



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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20th Mithunam 1195

1942 ആഷാഢം 13
13th Ashadha 1942

നമ്പർ
No.

1662

GOVERNMENT OF KERALA Law (Legislation-H) Department

NOTIFICATION

No. 9723/Leg.H1/2020/Law.

4th July, 2020

Dated, Thiruvananthapuram, 20th Mithunam, 1195

13th Ashadha, 1942.

The following Ordinance promulgated by the Governor of Kerala on the 3rd day of July, 2020 is hereby published for general information.

By order of the Governor,
ARAVINTHA BABU P. K.,
Law Secretary.



ORDINANCE No. 38 of 2020**THE KERALA EPIDEMIC DISEASES (AMENDMENT) ORDINANCE, 2020**

Promulgated by the Governor of Kerala in the Seventy-first Year of the Republic of India.

AN

ORDINANCE

to amend the Kerala Epidemic Diseases Ordinance, 2020.

Preamble.—WHEREAS, for the unification and consolidation of the laws relating to the regulation and prevention of epidemic diseases in the State, the Kerala Epidemic Diseases Ordinance, 2020 (18 of 2020) was promulgated by the Governor of Kerala on the 26th day of March, 2020;

AND WHEREAS, certain unforeseen difficulties were occurred while implementing the provisions of the said Ordinance due to the lock down ordered by the Government of India throughout the country which require amendment in the said Ordinance;

AND WHEREAS, some practical difficulties will arise if certain offences under the Ordinance are not allowed to be compounded;

AND WHEREAS, it is necessary to amend the said Ordinance in order to compound certain offences under the Ordinance;

AND WHEREAS, the Legislative Assembly of the State of Kerala is not in session and the Governor of Kerala is satisfied that circumstances exist which render it necessary for him to take immediate action;

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of Article 213 of the Constitution of India, the Governor of Kerala is pleased to promulgate the following Ordinance:—

1. *Short title and commencement.*—(1) This Ordinance may be called "the Kerala Epidemic Diseases (Amendment) Ordinance, 2020".

(2) It shall come into force at once.



2. *Ordinance 18 of 2020 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Epidemic Diseases Ordinance, 2020 (18 of 2020) (hereinafter referred to as the principal Ordinance) shall have effect subject to the amendments specified in sections 3 and 4.

3. *Insertion of new section 7A.*—After section 7 of the principal Ordinance, the following section shall be inserted, namely:—

“7A. *Composition of offences.*—(1) Offences punishable under this Ordinance may be compounded on the application of the accused either before the institution of prosecution or with permission of the court concerned after the institution of prosecution, by such officers and for such amount as the Government may by notification published in the Official Gazette, specify in this behalf.

(2) Where an offence has been compounded, no further proceedings shall be continued against the offender in respect of the offence compounded and the offender if in custody and the vehicles if any seized shall be released.”.

4. *Amendment of section 12.*—In section 12 of the principal Ordinance, sub-section (2) shall be omitted.

ARIF MOHAMMED KHAN,
GOVERNOR.

