

Ordinance Summary

The Kerala Panchayat Raj (Amendment) Ordinance, 2021

- The Kerala Panchayat Raj (Amendment) Ordinance, 2021 was promulgated on February 9, 2021. It repeals: (i) the Kerala Panchayat Raj (Amendment) Ordinance, 2020, and (ii) the Kerala Panchayat Raj (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 Panchayat Raj Act, 1994. The Act established a three-tier Panchayat Raj system in the State of Kerala. The 2021 Ordinance amends: (i) the limits on the total number of seats to be filled by direct elections in a panchayat, and (ii) certain procedures related to the conduct of polls during a pandemic.
- **Strength of Panchayats:** The Act provides for the state government to notify the total number of seats in panchayats 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.
- **Special provision for postal ballot for certain persons:** The Act prescribes the manner in which votes are to be cast in panchayat elections and prohibits voting by proxy. The 2021 Ordinance allows certain categories of persons to vote in panchayat elections by postal ballot or in person at polling stations, as prescribed. These persons include: (i) those affected by an epidemic disease (as notified under Kerala Epidemic Diseases Ordinance, 2020), or (ii) those in quarantine (as per guidelines issued by the Union Ministry of Health and Family Welfare).
- **Fixing poll timings:** The Act empowers the State Election Commission to fix the hours during which panchayat 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 hour of this 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.

Table 1: Limits on number of directly elected seats in Panchayats

Type of Panchayat	1994 Act	2021 Ordinance
Village Panchayat	Minimum: 14, Maximum: 24	Minimum: 13, Maximum: 23
Block Panchayat	Minimum: 14, Maximum: 24	Minimum: 13, Maximum: 23
District Panchayat	Minimum: 17, Maximum: 33	Minimum: 16, Maximum: 32

DISCLAIMER: This document is being furnished to you for your information. You may choose to reproduce or redistribute this report for non-commercial purposes in part or in full to any other person with due acknowledgement of PRS Legislative Research (“PRS”). The opinions expressed herein are entirely those of the author(s). PRS makes every effort to use reliable and comprehensive information, but PRS does not represent that the contents of the report are accurate or complete. PRS is an independent, not-for-profit group. This document has been prepared without regard to the objectives or opinions of those who may receive it.