Industries Center officials or other State Government officials on deputation or such other officers and employees of the Authority in such manner and with such qualifications, as may be prescribed for smooth functioning of the Authority;
- (4) The Executive Committee shall receive and review all investment proposals including new investment as well as proposal of modernization, expansion of existing industries;
- (5) The Executive Committee shall issue notices to the competent authority, in case of their failure to provide necessary clearances within the stipulated time and same be intimated to the concerned administrative departments for taking necessary action;
- (6) The salaries and allowances payable to and the other terms and conditions of service of officers and other employees of the Authority shall be such, as may be prescribed;
- (7) Every major decision of the Executive Committee, as the Executive Committee deem fit, shall be placed before the Authority and the Authority shall have the power to modify, amend or rescind such decision and shall thereafter have effect only in such modified form or be of no effect, as the case may be, however, any such modification or annulment shall be without prejudice to the validity of anything previously done;
- (8) The Executive Committee shall be authorized to delegate the powers with respect to that officer or department or organization to any other officer of the Authority.

13. Powers and Functions of CEO of the Nodal Agency *The function of the Chief Executive Officer shall be as follows:-*

- (a) *He* CEO shall be responsible to run the Web Portal of Unified Investment Portal efficiently, liaise with all competent authorities, preparation of monthly report and get clearances from the competent authority in time;
- (b) *He* CEO shall coordinate with all efforts of the State Government to encourage new investment and its actual implementation in the state in respect of all sectors of trade, commerce, and industry;
- (c) *He* CEO shall review the process with the team of officers under him at least twice in a month, or as needed, and sort out any problem faced by them. In case of any critical issues, the matter may be referred to the Executive Committee of Invest Meghalaya Authority for a suitable solution;
- (d) *He* CEO shall be responsible for carrying such other functions as may be entrusted to him by the Governing Body, High-Power Committee, State Investment Committee, and Executive Committee of ~~IMA~~ Invest Meghalaya Authority.



CHAPTER - III  
MISCELLANEOUS

14. Filling of Application Forms.

- (1) All applications for clearances shall be submitted with the required fees in the prescribed manner to the Nodal Agency.
- (2) The applications shall be forwarded by the Nodal Agency to the competent authority for processing and disposal.

15. Power to call additional information.

- (1) On receipt of application under ~~sub-section (1.8a)~~ of section 14, the competent authority shall have power to obtain further additional information from the applicant as required by him, while furnishing a copy of the same to the Nodal Agency.
- (2) The applicant shall furnish the required information to the competent authority and also to the Nodal Agency simultaneously.
- (3) The competent authority shall send its orders sanctioning or rejecting the application, as the case may be, to the Applicant ~~or~~ Nodal Agency.

16. Self-Certification.

- Pl. specify in the definition clause*
- (1) Every Applicant ~~&~~ <sup>or</sup> Entrepreneur shall furnish a 'Self Certification' at the time of submitting the application form, undertaking in such form and manner as may be prescribed that he shall comply with the applicable provisions of the relevant Acts and the rules made there under.
  - Pl. specify* (2) The self-certification furnished by the entrepreneur shall be accepted by the concerned Departments and authorities for the purpose of issue and granting clearance.

17. Rationalization of Inspections.

- Pl. specify*
- (1) Inspections under the provisions of applicable Acts or Rules by different levels of authorities, shall be conducted jointly by the office of the Labour Commissioner and State Pollution Control Board and other departments once in a year.
  - (2) Department shall <sup>or</sup> conduct inspection based on risk-based assessment as maybe prescribed in their respective rules/byelaws. However, inspection against specific complaints may be conducted with the authorization of the Head of the Departments.

~~18. Third Party Inspections~~

18. Third party Inspections

*Pl. specify*

Inspections under the provisions of applicable Acts or Rules by different state authorities, wherever applicable, may be prescribed to conduct through empaneled third-party inspection agencies of appropriate authorities. The Third-Party Inspection Report shall be furnished in such form as may be prescribed.

*Pl. specify*

19. Time Limits for processing of applications

Notwithstanding anything contained in any State law for the time being in force,

- (a) The Government may lay down the procedure for processing and disposal of applications;
- (b) The Timelines for clearances at all levels for all approvals will be notified from time to time;
- (c) The Competent Authority may ask for additional information at any time before the expiry of the period stipulated for the disposal of such clearance;
- (d) After receipt of the additional information, the Competent Authority shall pass orders on the application before the expiry of the stipulated time from the date of receipt of such additional information;
- (e) The Government may, by notification, change the prescribed limit from time to time.

20. List of Deemed Approvals

(1) The State Government may notify from time to time the list of services <sup>or</sup> approvals <sup>or</sup> clearances as deemed approved if not provided by competent authority in a prescribed <sup>or</sup> defined timeline under Section 19 of this Act ~~MOPS Act~~ or as defined by line departments of the State Government.

(2) The applicant may proceed to execute the work or take other action following the provisional or deemed approval given at by the Competent Authority, but not so as to contravene any of the provisions of the Acts or rules or bye-laws applicable to such clearances.

*This provision may be re-framed since, it may not be possible for the investor to know what acts and processes are the provision of the Act/Rules etc.*

21. Information of Deemed Approval

The appropriate Competent Committee shall inform to the applicant the date on which the application was received by the Competent Authority and the date on which it was deemed to have been approved.

22. Fees

The Application for such clearances shall be submitted by the applicants in such Combined Application Form - CAF or any other form prescribed under applicable Act or rules thereof along with such fee, as may be prescribed.

*Pl. specify*



23. Review of State/District level cases

Any person aggrieved by the decision of any competent authority or the Invest Meghalaya Authority on any clearance, may file an appeal before the State Government in the Planning Investment & Sustainable Development Department within 30 (thirty) days from the date of receipt of such clearance or any information or communication rejecting the application, as the case may be, and the decision of the State Government thereon shall be final and binding on all concerned

24. Pecuniary Jurisdiction of the Governing Council, High-Power Committee, State Investment Committee, and District Investment Committee

For investment up to INR 1 Cr, District Investment Committee, for investment more than INR 1 Cr and up to INR 10 Cr, State Investment Committee, and investment more than INR 10 Cr, High-Power Committee will provide in-principle approval.

The Government may, by notification, change the investment limit from time to time.

25. Exemptions

The State Government may, by notification, exempt any clearances from any of the provisions of the Act.

26. Penalty

Any entrepreneur who fails to comply with the conditions or undertaking in self-certification given to the Nodal Agency or other department or authorities shall be punishable with fine as prescribed by government from time to time as well as rectification of the defect.

27. Right to clearances under Unified Investment Portal (UIP)

Provision of "Right to Clearances under UIP" system to the applicant to know the reasons for delay and to cause the imposition of penalties to the designated officers of the competent authority.

2) The State Government may, by notification, create a "Grievance Redressal Mechanism" to effectively deal with the grievances that may be filed by applicants under the approval process.

28. Offences by Companies, etc.

(1) Where an offence under this Act is committed by a company, the company as well as every person in charge of and responsible to the company for the conduct of its business at the time of commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

(27)

Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or that commission of the offence is attributable to any neglect on the part of any Director, Manager, Secretary or other Officer, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation: - For the purpose of this section:

(a) "Company" means any "Corporate" and includes a firm or other association of individuals.  
and

(b) "Director" in relation to a firm means a partner in the firm.

#### 29. Act to override other Laws →

Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

#### 30. Powers to remove difficulties →

If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty.

#### 31. Powers to give directions →

The State Government may, from time to time, issue general or special directions as they may deem necessary or expedient for the purpose of carrying out the objectives of this Act, as the case may be, shall be bound to follow and act upon such directions.

#### 32. Savings →

This Act shall not apply to any clearances required under Central enactments.

#### 33. Powers to make rules →

(1) The Government may, by notification make rules for carrying out all or any of the purposes of this Act.



- 2) Every rule made under this Act, shall immediately after it is made be laid before the Legislature of the State, if it is in session and if it is not in the session in session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of session in which it is so laid or the session immediately following, the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

#### 34. Power to engage experts and professionals. -

Invest Meghalaya Authority may engage such consultants, advisors, or technology professionals, as may be required for efficient discharge of its powers and functions under this Act, on such allowances or remuneration and on such terms and conditions, as may be specified by regulations.

*There is no power to make regulations*

#### 35. Vacancies etc., not to invalidate proceedings

- (1) No act or proceeding of the Authority shall be invalid merely by reason of-
- (i) any vacancy in or any defect in the constitution of the Authority;
  - (ii) any defect in the appointment of a person as Chief Executive Officer or member; or
  - (iii) any irregularity in the procedure of the Authority not affecting the merits of the case.

#### 36. Officers and other staff of Invest Meghalaya Authority, -

- (1) The Authority may appoint such other officers and employees of the Authority in such manner and with such qualifications, as may be prescribed.
- (2) The salaries and allowances payable to and the other terms and conditions of service of officers and other employees of the Authority shall be such, as may be prescribed.

#### 37. Invest Meghalaya Authority Fund, -

- (1) There shall be constituted a Fund to be called the Invest Meghalaya Fund and shall be credited thereto-
  - (i) all grants, fees and charges received by the Authority under this Act; and
  - (ii) all sums received by the Authority from such other sources, as may be decided by the State Government.
- (2) The Fund shall be used for-
  - (i) the remuneration and other allowances payable to the Chief Executive Officer and the members, and the administrative expenses including the salaries <sup>or</sup> remuneration of employees, Unified Investment Portal maintenance, hiring of consultancy firms <sup>or</sup> Consultants,

20

(25)

third party vendors, allowances, pension, and day-to-day operations payable to or in respect of officers and other employees of the Authority; and

(ii) the expenses incurred for meeting out the objectives and purposes authorized by this Act.

38. Annual grants, loans, and advances --

(The State Government may make to the Authority grants, loans, or advances of such sums of money annually, on such terms and conditions, as it may deem fit.

39. Budget --

- (1) The Chief Executive Officer shall submit a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditures of the Authority in such form, as may be prescribed.
- (2) The Authority shall, subject to such modifications and revisions, as it may decide, approve the budget submitted under sub-section (1).
- (3) The budget, as modified or revised by the Authority, shall be forwarded to the State Government along with such number of authenticated copies, as may be required by the State Government.
- (4) The Chief Executive Officer shall cause the budget, as modified, or revised by the Authority, to be placed on the website of the Authority.

40. Accounts and audit --

- (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet, in such form, as may be prescribed.
- (2) The accounts of the Authority shall be subject to audit annually by the Accountant General of Meghalaya and any expenditure incurred in connection with such audit shall be payable by the Authority to the Accountant General of Meghalaya.
- (3) The Accountant General of Meghalaya and any person appointed by her in connection with the audit of accounts of the Authority shall have the same rights, privileges, and authority in connection with such audit as the Accountant General of Meghalaya has in connection with the audit of the Government accounts and, in particular, shall have right to demand the production of books, accounts, connected vouchers, other documents and papers and to inspect the office of the Authority.
- (4) The accounts of the Authority as certified by the Accountant General of Meghalaya or any other person appointed by her in this behalf together with the audit report thereon and an explanatory memorandum on the action so taken or proposed to be taken, shall be forwarded annually to the State Government and the State Government shall cause a copy of the same to be laid before the State Legislature.



- (5) The Chief Executive Officer shall cause the accounts of the Authority together with the audit report and the explanatory memorandum, to be placed on the website of the Authority after the report has been laid before the State Legislature.

41. Annual Report.

- (a) The Chief Executive Officer shall prepare a report of its activities during that year and submit the report to the State Government in such form, as may be prescribed and the State Government shall cause the report to be laid before the State Legislature.

42. Protection of action taken in good faith.

No suit or legal proceeding shall lie against the Chairman or other members of the Governing Council or High-Power Committee or State Investment Committee or District Investment Committee or Nodal Agency or any employees of such committee in respect of anything which is done or intended to be done in good faith under this Act or any Rule made there under.

**GOVERNMENT OF MEGHALAYA**  
**REVENUE & DISASTER MANAGEMENT DEPARTMENT**

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**NO.RDG.14/2024/32**

**Dated Shillong, the 16<sup>th</sup> February, 2024.**

**From: Smti. I. Mawlong, MCS,**  
Joint Secretary to the Govt. of Meghalaya,  
Revenue & Disaster Management Department.

**To,**  
✓ The Senior Monitoring Officer & Ex-officio,  
Deputy Secretary to the Govt. of Meghalaya,  
Planning Investment Promotion and Sustainable Development Department.

**Subject: Views and comments on the draft "Meghalaya State Investment Promotion and Facilitation Bill (MSIPF), 2024".**


**Reference: No.PLR.22/2024/31, dated 12<sup>th</sup> February, 2024.**

Sir/Madam,

I am directed to refer to the letter on the subject quoted above and to say that Revenue & Disaster Management Department agrees to the Draft Bill. However, the matter related to transfer of land etc., should be in accordance with the provisions of the Meghalaya Transfer of Land (Regulation) Act, 1971 and Rules made thereunder.

This has the approval of the 'Competent Authority'.

Yours faithfully,

  
Joint Secretary to the Govt. of Meghalaya,  
Revenue & Disaster Management Department

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**Memo NO.RDG.14/2024/32-A,**

**Dated Shillong, the 16<sup>th</sup> February, 2024.**

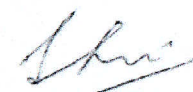
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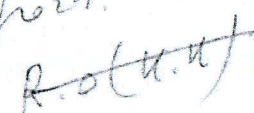
1. P.A. to Commissioner & Secretary to the Govt. of Meghalaya, Revenue & Disaster Management Department for kind information of the Commissioner & Secretary.
2. P.A. to Secretary to the Govt. of Meghalaya, Revenue & Disaster Management Department for information of the Secretary.

By Order etc.,

/   
Joint Secretary to the Govt. of Meghalaya,  
Revenue & Disaster Management Department

\*\*\*\*\*c

  
19/02/2024.



R.A.C.R.E.K.)



**GOVERNMENT OF MEGHALAYA**  
**PLANNING, INVESTMENT PROMOTION & SUSTAINABLE DEVELOPMENT DEPARTMENT**  
\*\*\*\*\*

**No. PLR. 22/2024/Pt/23**

**Dated Shillong, the 20<sup>th</sup> February, 2024**

**To:**

The Deputy Secretary to the Government of Meghalaya  
Law Department

**Sub: Views and comments on the draft “Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024”.**

Madam,

I am directed to refer to your letter No. LL(B) 10/2024/32 dated 15<sup>th</sup> February, 2024 relating to views and comments on the draft “Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024” and to inform you that Law Department’s views and suggestions have been incorporated in the revised draft Bill which is enclosed herewith for further necessary vetting from your end.

Yours faithfully,

**Enclo: As stated**



Planning Officer & Ex-officio  
Under Secretary to the Govt. of Meghalaya,  
Planning, Investment Promotion & Sustainable Development Department

DRAFT

## Cabinet Memorandum

(To be circulated under Rule 17 of the Rule of Executive Business)

Sub: Cabinet approval for Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024

## 1. Background

- i. The collaboration between the Department for Promotion of Industry and Internal Trade (DPIIT) and the Indian States, has played a pivotal role in enhancing the Ease of Doing Business (EoDB) landscape across the nation. Meghalaya, though initially at a lower rank, has made substantial progress, earning recognition as an "Emerging Business Ecosystem" in the 2020 Business Reform Action Plan by DPIIT- an acknowledgement that is a testament to the state's dedicated commitment to creating a favorable business environment. The Meghalaya Government is now aiming to uplift this position in the subsequent ranking system.
- ii. The objective is to boost investor confidence, foster a business-friendly climate, and augment the ease of living for citizens of the State through timely and digitalized services.
- iii. Presently, prospective investors submit applications via the Invest Meghalaya portal for individual services or through the offline services depending on the requirement. To avail different approvals/ licenses for setting up a business unit, the investor needs to fill out multiple application forms which makes the entire process cumbersome. A single platform with common application form to avail all required approvals/ licenses shall simplify the investment process.
- iv. Majority of leading States in India like Gujarat, Punjab, Telangana, Tamil Nadu and the north-eastern states like Assam, Manipur, Tripura have already implemented the "Ease of doing Business" Act which has now streamlined administrative processes, consolidating multifaceted initiatives under a single platform to promote investments and businesses. The State of Meghalaya is now progressing towards establishing a similar ecosystem.



- v. Thus, to create an environment conducive for “Ease of Doing Business” and “Ease of Living”, the Government of Meghalaya has envisaged **Meghalaya State Investment Promotion & Facilitation Act (MSIPF), 2024** that will:
  - a. Create an organizational framework which is an integrated and coherent investment promotion architecture to simplify the investor onboarding process and mitigate any challenge faced.
  - b. Set up a “Unified Investment Portal (UIP)” to serve as a single fast-track platform for investors with timely business approvals / licenses and pave a way for the business houses or MSMEs to setup their business or expand in the state with reduced cost and time. This user-friendly portal will eliminate the need for physical touchpoint with the Government Departments offering status-tracking, hassle-free approvals within specified timelines, along with simplified payment process featuring one-time fee.
  - c. Creation of a Common Application Form (CAF), which combines the applications for all services provided in the UIP by different departments. At the same time, a CAF streamlines the need for entrepreneurs to submit the same information multiple times to multiple agencies.
- vi. Through the MSIPF Act, 2024, a Nodal Agency called “Invest Meghalaya Authority (IMA)” at the State level will be constituted which will be governed by its Governing Council under the Chairmanship of Chief Minister. The Chief Executive Officer or the Executive Committee of Invest Meghalaya Authority as notified shall be responsible for the day-to-day operations and shall exercise the powers and perform functions as stated under the MSIPF Act, 2024. The Chief Executive Officer shall be appointed by the State Government from amongst officers not below the rank of Joint Secretary or persons being distinguished experts with a demonstrated experience in industry or government.
- vii. Under the MSIPF Act, 2024, for project proposal clearances based on size of investment the following committees will be constituted:
  - a. High- Power Committee for investments more than INR 10 Cr.

- b. State Investment Committee for investments more than INR 1 Cr. up to INR 10 Cr.
- c. District Investment Committee for investment less than INR 1 Cr.
- viii. The organizational ecosystem constituted for investment facilitation along with the Unified Investment Portal under this Act will enable a conducive business environment for investors and boost investment influx to the state.

## **2. Guiding Principles**

- i. The Business Reform Action Plan (BRAP) by Department for Promotion of Industry and Internal Trade, Government of India
- ii. The Meghalaya Right to Public Services Act, 2020 by Government of Meghalaya
- iii. Meghalaya Vision 2030
- iv. To facilitate participation of public and private sector to stimulate economic growth in the State.

## **3. Procedure for online application for obtaining clearance in Unified Investment Portal**

Post the implementation of MSIPF Act, 2024, the investment process will typically go through the following steps:

- a) Investor can apply through the Unified Investment Portal
- b) Upon receipt of the application, it shall be directly processed through UIP to the concerned department for vetting of the project.
- c) Upon approval with remarks from the concerned departments, IMA will present the project proposal to the Governing Council / High-Power Committee / State Investment Committee / District Investment Committee (based on the size of the investment) for in-principle approval.
- d) Post in-principle approval, investor may apply for Land allotment if land not available or apply for extension of lease, etc. and other Pre-establishment approvals / clearances



- e) Upon receiving approvals from concerned departments, the investor can set up the project and apply for pre-operational approvals
- f) Post pre- operational approvals, the investor may apply for the incentives as per sectoral policies of the state
- g) Approval and Disbursement of Incentives by line department through the Unified Investment Portal.

#### 4. General Guidelines of the Meghalaya State Investment Promotion & Facilitation Act (MSIPF), 2024

##### A. Constitution, powers, and functions Governing Council of IMA

The “Governing Council”, subject to the overall control and superintendence of the State Government, shall be responsible for setting the strategic directions and overall policy guidance to enhance the functioning of the investment ecosystem in the state. The Governing Council shall convene meetings once half yearly or as needed and shall consist of the Chairman along with the following members;

| Sl. No. | Members   | Designation      |
|---------|---|------------------|
| 1       | Chief Minister  | Chairman         |
| 2       | Commerce & Industry Minister  | Vice-Chairman    |
| 3       | All Cabinet members   | Member           |
| 4       | Chief Secretary to Government of Meghalaya,   | Member           |
| 5       | Senior most Secretary to Government of Meghalaya, Planning Investment Promotion & Sustainable Development Department, | Member Secretary |
| 6       | Senior most Secretary to Government of Meghalaya, Commerce & Industries Department                                    | Member           |

| Sl. No. | Members  | Designation |
|---------|--|-------------|
| 7       | Senior most Secretary to Government of Meghalaya, Finance Department | Member      |
| 8       | Other nominations by Committee / State Government if any             | Member      |

B. Constitution, powers, and functions High-Power Committee of IMA

The "High-Power Committee" will provide approvals for investments more than INR 10 Cr and shall also regularly monitor, supervise, and review the functioning of the State Investment Committee and District Investment Committee. It will convene meetings once quarterly or as needed and shall carry out such other functions as may be assigned to it by the Governing Council or the State Government. The Committee shall consist of the Chairman and the following members;

| Sl. No. | Members  | Designation   |
|---------|--|---------------|
| 1       | Chief Minister   | Chairman      |
| 2       | Commerce & Industry Minister   | Vice-Chairman |
| 3       | Minister of the concerned department for which Investment proposal will be discussed   | Member        |
| 4       | Chief Secretary  | Member        |
| 5       | Senior most officer or authorized representative not below the rank of Secretary of Planning Investment Promotion & Sustainable Development Department | Member        |
| 6       | Senior most officer or authorized representative not below the rank of Secretary of Commerce & Industry Department                                     | Member        |



| Sl. No. | Members  | Designation      |
|---------|--|------------------|
| 7       | Senior most officer or authorized representative not below the rank of Secretary of Finance Department   | Member           |
| 8       | Senior most officer or authorized representative not below the rank of Secretary of Forest & Environment Department                                      | Member           |
| 9       | Senior most officer or authorized representative not below the rank of Secretary of concerned department for which Investment proposal will be discussed | Member           |
| 10      | Chief Executive Officer, Invest Meghalaya Authority  | Member-secretary |
| 11      | Other nominations by the State Government/ Committee if any  | Member           |

C. Constitution, powers, and functions State Investment Committee of IMA

The "State Investment Committee" will provide approvals for investments more than INR 1 Cr. Up to INR 10 Cr and shall also be the Competent Authority at the State level and exercise the powers and perform functions as stated under the MSIPF Act, 2024. It will convene meeting once a month or as needed and the committee constituted shall consist of the Chief Secretary as Chairman and members as shown in the table below;

| Sl. No. | Members   | Designation |
|---------|---|-------------|
| 1       | Chief Secretary   | Chairman    |
| 2       | Senior most officer or authorized representative not below the rank of Secretary of Planning Investment Promotion & Sustainable | Member      |

| Sl. No. | Members  | Designation      |
|---------|--|------------------|
|         | Development Department   |                  |
| 3       | Senior most officer or authorized representative not below the rank of Secretary of Commerce & Industry Department   | Member           |
| 4       | Senior most officer or authorized representative not below the rank of Secretary of Finance Department   | Member           |
| 5       | Senior most officer or authorized representative not below the rank of Secretary of the concerned department for which Investment proposal will be discussed | Member           |
| 6       | Chief Executive Officer, Invest Meghalaya Authority  | Member-secretary |
| 7       | Director, Commerce & Industries Department   | Member           |
| 8       | Director of the concerned department for which Investment proposal will be discussed   | Member           |
| 9       | Other nominations by Committee / State Government if any   | Member           |

**D. Constitution, powers, and functions District Investment Committee of IMA**

The District Investment Committee will provide approvals for investments less than INR 1 Cr. It shall be constituted for each district and also be the Competent Authority at the district level, exercising the powers and functions as stated under the MSIPF Act, 2024. It shall convene once a month or as needed and the committee constituted shall consist of the Deputy Commissioner as Chairman, and members as shown in the table below;

| Sl. No. | Members | Designation |
|---------|---------|-------------|
|---------|---------|-------------|



| Sl. No. | Members   | Designation      |
|---------|---|------------------|
| 1       | Deputy Commissioner   | Chairman         |
| 2       | General Manager-DCIC  | Member-Secretary |
| 3       | Assistant Director of Commerce & Industries   | Member           |
| 4       | Representative of Invest Meghalaya Authority  | Member           |
| 5       | District Planning Officer   | Member           |
| 6       | Pollution Control Board Officer of the District   | Member           |
| 7       | District Officer of Labour Department   | Member           |
| 8       | Executive Engineer of the District of concerned Electricity Distribution Company under which district falls | Member           |
| 9       | Divisional Forest officer   | Member           |
| 10      | Other nominations by District Authority / State Government if any   | Member           |

The Invest Meghalaya Authority will act as a Nodal Agency shall provide secretarial support to the Governing Council, High-Powered Committee, State Investment Committee and District Investment Committee as the case may be and exercise the powers and perform functions as stated under the MSIPF Act, 2024.

**E. Time Limits for processing of applications**

Notwithstanding anything contained in any State law for the time being in force,

- i. The Government may lay down the procedure for processing and disposal of applications;

- ii. The Timelines for clearances at all levels for all approvals will be notified from time to time;
- iii. The Competent Authority may ask for additional information at any time before the expiry of the period stipulated for the disposal of such clearance;
- iv. After receipt of the additional information, the Competent Authority shall pass orders on the application before the expiry of the stipulated time from the date of receipt of such additional information;
- v. The Government may, by notification, change the prescribed limit from time to time.

F. List of Deemed Approvals.

- i. The State Government may notify from time to time the list of services / approvals/ clearances as deemed approved if not provided by competent authority in a prescribed / defined timeline under Section 19 of this Act / MRPS Act / or as defined by line departments of the State Government
- ii. The applicant may proceed to execute the work or take other action following the provisional or deemed approval given at by the Competent Authority, but not so as to contravene any of the provisions of the Acts or rules or bye-laws applicable to such clearances.

G. Act to override other Laws

- i. The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.



5. Views of Commerce and Industries Department

6. Views of Revenue and Disaster Management Department

7. Views of Finance Department

8. Views of Law Department

**9. Views of Planning Investment Promotion and Sustainable Development Department**

**10. The approval of the Cabinet is sought for the following:**

- i. Meghalaya State Investment Promotion & Facilitation Act, 2024

Commissioner & Secretary,  
Planning Investment Promotion and Sustainable Development Department,  
Government of Meghalaya.



**Draft Meghalaya State Investment & Business Facilitation  
Bill, 2024**



**Planning, Investment Promotion and Sustainable Development Department  
Government of Meghalaya**

## AN

## ACT

to provide an accelerated and time bound grant for various licenses, permissions and issuance of clearances required from various competent authority or authorities of the State Government of Meghalaya under various state enactments; for setting up industrial or service sector undertakings and the promotion of economic development in the State; to simplify the regulatory framework by reducing procedural requirements and rationalizing documents; to improve ease of doing business, and thereby provide an investor friendly environment in the State of Meghalaya and for the matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-fifth Year of the Republic of India as follows: -

## CHAPTER-I

## PRELIMINARY

## 1. Short title, extent, and commencement:

- 1) This Act may be called the **Meghalaya State Investment & Business Facilitation Act, 2024**.
- 2) It extends to the whole of the State of Meghalaya.
- 3) It shall come into force on the date of its publication in the Official Gazette.

## 2. Definitions: In this Act, unless the context otherwise requires:

- 1) "Person" shall include individuals or any company, or association or body of individuals, incorporated under relevant Acts of law;
- 2) "Applicant" means a person including an entrepreneur, who himself or on behalf of a legal entity, on being so authorized, makes an e-application for grant of requisite clearances or renewal thereof for setting up or operation of an industrial enterprise, a business or its expansion;
- 3) "Unified Investment Portal (hereinafter referred to as UIP)" means an online system constituted under section 4;
- 4) "Application" means any application submitted by an applicant to avail the services scheduled under online UIP;
- 5) "Clearance" means grant or issue of no-objection certificate, allotment, consents, approvals, permissions, registrations, enrolments, licenses and the like, by any Appropriate Authority in connection with the setting up of an enterprise in the State of Meghalaya and shall include all such permissions as are required under any applicable acts;
- 6) "Service" means services, including functions, obligations, responsibility, or duty, to be provided or rendered by a public authority. This may include licenses, approvals, renewals, no-objection



certificates, clearances, registrations, enrolments and the like, to be issued under various enactments in connection with the setting up of an industrial or service sector undertaking.

7) "Competent Authority" means, -

- I. any Department or authorities of the Government and its designated officers;
- II. any organization or authority or body or corporation or institution or a local authority, established or constituted;
  - a. by or under the Constitution of India in the State;
  - b. by any other law made by the State Legislature;
  - c. by notification Issued by the Government.
- III. an Institution, a co-operative society, a Government Company, or an authority owned, controlled, or financed by the State Government;

8) "Government" means Government of Meghalaya;

9) "Local Authority" means District Industries Centre, Urban or Rural Local Body, Industrial parks, Municipal Boards, MUDA or any other authority constituted by law and includes development authorities;

10) "Notification" means a notification published in Meghalaya Gazette, and the word "notified" to be construed accordingly;

11) "Prescribed" means prescribed by Rules made under this Act;

12) "Appellate Authority" means an officer appointed by the Government by investing with the power to hear appeals against the orders passed by a Public Authority related to the delivery of service;

13) "Offence" means any submission or omission made by any person/ entity, knowingly or unknowingly, that is in violation of the provisions of this Act, or any rules, regulations, or guidelines issued thereunder. This includes, but is not limited to, providing false, incorrect, or misleading information; forging, altering, or falsifying any document or part of a document; or using any such forged, altered, or falsified document with the intent to deceive, mislead, or defraud the nodal agency for investment approval during any stage of the application process.

## CHAPTER-II

### CONSTITUTION, POWERS, AND FUNCTIONS OF INVEST MEGHALAYA AUTHORITY, THE GOVERNING COUNCIL, HIGH-POWER COMMITTEE, STATE INVESTMENT COMMITTEE AND DISTRICT INVESTMENT COMMITTEE

3. The State Government may, by notification appoint a Nodal Agency called "Invest Meghalaya Authority" at the State level, which shall be an authority, will be governed by its Governing Council under the Chairmanship of Chief Minister. The Chief Executive Officer or the Executive Committee of Invest

Meghalaya Authority as notified shall be responsible for the day-to-day operations and shall exercise the powers and perform functions as stated under the MSIPF Act, 2024. The Authority shall consist of a Chief Executive Officer and such number of official and non-official members, as the State Government may appoint. The Chief Executive Officer shall be appointed by the State Government from amongst officers not below the rank of Joint Secretary or persons being distinguished experts with a demonstrated experience in industry or government. A Governing Council of Invest Meghalaya Authority, High- Power Committee, State Investment Committee and District Investment Committee shall be formed in the State for investment clearances under this Act. The Nodal Agency shall be responsible for creation and maintenance of the "Unified Investment Portal" and facilitate investors for obtaining clearance in the same.

#### 4. Unified Investment Portal

All applications shall be received, all decision conveyed, and relevant services delivered through an online portal. It shall ensure that there is no physical interface between applicant and concerned officers for delivery of the services.

#### 5. Combined Application Forms (CAF)

- 1) It shall be competent for the Government to prescribe combined application forms which may consist of-
  - a. forms under Central enactments without any change;
  - and
  - b. Existing forms or new forms in lieu of the existing forms under State enactments.
- 2) All Departments or authorities concerned shall accept such application forms for processing and issue of required clearances.

#### 6. Procedure for online application for obtaining clearance in Unified Investment Portal

- 1) The applicant seeking any investment clearance shall register through the Unified Investment Portal (UIP) created by the Invest Meghalaya Authority for the purpose and on registration, applicant shall be given a unique ID and password for future reference;
- 2) The Common Application Form (CAF) as constituted under Section 5, along with prescribed attachment shall be uploaded online as per guidance available in the Unified Investment Portal;
- 3) On receipt of the CAF, the system shall automatically forward it shall be processed directly through UIP to the concerned department for vetting of the project.
- 4) Upon approval with remarks from the concerned departments, IMA will present the project proposal to the Governing Council / High-Power Committee / State Investment Committee / District Investment Committee (based on the size of the investment) for in principle approval.



- 5) Post in principal approval, based on the nature of investment, the applicant can apply for relevant requisite clearances/ pre-establishment approvals through the UIP with additional necessary information;
- 6) On receipt of the additional information and payment of prescribed fees, the UIP shall automatically forward the same to the concerned competent authority;
- 7) The Competent Authority shall be provided online access to the Unified Investment Portal through secured user ID and password, to process the application forwarded to them;
- 8) The competent authority shall process the application and communicate the decision regarding approval or rejection of the request along with comments and upload the same in the UIP within the prescribed time limit as notified by the State Government from time to time;
- 9) At each stage of the application, an e-mail and SMS alerts shall be sent to the applicant;
- 10) Post obtaining clearance on the application, the applicant can set up the investment and apply for pre-operational approval/ clearances as per guidance available in UIP.
- 11) Post pre- operational approvals and commencement of Production / service, the applicant can apply for incentives under concerned sectoral policies / Industrial Policy as per guidance available in UIP.

**7. Constitution, powers, and functions of Governing Council**

- 1) There shall be constituted a 'Governing Council' for the purposes of this Act. The Governing Council constituted under section 7 shall consist of the Chairman and the following members:

| Sl. No. | Members   | Designation      |
|---------|---|------------------|
| 1       | Chief Minister  | Chairman         |
| 2       | Commerce & Industry Minister  | Vice-Chairman    |
| 3       | All Cabinet members   | Member           |
| 4       | Chief Secretary to Government of Meghalaya,   | Member           |
| 5       | Senior most Secretary to Government of Meghalaya,<br>Planning Investment Promotion & Sustainable<br>Development Department, | Member Secretary |
| 6       | Senior most Secretary to Government of Meghalaya,<br>Commerce & Industries Department                                       | Member           |
| 7       | Senior most Secretary to Government of Meghalaya,<br>Finance Department   | Member           |

| Sl. No. | Members  | Designation |
|---------|--|-------------|
| 8       | Other nominations by Committee / State Government if any | Member      |

2) The Governing Council shall be the Competent Authority at the state level and exercise the following powers and perform the following functions, namely: -

- I. Subject to the overall control and superintendence of the State Government, the Governing Council shall provide overall policy guidance and directions under this Act
- II. The Governing Council shall be responsible for setting the strategic directions and guidance for the Unified Investment Portal clearances and industries facilitation required for its effective functioning.
- III. The orders and decisions of the Governing Council shall be binding upon all government departments, authorities and agencies and such Departments, Authorities and Agency shall issue requisite clearances and permissions within the stipulated time limit, provided that the relevant provisions of the applicable Acts and Rules of the State Government or Central Government are complied by the investor / applicant.
- IV. The Governing Council may assign or revoke its functions / powers to High-Power Committee, State Investment committee, District Investment Committee, and Invest Meghalaya Authority for effective implementation of this Act.
- V. The Governing Council shall meet to carry out its functions, but it shall meet at least once annually or as needed at such place, as the Chairman of the Governing Council may decide, for performance review of the High-Power Committee, State Investment committee, District Investment Committee, and Invest Meghalaya Authority; and for providing necessary recommendations and approvals if required. The Governing Council may also consider matters referred by the High-Power Committee, Invest Meghalaya Authority, and the State Government, and take appropriate decisions.
- VI. It shall be responsible for creation, sanction, abolition, and re-designation of posts required for effective functioning of the Authority
- VII. It shall be responsible for approval of any borrowings or hypothecation of any assets of the Authority, if required
- VIII. It shall approve the annual budget, accounts and reports including the audit reports of the Authority

#### 8. Constitution, powers, and functions of High-Power Committee



- 1) There shall be constituted a High-Power Committee for the purpose of this Act. The High-Power Committee constituted under section 8 shall consist of the Chairman and the following members:

| Sl. No. | Members  | Designation      |
|---------|--|------------------|
| 1       | Chief Minister   | Chairman         |
| 2       | Commerce & Industry Minister   | Vice-Chairman    |
| 3       | Minister of the concerned department for which Investment proposal will be discussed   | Member           |
| 4       | Chief Secretary  | Member           |
| 5       | Senior most officer or authorized representative not below the rank of Secretary of Planning Investment Promotion & Sustainable Development Department   | Member           |
| 6       | Senior most officer or authorized representative not below the rank of Secretary of Commerce & Industry Department                                       | Member           |
| 7       | Senior most officer or authorized representative not below the rank of Secretary of Finance Department   | Member           |
| 8       | Senior most officer or authorized representative not below the rank of Secretary of Forest & Environment Department                                      | Member           |
| 9       | Senior most officer or authorized representative not below the rank of Secretary of concerned department for which Investment proposal will be discussed | Member           |
| 10      | Chief Executive Officer, Invest Meghalaya Authority  | Member-secretary |
| 11      | Other nominations by the State Government/ Committee if any  | Member           |

- 3) The High-Power Committee for Investments shall be the Competent Authority at the state level and exercise the following powers and perform the following functions, namely: -

- i. The High-Power Committee for Investments shall regularly monitor, supervise, and review the functioning of the State Investment Committee, Invest Meghalaya Authority and District Committee for Investments for industries facilitation and Unified Investment Portal clearances.

- II. It shall carry out such other functions as may be assigned to it by the Governing Council or the State Government.
- III. The Committee may assign or revoke the functions / powers to the State Investment Committee, Invest Meghalaya Authority and District Investment Committee within the powers / functions assigned under this Act or by the Governing Council for effective implementation of this Act.
- IV. The High-Power Committee for Investments shall meet at least once in a Quarter or as needed at such place, as the Chairman of the Committee may decide, for performance review of the State Investment Committee, District Investment Committee, and Invest Meghalaya Authority and for providing necessary recommendations where required.
- V. To invite competent authorities or expert, who are not members of the Committee, as special invitees for any meeting as desired by the Chairman of the Committee.
- VI. Such other powers and functions as may be prescribed from time to time.
- VII. The High-Power Committee for Investments shall give In Principal Approval referred to it for investments more than INR 10 Cr.
- VIII. The High-Powered committee shall grant approval of customized financial incentive packages for new projects under Industrial Policy.

9. Constitution, powers, and functions of State Investment Committee

- i) The State Government may, by notifications, constitute a "State Investment Committee" at state level. The State Investment Committee constituted under section 9 shall consist of the Chairman and following members:

| Sl No | Members  | Designation |
|-------|--|-------------|
| 1     | Chief Secretary  | Chairman    |
| 2     | Senior most officer or authorized representative not below the rank of Secretary of Planning Investment Promotion & Sustainable Development Department | Member      |
| 3     | Senior most officer or authorized representative not below the rank of Secretary of Commerce & Industry Department                                     | Member      |
| 4     | Senior most officer or authorized representative not below the rank of Secretary of Finance Department   | Member      |
| 5     | Senior most officer or authorized representative not below the rank of Secretary of the concerned department   | Member      |



| Sl No | Members  | Designation      |
|-------|--|------------------|
|       | for which Investment proposal will be discussed                                      |                  |
| 6     | Chief Executive Officer, Invest Meghalaya Authority                                  | Member-secretary |
| 7     | Director, Commerce & Industries Department   | Member           |
| 8     | Director of the concerned department for which Investment proposal will be discussed | Member           |
| 9     | Other nominations by Committee / State Government if any                             | Member           |

- 2) The State Investment Committee shall be the Competent Authority at the State Level and exercise the following powers and perform the following functions, namely: -
- I. It shall carry out such other functions as may be assigned to it by the Governing Council or the High-Power Committee or State Government.
  - II. The State Investment Committee shall meet at least once in a Month or as needed at such place, as the Chairman of the Committee may decide, for performance review of the District Investment Committee, and Invest Meghalaya Authority and for providing necessary recommendations where required.
  - III. To meet at such times and places as the Chairman of the Committee may decide and shall transact business as per the procedure as may be prescribed.
  - IV. To invite competent authorities or expert, who are not members of the Committee, as special invitees for any meeting as desired by the Chairman of the Committee.
  - V. The Member of the State Investment Committee shall attend the meeting convened under clause (II) and in case he is unable to attend the meeting, he may depute an officer not below the rank of Joint Secretary to take appropriate decision in the meeting.
  - VI. Such other powers and functions as may be prescribed from time to time.
  - VII. The State Investment Committee for Investments shall give In Principal Approval referred to it for investments more than INR 1 Cr up to INR 10 Cr
  - VIII. State Investment committee shall grant approval of financial incentive packages for Large, Medium and Small projects under Industrial Policy.

#### 10. Constitution, powers, and functions of District Investment Committee

- 1) The State Government may, by notifications, constitute a "District Investment Committee " for each district. The District investment Committee constituted under section 10 shall consist of the Chairman, and members shall be the following:

| Sl No | Members   | Designation      |
|-------|---|------------------|
| 1     | Deputy Commissioner   | Chairman         |
| 2     | General Manager-DCIC  | Member-Secretary |
| 3     | Assistant Director of Commerce & Industries   | Member           |
| 4     | Representative of Invest Meghalaya Authority  | Member           |
| 5     | District Planning Officer   | Member           |
| 6     | Pollution Control Board Officer of the District   | Member           |
| 7     | District Officer of Labour Department   | Member           |
| 8     | Executive Engineer of the District of concerned Electricity Distribution Company under which district falls | Member           |
| 9     | Divisional Forest officer   | Member           |
| 10    | Other nominations by District Authority / State Government if any   | Member           |

- 2) The District Investment Committee shall be the Competent Authority at the district level and exercise the following powers and perform the following functions, namely: -
- I. To meet monthly or as needed at such times and places as the Chairman of the Committee may decide and shall transact business as per the procedure as may prescribed;
  - II. To coordinate for all clearances for setting up of industrial units
  - III. To review and monitor the processing of applications by the competent authorities
  - IV. To invite Competent authorities or experts, who are not members of the Committee, as special invitees for any meeting of the District Investment Committee as desired by the Chairman of the Committee;
  - V. The Member of the District Investment Committee shall attend the meeting convened under clause (I) and in case he is unable to attend the meeting, he may depute an officer to take appropriate decision in the meeting;
  - VI. Such other powers and functions as may be prescribed;



- VII. The District Investment Committee shall coordinate with all line departments for getting all clearances.
- VIII. The District Investment Committee shall give In Principal Approval referred to it for investments up to INR 1 Cr.
- IX. The District Investment committee shall provide recommendation of financial incentive packages for Micro units under Industrial Policy.

11. Powers and Functions of Invest Meghalaya Authority as the Nodal Agency

- 1) The Nodal Agency will be responsible for creation of a Unified Investment Portal, so that the investors may submit application form/s online as required by them for obtaining various clearances.
- 2) The Invest Meghalaya Authority will act as a Nodal Agency shall provide secretarial support to the Governing Council, State Investment Committee and District Investment Committee, as the case may be.
- 3) The Nodal Agency, on receipt of self-certification by the applicant shall arrange In-Principal approval from the respective committees on the basis of investment amount for project kick off.
- 4) Under the superintendence, direction and control of the respective committees, the nodal agency shall acknowledge all applications and shall forward the applications to the concerned competent authority within three working days
- 5) The Nodal Agency will facilitate Governing Council, State Investment Committee and District Investment Committee in pursuing the clearance of the applications with the competent authorities.
- 6) The Nodal Agency shall prepare a combined application form for online submission by the investors for obtaining various clearances, which shall consist of:
  - a. forms under the relevant Central enactments without any change; and
  - b. existing forms or new forms in lieu of the existing forms under the relevant state enactments.
- 7) The Nodal Agency shall publish downloadable application form/s, comprehensive check lists, etc. covering all activities in Unified Investment Portal.
- 8) The Nodal Agency shall perform any other functions as entrusted to them for carrying out the provisions of this Act.

12. Constitution and Powers of Executive Committee of Invest Meghalaya Authority

- 1) All decisions of the Executive Committee shall have the same effect as if taken by the Authority under this Act.

- 2) The ExecutiveCommittee shall monitor, supervise, and review the functioning of the Invest Meghalaya Authority for industries facilitation and Unified Investment Portal clearance.
- 3) The ExecutiveCommittee may appoint District Commerce & Industries Center officials or other State Government officials on deputation or such other officers and employees of the Authority in such manner and with such qualifications, as may be prescribed for smooth functioning of the Authority.
- 4) The ExecutiveCommittee shall receive and review all investment proposals including new investment as well as proposal of modernization, expansion of existing industries.
- 5) The Executive Committee shall issue notices to the competent authority, in case of their failure to provide necessary clearances within the stipulated time and same be intimated to the concerned administrative departments for taking necessary action,
- 6) The salaries and allowances payable to and the other terms and conditions of service of officers and other employees of the Authority shall be such, as may be prescribed.
- 7) Every major decision of the ExecutiveCommittee, as the ExecutiveCommittee deem fit, shall be placed before the Authority and the Authority shall have the power to modify, amend or rescind such decision and shall thereafter have effect only in such modified form or be of no effect, as the case may be, however, any such modification or annulment shall be without prejudice to the validity of anything previously done.
- 8) TheExecutive Committee shall be authorized to delegate the powers with respect to that officer / department / organization to any other officer of the Authority

### 13. Powers and Functions of CEO of the Nodal Agency

- 1) CEO shall be responsible to run the Web Portal of Unified Investment Portal efficiently, liaise with all competent authorities, preparation of monthly report and get clearances from the competent authority in time,
- 2) CEO shall coordinate with all efforts of the State Government to encourage new investment and its actual implementation in the state in respect of all sectors of trade, commerce, and industry,
- 3) CEO shall review the process with the team of officers under him at least twice in a month or asneeded and sort out any problem faced by them. In case of any critical issues, the matter may be referred to the ExecutiveCommittee of Invest Meghalaya Authority for a suitable solution
- 4) CEO shall be responsible for carrying such other functions as may be entrusted to him by the Governing Body, High-Power Committee, State Investment Committee, and ExecutiveCommittee of IMA.



CHAPTER - III  
MISCELLANEOUS

14. Filling of Application Forms

- 1) All applications for clearances shall be submitted with the required fees in the prescribed manner to the Nodal Agency.
- 2) The applications shall be forwarded by the Nodal Agency to the competent authority for processing and disposal

15. Power to call additional information

- 1) On receipt of application under sub-section (1 & 2) of section 14, the competent authority shall have power to obtain further additional information from the applicant as required by him, while furnishing a copy of the same to the Nodal Agency.
- 2) The applicant shall furnish the required information to the competent authority and also to the Nodal Agency simultaneously.
- 3) The competent authority shall send its orders sanctioning or rejecting the application, as the case may be, to the Applicant / Nodal Agency.

16. Self- Certification

- 1) Every Applicant / Entrepreneur shall furnish a 'Self Certification' at the time of submitting application form, undertaking in such form and manner as may be prescribed that he shall comply with the applicable provisions of the relevant Acts and the rules made there under.
- 2) The self-certification furnished by the entrepreneur shall be accepted by the concerned Departments and authorities for the purpose of issue and granting clearance.

17. Rationalization of Inspections

- 1) Inspections under the provisions of applicable Acts or Rules by different levels of authorities, shall be conducted jointly by the office of the Labour Commissioner and State Pollution Control Board and other departments once in a year
- 2) Department shall conduct inspection based on risk-based assessment as may be prescribed in their respective rules/byelaws. However, inspection against specific complaints may be conducted with the authorization of the Head of the Departments.

18. Third Party Inspections

- 1) Inspections under the provisions of applicable Acts or Rules by different state authorities, wherever applicable, may be prescribed to conduct through empaneled third-party inspection agencies of appropriate authorities. The Third-Party Inspection Report shall be furnished in such form as may be prescribed.

**19. Time Limits for processing of applications**

Notwithstanding anything contained in any State law for the time being in force,

- 1) The Government may lay down the procedure for processing and disposal of applications;
- 2) The Timelines for clearances at all levels for all approvals will be notified from time to time;
- 3) The Competent Authority may ask for additional information at any time before the expiry of the period stipulated for the disposal of such clearance;
- 4) After receipt of the additional information, the Competent Authority shall pass orders on the application before the expiry of the stipulated time from the date of receipt of such additional information;
- 5) The Government may, by notification, change the prescribed limit from time to time.

**20. List of Deemed Approvals.**

- 1) The State Government may notify from time to time the list of services/ approvals/ clearances as deemed approved if not provided by competent authority in a prescribed/ defined timeline under Section 19 of this Act/ MRPS Act/ or as defined by line departments of the State Government
- 2) The applicant may proceed to execute the work or take other action following the provisional or deemed approval given at by the Competent Authority, but not so as to contravene any of the provisions of the Acts or rules or bye-laws applicable to such clearances.

**21. Information of Deemed Approval**

The appropriate Competent Committee shall inform to the applicant the date on which the application was received by the Competent Authority and the date on which it was deemed to have been approved.

**22. Fees**

The Application for such clearances shall be submitted by the applicants in such Combined Application Form – CAF or any other form prescribed under applicable Act or rules thereof along with such fee, as may be prescribed.



23. Review of State/ District level cases

Any person aggrieved by the decision of any competent authority or the Invest Meghalaya Authority on any clearance, may file an appeal before the State Government in the Planning Investment & Sustainable Development Department within 30 (thirty) days from the date of receipt of such clearance or any information or communication rejecting the application, as the case may be, and the decision of the State Government thereon shall be final and binding on all concerned

24. Pecuniary Jurisdiction of the Governing Council, High-Power Committee, State Investment Committee, and District Investment Committee

For investment up to INR 1 Cr, District Investment Committee, for investment more than INR 1 Cr and up to INR 10 Cr, State Investment Committee, and investment more than INR 10 Cr, High-Power Committee will provide in principal approval.

The Government may, by notification, change the investment limit from time to time.

25. Exemptions

The State Government may, by notification, exempt any clearances from any of the provisions of the Act.

26. Penalty

Any entrepreneur who fails to comply with the conditions or undertaking in self-certification given to the Nodal Agency or other department or authorities shall be punishable with fine as prescribed by government from time to time as well as rectification of the defect.

27. Right to clearances under, Unified Investment Portal (UIP)

- 1) Provision of "Right to Clearances under, UIP " system to the applicant to know the reasons for delay and to cause the imposition of penalties to the designated officers of the competent authority.
- 2) The State Government may, by notification, create a "Grievance Redressal Mechanism" to effectively deal with the grievances that may be filed by applicants under the approval process.

28. Offences by Companies, etc.,

- 1) Where an offence under this Act is committed by a company, the company as well as every person in charge of and responsible to the company for the conduct of its business at the time of commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

- 2) Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.
- 3) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or that commission of the offence is attributable to any neglect on the part of any Director, Manager, Secretary or other Officer, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation: - For the purpose of this section:

- a. "Company" means any "Corporate" and includes a firm or other association of individuals.  
and
- b. "Director" in relation to a firm means a partner in the firm.

#### 29. Act to override other Laws

Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

#### 30. Powers to remove difficulties

If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty.

#### 31. Powers to give directions

The State Government may, from time to time, issue general or special directions as they may deem necessary or expedient for the purpose of carrying out the objectives of this Act; as the case may be, shall be bound to follow and act upon such directions.

#### 32. Savings

This Act shall not apply to any clearances required under Central enactments.

#### 33. Powers to make rules

- 1) The Government may, by notification make rules for carrying out all or any of the purposes of this Act.



- 2) Every rule made under this Act, shall immediately after it is made be laid before the Legislature of the State, if it is in session and if it is not in the session in session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of session in which it is so laid or the session immediately following, the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

#### 34. Power to engage experts and professionals

Invest Meghalaya Authority may engage such consultants, advisors, or technology professionals, as may be required for efficient discharge of its powers and functions under this Act, on such allowances or remuneration and on such terms and conditions, as may be specified by regulations.

#### 35. Vacancies etc., not to invalidate proceedings

- 1) No act or proceeding of the Authority shall be invalid merely by reason of-
  - i. any vacancy in or any defect in the constitution of the Authority;
  - ii. any defect in the appointment of a person as Chief Executive Officer or member; or
  - iii. any irregularity in the procedure of the Authority not affecting the merits of the case.

#### 36. Officers and other staff of Invest Meghalaya Authority

- 1) The Authority may appoint such other officers and employees of the Authority in such manner and with such qualifications, as may be prescribed.
- 2) The salaries and allowances payable to and the other terms and conditions of service of officers and other employees of the Authority shall be such, as may be prescribed.

#### 37. Invest Meghalaya Authority Fund

- 1) There shall be constituted a Fund to be called the Invest Meghalaya Fund and shall be credited thereto-
  - i. all grants, fees and charges received by the Authority under this Act; and
  - ii. all sums received by the Authority from such other sources, as may be decided by the State Government.
- 2) The Fund shall be used for-
  - i. the remuneration and other allowances payable to the Chief Executive Officer and the members, and the administrative expenses including the salaries / remuneration of employees, Unified Investment Portal maintenance, hiring of consultancy firms / Consultants,

third party vendors, allowances, pension, and day-to-day operations payable to or in respect of officers and other employees of the Authority; and

ii. the expenses incurred for meeting out the objectives and purposes authorized by this Act.

### 38. Annual grants, loans, and advances

The State Government may make to the Authority grants, loans, or advances of such sums of money annually, on such terms and conditions, as it may deem fit.

### 39. Budget

- 1) The Chief Executive Officer shall submit a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditures of the Authority in such form, as may be prescribed.
- 2) The Authority shall, subject to such modifications and revisions, as it may decide, approve the budget submitted under sub-section (1).
- 3) The budget, as modified or revised by the Authority, shall be forwarded to the State Government along with such number of authenticated copies, as may be required by the State Government.
- 4) The Chief Executive Officer shall cause the budget, as modified, or revised by the Authority, to be placed on the website of the Authority.

### 40. Accounts and audit

- 1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet, in such form, as may be prescribed.
- 2) The accounts of the Authority shall be subject to audit annually by the Accountant General of Meghalaya and any expenditure incurred in connection with such audit shall be payable by the Authority to the Accountant General of Meghalaya.
- 3) The Accountant General of Meghalaya and any person appointed by her in connection with the audit of accounts of the Authority shall have the same rights, privileges, and authority in connection with such audit as the Accountant General of Meghalaya has in connection with the audit of the Government accounts and, in particular, shall have right to demand the production of books, accounts, connected vouchers, other documents and papers and to inspect the office of the Authority.
- 4) The accounts of the Authority as certified by the Accountant General of Meghalaya or any other person appointed by her in this behalf together with the audit report thereon and an explanatory memorandum on the action so taken or proposed to be taken, shall be forwarded annually to the State Government and the State Government shall cause a copy of the same to be laid before the State Legislature.



- 5) The Chief Executive Officer shall cause the accounts of the Authority together with the audit report and the explanatory memorandum, to be placed on the website of the Authority after the report has been laid before the State Legislature.

#### 41. Annual Report

- i) The Chief Executive Officer shall prepare a report of its activities during that year and submit the report to the State Government in such form, as may be prescribed and the State Government shall cause the report to be laid before the State Legislature.

#### 42. Protection of action taken in good faith

No suit or legal proceeding shall lie against the Chairman or other members of the Governing Council or High-Power Committee or State Investment Committee or District Investment Committee or Nodal Agency or any employees of such committee in respect of anything which is done or intended to be done in good faith under this Act or any Rule made there under.

## A

## BILL

**Meghalaya State Investment Promotion & Facilitation Bill, 2024**

to provide an accelerated and time bound grant for various licenses, permissions and issuance of clearances required from various competent authority or authorities of the State Government of Meghalaya under various state enactments for setting up industrial or service sector undertakings and the promotion of economic development in the State; to simplify the regulatory framework by reducing procedural requirements and rationalizing documents; to improve ease of doing business, and thereby provide an investor friendly environment in the State of Meghalaya and for matters connected therewith and incidental thereto.

Be it enacted by the Legislature of the State of Meghalaya in the Seventy-Fifth Year of the Republic of India as follows: –

**CHAPTER-I****PRELIMINARY**

Short title, extent,  
and commencement

1

(1) This Act may be called the **Meghalaya State Investment Promotion & Facilitation Act, 2024**

(2) It extends to the whole of the State of Meghalaya.

(3) It shall come into force on the date of its publication in the Official Gazette.

Definitions

2

In this Act, unless the context otherwise requires:

(1) "Appellate Authority" means an officer appointed by the Government by investing with the power to hear appeals against the orders passed by a Public Authority related to the delivery of service;

(2) "Applicable laws" means Acts, Rules or Regulations, as may be prescribed;

(3) "Applicant" means a person including an entrepreneur, who himself or on behalf of a legal entity, on being so authorized, makes an application for grant of requisite clearances or renewal thereof for setting up or operation of an industrial enterprise, a business or its expansion / diversification or availing incentives under the State Industrial Policy or sector specific policy;

(4) "Application" means any application submitted by an applicant to avail the services scheduled under online UIP;



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- (5) **"Clearance"** means grant or issue of no-objection certificate, allotment, consents, approvals, permissions, registrations, enrolments, licenses and the like, by any Appropriate Authority in connection with the setting up of an enterprise in the State of Meghalaya and shall include all such permissions as are required under any applicable acts;
- (6) **"Competent Authority"** means any department or agency of the Government, Local Authority, Statutory Body, State Owned Corporation, Urban Local Bodies or any other authority or Agency constituted or established under any Act or under administrative control of the Government, which is entrusted with the powers and responsibilities to grant or issue clearances;
- (7) **"Enterprise"** means and includes an undertaking engaged in manufacturing and or or processing or for providing service or doing any other business or any other commercial activity or a private industrial estate;
- (8) **"Entrepreneur or Investor"** means a person or body of persons or a company, having or proposing to have majority investment or controlling interest in an enterprise and who brings forth a proposal for investment;
- (9) **"Government"** means Government of Meghalaya;
- (10) **"In principle approval"** means a general approval to an investment proposal by the Board for facilitation purposes only which shall be subject to clearances from the concerned Competent Authorities under the relevant State laws;
- (11) **"Investment"** means a fixed capital investment by an investor in industry or service or infrastructure or commercial project excluding the cost of land;
- (12) **"Local Authority"** means District Industries Centre, Urban or Rural Local Body, Industrial parks, Municipal Boards, Meghalaya Urban Development Authority or any other authority constituted by law and includes development authorities;
- (13) **"Notification"** means a notification published in Meghalaya Gazette, and the word "notified" to be construed accordingly;
- (14) **"Offence"** means any submission or omission made by any person or



entity, knowingly or unknowingly, that is in violation of the provisions of this Act, or any rules, regulations, or guidelines issued thereunder. This includes, but is not limited to, providing false, incorrect, or misleading information; forging, altering, or falsifying any document or part of a document; or using any such forged, altered, or falsified document with the intent to deceive, mislead, or defraud the nodal agency for investment approval during any stage of the application process.

- (15) **"Person"** shall include individuals or any company, or association or body of individuals, incorporated under relevant Acts of law;
- (16) **"Prescribed"** means prescribed by Rules made under this Act;
- (17) **"Service"** means services, including functions, obligations, responsibility, or duty, to be provided or rendered by a public authority. This may include licenses, approvals, renewals, no-objection certificates, clearances, registrations, enrolments and the like, to be issued under various enactments in connection with the setting up of an industrial or service sector undertaking.
- (18) **"UnifiedInvestmentPortal (hereinafter referred to as UIP)"** means an online system to provide all clearances to the investors under this Act;

## CHAPTER-II

### CONSTITUTION, POWERS, AND FUNCTIONS OF INVEST MEGHALAYA AUTHORITY, THE GOVERNING COUNCIL, HIGH-POWER COMMITTEE, STATE INVESTMENT COMMITTEE AND DISTRICT INVESTMENT COMMITTEE

#### Invest Meghalaya Authority

3

- (1) The Government may, by notification appoint a Nodal Agency called "Invest Meghalaya Authority" at the State level, which shall be an authority that will be governed by its Governing Council under the Chairmanship of Chief Minister.
- (2) The Government may, by notification appoint an Executive Committee and / or a Chief Executive Officer (CEO) who shall be responsible for the day-to-day operations and shall exercise the powers and perform functions as stated under this Act.
- (3) The Executive Committee and / or a Chief Executive Officer shall be appointed by the State Government from amongst officers not below the rank of Joint Secretary or persons being distinguished

experts with a demonstrated experience in industry or government.

**Powers and  
Functions of Invest  
Meghalaya  
Authority as the  
Nodal Agency**

4

- (4) A Governing Council of Invest Meghalaya Authority, High- Power Committee, State Investment Committee and District Investment Committee shall be formed in the State for investment clearances under this Act. The Nodal Agency shall be responsible for creation and maintenance of the "UIP" and facilitate investors for obtaining clearance.
- (1) The Nodal Agency will be responsible for creation of a UIP, so that the investors may submit the application forms online as required by them for obtaining various clearances;
- (2) The Nodal Agency shall provide secretarial support to the Governing Council, State Investment Committee and District Investment Committee, as the case may be;
- (3) The Nodal Agency, on receipt of self-certification by the applicant shall arrange in principle approval from the respective committees on the basis of investment amount for project kick off;
- (4) Under the superintendence, direction and control of the respective committees, the nodal agency shall acknowledge all applications and shall forward the applications to the concerned competent authority within three working days;
- (5) The Nodal Agency will facilitate High Power Committee, State Investment Committee and District Investment Committee in pursuing the clearance of the applications with the competent authorities.
- (6) The Nodal Agency shall prepare a Combined Application Form as provided under section 11 for online submission by the investors for obtaining various clearances;
- (7) The Nodal Agency shall upload downloadable application forms, comprehensive check lists and other requirements, as the case may be, covering all activities in the UIP;
- (8) IMA may engage such consultants, advisors, or technology professionals, as may be required for efficient discharge of its powers and functions under this Act, on such allowances or remuneration and on such terms and conditions, as may be specified by regulations.



(9) The Nodal Agency shall perform any other functions entrusted by the Government or Governing Council for carrying out the provisions of this Act.

(10) The Government may also define powers of IMA which are in accordance with the provisions of the Act by rules.

**Powers of Executive Committee and /or CEO of Invest Meghalaya Authority**

5

(1) The Administrative and Financial Power of Executive Committee and / or CEO and other officials of IMA shall be as prescribed by rules under the Act;

**Constitution, powers, and functions of Governing Council**

6

(1) The Government, may, by notification, constitute a 'Governing Council' which shall consist of the following members:

| Sl. No. | Members   | Designation      |
|---------|---|------------------|
| (a)     | Chief Minister  | Chairman         |
| (b)     | Commerce & Industry Minister  | Vice-Chairman    |
| (c)     | All Cabinet Ministers   | Member           |
| (d)     | Chief Secretary to Government of Meghalaya,   | Member           |
| (e)     | Senior most Secretary to Government of Meghalaya, Planning Investment Promotion & Sustainable Development Department, | Member Secretary |
| (f)     | Senior most Secretary to Government of Meghalaya, Commerce & Industries Department                                    | Member           |
| (g)     | Senior most Secretary to Government of Meghalaya, Finance Department  | Member           |
| (h)     | Senior most Secretary to Government of Meghalaya, Revenue and Disaster Management Department                          | Member           |

Such number of member or members as may  
 (i) be notified by the Government from time to time Member  
 time

- (2) The Governing Council shall be the Competent Authority at the State level and exercise the following powers and perform the following functions, namely: -
- (a) Subject to the overall control and superintendence of the Government, the Governing Council shall provide overall policy guidance and directions under this Act;
  - (b) The Governing Council shall be responsible for setting the strategic directions and guidance for the UIP clearances and industries facilitation required for its effective functioning.
  - (c) The orders and decisions of the Governing Council shall be binding upon all Government Departments, Authorities and Agencies and such Departments, Authorities and Agencies shall issue requisite clearances and permissions within the stipulated time limit; provided that the relevant provisions of the applicable Acts and Rules of the Government or Central Government are complied by the investor or applicant.
  - (d) The Governing Council may assign or revoke its functions or powers to High-Power Committee, State Investment committee, District Investment Committee, and Invest Meghalaya Authority as prescribed by rules under the Act for effective implementation of this Act.
  - (e) The Governing Council shall meet to carry out its functions, but it shall meet at least once annually or as needed at such place, as the Chairman may decide, for performance review of the High-Power Committee, State Investment committee, District Investment Committee, and Invest Meghalaya Authority; and for providing necessary recommendations and approvals if required. The Governing Council may also consider matters referred by the High-Power Committee, Invest Meghalaya Authority, and the Government, and take appropriate decisions.
  - (f) To invite competent authorities or expert or officials from other departments, who are not members of the Council, as special invitees for any meeting as desired by the Chairman of the Council.



(g) It shall be responsible for creation, sanction, abolition, and re-designation of posts required for effective functioning of the Invest Meghalaya Authority

(h) It shall be responsible for approval of any borrowings or hypothecation of any assets of the Authority, if required

(i) It shall approve the annual budget, accounts and reports including the audit reports of the Authority

**Constitution,  
powers, and  
functions of High-  
Power Committee**

7

(1) The Government may, by notification, constitute a High-Power Committee which shall consist of the following members:

| Sl.<br>No. | Members  | Designation   |
|------------|--|---------------|
| (a)        | Chief Minister   | Chairman      |
| (b)        | Commerce & Industry Minister   | Vice-Chairman |
| (c)        | Minister of the concerned department for which Investment proposal will be discussed | Member        |
| (d)        | Chief Secretary  | Member        |
|            | Senior most officer or authorized representative not below the rank of               | Member        |
| (e)        | Secretary of Planning Investment Promotion & Sustainable Development Department      |               |
|            | Senior most officer or authorized representative not below the rank of               | Member        |
| (f)        | Secretary of Commerce & Industry Department  |               |
|            | Senior most officer or authorized representative not below the rank of               | Member        |
| (g)        | Secretary of Finance Department  |               |
|            | Senior most officer or authorized representative not below the rank of               | Member        |
| (h)        | Secretary of Forest & Environment  |               |

### Department

- |     |  |                  |
|-----|--|------------------|
|     | Senior most officer or authorized representative not below the rank of Secretary of concerned department for which Investment proposal will be discussed | Member           |
| (i) |  |                  |
|     | Representative of Executive Committee or the Chief Executive Officer, Invest Meghalaya Authority   | Member-secretary |
| (j) |  |                  |
|     | Such number of member or members as may be notified by the Government from time to time  | Member           |
| (k) |  |                  |
- (2) The High-Power Committee for Investments shall be the Competent Authority at the state level and exercise the following powers and perform the following functions, namely: -
- (a) The High-Power Committee for Investments shall regularly monitor, supervise, and review the functioning of the State Investment Committee, Invest Meghalaya Authority and District Committee for Investments for industries facilitation and UIP clearances.
  - (b) It shall carry out such other functions as may be assigned to it by the Governing Council or the Government.
  - (c) The Committee may assign or revoke the functions or powers to the State Investment Committee, Invest Meghalaya Authority and District Investment Committee within the powers or functions assigned under this Act or by the Governing Council for effective implementation of this Act.
  - (d) The High-Power Committee for Investments shall meet at least once in a quarter or as needed, at such place, as the Chairman of the Committee may decide, for performance review of the State Investment Committee, District Investment Committee, and Invest Meghalaya Authority and for providing necessary recommendations where required.
  - (e) To invite competent authorities or expert or officials from other departments, who are not members of the Committee, as special invitees for any meeting as desired by the Chairman of



the Committee.

(f) Such other powers and functions as may be prescribed by the Government or Governing Council from time to time by rules under the Act.

(g) The High-Power Committee for Investments shall give in principle approval referred to it for investments more than ten crore rupees.

(h) The High-Powered committee shall grant approval of customized financial incentive packages for new projects under Industrial Policy or sector specific policies.

**Constitution,  
powers, and  
functions of State  
Investment  
Committee**

8

(1) The Government may, by notifications, constitute a "State Investment Committee" at state level which shall consist of the following members:

| Sl.<br>No. | Members   | Designation |
|------------|---|-------------|
| (a)        | Chief Secretary   | Chairman    |
|            | Senior most officer or authorized representative not below the rank of                | Member      |
| (b)        | Secretary of Planning investment Promotion & Sustainable Development Department       |             |
|            | Senior most officer or authorized representative not below the rank of                | Member      |
| (c)        | Secretary of Commerce & Industry Department   |             |
|            | Senior most officer or authorized representative not below the rank of                | Member      |
| (d)        | Secretary of Finance Department   |             |
|            | Senior most officer or authorized representative not below the rank of                | Member      |
| (e)        | Secretary of the concerned department for which Investment proposal will be discussed |             |

- |     |  |                  |
|-----|--|------------------|
| (f) | Representative of Executive Committee or the Chief Executive Officer, Invest Meghalaya Authority | Member-secretary |
| (g) | Director, Commerce & Industries Department   | Member           |
| (h) | Director of the concerned department for which Investment proposal will be discussed             | Member           |
| (i) | Such number of member or members as may be notified by the Government from time to time          | Member           |

(2) The State Investment Committee shall be the Competent Authority at the State Level and exercise the following powers and perform the following functions, namely: -

- (a) It shall carry out such other functions as may be assigned to it by the Governing Council or the High-Power Committee or Government.
- (b) The State Investment Committee shall meet at least once in a month or as needed, at such place, as the Chairman of the Committee may decide, for performance review of the District Investment Committee and Invest Meghalaya Authority and for providing necessary recommendations where required.
- (c) To meet at such times and places as the Chairman of the Committee may decide and shall transact business as per the procedure as may be prescribed.
- (d) To invite competent authorities or expert or officials from other departments, who are not members of the Committee, as special invitees for any meeting as desired by the Chairman of the Committee.
- (e) The Member of the State Investment Committee shall attend the meeting convened under clause (b) and in case he is unable to attend the meeting, he may depute an officer not below the rank of Joint Secretary to take appropriate decision in the meeting.
- (f) Such other powers and functions as may be prescribed from time to time by Government or Governing Council or High-Power



**Committee by rules under the Act.**

- (g) The State Investment Committee for Investments shall give In principle approval referred to it for investments more than one crore rupees to ten crore rupees.
- (h) State Investment committee shall grant approval of financial incentive packages for large, medium, small and micro projects under Industrial Policy or Sector specific Policies.

**Constitution,  
powers, and  
functions of District  
Investment  
Committee**

9

- (1) The Government may, by notifications, constitute a "**District Investment Committee**" for each district which shall consist of the Chairman, and members shall be the following: -

| Sl. No. | Members   | Designation      |
|---------|---|------------------|
| (a)     | Deputy Commissioner   | Chairman         |
| (b)     | General Manager-DCIC  | Member-Secretary |
| (c)     | Assistant Director of Commerce & Industries   | Member           |
| (d)     | Representative of Invest Meghalaya Authority  | Member           |
| (e)     | District Planning Officer   | Member           |
| (f)     | Pollution Control Board Officer of the District   | Member           |
| (g)     | District Officer of Labour Department   | Member           |
| (h)     | Executive Engineer of the District of concerned Electricity Distribution Company under which district falls | Member           |
| (i)     | Divisional Forest officer   | Member           |
| (j)     | Such number of member or members as may be notified by the Government from time to time                     | Member           |

- (2) The District Investment Committee shall be the Competent Authority at the district level and exercise the following powers and perform the following functions, namely: -
- (a) To meet monthly or as needed at such times and places as the Chairman of the Committee may decide and shall transact business as per the procedure as may prescribed;
  - (b) To coordinate for all clearances for setting up of industrial units;
  - (c) To review and monitor the processing of applications by the competent authorities;
  - (d) To invite Competent authorities or experts or officials from other departments, who are not members of the Committee, as special invitees for any meeting of the District Investment Committee as desired by the Chairman of the Committee;
  - (e) The Member of the District Investment Committee shall attend the meeting convened under clause (a) and in case he is unable to attend the meeting, he may depute an officer to take appropriate decision in the meeting;
  - (f) Such other powers and functions as may be prescribed from time to time by Government or Governing Council or High-Power Committee or State Investment Committee by rules under the Act;
  - (g) The District Investment Committee shall coordinate with all line departments for getting all clearances.
  - (h) The District Investment Committee shall give in principle approval referred to it for investments up to one crore rupees.
  - (i) The District Investment committee shall provide recommendation of financial incentive packages for Micro units under Industrial Policy.

Unified Investment  
Portal

10

- (1) All applications shall be received, all decision conveyed, and relevant services delivered through an online portal. It shall ensure that there is no physical interface between applicant and concerned officers for delivery of the services.

**Combined  
Application Forms  
(CAF)**

11

- (1) The Combined Application Form(s) (CAF) shall be prescribed, along with such fees, in lieu of existing forms prescribed under applicable Acts and Industrial Policy, as notified from time to time. All appropriate authorities shall accept such CAF for processing and issue of required clearances.
- (2) Provided that where any form and fee has been prescribed for such clearances in any Central law, the applications shall be submitted only in that very form along with that fee to be submitted.

**Procedure for  
online application  
for obtaining  
clearance in Unified  
Investment Portal  
(UIP)**

12

- (1) The applicant seeking any investment clearance shall register through the Unified Investment Portal (UIP) created by the Invest Meghalaya Authority for the investment facilitation and on registration, applicant shall be given a unique ID and password for future reference;
- (2) The Combined Application Form (CAF) as constituted under Section 11, along with prescribed attachment shall be uploaded online as per guidance available in the Unified Investment Portal;
- (3) On receipt of the Combined Application Form (CAF), the system shall automatically forward it shall be processed directly through UIP to the concerned department for vetting of the project.
- (4) Upon approval with remarks from the concerned departments, IMA shall present the project proposal to the Governing Council or High-Power Committee or State Investment Committee or District Investment Committee (based on the size of the investment) for in principle approval.
- (5) Post in principle approval, based on the nature of investment, the applicant can apply for relevant requisite clearances or pre-establishment approvals through the UIP with additional necessary information;
- (6) On receipt of the additional information and payment of prescribed fees, the UIP shall automatically forward the same to the concerned competent authority;
- (7) The Competent Authority shall be provided online access to the UIP through secured user ID and password, to process the application forwarded to them;



- (8) The competent authority shall process the application and communicate the decision regarding approval or rejection of the request along with comments and upload the same in the UIP within the prescribed time limit as notified by the Government from time to time;
- (9) At each stage of the application, an e-mail and SMS alerts shall be sent to the applicant;
- (10) Post obtaining clearance on the application, the applicant can set up the investment and apply for pre-operational approval or clearances as per guidance available in UIP.
- (11) Post pre- operational approvals and commencement of production or service, the applicant can apply for incentives under concerned sectoral policies or Industrial Policy of the Government as per guidance available in UIP.

### CHAPTER - III

#### MISCELLANEOUS

#### **Filing of Application Forms**

13

- (1) All applications for clearances shall be submitted with the required fees in the prescribed manner to the Nodal Agency.
- (2) The applications shall be forwarded by the Nodal Agency to the competent authority for processing and disposal

#### **Power to call additional information**

14

- (1) On receipt of application under section 13, the competent authority shall have power to obtain further additional information from the applicant as required by him, while furnishing a copy of the same to the Nodal Agency.
- (2) The applicant shall furnish the required information to the competent authority and also to the Nodal Agency simultaneously.
- (3) The competent authority shall send its orders sanctioning or rejecting the application, as the case may be, to the Applicant or Nodal Agency.

- |   |           |   |
|---|-----------|---|
| <b>Self-Certification</b>                         | <b>15</b> | <p>(1) Every Applicant or Entrepreneur shall furnish a Self-Certification at the time of submitting the application form, undertaking in such form and manner as may be prescribed that he shall comply with the applicable provisions of the Applicable Laws made there under.</p> <p>(2) The self-certification furnished by the entrepreneur shall be accepted by the concerned Departments and authorities for the purpose of issue and granting clearance.</p>   |
| <b>Rationalization of Inspections</b>             | <b>16</b> | <p>(1) Inspections under the provisions of Applicable Laws by different levels of authorities, shall be conducted jointly by the office of the Labour Commissioner and State Pollution Control Board and other departments</p> <p>(2) Department shall conduct inspection based on risk-based assessment as maybe prescribed in their respective rules or byelaws. However, inspection against specific complaints may be conducted with the authorization of the Head of the Departments.</p>  |
| <b>Third Party Inspections</b>                    | <b>17</b> | <p>(1) Inspections under the provisions of Applicable Laws by different state authorities, wherever applicable, may be prescribed to be conducted through empaneled third-party inspection agencies of Competent Authorities. The Third-Party Inspection Report shall be furnished in such from as may be prescribed.</p>   |
| <b>Time Limits for processing of applications</b> | <b>18</b> | <p>Notwithstanding anything contained in any State law for the time being in force,</p> <p>(1) The Government may lay down the procedure for processing and disposal of applications;</p> <p>(2) The Timelines for clearances at all levels for all approvals will be notified from time to time;</p> <p>(3) The Competent Authority may ask for additional information at any time before the expiry of the period stipulated for the disposal of such clearance;</p> <p>(4) After receipt of the additional information, the Competent Authority shall pass orders on the application before the expiry of the stipulated time from the date of receipt of such additional information;</p> |

|   |           |  |
|---|-----------|--|
|   |           | (5) The Government may, by notification, change the prescribed limit from time to time.  |
| <b>Deemed Approvals</b>   | <b>19</b> | (1) The Government may, by notification, notify the clearances in respect of which, failure by the Competent Authority to grant clearance or pass final order within the period specified shall be treated as a deemed approval.   |
| <b>Information of Deemed Approval</b>   | <b>20</b> | (1) The appropriate Competent Committee shall inform to the applicant the date on which the application was received by the Competent Authority and the date on which it was deemed to have been approved.   |
| <b>Fees</b>   | <b>21</b> | (1) The Application for such clearances shall be submitted by the applicants in such Combined Application Form – CAF or any other form prescribed under Applicable Laws thereof along with such fee, as may be prescribed.   |
| <b>Appeal of State or District level cases</b>  | <b>22</b> | (1) Any person aggrieved by the decision of any competent authority or the Invest Meghalaya Authority on any clearance, may file an appeal before the Government in the Planning Investment & Sustainable Development Department within 30 (thirty) days from the date of receipt of such clearance or any information or communication rejecting the application, as the case may be, and the decision of the Government thereon shall be final and binding on all concerned. |
| <b>Pecuniary Jurisdiction of the Governing Council, High-Power Committee, State Investment Committee, and District Investment Committee</b> | <b>23</b> | (1) For investment up to one crore rupees, District Investment Committee, for investment more than one crore rupees and up to ten crore rupees, State Investment Committee, and investment more than ten crore rupees, High-Power Committee will provide in principle approval.  |
|   |           | (2) The Government may, by notification, change the investment limit from time to time.  |
| <b>Exemptions</b>   | <b>24</b> | (1) The Government may, by notification, with approval of Governing Council, exempt any clearances from any of the provisions of the Act.  |



|                              |    |  |
|------------------------------|----|--|
| Penalty                      | 25 | <p>(1) Any entrepreneur who fails to comply with the conditions or undertakings in the self-certification given the Agency or Department or Competent Authorities shall face penalty.</p> <p>(2) The Competent Authority shall be competent for enforcement of the above sub-section (1) as per law according to the prescribed rule under the applicable Act.</p>   |
| Offences by Companies, etc., | 26 | <p>(1) Where an offence under this Act is committed by a company or an industrial unit, the company or the industrial unit as well as every person in charge of and responsible to the company or the industrial unit for the conduct of its business at the time of commission of the offence, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:</p> <p>(2) Provided that nothing contained in this sub-section shall render any such person liable to any punishment if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.</p> <p>(3) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed with the consent or connivance of, or that commission of the offence is attributable to any neglect on the part of any Director, Manager, Secretary or other Officer, such Director, Manager, Secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.</p> <p><b>Explanation:</b> - For the purpose of this section:</p> <p>(a) "Company" means any "Corporate" and includes a firm or other association of individuals.</p> <p>and</p> <p>(b) "Director" in relation to a firm means a partner in the firm.</p> |
| Act to override other Laws   | 27 | <p>(1) Save as otherwise provided in this Act, the provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.</p>   |

|  |           |  |
|--|-----------|--|
| <b>Powers to remove difficulties</b>                 | <b>28</b> | (1) If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty.  |
| <b>Powers to give directions</b>                     | <b>29</b> | (1) The Government may, from time to time, issue general or special directions as they may deem necessary or expedient for the purpose of carrying out the objectives of this Act; as the case may be, shall be bound to follow and act upon such directions.  |
| <b>Savings</b>                                       | <b>30</b> | (1) This act shall not apply to any clearances required under Central enactments.  |
| <b>Powers to make rules</b>                          | <b>31</b> | <p>(1) The Government may, by notification make rules for carrying out all or any of the purposes of this Act.</p> <p>(2) Every rule made under this Act, shall immediately after it is made be laid before the Legislature of the State, if it is in session and if it is not in the session in session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of session in which it is so laid or the session immediately following, the Legislature agrees in making any modification in the rule or in the annulment of the rule, the rule shall, from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled, as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.</p> |
| <b>Vacancies etc., not to invalidate proceedings</b> | <b>32</b> | <p>(1) No act or proceeding of the Authority shall be invalid merely by reason of-</p> <p>(a) any vacancy in or any defect in the constitution of the Authority;</p> <p>(b) any defect in the appointment of a person as Executive Committee and / or Chief Executive Officer or member; or</p> <p>(c) any irregularity in the procedure of the Authority not affecting the merits of the case.</p>  |
| <b>Officers and other staff of Invest</b>            | <b>33</b> | (1) The Authority may depute Government officials or may appoint such other officers and employees of the Authority in such manner and   |

**Meghalaya  
Authority**

with such qualifications, as may be prescribed.

- (2) The salaries and allowances payable to and the other terms and conditions of service of officers and other employees of the Authority shall be such, as may be prescribed.

**Invest Meghalaya  
Authority Fund**

34

- (1) There shall be constituted a Fund to be called the Invest Meghalaya Fund and shall be credited thereto-

(a) all grants, fees and charges received by the Authority under this Act; and

(b) all sums received by the Authority from such other sources, as may be decided by the Government.

- (2) The Fund shall be used for-

(a) the remuneration and other allowances payable to the Executive Committee and / or a Chief Executive Officer and the members, and the administrative expenses including the salaries or remuneration of employees, Unified Investment Portal maintenance, hiring of consultancy firms or Consultants, third party vendors, allowances, pension, and day-to-day operations payable to or in respect of officers and other employees of the Authority; and

(b) the expenses incurred for meeting out the objectives and purposes authorized by this Act.

**Annual grants,  
loans, and advances**

35

- (1) The Government may make to the Authority grants, loans, or advances of such sums of money annually, on such terms and conditions, as it may deem fit.

**Budget**

36

- (1) The Executive Committee and / or Chief Executive Officer shall submit a budget in respect of the financial year next ensuing, showing the estimated receipts and expenditures of the Authority in such form, as may be prescribed.

- (2) The Invest Meghalaya Authority shall, subject to such modifications and revisions, as it may decide, approve the budget submitted under sub-section (1).

- (3) The budget, as modified or revised by the Invest Meghalaya Authority, shall be forwarded to the Government along with such



number of authenticated copies, as may be required by the Government.

- (4) The Executive Committee and / or a Chief Executive Officer shall cause the budget, as modified, or revised by the Invest Meghalaya Authority, to be placed on the website of the Authority.

**Accounts and audit 37**

- (1) The Authority shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance sheet, in such form, as may be prescribed.
- (2) The accounts of the Authority shall be subject to audit annually by the Accountant General of Meghalaya and any expenditure incurred in connection with such audit shall be payable by the Authority to the Accountant General of Meghalaya.
- (3) The Accountant General of Meghalaya and any person appointed by her in connection with the audit of accounts of the Authority shall have the same rights, privileges, and authority in connection with such audit as the Accountant General of Meghalaya has in connection with the audit of the Government accounts and, in particular, shall have right to demand the production of books, accounts, connected vouchers, other documents and papers and to inspect the office of the Authority.
- (4) The accounts of the Authority as certified by the Accountant General of Meghalaya or any other person appointed by her in this behalf together with the audit report thereon and an explanatory memorandum on the action so taken or proposed to be taken, shall be forwarded annually to the Government and the Government shall cause a copy of the same to be laid before the State Legislature.
- (5) The Executive Committee and / or a Chief Executive Officer shall cause the accounts of the Authority together with the audit report and the explanatory memorandum, to be placed on the website of the Authority after the report has been laid before the State Legislature.

**Annual Report 38**

- (1) The Executive Committee and / or a Chief Executive Officer shall prepare a report of its activities during that year and submit the report to the Government in such form, as may be prescribed and the Government shall cause the report to be laid before the State Legislature.

**Protection of action  
taken in good faith**

**39**

- (1) No suit or legal proceeding shall lie against the Chairman or other members of the Governing Council or High-Power Committee or State Investment Committee or District Investment Committee or Nodal Agency or any employees of such committee in respect of anything which is done or intended to be done in good faith under this Act or any Rule made there under.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 3 of the Bill seeks to empower the Invest Meghalaya Authority as may be established under the Bill to create a Unified Investment Portal (UIP) for investment clearance as per Clause 10 of the act.

Clause 4 of the Bill seeks to empower the Invest Meghalaya Authority with Powers and functions to do the following:

- 1) Creation of a UIP, so that the investors may submit the application forms online as required by them for obtaining various clearances;
- 2) Provide secretarial support to the Governing Council, State Investment Committee and District Investment Committee, as the case may be;
- 3) Arrange for In principle approval from the respective committees on the basis of investment amount for project kick off;
- 4) Under the superintendence, direction and control of the respective committees, the Invest Meghalaya Authority shall acknowledge all applications and shall forward the applications to the concerned competent authority within three working days;
- 5) Facilitate High Power Committee, State Investment Committee and District Investment Committee in pursuing the clearance of the applications with the competent authorities.
- 6) Prepare a Combined Application Form as provided under section 11 for online submission by the investors for obtaining various clearances;
- 7) Upload downloadable application forms, comprehensive check lists and other requirements, as the case may be, covering all activities in the UIP;
- 8) Engage such consultants, advisors, or technology professionals, as may be required for efficient discharge of its powers and functions under this Act, on such allowances or remuneration and on such terms and conditions, as may be specified by regulations.
- 9) Perform any other functions entrusted by the Government or Governing Council for carrying out the provisions of this Act.
- 10) The Government may also define powers of IMA which are in accordance with the provisions of the Act by rules.

Clause 11 of the Bill seeks to empower the State Government to create a Combined Application Form (CAF) and shall be prescribed, along with such fees, in lieu of existing forms prescribed under applicable Acts and Industrial Policy, as notified from time to time. All appropriate authorities shall accept such CAF for processing and issue of required clearances.

Clause 19 of the Bill seeks to empower the State Government to provide deemed approvals through notifying the clearances in respect of which, failure by the Competent Authority to



grant clearance or pass final order within the period specified shall be treated as a deemed approval.

Clause 27 of the Bill seeks to empower the State Government to override other Laws provided it has effect notwithstanding anything inconsistent therewith contained in any other State law for the time being in force or any custom or usage or any instrument having effect by virtue of any such law.

Clause 28 of the Bill seeks to empower the State Government to remove difficulties. If any doubt or difficulty arises in giving effect to the provisions of this Act, the Government may, by order, make provisions or give such directions, not inconsistent with the provisions of this Act, as may appear to it to be necessary or expedient for the removal of the doubt or difficulty.

Clause 31 of the Bill seeks to empower the State Government to make rules to carry out the purposes of this Bill by notification.

The matters, in respect of which such orders or rules may be made are matters of detail and may hardly be provided for in the Bill. The delegation of legislative power is, therefore, of a normal character.

### Statement of Objectives and Reasons

The collaboration between the Department for Promotion of Industry and Internal Trade (DPIIT) and the Indian States, has played a pivotal role in enhancing the Ease of Doing Business (EoDB) landscape across the nation. Meghalaya, though initially at a lower rank, has made substantial progress, earning recognition as an "Emerging Business Ecosystem" in the 2020 Business Reform Action Plan by DPIIT- an acknowledgement that is a testament to the state's dedicated commitment to creating a favorable business environment. The Meghalaya Government is now aiming to uplift this position in the subsequent ranking system.

Majority of leading States in India have already implemented the "Ease of doing Business" Act which has now streamlined administrative processes, consolidating multifaceted initiatives under a single platform to promote investments and businesses.

The State Government aligned with the State's vision to create an environment conducive for "Ease of Doing Business" and "Ease of Living" has framed the Meghalaya State Investment Promotion & Facilitation Bill (MSIPF), 2024. The objective is to create a framework to streamline administrative process for onboarding investments and thereby consolidating multifaceted initiatives under a single platform. This will boost investor confidence, foster a business-friendly climate, and augment the ease of living for citizens of the State through timely and digitalized services.

Conrad K. Sangma  
Chief Minister

Minister incharge Planning Investment Promotion and  
Sustainable Development Department

(Dr. A. S. Simon)  
Commissioner and Secretary  
Meghalaya Legislative Assembly

### FINANCIAL MEMORANDUM

- a) Clause 36 of the Bill seeks to form a Budget in respect of the financial year next ensuing, showing the estimated receipts and expenditures of the Invest Meghalaya Authority in such form, as may be prescribed. The Invest Meghalaya Authority shall, subject to any modifications and revisions, as it may decide, approve the budget submitted under Clause 36 sub-section (1).
- b) The budget is sought from the State Government which may involve recurring expenditure of an amount for which the services are being used for the purpose of creation, implementation, continuous updation and related operations of the Unified Investment Portal and allied investment facilitation activities in the State of Meghalaya.



**GOVERNMENT OF MEGHALAYA  
PLANNING INVESTMENT PROMOTION &  
SUSTAINABLE DEVELOPMENT DEPARTMENT**

\*\*\*\*\*

**Dated Shillong, the 15<sup>th</sup> March, 2024**

**NOTIFICATION**

**No. PLR.22/2024/Pt/49:** In exercise of the powers conferred by Section 3(1) & 3(2) of the Meghalaya State Investment promotion & Facilitation Act, 2024, the Governor of Meghalaya is pleased to notify the “**Invest Meghalaya Authority**” as the Nodal Agency for Investment Promotion & Facilitation in the State with effect from 14.03.2024. The address of the organization is 4K Complex, Golfllinks Pdengshnong, Shillong- 793001.

  
[Dr. Vijay Kumar D, IAS]

Commissioner & Secretary to the Government of Meghalaya  
Planning, Investment Promotion &  
Sustainable Development Department

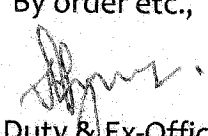
**Memo No. PLR.22/2024/Pt/49-A**

**Dated Shillong, the 15<sup>th</sup> March, 2024**

Copy to :-

1. P.S. to the Hon'ble Chief Minister, Meghalaya for kind information of the Hon'ble Chief Minister.
2. P.S. to the Hon'ble Speaker, Meghalaya Legislative Assembly for kind information of the Hon'ble Speaker.
3. P.S. to the Leader of Opposition, Meghalaya Legislative Assembly for kind information of the Leader of Opposition.
4. P.S. to all Ministers, Meghalaya, for kind information of the Ministers.
5. P.S. to the Chief Secretary to the Government of Meghalaya for kind information of the Chief Secretary
6. P.S. to the Additional Chief Secretary to the Government of Meghalaya for kind information of the Additional Chief Secretary
7. All Principal Secretaries / Commissioner & Secretaries / Secretaries to the Government of Meghalaya, for kind information and necessary action.
8. All Heads of Development Departments for kind information and necessary action.
9. The Director of Printing & Stationery, Shillong for favour of kind information and printing in the Meghalaya Gazette.

By order etc.,

  
Officer on Special Duty & Ex-Officio Joint Secretary  
Planning, Investment Promotion &  
Sustainable Development Department  
Government of Meghalaya

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**GOVERNMENT OF MEGHALAYA**  
**PLANNING INVESTMENT PROMOTION & SUSTAINABLE DEVELOPMENT**  
**DEPARTMENT**

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Dated Shillong, the 14<sup>th</sup> March, 2024

**NOTIFICATION**

**No. PLR.22/2024/98:** In exercise of the powers conferred by Sections 3(1) & 3(2) of the Meghalaya State Investment Promotion & Facilitation Act, 2024, the Governor of Meghalaya is pleased to notify the "Invest Meghalaya Authority" as the Nodal Agency for Investment Promotion & Facilitation in the State. The Invest Meghalaya Authority will be headed by the Chief Executive Officer to be appointed by the State Government from amongst officers not below the rank of Joint Secretary or persons being distinguished experts with a demonstrated experience in industry or government.

The following are the functions of the Invest Meghalaya Authority:

1. The Nodal Agency will be responsible for creation of a Unified Investment Portal (UIP), so that the investors may submit the application forms online as required by them for obtaining various clearances;
2. The Nodal Agency shall provide secretarial support to the Governing Council, State Investment Committee and District Investment Committee, as the case may be;
3. The Nodal Agency, on receipt of self-certification by the applicant shall arrange In principle approval from the respective committees on the basis of investment amount for project kick off;
4. Under the superintendence, direction and control of the respective committees, the nodal agency shall acknowledge all applications and shall forward the applications to the concerned competent authority within three working days;
5. The Nodal Agency will facilitate High Power Committee, State Investment Committee and District Investment Committee in pursuing the clearance of the applications with the competent authorities.
6. The Nodal Agency shall prepare a Combined Application Form as provided under section 13 for online submission by the investors for obtaining various clearances;
7. The Nodal Agency shall upload downloadable application forms, comprehensive check lists and other requirements, as the case may be, covering all activities in the UIP;
8. The Nodal Agency shall perform any other functions entrusted by the Government or Governing Council for carrying out the provisions of this Act.



[Dr. Vijay Kumar D, IAS]  
Commissioner & Secretary to the Government of Meghalaya  
Planning, Investment Promotion & Sustainable Development  
Department

## CHAPTER-II

**CONSTITUTION, POWERS, AND FUNCTIONS OF INVEST MEGHALAYA AUTHORITY, THE GOVERNING COUNCIL, HIGH-POWER COMMITTEE, STATE INVESTMENT COMMITTEE AND DISTRICT INVESTMENT COMMITTEE**

- |   |          |  |
|---|----------|--|
| <b>Constitution of Invest Meghalaya Authority. -</b>                  | <b>3</b> | <ul style="list-style-type: none"><li>(1) The Government may, by notification appoint a Nodal Agency called "Invest Meghalaya Authority" at the State level, which shall be an authority, that will be governed by the Governing Council constituted under Section 8;</li><li>(2) The Government may, by notification appoint the Chief Executive Officer (CEO) who shall be responsible for the day-to-day operations and shall exercise the powers and perform functions of the Nodal Agency as stated under this Act.</li></ul>   |
|   |          |  |
| <b>Functions of Invest Meghalaya Authority as the Nodal Agency. -</b> | <b>4</b> | <ul style="list-style-type: none"><li>(1) The Nodal Agency will be responsible for creation of a UIP, so that the investors may submit the application forms online as required by them for obtaining various clearances;</li><li>(2) The Nodal Agency shall provide secretarial support to the Governing Council, High Powered Committee, State Investment Committee and District Investment Committee, as the case may be;</li><li>(3) The Nodal Agency shall arrange in principle approval from the respective committees on the basis of investment amount for project kick off;</li><li>(4) Under the superintendence, direction and control of the respective committees, the nodal agency shall acknowledge all applications and shall forward the applications to the concerned competent authority;</li><li>(5) The Nodal Agency will facilitate in pursuing the clearance of the applications with the competent authorities;</li><li>(6) The Nodal Agency shall prepare a Combined Application Form as provided under section 13 for online submission by the investors for obtaining various clearances;</li></ul> |