

Fifteenth Kerala Legislative Assembly
Bill No. 221

**THE KERALA INDUSTRIAL SINGLE WINDOW CLEARANCE
BOARDS AND INDUSTRIAL TOWNSHIP AREA
DEVELOPMENT (AMENDMENT) BILL, 2024**

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2024

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(ii) for the words “renewal of licences” the words, “renewal thereof” shall be substituted;

8. *Amendment of section 8.*—In section 8 of the principal Act,—

(i) in sub-section (1),—

(a) for the words “intending to establish” the words “intending for setting up or running or expansion or diversification or modernisation” shall be substituted;

(b) after the words “or certificates” the words “or renewal thereof” shall be inserted;

(ii) in sub-section (4),—for the words “establishing or running” the words “setting up or running or expansion or diversification or modernisation” shall be substituted.

9. *Amendment of section 9.*—In sub-section (1) of section 9 of the principal Act, for the words “to establish” the words “for setting up or running or expansion or diversification or modernisation” shall be substituted.

10. *Amendment of section 11.*—In sub-section (1) of section 11 of the principal Act,—

(i) after the words “date of receipt of” the words “such order of refusal or order” shall be inserted;

(ii) for the word “order” the word “orders” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

The Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) provides for the speedy issue of various licences, clearances and certificates including renewal thereof required for setting up and for expansion, diversification and modernisation of enterprises in the State of Kerala and for the constitution of Industrial Township Area Development Authorities. The Government have decided to make amendments

by incorporating provision in sub-section (6) of section 5 of the said Act for including Chief Executive Officer in the Industrial Area Board as a mandatory special invitee in the case of private industrial park declared as industrial area and also to incorporate certain other suitable amendments.

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

P. RAJEEVE.

EXTRACT FROM THE KERALA INDUSTRIAL SINGLE
WINDOW CLEARANCE BOARDS AND INDUSTRIAL
TOWNSHIP AREA DEVELOPMENT ACT,
1999 (5 OF 2000)

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2. *Definitions.*—In this Act, unless the context otherwise requires,—

(a) “*Authority*” means any Department of Government or Government agencies or Grama Panchayat or Municipality any statutory bodies or service providers which are required to issue clearances or licences or certificates or permits or consents or renewal thereof for setting up an enterprises in the State;

(b) “*Bye-laws*” means bye-laws made by the State Board under this Act;

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4. *District Boards.*—For the purpose of speedy issue of various licences, clearances or certificates required under the various State enactments for setting up of small scale industrial undertakings having capital investment of more than two lakhs rupees in each district of the State, the Government may, by notification, constitute a District Single Window Clearance Board for each district in the State.

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5. *Industrial Area Boards.*—(1) For purpose of speedy issue of various licences, clearances or certificates required under the various state enactments for setting up and running of enterprises in the Various Industrial area of the State, the Government may , by notification constitute Single Window Clearance Boards for every industrial areas in the State to be called Industrial Area Single Window Clearance Board.

(2) Every Industrial area Single Window Clearance Board shall be a body corporate by name of the Industrial Area for which it is constituted, having perpetual succession and a common seal.

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(6) The Industrial Area Board may associate itself, in such manner and for such purposes as may be prescribed, with any person whose assistance or advice it may desire to have in the performance of any of its functions under the Act, and the person so associated shall have the right to take part in the meeting of the Industrial Area Board relating to that purpose as a special invitee and shall not be considered as a member of the Industrial Area Board.

6. *Exemption from licences etc.*—Notwithstanding anything contained in any law for the time being in force all enterprises being established or proposed to be established or operating in industrial areas shall be exempted from obtaining permits from Municipalities or Grama Panchayats Town Planning Department or Development Authorities for construction of buildings including expansion, diversification, modernisation and issue of trade licences for starting an industrial undertaking.

7. *Powers and functions of Industrial Area Boards.*—(1) Notwithstanding anything contained in any law for the time being in force, every person intending to establish enterprises in any of the notified industrial areas shall submit the application in the prescribed form to the designated authority of that industrial area for clearances or licences or certificates or renewal of licences required under various State-enactments together with the fee if any to be paid, under the respective enactment. The application shall also contained such details as may be prescribed,

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8. *Powers and functions of District Board.*—(1) Notwithstanding anything contained in any law for the time being in force, every person intending to establish any enterprises having capital investment up to fifteen crores rupees shall submit the application in the prescribed form to the Convenor of the District Board for clearances of licences or certificates required under various State enactments

along with the required fee under the respective enactment, The application shall contain such details as may be prescribed.

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(4) Notwithstanding anything contained in any other law for the time being in force, the application for clearance, licence or certificate or any renewal thereof, submitted before the District Board concerned for establishing or running of an enterprise having a capital investment of less than fifteen crore rupees is rejected or granted with conditions, the person aggrieved may file an appeal before the State Board against such order of refusal or grant of license with conditions within thirty days from the date of receipt of order from the District Board, in the manner prescribed, and appeal shall be disposed of by the State Board within twenty days from the date of receipt of the appeal.

9. *Powers and functions of the State Board.*—(1) Notwithstanding anything contained in any law for the time being in force every person intending to establish any enterprise having total investment above fifteen crore rupees in the State, shall submit the application for clearances or licences or certificates or renewals thereof required under various State enactments to the Convenor of the State Board in the prescribed form along with the required fee under the respective enactment. The application shall contain such details as may be prescribed.

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11. *Appellate Jurisdiction of the State Board.*—(1) If the clearance or licence or certificate applied for before the District Board or Industrial Area Board has been refused or issued with such conditions, the aggrieved person may, within thirty days from the date of receipt of order of refusal or order issued with such conditions from the District Board or Industrial Area Board, file an appeal to the state board against such order, in the manner prescribed.

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