

Government of Kerala
കേരള സർക്കാർ
1999



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KERALA GAZETTE

കേരള ഗസറ്റ് EXTRAORDINARY

അസാധാരണം

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 653/Leg. C3/93/Law. Dated, Thiruvananthapuram, 27th February, 1993
8th Phalguna, 1914

The following Act of the Kerala State Legislature is hereby published for general information. This Bill as passed by the Legislative Assembly, received the assent of the Governor on the 26th day of February, 1993.

By order of the Governor
T.P. SAROJAM
Special Secretary (Law)

Printed & Published By The

ACT 3 of 1993

THE KERALA INDUSTRIAL INFRASTRUCTURE DEVELOPMENT ACT, 1993

An Act to provide for the establishment of Industrial areas and for the organisation of Industrial Growth Centres in the State of Kerala and for setting up infrastructure facilities for industries and for that purpose to constitute an Industrial Infrastructure Development Corporation and for matters-connected therewith.

Preamble - WHEREAS it is expedient to provide for the establishment of Industrial areas and for the organisation of Industrial Growth Centres in the State of Kerala and for setting up infrastructure facilities for industries and for that purpose to constitute an Industrial Infrastructure Development Corporation and for matters-connected therewith.

BE it enacted in the Forty-Fourth Year of the Republic of India as follows :

CHAPTER - I

PRELIMINARY

1. Short title and commencement - (1) This Act may be called the Kerala Industrial Infrastructure Development Act, 1993.
(2) It shall be deemed to have come into force on the 1st day of November, 1992.
2. Definitions - In this Act, unless the context otherwise requires, —
 - (a) "Amenity" includes road, supply of water or electricity, street lighting, drainage, sewerage and such other convenience as the Government may, by notification in the Gazette, specify to be an amenity for the purposes of this Act;
 - (b) "Building" means any structure or erection, or part of a structure or erection, which is intended to be used for residential, industrial, commercial or other purposes, whether in actual use or not.

- (c) "Collector" means the Collector of the district concerned, and includes any officer authorised by the Government to perform the functions of a Collector under this Act;
- (d) "Corporation" means the Kerala Industrial Infrastructure Development Corporation established under section 4 of the Act;
- (e) "Development" with its grammatical variations, means the carrying out of building, engineering, quarrying or other operations, in, on, over or under land, or the making of any material change in any building or land, and includes re-development, but does not include mining operations, and the term "to develop" shall be construed accordingly;
- (f) "Government" means the Government of Kerala;
- (g) "Industrial Area" means any area declared to be and industrial area by the Government, by notification in the Gazette, which is to be developed and where industries are to be accommodated and includes an industrial estate and any area containing mineral deposits;
- (h) "Industrial estate" means any site selected by the Government, where the Corporation builds factories and other buildings and makes them available for any industries or class of industries;
- (i) "Member" means a member of the Corporation specified in section 5 and includes the Chairman;
- (j) "Premises" means any land, building or part of any building and includes :
 - (i) the gardens, grounds and outhouses, if any, appertaining to such building or part of the building; and
 - (ii) any fittings affixed to such buildings or part of a building for the more beneficial enjoyment thereof;
- (k) "Prescribed" means prescribed by rules made under this Act;
- (l) "Regulation" means the regulation made under this Act;
- (m) "State" means the State of Kerala;
- (n) The expression "land" and the expression "person interested" will have the meaning respectively assigned to them in section 3 of the Land Acquisition Act, 1894 (Central Act 1 of 1894).

CHAPTER - II
DECLARATION OF INDUSTRIAL AREA

3. Declaration of industrial area — (1) The Government may, by notification in the Gazette, declare any area in the state to be an industrial area for the purpose of this Act.
- (2) Every such notification shall define the limits of the area to which it relates.
- (3) The Government may, at any time, by notification in the Gazette exclude from any industrial area, any area or include therein, any additional area, as may be specified in such notification.

CHAPTER - III
ESTABLISHMENT AND CONSTITUTION OF THE CORPORATION

4. *Establishment and incorporation* — (1) For the purposes of securing and assisting in the rapid and orderly establishment and organisation of industries in industrial areas and industrial estates in the State and for the purpose of establishing growth centres and infrastructure facilities in connection with the establishment and organisation of such industries, there shall be established by the Government, by notification in the Gazette, a Corporation by the name the Kerala Industrial Infrastructure Development Corporation.
- (2) The Corporation shall be a body corporate with perpetual succession and a common seal and shall, by the said name, sue and be sued and shall be competent to acquire, hold and dispose of property both movable and immovable and to enter into contracts and to do all things necessary and expedient for the purposes of this Act.
5. *Constitution of the Corporation* — (1). The Corporation shall consist of not more than 15 members, namely:-

(i) Chief Secretary to Government	Chairman
(ii) The Secretary to Government, Industries Department	Director
(iii) Secretary to Government, Finance Department	Director
(iv) Chairman, Kerala State Electricity Board	Director

- (v) Director of Industries and Commerce of the state Director
 - (vi) Managing Director, Kerala State Industrial Development Corporation Ltd. Director
 - (vii) Managing Director, Kerala Financial Corporation Director
 - (viii) Chief Town Planner, Town Planning Department Director
 - (ix) Chairman, Kerala State Pollution Control Board Director
 - (x) Managing Director of the Corporation appointed under section 6 Director
 - (xi) Labour Commissioner Director
- (2) The remaining Directors, shall be representatives of financing institutions and professional bodies nominated by the Government for such term as may be prescribed.
6. *Appointment and term of Office of Managing Director and conditions of service of nominated Director.* — (1) The Managing Director of the Corporation shall be appointed by the Government and shall have such qualifications as may be prescribed.
- (2) The Managing Director of the Corporation shall hold office for such term as the Government may specify in this behalf.
 - (3) The Directors shall be entitled to draw such allowances as may be prescribed for the purpose of attending the meetings of the Corporation or of any committee thereof or in doing or for performing such work or functions of the Corporation which may be specifically entrusted to them by the Corporation or by any committee thereof, as may be prescribed.
7. *Meetings of the Corporation* — The Corporation shall meet at such times and places and shall observe such rules of procedure in regard to the transaction of its business as may be provided by regulations made under this Act.
8. *Appointment of officers and employees* — (1) The Corporation may appoint with the approval of the Government such number of Officers and employees as it considers necessary, to assist the Corporation in the discharge of its functions and duties under this Act and the Managing Director appointed under section 6 shall be the Chief Executive of the Corporation.

- (2) The Officers and employees appointed under sub-section (1) shall be under the administrative control of the Managing Director and he shall be the disciplinary authority to impose any punishment as may be prescribed on such officers and employees.
- (3) The method of appointment, salary and allowances and other conditions of service of the officers and the employees appointed under sub-section (1) shall be such as may be specified with the approval of the Government by the Corporation.

CHAPTER - IV
FUNCTIONS AND POWERS OF THE CORPORATION

9. *Functions* — The functions of the Corporation shall be —
- (i) generally to promote and assist in the rapid and orderly establishment, growth and development of industries in the state and
 - (ii) in particular and without prejudice to the generality of clause (i)
 - (a) to develop industrial areas selected by the Government for the purpose for which it was selected and make them available for the undertakings to establish themselves ;
 - (b) to establish, maintain, develop and manage industrial estates at places selected by the Government;
 - (c) to identify appropriate industrial sites, acquire them and tie up the required infrastructure facilities, like power, water, roads, communications, drainage and pollution abatement systems, industrial sheds for small scale units, and wherever required, social infrastructure like industrial housing and common amenity buildings for banks, post offices, hospitals, fire stations and the like;
 - (d) to co-ordinate with other government departments or agencies to ensure provision of good quality infrastructure facilities, within the shortest possible time;
 - (e) to allot the developed plots or sheds to entrepreneurs on terms and conditions as may be determined by the Corporation;
 - (f) to upgrade the facilities of the existing industrial estates or industrial areas transferred to the Corporation;

