

## INDUSTRIES (GR-I) DEPARTMENT

### NOTIFICATION

#### **The Rajasthan Enterprises Single Window Enabling and Clearance Rules, 2011**

(Along with Insertions / Deletions incorporated in, Amendment Rules 2014 and Amendment Rules 2016)

**May 24, 2016**

In exercise of the powers conferred by section 21 of the Rajasthan Enterprises Single Window Enabling and Clearance Ordinance, 2010 (Ordinance No. 04 of 2010), the State Government hereby makes the following rules, namely:

**(1) Short title and commencement:** (1) These rules may be called The Rajasthan Enterprises Single Window Enabling and Clearance Rules, 2011 (and Amendment Rules 2014 and Amendment Rules 2016).

(2) They shall come into force on and from the date of their publication in the Official Gazette (May 24, 2016).

**(2) Definitions -** (1) In these rules unless the context otherwise requires:

(a) "Acknowledgement" means the acknowledgement issued for receipt of application under these rules;

(aa) "Act" means the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 (Act No. 07 of 2011);

(b) "Application Form" means the form either in physical or electronic format as prescribed under any Rajasthan Law/Order/Guide lines or as notified by the State Government;

(c) "Authorized Officer" means General Manager, District Industries Centre or an officer authorized by him not below the rank of District Industries Officer, in case of Nodal Agency for the District Empowered Committee and an officer authorized by Commissioner, Investment and NRI (Bureau of Investment Promotion) in case of Nodal Agency for the State Empowered Committee;

(d) "District Empowered Committee" means the committee constituted under sub-section (3) of section 3 of the Ordinance;

(e) "Fee" means the fee prescribed under any Rajasthan Laws/Orders/Guidelines or as notified by the State Government, for submitting application for permissions/ no objection certificate/ clearance/ allotment/ consent/ approval/ registration/ License and the like;

(f) "Form" means Form appended to these rules;

(g) "Nodal Agency" means the agencies notified under sub-section (1) or (2) of section 5, as the case may be, of the Ordinance;

(h) "Official" means any employee of the department or agency of the Government, Local Authority, Statutory Body, State owned Corporation, Gram Panchayat, Municipality, or any other authority or Agency constituted or established under any Rajasthan law or under administrative control of the Government;

(hh) "Portal" means website that serves as gateway for electronic operation and processing of applications specified in these rules;

(i) "Register of Applications" means register of applications received by the authorized officer either in physical form or electronic form;

(j) "Schedule" means Schedule appended to these rules;

(k) "Section" means a section of the Ordinance;

(l) "State Empowered Committee" means the committee constituted under sub section (1) of section 3 of the Ordinance; and

(m) "Time Limit" means the number of working days specified in Schedule-I or Schedule-II, as the case may be.

(2) Word or expression used in these rules but not defined in these rules have the same meaning as assigned to them in the Ordinance.

**(3) Application:-**

(1) Every application for seeking Permissions specified in Schedule-I shall be filed electronically on the Portal. The Application Form shall be duly filled and accompanied with required documents. However, in case of failure of electronic system due to unforeseen circumstances, the applicant may submit application in physical format to the Nodal Agency."

(2) Applicant shall furnish the self certification in Form-I at the time of registering on the Portal and it shall be deemed to have been furnished with every application for the Permissions within the meaning of sub-section (3) of section 8 of the Act."

**(4) Processing and monitoring of applications at the level Nodal Agency-**

(1) An automated acknowledgement shall be generated on the Portal for every application submitted electronically and the application shall be auto forwarded to the Competent Authority concerned under intimation to the Nodal Agency.

(2) All the applications auto forwarded on the Portal to the Competent Authority shall be deemed to have been forwarded by the Nodal Agency within the meaning of clause (i) of section 6 of the Act.

(3) In case the application is submitted to Nodal Agency in physical format as specified in sub-rule (1) of rule 3, the Nodal Agency shall issue the acknowledgement and forward the application to the Competent Authority concerned, within the time specified in Schedule-2 of these rules.

(4) The Nodal Agency shall maintain a Register of Applications in electronic or physical form and the particulars of all the applications shall be entered in the Register of Applications.

(5) The Nodal Agency shall monitor the disposal of applications within the time limit specified in these rules and keep a record of the communication between applicant and the Competent Authority.

(6) The Application on which the Competent Authority has taken a decision within the prescribed time limit, the decision so taken shall be entered into the Register of Applications and the status of the applications shall be submitted by the Nodal Agency to the State Empowered Committee or the District Empowered Committee, as the case may be in the next meeting of the concerned Empowered Committee.

(7) The Application on which the Competent Authority has failed to take a decision within the prescribed time limit, the Nodal Agency shall place the application before the State Empowered Committee or the District Empowered Committee, as the case may be, for consideration in the next scheduled meeting of the concerned Empowered Committee within the prescribed time limit. In case the concerned Empowered Committee is unable to meet or otherwise unable to consider application, placed before it by the Nodal Agency, immediately, the Nodal Agency shall submit the application to the Chairperson of the concerned Committee. The Chairperson of the Committee, after recording the reasons in writing, may decide the application and such decision shall be placed before the concerned Committee in its next meeting. The decision taken by the Chairperson on the application shall be final subject to the decision of the Committee.

(8) The Nodal Agency of State Empowered Committee shall receive Application for relaxations, exemptions and concessions for grant of customized package and seek comments of the concerned Departments or Authorities. The Nodal Agency shall submit the application for the customized package before the State Empowered Committee after the expiry of the period as specified in these rules for the comments from the concerned departments or authorities along with the comments received and even when the comments are not received.

**(5) Processing and monitoring of applications at the level of Competent Authority:-**

(1) The Competent Authority, after receipt of the application for Permission, shall consider and take decision on the application within the time limit specified in these rules. If the application is incomplete and/or any additional information is prescribed in rules for taking a decision on the Permission, the Competent Authority may obtain such additional information from the applicant. The time taken by the applicant in submitting required information to complete the application or additional information shall not be counted in counting the time limit. In case the applicant fails to submit the required information to complete the application within thirty days, the registration for application shall be dropped from the Portal.

(2) The decision on the application within the specified time limit by the Competent Authority shall be communicated to the applicant and the Nodal Agency.

(3) In cases of applications in which the Competent Authority has failed to take a decision within the specified time limit, the record of processing of the application shall be forwarded to the concerned Nodal Agency."

**(6) Time Limits for processing and disposal of applications:-**

(1) The time limits for processing and disposal of applications shall be as specified in Part A and Part B of Schedule-I or Schedule-II, as the case may be. The time limits for the State Empowered Committee/District Empowered Committee for processing the application for Permissions, in case the Competent Authority has failed to take a decision in the specified time limit, shall be thirty working days counted from the last date of the time limit prescribed in Part A and Part B of Schedule I, for the Competent Authority to take the decision:

Provided that any decision by the State Empowered Committee/District Empowered Committee or Chairperson of State Empowered Committee/District Empowered Committee, in exercise of power conferred to it in sub-section (4) of section 3 of the Act and sub-rule (7) of rule 4 of these rules, shall be communicated to concerned Competent Authority within seven days and it shall be binding on the Competent Authority and the Competent Authority shall issue all the necessary orders for Permission within three days.

(2) The State Government may by notification in the Official Gazette, add to or omit from, or otherwise amend or modify the Schedules appended to these rules and thereupon the Schedule shall be deemed to have been amended accordingly.

**(6A) Monitoring of applications for Permissions specified in Part C of Schedule-I.-**

(1) The Permissions specified in Part C of Schedule-I shall be provided through Portal of Single Window System to ensure online filing, payments, tracking of status, approvals and issuance of certificates. The time limits for disposal of such applications shall be as prescribed in Part C of Schedule-I.

(2) The Applications on which the Competent Authority has failed to take a decision within the prescribed time limit, the applicant shall appeal to appropriate authority, specified in relevant law:

Provided that the Rajasthan State Pollution Control Board shall explicitly publish the provisions of deemed consent under the applicable Acts and procedure of appeal against the decision of Competent Authority on its Web Portal.

(3) Notwithstanding anything contained in the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 (Act No. 7 of 2011), the State Empowered Committee or the District Empowered Committee shall not take any decision in the cases where the Competent Authority of Rajasthan State Pollution Control Board has failed to take a decision within the specified time limit, but the State Empowered Committee shall be empowered to monitor the applications submitted on Portal for the Permissions specified in Part C of Schedule-I and redress the grievances of applicant.

**(7) Monitoring:-** Status report of processing of the application for permissions and/ or customized packages, concessions, exemptions or relaxations, shall be placed before the District Empowered Committee and the State Empowered Committee, as the case may be by the respective Nodal Agency.

**(8) Jurisdiction of the State Empowered Committee and the District Empowered Committee-**

(1) The District Empowered Committee shall be competent to consider and dispose of the application for permissions for investment proposals from Rs. 1 crore to Rs. 10.00 crores.

(2) The State Empowered Committee shall be competent to consider and dispose of the application for permission for investment proposals above Rs.10.00 crores.

(3) All applications for customized packages, concessions, exemptions or relaxations shall be considered by the State Empowered Committee and this committee shall submit its recommendations to the Council of Ministers.

**(9) Grievance Redressal Mechanism.-**

(1) An Grievance Redressal Cell shall be constituted in Industries department consisting of the following, namely:-

- |   |             |
|---|-------------|
| (1) Commissioner, Industries, Rajasthan   | Chairperson |
| (2) Two officers of the Industries department, not below the rank of Deputy Director, Industries department, nominated by the Secretary incharge of the Industries department, Government of Rajasthan. | Member      |

(2) Any aggrieved person or applicant shall register his grievance on the Portal in Form-2. All grievances registered on portal shall be received and processed by the Grievance Redressal Cell and take appropriate measures for addressing the grievances within forty five days of registration of grievance:

Provided that in all such cases where Competent Authority has failed to decide the application for Permission within time limit specified in these rules, shall be processed by the Nodal Agency for decision as specified in sub-rule (7) of rule 4 and shall be communicated to the aggrieved applicant.

(3) All grievances received shall be presented in the next meeting of State Empowered Committee by the Grievance Redressal Cell and the decision of State Empowered Committee shall be final and shall be binding on all concerned. However if the grievance refers to any order of State Empowered Committee, it shall be submitted to the State Government and the decision of State Government shall be final and shall be binding on all concerned.

(4) In cases where State Empowered Committee finds that any Official has failed to comply with the provisions of the Act and these rules, the State Empowered Committee may recommend the Disciplinary Authority concerned to initiate appropriate action or disciplinary proceedings against the official for imposing penalties specified in rule 14 of the Rajasthan Civil Services (Classification, Control and Appeal) Rules, 1958:

Provided that official who fails to comply with the provisions of the Act and these rules belongs to of any agency of the Government, Local Authority, Statutory Body, Gram Panchayat, Municipality, State owned Corporation, or any other authority or Agency constituted or established under any Rajasthan law or under administrative control of the Government, the State Empowered Committee may recommend, the appropriate Disciplinary Authority to initiate appropriate action or disciplinary proceedings against the official for imposing penalties mentioned in applicable service rules.

(5) Notwithstanding anything contained, the State Government shall be competent to initiate appropriate action or disciplinary proceedings against any official who fails to comply with the provisions of Act and these rules.

**(10) Removal of doubt:-** If any difficulty arises in the application or interpretation of these rules, it shall be decided by the State Government in the Industries Department whose decision thereon shall be final.

**Schedule-I**  
**(See rule 3 (1) 6 and 6(A))**

**Part - A**  
**Time Limit for Various Permissions/Clearances**

S. No.	DEPARTMENTS /ORGANIZATION	PERMISSIONS/ CLEARANCES	TIME LIMIT (WITHIN WORKING DAYS)	
1.	Factories and Boilers Inspectorate	a)	Factory building plan approval' (under the Factories Act, 1948)	
		i)	Factories as defined under section 2m(ii) and involving non hazardous process as defined under rule 2(m)	10 days
		ii)	Other factories	30 days
		b)	Factories license	
		i)	Factories as defined under section 2m(ii) and involving non hazardous process as defined under rule 2(m)	7 days
		ii)	Factories involving non hazardous process as defined under rule 2(m)	15 days
		iii)	Factories involving hazardous process as defined under section 2(cb)	21 days
		iv)	Factories involving dangerous operations as defined under section 87	21 days
		v)	MAH factories as defined under Rajasthan Control of Major Accident Hazard Rules, 1991	60 days
		c)	Renewal under 'Factories license	
		i)	Factories as defined under section 2m(ii) and involving non hazardous process as defined under rule 2(m)	7 days
		ii)	Factories involving non hazardous process as defined under rule 2(m)	15 days
		iii)	Factories involving hazardous process as defined under section 2(cb)	21 days

		iv)	Factories involving dangerous operations as defined under section 87	21 days
		v)	MAH factories as defined under Rajasthan Control of Major Accident Hazard Rules, 1991	60 days
		d)	Registration under Boiler Act	After the receipt of complete application
		i)	Provisional order (under the Boilers Act, 1923)	Exempted
		ii)	Final order (under the Boilers Act, 1923)	30 days
		e)	Renewal under 'Registration under Boiler Act'	
		i)	In cases in which the Competent Person is empowered to issue a certificate under section 8 without further reference.	48 hours
		ii)	In any other case	15 days
		f)	Steam Pipeline Drawing approval (under the Boilers Act, 1923)	15 days
2.	Labour Department	a)	Permission for engaging contractor for labour Under Contract Labour (Regulation and Abolition) Act, 1970	
		i)	Registration of Principal Employers Establishments	30 days
		ii)	Issuance of Licence to Contractor for employment of contract labours	15 days
		b)	Registration of Establishments under Building and other Construction Workers (Regulation of. Employment and conditions of Services) Act, 1996	15 days
		c)	'Registration under Shops and Establishments Act'	30 days
		d)	Renewal under 'Shops and Establishments Act'	15 days
3.	Revenue Department	a)	Land conversion—Conversion of land use under Rajasthan Land Revenue (Conversion of Agricultural Land for Non-Agricultural Purposes in Rural Areas) Rules, 2007	Sending applications directly to the concerned District Collectors under intimation to Revenue Department, Jaipur, to save time. Revenue Department would issue on line receipt

				and update online status of the application.  All communication would be addressed to PS, Revenue for early action.
		i)	up to 10 hectares	60 days from submission of completed application to District Collector
		ii)	above 10 hectares	90 days from submission of completed application to State Government
4.	Energy Department (All Vidhyut Vitran Nigam Ltd.)	a)	Release Connection (where no extension in Distribution Mains is required) Electricity connection	
		1)	<p>Release of Connection</p> <p>Explanation:</p> <p>i) If LT supply of electricity can be provided to a premises by existing service line or by laying service line up to 50 meters, from an existing overhead line or underground cable where a cable box, junction box pillar box etc. has been provided, the distribution mains shall be deemed to require no extension.</p> <p>ii) In case of HT supply of electricity to a premises, the distribution system shall be deemed to require augmentation and procedure laid down in Clauses b) &amp; c) hereunder shall be followed.</p>	Within one month of the receipt of completed application
		b)	Supply where distribution mains require extension	
		1)	Notice to the applicant to deposit additional expenses	Within one month of the receipt of application (for a period of one month)
		2)	Where extension of distribution mains is required but no additional sum is required to be deposited	The Nigam shall complete the extension work within 15 days
		3)	The Nigam shall complete the extension of distribution mains within the time specified below for	



			different voltage levels after deposit of additional sum by the applicant	
		i)	L.T. line	15 days
		ii)	11 KV line-first 5 Kmp Next 5 Km each	30 days 15 days
		iii)	33 KV line-first 5 Km Next 5 Km each	60 days 30 days
		iv)	132 KV line-first 5 Km Next 5 Km each	180 days 45 days
		Note: After extension work connection will be released within 15 days after inspection of the installation.		
	c)	Supply where new sub-station or augmentation of transformer sub-station is required		
		1)	Supply where new substation is to be commissioned	The Nigam will intimate within two month of receipt of application, the date of commencement of work, to the consumer and complete the work within time limit specified below
		i)	11/0.4 KV sub-station	30 days
		ii)	33/11 KV sub-station	120 days
		iii)	Extension of bay at 33/11 KV sub-station	30 days
		iv)	132/33/11 KV sub-station	12 month
		v)	Extension of bay at 132 KV sub-station	45 days
		2)	Supply where augmentation of transformer sub-station capacity is required	
		i)	11/0.4 KV sub-station	15 days
		ii)	33/11 KV sub-station	60 days
		iii)	132/33/11 KV sub-station	6 months
			After commencement of work of	

			sub-station  i) Intimation to the consumer if any additional sum is to be deposited by the applicant.  Intimation—  Time of deposition—  Release of connection—	Within 15 days after commencement of work.  1 month or such extended period as the Nigam may allow.  Within 15 days of commissioning of sub-station.
		d)	Supply in localities where no provision for supply exists	Once electrification of such locality is completed supply shall be provided to the applicant in accordance with the provisions of sub-clauses a) to c) above as may be applicable to him.
		e)	Supply where electric line/plant is provided by applicant	The Nigam shall provide supply of electricity within 15 days of intimation given by the applicant regarding completion of work.
5.	RIICO	a)	Allotment of plots in Industrial Areas	Form A—30 days Form A(Preferential) —90 days
		b)	Approval of building plans	15 Days (After receiving complete modification/correction in submitted drawing )
		c)	Water Connection	20 days (After receiving of complete information )
6.	UDH Department (JDA/UITs)	a)	90A of Agriculture Land/ Conversion of land under Rajasthan Land Revenue Rules 2012	60 days
		b)	Change of Land use/Conversion of land use from residential to commercial	(i) Matters to be decided at Local level committees- 60 days

				(ii) Matters to be decided at State level committees-120 days
		c)	Issuance of Lease Deed for institutional plots	(i) To be issued at local level-30 days (ii) When approval of State Govt. is required-60 days
		d)	Allotment of institutional land except the allotment of land through lottery/auction and of the developed land given as compensation for Government/  Semi-Government departments/institutions and acquired land—under instruction of Urban Development and Local Self Department dated 4.1.2010	90 days
		e)	Building map approval of all kinds of institutional buildings	60 days
7.	Local Self Government (LSG)	a)	NOC from Fire Department	30 Days
		b)	90A of Agriculture Land/ Conversion of land under Rajasthan Land Revenue Rules 2012	60 Days
		c)	Change of Land use/Conversion of land use from residential to commercial	(i) Matters to be decided at Local level committees- 60 days (ii) Matters to be decided at State level committees - 120 days
		d)	Building map approval of all kinds of institutional buildings	60 days
8.	Public Health Engineering Department (PHED)	a)	Water Connection	07 days as per availability of water and after deposition of all fees
9.	Tourism Department	a)	Project Approval	45 days from the date of submission of complete application
10	Industries Department	a)	Incentives under Industrial Policy/ Investment Promotion Scheme	<i>As per Schedule I(b)</i>

**Part - B**  
**Time Limit for Incentives under RIPS-2014**

S. No.	Department		Application for Benefits under Rajasthan Investment Promotion Scheme -2014	Time Limit for disposal of application (Decision on eligibility under RIPS-2014)
1.	Industries Department	a)	Exemption from stamp duty and conversion charge	07 days from date of submission of complete application
		b)	Exemption from land tax	45 days from date of submission of complete application
		c)	Investment subsidy and Employment subsidy	45 days from date of submission of complete application
		d)	Exemption from (i) Electricity duty (ii) Entertainment tax (iii) Luxury tax (iv) Mandi fee (v) Entry tax	45 days from date of submission of complete application
		e)	Interest subsidy	45 days from date of submission of complete application
		f)	Reimbursement of VAT	45 days from date of submission of complete application
		g)	Capital subsidy on ZLD treatment plant	45 days from date of submission of complete application

**Part - C**  
**Time Limit for Various Permissions/Clearances**

S. No.	ORGANISATION		PERMISSIONS/ CLEARANCES	TIME LIMIT (WITHIN WORKING DAYS)
1.	Rajasthan Pollution Control Board (RPCB)	a)	Consent to Establish (under Water Act & Air Act)	120 Days
		b)	Consent to Operate (under Water Act & Air Act)	120 Days
		c)	Renewal of 'Consent to Operate (under Water Act & Air Act)	120 Days
		d)	Authorization under Hazardous Waste Rules	120 Days

## Schedule-II

### See Rule 6

#### Part - A

#### Time Limit for Nodal Agency for State Empowered Committee/District Empowered Committee

S. No.	Time Limit For	Time Limit (Within Working Day)
1	2	3
1.	Forwarding the application received in physical format from the investor ( As described in sub-rule 1 of rule 3 )	2 days
2.	All Agency to place the application for permission	
(i)	before the concerned Empowered Committee for decision in cases where the concerned competent authority has failed to decide the application within the prescribed time limit.	30 days counted from last date of the time limit prescribed for the Competent Authority to take the decision in schedule I (a) & (b)
(ii)	before the chair person of the concerned Empowered Committee in case the Committee is unable to meet or otherwise is unable to consider the application within 30 days.	15 days counted from last date of the time limit prescribed for the Competent Authority to take the decision in schedule-II, 2 (i)
3.	Comments to be asked from the Competent Authority/concerned departments or authority on application/ request for concessions, exemptions or relaxations or grant of Customized Packages.	7 days from the receipt of the application/request

#### Part - B

#### Time Limit for State Empowered Committee for submitting recommendations to the Council of Ministers

S. No.	Time Limit For	Time Limit (Within Working Day)
1.	Submission of recommendations on the application/request for concessions, exemptions or relaxations or grant of Customized Packages to the Council of Ministers	30 days

**Part - C**

Time limit for Competent Authority/concerned Departments or Authority for submitting comments asked to the Nodal Agency on application/request for concessions, exemptions or relaxations or grant of Customized Packages shall be 25 working days.

**"FORM-1  
(See rule 3 (2))  
Self – Certification**

I .....S/o..... Residing at .  
..... state that I am authorized signatory for M/s  
....., and hereby give the  
following undertaking :-

1. I certify that the particulars furnished in the Application Form under the Rajasthan Enterprises Single Window Enabling and Clearance Act, 2011 for Permission are true, correct and complete to the best of my knowledge and I undertake to adhere to the declarations made there under.
2. I/ Firm / Company hereby undertake to abide by the conditions specified in each of the Permissions and to comply with all the provisions of applicable regulations.
3. I/ Firm / Company have gone through all the relevant laws and undertake to abide by the same.

Place : Authorized signatory

Date : For M/s....."

**"FORM-2**

**(See rule 9(2))**

**Grievance Registration Form**

1. Registration Number : .....
  
2. Grievance Category : .....
  
3. Aggrieved By Orders/Action of : .....
  
4. Mobile Number :
  
5. Email Id :
  
6. Please enter Grievance Description upto 4000 characters
  
7. Please provide the details of Past Reference(s), with date :
  
8. Do you want to upload PDF attachment? Yes/ No

Signature and  
Name of Applicant "

By the order of Governor,  
  
(.....)  
Joint Secretary to Government