

KERALA SINGLE WINDOW CLEARANCE BOARDS AND INDUSTRIAL TOWNSHIP AREA DEVELOPMENT ACT 1999 -AMENDMENT ACT

73 THE KERALA INDUSTRIAL SINGLE WINDOW CLEARANCE BOARDS AND INDUSTRIAL TOWNSHIP AREA DEVELOPMENT ACT, 1999 (Act 5 of 2000) CHAPTER I Preliminary Short title, extent and commencement Definitions CHAPTER II State Board District Boards and Industrial Area Boards 3 4. 5 6. 7. 8 9 10 11. 12 13 14 15. 16 State Board District Board Industrial Area Board 17 Powers and functions of Industrial Area Board 18 Powers and functions of District Board 19 Powers and functions of the State Board 20 Licences, certificates Issuing of licences, recommendations Appellate Jurisdiction of the State Board based on the Powers of the State Board to revoke the licences CHAPTER III Establishment of Industrial Township Establishment of Industrial Township Constitution of Industrial Township Authority Extension of Provisions of the Municipal Act or rules made thereunder 21 22 23. 24. 25 26 27. 28. 29 CHAPTER IV Supplementary and Miscellaneous provisions Applicability of the Kerala Buildings Act, 1965 (2 of 1965) Overriding effect of the Act Direction by Government Returns and Inspection Members and officers to be public servants Protection of Action taken in good faith and Rent Acts not to be invalidated by regularity, vacancy etc. Powers of the State Board to make bye-laws. Boards and District Board of the State Board (Industrial Area Board) to collect fees (Industrial Area Board) rules of the Industrial Township Authority Power Regulations Removal of difficulties Industrial Township 75 [Translation in English of "1999-02.] 76 THE KERALA INDUSTRIAL SINGLE WINDOW CLEARANCE BOARDS AND INDUSTRIAL TOWNSHIP AREA DEVELOPMENT ACT, 1999 (Act 5 of 2000) ACT to provide special provisions speedy issue of various licences, clearances and certificates required setting up of industrial undertakings in the State of Kerala and for the Constitution of Industrial Township Area Development Authorities and for matters connected therewith. Preamble —WHEREAS It is necessary to make special provision to promote and assist the orderly establishment, and rapid growth and development of Industries in the State; AND WHEREAS for the speedy Issue Of various licences, clearances and certificates required for setting up of industrial undertakings in the State It is necessary to establish Single Window Clearance Board at the State level ; Board at the State, AND WHEREAS clause (1) of Article 243 of the Constitution provides for the constitution of an Industrial Township in the manner provided therein; AND WHEREAS for the purpose of administering the affairs of an Industrial Township and to promote the Industrial growth, It is necessary to constitute Industrial Area Development Authorities ; AND WHEREAS It is expedient to provide for all these and other matters connected therewith : BE it enacted in the Fiftieth Year of Republic of India as follows 76 CHAPTER I Preliminary extent and commencement —(1) This Act may be called the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999. It extends to the whole of the State of Kerala. (2) (3) It shall come into force on such date as the Government may, by notification in the Gazette, appoint

2. Definitions .—In this Act, unless the context otherwise requires,— means any Department of Government (a) "Authority agencies or Grama Panchayat or Municipality Government which may be required to issue clearances or licences or certificates or permits for setting up an industrial undertaking in the State , means bye-laws made by the State Board (b) "Bye-laws" under this Act, the DISL Single Window (c) "District Board" means Clearance Board constituted under sub-section (1) of section 4 of this Act, "Designated Authority of Industrial Area" means the (d) Managing Director of the Industrial Area or any other Officer appointed by the Government for purposes of monitoring and maintaining the Industrial area concerned , (e) "Government" means the Government of Kerala; (f) "Industrial Area" means any area in the State to be an Industrial area by the Government by notification in the Gazette from time to time and includes industrial estates, development areas, parks and growth centres; "Industrial Area Board" means the Industrial Area Single Window Clearance Board constituted under sub-section 5 of the Act; "Industrial Township" means as referred to in section 14 of this Act, "Industrial Township Authority" means Township Authority constituted for an Industrial under section 15 and the Scheme, (1) of section industrial Area an Industrial township workshop • Industrial township workshop Incans a factory y,

In mechanical power or Mork place wheic stemn powe , water power. 01 electrical power IS used 01 any prernLses whetc any machinecty or manufacturing plant driven by any power as af01 csard Installed or am industrial undcnaking where ten or more v,0Tkcrs are emplyoed iVith or M'ithout the aid of power , (k) "Prescribed" means prescribed by rules made under this Act; "Scheme" means the Scheme framed under this Act; (m) "Small Scale Indust! lal undertaking" means an industrial undertaking which in accordance with the' requirements spccified under sub-section (l) of secuon I I B of Indusu•res (Development and Regulation) Act, 1951 IS cntitled to be regarded as a Small Scale Industrial undertaking fo the purpose of that Act ; ' •State Board' means the ' 'Ke•ala State Smgle Wmdow Cleal ance Board" constituted under sul)-secnon (I) of section 3 of the Act, rmeans h Proclamaun or Act of (o) "State enactment • Travancore or Cochin, an Act or dinance of 'Travancore-Cochin, an Act passed by the Legislatule of the Statc of Kuala, or an Ordinancce promulgated by the Governo• and zn f0\ce In the State and in- cludes a 1 ulc, 01 do, bye-law 1 cglulation made In exercise of a power confem•ed by any such Act OJ Ordmancc by the Government 03 an auth0J Ity chnate to Government CIIAPIER 11 State Board, District Boards and Industrial Area Boards 3 State Board —(1) 170) the pul pose of speedy Issue of varrous licences, clearances. co tificates requiled under vaz nous State enact- ments for setting up of Industl undm takings xn the State, lhc Gove) nment may, by notihcaoon, constitute Single Window Clearance Board fen the State to be called the Kerala Slate Single Window Clearancc Board. 'The Kerala State Single \Vindow Clearance Boa' d shall (2) be a body POI ate by the name aforesaid havnng perpetual succession and a con-nnon seal. (3) The State Boa) d shall con of the followmg meml)ers, namely : — (a) (c) (d) (c) (f) (g) (h) (0 (j) (k) 78 Chief Secretai y to Government . The Secletarres to Gove] nment in charge of Industries, Finance, Labou). Local Adnunistration, Revenue, Taxes, h ngauon, Power and FOI ests depal Lments, Executive Direct01, cau of Industl lal Promotion, KC' ala , Managmg Dn ector, Kei ala Slate Industrial Develop- ment Corporanon , Dil ectol of Indusu ies and Conunerce; Managing Director, Ko ala State Indusu nal Infl asb ucture Development Corporation; Chan man, Kei ala State Elect.uctl', Boat cl : Dn•ector. Kerala Financial COI PO' anon Chief Town Planner . Chan noan, Kerala State Pollution Control Bom d; Chief Elect' ICal Inspector, Directot• of Factoi les and Borle q. (11)) Dn•ect01 of Mmmg and Geology , (n) Dil cct01 of Health Services. (4) The Chief Secretary to Gove nment shall be the ChauInan and the Managing Director, Kea ala State Industnal Development Corporanon shall bc the Conveno of the State Board. 'The State Boal d shall meet at such tunes and places to (5) bc fixed by the Chan Inan of the State Board and shall observe such occdu;e In regard to Its fianSACTION of busmess as may bc made in the bye-laws (6) 'The State Board 'nay associate Itself. In such Inanna and fol such pul poses as ma) be esa lbcel With any person whose assistancc 01 advoce It desuc to have nn the pcl fonnance of and the person so associated shall any of Its functions under the .Act, the right to take pa) t In the nreungs of the State Board relating to that pul pose as a spccnal Invitee and shall not considcl ecl as a menobel of the State Board (l) FOI the pul pose of speedy Issue of 4 Dzslnc Boapds various licences, clemances or co tificates requu•cd under Lhe val nous State enactnrens fm setting up of small scale Industr ial unda takings having capital cstment of m(hC than tw-) lakhs upees In each 79 distr lct of the Statc, the Gove) nn-nent Inay, by notification, constitute a District Single VVindow Clearance Board foi cach (list' ict xn the State. (2) Distl ict Single Window Clearance Bood shall bc a boely corporate by the name of the District for which It is con- stituted, having perpetual succession and a common seal. (3) Every District Single Window Clearance Board shall consist of the followmc members, namely. (a) (b) (c) (d) (e) (g) (h) (m) (n) (o) Collector of the Distnct, Gcnral Manager, Drstnct Industries Ccnue of the disb•ict concerned , The President of the Grama Panchayat conco ned or Chairperson of the Municipality concerned in cases wherc licence is required from the local bodies; The District Offcu of the Kerala Pollution Cono•ol Board or any other officer of the Board nominated by the Chairman, Kerala State Pollution Control Board , The DISC' ict Officer of the Electnecat Inspectorate or any othet• ofTlccc nominated the Chief Electtncal I nspect0T ; The District Officer of the Town Plannmg Department OA anv other o(Tlccr nominated by the Chief To•wn Plan ner . District Medical Offco ; An Offccr of the Kerala 'State Electricity Board not bc10Ml the rank of Executive Engmcrr nomnated by the Chail man, Kerala State Electricity Boa) d; Disu'let Offcet, Factot ies and Boilus Inspect&ate; Divisional Fire FOI ce Offccr; Pr•.lsionai Forest Officer ; District La bout Officer ; Secretary, Urban Development Auth01 It)' or Secretary, Distllet Panchayat, Deputy Commusstoner, Sales rrax and Agncultural Income Tax; An Officer of the Keca}a Wate* Authority not below the rank of Executive Engineer nommated by the Managmg I-hector, Kerala Water Authority. 80

(4) The Collectot of the District shall be the Chail man and the Geneal Manager, Distruct Industl les Centre shall be the Convcnol of the Di.strnct Boal d (5) 'The District Boal d shall nret at such tune and place to be fixed by the Chau Inan of the Distl Boaad and shall obsel ve such procedune m regal d to Its u ansaction of business as Inay be rndac In the bye-laws , (6) The DISü Ict Boal d rmay associate Itself, In such manno and fol such pui poses as may be escribed With anv pason whose assistance 0) advice It may desic to have In the perfu mance of an) of Its functions uncle the Act, and the pey son so associated shall haxe the right to takc part In the meetings of the Disu Ict Board relatun«r to that puJ pose as a special Invitee and shall not be considcd as a men-Iber of the Disu Ict Boal (1 1"01 the pul pose 01 speedv 1S»uc 5 Industnal Area Boa»df — (1) of various hcences, clearances 0) certificates 1 equired unde the various State enactrnents for setting up of small scale Industrial undct- takmgs or Industnal undertakings in the val lous industrial areas of the State, the Govcl mnent by notification constitute Single Wmdow Clearance Boards for cvery Industrial a' eas In the State to be called Industrial Area Single Wmdow Cleat ancc Boal d. (2) Indust ral A1 ea Single Window Clearance Board shall bc a body COI PO) ate by nan)e of the Indust, lal Area fom ""hich It IS constitutecl, havmg perpetual. 4uccess10n and a con•unon scal Eve v Indust) lal Area Singtc Clearance Bom d (3) shall consist of the followmg members, namelv.— (a) (c) (d) (e) (g) Pl Inclpal Sectcta.\ to Gove rnment. Industt les Depart- Inent or Ins nonunee , Collector of the Dstl Chief Exccuüvc of the .Agency oxyntno ot Inanagmg the Inclusu tal area Designated Aulh0' of Indust• lal a: ea concu ncd; l)lSt Officer of the State Pollution Conuol Boal d, Dst Ict Office of the Elect' ICal Inspector atc. l)lSt' Ict Offcc;• of the r l'ov.n Plannmg l)lSt Ict Medical OfllCC7 Executive Engmecl of the Kca ala State Elect) ICLty Botn d . Dstl Office, Factoa les and Boilers Inspectorate, 81 (k) Divisional Fl' c Fox ce Officer , (l) Divisional Forest C) lhc m , (In.) l)lRh Ict Labour Offccl , Deputy Con7n-nss10ner, Sales Tax and Income 'Tax (o) Executive Engineer, Ko ala Wate .Auth01 Ity (4) The Gove.' nnnent Ina \ appoint one of the of an Industnal A1 ea Boa•.d not the 1 ank of l)lStLICt C,ollecctor to bc Its Char ruan and the Desngnated Autho., Ity of the Industl lal A1 ca shall bc the Conveno, of the Indusn lal A', ea Boal d ' Che Industl lal A1 ea Boat (l shall mecl at such (5) and place to be fixed by the Chairnman of the Indust lal A1 ca (l and shall obso vc such In • , egal d to Its t; ansacllon of business as ma) ruadc In the bye-laws (6) The Inciâstnal A1 ca Boa d 'nay associate Itself, •n such Inannt! and for such pui poses as rna) bc escribed, M'lth anx pcl son whose assistance 01 aduce It may desi, c to have In the pc Inance of any of Its functions unde the Act, and the pcs son so aqsoatcd shall have the • lght to take pa, L In the mccüngs of the InclusL lal.A7ca not Bom (l , clatmg to that put pose as a special rnvutec and shall considcl cd as a of the Indust lal A1 ea Boa, d 6 fioni licences clo —.NotM'ILhstapd1ng an) 111 Ing con tauned In any law fol the tune l)elng In {Oi•ce all Industri xal uncllo takings being estabhshed OJ oposed to be estabhshed In Indust, lal a. eas shall bc cxelnptcd f, Oln obtaining pm Init.s f' orn MumclpalItl'-'s or GI ama Panchayats, Toxvn Plannmg Depal tment ox l.)cveloprment Authorities for consb ucuon of buildings for stat ting an Indust, lal u nd ertakng 7 Pou crs and functzons of Area Böärds (l) INotw1thstand- Ina anything contmnccl In anv law fo the time bcmo in force, ever.) pe' son intending to establish an unclustl lal unde taking o a small scale Indusu tal unde taking in an) of the notified rndusc lal areas shall submit 1110 application In the p escl lbed fo.rm 10 the cleszgnated authot of that Indust, lal a ea fol clea, ances 0)' hcencus 01 ccx•tlficates cquued under 'al lous State enacunents together With the fee anv to be paid. und(-l the cspeccue enact:nent l'hc application shall also contatn such details as may bc p cscr1bccl 82 (2) The Industrial Area Board shall after complying the oceduzc esc,'lbed In this behalf and ""It lun thi- ty days from the date of teceipt of the application take a dcclsion as,— (a) to recommend to the authot ity concerned, the issue of the hcence or permission applied for Without any modifcauons o, With such modifications as It thmks fit to make. oc (b) to tefuse clea•z ancc if IL IS of the opinion that the pro- posed construcion, estabhshment or Installation is objecuonable. (3) The decision taken by the Industrial Areas Board shall be communicated to the applicant and the authority concerned by the designated autho, Ity of the Industl ial Area Board

8. Powers and functions oj Dzstrtet Board.—(1) Notwithstanding anything contained In any law for the time being in force, evccv person Intending to establish any small scale industrial undertaking having capital Investment of more than two lakh rupecs shall submit the application m the esca'] bed form to the Convenor of the Distl Ict Board for clearances or licences ot certificates requed under vacious State enactments along With Lhe requu•cd fee under the) espective enacunent The application shall contann such clct,uls as jnay bc prescribed, aflCt cornplyngg the p ocedme (2) The DISC Ict Board shall,

prescribed In this bl half and within Sixty days ft Oln the date or ' ccchpt of the application ta ke a decision as,— (a) to 1 cconnend to the au thonly conce ned the Issue of per nusslon applied ""lthout any licence ot Inodifica nons or With such Inodificauons as fit to make; or refuse clearance If it is of the opinion that the oposed construction, csta blighnnent or Installation tionable. 'The decl\lon taken by the District Board shall be communi- (3) cated to the applicant and the authority conce ned by the Convenor of the Ict Boal d. (4) NotM lthstandnng anything comaxnecl nn any law fol the time being un force, If the appheaLion for cleal ancc, hccncc or certi- ficate submitted belÖte the Authority concerned för establishing a Small Scale Industt nal undex taking havina capital Investment of less 83 than upees lakhs IS rejected 01 i ccommmed iVith modification the son aggl xevcd may file an appeal befb•c the DiSt) uct Boal d against such order of refusal 01 1 ccomtnendatron within thirty days from the date of receipt of o) dCi fl orn the auth01 Ity conce ned in the manner escribed ancl such an appeal shall bc disposed of Within thil ty davs from the date of subnusslon of the appeal 9. Powers and functzons of the Slate Board Notwithstanding anything contamecl tn any law fol the tunc being In fo' ce every person ntendmg to establish any Industrtal uncler taking other than a small scalc Indust lal undertaking In the State, shall submit the application for clearances 01 hcences 01 cer tifica(cs cqu n ecl unclc, val Lous State enactinents to the Convenoi ot Lhe State Boal d 1 n the l), esci lbed fo m along With the requed fee under the respecttvc, The application shall contain such details as mav bc presci lbed ('2) The State Boand shall afte cornplynng the occdure prescribed nn this behalf and within fol tyfive clap fion) the date of rccell)t of the application take a decision as — (a) to lecommend to the conce ned auth01 Ity the tssuc of licence or pe mission apphed for without any Inodi- ficauon 01 With such modification as It thinks fit to make; or (1) to refuse cleal ance If It IS of the opinion that the oposed es ta l)hsh Installation const uctzon, 01 oblccuonable (3) 'The deciszon taken by the Stalc Boa d shall bc commum- cated to the applicant and the antho, Ity conce ned by the Convenol of the Statc Boal d IO Issuzng of clea? ances, hcences, certificates based on the »ecommdenda- ttens —Notwithstanding anything contamed m any othC1 law fox' the ume bcrrng In force the auth01 It', concerned shall, on 1 ccept of the I ecomrnendauon of the Stalc Boal d, Disu Ict Board or Inklusü ial licences 01 certificates applied Arca Boal d, issue the cleal ances, for In accordance With the J eccnnmendauons of the State Bom d, Disb•rct Board 01 Indusu lal \rea Boal d as the case mav be mthm ten working days from the date of receipt of the 1 ccommndatlons luccnce ot certificate as the case may l)e, IS Issued If no clearance. within the saud ume hrmt the clem ance, hcence or cei tifica(c, as I ecommmed fol by the 1 espccuve Board shall be the case mav bc. dcemed to have l)ccn the expn•y of the said pcnoel of Issuecl afel ten working days 11 Appellate juresdzctzon of the State 130(l'd— (1) If the clean ance 01 hcence or certificate applied fol before the DiStTJct Boa, d 0) Industrial Area Boal d has l)een efused 01 recormnended With 84 'Within thltt»• davs from the the neved person mav modification, date of rcccnpt of such 1 cfusal oz• recohnrmcndatlon from the DISt1 Ict Board or Indusu tal Board, file an appeal to the State Boa) d against such 0) do. In the mannel escnbcd. (2) The State Boat d may, If It consideled nccessalY call fol additional details and on oducuon of such details and afto gliding an oppol tunity of bcmg heard to the aggrieved person and the authority conce ned, shall (hspose of such appeal 'Within a pertod of thil ty davs f) 0171 the date of filing the appeal The dcusnon of the State Board on such appeal shall be final. (3) The State Boat d may, with the ptevious appl oval of the Government delegate to any Sub Committee constituted by such of Its povvcfs and functions under this section subject to such 1 esti Ictrons If any, as It may specify. and conditions, The composition of the Sub C01nrmttee shall bc such as inav be l)ed (31 Not'.'.' ithstanding anything contained in an) law fok the ttme betno In {b) ce any hccncc, clea, ancc, Oi anted on the basis ofa clecnslon under this section the State Boa: d 01 a Sub Committec of the State Board shall be deemed to be Issued under the respective statute 12 Appellate 7unsdtctzon of the Governnænt —Any son by the decision of the Stalc Bom d othCi than on unatters ctcd by It on appeal undo sccuon 1 0'. er the deasuo of the l)ISÜ Ict Bo,m d Board, as the case Inay l)e, Inay appeal to the or Industrial Areo Governrment thn tv davs from the date of such dccnston by the Stace Boa, d and the (lccslon of the Govei nment on such appeal shall bc final. If the the Lzcences 13 Powers OJ l)he State Board to reuoke Inav quo nzotu a I any tune exarmne the) State Boal d Dstl Ict Boal (1 0)' an Industl uak A1 ea Board In respect of any p; occcchngs undcl Lh1S Act and If the Statc Board satisfied that the ance or cect'ficate o • hcence nnder this Act has been obtainecl by rmsre- presentation as to essential facts, the State Board Inav, by order dil cct the authDf Ity concerned to revokc the licence o:' (uificate or clearance Issued by thenu Provided that the State Board shall not pass any 01 dCi affectin(f anv party

unless such party has indicated an intention of making a presentation. 85 (2) If the State Board is satisfied either on a reference made to it in this behalf or otherwise, that any person or authority to whom notice is given to which the clearance or licence or certificate has been issued under this Act failed to establish or to take effective steps to establish the industrial undertaking in respect of which the clearance or licence or certificate has been issued within the time specified therein or within such extended time as the State Board may think fit to grant in any case, it may direct the authority concerned to revoke the clearance or licence or certificate already granted. (3) The provisions contained in the proviso to sub-section (1) shall apply in respect of any proceedings under sub-section (2) as they apply to a proceeding under sub-section (1)

CHAPTER III Establishment of Industrial Township

14. Establishment of Industrial Township —(1) The Government may, having regard to the size of an industrial area and the municipal services being provided or proposed to be provided by an agency in that area and such other factors as he may deem fit, by public notification under the proviso to clause (1) of article 243 Q of the Constitution of India, specify that area to be an Industrial Township Area. Explanation.—In this section the expression an industrial area means an area benefited by an industrial area. (2) Upon any area being specified an Industrial township in the manner stated in sub-section (1), such area, included in a Panchayat constituted under the Kerala Panchayat Raj Act, 1994 (13 of 1994) or, as the case may be, in a municipality constituted under the Kerala Municipality Act, 1994 (20 of 1994), shall, with effect from the date of such notification be deemed to be excluded from such Panchayat or Municipality, as the case may be (3) The authority shall have all the powers of a Municipality in an industrial township area. (4) The Industrial Township Authority shall have the power to collect the taxes and fees and to realise the fine that can be collected or realised under the Kerala Municipality Act, 1994 (20 of 1994) from the area within the jurisdiction of the Industrial Township Area. 31334—13 96 15. Constitution of the Industrial Township Authority only —(1) • The Government may for the purposes of administering the affairs of an industrial township area and for carrying out the provisions of this Act by notification constitute an Industrial Township Authority for each industrial township area. (2) The Industrial Township Authority shall consist of such number of members as may be appointed by the Government and they shall be chosen in such manner as may be provided in the Scheme. (3) The functions of the Industrial Township Authority shall be to administer the affairs and secure the planned development and maintenance of the industrial township area (4) The Industrial Township Authority shall administer the industrial township area in such manner as may be specified in this Act and the Scheme (5) Subject to the provisions of this Act the Scheme may provide for all or any of the following matters, namely (a) (b) (d) (e) (f) In which the members of the Industrial Township Authority shall be chosen and appointed, the manner in which the Industrial Township Authority may be constituted, the constitution of any committee for assisting the Industrial Township Authority, the preparation of the budget the manner in which maintenance of accounts and the audit of accounts of the Industrial Township Authority may be made, the registers and records to be maintained by the Township Authority; any other matter which is to be provided for in the Scheme or which may be necessary or proper for the purpose of implementing the Scheme (6) Every Scheme framed under this section shall be laid as soon as may be after it is issued before the Legislative Assembly while it is in session 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 the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the Scheme or decides that the Scheme should not be issued, the Scheme shall thereafter have effect only in such modified form or be of no effect, 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 the Scheme 16. Extension of provisions of the Municipal Act or the rules made —(1) The Government may, by notification in the Gazette, declare Municipalities in force for the time being or of any rules made thereunder shall be extended to and be in force in, an industrial township area (2) The provisions so notified shall be construed such not affecting the substance as may be necessary or advisable for the purpose of adopting them to an industrial township area. (3) Without prejudice to the generality of the foregoing provision, all references to a Municipal Council or the Chairman or the Secretary thereof shall be construed as references to the Industrial Township Authority or the Chairman or the Chief Officer of the Industrial Township Authority or the Chief Officer, all references to any officer or employee of a municipal council as references to the responding Officer or employee of the authority and all

reference to the local limits of the municipality as reference to the limits of the industrial area, as the case may be

CHAPTER IV Supplementary and Miscellaneous Provisions i. Applicability of the Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965).—The Kerala Buildings (Lease and Rent Control) Act, 1965 (2 of 1965) shall not apply to any premises belonging to the Industrial Township Authority under section 15. 18 Overriding effect of the Act —Upon any area being declared an industrial area under the provisions of this Act, such area, as included in the master plan or the zonal development plan under the Town Planning Act (IV of 1908) or the Madras Town Planning Act, 1920 • (Madras Act VII of 1920) or any other Act enacted by the Kerala State Legislature, shall, with effect from the date of such declaration be deemed to be excluded from any such plan. 88 19. Duration by Government —The Government may from time to time issue to the State Board or a District Board or an Industrial Area Board or an Industrial Township Authority such general or special directions of policy as they may deem necessary or expedient for the proper carrying out of the objects of this Act and the State Board or the District Board or the industrial area board, or the industrial township authority, as the case may be, shall be bound to follow and act upon such directions

20. Returns and The Industrial township authority shall furnish to the Government such reports, returns and other information as the Government may from time to time require. (2) Without to the provisions of sub-section (1) the Government or any officer authorised by the Government in that behalf, may call for reports, returns and other from the Industrial township authority in regard to the implementation of any Scheme (3) Any person authorised by the Government or the officer referred to in sub-section (2) may enter into or upon any land with or without assistance of workman for ascertaining whether the provisions of the schemes are being or have been implemented. is being or has been carried out in or whether the development accordance with such Scheme (4) No such entry shall be made except between the hours of sunrise and sunset and without giving reasonable notice to the occupier or if there is no occupier, by the owner of the land or building 21. Members and Officers to be Public Servants —Every member and every officer and other employee of the industrial township authority or the State Board, the District Board or the Industrial Area Board shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code

22. Breach of Action taken in Good Faith.—No suit, prosecution or other legal proceedings shall lie against any person for anything which is in good faith done or intended to be done under this Act or any Rule or regulation by law made thereunder 23 Acts not to be Invalidated by Inequity_ Vacancy etc —No Act done or proceeding taken under this Act, by the State Board, the District Board or the Industrial Area Board or a Sub-Committee appointed by the State Board shall be invalidated merely on the ground of— (a) (b) (c) 89 in, or defect in the any vacancy State Board, the District Board Area Board or any Sub Committee any defect or in the person acting as a member of any Committee, or any defect or irregularity in such constitution of the or the Industrial of the State Board ; appointment of a such Board or Sub Act 0) proceeding not affecting the merits of the case

24. Powers of the State Board to make The State Board may, subject to the provisions of this Act and With the previous by notification in the Gazette, make approval of the Government, bye-laws generally to carry out the purposes of this Act. (2) Such bye-laws may provide for,— (a) the procedure to be followed by the State Board, District Boards and Industrial Area Board for transaction of their business ; (b) all matters connected with granting of licences, clearances or certificates by the State Board, District Boards and Industrial Area Boards. 25, Powers of the State Board, District Boards and Industrial Area Boards to Collect Fees.—The State Board, District Board and Industrial Area Board may with the previous approval of the Government fix, and collect fees from the beneficiaries

26. Power to make Rules.—(1) The Government may, by notification in the Gazette, make Rules for carrying out the purposes of this Act. (2) Every Rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly while it is in session 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 the session in which it is so laid or the session immediately following, the Legislative Assembly decides that the rule should be either modified or annulled, the rule shall thereafter have effect only in such modified form or have no effect, 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. 90 27. Power of the Zndustrzal T ownshtp Aulhonly to 'nake Regulations — (I) Subject to the provisions of thrs Act and the Rules Inadc thereunder an Indusrriai Township Authority Jnay, v,'lth the appl oval of the Govei mnent 'nake regulations for can Ying out any of the put poses which it IS constituted. "l'hc Governrn'cnt shall have powci' to lhak-c I ulc 1 cgal ding (2) the proccehnc for the nuking of) cgulauons, the publication tho eof, and the date on which they shall come Into effect- 28. Of If any difhculty al kses In givtnu effect to the Qvlsions of thus Act the Gova nment nuav, as occasion may I equirc, by 01 der do any thing not Inconsistent With (Ins Act, which appear to them neccssmy fol the pul pose of reinovmng the difficulty . Provided that no such 01 der shall bc passed aftC1 two \ e,-us from the date of commencernent of this Act ot dCi made undel sub-section- (11) shall bc laid, béforc the fust IneeLmg of the Legslatrve AsscInbly, aftcn Ina lang the ordel .

