

**Fifteenth Kerala Legislative Assembly**  
**Bill No.274**

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**THE KERALA PANCHAYAT RAJ (AMENDMENT) BILL, 2025**

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**THE KERALA PANCHAYAT RAJ (AMENDMENT) BILL, 2025**

*A*

*Bill*

*further to amend the Kerala Panchayat Raj Act,1994.*

*Preamble.*—WHEREAS, it is expedient further to amend the Kerala Panchayat Raj Act, 1994 for the purposes hereinafter appearing;

BE it enacted in the Seventy-sixth year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called Kerala Panchayat Raj (Amendment) Act, 2025.

(2) It shall come into force at once.

2. *Amendment of section 7.*—In the Kerala Panchayat Raj Act,1994 (13 of 1994) (hereinafter referred to as the principal Act), in the proviso to sub-section (4) of section 7, after the words “higher population” the words and symbols “ and if the population of scheduled castes and scheduled tribes is equal, for the first time, reservation for which category, shall be determined by lot and in subsequent occasions, shall be determined for scheduled caste or scheduled tribe, as the case may be, by avoiding repetition” shall be added.

3. *Amendment of section 8.*—In the proviso to sub-section (4) of section 8 of the principal Act, after the words “higher population” the words and symbols “and if the population of scheduled castes and scheduled tribes is equal, for the first time, reservation for which category, shall be determined by lot and in subsequent occasions, shall be determined for scheduled caste or scheduled tribe, as the case may be, by avoiding repetition” shall be added.

4. *Amendment of section 9.*—In the proviso to sub-section (4) of section 9 of the principal Act, after the words “higher population” the words and symbols “ and if the population of scheduled castes and scheduled tribes is equal, for the first time, reservation for which category, shall be determined by lot and in subsequent occasions, shall be determined for scheduled caste or scheduled tribe, as the case may be, by avoiding repetition” shall be added.

5. *Amendment of section 188.*—In section 188 of the principal Act.—

(i) after sub-section (1), the following sub-section shall be inserted, namely:—

“(1a)The Government may, in the prescribed manner, arrange Internal Vigilance and Monitoring System for examining documents and other matters with respect to Panchayat Administration, evaluate as to whether the developmental and welfare responsibilities vested with a panchayat and the financial and controlling powers entrusted to it are being exercised and implemented effectively and fruitfully in accordance with laws, rules and guidelines and to give timely directions to rectify lapses, if any.

(ii) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Government may, in the prescribed manner, make arrangements to conduct social audit in respect of the development and welfare activities undertaken and implemented by the Panchayat. ”.

6. *Amendment of section 203.*—In sub-section (3) of section 203 of the principal Act, the bracket and words “ (in whole number)” shall be omitted.

7. *Insertion of new section after section 220.*—After section 220 of the principal Act, the following section shall be inserted, namely:—

“220A. *Prohibition of structures and fixtures causing obstruction in public streets.*—(1) No person shall erect any wall, fence, rail, post, step or structures or set up fixtures by encroaching into any part of public street, well, pond , channel or drain or to occupy any part of such public street, well, pond, channel or drain.

(2) Any person for setting or tying any arch, board, hoardings, banners, digital banners, flags, flag posts, festoons in a public place or public street or over them; or in an open channel, well, pond or any street or over them ; shall obtain permission in writing from the Secretary by remitting the fee in the prescribed manner.

Provided that the Secretary shall give such permission subject to the provisions specified in the Kerala Highway Protection Act, 1999 ( 6 of 2000) and the Kerala Road Safety Authority Act ( 8 of 2007).”.

8. *Amendment of section 233A.*—In section 233A of the principal Act,—

(i) in sub-section (2), for the words “may obtain” the words “shall obtain” shall be substituted;

(ii) in sub-section (3), after the words “under sub-section (1)” the words, symbol and bracket “ after following the procedures under sub-section (2)” shall be inserted.

9. *Amendment of section 238.*—In clause (b) of sub-section (1) of section 238 of the principal Act, before the words “ immediate action” the words “ Secretary is satisfied that ” shall be inserted, and for the words “Village Panchayat shall itself” the words and symbol “Secretary, himself” shall be substituted.

## STATEMENT OF OBJECTS AND REASONS

Provisos to sub-section (4) of section 7, sub-section (4) of section 8 and sub-section (4) of section (9) of the Kerala Panchayat Raj Act, 1994 (13 of 1994) provides that one seat shall be reserved in that Panchayat for the Scheduled Castes and Scheduled Tribes having higher population. If the population of scheduled castes and scheduled tribes is equal, for the purpose of reservation of seats, it was decided to amend the said sections of the Kerala Panchayat Raj Act, and regarding arranging for Internal Vigilance and Monitoring System and Social audit, property tax, as part of making industrial friendly, entrusting the responsibility to the Secretary in the matter of dangerous trees, the Government have decided to amend sections 188, 203, 233A and 238 of Kerala Panchayat Raj

Act, 1994 suitably and it was also decided to incorporate a new provision 220A regarding the prohibition of structures and fixtures causing obstruction in public streets in the said Act.

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.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

In section 188, proposed to be inserted in the principal Act by clause 5 of the Bill, seeks to empower the Government,—

(i) sub-section (1a), to prescribe the manner for arranging the Internal Vigilance and Monitoring System to evaluate the works vested in the Panchayat and if there are lapses, to give directions to rectify the same.

(ii) sub-section (3), to prescribe the manner of conducting the social audit in respect of the Development and Welfare Activities implemented by the Panchayat.

2. Sub-section (2) of section 220A proposed to be inserted in the principal Act by clause 7 of the bill seeks to empower the Government to prescribe the manner of remitting fee in relation to the prohibition of structures and fixtures causing obstruction in public streets.

The matters in respect of which rules may be made are matters of procedure and are of routine or administrative in nature. Further, the rules, are subject to scrutiny by the Legislative Assembly. The delegation of legislative power is, thus, of a normal character.

M.B.RAJESH.

EXTRACT FROM THE KERALA PANCHAYAT  
RAJ ACT, 1994 (13 OF 1994)

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7. *Composition of Village Panchayat.*—(1) Every Village Panchayat shall consist of elected members equal to the number of seats notified under sub-section (1) of section 6.

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(4) The number of seats reserved under sub-section (3) shall be determined by the Government and the number of seats so determined shall bear, as nearly as may be, the same proportion to the total number of seats in that Panchayat as the population of the Scheduled Castes in that Panchayat area or, as the case may be, of the Scheduled Tribes in that Panchayat area, and such seats shall be allotted by the State Election Commission or an Officer authorised by it under sub-section (1B) of section 10 by rotation to different constituencies in that Panchayat area:

Provided that where the population of the Scheduled Castes or the Scheduled Tribes in a Panchayat area is not sufficient enough to make them eligible for reservation of any seat, one seat shall be reserved in that Panchayat, for the Scheduled Castes or the Scheduled Tribes having higher population.

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8. *Composition of Block Panchayat.*—(1) Every Block Panchayat shall consist of,—

(a) elected members equal to the number of seats notified under sub-section (1) of section 6;

(b) the Presidents of the Village Panchayats in the territorial area of the Block Panchayat; and

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(4) The number of seats reserved under sub-section (3) shall be determined by the Government and the number of seats so determined shall bear, as nearly as may be, the same proportion to the total number of seats in that Block Panchayat as

the population of the Scheduled Castes in that Block Panchayat area or, as the case may be, of the Scheduled Tribes in that Block Panchayat area bears to the total population of that Block Panchayat area, and such seats shall be allotted by the State Election Commission or the officer authorised by it under sub-section (1B) of section 10 by rotation to different constituencies in that Block Panchayat area:

Provided that where the population of the Scheduled Castes or the Scheduled Tribes in a Block Panchayat area is not sufficient enough for reservation of any seat, one seat shall be reserved in that Block Panchayat, for the Scheduled Castes or the Scheduled Tribes having higher population.

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9. *Composition of the District Panchayat.*—(1) Every District Panchayat shall consist of,—

(a) elected members equal to the number of seats notified under sub-section (1) of section 6; and

(b) the Presidents of the Block Panchayats in the district;

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(4) The number of seats reserved under sub-section (3) shall be determined by the Government and the number of seats so determined shall bear, as nearly as may be, the same proportion to the total number of seats in that District Panchayat as the population of the Scheduled Castes in the District Panchayat area or, as the case may be, of the Scheduled Tribes in that District Panchayat area bears to the total population of that District Panchayat area, and such seats shall be allotted by the State Election Commission or the officer authorised by it under sub-section (1B) of section 10 by rotation to different constituencies in that District Panchayat area:

Provided that where the population of the Scheduled Castes or Scheduled Tribes in a District Panchayat area is not sufficient enough for the reservation of any seat, one seat shall be reserved for Scheduled Castes or Scheduled Tribes in that Panchayat, having higher population.

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188. *Power to inspect records etc., of Panchayats.*—(1) The Government or any officer empowered by the Government in this behalf, may,—

(a) call for any record, register or other document in the possession, or under the control of any Panchayat:

Provided that, the documents, register, or records furnished by the Panchayat shall be returned in original to the Panchayat, within ninety days of its receipt by the Government, and attested copy of the same shall be retained by the Government if necessary.

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(f) have power to inspect any office or any records or other documents of the Panchayats or movable properties kept therein or any work or institution or property under the control of the Panchayat.

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(3) The Government may, in the manner prescribed arrange periodical performance audit in respect of the administration of the Panchayat.

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203. *Property Tax.*—(1) Any Village Panchayat shall in accordance with the provisions of this Act and the rules as may be prescribed, level property tax on every building (including the land appurtenant thereto) situated within the area of the respective Village Panchayat and not exempted under the provisions of this Act

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(3) The respective Village Panchayat shall, subject to the limit fixed by the Government in accordance with the category of buildings referred to in sub-section (2), fix after complying with procedure prescribed, the basic rates of property tax (in whole number) to be made applicable to each category of buildings, situated in the area of Village Panchayat on a scale of one square meter plinth area. The rates of basic property tax for all buildings of same category or its sub-categories, as the case may be, shall be the same throughout the area of the Village Panchayat.

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220. *Prohibition against constructions in or over public roads etc.*—  
Notwithstanding anything contained in this Act no person shall,—

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(g) fell, remove, destroy, lop or strip, bark, leaves or fruits from, or otherwise damage, any tree which is growing on any such public road, other property, poramboke or land, the use of which is regulated by a Village Panchayat and the right to which has not been established by such person or vesting in or belonging to him.

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233A. *Abatement of nuisance caused by factory, workshop etc.*—(1) Where any factory, workshop, workplace or machinery causes, in the opinion of the Secretary nuisance by reason of a particular kind of fuel being employed or by reason of the noise or vibration created, or effluent discharged or by reason of noxious odour, smoke or dust omitted, the Secretary may direct the person in charge of such factory, workshop, workplace or machinery for the abatement of such nuisance within a reasonable time to be specified for that purpose.

(2) The Secretary may obtain expert opinion from the departments concerned, with regard to the determination of the nuisance or its abatement, at the cost of the owner or person in charge of the factory, workshop, workplace or machinery concerned and such report shall be furnished, as soon as possible, but not later than fifteen days of reporting such nuisance.

(3) Where there has been wilful default in carrying out a direction given under sub-section (1) or where in the existing circumstances the abatement of nuisance is found impracticable, the Secretary may prohibit the working of the factory, workshop, workplace or machinery till such time the person concerned take necessary steps to the satisfaction of the Secretary for the abatement of the nuisance.

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238. *Precautions in case of dangerous trees and pruning of hedges and trees.*—(1) (a) If any tree or any branch or portion of a tree or the fruits of any tree

be deemed by the Village panchayat to be likely to fall and thereby endanger any person or any structure or any cultivation, the Village Panchayat may by notice require the owner of the said tree to secure, lop or cut down the said tree or remove the fruits thereof so as to prevent any danger therefrom.

(b) if immediate action is necessary, the Village Panchayat shall itself before giving such notice or before the period of such notice expires secure, lop or cut down the said tree or remove the fruit thereof or fence off a part of any street or take such other temporary measures as it thinks fit to prevent danger, and the cost of so doing shall be recoverable from the owner of the tree in the same manner as an arrear of public revenue due on land.

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