

**Fifteenth Kerala Legislative Assembly**

**Bill No. 102**

---

---

**THE KERALA PROTECTION OF RIVER BANKS AND  
REGULATION OF REMOVAL OF SAND  
( AMENDMENT) BILL, 2022**

---

---

©

Kerala Legislature Secretariat  
2022

KERALA NIYAMASABHA PRINTING PRESS.

**Fifteenth Kerala Legislative Assembly**

**Bill No. 102**

**THE KERALA PROTECTION OF RIVER BANKS AND  
REGULATION OF REMOVAL OF SAND  
( AMENDMENT) BILL, 2022**

**Fifteenth Kerala Legislative Assembly**

**Bill No. 102**

[Translation in English of “2022-ലെ കേരള നദീതീര സംരക്ഷണവും മണൽ വാദൽ നിയന്ത്രണവും (ഭേദഗതി) ബിൽ” published under the authority of the Governor.]

**THE KERALA PROTECTION OF RIVER BANKS AND  
REGULATION OF REMOVAL OF SAND  
(AMENDMENT) BILL, 2022**

*A*

*BILL*

*further to amend the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001.*

*Preamble.*—WHEREAS, it is expedient further to amend the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (18 of 2001), for the purposes hereinafter appearing;

BE it enacted in the Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Protection of River Banks and Regulation of Removal of Sand (Amendment) Act, 2022.

(2) It shall come into force at once.

2. *Amendment of section 20.*—In section 20 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 (18 of 2001) (hereinafter referred to as the principal Act), for the words and symbol “twenty-five thousand rupees”, the words “five lakh rupees” and for the words “one thousand rupees”, the words “fifty thousand rupees” shall respectively be substituted.

3. *Amendment of section 23A.*—In sub-section (6) of section 23A of the principal Act, for the words, symbols, brackets and figure “The sand confiscated under sub-section (4) shall be sold to Nirmithi Kendra or to 'Kalavara' at such rate,

as may be fixed by the Public Works Department from time to time”, the words, symbol, brackets and figure “The assessed value of the sand confiscated under sub-section (4) shall be fixed by the District Collector and shall sell to various institutions or individuals through auction, by following the procedures” shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

Section 20 of the Kerala Protection of River Banks and Regulation of Removal of Sand Act, 2001 provides that whoever contravenes any of the provisions of this Act or rules made thereunder shall, on conviction be punished with imprisonment for a term of which may extend to two years or with fine which may extend to twenty-five thousand rupees or with both and in case of continuing contravention with an additional fine which may extend to one thousand rupees for every day during which such contravention continues. Also, sub-section (6) of section 23A of the said Act provides that the sand confiscated under sub-section (4) shall be sold to Nirmithi Kendra or to 'Kalavara' at such rate, as may be fixed by the Public Works Department from time to time and such amount shall be remitted to the River Management Fund. The Government have decided to make suitable amendment in the said Act by incorporating the provisions to enhance the fine for the contravention as per section 20 of the said Act to five lakh rupees and in case of continuing contravention, to fifty thousand rupees for every day during which such contravention continues and the assessed value of the sand confiscated as per section 23A shall be fixed by the District Collector and shall sell to various institutions or individuals through auction, by following the procedures.

2. The Bill seeks to achieve the above object.

## FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation, would not involve any additional expenditure from the Consolidated Fund of the State.

K. RAJAN.

EXTRACT FROM THE KERALA PROTECTION OF RIVER  
BANKS AND REGULATION OF REMOVAL OF SAND ACT, 2001  
(ACT 18 OF 2001)

\*\*

\*\*

\*\*

\*\*

20. *Penalty for contravention of this Act.*—Whoever contravenes any of the provisions of this Act or rules made thereunder shall, on conviction be punished with imprisonment for a term of which may extend to two years or with fine which may extend to twenty-five thousand rupees or with both and in case of continuing contravention with an additional fine which may extend to one thousand rupees for every day during which such contravention continues.

\*\*

\*\*

\*\*

\*\*

23A. *Confiscation of sand, vehicles, etc.*—(1) Where any property is seized under section 23, the officer seizing such property shall seal all such properties for indicating that the same is seized and shall whether prosecution proceedings have been initiated or not within forty eight hours of such seizure make a report of such seizure before the Judicial Magistrate and before the Sub-Divisional Magistrate having jurisdiction over the area from where the said properties are seized and the fact of such seizure shall be informed to the Station House Officer of the Police Station, having jurisdiction over the area. Where information regarding such seizure of property is received, the police officer concerned shall take steps under section 102 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974).

\*\*

\*\*

\*\*

\*\*

(6) The sand confiscated under sub-section (4) shall be sold to Nirmithi Kendra or to 'Kalavara' at such rate, as may be fixed by the Public Works Department from time to time and such amount shall be remitted to the River Management Fund.

\*\*

\*\*

\*\*

\*\*