

Aer-no-1 of 1998

পঞ্জীকৃত নম্বৰ ৭৬৮/৯৭

Registered No.768/97

অসম



ৰাজপত্ৰ

সম্মতিস্বৰূপে

# THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

PUBLISHED BY AUTHORITY

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT : LEGISLATIVE BRANCH

NOTIFICATION

The 9th February, 1998.

No. LGL. 108/97/9.--The following Act of the Assam Legislative Assembly which received the assent of the Governor is hereby published for general information.

ASSAM ACT NO. I OF 1998

(Received the assent of the Governor on 27th January, 1998)

THE ASSAM AID TO INDUSTRIES (SMALL AND COTTAGE INDUSTRIES)  
(AMENDMENT) ACT, 1997.

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ACT

further to amend the Assam Aid to Industries (Small and Cottage Industries) Act, 1955.

**Preamble.** Whereas it is expedient further to amend the Assam Assam Aid to Industries (Small and Cottage Act II of Industries) Act, 1955, hereinafter referred to as the 1956. principal Act, in the manner hereinafter appearing ;

It is hereby enacted in the Forty-eighth Year of the Republic of India as follows :-

**Short title, extent and commencement.** 1. (1) This Act may be called the Assam Aid to Industries (Small and Cottage Industries) (Amendment) Act, 1997.

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

**Amendment of section 2.** 2. In the principal Act, in section 2, -

(i) clause (g) shall be deleted and the existing clauses (h) and (i) shall be renumbered as clauses (g) and (h) respectively.

(ii) the existing clauses (j), (k) and (l) shall be deleted and after the clause (h) as renumbered, the following new clauses shall be inserted, namely :-

(i) "artisan" means a person engaged in production of handicraft items ;

(j) "handicraft" means an item produced by a worker

skillfully using the limbs with the aid of handtools and frames ;

(k) "handicapped person" means a person suffering from some disabilities or disorder ;

(l) "disability" means -

- (i) blindness,
- (ii) low vision,
- (iii) leprosy cured,
- (iv) hearing impairment,
- (v) locomotor disability,
- (vi) mental retardation,
- (vii) mental illness,

(m) "blindness" refer to a condition where a person suffer from any of the following conditions, namely :-

- (i) total absence of sight, or
- (ii) visual acuity not exceeding 6/60 or 20/200 (snellen) in the better eye with correcting lances, or
- (iii) limitation of the field of vision subtending an angle of 20° or worse,

(n) "hearing impairment" means loss of 60 decibels or more in the better ear in the conversational range of frequencies ;

(o) "leprosy cured person" means any person who has been cured of leprosy but is suffering from ;

(i) loss of sensation in hand or feet as well as loss of sensation and paresis in the eye-lid but with no manifest deformity,

(k) "handicapped person" means a person suffering from

(ii) manifest deformity and paresis but having sufficient mobility in their hand and feet to enable them to engage in normal economic activity,

(i) blindness

(iii) extreme physical deformity as well as advance age which prevents him from undertaking any gainful occupation,

(iii) deafness

(p) "locomotor disability" means disability of the bones, joints or muscles leading to substantial restriction of the movement of the limbs or any form of cerebral palsy,

(vi) hearing impairment

(v) locomotor disability

(iv) cerebral palsy

(iv) mental illness

(q) "mental illness" means any disorder other than mental retardation from any of the following, namely:-

(r) "mental retardation" means a condition of arrested or incomplete development of mind of a person which is specially characterised by subnormality of intelligence,

(ii) visual acuity less than 6/60 or 20/200 (swollen in the better eye with correcting lenses)

(s) "person with disability" means a person suffering not less than 40% of any disability as certified by a Medical Authority

(n) "person with hearing impairment" means a person with impairment of visual functioning even after treatment or standard refractive correction but who uses or is potentially capable of using vision for the planning or execution of task with appropriate assistive device ;

(u) "medical authority" means any hospital or institution as may be specified by the Government, by notification for the purposes of this Act.

**Renumbering of sections.** 3. In the principal Act, consequent upon the deletion of section 3 by Assam Act XIX of 1973, the existing sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 shall be renumbered respectively as sections 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14 and 15. Assam Act XIX of 1973

**Amendment of section 3.** 4. In the principal Act, for section 3 as renumbered, the following shall be substituted, namely :-

"3. Grant of Loan :- (1) The Director of Industries or any officer authorised in this behalf by the Government may sanction loan not exceeding such limit and on such terms and conditions as may be prescribed and any loan beyond the competence of the aforesaid officers shall be sanctioned by the Government. Loans upto Rs. 25,000/- in case of handicapped persons and upto Rs. 30,000/- in case of artisans may be issued by the Government. Applications for the loan exceeding Rs. 30,000.00 should ordinarily be passed on to the State Financial Corporation for consideration. In cases, however, where the industrial concern is not found eligible for accommodation from the corporation the Government may consider such application upto a limit of Rs. 50,000.00.

(2) Loan may be granted for all or any of the following purposes, viz :-

- (i) For the purchase of a cottage industrial undertaking ;
- (ii) For the erection of additional machinery or for replacing old machinery of a cottage industry ;

(iii) For the development of a new or nascent cottage industry and;

(iv) For providing the working capital such as the cost of new material, pay of operating staff etc. of cottage industry for a specified time.

(3) In case of cottage Industries owned by a Company or a co-operative society the State Government may assist in development of such Industries by participation in the share capital or by purchasing debentures issued by such company.

**Amendment 5.** In the principal Act, in section 4 as renumbered, in of section 4. sub-section (1). -

(i) for the words "Any person" appearing in the first line, the words "Any handicapped person or artisan" shall be substituted ;

(ii) the words "small or" appearing in between the words "in respect of "and "Cottage", shall be deleted.

**Amendment 6.** In the principal Act, for section 5 as renumbered, the of section 5. following shall be substituted, namely :-

"5. Terms for grant of loan. - The Government or the authorities empowered to sanction the loan may grant loan to a cottage industry on the following terms :-

(i) The grant of a loan is to be secured and repaid in the prescribed manner and upon such terms as may be fixed by the order granting it :

Provided that no such loan shall exceed upto a maximum of 75% of the total value of the security as prescribed :

Provided also that notwithstanding anything contained in this Act and subject to such rules as may be prescribed, the Director or the authority empowered to issue loan may sanction loan upto Rs. 25,000.00 on personal bond of the applicant and upto Rs. 30,000.00 on security of one or more sureties in addition to personal bond of the applicant.

- (ii) Government or the authority empowered to issue loan may lease machineries and equipments necessary for the purpose of the industry to the applicant on hire purchase system on execution of the Bond in the prescribed form.

- Amendment of section 7.** 7. In the principal Act, in section 7 as renumbered, in clause (iv), in the first line, the words "small or" shall be deleted.
- Amendment of section 9.** 8. In the principal Act, in section 9 as renumbered, in the first line, the words "small or" shall be deleted.
- Amendment of section 11.** 9. In the principal Act, in section 11 as renumbered, in the second line, the words "small or" shall be deleted.

M. K. DEKA,  
Secretary to the Govt. of Assam,  
Legislative Department.