
**REPORT OF THE SUBJECT COMMITTEE
ON
THE KERALA TOLLS (AMENDMENT) BILL, 2013
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE**

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235/2013.

SUBJECT COMMITTEE—V
(PUBLIC WORKS, TRANSPORT AND COMMUNICATIONS)
(2011-2013)

Composition

Chairman :

Shri V. K. Ebrahim Kunju,
Minister for Public Works.

Ex-officio Members :

Shri Aryadan Muhammed,
Minister for Power and Transport.

Shri K. Babu,
Minister for Fisheries, Ports and Excise.

Members :

Shri K. V. Abdul Khader
Shri Benny Behanan
Shri Jose Thettayil
Shri K. Kunhiraman (Trikkaripur)
Smt. K. K. Lathika
Shri K. Muraleedharan
Shri K. Raju
Shri C. F. Thomas.

Legislature Secretariat :

Shri P. D. Sarangadharan, Secretary
Shri B. Suresh, Joint Secretary
Shri K. S. Anas, Deputy Secretary
Shri Zacharia P. Samuel, Under Secretary.

THE KERALA TOLLS (AMENDMENT) BILL, 2013

(Report of the Subject Committee)

Subject Committee V—Public Works, Transport and Communications to which the Kerala Tolls (Amendment) Bill, 2013 was referred, considered the Bill clause by clause and now submits this report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Tolls (Amendment) Bill, 2013 was published as Gazette Extraordinary dated February 6, 2013. The Bill was introduced in the Assembly on February 11, 2013 and was referred to the Committee on the same day.

3. The Committee considered the Bill clause by clause at its meeting held on February 13, 2013 and the Committee recommends to adopt the Bill with the following modifications:—

In clause 1 of the Bill, for sub-clause (2), the following shall be substituted, namely:—

“(2) Clause (ii) of section 2 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 28th day of November, 2011.”

For Clause 2 of the Bill, the following clause shall be substituted, namely:—

“2. *Amendment of section 2.*—In the Kerala Tolls Act, 1976 (6 of 1977) (hereinafter referred to as the principal Act), in section 2,—

- (i) in clause (a), for the words “one hundred lakhs rupees” the words “five hundred lakhs rupees” shall be substituted;
- (ii) in clause (c), after the words “two wheeler” the words “or a three wheeler” shall be inserted.”.

4. The Minutes of dissent is appended.

5. All other changes are consequential.

Thiruvananthapuram,
February 13, 2013.

V. K. EBRAHIM KUNJU,
Chairman,
Subject Committee V.

MINUTES OF DISSENT

We record our dissent on the bill for it has not paid any realistic consideration on the escalation of the cost of construction of bridges and the approach roads and has fixed the slab very low. As a corollary, users of even very small bridge has to pay the toll. Moreover, there is no concrete proposal in the bill for any deviation from the anti poor policy of the present Government of construction of roads and bridges on BOT basis only.

1. K. V. ABDUL KHADER, M.L.A. (Sd.)
2. K. K. LATHIKA, MLA (Sd.)
3. K. KUNHIRAMAN (TRIKKARIPUR), M.L.A. (Sd.)
4. JOSE THETTAYIL, M.L.A. (Sd.)
5. K. RAJU, M.L.A. (Sd.)

THE KERALA TOLLS (AMENDMENT) BILL, 2013

(As reported by the Subject Committee)

[The words underlined indicates the modification suggested by the Committee]

A

BILL

further to amend the Kerala Tolls Act, 1976.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Tolls Act, 1976 (6 of 1977), for the purpose hereinafter appearing;

BE it enacted in the Sixty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Tolls (Amendment) Act, 2013.

(2) Clause (ii) of section 2 shall come into force at once and the remaining provisions of this Act shall be deemed to have come into force on the 28th day of November, 2011.

“2. *Amendment of section 2.*—In the Kerala Tolls Act, 1976 (6 of 1977) (hereinafter referred to as the principal Act), in section 2,—

- (i) in clause (a), for the words “one hundred lakhs rupees” the words “five hundred lakhs rupees” shall be substituted;
- (ii) in clause (c), after the words “two wheeler” the words “or a three wheeler” shall be inserted.”.

3. *Repeal and savings.*—(1) The Kerala Tolls (Amendment) Ordinance, 2013 (4 of 2013) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the principal Act, as amended by the said Ordinance, shall be deemed to have been done or taken under the principal Act as amended by this Act.

Secretariat of the Kerala Legislature,
Thiruvananthapuram,
13th February, 2013.

P. D. SARANGADHARAN,
Secretary.