

KERALA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT RULES, 2008

of Kerala Reg- NQ. mcr>d KLTv'(NYIY20062008 KERALA GAZETTE om.)0ö EXTRAORDR•€ARY nmowoosmo PUBLISHED BY AUTHORITY un 53 Thiruvananthapuram. Tuesday Mara 2008 2008 11 21st Phalguna 1929 1929 21 506 OF KERALA IndiBtrie (G) Department NOIIFICAIION Dated, Thiruvananthapuram, 3rd Marth, 2008. ø- 262008/0. S- R. O. No..269/2008.—In exercise of the powers conferred by sub-section Etion•49 of the Kerala Industrial Infrasu•ucmreDevClopment-Act, 1993 3 of 1993). the Government of Kerala hereby make the following rules, CHAPTER I PRANINARY 1. title and nese Rules may be called "The Infrastructure Development Rules. 2008" O) Théy shall be #eemed to have come into force on the day of its on the officiãl Gazette of Kerala Goverunent. 2. 2 Definitions.—(1) In this Rules, unless the context otherwise requires,— (a) 'Act' means the Kerala Industrial Infrastructure Development Act, 1993 (Act 3.0f 1993), (b) 'Director' means a Director of the Corporation specified in sectipn 5 of the Act; (c) •Form' means a form appended to these rules; (d) 'Managing. Director' means •the Managing Director of the Corporation appointed under sub-section of section 6 of the Act; (e) 'Year' means the financial year scarting with 1st of April and ending with 31st day of March, next year; (2) All other words and expressions used in these rules but not defined and defined in the Act shall have thé meanings, respectively assigned to them in the Act

CHAPTER 11 DIRECTOQS 3. Term of office of Directors nominated by the Government under sub-section (2) of 'Section 5 of thé Act shall ordinarily hold office for a term of nvo years. However, Government shall' have the power to remoye such Directors before the expiry of the said tem, if considered necessary. The term of office of the M?naging Director of the Corporation shall be as fixed by the Government in the order of appointment: However, Government, may, at- any time, terminate the services as such Managing Director, without assigning any reason therefore

4. Appointment and term of office of Managing Directff and conditions of service of the nominated Directors.—The Managing of .the Corporation shall,— (i) A professional with Bachelor Degree.in EngineeringfP. G in Business Management; (i) Experience in Infrastructure Developgwnt in Management cadre for a minu-num period of IO years of which 5 years shall be in thecadre of Senior Management position or equivalent theröof: Provided that the said qualification shall not be apölicable if an All India Service Officer • is appointed as Managing Director on deputation basis. 3 5. , Pay and ailowances of the Managing The Managing other than the pficer pf the Government appointed of deputation on foreign 8servicé or an Officer from ffe All India Services, shall draw such pay and allowances as may be fixed by Bureau.o(Publig Enterprises and" duly abiroved by Governmept in the scale of pay applicable to .thé scale 'A' of the Public Sector Ündertakings in the State. (2) The Managing .Directör shall also be entitled to conveyance, bousing and other benefits. ag are applicable to. 'A' Grade Executives of Public Sector' Undertakings in the' State. (3) The Managing .Director, who is a Government servant deputed on foreign service conditions or an officer belonging to the All India Services, shall be regulated by the rules applicable to him for such deputation

6. Leave and Leave Salam—The Managing Director Wbo•:— (a) is a Government servant .deputed on foreign service conditions to the Cörporation or an Officer Of the All India Services, shall be Entitled to leave and leave salary under the rules applicable to him as such Government servant; (b) is not a Government servant or being in Government service has subsequently ceased to be, in such service or ill All India Services, shall be entitled to leave and leave salary under the regulations applicable to other officers of the Corporation. 7 Provident Fund.—The Managing Director who— (a) is a Governmqnt servant an foreign service conditions to the Corporation or who has been admitted to the All India Service Provident Fund shall be entitled.to continue to subscribe tQ the Provident Fund applicable to such Governmen€Servants or thé All India Service •Provident Fund, as the case may be, upon the same terms and conditions and subject to the sme rules, as applicable to Government Servants or All \ndia Service Officers; (b) is not a Government &ervant or being in, Government service, has cease&to be in Gövecnment service by retirement on superannuation or otherwise, shall be entitleCto and to get the benefits of the Provident Fund apphcable to the employees of the Cbrpöration

8. Resignation.—The Managing Director Who is not- a .Government servam deputeg.on foreign service to. the Corporation .or. being a Goyimment servant who has ceased tp be .in Government service, may resign his office by givrng three months' notice in writing to the Government: 4 Provided that, before the expiry of the aforesaid period of three months, if the Government directs that the Managing Director shall not. vacate his office after the period of three months until such time as he is relieved there from, he shall continue in office for such period

9. Other conditions of service.—All other matters relating to the conditions of service of the Managing Director, who,— (a) is a Government servant deputed on foreign service conditions to the Corporation or an• Officer of the All India Services, shall be regulated in accordance with the provisions Of the Kerala Govemment Rules or the All India Service RVies; and (b) is notea Government servant or being a Government servant has ceased to be in the Government Service or in the Alk India Service, shall be as applicable, to an Officer in scale 'A' of the Sector undertakings df the State

10. Travelling Allowance.—(1) the Travelling Allowance '(Mileage Allowance and Daily Allowance) of the Directors of the Corporation except the nominated Directors of the Corporation shall be regulated in: accordance with the Rules applicable to him or the rates applicable to Grâdp I" Officers of the Government under the Kerala Service Rules, whichever is higher. (2) The Directors nominated under sub-section (2) of section 5 shall be paid Travelling Allowance at the rates applicable to them in the financial institut,ions or professional bodies, as the case may be, •or at the rates applicable to Grade I Officers of Government under the Kerala Servic9 Rules, whichever is higher. (3) Actual expenses for boarding and lodging shall be reimbursed for tours in connection with the affaärs of the Corporation to the nominated Directors. I l. Sitting fee for •nbn-officialDirectvrs.—A npn-official Director is entitled to get a sittin•g fee pf Rs. 500 per day for attending the meeting of the Board or any Committee. If he is attending more than one meetings of the Board and of the Committee on the same date; he is entitled to get only one sitting fee for that day of the meetinä

12. Disciplinary The GoVemment shall be the disciplinary authority in respect Of the Managing Director.(2). Corporthion shall frame Special Rules for the Service conditions, disciplinary procedure and other. matters for the officers Ahd staff of the Corporation and the Service conditions and disciplinary procedure of the officers and staff shall be governed .by the Special Rules so franæd. 5 CHAPTER III FINANCE AND ACCOUNTS 13. Amdunt to be kept iH Government Treasuries etc.—The Corporation shall keep an amount of not less than Rs. 10 lakhs, out of its funds in ghe Government Treasury or State Bank of India or any other Bank duly approved by the Government as reserve fund

14. Temporary bÖrrowing by the.Corporatipq may, for the purpose of meeting any current expenditure properly chargeåble to revenue, borrow by .of temporary. loan or overdraft from any Bank or. financial institutnn such sums.. as it may require. ne amount so borrowed, together with Interest thereon, shall be •repaid from current revenues within such period as may be. decided by the Corporation

15. Limit on borrowing without previous consent of Government.—The Corporatigri may borrow money ori the security of its assets (including its revenues), or any part thereof by way of mortgage or otherwise and may issue Debentures, Debenture stocks, Notes and other securities, as security for any debt liability or obligation of the Corporation or otherwise: Provided' that thé aggregate of the money borrowed or secured as aforesaid by the Corporation and remaining undischarged excluding temporary loans shall not, at any time, without the previous wiitten •consent of the Govemment, exceed the sum .of Rs.10 crores. Explanation.—The limit prescribed under these Rules sh@ll not apply to deposits accepted in terms •of Section 16 of the Act

16. Manner of issuai securities.—Every bond, obligation, debenture or other security issued by the Corporation Soi raising money ör. for securing money borrowed by or due from the Corporanon shall be by a deed undér the common seal of the Corporation and be signed (autdgraphically) by •the ManagUlg Director .or any other officer duly authorized by the Corporation in this behalf

17. Register of securities to be kept.—A register of bonds, debentures and O/her securities shall be kept by the Corporation in Which shall be entered tl?e number and déte of every such bond, debenture or other secuitty and the sum secured thereby and the names of the parties thereto-if any with their. full addresses and all other necessary particulars. 6 18. Instructions which may be issued for transfer of securities.—The

Corporation shall keep an amount of not less than Rs. 10 lakhs, out of its funds in the Government Treasury or Staté Bank of India.or any other Bank düly approved by the Government, as reserve fund

19. Debentures ordinarily payable to bearer.—Any debenture issued by the Corporation may be so framed that the principal land interest thereby secured shall be payable to the bearer and free from any equities between the Corporation and the persons to whom the same may be issued

20. Particvlgrs•of borrowing on guarantee to be furnished.—Where the Corporation proposes to borrow money on• the guarante of the Government as provided in section 1 5, the Corporation shall furnish to the Government all particulars of the amount, purpose, nature and circumstances of the proposed borrowing and the amount of outstanding loans and such other information as the Government may require

21. Prior approval of the Government for Savings.—No bonds, debentures or other securities shall be issued or granted in respect of which the payment of the principal and interest is to be guarapteed by the Government, until the amount, price, rite of interest, date and method Of issue of such security. the arrangements for the application of the proceeds of the issue and for the repayment of the proceeds. have been previously approved by the State Goverrtment and no väriation of any •such arrangenvnts shall be made without the like approval of the Government

22. Budget and programme of work* 1) The Corporation shall submit to the Government for approval before thf 1st day of October of each year the' budget estimates and programme of work for the succeeding financial year.(2) The Budget Estimates shall be in Form 'A and the provamme of work in Fom B. (3) The Corporation shall also forward to the Government, with its programme of work, a note giving the history and description of each scheme including the progress made, 'expenditure irlcurred •and receipts accryed in, the previous year in respect of continuing schemes. The note shall, in panicular, bring out the financial implications of each schemes

23. Maintenance of Accounts and Registers. (1) The Accounts of the Corporation shall be prepared and maintained in the mercantile system of accounting and registers be maintained in the forms required therefore. (2) The Annual statement of Accounts to be submitted to the Government under sub-section (3) of section 20 of the Act shall be in



Form C. (3) The Corporation shall keep regular Accounts and Registers maintained in respect of all financial transactions and assets of the Corporation in manual format or electronic format as under. **24. Audit of Accounts—** (1) The Accounts of the Corporation shall be audited by the Comptroller and Auditor General of India. (ii) The Comptroller and Auditor General of India or any person duly authorized by him in connection with the audit of the accounts of the Corporation shall have access, at all reasonable times, to all accounts, account books, vouchers, documents and other papers of the Corporation and to require information or additional information to be furnished to any person or persons and in such form as the Comptroller and Auditor General may by general or special order, direct. (iii) The Corporation shall send a copy of the audited accounts together with the comments/audit report of the Comptroller and Auditor General to the Government. (iv) The Corporation shall appoint internal auditors on such terms and conditions as the Corporation may decide and they shall submit their report to the Corporation and when demanded by the Corporation. (v) the Governor shall have power to inspect the affairs of the Corporation. **MISCELLANEOUS 25. Eviction from Corporation premises.—**For the purpose of evicting any person from the premises of the Corporation in accordance with the provisions of sub-section (5) of Section 22 of the Act, the Competent Authority if so required, seek the assistance of the Police. **Appellate Authority—**The Chairman, Kerala Industrial Infrastructure Development Corporation shall be the appellate authority under sub-section (4) of section 27 of the Act. **27. Form of appeals.** and Every appeal filed shall be in Form No. D, and accompanied by a treasury receipt for payment of Rs. 100 as fees and a copy of the order appealed against. (2) The appeal memorandum has to be signed by the party. (3) Every appeal shall be presented to the Chairman by the party either in person or by his duly authorized agent or by registered post with acknowledgement due or by electronic means. (4) On receipt of the appeal or application, Chairman shall endorse on it the date of its receipt and the serial number of the appeal or application. (5) If any party to the proceeding dies before the disposal of the appeal, the legal representatives of the deceased party may be impleaded as parties to the Appeal in place of the deceased party provided an application for being impleaded is filed within 90 (ninety) days of the death of the person concerned failing which the appeal shall abate; Provided that the Appellate Authority may condone the delay in filing the application if he is satisfied, on the basis of an application to that effect, that there was sufficient cause for not filing such application in time: Provided further that no such application for condoning the delay shall be ascertained, if it is filed after the expiry of 30 days from the date on which the normal period for filing appeal expired. (6) The appellate authority may adjourn the hearing of the appeal for sufficient reason. (7) If a party, in spite of due notice, does not appear at the hearing of the Appeal, the Appellate Authority shall be entitled to decide the Appeal ex-parte. (8) If the Appeal is disposed of ex-parte and the party not appearing is prejudiced on account of the same, the said party may apply for restoration of the Appeal and re-hearing of the same within 30 (thirty) days from the date of receipt of communication of the order in appeal and if the appellate authority is satisfied about the genuineness of the grounds, the Appellate Authority may restore the Appeal and re-hear the same and pass appropriate orders. (9) Any orders passed in the appeal shall be in writing and shall be communicated to the aggrieved party by the Chairman. (10) After the disposal of the appeal on an application by any of the parties, the documents produced, if any, as evidence shall be returned to him. **28. Payment of amount due from the lessees.—**All amounts due from lessees of lands, payable under Section 34 of the Act, shall be paid on or before the dates specified in the respective Lease Deeds and where it is not so specified, within

7 (seven) working days following the month in which the amount falls due

29. Annual Report and other returns.— (I) The annual report under sub-section (2) of section 38 shall contain inter alia details regarding the following, namely:— (a) Names of industrial areas/estates entrusted to the Corporation by the Government; (b) Programme of work for the year under report; (c) Progress of work during the year with particular reference to the,— (i) land acquired; (ii) development carried out; (iii) amenities provided; (iv) industries established in the industrial areas/estates; and (v) details of any other activities entrusted to or undertaken by the Corporation under and in accordance with the Act; (d) Finance for Corporation, including audited statement of accounts; (e) Changes, if any in the constitution of the Corporation; (f) The staff of the Corporation; (g) scheme wise; and (g) Directions given by the Government to the Corporation and their compliance

30. Execution of contracts etc. on behalf of the Corporation shall be executed under its name and under its seal and shall be signed by the Managing Director or any other officer duly

authorised in Writing in this behalf by the Managing Director. 10 KERALA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT CORPORATION FORM A [See Rule 23 Budget Estimates for the Year Current year Sub Head 1. REVENUE Current year Budget (in lakhs) Revised Estimate (in lakhs) (3) Reason Budget for increase/decrease 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 12

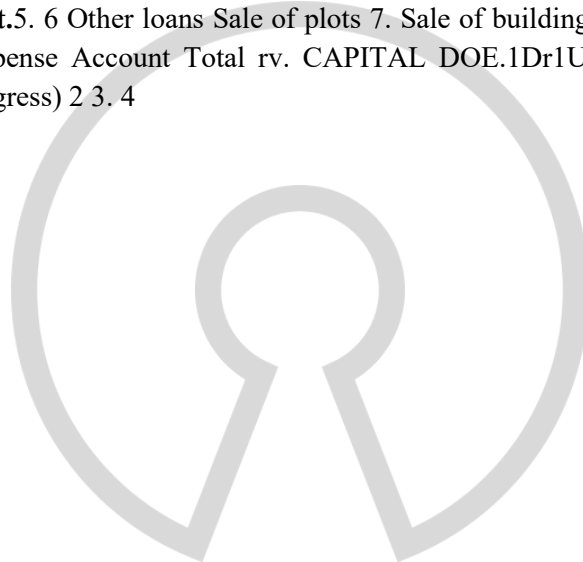
13. Recoveries of expenditure Sale of tender forms Recoveries of fines etc. from Contractors Hire charges of tools and plants, supervision charges etc. Sale of materials and other Miscellaneous receipt Annual rent of land leased Annual rent of building Forfeiture of deposit Professional service charges Rates & Taxes Interest on deposits Subventions from the State Government less refunds Miscellaneous Income Total receipts 11 (2) 11-A Expenses 1. Salaries & Allowances 2 Terminal benefit 3. Employee Contribution PF 4. Medical expense reimbursement 5. Festival Allowance Others n-B Establishment Expenses Printing & Stationery Travelling & Conveyance 2 3. Rent 4. Postage, Telephone, Fax etc. Electricity charges 5

6. Repairs & Maintenance (D Building Equipments (ii) Vehicles (iv) Others Advertisement Publicity 7. Rates & Taxes 8. Professional Service Charges 9. Office Expenses 10. Business Promotion Expenses 11 12. Others 11-C Interest & Bank Charges 11-D Depreciation on (1) Building (i) Equipments (ii) Vehicles (W) Others, n-E Income Tax Total Net Revenue Expenditure (3) (4) (S) 12 (I)

11. CAPITAL RECEIVIS Balance with the Corporation 1. as on the beginning of the year 2. Grant from Central Govt

3. Grant from State Govt Loan from Central Govt

4. Loan from State Govt. 5. 6 Other loans Sale of plots 7. Sale of buildings 8. Sale of assets 9. 10. Other capital Receipts 11. Suspense Account Total rev. CAPITAL DOE. 1. Dr 1. URE 1. Cost of land 2. Project Expenditure (work in progress) 2 3. 4



3. Capital Equipments 4. Net revenue Expenditure 5. Other capital expenditure 6. Miscellaneous Account Total (2) (3) (4) (5) 13 K n A I A not - J S T R I A L I N F R A S R U C I U R E C O R P O R A T I O N Annual Programme of work FORM B (See. Rule '23 Ngne of Scheme Estimated Cost (in -lakhs) Estimated Estimated Fapenditure Receipts during (in lakhs) Ain lakhs), (Rs. in lakhs) Salient features of the scheme KERALA NDUSTRIAL INFRASTRUCTURE CORPORATION THIRUVANĀMITLPURAM Annual Accounts of the Corporadon



FORM C [See Rule 26 Balance Sheet as on 31st March..... Source of funds Capital Fund Reserves & Surplus Government Grants Secured "Loans Unsecured Loans Current & Provisions" Total Schedule* Previous year 31/03..... 'Current year 31/03 (2) • The detailed schedule for each item will be attached 14 (2) (1) APPLICATION OF FUNDS Fixed/assets Investments (3) (4) Current Assets, Loans & Advances Misc. Expenditure Profit & Loss Account Total Notes to statement of accounts BEFORE No. FORM D [See Rule 27(1)) ..] 2008 Name and address of Appellant's: Versus Name and address of Respondent/s: Authority passing the original order in dispute showing the No. and date of order 2. 3. 4. 5

6. Date of communication of the order now appealed against: Address to which notices may be sent to -appellant/s Address to which notices may be sent to respondent/s: (a) In case of monetary dispute, the amount involved: (b) In the case of non-monetary dispute specify the nature of dispute (c) Any other relief claimed Ground of Appeal Appellants 15 VÄUFICÆHON the Appellant[s] do hereby declare that what is stated above is true •to the best of my/pur knowledge, information and belief. érified to day the day of 1008. Appellant[s] By order of the*Governor, T. BALAKRISHNAN, Principal Secretary to Government. Explanatory Note (This does not form part of the Notification, but is intended to indicate its general purport.) Section 49 of the Kerala Industrial Infrastructure Development Act, 1993 •actively the purpose of carrying into effect the provisions of the Act. Government directed to make rules for carrying into effect the provisions of the said This Notification is intended to achieve the above object. PRINTED AND PUBLISHED BY THE 'PLRI.<TENDERM OF GOVERNMENT PRESSES AT THE GOVERNMENT CENTRAL PRESS: THIRUVANANTHAPURAM. 2008.

