

GOVERNMENT OF KERALA  
Law (Legislation-C) Department

## NOTIFICATION

No.4904/Leg.C1/2019/Law.

*Dated Thiruvananthapuram, 2<sup>nd</sup> December, 2019*  
*16<sup>th</sup> Vrischikam, 1195*  
*11<sup>th</sup> Agrahayana, 1941.*

In pursuance of clause (3) of Article 348 of the Constitution of India, the Governor of Kerala is pleased to authorise the publication in the Gazette of the following translation in English language of the Kerala Municipality (Amendment) Act, 2019 (10 of 2019).

By order of the Governor,

ARAVINTHA BABU P. K.,  
*Law Secretary.*



[Translation in English of “ 2019-ലെ കേരള മുനിസിപ്പാലിറ്റി (ഭേദഗതി) ആക്ട് ”  
published under the authority of the Governor.]

ACT 10 OF 2019

THE KERALA MUNICIPALITY (AMENDMENT) ACT, 2019

*An Act 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, 2019.

(2) Section 5 of the Act shall be deemed to have come into force on the 2<sup>nd</sup> day of March, 2019 and the remaining sections shall be deemed to have come into force on the 6<sup>th</sup> day of March, 2019.

2. *Amendment of section 48.*— In the Kerala Municipality Act, 1994 (20 of 1994) (hereinafter referred to as the principal Act) in section 48,—

(1) in sub-section (1), the words “borne on such cadre, as may be prescribed”, shall be omitted;

(2) for sub-section (3), the following sub-sections shall be substituted, namely:—

“(3) The pay and allowances of the Secretary as fixed by the Government from, time to time, shall in the first instance to be paid from the State Fund. The pay and allowances paid to the Secretary and the contributions towards his leave salary, pension and provident fund to the extent required by the conditions of his service under the Government, to be made by him or on his behalf shall be credited monthly to the State fund by the Municipality.

(3A) Subject to the provisions of this Act, the Government shall by rules made under the Kerala Public Services Act, 1968 (19 of 1968), regulate the classifications, method of recruitment, conditions of service, pay and allowances, discipline and conduct of the Secretaries appointed under sub-section (1) and such rules may provide for the constitution of a separate service or cadre, either for the whole State or for each district, for the Secretaries along with such other Government servants as are considered necessary by the Government.”.

3. *Amendment of section 222.*— In section 222 of the principal Act,—

(1) in the marginal heading, for the words “Constitution of a common municipal service”, the words “Officers and employees of Municipality” shall be substituted;



(2) for sub-section (1), the following sub-sections shall be substituted, namely:—

“(1) The officers and employees of a Municipality, other than contingent employees, shall be Government servants.

(1A) The Municipality shall pay the officers and employees such salary and allowances as may from, time to time, be fixed by the Government and shall also make such contribution towards their leave salary, pension and provident fund, as may be required by the conditions of their service under the Government, to be made by them or on their behalf.

(1B) Subject to the provisions of this Act, the Government shall by rules made under the Kerala Public Services Act, 1968 (19 of 1968), regulate the classifications, method of recruitment, conditions of service, pay and allowances, discipline and conduct of the officers and the employees and such rules may provide for the constitution of a separate service, for any class of officers or employees of Municipalities either for the whole State or for each district.”.

4. *Amendment of section 224.*— In sub-section (2) of section 224 of the principal Act, for the words “Municipal Common Service”, the words “Local Self Government Department Common Service” shall be substituted.

5. *Amendment of section 326.*— In section 326 of the principal Act, after sub-section (4), the following sub-section shall be inserted, namely:—

“(5) Notwithstanding anything contained in this Act or any other law for the time being in force, for the purpose of carrying out the provisions contained in sub-section (4), the Government shall have the power to take over any land belonging to the Local Self Government Institution, in which the project as specified in said sub-section is proposed to be implemented, by a notification published in the Official Gazette.”.

6. *Repeal and saving.*— (1) The Kerala Municipality (Amendment) Ordinance, 2019 (28 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

