

Fourteenth Kerala Legislative Assembly

Bill No. 239

**THE KERALA MUNICIPALITY (AMENDMENT)
BILL, 2020**

©

Kerala Legislature Secretariat

2020

KERALA NIYAMASABHA PRINTING PRESS.

Published on 30-01-2020

Fourteenth Kerala Legislative Assembly

Bill No. 239

**THE KERALA MUNICIPALITY (AMENDMENT)
BILL, 2020**

Fourteenth Kerala Legislative Assembly

Bill No. 239

[Translation in English of "2020-ലെ കേരള മുനിസിപ്പാലിറ്റി (അഭ്യന്തര) ബിൽ"
published under the authority of the Governor.]

THE KERALA MUNICIPALITY (AMENDMENT) BILL, 2020

A

BILL

further to amend the Kerala Municipality Act, 1994.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Municipality Act, 1994 (20 of 1994) for the purposes hereinafter appearing;

BE it enacted in the Seventieth Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Municipality (Amendment) Act, 2020.

(2) It shall come into force at once.

2. *Amendment of section 6.*—In the Kerala Municipality Act (20 of 1994) in sub-section (3) of section 6,—

(a) in clause (a),—

(i) in sub-clause (i), for the words "twenty five", the words "twenty six" shall be substituted;

(ii) in sub-clause (ii), for the words "twenty five" the words "twenty six" and for the words "fifty two" the words "fifty three" shall be substituted;

(b) in clause (b),—

(i) in sub-clause (i), for the words "fifty five" the words "fifty six" shall be substituted;

(ii) in sub-clause (ii), for the words "fifty five" the words "fifty six" and for the words "one hundred", the words "one hundred and one" shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Section 6 of the Kerala Municipality Act, 1994 (20 of 1994) provides for the constitution of Councils. Sub-section (2) of the said section provides that after publishing the relevant data according to Census, the total number of seats of Councillors in a Municipality may be varied in accordance with the criteria specified in sub-section (3). As per existing provision of sub-section (3) of section 6 of the Act, the number of seats of Councillors in Municipal Council, where the population does not exceed twenty thousand, shall be twenty five, and where the population of the Municipal Council exceeds twenty thousand, number of seats of councillors shall be twenty five for the population of first twenty thousand, and one each for every two thousand and five hundred, of the population exceeding twenty thousand, subject to a maximum of fifty two Councillors. In the case of Municipal Corporation, the number of seats of Councillors where the population of Municipal Corporation does not exceed four lakh shall be fifty five, and where the population exceeds four lakhs, fifty five councillors for the population of first four lakhs and one each for every ten thousand exceeding four lakhs, subject to a maximum of one hundred Councillors.

In the circumstance of increase in the population of Kerala as per Census of 2011, and the population of many municipalities have exceeded one lakh, the ratio between the number of councillors to be filled by election and population have increased. Under this circumstance, the Government have decided to increase the number of councillors in the municipalities by one each, to reduce the ratio between the population and the number of councillors to provide better administration to the general public. Accordingly, Government have decided to amend sub-section (3) of section 6 of the Kerala Municipality Act, 1994 suitably.

The Bill is intended to achieve the above said object.

FINANCIAL MEMORANDUM

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

A. C. MOIDEEN.

**EXTRACT FROM THE KERALA MUNICIPALITY ACT, 1994
(20 OF 1994)**

**

**

**

**

6. *Constitution of Council.*—(1) The Government shall, in accordance with the criteria specified in sub-section (3), notify the total number of seats of the Councillors to be filled up by direct election in a Town Panchayat, Municipality and Municipal Corporation considering the population of the area of the Municipality concerned.

(2) The Government may, after publishing the relevant data according to each census, vary the total number of seats of Councillors in a Municipality notified under sub-section (1) subject to the criteria specified in sub-section (3).

(3) The number of seats of Councillors notified under sub-section (1) or sub-section (2), shall be,—

(a) In the case of a Town Panchayat or a Municipal Council,—

(i) twenty five, where the population in the area of the Town Panchayat or Municipal Council does not exceed twenty thousand, and

(ii) Where the population of the Town Panchayat or Municipal Council exceeds twenty thousand, twenty five councillors for the population of first twenty thousand, and one each for every two thousand and five hundred of the population exceeding twenty thousand, subject to a maximum of fifty two Councillors;

(b) In the case of a Municipal Corporation,—

(i) fifty five, where the population in the area of the Municipal Corporation does not exceed four lakhs, and

(ii) Where the population exceeds four lakhs, fifty five councillors for the population of first four lakhs and one each for every ten thousand exceeding four lakhs, subject to a maximum of one hundred Councillors.

**

**

**

**

(10) Immediately after deciding the reserved wards under sub-section (9), the State Election Commission shall notify the list of wards so reserved, in the manner prescribed.