

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

A bill further to amend the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000).

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

Be it enacted in fifty-ninth 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.
(2) It shall come into force at once.
2. *Amendment to Section 5.*—After clause (b) of sub-section (3) of Section 5 of the Kerala Industrial Single Window Clearance Boards and Industrial Township Area Development Act, 1999 (5 of 2000) (hereinafter referred to as the “principal act”), the following shall be added as follows:—

“The President of the Grama Panchayat or the Chairperson of the Municipality where the industrial undertaking is being established.”

3. *Amendment of Section 10.*— Section 10 of the Principal Act, shall be numbered as sub-section (1) and after the section so numbered, the following sub-section shall be inserted, namely:—

“(2) Notwithstanding anything contained in any judgment, decree, order or direction, the power to renew, cancel, suspend, withdraw, modify, revoke, extend etc., of licenses, certificates, clearances and permits issued on the recommendation of the Boards under this Act, shall continue to vest with the authorities which issued the same and shall be governed by the provisions of the respective State enactment under which the same was issued.”

Statement of Objects and Reasons

This amendment bill is being recommended to get over the difficulty created by the decision of a Division Bench of the High Court of Kerala and to avoid similar issues

being raised in future. The new provision recommended to be incorporated into the parent act would certainly ensure the power of the panchayat to cancel the license which it has granted to an industrial concern even if the concern is situated in an industrial area unless that area is excluded from the jurisdiction of the panchayat themselves specifically.

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