



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
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Thiruvananthapuram,
Wednesday

2021 ഫെബ്രുവരി 10
10th February 2021

1196 മകരം 28
28th Makaram 1196

1942 മാഘം 21
21st Magha 1942

നമ്പർ
No.

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കേരള സർക്കാർ

നിയമ (നിയമനിർമ്മാണ-സി) വകുപ്പ്

വിജ്ഞാപനം

നമ്പർ 6826/ലെറ്.സി3/2020/നിയമം.

തിരുവനന്തപുരം, 2021 ഫെബ്രുവരി 10

1196 മകരം 28

1942 മാഘം 21.

2021 ഫെബ്രുവരി 9-ാം തീയതി കേരള ഗവർണ്ണർ വിളംബരപ്പെടുത്തിയ താഴെപ്പറയുന്ന ഓർഡിനൻസ് പൊതുജനങ്ങളുടെ അറിവിലേക്കായി ഇതിനാൽ പ്രസിദ്ധപ്പെടുത്തുന്നു.

ഗവർണ്ണറുടെ ഉത്തരവിൻപ്രകാരം,

അരവിന്ദ ബാബു പി. കെ.,
നിയമ സെക്രട്ടറി.



GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 6826/Leg. C3/2020/Law.

Dated, Thiruvananthapuram, 10th February, 2021
28th Makaram, 1196
21st Magha, 1942.

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 Panchayat Raj (Amendment) Ordinance, 2021 (14 of 2021).

By order of the Governor,

ARAVINTHA BABU P. K.,
Law Secretary.



[Translation in English of “2021-ലെ കേരള പഞ്ചായത്ത് രാജ് (ഭേദഗതി) ഓർഡിനൻസ്” published under the authority of the Governor.]

ORDINANCE No. 14 OF 2021

THE KERALA PANCHAYAT RAJ (AMENDMENT) ORDINANCE, 2021

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

AN

ORDINANCE

further to amend the Kerala Panchayat Raj Act, 1994.

Preamble.— WHEREAS, the Kerala Panchayat Raj (Amendment) Ordinance, 2020 (32 of 2020) was promulgated by the Governor of Kerala on the 2nd day of May, 2020;

AND WHEREAS, a Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which convened on the 24th day of August 2020;

AND WHEREAS, in order to keep alive the provisions of the said Ordinance, the Kerala Panchayat Raj (Amendment) Ordinance (68 of 2020) was promulgated by the Governor on the 26th day of September, 2020;

AND WHEREAS, the Kerala Panchayat Raj (Second Amendment) Ordinance, 2020 (69 of 2020) was promulgated by the Governor of Kerala on the 26th day of September, 2020;

AND WHEREAS, in order to keep alive the provisions of the said ordinance with certain amendments the Kerala Panchayat Raj (Third Amendment) Ordinance (78 of 2020) was promulgated by the Governor of Kerala on the 19th day of November, 2020;

AND WHEREAS, a Bill to replace the said Ordinances by an Act of the State Legislature could not be introduced in, and passed by, the Legislative Assembly of the State of Kerala during its session which convened on the 31st day of December, 2020 and during its session which commenced on the 8th day of January, 2021 and ended on the 22nd day of January, 2021;



AND WHEREAS, under sub-clause (a) of clause (2) of Article 213 of the Constitution of India, the Kerala Panchayat Raj (Amendment) Ordinance, 2020 (68 of 2020) and the Kerala Panchayat Raj (Third Amendment) Ordinance, 2020 (78 of 2020) will cease to operate on the 11th day of February, 2021;

AND WHEREAS, difficulties will arise if the provisions of the said Ordinances are not kept alive;

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 Panchayat Raj (Amendment) Ordinance, 2021.

(2) Save as otherwise provided in this Ordinance, section 3 shall be deemed to have come into force on the 4th day of May, 2020 and sub-section (1) of section 4 and section 5 shall be deemed to have come into force on the 30th day of September, 2020 and sub-section (2) of section 4 shall be deemed to have come into force on the 19th day of November, 2020.

2. *Act 13 of 1994 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Panchayat Raj Act, 1994 (13 of 1994) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3, 4 and 5.

3. *Amendment of section 6.*—In the principal Act, in sub-section (3) of section 6,—

(i) in clause (a), for the words “less than fourteen or more than twenty four”, the words “less than thirteen or more than twenty three” shall be substituted;

(ii) in clause (b), for the words “less than fourteen or more than twenty four”, the words “less than thirteen or more than twenty three” shall be substituted;

(iii) in clause (c), for the words “less than seventeen or more than thirty three”, the words “less than sixteen or more than thirty two” shall be substituted.



4. *Amendment of section 70.*—In section 70 of the principal Act,—

(1) the existing provision shall be numbered as sub-section (1) thereof, and in the proviso to the sub-section (1) as so numbered, for the figures, word and letters “ 7 a.m and 5 p.m” the figures, word and letters “7 a.m and 6 p.m ” shall be substituted;

(2) after sub-section (1) as so numbered, and the proviso thereunder, the following sub-section shall be inserted, namely:—

“(2) The last one hour of the time fixed under sub-section (1) shall be used for voting by such classes of persons as specified under section 74A.”.

5. *Insertion of new section after section 74.*—In the principal Act, section 74A shall be renumbered as section 74B, and before section 74B as so renumbered, the following section shall be inserted, namely:—

“74A. *Special provision for postal ballot to certain classes of persons.*—(1) Without prejudice to the generality of the provisions contained in section 74, the following classes of voters shall have the opportunity to give their vote by postal ballot in such manner, as may be prescribed, namely:—

- (a) any person who is affected by epidemic disease;
- (b) any person in quarantine;

Explanation.—For the purpose of this section,—

(i) “epidemic disease” means epidemic disease as defined under clause (a) of section 2 of the Kerala Epidemic Diseases Ordinance, 2020 (57 of 2020) and notified by the Government under section 3 of the said Ordinance from, time to time;

(ii) “person in quarantine ” means a person who is in quarantine as per the guidelines issued by the Ministry of Health and Family Welfare, Government of India, from time to time, to prevent the spread of epidemic diseases.

(2) A voter as specified in any of the classes under sub-section(1) may give his vote by postal ballot or may give his vote directly at the polling station, in such manner as may be prescribed, at the time fixed under sub-section (2) of section 70.



Note:—The provisions in sub-section (2) shall be deemed to have come into force on the 19th day of November, 2020.”.

6. *Repeal and saving.*—(1) The Kerala Panchayat Raj (Amendment) Ordinance, 2020 (68 of 2020), The Kerala Panchayat Raj (Third Amendment) Ordinance (78 of 2020) 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 Ordinances shall be deemed to have been done or taken under the principal Act as amended by this Ordinance.

ARIF MOHAMMED KHAN,
GOVERNOR.

