

GOVERNMENT OF KERALA
Abstract

Local Self Government Department-- Marady Grama Panchayath-Unauthorised Construction -action against licensee --appeal allowed-Orders issued.

LOCAL SELF GOVERNMENT (R B) DEPARTMENT

G.O.(Rt) No.1438/2015/LSGD,

Dated, Thiruvananthapuram, 14.05.2015

- Read:-
- 1 Government letter No.25447/RB1/14/LSGD dated 20.06.2014.
 2. Order No G6/2800/14 dated 29.1.15 of the Regional Joint Director of Urban Affairs, Kochi.
 3. Appeal petition dated 22.2.15 of Sri.AN Jayan, Attayath, Supervisor, 'A' licensee Reg No.D/409/04/1488 SA,'Nirmalyam' Near,EEC Market By-Pass road, Market P.O. Muvattupuzha.

ORDER

As per the Government letter read as 1st paper above Government have given direction to the Regional Joint director of Urban Affairs, Kochi to take action to cancel the licence of Sri.A.N. Jayan Attayath (Register No. D/409/04/1488/SA) who was responsible for submitting drawings in violation of Kerala Panchayath Raj Act section 220(b) and rule 28(1) of Kerala Panchayath building Rules before Marady Grama Panchayath after conducting a hearing . Accordingly the Regional Joint Director of Urban Affairs had cancelled the licence of the licensee as per the order read as 2nd paper above.

2. The licensee has filed an appeal petition read as 3rd paper above before the Government under Rule 153(9) of Kerala Municipality Building Rules against the order of Regional Joint Director of Urban Affairs,Kochi. As per Rule 153(11) of Kerala Municipality Building Rules the licensee was heard in the presence of Chief Town Planner(Vigilance), Secretary, Marady Grama Panchayath and Senior Superintendent, office of the Regional Joint Director of Urban Affairs, Kochi. During the time of hearing the licensee submitted that error crept in the drawing was rectified at the time of construction and hence

requested to exonerate him. He also submitted that the error crept in the earlier sketch was not intentional and a revised sketch was given to the client rectifying the mistake. Secretary, Marady Grama Panchayath has reported that the licensee has not deliberately mislead the Grama Panchayath in his drawings and also the building can be regularized under the Kerala Panchayath building Rules if the building owner submits necessary Regularisation application in the matter.

3. Government have examined the matter in detail and found that the licensee had not deliberately mislead the Grama Panchayath in his drawings. Hence the appeal is allowed. In the circumstances the order read as 2nd paper above is set aside. The Regional Joint Director of Urban Affairs, Kochi is directed to renew the licence of the licensee within 30 days.

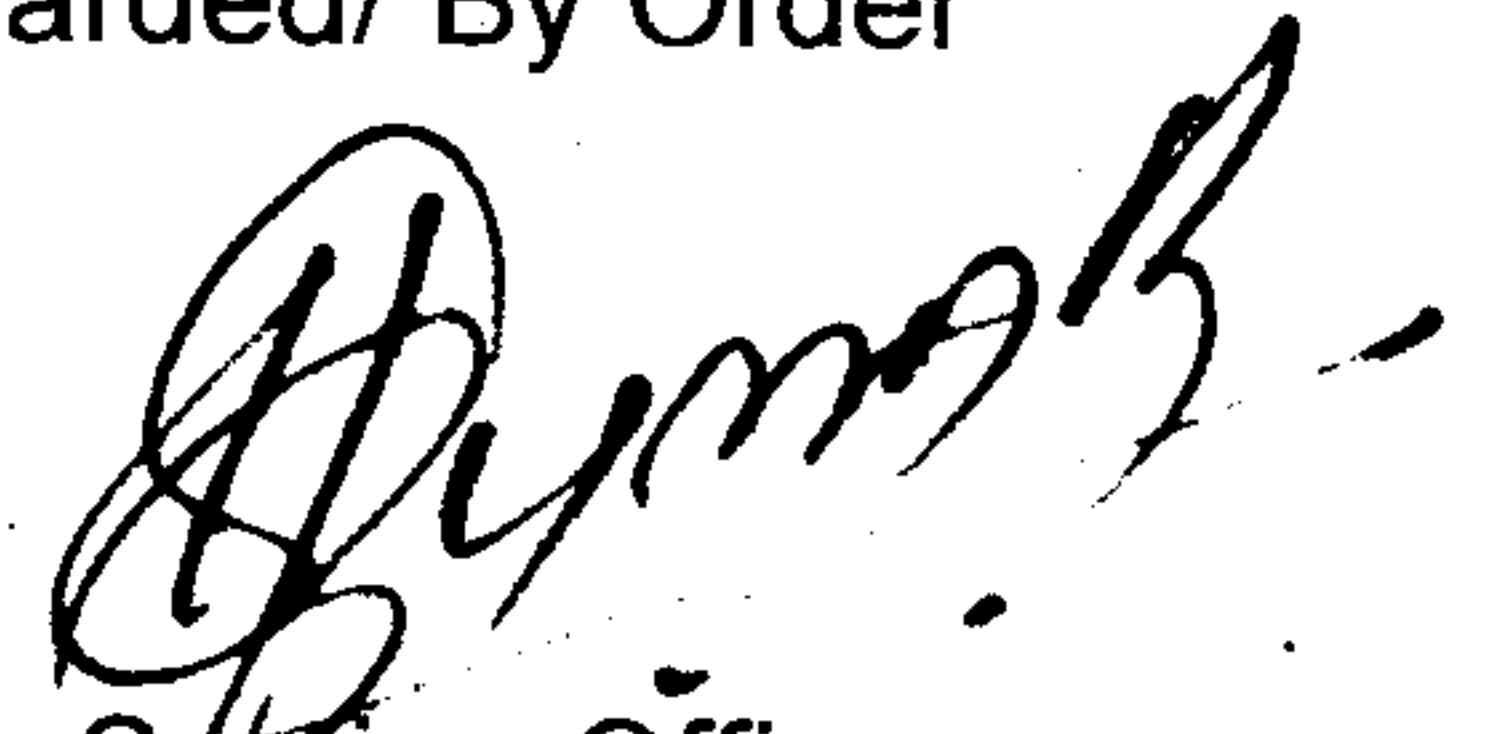
4. The appeal petition read as 3rd paper above is disposed of accordingly.

By Order of the Governor
Madhu.B
Joint Secretary to Government.

To

Sri.AN Jayan Attayath, Supervisor,
'A' licensee Reg No D/409/04/1488 SA, 'Nirmalyam' Near, EEC Market
By-Pass road, Market P.O. Muvattupuzha.-686673
The Regional Joint Director of Urban Affairs, Broadway, Kochi.-3/
Director of Urban Affairs, Thiruvananthapuram.
Secretary, Marady Grama Panchayath,
Executive Director, Information Kerala Mission, Thiruvananthapuram
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Section Officer

10