GOVERNMENT OF KERALA
Law (Legislation-C) Department

NOTIFICATION

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
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.
CHAPTER III

ESTABLISHMENT AND CONSTITUTION OF THE CORPORATION

1. 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. The Corporation may at any time, by notification in the Gazette, declare any area in an industrial area, as may be specified in such notification.

3. Declaration of Industrial area — (1) The Government may by notification in the Gazette, declare any area to be an industrial area for the purpose of this Act.

4. Establishment and Incorporation — (1) For the purposes of securing and assisting in the rapid and orderly establishment and development of industries in the State, the Corporation shall be constituted, and shall be known as the Corporation for the Development of Industries in the State.

5. Constitution of the Corporation — (1) The Corporation shall consist of not more than fifteen members, namely:

(a) The Chairman;

(b) The Secretary to Government

(c) The Director, Electricity Board;

(d) The Director, Finance Department;

(e) A representative of the State Industrial Development Corporation;

(f) A representative of the State Planning Board;

(g) A representative of the State Labour Department;

(h) A representative of the State Education Department;

(i) A representative of the State Agricultural Department;

(j) A representative of the State Works Department;

(k) A representative of the State Health Department;

(l) A representative of the State Police Department;

(m) A representative of the State Housing Department;

(n) A representative of the State Transport Department;

(o) A representative of the State Industrial Area Development Board.

6. The Corporation shall have the power 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.

7. The Corporation shall be a body corporate with perpetual succession and a common seal, and shall by the said name, sui et pro se, have and exercise all the rights, powers, and privileges of such a body corporate, and shall be capable of suing and being sued in its corporate name.

8. The Corporation may from time to time, by notification in the Gazette, declare any area in the State to be an industrial area for the purpose of this Act, and may, from time to time, by notification in the Gazette, alter or rescind any such declaration.

9. The Corporation shall have power to make such rules and regulations as it may deem necessary for the carrying out of the provisions of this Act.

10. The Corporation shall have power to make such by-laws and bye-laws as it may deem necessary for the carrying out of the provisions of this Act.

11. The Corporation shall have power to make such bye-laws and regulations as it may deem necessary for the carrying out of the provisions of this Act.

12. The Corporation shall have power to make such bye-laws and regulations as it may deem necessary for the carrying out of the provisions of this Act.
INDUSTRIAL AREA TRANSFERRED TO THE CORPORATION

(1) The Industrial Area transferred to the Corporation shall be such as may be specified with the condition of service of the officers and employees appointed to the Corporation in accordance with the provisions of the Act, and the conditions as may be determined by the Corporation.

(2) The Officers and employees appointed under sub-section (1) shall be under the administrative control of the Managing Director and the Corporation.

FUNCTIONS AND POWERS OF THE CORPORATION

CHAPTER IV

(a) The functions of the Corporation shall be as follows:

(1) To develop and manage industrial estates.

(2) To develop industrial areas selected by the Government for the purposes for which it was selected and to acquire, lease, or otherwise dispose of the same.

(3) To develop industrial areas selected by the Government, for the purposes of the Corporation.

(4) In particular, and without prejudice to the generality of clause (i), to promote and assist in the promotion and development of industries in the State and greater economic welfare.

(b) The Managing Director shall be responsible for the purpose of attending the meetings of the Corporation and shall be the head office of such matters as may be specified in the Act.
Finance, Accounts and Audit

Chapter V

The objects of the Corporation shall be to provide social infrastructure-like housing and common amenities, to design and develop potential growth centres, to create and develop industrial growth areas, to provide and develop facilities for industrial and commercial, and educational purposes, to provide office spaces for the housing of the employees of such organisations, to make available buildings on lease or sale to industrialists or persons

12. Application of the assets of the Corporation — All property, funds and other assets vested in the Corporation shall be held and applied by it, subject to the provisions of this Act and as prescribed by the Government.

13. Funds of the Corporation — (1) The Corporation shall have and maintain such other resources as may be necessary for the purpose of carrying out the objects of the Corporation.

14. Direction of the Corporation — The Government may from time to time issue direction to the Corporation.

15. Direction by government — The Government may from time to time issue direction to the Corporation.

Such objects are necessary for the attainment of the objective of industrial infrastructure and facilities to be provided to develop industrial areas and to provide facilities to the Government.

To seek expressions from the Corporation in the selection of the persons to be selected for the Corporation.

To recover all sums payable to the Corporation.

To set up an independent review and determine the terms and conditions under which the Corporation shall be formed.

To conduct elections for the election of any of the persons to be elected to the Corporation.

To establish and develop industrial areas developed by the Corporation.

To make factory sheds, or similar buildings or parts of buildings, or any other structures and facilities for industrial purposes, and to levy tolls and other charges for the use of the same.

To provide and develop industrial, institutional and educational facilities.

To promote and develop educational and training institutions.

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CHAPTER VI

EVICTION FROM CORPORATION PREMISES

Section 34 of the Act provides that if a person is
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Section 35, the person whose notice was served

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ACQUISITION AND DISPOSAL OF LAND

CHAPTER VI

ACQUISITION OF LAND

(1) Any person aggrieved by an order of the competent authority for the acquisition of the property under this Act may appeal to the court within two months from the date of such order or from the date of the order by the appellate authority under the Land Acquisition Act, 1981.

(2) Any person aggrieved by an order under subsection (1) may appeal to the court within two months from the date of such order.

Explanation — For the purpose of the section, the expression "acquisition of land" includes the transfer of the possession of the property under the Act and the expression "acquisition of the property" includes the acquisition of the property under the Act.

2.4. Acquisition of Land

(1) Any person aggrieved by an order of the competent authority for the acquisition of the property may appeal to the court within two months from the date of such order.

(2) Any person aggrieved by an order under subsection (1) may appeal to the court within two months from the date of such order.

Explanation — For the purpose of this section, the expression "acquisition of land" includes the transfer of the possession of the property under the Act and the expression "acquisition of the property" includes the acquisition of the property under the Act.

2.5. Compulsory acquisition of land for corporation — (1) Whenever any land

SUPPLEMENTARY AND MISCELLANEOUS PROVISIONS

CHAPTER VIII

SPECIAL PROVISIONS

The land to be acquired for the purposes of this Act shall be acquired in accordance with the provisions of this Act and the rules made thereunder.

Any person aggrieved by an order of the competent authority for the acquisition of the property under this Act may appeal to the court within two months from the date of such order or from the date of the order by the appellate authority under the Land Acquisition Act, 1981.

(2) Any person aggrieved by an order under subsection (1) may appeal to the court within two months from the date of such order.

Explanation — For the purpose of the section, the expression "acquisition of land" includes the transfer of the possession of the property under the Act and the expression "acquisition of the property" includes the acquisition of the property under the Act.

Explanatory note — For the purposes of this section, the expression "acquisition of land" includes the transfer of the possession of the property under the Act and the expression "acquisition of the property" includes the acquisition of the property under the Act.

2.6. Transfer of land on the following conditions — (1) For the purposes of the objects of the acquisition of the property, the amount of compensation awarded to the persons...
Any person who sees any land or building in which the conditions mentioned in the order referred to in the preceding paragraph of this section, are not complied with, may appeal to the Secretary of the Department of Public Building and Housing for the purpose of correcting the said error, omission or deficiency.

The Secretary of the Department of Public Building and Housing is empowered in this behalf, in addition to any proposition that may be made, to order the said error, omission or deficiency to be corrected, and such order when made, is conclusive evidence of the non-compliance of any condition.

(1) Where such building operations are discontinued in pursuance of this Act, the said error, omission or deficiency shall be deemed to be corrected and such order when made, is conclusive evidence of the non-compliance of any condition.

(2) Any person who sees any land or building in which the conditions mentioned in the order referred to in the preceding paragraph of this section, are not complied with, may appeal to the Secretary of the Department of Public Building and Housing for the purpose of correcting the said error, omission or deficiency.

(3) The decision of the Committee under this appeal shall be final.

(4) Any person aggrieved by an order under this Act may appeal to the Secretary of the Department of Public Building and Housing for the purpose of correcting the said error, omission or deficiency.

(5) Any decision on appeal under this Act, shall be final.

(6) The decision of the Committee on such appeal shall be final.

(7) The decision of the Committee on such appeal shall be final.
39. Mutual assistance in areas of equal or parallel interest — Where the Government is

4.2. The Cooperation shall, in addition to the above, refer to:

(2) The Cooperation shall, in addition to the above, refer to:

The Cooperation shall, in addition to the above, refer to:

3.7. Public notices — Every public notice given under the Act or any rule of the Government of Tamil Nadu in connection with the implementation of the provisions of this Act shall be published in the official gazette of the Government of Tamil Nadu in connection with the implementation of the provisions of this Act.

1980 (Central Act 5 of 1980).

3.8. Service of notice or publication — The provisions of this Act shall be served or published in accordance with the provisions of the Act.

35. Recovery of amount due or payable in connection with the implementation of the provisions of this Act.

34. Recovery of amount due or payable in connection with the implementation of the provisions of this Act.

33. Overriding powers of Government to issue direction to local authorities —

32. Public notices — Every public notice given under the Act or any rule of the Government of Tamil Nadu in connection with the implementation of the provisions of this Act shall be published in the official gazette of the Government of Tamil Nadu in connection with the implementation of the provisions of this Act.

31. Public notices — Every public notice given under the Act or any rule of the Government of Tamil Nadu in connection with the implementation of the provisions of this Act shall be published in the official gazette of the Government of Tamil Nadu in connection with the implementation of the provisions of this Act.
(2) The Government may, whenever it considers it expedient in the interest of the public, and in general, on such terms and conditions as it may think fit, make a Contract of Sale or Lease, or otherwise, to any person or body of persons, subject to the provisions of this Act, in a manner not inconsistent with the provisions of any other law for the time being in force relating to the subject-matter of this Act, for the purpose of promoting any public interest, or for the purpose of securing the welfare of the public, or for the purpose of securing the welfare of any particular class of persons, or for any other purpose for which the Government may think fit.

44. Power to make regulations for the purposes of this Chapter.—(1) The Government may make regulations for the purposes of this Chapter, and shall have power, from time to time, to make such regulations as may be necessary for the purpose of carrying into effect the provisions of this Act or any regulations made thereunder, or for the purpose of carrying into effect any provision of this Act or any regulations made thereunder.

(2) No provision of this Act or any regulations made thereunder shall be invalid or ineffective by reason only of the fact that it, or any part thereof, or the whole thereof, is inconsistent with any provision of any other law for the time being in force.

Provided that nothing contained in this sub-section shall render any such provision or any such regulations invalid or ineffective.

45. Appeal and revision.—(1) Any person aggrieved by any order or direction of the Government under this Act may, within such period as may be prescribed, appeal to the High Court against such order or direction.

(2) The Government may, from time to time, make regulations for the purposes of this section, and shall have power to make such regulations as may be necessary for the purpose of carrying into effect the provisions of this Act or any regulations made thereunder, or for the purpose of carrying into effect any provision of this Act or any regulations made thereunder.

(3) No provision of this Act or any regulations made thereunder shall be invalid or ineffective by reason only of the fact that it, or any part thereof, or the whole thereof, is inconsistent with any provision of any other law for the time being in force.

Provided that nothing contained in this sub-section shall render any such provision or any such regulations invalid or ineffective.

46. Powers and duties of the Government.—(1) The Government may, from time to time, make regulations for the purposes of this section, and shall have power to make such regulations as may be necessary for the purpose of carrying into effect the provisions of this Act or any regulations made thereunder, or for the purpose of carrying into effect any provision of this Act or any regulations made thereunder.

(2) No provision of this Act or any regulations made thereunder shall be invalid or ineffective by reason only of the fact that it, or any part thereof, or the whole thereof, is inconsistent with any provision of any other law for the time being in force.

Provided that nothing contained in this sub-section shall render any such provision or any such regulations invalid or ineffective.

47. Powers and duties of the Government.—(1) The Government may, from time to time, make regulations for the purposes of this section, and shall have power to make such regulations as may be necessary for the purpose of carrying into effect the provisions of this Act or any regulations made thereunder, or for the purpose of carrying into effect any provision of this Act or any regulations made thereunder.

(2) No provision of this Act or any regulations made thereunder shall be invalid or ineffective by reason only of the fact that it, or any part thereof, or the whole thereof, is inconsistent with any provision of any other law for the time being in force.

Provided that nothing contained in this sub-section shall render any such provision or any such regulations invalid or ineffective.

48. Powers and duties of the Government.—(1) The Government may, from time to time, make regulations for the purposes of this section, and shall have power to make such regulations as may be necessary for the purpose of carrying into effect the provisions of this Act or any regulations made thereunder, or for the purpose of carrying into effect any provision of this Act or any regulations made thereunder.

(2) No provision of this Act or any regulations made thereunder shall be invalid or ineffective by reason only of the fact that it, or any part thereof, or the whole thereof, is inconsistent with any provision of any other law for the time being in force.

Provided that nothing contained in this sub-section shall render any such provision or any such regulations invalid or ineffective.

49. Power to make regulations for the purposes of this section.—(1) The Government may, from time to time, make regulations for the purposes of this section, and shall have power to make such regulations as may be necessary for the purpose of carrying into effect the provisions of this Act or any regulations made thereunder, or for the purpose of carrying into effect any provision of this Act or any regulations made thereunder.

(2) No provision of this Act or any regulations made thereunder shall be invalid or ineffective by reason only of the fact that it, or any part thereof, or the whole thereof, is inconsistent with any provision of any other law for the time being in force.

Provided that nothing contained in this sub-section shall render any such provision or any such regulations invalid or ineffective.
Under this Act,

the said precedence shall be deemed to have been done on the

knowledge of the facts and circumstances under which the Act

was made known to the public, shall be deemed to have been done on the

knowledge of the facts and circumstances under which the Act

was made known to the public,

provided that no such order shall be passed after two years from the

date

mentioned in the Act.

Provided that, if the Act has been so delayed or obstructed as to

result in any difficulty arising, the Act may be amended in giving effect to the

said precedence, which appears to be necessary for the purpose of

rendering the Act effective.

Section 35 of the Act has been so delayed or obstructed that

the matter of the Act and the Act itself contain a statement that

the said precedence shall be deemed to have been done on the

knowledge of the facts and circumstances under which the Act

was made known to the public.

Provided that no such order shall be passed after two years from the

date mentioned in the Act.

Provided that, if the Act has been so delayed or obstructed as to

result in any difficulty arising, the Act may be amended in giving effect to the

said precedence, which appears to be necessary for the purpose of

rendering the Act effective.