

**Fifteenth Kerala Legislative Assembly**

**Bill No. 145**

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**THE KERALA MUNICIPALITY ( AMENDMENT )  
BILL, 2022**

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[Translation in English of “2022-ലെ കേരള മുനിസിപ്പാലിറ്റി ( ഭേദഗതി) ആക്ട്”  
published under the authority of the Governor. ]

**THE KERALA MUNICIPALITY (AMENDMENT)**

**BILL, 2022**

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***BILL***

*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 Seventy-third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Municipality ( Amendment) Act, 2022.

(2) It shall come into force at once.

2. *Amendment of section 407.*—In the Kerala Municipality Act, 1994 (20 of 1994), in sub-section (1) of section 407, for the figures, words and symbol “31<sup>st</sup> July, 2017” the figures, words and symbol “7<sup>th</sup> November, 2019” shall be substituted.

**STATEMENT OF OBJECTS AND REASONS**

Sub-section (1) of section 407 of the Kerala Municipality Act, 1994 (20 of 1994) provides that, notwithstanding anything contained in the Act, if any person or institution unlawfully, developed any land or constructed, reconstructed or carried out additions to any building on or before 31<sup>st</sup> July, 2017, a committee consisting of the District Town Planner, Regional Joint Director and the Secretary of the Local Self Government Institution concerned may after consultation with

the concerned Municipality on realisation of a compounding fee as prescribed, regularise such land development or building construction or additions or reconstruction.

As the Kerala Municipality Building Rules, 2019, has come into force on 8<sup>th</sup> November, 2019, the Government have decided to amend sub-section (1) of section 407 of the said Act, so as to permit the regularisation of the unauthorised constructions which were started or completed on or before 7<sup>th</sup> November, 2019.

The Bill is intended to achieve the above object.

### FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any additional expenditure from the Consolidated Fund of the State.

M. B. RAJESH

EXTRACT FROM THE KERALA MUNICIPALITY ACT, 1994  
(20 OF 1994)

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407. *Power to regularise the unlawful building construction.*—(1) Notwithstanding anything contained in this Act, if any person or institution unlawfully, developed any land or constructed, reconstructed or carried out additions to any building on or before 31st July, 2017, a committee consisting of the District Town Planner, Regional Joint Director and the Secretary of the Local Self Government Institution concerned may after consultation with the concerned Municipality on realisation of a compounding fee as prescribed, regularise such land development or building construction or additions or reconstruction:

Provided that such regularisation shall not adversely affect any Town Planning scheme or master plan, approved under the existing provisions of the Town Planning Act:

Provided further that no building construction or additions or reconstruction shall be regularised, which is done in contravention of the provisions in respect of the security arrangements provided in this Act, or the Building Rules made thereunder.

(2) Application for regularisation under sub-section (1) shall be submitted within such time and in such manner as prescribed.

*Explanation.*—For the purpose of this Act, unlawful construction means any construction or building construction or additions or reconstruction for which the Secretary shall have no power to regularise under section 406 of this Act or any construction or re-construction or additions done in contravention of the provision of this Act or the Building Rules made thereunder or in contravention of any approved plan or any construction done in deviation of any exemption order sanctioned by the Government or any condition specified therein.

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