

Thirteenth Kerala Legislative Assembly  
Bill No. 151

---

---

**THE KERALA TOLLS (AMENDMENT) BILL, 2012**

---

---

©  
Kerala Legislature Secretariat  
2012

KERALA NIYAMASABHA PRINTING PRESS.

**Thirteenth Kerala Legislative Assembly**  
**Bill No. 151**

**THE KERALA TOLLS (AMENDMENT) BILL, 2012**

**Thirteenth Kerala Legislative Assembly**

**Bill No. 151**

THE KERALA TOLLS (AMENDMENT) BILL, 2012

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-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Tolls (Amendment) Act, 2012.

(2) It 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 clause (a) of section 2, for the words “one hundred lakhs rupees”, the words “five hundred lakhs rupees” shall be substituted.

3. *Repeal and savings.*—(1) The Kerala Tolls (Amendment) Ordinance, 2012 (52 of 2012) is hereby repealed.

(2) Notwithstanding such repeal, 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 principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

As per the provisions contained in sub-section (1) of section 3 and section 3A of the Kerala Tolls Act, 1976 (6 of 1977) read with clause (a) of section 2 thereof, the Government or a local authority, may levy toll on every motor vehicle entering a bridge constructed wholly or partly at the expense of the State Government or the local authority, and declared open for traffic, if the cost of its construction is not less than 100 lakhs rupees. Considering the increase in the construction cost, toll will have to be collected even from very small bridges as per the said provision. Government have, therefore, decided that the minimum

cost of construction of the bridge for which toll shall be levied be fixed to rupees five hundred lakhs and to amend clause (a) of section 2 of the Kerala Tolls Act, 1976 (6 of 1977), suitably.

As the Legislative Assembly of the State of Kerala was not in session and as the aforesaid proposals had to be given effect to immediately, the Kerala Tolls (Amendment) Ordinance, 2011 was promulgated by the Governor of Kerala on the 28th day of November, 2011 and published as Ordinance No. 54 of 2011 in the Kerala Gazette Extraordinary No. 2239 dated 28th November, 2011.

A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly in its session which commenced on the 9th day of December, 2011 and ended on the same day. Hence in order to keep alive the provisions of the said Ordinance the Kerala Tolls (Amendment) Ordinance, 2012 was promulgated by the Governor of Kerala on the 18th day of January, 2012 and was published as Ordinance No. 12 of 2012 in the Kerala Gazette Extraordinary No.149 dated 20th day of January, 2012.

A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 1st day of March, 2012 and ended on the 23rd day of March, 2012. Hence in order to keep alive the provisions of the said Ordinance the Kerala Tolls (Amendment) Ordinance, 2012 was promulgated by the Governor of Kerala on the 11th day of April, 2012 and was published as Ordinance No. 36 of 2012 in the Kerala Gazette Extraordinary No. 738 dated 11th day of April, 2012.

A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which commenced on the 11th day of June, 2012 and ended on the 25th day of July, 2012.

Under sub-clause (a) of clause (2) of article 213 of the Constitution of India the Kerala Tolls (Amendment) Ordinance, 2012 (36 of 2012) ceased to operate on the 23rd day of July, 2012.

As the Legislative Assembly was not in session and the provisions of the said Ordinance had to be kept alive and for validating anything done or any action taken under the principal Act as amended by the said Ordinance after the cessor of operation of the said Ordinance, the Kerala Tolls (Amendment) Ordinance, 2012 was promulgated by the Governor of Kerala on the 18th day of August, 2012 and was published as Ordinance No. 52 of 2012 in the Kerala Gazette Extraordinary No. 1731 dated 21st day of August, 2012.

This Bill seeks to replace the Ordinance No. 52 of 2012 by an Act of the State Legislature.

#### FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

V. K. EBRAHIM KUNJU.

