



The Kerala Industrial Single Window Clearance Boards and Industrial
Township Area Development Act, 1999

Act 5 of 2000

Keyword(s):

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THE KERALA INDUSTRIAL SINGLE WINDOW CLEARANCE
BOARDS AND INDUSTRIAL TOWNSHIP AREA
DEVELOPMENT ACT, 1999

(Act 5 of 2000)

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[Translation in English of “1999-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും വ്യവസായ നഗരപ്രദേശ വികസനവും ആക്ട്” published under the authority of the Governor]

THE KERALA INDUSTRIAL SINGLE WINDOW
CLEARANCE BOARDS AND INDUSTRIAL
TOWNSHIP AREA DEVELOPMENT
ACT, 1999

(Act 5 of 2000)

AN
ACT

to provide special provision for speedy issue of various licences, clearances and certificates required for setting up of industrial undertakings in the State of Kerala and for the Constitution of Industrial Township Area Development Authorities and for matter 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 Boards at the State, District and Industrial area level;

AND WHEREAS clause (1) of Article 243 Q 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:—

CHAPTER I

Preliminary

1. *Short title, extent and commencement*—(1) This Act may be called the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999.

(2) It extends to the whole of the State of Kerala.

(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,—

(a) “Authority” means any Department of Government or Government agencies or Grama Panchayat or Municipality which are required to issue clearances or licences or certificates or permits for setting up an industrial undertaking in the State,

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

(c) “District Board” means the District Single Window Clearance Board constituted under sub-section (1) of section 4 of this Act,

(d) “designated Authority of Industrial Area” means the Managing Director of the Industrial Area or any other Officer appointed by the Government for purposes of promoting and maintaining the industrial area concerned,

(e) “Government” means the Government of Kerala;

(f) “Industrial Area” means any area in the State declared to be an industrial area by the Government by notification in the Gazette from time to time and includes industrial estates, development areas, development plots, mini industrial estates, industrial parts and growth centres;

(g) “Industrial Area Board” means the Industrial Area Single Window Clearance Board constituted under sub-section (1) of section 5 of the Act;

(h) “Industrial Township Area” means an industrial area referred to in section 14 of this Act,

(i) “Industrial Township Authority” means an Industrial Township Authority constituted for an industrial township area under section 15 and the Scheme,

(j) "Industrial undertaking" means a factory, workshop or work place where steam power, water power, mechanical power or electrical power is used or any premises where any machinery or manufacturing plant driven by any power as aforesaid is installed or any industrial undertaking where ten or more workers are employed with or without the aid of power,

(k) "Prescribed" means prescribed by rules made under this Act;

(l) "Scheme" means the Scheme framed under this Act;

(m) "Small Scale Industrial undertaking" means an industrial undertaking which in accordance with the requirements specified under sub-section (1) of section 11 B of Industries (Development and Regulation) Act, 1951 is entitled to be regarded as a Small Scale Industrial undertaking for the purpose of that Act;

(n) "State Board" means the "Kerala State Single Window Clearance Board" constituted under sub-section (1) of section 3 of the Act,

(o) "State enactment" means a Proclamation or Act of Travancore or Cochin, an Act or Ordinance of Travancore-Cochin, an Act passed by the Legislature of the State of Kerala, or an Ordinance promulgated by the Governor and in force in the State and includes a rule, order, bye-law or regulation made in exercise of a power conferred by any such Act or Ordinance by the Government or an authority subordinate to Government

CHAPTER II

State Board, District Boards and Industrial Area Boards

3 *State Board*—(1) For the purpose of speedy issue of various licences, clearances, certificates required under various State enactments for setting up of industrial undertakings in the State, the Government may, by notification, constitute Single Window Clearance Board for the State to be called the Kerala State Single Window Clearance Board.

(2) The Kerala State Single Window Clearance Board shall be a body corporate by the name aforesaid having perpetual succession and a common seal.

(3) The State Board shall consist of the following members, namely:—

- (a) Chief Secretary to Government,
- (b) The Secretaries to Government in charge of Industries, Finance, Labour, Local Administration, Revenue, Taxes, Irrigation, Power and Forests departments,
- (c) Executive Director, Bureau of Industrial Promotion, Kerala,
- (d) Managing Director, Kerala State Industrial Development Corporation,
- (e) Director of Industries and Commerce;
- (f) Managing Director, Kerala State Industrial Infrastructure Development Corporation;
- (g) Chairman, Kerala State Electricity Board;
- (h) Managing Director, Kerala Financial Corporation
- (i) Chief Town Planner,
- (j) Chairman, Kerala State Pollution Control Board;
- (k) Chief Electrical Inspector,
- (l) Director of Factories and Boilers.
- (m) Director of Mining and Geology,
- (n) Director of Health Services.

(4) The Chief Secretary to Government shall be the Chairman and the Managing Director, Kerala State Industrial Development Corporation shall be the Convenor of the State Board.

(5) The State Board shall meet at such times and places to be fixed by the Chairman of the State Board and shall observe such procedure in regard to its transaction of business as may be made in the bye-laws

(6) The State 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 meetings of the State Board relating to that purpose as a special invitee and shall not be considered as a member of the State Board

4 *District Boards* —(1) 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.

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

(3) Every District Single Window Clearance Board shall consist of the following members, namely.—

- (a) Collector of the District,
- (b) General Manager, District Industries Centre of the district concerned,
- (c) The President of the Grama Panchayat concerned or Chairperson of the Municipality concerned in cases where licence is required from the local bodies;
- (d) The District Officer of the Kerala Pollution Control Board or any other officer of the Board nominated by the Chairman, Kerala State Pollution Control Board,
- (e) The District Officer of the Electrical Inspectorate or any other officer nominated by the Chief Electrical Inspector;
- (f) The District Officer of the Town Planning Department or any other officer nominated by the Chief Town Planner.
- (g) District Medical Officer;
- (h) An Officer of the Kerala State Electricity Board not below the rank of Executive Engineer nominated by the Chairman, Kerala State Electricity Board;
- (i) District Officer, Factories and Boilers Inspectorate;
- (j) Divisional Fire Force Officer;
- (k) Divisional Forest Officer;
- (l) District Labour Officer;
- (m) Secretary, Urban Development Authority or Secretary, District Panchayat,
- (n) Deputy Commissioner, Sales Tax and Agricultural Income Tax;
- (o) An Officer of the Kerala Water Authority not below the rank of Executive Engineer nominated by the Managing Director, Kerala Water Authority.

(4) The Collector of the District shall be the Chairman and the General Manager, District Industries Centre shall be the Convenor of the District Board

(5) The District Board shall meet at such time and place to be fixed by the Chairman of the District Board and shall observe such procedure in regard to its transaction of business as may be made in the bye-laws,

(6) The District 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 meetings of the District Board relating to that purpose as a special invitee and shall not be considered as a member of the District Board

5 *Industrial Area Boards*—(1) 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 or industrial undertakings in the various industrial areas 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

(3) Every Industrial Area Single Window Clearance Board shall consist of the following members, namely.—

- (a) Principal Secretary to Government, Industries Department or his nominee,
- (b) Collector of the District;
- (c) Chief Executive of the Agency owning or managing the industrial area
- (d) Designated Authority of industrial area concerned;
- (e) District Officer of the State Pollution Control Board,
- (f) District Officer of the Electrical Inspectorate,
- (g) District Officer of the Town Planning Department
- (h) District Medical Officer
- (i) Executive Engineer of the Kerala State Electricity Board,
- (j) District Officer, Factories and Boilers Inspectorate,

- (k) Divisional Fire Force Officer,
- (l) Divisional Forest Officer,
- (m) District Labour Officer,
- (n) Deputy Commissioner, Sales Tax and Agricultural Income Tax
- (o) Executive Engineer, Kerala Water Authority

(4) The Government may appoint one of the members of an Industrial Area Board not below the rank of District Collector to be its Chairman and the Designated Authority of the Industrial Area shall be the Convenor of the Industrial Area Board

(5) The Industrial Area Board shall meet at such time and place to be fixed by the Chairman of the Industrial Area Board and shall observe such procedure in regard to its transaction of business as may be made in the bye-laws

(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 meetings 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 industrial undertakings being established or proposed to be established in industrial areas shall be exempted from obtaining permits from Municipalities or Grama Panchayats, Town Planning Department or Development Authorities for construction of buildings 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 an industrial undertaking or a small scale industrial undertaking 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 required under various State enactments together with the fee if any to be paid, under the respective enactment. The application shall also contain such details as may be prescribed

(2) The Industrial Area Board shall after complying the procedure prescribed in this behalf and within thirty days from the date of receipt of the application take a decision as,—

- (a) to recommend to the authority concerned, the issue of the licence or permission applied for without any modifications or with such modifications as it thinks fit to make, or
- (b) to refuse clearance if it is of the opinion that the proposed construction, establishment or installation is objectionable.

(3) The decision taken by the Industrial Areas Board shall be communicated to the applicant and the authority concerned by the designated authority of the Industrial Area Board.

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 small scale industrial undertaking having capital investment of more than two lakh rupees shall submit the application in the prescribed form to the Convenor of the District Board for clearances or 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.

(2) The District Board shall, after complying the procedure prescribed in this behalf and within sixty days from the date of receipt of the application take a decision as,—

- (a) to recommend to the authority concerned the issue of the licence or permission applied without any modifications or with such modifications as it thinks fit to make; or
- (b) refuse clearance if it is of the opinion that the proposed construction, establishment or installation is objectionable.

(3) The decision taken by the District Board shall be communicated to the applicant and the authority concerned by the Convenor of the District Board.

(4) Notwithstanding anything contained in any law for the time being in force, if the application for clearance, licence or certificate submitted before the Authority concerned for establishing a Small Scale Industrial undertaking having capital investment of less

than rupees two lakhs is rejected or recommended with modification the person aggrieved may file an appeal before the District Board against such order of refusal or recommendation within thirty days from the date of receipt of order from the authority concerned in the manner prescribed and such an appeal shall be disposed of within thirty days from the date of submission 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 industrial undertaking other than a small scale industrial undertaking in the State, shall submit the application for clearances or licences or certificates 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

(2) The State Board shall after complying the procedure prescribed in this behalf and within fortyfive days from the date of receipt of the application take a decision as —

- (a) to recommend to the concerned authority the issue of licence or permission applied for without any modification or with such modification as it thinks fit to make; or
- (b) to refuse clearance if it is of the opinion that the proposed construction, establishment or installation is objectionable

(3) The decision taken by the State Board shall be communicated to the applicant and the authority concerned by the Convenor of the State Board

10 *Issuing of clearances, licences, certificates based on the recommendations* — Notwithstanding anything contained in any other law for the time being in force the authority concerned shall, on receipt of the recommendation of the State Board, District Board or Industrial Area Board, issue the clearances, licences or certificates applied for in accordance with the recommendations of the State Board, District Board or Industrial Area Board as the case may be within ten working days from the date of receipt of the recommendations. If no clearance, licence or certificate as the case may be, is issued within the said time limit the clearance, licence or certificate, as the case may be, recommended for by the respective Board shall be deemed to have been issued after the expiry of the said period of ten working days

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 recommended with

modification, the aggrieved person may, within thirty days from the date of receipt of such refusal or recommendation from the District Board or Industrial Area Board, file an appeal to the State Board against such order, in the manner prescribed.

(2) The State Board may, if it is considered necessary call for additional details and on production of such details and after giving an opportunity of being heard to the aggrieved person and the authority concerned, shall dispose of such appeal within a period of thirty days from the date of filing the appeal. The decision of the State Board on such appeal shall be final.

(3) The State Board may, with the previous approval of the Government delegate to any Sub Committee constituted by it such of its powers and functions under this section subject to such restrictions and conditions, if any, as it may specify.

(4) The composition of the Sub Committee shall be such as may be prescribed.

(5) Notwithstanding anything contained in any law for the time being in force any licence, clearance, or certificate granted on the basis of a decision under this section by the State Board or a Sub Committee of the State Board shall be deemed to be issued under the respective statute.

12 *Appellate Jurisdiction of the Government* — Any person aggrieved by the decision of the State Board other than on matters decided by it on appeal under section 11 over the decision of the District Board or Industrial Area Board, as the case may be, may appeal to the Government within thirty days from the date of such decision by the State Board and the decision of the Government on such appeal shall be final.

13 *Powers of the State Board to revoke the Licences* — (1) If the State Board may *suo motu* at any time examine the record of a District Board or an Industrial Area Board in respect of any proceedings under this Act and if the State Board is satisfied that the clearance or certificate or licence under this Act has been obtained by misrepresentation as to the essential facts, the State Board may, by order direct the authority concerned to revoke the licence or certificate or clearance issued by them:

Provided that the State Board shall not pass any order affecting any party unless such party has had an opportunity of making a representation.

(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 or 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 licence or clearance 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 Governor 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, if 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.

15. *Constitution of the Industrial Township Authority* —(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 Directors as may be appointed by the Government and they shall be chosen in such manner as may be provided for 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) the manner in which the Directors of the Industrial Township Authority shall be chosen and appointed,
- (b) the manner in which the meeting of the Industrial Township Authority may be conducted,
- (c) the constitution of any committee for assisting the Industrial Township Authority,
- (d) the manner in which the preparation of the budget maintenance of accounts and the audit of accounts of the Industrial Township Authority may be made,
- (e) the registers and records to be maintained by the Industrial Township Authority;
- (f) 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 thereunder*—(1) The Government may, by notification in the Gazette, declare that any of the provisions of the law relating to the 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 with such alterations not affecting the substance as may be necessary or proper for the purpose of adopting them to an industrial township area.

(3) Without prejudice to the generality of the foregoing provision, all reference 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 thereof, all references to any officer or employee of a municipal council as references to the corresponding Officer or employee of the authority and all reference to the local limits of the municipality as reference to the limits of the industrial township area, as the case may be.

CHAPTER IV

Supplementary and Miscellaneous Provisions

17. *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 1108) 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.

19. *Direction 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 purpose of carrying out 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 Inspection.*—(1) 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 prejudice 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 information 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, or whether the development is being or has been carried out in accordance with such Scheme

(4) No such entry shall be made except between the hours of sun rise and sun set 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. *Protection of Action taken in Good Faith.*—No suit, prosecution or other legal proceeding 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 Irregularity, 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) any vacancy in, or defect in the constitution of the State Board, the District Board or the Industrial Area Board or any Sub Committee of the State Board; or
- (b) any defect or irregularity in the appointment of a person acting as a member of any such Board or Sub Committee, or
- (c) any defect or irregularity in such Act or proceeding not affecting the merits of the case.

24. *Powers of the State Board to make bye-laws.*—(1) The State Board may, subject to the provisions of this Act and with the previous approval of the Government, by notification in the Gazette, make 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.

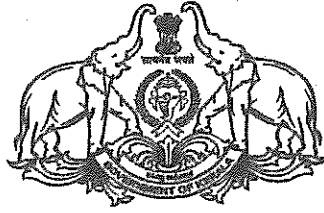
27. *Power of the Industrial Township Authority to make Regulations —*
(1) Subject to the provisions of this Act and the Rules made thereunder an Industrial Township Authority may, with the approval of the Government make regulations for carrying out any of the purposes for which it is constituted.

(2) The Government shall have power to make rule regarding the procedure for the making of regulations, the publication thereof, and the date on which they shall come into effect.

28. *Removal of Difficulties.*—(1) If any difficulty arises in giving effect to the provisions of this Act the Government may, as occasion may require, by order do anything not inconsistent with this Act, which appear to them necessary for the purpose of removing the difficulty.

Provided that no such order shall be passed after two years from the date of commencement of this Act

(2) Every order made under sub-section (1) shall be laid, before the first meeting of the Legislative Assembly, after making the order.



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26/2/20

കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

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Thiruvananthapuram,
Saturday

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07th December 2019

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21st Vrischikam 1195

1941 അഗ്രഹായണം 16
16th Agrahayana 1941

നമ്പർ
No.

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കേരള സർക്കാർ

നിയമ (നിയമ നിർമ്മാണ-സി) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 21497/ലെ.സി3/2019/നിയമം.

തിരുവനന്തപുരം, 2019 ഡിസംബർ, 7

1195 വൃശ്ചികം, 21

1941 അഗ്രഹായണം, 16.

കേരള സംസ്ഥാന നിയമസഭയുടെ താഴെപ്പറയുന്ന ആക്ട് പൊതുജനങ്ങളുടെ അറിവിലേക്കായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു. നിയമസഭ പാസ്സാക്കിയ പ്രകാരമുള്ള ബില്ലിന് 2019 ഡിസംബർ 6-ാം തീയതി ഗവർണ്ണറുടെ അനുമതി ലഭിച്ചു.

ഗവർണ്ണറുടെ ഉത്തരവിൻ പ്രകാരം, -

അരവിന്ദ ബാബു, പി. കെ.,

നിയമ സെക്രട്ടറി.



2019-ലെ 23-ാം ആക്റ്റ്

2019-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും
വ്യവസായ നഗരപ്രദേശ വികസനവും (ഭേദഗതി)

ആക്റ്റ്

1999-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ്
ബോർഡുകളും വ്യവസായ നഗര പ്രദേശ
വികസനവും ആക്റ്റ് വീണ്ടും ഭേദഗതി
ചെയ്യുന്നതിനുള്ള
ഒരു
ആക്റ്റ്

പീഠിക:—1999-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും
വ്യവസായ നഗരപ്രദേശ വികസനവും ആക്റ്റ് (2000-ലെ 5) ഇതിനുശേഷം കാണുന്ന
ആവശ്യങ്ങൾക്കായി വീണ്ടും ഭേദഗതി ചെയ്യുന്നത് യുക്തമായിരിക്കുകയാൽ;

ഭാരത റിപ്പബ്ലിക്കിന്റെ എഴുപതാം സംവത്സരത്തിൽ താഴെപറയും പ്രകാരം
നിയമമുണ്ടാക്കുന്നു:—

1. ചുരുക്കപ്പേരും പ്രാരംഭവും.—(1) ഈ ആക്റ്റിന് 2019-ലെ കേരള വ്യവസായ
ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും വ്യവസായ നഗരപ്രദേശ വികസനവും
(ഭേദഗതി) ആക്റ്റ് എന്ന് പേര് പറയാം.

(2) ഇത് ഉടൻ പ്രാബല്യത്തിൽ വരുന്നതാണ് .

2. 3-ാം വകുപ്പിനുള്ള ഭേദഗതി.—1999-ലെ കേരള വ്യവസായ ഏകജാലക
ക്ലിയറൻസ് ബോർഡുകളും വ്യവസായ നഗര പ്രദേശ വികസനവും ആക്റ്റിലെ
(2000-ലെ 5) (ഇതിനു ശേഷം പ്രധാന ആക്റ്റ് എന്നാണ് പരാമർശിക്കപ്പെടുക) 3-ാം
വകുപ്പിൽ,

(1) (4)-ാം ഉപവകുപ്പിൽ "ചെയർമാനും" എന്ന വാക്കിന് ശേഷം "വ്യവസായ
വകുപ്പിന്റെ ചുമതലയുള്ള സെക്രട്ടറി വൈസ് ചെയർമാനും", എന്ന വാക്കുകൾ
ചേർക്കേണ്ടതാണ്;

(2) (6)-ാം ഉപവകുപ്പിനു ശേഷം താഴെ പറയുന്ന ഉപവകുപ്പ് ചേർക്കേണ്ടതാണ്,
അതായത്:—

"(7) സംസ്ഥാന ബോർഡിന്റെ ചുമതലകൾ നിർവ്വഹിക്കുന്നതിൽ
സംസ്ഥാന ബോർഡിനെ സഹായിക്കുന്നതിനായും, അപ്രകാരമുള്ള ചുമതലകൾ
നിർവ്വഹിക്കുന്നതിന്റെ ആവശ്യത്തിലേയ്ക്കായി വിവിധ വകുപ്പുകളുടെയും
ഏജൻസികളുടെയും പ്രവർത്തനം ഏകോപിപ്പിക്കുന്നതിനായും,



നിർണ്ണയിക്കപ്പെടാവുന്ന പ്രകാരമുള്ള നിബന്ധനകൾക്കും വ്യവസ്ഥകൾക്കും വിധേയമായി, നിർണ്ണയിക്കപ്പെടാവുന്ന പ്രകാരമുള്ള രീതിയിൽ, ഒരു സെക്രട്ടേറിയറ്റ് ഉണ്ടായിരിക്കുന്നതാണ്.”.

3. 5-ാം വകുപ്പിനുള്ള ഭേദഗതി:—(1) പ്രധാന ആക്റ്റിലെ 5-ാം വകുപ്പിൽ,—

(1) (3)-ാം ഉപവകുപ്പിൽ, (ആർ) ഇനത്തിനു പകരം താഴെ പറയുന്ന ഇനം ചേർക്കേണ്ടതാണ്, അതായത്:-

“(ആർ) സർക്കാർ, വ്യവസായ പ്രദേശമായി പ്രഖ്യാപിച്ചിട്ടുള്ള സ്വകാര്യ പാർക്കിന്റെ സംഗതിയിൽ, ബന്ധപ്പെട്ട ജില്ലാ വ്യവസായ കേന്ദ്രത്തിന്റെ ജനറൽ മാനേജർ;”;

(2) (4)-ാം ഉപവകുപ്പിനു പകരം താഴെപ്പറയുന്ന ഉപവകുപ്പ് ചേർക്കേണ്ടതാണ്, അതായത്:—

“(4) ജില്ലാകളക്ടർ വ്യവസായ പ്രദേശ ബോർഡിന്റെ ചെയർമാനും, ബന്ധപ്പെട്ട വ്യവസായ പ്രദേശത്തിന്റെ നിയുക്ത അധികാര സ്ഥാനം കൺവീനർ ആയിരിക്കുന്നതും, സർക്കാർ വ്യവസായ പ്രദേശമായി പ്രഖ്യാപിച്ചിട്ടുള്ള സ്വകാര്യ പാർക്കിന്റെ സംഗതിയിൽ, ബന്ധപ്പെട്ട ജില്ലാ വ്യവസായ കേന്ദ്രത്തിന്റെ ജനറൽ മാനേജർ വ്യവസായ പ്രദേശ ബോർഡിന്റെ കൺവീനർ ആയിരിക്കുന്നതുമാണ്.”.

4. 10എ എന്ന പുതിയ വകുപ്പ് ചേർക്കൽ.—പ്രധാന ആക്റ്റിലെ 10-ാം വകുപ്പിനു ശേഷം, താഴെപ്പറയുന്ന വകുപ്പ് ചേർക്കേണ്ടതാണ്, അതായത്:-

“10എ. സംസ്ഥാന ബോർഡിന്റെയും ജില്ലാ ബോർഡിന്റെയും വ്യവസായ പ്രദേശ ബോർഡിന്റെയും യോഗത്തിൽ ഹാജരാകുവാൻ വിജ്ഞാപനം വരുത്തുന്ന അംഗങ്ങൾക്കെതിരെ നടപടിയെടുക്കുവാൻ ശുപാർശ ചെയ്യുന്നതിന് സംസ്ഥാന ബോർഡിന്റെ ചെയർമാനുള്ള അധികാരം.—സംസ്ഥാന ബോർഡ് ചെയർമാൻ, സ്വമേധയാ അല്ലെങ്കിൽ ജില്ലാ ബോർഡിന്റെയോ വ്യവസായ പ്രദേശ ബോർഡിന്റെയോ റിപ്പോർട്ടിന്മേലോ, സംസ്ഥാന ബോർഡിലെയോ, ജില്ലാ ബോർഡിലെയോ, വ്യവസായ പ്രദേശ ബോർഡിലെയോ, ഏതെങ്കിലും അംഗം ന്യായമായ കാരണങ്ങൾ കൂടാതെ, ബോർഡിന്റെ യോഗങ്ങളിൽ പങ്കെടുക്കുന്നതിൽ വിജ്ഞാപനം വരുത്തിയെന്ന് ബോധ്യപ്പെടുന്ന പക്ഷം, അപ്രകാരമുള്ള അംഗത്തിനെതിരെ കൃത്യവിലാപത്തിന് വകുപ്പുതല നടപടി സ്വീകരിക്കുന്നതിനായി അപ്രകാരമുള്ള അംഗത്തിന്റെ വകുപ്പ് മേധാവിക്ക് ശുപാർശ നൽകാവുന്നതാണ്.”.



GOVERNMENT OF KERALA
Law (Legislation-C) Department

NOTIFICATION

No.21497/Leg.C3/2019/Law.

Dated, Thiruvananthapuram, 7th December, 2019

21st Vrischikam, 1195
16th Agrahayana, 1941.

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Act, 2019 (23 of 2019).

By order of the Governor,

ARAVINTHA BABU, P. K.,
Law Secretary.



[Translation in English of “2019-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും വ്യവസായ നഗരപ്രദേശ വികസനവും (ഭേദഗതി) ആക്റ്റ്” published under the authority of the Governor.]

ACT 23 OF 2019

THE KERALA INDUSTRIAL SINGLE WINDOW CLEARANCE BOARDS AND INDUSTRIAL TOWNSHIP AREA DEVELOPMENT (AMENDMENT) ACT, 2019

An Act further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) for the purposes hereinafter appearing;

BE it enacted in the Seventieth Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Act, 2019.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) (hereinafter referred to as the principal Act), in section 3,—

(1) in sub-section (4), after the words “chairman”, the words “Principal Secretary in charge of Industries department shall be the Vice Chairman” shall be inserted;

(2) after sub-section (6), the following sub-section shall be inserted, namely:—

“(7) For assisting the State Board in discharging the functions of such Board and for coordinating the functions of various departments and agencies for discharging such



functions, there shall be a secretariat, subject to such terms and conditions, in such manner as may be prescribed.”.

3. *Amendment of section 5.*— In the principal Act, in section 5,—

(1) for item (r) of sub-section (3), the following item shall be substituted, namely:—

“(r) in case of a private park declared by Government as Industrial area, the General Manager, District Industries Centre of the district concerned;”;

(2) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) District Collector shall be the Chairman of the Industrial Area Board and the Designated Authority of the industrial area concerned shall be the Convener, and in the case of private park declared as Industrial Area by the Government, General Manager, District Industries Centre of the district concerned shall be the Convener of the Industrial Area Board.”.

4. *Insertion of section 10A.*—After section 10 of the principal Act, the following section shall be inserted, namely:—

“10A Power of the Chairman of the State Board to recommend to take disciplinary action against the members of the State Board, District Board and Industrial Area Board who have failed to attend the meeting.—The Chairman of the State Board may, suo-motu or on the report of the District Board or Industrial Area Board, if satisfied that any member of the State Board, District Board or Industrial Area Board has failed to attend the meeting of such Board without reasonable cause, recommend to the head of department of such member to take departmental proceedings against such member for dereliction of duty.



GOVERNMENT OF KERALA
Law (Legislation-C) Department
NOTIFICATION

No. 13433/Leg. C3/2021/Law.

Dated, Thiruvananthapuram, 6th October, 2022
20th Kanni, 1198
14th Aswina, 1944.

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala Industrial Single Window Clearance Boards And Industrial Township Area Development (Amendment) Act, 2022 (19 of 2022).

By order of the Governor,

V. HARI NAIR,
Law Secretary.



[Translation in English of “2022-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും വ്യവസായ നഗരപ്രദേശ വികസനവും (ഭേദഗതി) ആക്റ്റ്” published under the authority of the Governor.]

ACT 19 OF 2022

THE KERALA INDUSTRIAL SINGLE WINDOW CLEARANCE BOARDS AND INDUSTRIAL TOWNSHIP AREA DEVELOPMENT (AMENDMENT) ACT, 2022

An Act further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) for the purposes hereinafter appearing;

BE it enacted in the Seventy-third year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Act, 2022.

(2) It shall be deemed to have come into force on the 14th day of September, 2021.

2. *Amendment of section 2.*—In the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) (hereinafter referred to as the principal Act), in section 2,—

(i) after clause (c), the following clauses shall be inserted, namely:—

“(ca) “District Grievance Redressal Committee” means District Grievance Redressal Committee constituted under section 13A of the Act;

(cb) “Designated Officer” means an officer appointed by the authority as specified in clause (a) of section 2, for providing service to any person who has submitted an application for obtaining clearances or licences or certificates or permits or consents or renewal thereof which the State Government is empowered to issue under various Central and State



enactments or any other matter incidental thereto, for setting up, running, expansion, diversification or modernisation of enterprises;”;

(ii) after clause (l), the following clause shall be inserted, namely:—

“(1a) “service” means any act or steps to be taken by a designated officer within the period as provided under the Act, or rules or bye laws made thereunder with respect to processing of application submitted by any person for obtaining clearances, licences, certificates, permits, consents or renewal thereof which the State Government is empowered to issue under various Central and State enactments or any other matter incidental thereto, for setting up, running, expansion, diversification or modernisation of enterprises;”;

(iii) after clause (o), the following clause shall be inserted, namely:—

“(p) “State Grievance Redressal Committee” means the State Grievance Redressal Committee constituted under section 13C of the Act.”.

3. *Insertion of new Chapter after Chapter II.*—In the principal Act, after Chapter II, the following Chapter shall be inserted, namely:—

“CHAPTER II A

DISTRICT GRIEVANCE REDRESSAL COMMITTEE AND STATE GRIEVANCE REDRESSAL COMMITTEE

13A. *District Grievance Redressal Committee.*—(1) The Government may, constitute a committee to be called 'District Grievance Redressal Committee' at District level to monitor that the services to any person who has submitted an application for obtaining clearances or certificates, licences, permits, consents or renewal thereof which the State Government is empowered to issue under various Central and State enactments or any other matter incidental thereto, for setting up, running, expansion, diversification or modernisation of enterprises having Capital Investment upto ten crores are provided within the time limit as provided under this Act or rules or bye-laws made thereunder, and also to redress the grievances of such persons in an effective manner and to take steps against such designated officer who has failed or caused delay to provide the services, as may be prescribed, within such time limit, without sufficient and reasonable cause.



(2) Every District Grievance Redressal Committee shall consists of the following members, namely:—

- (a) District Collector;
- (b) General Manager, District Industries Centre;
- (c) Regional Joint Director, Urban Affairs;
- (d) Deputy Director, Panchayat;
- (e) District Labour Officer;
- (f) District Officer of the State Pollution Control Board;
- (g) Deputy Chief Engineer, the Kerala State Electricity Board Limited;
- (h) District level officer of the Department, nominated by the Chairperson, as he deems fit.

(3) The District Collector shall be the Chairperson and the General Manager, District Industries Centre shall be the Convenor of the District Grievance Redressal Committee.

(4) The District Grievance Redressal Committee shall meet at least once in every months, at such place and time as decided by the Chairperson. The first meeting in a month shall be on the first working day of that month. The procedure in regard to transaction of business of the said Committee shall be as decided by the Chairperson of the Committee. The quorum shall not be less than one third of the total members.

13B. *Powers and Functions of the District Grievance Redressal Committee.*—(1) Notwithstanding anything contained in any other law for the time being in force, any person aggrieved by the denial or delay in providing the services as may be prescribed, within the time limit provided under this Act or rules or bye-laws made thereunder, by a designated officer, may submit an application through online or otherwise in such manner and in such form, as may be prescribed, to the Convenor of the District Grievance Redressal Committee specifying the nature of denial or delay of service, within thirty days from the date of expiry of such time limit:



Provided that the Convenor of the said Committee may admit an application after the expiry of the period of thirty days if he is satisfied that the applicant had sufficient cause for not filing the application within such time.

(2) On receiving an application under sub-section (1), the Convenor or the officer authorised by him shall duly acknowledge the receipt and the Convenor shall keep register of the applications received, as prescribed.

(3) The Convenor shall call for the report from the designated officer on the application received under sub-section (1) within five days from the date of receipt of application and the designated officer concerned shall furnish the report called for within seven days and on receipt of such report, after considering such report and after giving an opportunity of being heard to the applicant and the designated officer concerned, dispose the application, within a period of thirty days from the date of receipt of application either directing the designated officer to provide the service, within a specified time or rejecting the application, and the decision thereon shall be intimated to the designated officer concerned and the applicant with reasons to be recorded in writing.

(4) The Chairperson of District Grievance Redressal Committee shall forward applications which are not disposed within the time as specified in sub-section (3), to the State Grievance Redressal Committee with reasons for not disposing the applications within the said time limit, and in the case of application submitted through online, the District Grievance Redressal Committee shall forward the applications which are not disposed of to the State Grievance Redressal Committee through online and the said matter shall be informed to the applicant in writing, and such application shall be deemed to be an appeal to the State Grievance Redressal Committee and such procedure as may be specified under section 13E shall be followed in disposing such appeals.

13 C. *State Grievance Redressal Committee.*—(1) The Government may, constitute a Committee to be called 'State Grievance Redressal Committee' at State level to monitor the services to a person who has submitted an application for obtaining clearances, certificates, licences, permits, consents or renewal thereof which the State Government is empowered to issue under various Central and State enactments or any other matter incidental thereto, for setting up, running, expansion, diversification or modernisation of enterprises having Capital Investment exceeding ten crores are provided within the time limit as provided under this Act



or rules or bye-laws made thereunder, and also to redress the grievances of such persons in an effective manner and to initiate action against such designated officer who has denied or caused delay in providing service as may be prescribed within such time limit without sufficient and reasonable cause.

(2) The State Grievance Redressal Committee shall consists of the following members, namely:—

(a) The Secretary to Government, in charge of the investment promotion, in the Industries and Commerce Department;

(b) The Secretary to Government in charge of Local Self Government Department or an officer not below the rank of Special Secretary, Local Self Government Department, nominated by him;

(c) Law Secretary, or an officer not below the rank of Additional Law Secretary, Law Department nominated by him;

(d) a person retired from the Government Service, who was holding the post, not below the rank of Principal Secretary, appointed by the Government;

(e) Land Revenue Commissioner;

(f) Labour Commissioner;

(g) Chairperson, Kerala State Electricity Board Limited;

(h) Chairperson, State Pollution Control Board;

(i) Director of Factories and Boilers Department;

(j) Director of Industries and Commerce;

(k) Secretary or Director of the Department as may be nominated by the Chairperson, as he deems fit.

(3) The term of office of the member appointed under clause (d) of sub-section (2), shall be such period i.e., three years or till another person is appointed as member by the



Government to that post, whichever is earlier. The conditions of service and salary of such person appointed shall be as fixed by Government by order.

(4) The Chairperson and Convenor of the State Grievance Redressal Committee shall be as decided by the Government from among the members of the Committee. The State Grievance Redressal Committee shall meet at least once in every month at such time and place as may be decided by the Chairperson. The procedure in regard to the transaction of business of the said Committee shall be such as may be determined by the Chairperson of the Committee. The quorum shall not be less than one third of the total members.

13D. *Powers and functions of the State Grievance Redressal Committee.*—(1) Notwithstanding anything contained in any other law for the time being in force, any person aggrieved by the denial or delay in providing the services as may be prescribed within the time limit, as provided under this Act or rules or bye-laws made thereunder, by a designated officer, may submit an application through online or otherwise in such manner and in such form as may be prescribed, to the Convenor of the State Grievance Redressal Committee, specifying the nature of denial or delay of service, within thirty days from the date of expiry of such time limit:

Provided that the Convenor of the State Grievance Redressal Committee may admit an application after the expiry of the period of thirty days if he is satisfied that the applicant had sufficient cause for not filing the application within such time.

(2) On receiving an application under sub-section (1), the Convenor or the officer duly authorised by him shall duly acknowledge the receipt and the Convenor shall keep a register of the applications received, as prescribed.

(3) The Convenor shall call for the report from the designated officer on the application received under sub-section (1) within five days from the date of receipt of application and designated officer concerned shall give the report called for within seven days and on receipt of such report, after considering such report and after giving an opportunity of being heard to the aggrieved person and the designated officer concerned dispose the application, within a period of thirty days from the date of receipt of application either directing the designated officer to provide the service, within a specified time or rejecting the application, with reasons to be recorded in writing and it shall be intimated to the designated officer concerned and the applicant forthwith.



13 E. *Appellate jurisdiction of the State Grievance Redressal Committee.*—(1) Any person aggrieved by any decision of the District Grievance Redressal Committee may file an appeal before the State Grievance Redressal Committee, against such decision, within thirty days from the date of receipt of such decision, in such manner and in such form, as may be prescribed:

Provided that the State Grievance Redressal Committee may admit an appeal after the expiry of the period of thirty days, if it is satisfied that the appellant had sufficient cause for not filing appeal within such time.

(2) The State Grievance Redressal Committee may call for report from the District Grievance Redressal Committee and the designated officer concerned, and after considering such reports, and after giving an opportunity of being heard to the designated officer and appellant, dispose the appeal within thirty days from the date of submission of the appeal. The decision of the State Grievance Redressal Committee on such appeal shall be final.

(3) If any denial or delay with regard to any matter, which comes under the purview of service, as defined in the Act, has come to the notice of the State Grievance Redressal Committee, the Committee may *suo motu* examine the matter and may pass appropriate orders on it.

(4) Notwithstanding anything contained in any other law for the time being in force, the decision taken by the State Grievance Redressal Committee under this section, shall be final and binding on the designated officer.

(5) The designated officer concerned shall implement such decision within a period of fifteen days from the date of receipt of the decision of the State Grievance Redressal Committee and if such officer failed or delayed to implement the decision, he shall be subjected to the penalty as specified in section 13F.

(6) The District Grievance Redressal Committee or the State Grievance Redressal Committee, as the case may be, shall have the same powers of a Civil Court while trying a suit under the Civil Procedure Code, 1908 (Central Act 5 of 1908) in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person or examining him on oath;



- (b) discovery and production of documents and deeds;
- (c) receiving evidence on affidavit;
- (d) issuing commission for the examination of witnesses.

13 F. *Penalty*.—If the District Grievance Redressal Committee or the State Grievance Redressal Committee, as the case may be, finds that the designated officer has failed to provide the services without sufficient and reasonable cause, the Chairperson of the Committee concerned may by order in writing impose a fine on the designated officer at the rate of two hundred and fifty rupees for each day's delay, which shall not exceed ten thousand rupees and may recommend disciplinary action against such designated officer to the authority concerned, under the service rules applicable to him:

Provided that the designated officer shall be given a reasonable opportunity of being heard before imposing a penalty.”.

4. *Validation*.—Notwithstanding the cessation of operation of the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Ordinance, 2022 (6 of 2022) (hereinafter referred to as the said Ordinance) on the 8th day of August, 2022,—

(a) 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 provisions of the principal Act as amended by this Act;

(b) anything done or any action taken after the cessation of operation of the said Ordinance and before the date of publication of this Act in the Gazette, which could have been done or taken under the principal Act as amended by the said Ordinance, had it not been ceased to operate, shall be deemed to have been done or taken under the principal Act as amended by this Act:

Provided that no action under section 13F shall be taken against the designated officer, on the ground that he has caused denial or delay, after the cessation of operation of the said Ordinance and before the date of publication of this Act in the Gazette.



[Translation in English of “2024-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും വ്യവസായ നഗരപ്രദേശ വികസനവും (ഭേദഗതി) ആക്റ്റ്” published under the authority of the Governor.]

ACT 25 OF 2024

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

An

Act

further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Act, 1999 (5 of 2000) for the purposes hereinafter appearing;

BE it enacted in the Seventy-fifth year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Act, 2024.

(2) It shall come into force at once.

2. *Substitution of an expression by another expression.*—In the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) (hereinafter referred to as the principal Act), wherever the words “industrial undertakings” occurs, the word “enterprise” shall be substituted considering the context.

3. *Amendment of section 2.*—In section 2 of the principal Act, in clause (a), for the word “enterprises” the word “enterprise” shall be substituted and clause (m) shall be omitted.

4. *Amendment of section 4.*—In sub-section (1) of section 4 of the principal Act, for the words “setting up of small scale industrial undertakings having capital investment of more than two lakh rupees” the words and symbols “setting up, running, expansion, diversification



and modernisation of enterprises having a capital investment up to rupees fifteen crores” shall be substituted.

5. *Amendment of section 5.*—In section 5 of the principal Act,—

(i) in sub-section (1), for the words “setting up and running ” the words and symbols “setting up, running, expansion, diversification and modernisation” shall be substituted;

(ii) after sub-section (6), the following proviso shall be added,—

“Provided that in the case of a private park, declared as Industrial Area, the Chief Executive Officer of the private park concerned shall be a special invitee .”.

6. *Amendment of section 7.*—In sub-section (1) of section 7 of the principal Act,—

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

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

7. *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 of” 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.

8. *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 of” shall be substituted.

9. *Amendment of section 11.*—In sub-section (1) of section 11 of the principal Act, after the words “date of receipt of” the words “such order of refusal or order” shall be inserted.



GOVERNMENT OF KERALA
Law (Legislation-C) Department
NOTIFICATION

No. 82/Leg. C3/2025/Law.

*Dated, Thiruvananthapuram, 13th November, 2025
27th Thulam, 1201
22nd Karthika, 1947.*

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Act, 2025 (15 of 2025).

By order of the Governor,

K. G. SANAL KUMAR,
Law Secretary.



[Translation in English of “2025-ലെ കേരള വ്യവസായ ഏകജാലക ക്ലിയറൻസ് ബോർഡുകളും വ്യവസായ നഗരപ്രദേശ വികസനവും (ഭേദഗതി) ആക്റ്റ്” published under the authority of the Governor.]

ACT 15 OF 2025

THE KERALA INDUSTRIAL SINGLE WINDOW CLEARANCE BOARDS AND INDUSTRIAL TOWNSHIP AREA DEVELOPMENT (AMENDMENT) ACT, 2025

An Act further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999.

Preamble.—WHEAREAS, it is expedient further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 for the purposes hereinafter appearing;

BE it enacted in the Seventy-sixth year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development (Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of long title.*—In the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) (hereinafter referred to as the principal Act), in the long title, after the words “modernisation of enterprises” the words “and to promote investment” shall be inserted.

3. *Amendment of preamble.*—In the preamble, after the words “licenses for enterprises” the words “and to promote investment” shall be inserted.

4. *Amendment of section 2.*—In section 2 of the principal Act, after clause (i) the following clauses shall be substituted, namely:—

“(ia) “Kerala Investment Promotion and Facilitation Cell” means the Kerala Investment Promotion and Facilitation Cell as referred in sub-section (2) of section 6C of the Kerala Micro Small Medium Enterprises and Other Enterprises Facilitation Act, 2019 (16 of 2019);



(ib) “Kerala State Investment Promotion Board” means Kerala State Investment Promotion Board constituted under section 13 G;

(ic) “Kerala State Investment Promotion Monitoring Committee” means Kerala State Investment Promotion Monitoring Committee constituted under section 13 I;”.

5. *Insertion of new Chapter after Chapter II A.*—In the principal Act, after Chapter II A, the following Chapter shall be inserted, namely:—

“CHAPTER II B

KERALA STATE INVESTMENT PROMOTION BOARD AND KERALA STATE
INVESTMENT PROMOTION MONITORING COMMITTEE

“13 G. *Constitution of Kerala State Investment Promotion Board.*—(1) The Government shall, by notification in the Gazette, constitute a Board to be called “Kerala State Investment Promotion Board”.

(2) The Kerala State Investment Promotion Board shall consists of the following members, namely:—

| | |
|---|------------------|
| (a) Chief Minister | Chairperson |
| (b) Minister for Industries | Co-Chairperson |
| (c) Minister for Finance | Vice Chairperson |
| (d) Minister for Revenue | Vice Chairperson |
| (e) Minister for Labour | Vice Chairperson |
| (f) Minister for Local Self Government Department | Vice Chairperson |
| (g) Minister for Power | Vice Chairperson |
| (h) Chief Secretary | Member Secretary |
| (i) Chairperson, Confederation of Indian Industry (Kerala State Council) | Member |
| (j) Chairperson, Federation of Indian Chambers of Commerce and Industry (Kerala Region) | Member |
| (k) Chairperson, Kerala State Industrial Development Corporation | Member |
| (l) Principal Secretary, Industries Department | Convenor |



13 H. *Powers and functions of the Kerala State Investment Promotion Board.*—

The Kerala State Investment Promotion Board shall exercise the following powers and perform functions, namely:—

(a) to convene meeting at such time and place fixed by the Chairperson and transact the business;

(b) to take steps to resolve the difficulties, if any, which may arise while implementing the industrial policy;

(c) to take a co-ordinated decision for allowing relaxations declared in the industrial policy;

(d) to take decision, in respect of special packages to be granted in special circumstances, in addition to the relaxations declared in the industrial policy;

(e) to take decision with regard to the action to be taken on such specific demands made by investors making large scale investments with specific demands, after considering the tax, royalty and relaxations needed for capital investment;

(f) to take measures to revive the industries that existed in the land acquired for industrial purpose and were defunct and to start industries including new generation industries in such land;

(g) to take steps to make consensus among various departments so as to facilitate the setting up of enterprise, by the large scale investors.

(h) any person who intends to make investment to set up an enterprise in the State may approach Kerala State Investment Promotion Board for instructions required for investment and the said Board may provide instructions to such person;

(i) to take steps to find and reach out to the domestic and foreign investors towards priority investment sectors targeted by the Government.

Explanation.—For the purpose of this section,—

(i) “industrial policy” means the industrial policy declared by the Government in power from time to time;



(ii) “large scale investor” means an investor who makes capital investment above hundred crores of rupees;

(iii) “new generation industries” means the new generation industries as specified in the industrial policy;

(iv) “special package” means special package as specified in the industrial policy;

(v) “specific demand” means relaxations in addition to the relaxations as specified in the industrial policy.

13 I. *Constitution of Kerala State Investment Promotion Monitoring Committee.*—(1) The Government shall, by notification in the Gazette, constitute a committee to be called Kerala State Investment Promotion Monitoring Committee.

(2) The Kerala State Investment Promotion Monitoring Committee consists of the following members, namely:—

| | | |
|-----|---|------------------|
| (a) | Chief Secretary | Chairperson |
| (b) | Principal Secretary, Industries Department | Vice Chairperson |
| (c) | Principal Secretary, Finance Department | Member |
| (d) | Principal Secretary, Revenue Department | Member |
| (e) | Principal Secretary, Information Technology Department | Member |
| (f) | Principal Secretary, Tourism Department | Member |
| (g) | Principal Secretary, Health and Family Welfare Department | Member |
| (h) | Principal Secretary, Local Self Government Department | Member |
| (i) | Principal Secretary, Power Department | Member |
| (j) | Principal Secretary, Labour Department | Member |
| (k) | In necessary circumstances, Principal Secretary of the Department concerned | Special invitee |



- (l) Managing Director, Kerala State Industrial Development Corporation/Chief Executive Officer, Invest Kerala Member-Convenor.

13 J. *Powers and functions of Kerala State Investment Promotion Monitoring Committee.*—The Kerala State Investment Promotion Monitoring Committee shall exercise the following powers and perform functions, namely:—

- (a) to convene meeting at such time and place as the Chairperson may fix and transact business in the manner as may be prescribed;
- (b) to implement the decisions taken by the Kerala State Investment Promotion Board in a time bound manner;
- (c) to issue the necessary proceedings and regulations for the implementation of decisions taken by the Kerala State Investment Promotion Board;
- (d) to take steps for the co-ordination of various departments and monitor the implementation of the schemes in time bound manner;
- (e) to take steps to simplify rules or directions, if any, existing against the investment climate.

Explanation.—For the purpose of this section “scheme” means the scheme as declared by the Government by notification in the Gazette.

13 K. *Officers and Staff.*—The officers and staff of the Kerala Investment Promotion and Facilitation Cell shall support the Kerala State Investment Promotion Board and the Kerala State Investment Promotion Monitoring Committee in discharging their functions. Further, the services of such experts and others may be utilised as required from time to time, in the prescribed manner for facilitating the procedures of the Board.

