

**Minutes of the 34th Meeting of Kerala State Single Window Clearance Board
(KSSWCB) chaired by Chief Secretary, held through Video Conference at,
04:00 PM on 17th February 2023**

(A) CONFIRMATION OF MINUTES OF THE 33rd MEETING

The Minutes of the 33rd meeting of Kerala State Single Window Clearance Board (KSSWCB) held through Video Conference at 10.30 AM on 22nd December 2022, have been circulated to all members.

Decision: The Minutes of the 33rd meeting of Kerala State Single Window Clearance Board (KSSWCB) held through Video Conference at 10.30 AM on 22nd December 2022 were confirmed.

(B) NEW PROPOSALS BEFORE THE BOARD

AGENDA ITEM -1:

M/s. Lulu Group International – Clearances for Commercial Mall Project in Thrissur

The proponent is a diversified business group with portfolio ranging from hypermarket operations to development of shopping malls, manufacturing and trading of goods, hospitality, logistics, etc. The current proposal from the proponent pertains to construction of a Commercial Mall in 5.5 acres of land at Ayyanthole Village, Thrissur, having a built-up area of more than 1.85 Lakh Sq. Ft., envisaged with state-of-the-art facilities including shopping, dining and entertainment. The project, in its entirety, includes a shopping mall, a Hotel and a Convention Centre, out of which the Hotel and the Convention Centre has already commenced operation.

a) Clearance of Form 8 Application (related to land conversion) pending with Tahsildar, Thrissur

In the total project land of 5.5 Acres, an extent of 161.45 Ares (398.94 Cents), comprised in Sy. No. 403 (27.71 Ares), Sy. No. 405 (40.46 Ares) and Sy. No. 406 (93.28 Ares) of Ayyanthole Village, Thrissur Taluk were classified as 'Nilam' in the Revenue records and BTR. According to the proponent, the said lands were 'converted land' much before the commencement of the Kerala Conservation of Paddy Land Wet Land Act, 2008. In view of this, the proponent had filed application before the RDO, Thrissur for removing the said lands from Data Bank. Based on this, and in compliance to the judgements on the WPCs filed by the proponent before the Hon'ble High Court, the RDO, Thrissur issued Orders removing the total extent of 161.45 Ares in Sy. Nos. 403,

405 and 406 of Ayyanthole Village from Data Bank. The aforesaid orders were issued vide two proceedings, i.e., proceedings dated 31.01.2022 for Sy. Nos. 403 & 406, and proceedings dated 11.10.2022 for Sy. No. 405. Based on the RDO's orders, the proponent had also remitted Rs.7.67 Crore towards Conversion Fee for changing the category of 145.30 Ares out of the 161.45 Ares land in Revenue records, to 'Purayidom', as per section 27A of Kerala Conservation of Paddy Land Wet Land Act, 2008. An extent of 16.15 Ares has been set apart for water conservation purposes, as per the Act. However, the Village Officer did not do mutation due to an appeal filed by a third party before the District Collector, against the land conversion order.

The District Collector, Thrissur remarked that the appeal was made by a third party on the grounds of "Public Interest" and cited Section 27 B of The Kerala Conservation of Paddy Land and Wetland (Amendment), Act, 2018, which states that "*Any person aggrieved by an order of the Revenue Divisional Officer under subsection (2) of Section 27A may prefer an appeal to the District Collector, within thirty days from the date of receipt of the order.*"

The proponent made it clear that the "third party" is nowhere related to or residing close to the land where the construction is being proposed. Chief Secretary voiced his disappointment over the fact that a Rs. 500 Crore project, having potential to create more than 5000 jobs and accelerate economic growth of the region, is getting delayed due to an appeal filed by a person having no direct interest in these affairs. Chief Secretary emphasized that fast tracking and accelerating investment projects should be the main objective of the District Administration and the departments concerned.

The District Collector, Thrissur pointed out that there is a High Court order directing that status quo be maintained on the appeal petition until further orders. The proponent stated that the conversion order issued by the RDO is still in effect, and that the status quo maintenance order is against the Section 13 proceedings of the District Collector.

The Board observed that the RDO's order regarding land conversion and the subsequent actions by the Tahsildar / Village Officer were not stayed by the Court, and thus came to the conclusion that the subsequent procedures pending at the Village Officer level should be completed within a week. In order to avoid similar incidents where any person could delay investments coming into the State, the Board instructed the Industries Department to obtain a legal opinion defining the scope of the terms "*Any person aggrieved*" in Section 27 B of The Kerala Conservation of Paddy Land and Wetland (Amendment), Act, 2018.

Decision:

- i. Village Officer, Ayyanthole, and other functionaries to complete the remaining procedures with respect to the land conversion, within one week. [**Action: Village Officer, Ayyanthole)/ Tahsildar, Thrissur**]
- ii. Industries Department to obtain a legal opinion on defining the scope of the terms "*Any person aggrieved*" in Section 27 B of The Kerala Conservation of Paddy Land and Wetland (Amendment), Act, 2018. [**Action: Principal Secretary, Industries**]

b) Obtaining Layout Approval and Building Permit for the Commercial Mall Project in Thrissur:

The Board observed that the Layout Approval and Building Permit are pending due to the pendency in the land conversion process and once the land conversion procedure is completed and mutation effected, the processing of the applications will be expedited.

Decision: The issuance of Layout Approval and Building Permit to be expedited by the authorities concerned, once land conversion procedure is completed. [**Action: District Town Planner, Thrissur / Secretary, Thrissur Corporation**].

AGENDA ITEM -2:

M/s. Ananthapuri Hospitals Private Limited – Expansion within the Existing Hospital Premises

The proponent company has been operating a Multispecialty Hospital in Thiruvananthapuram District for the past 18 years and as a part of its expansion, proposes to construct cancer treatment facility, increase the bed strength, and expand the parking facility in the existing premises. The total area proposed to be added in the hospital and nursing college, which is housed in the premises, is around 15274.55 Sq.m with an estimated investment of Rs. 50 Crore.

The Board noted that the proponent had submitted the application for obtaining Building Permit to Thiruvananthapuram Corporation on 07.11.2022, and had already obtained Consent to Establish from KSPCB, NOC from Fire and Rescue Services, NOC for Height clearance from Airport Authority of India, and Layout approval from Department of Town and Country Planning.

According to the Secretary, Trivandrum Corporation, the proponent's application has primarily three problems - Environmental Clearance from SEIAA was not obtained, the proponent had not complied with the 13 requirements listed in the Layout Approval, and 155 cents of land is classified as paddy for which the conversion is pending.

The proponent clarified that the Environmental Clearance is in the final stages, and that the proposed construction is within the existing building premises that were "converted land" long before the Kerala Conservation of Paddy Land Wet Land Act, 2008 came into existence.

The Board stated that any vertical construction on the existing building does not invoke the provisions of the Kerala Conservation of Paddy Land & Wet Land Act, 2008, and that any horizontal addition to the building can be done after completing the procedure for land category conversion for the additional land. The Board instructed MD, KSIDC to examine the matter and facilitate the required clearances.

Decision: Secretary, Trivandrum Corporation to expedite issuance of Building Permit, after submission of the Environmental Clearance and other details by the project proponent. [**Action: Project Proponent/ Secretary (Trivandrum Corporation)**]

AGENDA ITEM -3:

M/s. Silver Storm Amusement Parks (P) Limited – Approvals for new Cable Car project

The proponent operates one of the leading Amusement Parks in the State, for the past 23 years. Since its inception in 2000, the Park had expanded several times by introducing unique attractions to ensure repeated crowds. Now the proponent proposes to construct a new Cable Car project adjacent to its existing Water Theme Park. The cost of the project is estimated to be Rs. 48 Crore, with an estimated employment of 300.

The Board noted that the application for issuance of Building Permit has been submitted to the Secretary, Athirappilly Gram Panchayat on 03.01.2023, and that for Layout Approval was submitted to the District Town Planner, Thrissur on 05.01.2023.

District Town Planner, Thrissur informed that the shortcomings in the application submitted by the proponent for Layout Approval has been communicated to the proponent on 16.02.2023, on rectification of which, Layout Approval will be issued.

Chief Secretary voiced his displeasure on the delays in processing of applications by government functionaries, and pointed out that time is the most crucial factor for an investor, as the cost of doing business rises day by day. The Board directed that approvals from authorities concerned shall be issued with next two weeks.

Decision: The District Town Planner, Thrissur to issue Layout Approval, and the Athirappilly Grama Panchayat to issue Building Permit, within the next two weeks. [**Action: DTP, Thrissur / Secretary, Athirappilly Grama Panchayat**]

AGENDA ITEM -4:

M/s. Fathima Crushers LLP – Quarry Project at Perinthalmanna, Malappuram

The proponent intends to establish a quarry project in Perinthalmanna, Malappuram District, and has submitted an application for quarrying lease to the District Geologist, Malappuram on 12.12.2022.

The District Geologist, Malappuram stated that the proponent's application for quarrying lease had some shortcomings, which were already brought to their attention. The Geologist added that the proponent had presented a certificate from the Village Office stating no resurveys have been undertaken in the mentioned land, which is unrelated to this application, instead of making rectifications on the defects identified in the application.

The project proponent stated that they had already clarified the concerns communicated to them by the District Geologist.

Chief Secretary observed that the shortcomings were not properly communicated to the proponent, in writing or via email, and that misunderstandings due to oral communication between the proponent and the department was the problem.

Chief Secretary instructed the department that correspondence via email, which is now a valid official communication, should be made a mandatory practise, and directed the Director to issue necessary orders/ circulars to all district offices in this regard. Chief Secretary also directed the Department to expedite the application and issue necessary license within one week.

Decision:

Director, Mining and Geology to take immediate action in order to guarantee proper communication between the applicants and the Department/ District Offices, as also to expedite the process of issuing quarrying lease to the proponent. [**Action: Director, Mining and Geology / District Geologist, Malappuram**]

The meeting ended at 5.30 PM.


(Sd/-)
Chief Secretary