



GOVERNMENT OF KERALA

Abstract

Industries Department - Private Industrial Estate scheme 2022 -
Sanctioned -Orders issued

INDUSTRIES (F) DEPARTMENT

G.O.(Ms)No.31/2022/ID Dated, Thiruvananthapuram, 02-04-2022

Read 1 GO(Ms)No. 47/2017ID dated 20.06.2017

2 GO(Ms)No. 64/2018ID dated 14.08.2018

ORDER

As per Government Order read as 1st paper above Government have formulated guidelines for Private Industrial Estate Scheme 2017 enabling private entities to develop Industrial Estates in the State. Subsequently certain modifications to the framework on the minimum extent of land to be possessed by the entities for preferring application for the PIE Developer permit were effected as per G.O read as (2) above.

2. Incorporating certain changes in the existing Private Industrial Estate Scheme 2017, Government are pleased to approve the Private Industrial Estate scheme 2022 as appended h/w .

(By order of the Governor)
A P M MOHAMMED HANISH
PRINCIPAL SECRETARY

The Director of Industries & Commerce, Thiruvananthapuram
The Managing Director, Kerala State Industrial Development Corporation Limited, Thiruvananthapuram.
The Managing Director, KINFRA, Thiruvananthapuram.
The Accountant General (Audit I/Audit II) Kerala,
Thiruvananthapuram.
Finance Department.
Planning & Economic Affairs Department

General Administration(SC) Department (vide Item No. 646
30/03/2022)

dated

Forwarded /By order

Arun.M.S.

Section Officer

PRIVATE INDUSTRIAL ESTATE(PIE) SCHEME - 2022

Government of Kerala in its vision to create employment opportunities for the youth in the State has decided to revise the Private Industrial Estate Scheme (PIE) issued earlier by incorporating certain changes in the scheme to make it attractive and practical to establish Private industrial parks in the State. Accordingly, Private Industrial Estate scheme 2022 is modified as under :-

1. The scheme will be called Private Industrial Estate (PIE) Scheme - 2022. It will be applicable from the date of approval/notification by the Government.
2. Entities owning and possessing a minimum of 10 acres or more and desirous of developing a Private Industrial Estate (PIE) may apply in *Form I* to Director of industries & Commerce to obtain the Private Industrial Estate Developer permit. Such entities may be companies ,co-operatives, 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.

Proviso - wherever, the Private Industrial Park is proposed in an extent of land above 15 acres necessary exemption under KLR Act 1963, will be granted as per the established procedure.

3. The minimum extent of land for establishing a Standard Design Factory (SDF) however is 5 acres. However, the eligibility of land to be considered under this scheme remains the same as detailed in *Clause 4*.
4. 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 Kerala Conservation of Paddy Land and Wet land Act 2008. The land should not have any other restrictions regarding land issue. The identification and selection of private industrial area shall be done under the provisions of the Government Order G.O(Rt) No. 732/2017/ID dated 24/05/2017.
5. On receipt of the application, Director of Industries & Commerce shall verify the details for the land, activity proposed etc and submit the same to 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, accessibility, power and 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 the applications within thirty days of receipt.
6. 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 compliance of the relevant statutory provisions under various acts and sufficiency of the commitments to safeguard interest of allottee units in the Private Industrial Estate.

7. The Private Industrial Estate Developer Permit shall confer on the Private Industrial Estate Developer :-

(i) Development Permit under the Kerala Municipality Building Rules-2019/Kerala Panchayat Building Rules-2019 and subsequent orders in this regard in future either by amendment or by promulgating separate Building Rules in Industrial Development Area/Plot, and

(ii) 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

8. Government may strive to facilitate the Private Industrial Estate Developer in developing roads, power and Water supply for the Private Industrial Estate and will extend an assistance of Rs. 30 Lakhs *Per* acre subject to a maximum of Rs.3 Crores (Three Crore) as reimbursement towards building infrastructure facilities such as Electricity, Water, road, drainage, ETP/CETP, Common facilities like laboratory, testing and certification facilities. The fund will be released by Director of Industries & Commerce after scrutiny of the expenditure incurred and found to be eligible.

9. The Private Industrial Estate Developer Permit shall specify with timelines, the infrastructure and utilities the Developer will put in. 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.

10. 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 I*. Default in this regard shall make him liable for action by Director of Industries & Commerce under *clause-17*.

11. In case of delay in providing the services, the Developer shall apply for extension of time to Director of Industries & Commerce where-upon a Committee under the Director of Industries & Commerce shall examine the same and provide such extension if found reasonable, within 15 days of receipt.

12. 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 Director of Industries & Commerce under *Clause 17*.

13. 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.

13.1. 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. The Developer shall implement rain water harvesting for the Private Industrial Estate.

13.2. The Developer shall put up solid waste management systems, including for garbage collection from allottee units, and Common Effluent Treatment systems whenever prescribed by the Kerala State Pollution control Board. No effluent shall

be let out of the Private Industrial Estate to the surrounding areas. Recycled water shall be used within the premises.

14. 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 malls or any outlets selling to or servicing retail customers will not be allotted space in a Private Industrial Estate.

15. 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. 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.

16. The constitution of the Private Industrial Estate Developer entity may be changed with the prior permission of the Government after satisfying them that the new entity is financially atleast as strong as the predecessor entity to implement the Private Industrial Estate.

17. The Private Industrial Estate Developer Permit shall be liable to cancellation by Government if no substantial development has happened within two years of issue. 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 Director of Industries & Commerce and a Committee under the Director of Industries and Commerce shall complete its review process by June 1st of the year. On

confirmation of development the permit shall be made valid for a period of thirty years.

18. 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 Director of Industries & Commerce 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 ESA 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 authorised 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 18 of the Private Industrial Estate Scheme, the management of the Private Industrial Estate may be taken over from me by D/C in case of any lapses on my part to abide by the commitments given above.

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

Authorised signatory.

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.