

**GOVERNMENT OF KERALA****Abstract**

Home Department - Police Department - Widening the road passing through NGO Quarters, Armed Reserve Camp, Kozhikode and remittance of land cost for additional access width - Sanction accorded - Orders issued.

HOME (E) DEPARTMENT

G.O.(Rt)No.2169/2026/HOME Dated, Thiruvananthapuram, 28-06-2026

- Read:-
- 1) Judgement dated 15.11.2024 of the Hon'ble High Court of Kerala in WP(C) No. 6030/2024 filed by Neoscape Builders Developers Pvt. Ltd. & Amia Builders & Developers Pvt. Ltd.
 - 2) Representation dated 13.01.2026 submitted by Smt. Rashmi Binto, Chairman, Neoscape Builders Developers Pvt. Ltd., Kozhikode & Smt. Asha Jose, Chairman, Amia Builders & Developers Pvt. Ltd., Ernakulam.
 - 3) Minutes of the 42nd Meeting of the Kerala State Single Window Clearance Board (KSSWCB) meeting held on 06.03.2026.
 - 4) Letter No. DCKKD/2015/2026-B3 dated 07.03.2026 from the District Collector, Kozhikode.
 - 5) Letter No.H14-48736/2026/PHQ dated 21.04.2026 from the State Police Chief, Thiruvananthapuram.

ORDER

As per the representation read as 2nd paper above. Smt. Rashmi Binto.

Chairman, Neoscape Builders Developers Pvt. Ltd., Kozhikode & Smt. Asha Jose, Chairman, Amia Builders & Developers Pvt. Ltd., Ernakulam informed that they propose a project for the establishment of a Medical College (Academic Block and Hostels) associated with Iqra International Hospital & Research Centre, situated in Ward No. 11 of Kozhikode Corporation. The proposed project site has access through the road passing via NGO Quarters – Armed Reserve Camp, Kozhikode. The promoters of the project submitted the Building Permit application on 18.03.2021 under the Kozhikode Urban Area Master Plan 2035 and the Kerala Municipality Building Rules (KMBR), 2019. To meet the mandatory minimum 8-metre access road width requirement, the promoters acquired additional private land at substantial cost and widened the road accordingly. The access road from the N.G.O. Quarters Junction passing in front of the AR Camp, Maloorkunnu has reportedly been in uninterrupted public use for more than 40 years by numerous residences, commercial establishments and other institutions. Prior to purchasing the property and submitting the Building Permit application, enquiries were conducted with the District Town Planning Office and the City Police AR Camp, and it was confirmed that there were no restrictions under the applicable rules for construction or permit approval. It has also been informed that the promoters had obtained Environmental Clearance, Pollution Control Board Clearance and Fire NOC. However, the Municipal Corporation, Kozhikode rejected the Building Permit application raising security concerns put forth by the City Police Commissioner regarding increased traffic through the NGO Quarters - AR Camp Road.

2) Aggrieved by the above decision, the promoters filed WP (C) No. 6030/2024 before the Hon'ble High Court of Kerala, vide Judgment

read as 1st paper above disposed the WP(C), directing the respondents 5 and 6 (The Secretary, Kozhikode Municipal Corporation) to consider the application for a building permit de hors the reason that the property is declared as a security zone and pass appropriate orders, in accordance with law, based on other relevant provisions of the Building Rules within six weeks from the date of receipt of the copy of the judgment.

3) Subsequently, an additional compound wall was constructed by the AR Camp Authorities, reducing the effective width of the road and resulting in non-compliance with the minimum access width prescribed under the Building Rules. Consequently, the District Town Planner rejected the layout approval application. Thereafter, the promoters submitted a representation seeking removal of the obstructions and expressed their willingness to remit the value fixed by the Government for the land required for further widening of the road, without claiming any ownership rights over the said land. Though the Hon'ble High Court had directed reconsideration of the Building Permit application in accordance with law, the District Town Planner withheld approval citing zoning issues, alleged insufficiency of road width and the requirement of Police permission for use of the road.

4) As the issue remained unresolved, the matter was placed before the Invest Kerala Project Clearance authorities. A meeting was subsequently held by the District Collector, Kozhikode in the presence of the Director of Industries, District Town Planning Department, Corporation authorities, Additional Commissioner from the City Police Commissioner's Office and Revenue authorities. During the meeting, the District Collector directed the Police authorities to remove the obstructions and submit a report. However, the City Police

Commissioner did not submit any report to the District Collector.

5) Then the matter was considered in the 42nd meeting of the Kerala State Single Window Clearance Board held on 06.03.2026 under the chairmanship of the Chief Secretary, wherein the following decision was taken:

"The Additional Chief Secretary (Home) shall process the proposal submitted by the proponent dated 12.01.2026 expressing willingness to remit the cost of the land, and immediately issue formal permission for usage of the road. Since the road is an asset of the Police Department, the permission shall clearly specify the width of the road, including shoulder widths, which is already established to be more than 8 metres, so that the same may be considered by the District Town Planner, Kozhikode for issuance of Layout Approval under the Kerala Panchayat Building (Amendment) Rules, 2025."

6) Based on the above decision of Kerala State Single Window Clearance Board, remarks of District Collector, Kozhikode and State Police Chief were sought for by the Government. Meanwhile, reports received from the District Collector, Kozhikode as per the letter read as 4th paper above indicated that the approximate market value of the land is around Rs. 7 lakh per cent, though final valuation was pending. However, as per the letter read as 5th paper above the State Police Chief informed that, considering the security requirements of the City DHQ Camp, Kozhikode, the request to remove part of the retaining structure and widen the camp road cannot be accepted.

7) Government have examined the matter in detail and find that the request of the promoters for widening and use of the access road

deserves favorable consideration, since the road has reportedly been in uninterrupted public use for more than 40 years and the promoters had already purchased additional private land to ensure compliance with the minimum 8-metre access width prescribed under the Kerala Municipality Building Rules, 2019. The security concerns raised by the State Police Chief also have to be addressed through appropriate safeguards without denying access altogether, particularly since the Hon'ble High Court observed that the area has not been notified as a security zone. Moreover, the promoters have expressed willingness to remit the value fixed by Government for the land required for widening, without claiming any ownership rights.

8) In the above circumstances, permission is granted for the required widening and regulated use of the road (land from electric post VSAC-10 to VSAC-11 on the road from NGO quarters to Malurkundu DHQ camp) passing via NGO Quarters - Armed Reserve Camp, Kozhikode, subject to the following conditions:

- i. Suitable security measures and conditions to be prescribed by the Police authorities, thereby balancing security requirements with the statutory entitlement of the promoters for access to the project site.
- ii. As District Collector being the authority to fix the market value of the said land, shall fix the market value of the said land. Once the value of the land is deposited by the company, the road alignment should be fixed by Collector. The Police Department should re-draw the boundary of the camp to the original position.
- iii. Applicant shall never claim any ownership rights over the said land.
- iv. The applicants shall relinquish the land, they purchased for the road widening, in favor of public path.

(By order of the Governor)
BISHWANATH SINHA
ADDITIONAL CHIEF SECRETARY

To:

The State Police Chief, Kerala, Thiruvananthapuram.

Smt. Rashmi Binto, Chairman, Neoscape Builders Developers Pvt.
Ltd., Kozhikode

Smt. Asha Jose, Chairman, Amia Builders & Developers Pvt.
Ltd., Ernakulam

Industries (J) Department.

The District Collector, Kozhikode.

The Principal Accountant General (Audit/A&E), Kerala,
Thiruvananthapuram.

The Director, I&PRD. (Web & New media)

Stock File/Office Copy.

Forwarded /By order

Section Officer