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**REPORT OF THE SUBJECT COMMITTEE  
ON  
THE KERALA STATE HOUSING BOARD  
(AMENDMENT) BILL, 2012  
AND  
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE**

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THE KERALA STATE HOUSING BOARD (AMENDMENT) BILL, 2012

(Report of the Subject Committee)

Subject Committee IX—Local Administration, Rural Development and Housing to which the Kerala State Housing Board (Amendment) Bill, 2012 was referred, considered the Bill clause by clause and now submits this Report with the Bill as reported by the Committee annexed thereto.

2. The Kerala State Housing Board (Amendment) Bill, 2012 was published as a Gazette Extraordinary dated May 31, 2012. The Bill was introduced in the Assembly on June 11, 2012 and was referred to the Committee on the same day.

3. The Committee considered the Bill clause by clause at its meeting held on June 11, 2012 and the Committee recommends to adopt the Bill with the following modifications, namely:—

(i) In section 36A, proposed to be inserted by clause 2, both in the marginal heading and operative part after the words “or improvement” the words “or development” shall be inserted.

(ii) In the Explanation to section 36A proposed to be inserted by clause 2, for the words “procured through a transparent and open procurement system” the words “selected through a transparent and open process” shall be substituted.

4. The minutes of dissent is appended.

K. C. JOSEPH,  
*Chairman,*  
*Subject Committee IX.*

## വിയോജനക്കുറിപ്പ് I

2012-ലെ കേരള സംസ്ഥാന ഭവനനിർമ്മാണ ബോർഡ് (ഭേദഗതി) ബിൽ സംബന്ധിച്ച സബ്ജക്ട് കമ്മിറ്റി റിപ്പോർട്ടിന് താഴെപ്പറയുന്ന വിയോജനക്കുറിപ്പ് ഞാൻ രേഖപ്പെടുത്തുന്നു :

ഭവനരഹിതരായ എല്ലാ വിഭാഗം ജനങ്ങൾക്കും ലാഭേച്ഛ കൂടാതെ സർക്കാരിന്റെ കൂടി പങ്കാളിത്തത്തോടെ വീടുകൾ സജ്ജമാക്കി കൊടുക്കുക എന്നതാണ് ഭവന നിർമ്മാണ ബോർഡിന്റെ പ്രധാന ലക്ഷ്യം.

പ്രസ്തുത ലക്ഷ്യത്തിൽ നിന്ന് വ്യതിചലിക്കാതെ സ്വകാര്യ പങ്കാളിത്തം പൂർണ്ണമായും സർക്കാർ നിയന്ത്രണത്തിലായിരിക്കത്തക്കവിധം ഈ നിയമം ഭേദഗതി ചെയ്യണമെന്ന് നിർദ്ദേശിക്കുന്നു.

ഇ. കെ. വിജയൻ, എം.എൽ.എ. (ഒപ്പ്)

## MINUTES OF DISSENT II

I submit the following dissenting note to the Report of the Subject Committee on The Kerala State Housing Board (Amendment) Bill, 2012. In the name of the revival of the Kerala State Housing Board, this Bill propose to insert a new section as 36A to allow private participation and joint ventures in setting up houses and commercial complexes, which may ultimately result in private builders utilise the Board properties for furtherance of their profit motive.

Hence this amendment is not necessary and be deleted.

P. T. A. RAHIM, M.L.A. (Sd.)

THE KERALA STATE HOUSING BOARD (AMENDMENT) BILL, 2012

(As reported by the Subject Committee)

[The words underlined indicates the modification suggested by the Committee]

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*BILL*

*further to amend the Kerala State Housing Board Act, 1971.*

*Preamble.*—WHEREAS, it is expedient further to amend the Kerala State Housing Board Act, 1971 for the purposes hereinafter appearing ;

BE it enacted in the Sixty-third Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala State Housing Board (Amendment) Act, 2012.

(2) It shall be deemed to have come into force on the 16th day of February, 2012.

2. *Insertion of new section 36A.*—In the Kerala State Housing Board Act, 1971 (19 of 1971) (hereinafter referred to as the principal Act), after section 36, the following section shall be inserted, namely:—

“36A. *Power of the Board to undertake housing or improvement or development schemes through Joint Venture Project or Public-Private Partnership Scheme.*—The Board may execute any housing or improvement or development schemes through Joint Venture Project or Public-Private Partnership, as the case may be, with the approval of the Government for each such scheme.

*Explanation:*—For the purpose of this section, “Joint Venture Project or Public-Private Partnership Scheme” means participation of the Board with private person or company selected through a transparent and open process for executing any housing or improvement scheme including commercial complexes, shopping malls etc.”.

3. *Repeal and saving.*—(1) The Kerala State Housing Board (Amendment) Ordinance, 2012 (22 of 2012) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act, as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act, as amended by this Act.

Secretariat of the Kerala Legislature,  
Thiruvananthapuram,  
11th June, 2012.

P. K. MURALEEDHARAN,  
*Secretary-in-charge.*