

PUNJAB VIDHAN SABHA

BILL NO. 29-PLA-2021

THE PUNJAB RIGHT TO BUSINESS (AMENDMENT) BILL, 2021

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BILL

further to amend the Punjab Right to Business Act, 2020.

BE it enacted by the Legislature of the State of Punjab in the Seventy-second Year of the Republic of India as follows:-

Short title and commencement

1. (1) This Act may be called the Punjab Right to Business (Amendment) Act, 2021.

(2) It shall come into force on and with effect from the date of its publication in the Official Gazette.

Amendment in section 2 of Punjab Act 1 of 2020

2. In the Punjab Right to Business Act, 2020 (hereinafter referred to as the principal Act), in section 2,-

(i) after clause (g), the following clause shall be inserted, namely:-

"(ga) "Eligible Enterprise" means new Enterprise or Existing Enterprise undertaking expansion provided the Enterprise going for expansion does not have any violations under the relevant Acts; "; and

(ii) after clause (h), the following clause shall be inserted, namely:-

"(ha) "Existing Enterprise" means an Enterprise that has commenced commercial production or operations at the time of submitting the Declaration of Intent;"

Amendment in section 3 of Punjab Act 1 of 2020

3. In the principal Act, in section 3, in sub-section (1), in clause (iii), for the words "the others members of the Enterprise", the words "the other members of the District Bureau of Enterprise" shall be substituted.

Substitution of section 7 of Punjab Act 1 of 2020

4. In the principal Act, for section 7, the following section shall be substituted, namely:-

"7. The Eligible Enterprise willing to avail the Certificate of In
Filing of Declaration of Intent. Principle Approval, shall furnish to the District Nodal Agency a Declaration of Intent in the format and in the manner as may be prescribed."

Amendment in section 8 of Punjab Act 1 of 2020

5. In the principal Act, in section 8,-

(i) in sub-section (3), for the words and sign "a new Micro, Small and Medium Enterprises being set up in the State", the words "Eligible Enterprise" shall be substituted;

- (ii) in sub-section (6), for clause (b), the following clause shall be substituted, namely:-
 - "(b) The Inspecting Officer or the team of inspecting officers not below the rank of Joint Director shall be nominated by the Head of the concerned authority.";
- (iii) in clause (c), for the words "forty-eight hours", the words "forty-eight working hours" shall be substituted; and
- (iv) in sub-section (7), for the word "btain", the word "obtain" shall be substituted.

6. In the principal Act, in section 10,-

- (i) for sub-sections (1) and (2), the following sub-sections shall be substituted, namely:-

"(1) For Eligible Enterprise being set up or operational in Approved Industrial Park(s), the District Nodal Agency, upon receipt of a Declaration of Intent, shall forthwith, issue a Certificate of In Principle Approval within three working days to new Enterprise and within five working days to Existing Enterprise.

(2) For Eligible Enterprise being set up or operational outside the approved Industrial Park(s) and on areas, approved under the relevant master plan, the decision to issue a Certificate of In Principle Approval shall be taken by the District Nodal Agency within a period of fifteen working days for new Enterprise and within twenty working days for Existing Enterprise in accordance with the procedure as may be prescribed."; and

- (ii) after sub-section (3), the following sub-section shall be inserted, namely:-

"(4) The District Nodal Agency may appoint an officer of the department concerned to inspect the Enterprise undertaking expansion before issuing a Certificate of In Principle Approval. The inspection report shall be made available to the District Nodal Agency within forty-eight working hours after the inspection.".

STATEMENT OF OBJECTS AND REASONS

The Punjab Right to Business (Amendment) Bill, 2021 is aimed to amend the Punjab Right to Business Act, 2020 to include the expansion by existing Micro, Small and Medium Enterprises under the ambit of the Act. This is envisaged to promote ease of doing business in the State by way of issuance of Certificate of In-Principle Approval for the expansion of existing Micro, Small and Medium Enterprises so as to provide speedier regulatory approvals on the basis of self-certification.

GURKIRAT SINGH,
INDUSTRIES & COMMERCE MINISTER,
PUNJAB.

CHANDIGARH:
THE 7TH NOVEMBER, 2021

SURINDER PAL
SECRETARY.

N.B. – The above Bill was published in the Punjab Government Gazette (Extraordinary), dated the 7th November, 2021 under the proviso to rule 121 of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly).

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Under Secretary
Punjab Vidhan Sabha
Chandigarh