



GOVERNMENT OF KERALA

No. 88/RD1/2018/LSGD
Local Self Government (RD) Department
Thiruvananthapuram,
Dated 23/07/2018

C I R C U L A R

- Sub : LSGD - Ease of Doing Business - Amendment to Kerala Panchayat Building Rules, 2011 and Kerala Municipality Building Rules, 1999 - Clarification issued - reg.
- Ref: 1 G.O.(P)No.81/2017/LSGD dated 31/10/2017
2 G.O.(P)No.82/2017/LSGD dated 31/10/2017

As per Rule 15 of the Kerala Panchayat Building Rules 2011 and 14 of Kerala Municipality Building Rules 1999 the Secretary of the Panchayat/Municipality shall either grant/refuse permission to execute a work within fifteen days from the date of receipt of application. Vide Rule 16(1) of the Kerala Panchayat Building Rules 2011 and Rule 15(1) of the Kerala Municipality Building Rules 1999, if the Secretary neither gives nor refuses permission to execute the work within 15 days from the date of receipt of application, on written request of the applicant the Council of Panchayat/Municipality is bound to determine whether such approval or permission should be given or not. With reference to Rule 16(2) of Kerala Panchayat Building Rules 2011 and 15(2) of Kerala Municipality Building Rules 1999, the approval/permission shall be deemed to have been given if the Council of Panchayat/Municipality does not take the decision within fifteen days from the date of submission of such written application .

The issue of how to record/document the deemed permission as per the rule in a manner acceptable to the Local Self Government Institutions/other authorities has come to notice of Government. Government have examined this lacunae in detail to clarify the same as follows:-

(a) On the expiry of thirty clear days from the date of valid applications the applicant shall submit a letter stating that he is commencing the work of the building/structure/telecommunication/mobile tower applied for as provided in the original applications as per Rules, specifying the date of commencement.

(b) All Secretaries of Local Self Government Institutions shall acknowledge the receipt of the letter stated in para (a) above with stamp and date on the same day on the duplicate copy of the letter. This shall be a

deemed permission along with the acknowledgment of original application under Rule 16(2) of Kerala Panchayat Building Rules and 15(2) of Kerala Municipality Building Rules as prescribed in the Rules stated above.

(c) Cases where the original application is defective or in violation of respective Rules shall not be kept pending beyond 15 days. Such cases shall be rejected or returned for rectification within this period and intimation in writing be given to the applicant. If such decision is not communicated in writing, the deemed permission clause will be applicable in such cases. The full responsibility of such deemed permits with defective application or in violation of rules shall be vested with the officers responsible including the Secretary of the concerned Local Self Government Institution.

(d) Losses, if any sustained to Local Self Government Institution, in this regard due to the negligence/dereliction shall be recovered from the officers responsible including Secretary after following the procedure.

Forwarded/By order



Section Officer

T.K.Jose

Additional Chief Secretary to Government

1. Director of Panchayat, Thiruvananthapuram.
2. Director of Urban Affairs, Thiruvananthapuram.
3. Chief Town Planner, Thiruvananthapuram.
4. Secretary, all Grama Panchayaths (through Director of Panchayath).
5. Secretary, all Municipalities/ Municipal Corporations (through Director of Urban Affairs).
6. Executive Director, IKM, Thiruvananthapuram (for publishing in the Website).
7. Stock File/Office copy.