



# കേരള ഗസറ്റ് KERALA GAZETTE

## അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്  
PUBLISHED BY AUTHORITY

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### കേരള സർക്കാർ

നിയമ (നിയമ നിർമ്മാണ-സി) വകുപ്പ്

### വിജ്ഞാപനം

നമ്പർ 3117/ലെറ്.സി1/2021/നിയമം.

തിരുവനന്തപുരം, 2021 ഫെബ്രുവരി 12  
1196 മകരം 30  
1942 മാഘം 23 .

2021 ഫെബ്രുവരി 12-ാം 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. 3117/Leg. C1/2021/Law.

*Dated, Thiruvananthapuram, 12th February, 2021  
30th Makaram, 1196  
23rd 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 Municipality (Second Amendment) Ordinance, 2021 (34 of 2021).

By order of the Governor,

ARAVINTHA BABU P. K.,  
*Law Secretary.*



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

## ORDINANCE No. 34 OF 2021

### THE KERALA MUNICIPALITY (SECOND 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 Municipality Act, 1994.*

*Preamble.*—WHEREAS, it is expedient further to amend the Kerala Municipality Act, 1994 (20 of 1994) for the purposes hereinafter appearing;

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 Municipality ( Second Amendment) Ordinance, 2021.

(2) It shall come into force at once.

2. *Act 20 of 1994 to be temporarily amended.*—During the period of operation of this Ordinance, the Kerala Municipality Act, 1994 (20 of 1994) (hereinafter referred to as the principal Act) shall have effect subject to the amendments specified in sections 3 to 9.

3. *Amendment of section 2.*—In section 2 of the principal Act,—

(i) after clause (17), the following clause shall be inserted, namely:—



“(17A) “empanelled Licensee” means any institution, architect, engineer, building designer, supervisor or town planner , as the case may be, registered under the Regional Joint Director of Urban Affairs or deemed to be registered under the Kerala Municipality Building Rules, 2019, and empanelled in such manner as may be prescribed by the Local Self Government Department for the purpose of issuing self-certification.”.

(ii) after clause (22), the following clause shall be inserted, namely:—

“(22A) “low risk buildings” include residential buildings under Group A1 occupancy, with built up area of less than three hundred square meters and height less than seven meters and limited to two storeys, hostel, orphanage, dormetry, old age home, seminary under Group A2 occupancy having built up area less than two hundred square meters, educational buildings under Group B occupancy having built up area less than two hundred square meters, Group D occupancy buildings where persons congregate for religious and patriotic purposes having built up area less than two hundred square meters ,Group F occupancy buildings having built up area less than one hundred square meters, Group G1 occupancy buildings without any nuisance and not dangerous and having built up area less than one hundred square meters.”.

(iii) after clause (43) the following clause shall be inserted , namely:—

“(43A) “Self-certification” means self certification issued jointly by the owner of the building and the empanelled licensee to the effect that, the building plan and site plan for the construction or reconstruction of the low risk buildings are in accordance with the provisions of the Act and rules, for the time being in force, and any lawful direction issued, any stipulation as to the standard of specifications, laws, rules and directions.”.

4. *Amendment of section 387.*—In section 387 of the principal Act,—

(i) in sub-section (1), after the word “hut”, the words “or low risk buildings” shall be inserted;

(ii) in clause (a), for the words “an application in writing”, the words “an application in writing or through online” shall be substituted;



(iii) in clause (b), for the words “an application in writing”, the words “an application in writing or through online” shall be substituted;

5. *Amendment of section 389.*—In section 389 of the principal Act, after the words “re-construction of a building” the words “including low risk buildings” shall be inserted.

6. *Amendment of section 390.*—In section 390 of the principal Act, for the words “within thirty days” the words “within fifteen days” shall be substituted;

7. *Amendment of section 391.*—In section 391 of the principal Act,—

(i) for the words “thirty days”, the words “fifteen days” shall be substituted;

(ii) in the proviso, for the words “thirty days”, the words “fifteen days” shall be substituted.

8. *Insertion of new section 392A.*—After section 392 of the principal Act, the following section shall be inserted, namely:—

“392A. *Application for the construction of low risk buildings.*—(1) Any person who intends to construct or reconstruct a low risk building, shall file an application to the Secretary, for approval of the building site and for permission to execute the work of such building along with a Self Certification, in such form and along with such documents, as may be prescribed .

(2) On receipt of an application under sub-section (1), complete in all respect, the Secretary shall, within five working days, issue an Acknowledgement Certificate, in such form, as may be prescribed.

(3) On receipt of an Acknowledgement Certificate under sub-section (2) such Acknowledgement Certificate shall be deemed to be approval of the building site and permission to execute the work of such building.”.

9. *Amendment of section 515.*—After sub-section (2) of section 515 of the principal Act, the following sub-sections shall be inserted, namely:—



“(3) In the case of issue of self-certification by the empanelled licensee for the construction or reconstruction of low risk buildings, if the Registering Authority finds that the empanelled licensee issued the self certification to such building in violation of the provisions of this Act or the rules made thereunder or any lawful directions issued, or any Act or rule for the time being in force, or concealing any fact, such registering authority may debar the empanelled licensee from practising in the State for a period of not less than five years, and after issuing a show cause notice to such licensee a fine as provided in sub-section (4) may be realised from such licensee.

(4) Where a building is constructed or reconstructed in violation of the provisions specified in the self-certification, an amount of rupees two lakh each for building with built up area upto one hundred square meters, four lakh rupees each for building with built-up area upto two hundred square meters, six lakhs rupees each for building with built-up area upto three hundred square meters, shall be realised as fine from such owner and empanelled licensee who have issued such self certification after giving a show cause notice and considering the reply, if any, furnished by such owner or licensee.

(5) A person who is aggrieved by the actions taken or the orders issued by the Registering Authority, may file an appeal before the Government against such order or action within thirty days from the date of receipt of the order under sub-section (3).”.

ARIF MOHAMMED KHAN,  
*GOVERNOR.*

