

Ordinance Summary

The Kerala Municipality (Amendment) Ordinance, 2021

- The Kerala Municipality (Amendment) Ordinance, 2021 was promulgated on February 9, 2021. It repeals: (i) the Kerala Municipality (Amendment) Ordinance, 2020, and (ii) the Kerala Municipality (Third Amendment) Ordinance, 2020, which expired on February 11, 2021. The 2021 Ordinance extends the provisions of the two 2020 Ordinances.
- The 2021 Ordinance amends the Kerala Municipality Act, 1994. The Act constitutes urban local bodies (ULBs), such as Town Panchayats, Municipal Councils, and Municipal Corporations in Kerala. The 2021 Ordinance amends: (i) the limits on the number of seats to be filled in ULBs by direct elections, and (ii) certain procedures related to the conduct of polls during a pandemic.
- **Special provision for postal ballot for certain persons:** The Act prescribes the manner in which votes are to be cast in municipal elections and prohibits voting by proxy. The 2021 Ordinance allows certain categories of persons to vote in municipal elections by postal ballot or in person at polling stations, as prescribed. These persons include those: (i) affected by an epidemic disease (as notified under Kerala Epidemic Diseases Ordinance, 2020), or (ii) in quarantine (as per the relevant guidelines issued by the Union Ministry of Health and Family Welfare).
- **Poll timings:** The Act empowers the State Election Commission to fix the hours during which municipal polls will be conducted. It also specifies that the total period allotted on any one day for polling in a ward must be a minimum of

eight hours between 7 am and 5 pm. The 2021 Ordinance extends the poll timings till 6 pm. The last one hour of the time period shall be used to allow persons affected by an epidemic disease, or in quarantine, to cast their vote directly at the polling station.

- **Number of Councillors:** The Act provides for the state government to notify the total number of seats for Councillors in ULBs to be filled by direct elections, subject to certain limits. The 2021 Ordinance reduces the limits prescribed under the Act, as specified in Table 1.

Table 1: Limit on maximum number of seats for directly elected Councillors in ULBs

Population	1994 Act	2021 Ordinance
Town Panchayat or Municipal Council		
Within 20,000	26	25
Above 20,000	26, for the first 20,000 and increase one seat for every 2,500 increase in population; up to a maximum of 53	25, for the first 20,000 and increase one seat for every 2,500 increase in population; up to a maximum of 52
Municipal Corporation		
Within four lakh	56	55
Above four lakh	56, for the first four lakh and increase one seat for every 10,000 increase in population; up to a maximum of 101	55, for the first four lakh and increase one seat for every 10,000 increase in population; up to a maximum of 100

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