

പതിനാലാം കേരള നിയമസഭ
ഏഴാം സമ്മേളനം

നക്ഷത്ര ചിഹ്നമിടാത്ത
ചോദ്യം നം.537

08.08.2017-ൽ
മറുപടിയ്ക്ക്

വ്യവസായ പാർക്കുകൾ ആരംഭിക്കുന്നതിനുള്ള മാനദണ്ഡങ്ങൾ

ചോദ്യം
ശ്രീ.ഡി.കെ. മുരളി

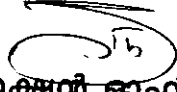
ഉത്തരം
ശ്രീ.എ.സി.മൊയ്തീൻ
(വ്യവസായവും കായികവും യുവജനക്ഷേമവും
വകുപ്പ് മന്ത്രി)

എ) പുതുതായി വ്യവസായ പാർക്കുകൾ ആരംഭിക്കുന്നതിനുള്ള മാനദണ്ഡങ്ങൾ എന്തെല്ലാം; വ്യക്തമാക്കുമോ;

എ) വ്യവസായ പാർക്കുകൾക്ക് യോജിച്ച സ്ഥലം സൈറ്റ് സെലക്ഷൻ കമ്മിറ്റിയുടെ ശുപാർശക്ക് വിധേയമായി അകയർ ചെയ്ത് വ്യവസായ മേഖലയായി വിജ്ഞാപനം ചെയ്യുന്നതാണ്. ഇതു സംബന്ധിച്ചുള്ള മാനദണ്ഡങ്ങൾ ജി.ഒ.(ആർ.റ്റി)നം.732/17/വ്യവ തീയതി 24/5/2017, ജി.ഒ. (എം.എസ്) 47/17/വ്യവ തീയതി 20/6/2017 എന്നീ ഉത്തരവുകൾ പ്രകാരം പുറപ്പെടുവിച്ചിട്ടുണ്ട്. പ്രസ്തുത ഉത്തരവുകളുടെ പകർപ്പുകൾ അനുബന്ധമായി ചേർക്കുന്നു.

ബി) വ്യവസായ പാർക്കിനു വേണ്ട ചുരുങ്ങിയ വിസ്തൃതി എത്രയെന്ന് നിഷ്കർഷിച്ചിട്ടുണ്ടോ; വ്യക്തമാക്കാമോ?

ബി) സർക്കാർ നിയന്ത്രണത്തിലുള്ള വ്യവസായ ഏറിയ/പ്ലോട്ട് എന്നിവക്ക് ഇത്ര സ്ഥലം വേണമെന്ന് നിഷ്കർഷിച്ചിട്ടില്ല എന്നാൽ സ്വകാര്യ വ്യവസായ പാർക്കുകൾ ആരംഭിക്കുന്നതിനാവശ്യമായ ചുരുങ്ങിയ വിസ്തൃതി 50 ഏക്കർ ആയി നിജപ്പെടുത്തുന്നതിന് ആലോചിക്കുന്നുണ്ട്.


സെക്ഷൻ ഓഫീസർ



9 May 2017

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GOVERNMENT OF KERALA

Abstract

Industries Department-Procedures for Identifying and Allotting Land by Entities under the Industries Department - Orders issued.

INDUSTRIES (G) DEPARTMENT

G.O.(Rt) No.732/2017/ID

Dated, Thiruvananthapuram, 24/05/2017

ORDER

It has come to notice that sufficient care and scrutiny has not been taken in identifying land for industrial development in some cases. Urgent measures are required to be put in place to prevent recurrence. The following directions are therefore issued for immediate implementation in supersession of all orders hitherto in the matter.

1. All industrial land development agencies under this Department shall endeavour to select only lands acceptable to industrialists for acquisition and development. At least 75% of the land acquired shall be allotable. Such lands should not fall in ecologically sensitive areas. Water and power availability, or in the absence thereof, possibility of developing these facilities at reasonable cost should be ensured. The land selected should be acceptable in terms of proximity to National/State Highways, with roads wide enough to permit container trailers to travel, or with possibility of acquiring land for the purpose without public opposition in case wide enough roads need to be developed.

2. A District Industrial Site Selection Committee with the following members is hereby constituted for proposing new lands for acquisition and development as Industrial Estates: General Manager, Directorate of Industries and Commerce (Chairman), the representative of KINFRA, KSIDC, and SIDCO. KINFRA shall be the convener of the Committee.

3. The District Industrial Site Selection Committee shall inspect and render a report on the feasibility of acquiring any new plot for industrial purpose for any entity under the Industries Department in terms of these guidelines. A feasibility report signed by Chairman and Convener shall be forwarded to Industries Department in Government for further processing. Such reports shall be considered by this Department. Cases found suitable by this Department shall thereafter be pursued with the Revenue Department.

4. In the typical case, development agencies shall ensure that there is not more than a 5-6 year period from the take over of land to its allotment. To facilitate this, strict timelines should be followed for land acquisition, utility development and land allotment, as under.

Time Frame	
For Land Acquisition/by Negotiation	1.5 year
For Utility Development	2 years
For Full Allotment	2 years

Deviations from this time frame may be permitted in specific cases if a sufficiently convincing reasoning is adduced by the agency involved and recommended by the District Industrial Land Committee.

5. Ordinarily, lands shall be allotted only after recovering all costs incurred by the agency. Where necessary, the infrastructure shall be developed in phases and the anticipated cost shall be loaded in the land pricing. So only those plots where at least 80% of the allottable land can be allotted within 3 years of development, shall be taken up for acquisition. The cost of land, including its acquisition and development cost, should be attractive enough to potential allottees, and the agency should be able to justify all future proposals on the basis of commitments as per the following format:

Item	In Rs
Cost of Acquiring Land	
Cost of Developing Land – power supply, water supply, drainage, roads, boundary fencing, effluent and sewage treatment plants, signages	
Average Cost of the Land (per acre)	
Assuming 75% is allottable, Cost of Allotable Land (per acre)	
Whether all the Allotable Land can be Allotted within 2 years after Development at the above rate	

6. The District Industrial Site Selection Committee shall vet proposals of District Mini Industrial Estate Cooperative Societies also; however, action for acquiring the land shall be sanctioned at the level of the GM, DIC on receipt of a positive recommendation of the District Industrial Land Committee.

7. The District Industrial Site Selection Committee shall also vet proposals for setting up Private Industrial Estates and submit recommendations to Government.

8. A District Industrial Land Allotment Committee with the following is hereby constituted for the purpose of considering applications for land and finalising allotments: GM, DIC (Chairman), representatives of KINFRA, KSIDC, SIDCO, KFC and Lead Bank Manager, KINFRA shall be the convener of the Committee.

- a. This Committee shall scrutinise applications and make allotments for land belonging to all entities under the Industries Dept
- b. The Committee shall dispose off applications within 45 days of receipt.
- c. The allottees shall continue to be governed by the terms and conditions of the respective entity.
- d. All allotments upto 10 acres shall be done at the District level by the agency concerned on the basis of recommendations of this Committee.
- e. Applicants for land may apply either to the agency or to the GM, DIC. KINFRA will create an online portal, and from 17.2017, only online applications for land will be accepted.
- f. The Committee shall invite applications for allotment of plots and built up area through the website as well as through media releases.
- g. The allotments shall be on the basis of size of investment, employment opportunities, and ability to invest.
- h. The Committee may meet as often as required to make allotments. The quorum for a meeting shall be four.
- i. The Committee may also screen applicants and maintain a waiting list where demand exceeds supply; however, the validity of such a list shall be for only one year.

9. Appeals against any decision of the Committee shall lie to the Industries Secretary. However, such appeals shall be filed within one month of receipt of the decision of the Committee.
10. However, allotments of land in respect of District Mini Industrial Estate Cooperative Societies and Private Industrial Estates shall be outside the purview of the Committee.
11. Allotments of 10 acres and more in Industrial Estates of entities under this Dept. shall be considered by a State Industrial Land Allotment Committee headed by Industries Secretary and comprising DIC, MD,KSIDC, MD,KINFRA, MD,SIDCO, MD,KFC and Convenor, SLBC. Applications shall be filed to KINFRA.
12. The fee for applying for allotment of land to the District Industrial Land Allotment Committee shall be Rs 5,000 + taxes and to the State Industrial Land Allotment Committee shall be Rs 10,000 + taxes.
13. The DIC and KINFRA together shall maintain a data base of all industrial land in the State. For this purpose the term 'industrial land' shall refer to not only lands comprised in existing industrial estates, by whatever name called, under the different entities, but also land acquired by the State under the Land Acquisition Act for private companies, Central and state PSUs and land purchased by Industrial Cooperative Societies. The objective shall be to take over these lands and convert them into industrial estates under KINFRA in case the entity for which the land was acquired, becomes defunct. The data shall be collected by DIC and handed over to KINFRA for maintenance. Maps of all industrial lands shall be digitised.
14. DIC and KINFRA shall monitor activity in the Industrial Estates of the various entities and maintain a data base. The Committee at Para 6 shall examine whether a unit that is defunct can be revived. In case the Committee finds that the unit is beyond revival, the land/ built up space shall be resumed after due process.

(By Order of the Governor)

PAUL ANTONY,

Additional Chief Secretary to Government.

To

The Director of Industries & Commerce, Thiruvananthapuram.
The Managing Director, Kerala State Industrial Development Corporation Limited
(KSIDC), Thiruvananthapuram.
The Managing Director, KINFRA, Thiruvananthapuram
The Managing Director, SIDCO, Thiruvananthapuram
The Managing Director, Kerala Financial Corporation, Thiruvananthapuram
The Convenor, State Level Banker's Committee, Thiruvananthapuram
The Principal Accountant General (Audit), Thiruvananthapuram
The Accountant General (A&E) / Audit, Kerala, Thiruvananthapuram
Finance Department
Revenue Department
The Director, Information & Public Relations Department
(for publishing in the official website)
Stock File / Office Copy

Copy forwarded to the Joint Manager
for information of necessary copies

Forwarded/By Order

Section Officer

[Handwritten signature]
Sr. Assistant (EM)

[Handwritten initials]

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GOVERNMENT OF KERALA



Industries Department - Private Industrial Estate Scheme - Orders - issued

INDUSTRIES (F) DEPARTMENT

G.O. (Ms) No. 47/2017/ID

Dated, Thiruvananthapuram, 20/06/2017.

ORDER

1. Development of industries is best done in Kerala in industrial enclaves. But acquisition of land by public entities takes time, and may sometimes be constrained by resources.

2. In the circumstances, as stated in the Industrial & Commerce Policy, 2017, Government wish to empower private entities to develop industrial estates in the State. When Government gives its approval for a Private Industrial Estate, investors trust the approval and set up units for the long term in the Private Industrial Estate. Government has therefore a duty to protect their interests.

3. Hence conditions are imposed in the form of a Permit, on the Developer when conveying Government's approval to the Developer. However, in case there are any failures on the part of the Developer and services committed are not given, the conditions of the Permit empower Government to order KINFRA take over management of Private Industrial Estate. But this shall be done only after giving the Developer a chance to be heard, in the spirit of section 10 of the SLZ Act, 2005.

4. The following framework is laid down for this purpose.

(By Order of the Governor),

Paul Antony,

Additional Chief Secretary to Government.

The Director of Industries & Commerce, Thiruvananthapuram.
The Managing Director, Kerala State Industrial Development Corporation Limited
The Managing Director, KINFRA, Thiruvananthapuram
The Principal Accountant General (G&SS A) Kerala, Thiruvananthapuram.
The Accountant General (I & R S A) Kerala, Thiruvananthapuram.
Finance Department
Planning & Economic Affairs Department
stock file Office copy

Forwarded By order.

Section Officer

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Private Industrial Estate (PIE) Scheme

Entities owning and possessing 50 acres and more, and desirous of developing the land with infrastructure and utilities for allotment to industries, may apply in Form 1 to KINFRA for Private Industrial Estate Developer permit. Such entities may be companies, cooperatives, charitable societies, or partnerships registered under the relevant statute. Consortium of Micro Small and Medium Enterprises (MSME) units may also form entities to apply for the Private Industrial Estate Developer permit.

The land proposed for Private Industrial Estate shall be fit for industrial use. It shall not fall in ESA or CRZ. It shall not fall within the purview of the Kerala Conservation of Paddy Land and Wet land Act, 2008. The land should not have any other restrictions regarding land use.

3. On receipt of the application, the same shall be scrutinised by a Committee comprising Secretaries to Government of the following Departments: Industries, Finance, Revenue, Local Self Government, Water Resources, Power, and Environment. The Committee shall give due consideration to the suitability of the land, access roads to it, water availability in the area, and to the financial and technical capability of the applicant to implement the proposed development within two years of approval. The Committee shall dispose of applications within sixty days of receipt.
4. On approval by the Committee, the Government in the Industries Department shall issue the Private Industrial Estate Developer Permit to the applicant entity in *Form 2* after satisfying itself of the sufficiency of those commitments to safeguard interest of allottee units in the Private Industrial Estate.
5. The Private Industrial Estate Developer Permit shall confer on the Private Industrial Estate Developer
 1. a Development Permit under the Kerala Panchayat Building Rules, 2011 Kerala Municipality Building Rules, 1999,
 2. exemption u/s 81(3) of the Kerala Land Reforms Act, 1963 from the ceiling provisions for the PIE property,
 3. notification under the Act as an Industrial Area, and a Single Window Clearance Board, under the Kerala Industrial Single Window Clearance Boards & Industrial Township Area Development Act, 1999, and exemptions as applicable from time to time under the Income Tax laws of the country.
6. Government may strive to facilitate the Private Industrial Estate Developer in developing roads, power and water supply for the Private Industrial Estate, and may also invest upto ₹ 2 crores for bringing power upto the boundary of the Private Industrial Estate.
7. The Private Industrial Estate Developer Permit shall specify with time-lines, the infrastructure and utilities the Developer will put in.

- 7.1 The Developer shall submit application for building permit within 2 months of obtaining approval to start the Private Industrial Estate and start construction within 3 months of receiving all statutory approvals.
- 7.2 He shall develop a minimum processing area of 25 acres of allotable land within 2 years of approval in order to make the park operational.
8. The Developer shall provide the infrastructure and utilities such as power, street lighting, roads, water supply, sewage and effluent treatment plants, communication networks, etc within the timelines he has committed to in Form 1. Default in this regard shall make him liable for action by KINFRA under clause 17.
9. In case of delay in providing the services, the Developer shall apply for extension of time to KINFRA, whereupon a committee under the Director of Industries Commerce shall examine the same and provide such extension if considered viable within 15 days of receipt.
10. The Developer shall be liable to undertake maintenance of utilities and services within the Private Industrial Estate for allottee units, for which purpose he may charge the allottee units. Default in undertaking maintenance of utilities and services to the allottee units shall make him liable for action by KINFRA under clause 17.
11. The Developer shall be liable for ensuring compliance of the Private Industrial Estate with environment norms. Red category industries as notified by the Kerala State Pollution Control Board shall not be permitted in Private Industrial Estates.
- 11.1 The Developer shall ensure that there is no drawal of ground water beyond permitted levels within the Private Industrial Estate, whether by the Developer or by the allottee units. He shall implement rainwater harvesting for the Private Industrial Estate.
- 11.2 The Developer shall put up solid waste management systems, including for garbage collection from allottee units, and common effluent treatment systems where prescribed by the Kerala State Pollution Control Board.
- 11.3. No effluent shall be let out of the Private Industrial Estate to the surrounding areas. Recycled water shall be used within the premises.
12. The land in the Private Industrial Estate shall be allotted only to industrial units. Warehouses, other logistics services, vehicle servicing and repair depots may also be accommodated, but vehicle showrooms, shopping complexes and mall or any outlets selling to or servicing retail customers will not be allotted space in a Private Industrial Estate.
13. Private Industrial Estate should not to be for a single unit or a single group's enterprises; hence the Private Industrial Estate shall have a minimum of 5 unrelated equally sized allottee units.
14. The allotment of land or built up space in the Private Industrial Estate and commercial terms thereof may be fixed at the discretion of the Developer.
- 14.1 However, the commercial terms shall be declared upfront by the Developer at

the letter of allotment to a unit, furthermore, the Developer shall not vary these terms to the disadvantage of the unit after allotment without the express, written consent of the allottee unit.

- 15. The constitution of the Private Industrial Estate Developer entity may be changed with the prior permission of Government after satisfying them that the new entity is financially atleast as strong as the predecessor entity to implement the Private Industrial Estate
- 16. The Private Industrial Estate Developer Permit shall be liable to cancellation by Government if no substantial development has happened within two years of issue.
- 16.1. There shall be annual reviews of the progress of work on the Private Industrial Estate. The Developer shall submit a progress report on the Private Industrial Estate by April 30th of each year to KINFRA, and a committee under the Director Industries Commerce shall complete its review process by June 1st of the year.
- 16.2. On confirmation of development, the permit shall be made valid for a period of thirty years.
- 17. Government may, in order to protect the interest of allottee Units in a Private Industrial Estate, or in the public interest, issue such directions as it may consider necessary for operation of the Private Industrial Estate. If at any time the Government is of the opinion that a Developer -
 - (a) is unable to discharge the functions or perform the duties imposed on him by or under the provisions of this Permit; or
 - (b) has persistently defaulted in complying with any direction given by Government under this Permit; or
 - (c) has violated the terms and conditions of the Permit; or
 - (d) whose financial position is such that he is unable to fully and efficiently discharge the duties and obligations imposed on him by the Permit, and the circumstances exist which render it necessary for it in public interest so to do, Government may, on application, or with the consent of the Developer or otherwise, for reasons to be recorded in writing, suspend the Permit granted to the Developer for a whole or part of his area established as Private Industrial Estate, for a period not exceeding one year, and appoint KINFRA to discharge the functions of the Developer in accordance with the terms and conditions of the Permit and manage the Private Industrial Estate accordingly.

Form 1
Application for Private Industrial Estate Developer Permit
 [as per clause 1 of the Private Industrial Estate Scheme]

1.	Name and Address of applicant	:	
2.	Name and Address of applicant entity (with details of Board resolution authorising the applicant to apply)	:	
3.	Details of Registration of Applicant Entity (Registration No., Registering authority, copy of Registration certificate, Memorandum of Association and Association of Article)	:	
4.	Details of Permanent Account Number (PAN) and Goods & Service Tax (GST) Registration	:	
5.	Extent of land for which Private Industrial Estate development land is applied for	:	
6.	Survey Number details	:	
7.	Whether the land is in the ownership and possession of the applicant entity	:	
8.	Whether the land applied for falls in ISA or the purview of the Kerala Conservation of Paddy land and Wetland Act - 2008.	:	
9.	Details of development that will be carried out with time lines :		
	Nature of Development activity	Development shall be started by	Development shall be completed by

- Add as many rows as necessary
- All items of development such as land development, built up space, common facilities power, street lighting, water supply, sewage and effluent treatment, garbage removal and disposal etc shall be listed out. Phase-wise development is permitted and should be described as such in this format.
- Only items listed above shall be advertised by the Developer.

Failure in achieving the above mentioned development may make the Developer liable to action under Clause 17 of the Private Industrial Estate Scheme

10	Details of allottable land and built up space that will be developed.	

Affirmation

I am authorized by Board Resolution No. _____ of the Applicant Entity to apply for a Private Industrial Estate Development Permit. I have read and understood the terms and conditions of the Private Industrial Estate Scheme. Undertaking to abide by these terms. I apply hereby for a Private Industrial Estate Development Permit. I understand that in terms of clause 17 of the Private Industrial Estate Scheme, the management of the Private Industrial Estate may be taken over from me by KINERA in case of any dispute, not part to abide by the commitments given above.

All the statements made above are true to the best of my knowledge and belief.

Authorized signatory.

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Form 2

Private Industrial Estate Developer Permit
[as per clause 4 of the PIE Scheme]

WHEREAS M/s..... has applied for a Development Permit under the Private Industrial Estate Scheme, to develop the land herein below described, duly affirming that they undertake to abide by the terms and conditions of the scheme ;

AND WHEREAS the Committee of Secretaries has recommended the case after due scrutiny : NOW THEREFORE Government are pleased to grant Private Industrial Estate Development Permit in respect of the area described below subject to the terms and conditions of the scheme, and subject to the commitments given by the applicant in *Form 1*

1.	Extent of Land in Hectar	
2.	Survey Number Details	
3.	Built up area in Sq Mtrs	

This permit shall be valid initially for a period of two years from the date of issue. On confirmation of development, it shall be valid for a period of thirty years.

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