

**Local Governance:**

**1. Public Administration**



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May 2016

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ISBN- 978-93-84557-60-7

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*Publication*



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**May 2016**



**Pinarayi Vijayan**  
Chief Minister

## **Message**

It is with immense pleasure I came to know that KILA is publishing handbooks on decentralisation in English language also. No doubt, Kerala Decentralisation has become another model to emulate. I hope that these six handbooks brought out by KILA deal with various subjects which give insights in the Local Developments and Decentralised Planning. The number of Elected Representative and Officials visiting Kerala to understand Kerala's ambitious Decentralisation programmes is increasing annually. I am sure that these handbooks would be of much help to those people who come from far and wide.

I heartily congratulate KILA for this new venture.

Lovingly,  
**Pinarayi Vijayan**



**Dr. K.T.Jaleel**  
Minister for Local Self Government

## **Message**

Local Governance system enables the government to understand the issues and concerns of the public through its various modes that has been developed as part of Decentralised Planning. The elected representatives must have the awareness that in a democracy, citizens are the supreme authority in decision making. The Elected Members have to play a pivotal role to fulfil their responsibility to the people. Democratic Decentralisation is the means to attain such an end. Each and every member must have the awareness on various aspects of Decentralisation. KILA by organising foundation courses to all newly elected representatives with the sole aim of strengthen the capacity of Elected Representatives. This six set of hand books have been prepared with this end in view. I am sure that these hand books serve the purpose of reference books also. As there is great demand from representative and officials from outside the state to study the Kerala model of decentralization, these books will also help them a lot to understand Kerala model Decentralisation.

I heartily congratulate KILA for having brought out this for capacitating the Elected Representatives in stipulated time.

Lovingly,  
**K T Jaleel**



**Dr. P.P. Balan**  
Director, KILA

## **Foreword**

The contribution of Kerala to the Local Self Governance system is very important. The onus of this, for next five years is on the newly elected representatives. The representation should be able to make new steps able to make new steps holding the achievement of previous years. The union and state governments use limited power in matters of urgent importance and direct impact on people. But the local government has the responsibility to establish local development and social justice.

In spite of the Kerala model of decentralization being well acclaimed, it is not free from the inefficiencies in the local administrative processes. This points towards a requirement of law-administration and technological skills to be acquired along the new administrative process of decentralization. KILA provides intensive training on these subjects regarding local self-governance from first phase onwards. KILA tries thus to develop the skills and efficiency in the activities for the welfare of the people. The collection of hand books titled Local Governance gives basic idea on these subjects. These handbooks have been prepared through the different levels of deliberations and activities with subject experts and stakeholder. I appreciate Assistant Professor Dr.J.B.Rajan, Associate Professor Dr. Peter M. Raj, and Professor Dr. Sunny George for the academic leadership provided. I also appreciate KILA extension faculty members, Sri. K. Gopalakrishnan, Sri. C. Radhakrishan, Sri. K.V. Anilkumar, Sri. N.P. Venugopal, Sri. Devarajan, Sri. Prathap Singh, Sri.P.K. Jayadevan, Mrs. Geethanjali, Miss. Akhila for the content editing and Sri Siraj Meenatheri for the Logistics help.

**Dr. P.P. Balan**



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### **1.1. Preface**

As the grass roots governing system, Local Self Government Institutions (LSGIs) have the primary responsibility of addressing the developmental needs of the people and ensuring their social security. Our Constitution has envisaged LSGIs as institutions of local governance. In accordance with their status, the Kerala Panchayat Raj Act, 1994 and the Kerala Municipality Act, 1994 have devolved many functions, powers and transferred institutions to the LSGIs, to enable them to provide optimum service to the people. Panchayats/Urban local bodies should emerge as such bodies that can satisfy the needs of the people invoking the functions and powers assigned to them. It is the bounden duty of the elected representatives to steer the LSGIs in such a direction.

### **1.2 Local Governance**

The 73<sup>rd</sup> Constitutional Amendment Act stipulates the constitution of Panchayats at the Village, intermediate and District levels for securing a greater measure of participation of people in planned development and in local governance. Similarly the 74<sup>th</sup> Constitutional Amendment Act mandates the constitution of Nagarapalika Institutions. To endow Panchayats and Municipalities with such powers and authority so as to enable them to function as institutions of local self government and entrusting them with powers for preparation of plans for economic development and social justice and implementation of such schemes in relation to the matters enumerated in the Eleventh and Twelfth Schedule of the Constitution, Kerala Panchayat Raj Act and Kerala Municipality Act came into force in 1994. The administration should strictly adhere to the Acts and the rules made there under and by ensuring people's participation in the decision making and adopting transparency. Such a goal can be achieved only by an interface among elected representatives, Officials, peoples' movements and the citizens at large. The various functions of the LSGIs to achieve that objective are known as Public Administration.

### 1.3 Autonomy and Sovereignty

LSGIs are duty bound to provide service to the people and to implement local developmental schemes. Their responsibility is to take decisions in accordance with powers bestowed by law (the Constitution, Kerala Panchayat Raj Act, the Kerala Municipality Act) and to implement them. This is known as Autonomy. There are other agencies and systems also which have the responsibility of providing service to the people and implementing development schemes other than those done by local bodies. They are also bound to discharge various functions for the citizens. LSGIs are not supposed to discharge those functions that are entrusted with other agencies. While realizing the immense possibilities of powers and functions entrusted with them, the elected representatives should also be aware of these limitations. The authority to act in excess of the statutes (acts, rules, orders etc.) is Sovereign power. LSGIs have only Autonomy but they don't have Sovereignty.

### 1.4 Local Governance System - Constitutional Provisions

The main characteristics for the effective functioning of the local governance system that came in to force with the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Act in Kerala are:

- Grama Sabha, (the collective comprising all the registered voters in a constituency of Grama Panchayat in Kerala) the forum of direct democracy, which have constitutional back up.
- Constitutions of three- tier Panchayat Raj System (Grama-Block-District Panchayats) for rural areas and Nagarapalika Institutions for urban area (Municipalities and Municipal Corporations in Kerala).
- Regular elections in every 5 years (If any vacancy occurs in institutions or if any institution is dissolved, then bye-election must be held within 6 months to fill up the vacancy).
- 50% reservation for women in membership and office bearer ship (When the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendment came into force reservation for women was 1/3<sup>rd</sup>. Kerala has enhanced it into 50% through an amendment on 07-10-2009 (Sec. 7(6), 8(6) and 9(6) of KPR Act and Sec. 6(7) of KM Act). In Kerala 50% women reservation is in force with effect from the General Election, 2010.
- Reservation for SCs and STs in membership and office bearership in proportion to their population.

- The State Election Commission- an independent system for the conduct of election to the LSGIs.
- The State Finance Commission- a system for suggesting scientific norms for the devolution of State funds to the LSGIs.
- Powers to prepare and implement plan for the economic development and social justice.
- District Planning Committees (DPCs) - Constitutional body for the preparation of comprehensive development plan for the district and submit it to the state government.
- Eleventh Schedule (functions related to Panchayats) and Twelfth Schedule (functions related to Nagarapalika Institutions) are added to the Constitution.

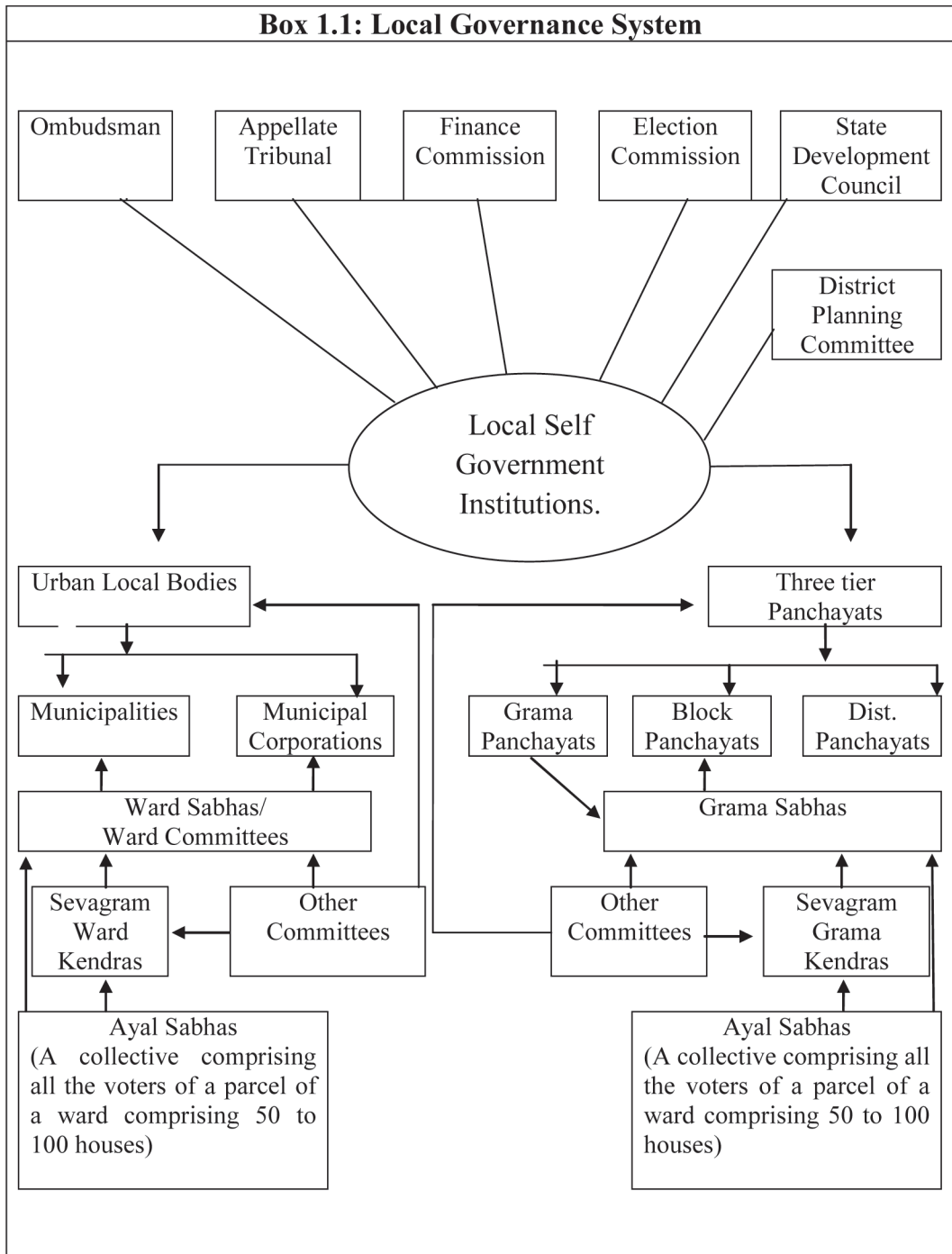
### **1.5 LSGIs and Local Governance System**

Grama Panchayats, Block Panchayats, District Panchayats, Municipalities and Municipal Corporations are collectively known as LSGIs. The LSGIs along with Grama Sabha/ Ward Sabha constitute the Local Government System (Sec. 187 of the KPR Act).

### **1.6 Local Governance System**

The 73<sup>rd</sup> and 74<sup>th</sup> Constitutional Amendments envisages a third tier of government at the local level in addition to the Central and State Governments. Kerala has developed a powerful local government system by decentralisation of power. In addition to the three-tier Panchayats and Nagarapalika Institutions there are Grama Sabhas, Ward Sabhas and Ward Committees which facilitate direct participation of citizens in decision making and governance. Various Committees constituted at the LSGI level, Ward level as well as Institutional level for the discharge of the functions of the LSGIs, neighbourhood groups, various Ward level committees, peoples' organisations, voluntary organisations etc are also functioning in collaboration with the LSGIs. The District Planning Committee coordinates the activities of the LSGIs at the district level. To regulate, assist and strengthen the local governance system Kerala have the Ombudsman for Local Governments, Tribunal for Local Self Government Institutions, State Finance Commission and the State Election Commission. To compliment them we have the State Development Council that includes representatives of local governments. The local government system is comprised of all these structures. (See Box 1.1).

### Box 1.1: Local Governance System



## 1.7 Strength of the LSGIs

The sanctioned strength of each LSGI is fixed on the basis of its population as envisaged on facing of strength Rules. The maximum and minimum strength of the LSGIs is given in Box 1.2. Reservation of seats for SC/ST in membership as well office bearership is fixed in proportion to their population and in the case of women the reservation is 50% of total seats and office bearership.

<b>Box 1.2: Strength (Sec 6 (3) of KPR Act, Sec 6(3) of KM Act)</b>	
<b>LSGI</b>	<b>Strength</b>
Grama Panchayat	Minimum 13, maximum 23
Block Panchayat	Minimum 13, maximum 23
District Panchayat	Minimum 16, maximum 32
Municipality	Minimum 25, maximum 52
Municipal Corporation	Minimum 55, maximum 100

## 1.8 Integration of Three Tier Panchayats

The relationship between the three tiers of Panchayat is not hierarchic, but complimentary to each other. To ensure coordination in their functioning the Presidents of Grama Panchayats and Block Panchayats are made members of Block Panchayats and District Panchayats respectively ( Sec 8(1)b and 9(1)b of KPR Act). In all matters coming for the consideration of the concerned Panchayat except election of President/Vice-President/Standing Committee and no-confidence motion they have voting right as in the case of other elected members.

It is also directed in the plan formulation guidelines that all elected members of the Grama Panchayat should participate in the plan formulation process of the Block Panchayat and elected members of Block Panchayats and the Chairpersons of Standing Committees of Grama Panchayats should participate in the plan formulation of District Panchayat. It is the responsibility of the Block Panchayat and District Panchayat respectively to provide technical assistance to the Grama Panchayats and Grama/ Block Panchayats and urban local bodies. (See Schedule 4&5 of KPR Act). Subject to availability of resources the Block Panchayats and District Panchayats shall provide necessary financial assistance to Grama Panchayats to discharge their functions and the District Panchayat shall provide such assistance to the Block Panchayats. (Sec 166, 172 and 173 of KPR Act 1994).

The Grama Panchayats, Block Panchayats and the District Panchayats shall give due consideration to the recommendations and suggestions of the Grama Sabha [Sec 3(7)]. For this purpose Block/District Panchayat members shall attend Grama Sabha meetings. The Urban local bodies shall give due consideration to the decisions of the Ward Sabhas/ Ward Committees.

## 1.9 Number of Constituencies of the LSGIs

The number of LSGIs and their constituencies (2015-2020) is given in table 1.3.

**Table 1.3: Number of LSGIs and their constituencies (2015-2020)**

Sl. No	District	G.P		B.P		D.P		Municipality		Municipal Corporation		Total	
		No	No. of Wards	No	No. of Wards	No	No. of Wards	No	No. of Wards	No	No. of Wards	No	No. of Wards
1	Tvm	73	1299	11	155	1	26	4	147	1	100	90	1727
2	Kollam	68	1234	11	152	1	26	4	131	1	55	85	1598
3	Pathanam thitta	53	788	8	106	1	16	4	132			66	1042
4	Alapuzha	72	1169	12	158	1	23	6	215			91	1565
5	Kottayam	71	1140	11	146	1	22	6	204			89	1512
6	Idukki	52	792	8	104	1	16	2	69			63	981
7	Ernakulam	82	1338	14	184	1	27	13	421	1	74	111	2044
8	Thrissur	86	1465	16	213	1	29	7	274	1	55	111	2036
9	Palakkad	88	1490	13	182	1	30	7	240			109	1942
10	Mpm	94	1778	15	221	1	32	12	479			122	2510
11	Kozhikode	70	1226	12	169	1	27	7	265	1	75	91	1762
12	Wayanad	23	413	4	54	1	16	3	99			31	582
13	Kannur	71	1166	11	149	1	24	9	333	1	55	93	1727
14	Kasaragod	38	664	6	83	1	17	3	113			48	877
	<b>Total</b>	<b>941</b>	<b>15962</b>	<b>152</b>	<b>2076</b>	<b>14</b>	<b>331</b>	<b>87</b>	<b>3122</b>	<b>6</b>	<b>414</b>	<b>1200</b>	<b>21905</b>

## 1.10 Institutions and Functionaries

The administrative, developmental and welfare functions of the Panchayats/Urban local bodies are performed through various offices and institutions of the LSGIs. Hence effective local governance shall be possible only by strengthening the offices and institutions under the control of the LSGIs. (Details regarding institutions, functions, and functionaries are given in Volume 6 of this Hand Book set).



### 2.1 Collective Responsibility

The LSGIs have the authority to take appropriate decisions to discharge the functions assigned to them. For taking decisions and to implement them effectively, various committees are envisaged in the KPR Act/KM Act. Decisions are taken and implemented by the LSGIs collectively and not by any individuals either in their capacity as elected representatives or officers of the LSGIs. Hence they are jointly responsible for all the activities of the Panchayats/Municipalities. Committee system is intended to ensure this collective responsibility. See Table 2.1.

**Table 2.1: Committees at a Glance**

<i>Sl.No.</i>	<i>Name of Committee</i>	<i>Section in KPR Act</i>	<i>Section in KM Act</i>
1.	<i>Standing Committee</i>	<i>162, 162 A</i>	<i>20, 21, 22</i>
2	<i>Steering Committee</i>	<i>162 B</i>	<i>23</i>
3	<i>Functional Committee</i>	<i>163</i>	<i>35</i>
4	<i>Sub committee</i>	<i>164</i>	<i>35</i>
5	<i>Ward Committee</i>	<i>164</i>	<i>-----</i>
6	<i>Joint committee</i>	<i>165</i>	<i>37</i>
7	<i>Managing committee for Public Health Institutions</i>	<i>173 A</i>	<i>30(9)</i>
8	<i>Other Committees</i>	<i>For peoples' participation as set forth in the Preamble</i>	<i>For peoples' participation as set forth in the Preamble</i>

## 2.2 Standing Committees

Panchayats/Municipalities have multifarious functions (See Chapter 3). All these functions are divided among the Standing Committees. Before taking any decision Panchayat/Municipality should meticulously examine all the aspects of the issue. This deliberation should first be done by the Standing Committees.

Standing Committee is the forum for the initial discussion on any decision proposed to be taken by the Panchayat/Municipality. (Sec 162 A of KPR Act, Sec. 22 of KM Act)

Any item shall be included in the agenda for the meeting of the Panchayat/Municipality only after it is considered by the Standing Committee and a decision taken thereon. The responsibility of ensuring effective implementation of the decision taken by the LSGI also rests with the Standing Committees. The details of the Standing Committees of each LSGI are given below:

<b>Box 2.1: Standing Committees of LSGIs</b>						
Sl. No.	Name of Standing Committee	LSGI				
		G.P	B.P	D.P	Municipality	Municipal Corporation
1	Finance	✓	✓	✓	✓	✓
2	Development	✓	✓	✓	✓	✓
3	Welfare	✓	✓	✓	✓	✓
4	Health & Education	✓	✓	✓		
5	Public Works			✓	✓	✓
6	Health				✓	✓
7	Education, Art & Sports				✓	
8	Town Planning					✓
9	Tax Appeal					✓
10	Education					✓

- Elected representatives of the LSGIs only are the members of Standing Committees. Each elected representative other than President/Chairperson/Mayor will be a member of any one of the Standing Committees.
- Nobody can be a member of more than one Standing Committee.
- Each Standing Committee must have at least one Woman representative and a Chair person elected from among the members.
- The Vice President/Vice Chairperson/Deputy Mayor shall be the Chairperson of the Finance Standing Committee.
- The Chairperson of the LSGI shall be an ex-officio member of every Standing Committee without the right to vote.

The Secretary shall authorise an officer of the LSGI to record the attendance and Minutes of the meeting of the Standing Committee through an Office order. He shall also attend the meeting of the Standing Committees.

### 2.2.1 Standing Committees and the subjects assigned to them

The details of the Standing Committees of the LSGIs and the subjects to be dealt by each Standing Committee are given in Box 2.2, 2.3, 2.4, and 2.5.

<b>Box 2.2: Grama Panchayat (Sec 162 A of KPR Act)</b>		
<b>Sl. No.</b>	<b>Standing Committee</b>	<b>Subjects</b>
1	Finance	Finance, tax, accounts, audit, budget, general administration, appeal relating to tax and subjects not allotted to other Standing Committees.
2	Development	Development planning, socio-economic planning, spatial planning, agriculture, soil conservation, social forestry, animal husbandry, diary development, minor irrigation, fisheries, public works, small scale industry, housing, regulation of building construction and electricity.
3	Welfare	Development of SC and ST, development of women and children, social welfare, social security, slum improvements, poverty alleviation and public distribution system.
4	Health & Education	Public health, sanitation, water supply (drinking water), sewerage, environment, education, art and culture and entertainment.

<b>Box 2.3: Block Panchayat (Sec 162 A of KPR Act)</b>		
<b>Sl. No.</b>	<b>Standing Committee</b>	<b>Subject</b>
1	Finance	Finance, accounts, audit, budget, general administration and subjects not allotted to other Standing committees.
2	Development	Development Planning, Socio-economic planning, Agriculture, Fisheries, Animal husbandry, Minor Irrigation, Public Works, Housing, Electricity, Water shed development, Small scale industries.
3	Welfare	SC-ST development, Development of women and children, Social Welfare, Poverty alleviation, Public Distribution System
4	Health & Education	Public Health, environment, Education, Art and culture and entertainment.

<b>Box 2.4: District Panchayat (162 A of KPR Act)</b>		
<b>Sl. No.</b>	<b>Standing Committee</b>	<b>Subject</b>
1	Finance	Finance, accounts, audit, budget, General Administration and subjects not allotted to other S.Cs(Standing Committees)
2	Development	Development planning, socio-economic planning, agriculture, soil conservation, animal husbandry, minor irrigation, fisheries, small scale industry and electricity.
3	Public Works	Public Works, Housing, Spatial planning and environment
4	Health & Education	Public Health and Education
5	Welfare	Social welfare, Development of women and children, development of SC and ST and poverty alleviation.

**Box 2.5: Municipality**

<b>Sl. No</b>	<b>Standing Committee</b>	<b>Subject</b>
1	Finance	<ol style="list-style-type: none"><li>1. Shall supervise the utilisation of budget and grants and watch timely assessment and realisation of taxes, fees, rent or other sums.</li><li>2. Shall inspect frequently the accounts of the Municipality.</li><li>3. Shall watch carefully the release of grants by Government and its proper utilisation.</li><li>4. Shall conduct monthly audit of accounts and check monthly demand, collection and balance and abstract of receipts and expenditure of the preceding month.</li><li>5. May, subject to such rules, write off such sums due to the council as appears to the committee as irrecoverable.</li><li>6. Shall scrutinise the annual accounts-demand, collection and balance.</li><li>7. Shall prepare and present the budget estimate.</li><li>8. Shall verify whether any amount proposed to be expended is within the budget provision and whether there is sufficient fund for the purpose.</li><li>9. Shall enquire into the allegations against the employees if directed by the Council and bring the result of it to the notice of the council.</li><li>10. Shall dispose of appeals on taxation and give directions to the Secretary to levy tax in respect of cases which escaped assessment and to reassess undervalued cases.</li></ol>
2	Development	Agriculture, soil conservation, social forestry, Animal husbandry, Dairy development, Minor irrigation, Fisheries, Small scale industries, Co-operation, Institutional finance and shall prepare the development plan for the Municipality by integrating the proposals of other Standing Committees.
3	Welfare	SC-ST development, Development of women and children, Social Welfare, Social security pensions and financial assistance, slum improvement, Poverty alleviation, Public Distribution System

4	Health	Public health, health services, Sanitation and control of dangerous & offensive trades.
5	Public Works	Public works, Housing, electricity, water supply, drainage and sewerage, town planning including regulation of building construction, environment.
6	Education, Arts & Sports	Education, art, culture and sports.

**Box 2.6: Municipal Corporation**

Sl. No.	Standing Committee	Subjects
1	Finance	<ol style="list-style-type: none"> <li>1. Shall supervise the utilisation of budget and grants and watch timely assessment and realisation of taxes, fees, rent or other sums.</li> <li>2. Shall inspect frequently the accounts of the Municipality.</li> <li>3. Shall watch carefully the release of grants by Government and its proper utilisation.</li> <li>4. Shall conduct monthly audit of accounts and check monthly demand, collection and balance and abstract of receipts and expenditure of the preceding month.</li> <li>5. May subject to such rules write off such sums due to the council as appears to the committee as irrecoverable.</li> <li>6. Shall scrutinise the annual accounts-demand, collection and balance.</li> <li>7. Shall prepare and present the budget estimate.</li> <li>8. Shall verify whether any amount proposed to be expended is within the budget provision and whether there is sufficient fund for the purpose.</li> <li>9. Shall enquire into the allegations against the employees if directed by the Council and bring the result of it to the notice of the council.</li> </ol>

2	Development	Agriculture, soil conservation, development planning, social forestry, Animal husbandry, Dairy development, Minor irrigation, Fisheries, Small scale industries, Co-operation, Institutional finance and shall prepare the development plan for the Municipality by integrating the proposals of other Standing Committees.
3	Welfare	SC-ST development, Development of women and children, Social Welfare, Social security pensions and financial assistance, slum improvement and Poverty alleviation.
4	Health	Public health, Sanitation and Dangerous and Offensive Trade license.
5	Public Works	Public works, Housing, electricity, water supply, drainage and sewerage
6	Town Planning	Town Planning, Regulation of Building Construction, environment, urban beautification, Art & culture and conservation of heritage.
7	Tax appeal	Matters related to taxes and appeal on taxation
8	Education	Education and sports.

### **2.3 Steering Committee (Sec 162 B(2) of KPR Act and Sec. 23 of KM Act)**

It is the responsibility of the Steering Committee to co-ordinate and monitor the functions of the Standing Committees and to perform such other powers and functions assigned to it by the Panchayat/Municipality. The Steering Committee consists of the Chairperson of the LSGI and Chairpersons of all Standing Committees. The Secretary shall attend the meeting of the Steering Committee.

### **2.4 Functional Committees (Sec. 163 of KPR Act)**

Panchayats can constitute Functional Committees for different subjects like agriculture, sanitation, communication, public health and education. Functional Committees consists of the President of the panchayat, members elected from among themselves and nominated members (without voting right).

- As per Sec 35 of Kerala Municipality Act similar committees can be constituted in urban local bodies as well.

## **2.5 Sub committees (Sec 164 of Kerala Panchayat Raj Act)**

Sub Committees are formed to assist the Standing Committees or Functional Committees for the execution of any work, scheme or plan. This committee consists of elected representatives of the Panchayats and nominated members (without right to vote).

- The Urban local bodies can also constitute such Committees as per Sec. 35 of the Kerala Municipality Act.

## **2.6 Ward Committees (Sec. 164 of the Kerala Panchayat Raj Act)**

To study and report the needs of each constituency Ward Committees can be constituted comprising of elected members and other local inhabitants. The Ward member shall be the Chairperson of this committee.

As per Sec. 42 of Kerala Municipality Act, in municipalities having a population of more than one lakh, Ward Committees shall be constituted in each ward similar to that of Ward Sabha. Details of such Ward Committees are given in Chapter 1 of Hand Book No. 5 on Citizen Governance.

## **2.7 Joint Committees (Sec. 165 of KPR Act, Sec 37 of KM Act)**

A Panchayat/Municipality may, along with one more other LSGIs, constitute Joint Committees for any purpose for which they are jointly responsible if so decided by them or as per the direction of the Government. (eg. Two LSGIs constitute a Joint Committee having representation of both for the execution of the work of a bridge connecting the two LSGIs).

## **2.8 Managing Committees for Public Health Institutions (Sec. 173 A of KPR Act and Sec 30(9) of KM Act)**

There shall be a Managing committee for every public health institution transferred to the Panchayat/Municipality to assist them in the day to day functioning of the Institution. The President/Chairperson/Mayor of the LSGI shall be the Chairperson of this Committee and the Chairperson of the Standing Committee on Health and education (in Municipalities Health Standing Committee) shall be the Vice-Chairman. The concerned Medical Officer shall be the Convenor. The strength of the committee shall not exceed 15.



## **2.9 Jagratha Samithi**

Every Grama Panchayat shall constitute Jagratha Samithies at the Panchayat level as well as constituency level to prevent atrocities and violation of rights against women and children and to uplift their dignity and status. The President of the Panchayat and the member representing the concerned Ward shall be the chairperson of the Samithi at the Panchayat level and constituency level respectively. It may be specifically noted that failure to convene the ward level Jagratha Samithi for three months consecutively shall disqualify the concerned member from holding his office.

## **2.10 Other Committee Systems**

In addition to the committees under the KPR Act/KM Act as mentioned above various committee systems such as P.T.A, Welfare Committee for Anganwadi, Padasekhara Samithies, Ward Vikasana Samithi, Ward level Health & Sanitation Samithi , Panchayat/ Municipality Education Committee, Organisational set ups of Kudumbasree etc. are also the components of local governance system.



**Duties and Functions of the Panchayat/Municipalities**

**3.1 Functions**

With the 73<sup>rd</sup> and 74<sup>th</sup> Constitutional amendments, Schedule XI that mentions 29 subjects to be transferred to the Panchayats and Schedule XII that mentions 18 subjects to the Nagarapalika Institutions became part of the Constitution. Based on this the Kerala Panchayat Raj Act, 1994 and the Kerala Municipality Act, 1994 demarcates the functions of Panchayats and Municipalities of the State. Schedules 3, 4 and 5 of the Kerala Panchayat Raj Act describes the functions assigned to the Grama Panchayats, Block Panchayats and the District Panchayats respectively and Schedule 1 of the Kerala Municipality Act, that of the Municipalities. The functions of the Panchayats/Municipalities are categorized into three as shown below:

- 1) Mandatory functions (only for Grama Panchayats and Municipalities).
- 2) General functions.
- 3) Sector wise functions.

The number of functions of each LSGI is given in Table 3.1.

**Table 3.1: Functions of LSGIs (Number)**

LSGI	Mandatory	General	Sector wise functions		Total (2+3+5)
	Functions	Functions	Sector (No)	Number of Functions	
1.	2.	3.	4.	5.	6.
Grama Panchayat	27	14	19	76	117
Block Panchayat	-	3	14	28	31
District Panchayat	-	3	16	65	68
Municipality/Municipal Corporation	30	14	19	108	152

## 3.2 Mandatory Functions

Functions to be performed compulsorily by a Grama Panchayat/Municipality are known as Mandatory Functions. Mandatory functions can be divided into 4 categories (section 166 of KPR Act 1994 and section 30A of KM Act 1994) . (see Box 3.1)

<b>Box 3.1: Categories of Mandatory Functions</b>
1. Functions related to Public Health
2. Functions related to Public Amenities
3. Functions related to maintenance of Public Assets
4. Regulatory functions

### 3.2.1 Mandatory functions related to Public Health

- Collection and disposal of solid waste.
- Maintenance of environmental hygiene.
- Vector control.
- Adopt immunization programmes.
- Effective implementation of National and State level strategies and programmes for prevention and control of diseases.

### 3.2.2 Mandatory functions related to Public Amenities

- Storm water drainage.
- Management of Public markets.
- Street lighting and its maintenance.
- Establishment and maintenance of burial and burning grounds.
- Providing bathing and washing ghats.
- Provision of toilet facilities and bathing ghats at public places.
- Provision of ferries.
- Construction of waiting shed for travellers.

- Provision of parking spaces for vehicles.
- Regulate the conduct of fairs and festivals.

**Besides the above Municipalities have following functions also in respect of public amenities**

- Providing basic facilities in slum areas.
- Amenities including foot path and road crossing facilities for pedestrians.
- Preparation of detailed town planning and action plan for implementation in a phased manner.

**3.2.3 Functions related to Maintenance of Public Assets**

- Protection of public lands against encroachment.
- Protection of roads and other public properties.
- Maintenance of traditional drinking water sources.
- Preservation of ponds and other water tanks.
- Maintenance of waterways and canals.

**3.2.4 Mandatory Regulatory Functions**

- Regulation of building construction.
- Registration of Births and Deaths.
- Regulation of slaughtering of animals and sale of meat, fish and other easily perishable food stuffs etc.
- Control of eating places.
- Issue license to dangerous and offensive trades.
- Prevention of food adulteration.
- Issue license to domestic dogs and to impound or destroy dogs.

### **3.3 General Functions**

Every LSGI should pursue all possible measures to ensure the welfare of the society and to discharge their functions effectively. Such measures are called General functions of the LSGIs.

#### **3.3.1 General functions of the Grama Panchayats/Municipalities**

- 1) Collection and updating of essential statistics.
- 2) Organize voluntary workers and make them participate in collective activities.
- 3) Organise campaigns for thrift.
- 4) Awareness building against social evils like drinking, consumption of narcotics, dowry, abuse of women and children.
- 5) Ensuring maximum peoples' participation at all stages of development.
- 6) Organise relief activities during natural calamities.
- 7) Inculcating environmental awareness and motivating local action for environmental upgradation.
- 8) Promotion of co-operative sector.
- 9) Enhancing Communal harmony.
- 10) Mobilisation of local resources in cash or in kind including free surrender of land for developmental purposes.
- 11) Campaign on legal awareness among weaker sections.
- 12) Campaign against economic offences.
- 13) Organising neighbourhood groups and self-help groups focussing on the poor.
- 14) Awareness building on civic duties.

#### **3.3.2 General functions of Block Panchayats**

- Utilise Governmental - non -Governmental technical expertise at Block level.
- Provide technical assistance to Village Panchayats.
- Prepare schemes taking into consideration the schemes of Village Panchayats in order to avoid duplication and to provide backward, forward linkage.

### 3.3.3 General functions of District Panchayats

- Mobilisation of the technical expertise available from Governmental and non-Governmental institutions.
- Provide technical assistance to Block Panchayats, Village Panchayats and Municipalities.
- Prepare schemes taking into consideration the schemes of Village Panchayat and Block Panchayat in order to avoid duplication and to provide backward, forward linkage.

### 3.4 Sector -wise Functions.

Developmental functions in various sectors like Agriculture, Water supply, Education etc. are known as Sector-wise functions. The developmental sectors in which three- tier Panchayats/municipalities are assigned functions are given in Box 3.2.

<b>Box 3.2: Sector-wise functions</b>					
<b>Sl. No.</b>	<b>Sector</b>	<b>Village Panchayat</b>	<b>Block Panchayat</b>	<b>Dist. Panchayat</b>	<b>Municipalities/ Municipal Corporations</b>
1	Agriculture	✓	✓	✓	✓
2	Animal Husbandry & Dairy farming	✓	✓	✓	✓
3	Minor irrigation	✓	✓	✓	✓
4	Fishing	✓	✓	✓	✓
5	Social forestry	✓			✓
6	Small scale industries	✓	✓	✓	✓
7	Housing	✓	✓	✓	✓
8	Water supply	✓		✓	✓
9	Electricity & energy	✓	✓	✓	✓
10	Education	✓	✓	✓	✓
11	Public works	✓	✓	✓	✓
12	Public health & Sanitation	✓	✓	✓	✓
13.	Social Justice	✓	✓	✓	✓

14.	Poverty alleviation	✓	✓	✓	✓
15.	S.C/S.T development	✓	✓	✓	✓
16	Sports & cultural Affairs	✓		✓	✓
17	Public Distribution System	✓			✓
18.	Natural calamities Relief	✓			✓
19.	Co-operation	✓	✓	✓	✓

(Various functions are assigned to each LSGI under each sector. Refer Annexure 1, 2, 3 and 4 of this hand book for details)

**It does not mean that any LSGI can perform any function under any sectors. Under each sector, a number of functions are to be carried out. Of these only some functions are assigned to the Panchayats and Municipalities as per Schedule 3, 4 and 5 of Kerala Panchayat Raj Act and Schedule 1 of the Kerala Municipality Act. The remaining functions still remain with the respective department and they will continue to perform them.**

It may be noted that functions are assigned to all the three -tiers of Panchayats in a particular sector. Eg.Social Welfare. But the functions assigned to Grama-Block-District Panchayats are distinct and well defined. (See Box 3.3).

<b>Box 3.3: Social Welfare-Functions of each tier of Panchayat</b>		
<b>Sl.No.</b>	<b>Panchayat</b>	<b>Functions</b>
1.	Grama Panchayat	Running Anganwadies, sanctioning and distribution of pension to destitute, widows, Physically challenged and agricultural labourers, sanctioning and distribution of unemployment wages, sanctioning financial assistance for the marriage of daughters of widows, implementing group insurance for the poor, constituting and functioning Jagratha Samithies at constituency level and Panchayat level.
2	Block Panchayat	Management of ICDS
3	District Panchayat	Providing grants to orphanages, establishing welfare centres for the handicapped and destitutes.



From Box 3.3 it is clear that the functions of each tier of Panchayat in a particular sector differ from one another and are distinctive

### **3.5 Powers to Perform Functions**

Every LSGI has the power and responsibility to perform all the functions assigned to them under the KPR Act/KM Act. That means **the powers given to the LSGIs are to carryout their functions properly and performing any function not assigned to them leads to misuse of powers.** It is through the resolutions of the LSGI, its Standing Committees and the Steering Committee the LSGIs wields its powers. The authority is vested with the committees and not with the elected representatives. It indicates the collective responsibility in the discharge of the functions and exercise of powers.

**Powers must be used cautiously. More power warrants greater diligence. Hence each and every one involved in the decision making process should ensure that it is within their domain (and is legal).**



### 4.1 Decision making and Implementation

In a democratic system it is the duty of elected members to take administrative as well as policy decisions and to ensure its implementation through the officials. **The duties and responsibilities of the elected representatives under the Panchayat Raj/ Nagarpalika system are given below:**

### 4.2 Functions and responsibilities of Panchayat President (Sec. 156 of KPR Act)

As the full time executive authority of the Panchayat, the President has many functions and responsibilities. It may be categorised into four as given in Box 4.1

<b>Box 4.1: Functions and Responsibilities of the President</b>
<ol style="list-style-type: none"><li>1. Administrative functions.</li><li>2. Regulatory functions.</li><li>3. Financial functions.</li><li>4. Functions related to meetings.</li></ol>



Main functions under each category in Box 4.1 are as follows:

#### 4.2.1 Administrative Functions

- Call for files and records and issue necessary orders and directions in writing [however no files or records related to the exercise of any statutory powers or functions vested with the Secretary or any officer (eg. Registration of Births & Deaths, revision of electoral roll etc.) shall be called for – Sec 185 B of the Kerala Panchayat Raj Act and Sec 229 B of the Kerala Municipality Act].
- To peruse tapals regularly and give instructions.

- Authorise the member of the adjacent Ward to convene the Grama Sabha when the concerned member fails to do so for any reason.
- Deliver introductory speech in the meeting convened for the presentation of the annual budget.
- Convene and preside over the meetings of Panchayats its Steering Committee, Functional Committees, Joint Committees etc.
- To administrate the oath or affirmation to members elected in bye-election and to members who could not take oath immediately after the General election.
- To exercise casting votes if necessary, during panchayat meeting
- To ensure the attendance of the Village Officer in the meeting of the Panchayat if necessary.
- To direct the Secretary to tender public works and to execute agreements.
- To immediately refer to Government, any resolution passed by the Panchayat, which in his opinion is found to be illegal or is in excess of the powers of the Panchayat or if carried out is likely to endanger human life, health or public safety.
- To carry out the resolution passed by the Panchayat by exercising the executive authority vested with him.
- To exercise such other powers and discharge such other functions as may be conferred or imposed upon him by the Act or rules made there under.

#### **4.2.2 Regulatory Functions**

- Exercise supervision and control over the acts done and actions taken by all officers and employees of the Panchayat and prepare their confidential reports.
- Ensure the attendance of the officers in the meeting of the Panchayat.
- Take disciplinary proceedings against the erring officers and employees under the control of the Panchayat, other than the Secretary and officers in gazetted rank, for dereliction of duty or insubordination or for violation of rules or standing orders (including suspension from service) ( the order of suspension shall be got ratified in the next meeting of the Panchayat).

- Give instructions to the Secretary for the prompt removal of rubbish and solid waste.
- Give instructions to the Secretary for inspection of the Slaughter houses, meat stalls, public and private markets etc and to compound offences.

#### **4.2.3 Financial Functions**

- Authorise financial transactions of the Panchayat.
- Incur contingent expenditure up to such limit as may be fixed by the Government.
- Cause to prepare all statements and reports required by or under the Act including annual financial statement. (AFS is to be sent to State Audit Department on or before 31<sup>st</sup> July).
- Place Audit reports before the next meeting of the Panchayat, with ATR
- Sanction T.A bills of elected members.

#### **4.2.4 Functions related to Meetings**

- Convene the meetings of the Panchayat and Steering Committee.
- Preside over and regulate the meetings of the Panchayat and Grama Sabha.
- Permit the resolutions and interpellations of members to be included in the agenda as per rules.
- Give replies to the interpellations in the meeting of the Panchayat.
- Take decision on point of order raised in the meeting.
- Attend the meetings of the Standing Committees (no right to vote).
- Verify and approve the draft minutes submitted by the Secretary within 24 hours (after making material changes, if any) of the receipt of the draft.
- Convene the Panchayat level Jagratha Samithy at least once in a month and preside over it.

### **4.3 Functions of the Vice President**

#### **(Sec. 156 of the Kerala Panchayat Raj Act)**

- When the office of the President is vacant exercise the functions of the President until a new President assumes office.
- Exercise the function of the President if he is continuously absent from jurisdiction for more than 15 days or is incapacitated.
- Exercise the functions as the Chairperson of the Standing Committee as given in Para 4.4.
- Prepare the budget and present it before the Panchayat.
- Discharge the functions as a member of the Panchayat as narrated in Para 4.5.

### **4.4 Functions of the Chairpersons of the Standing Committees**

- Convene the meeting of the Standing Committee and preside over it.
- Attend the meeting of the Steering Committee.
- Give reply to the interpellations by members to the Chairperson.
- Record remarks on the concerned files on behalf of the Standing Committee.
- When the office of the President and the Vice-President are vacant, the functions of the President will devolve on the standing committee chair peron in the order of the Standing Committees mentioned in Sec. 162(1) of the Act. (Development, Welfare and Health & Education in the case of Grama/Block Panchayat and Development, Public works, Health & education and Welfare in the case of District Panchayat).

### **4.5 Functions of Panchayat Members**

- Convene the Grama Sabhas at least once in three months without fail; inform the details of meeting to members of Grama Sabha through public notice.
- Compulsorily invite the member of the Block Panchayat, the District Panchayat and the Legislative Assembly representing the area to the Grama Sabha.
- In the absence of both the President and Vice-President preside over the meeting of the Grama Sabha.

- Convene the Ward level Jagratha Samithy at least once in a month and preside over its meeting.
- Attend promptly the meeting of the Panchayat/Standing Committee and express opinion on matters discussed in the meeting.
- Take leadership role in the functioning of the Grama Kendras.
- Preside over the meeting of the Ward Vikasana Samithy.
- Cast vote in the meeting of the Panchayat whenever necessary.
- To participate in collective action relating to the administration of the Panchayat.
- Take leadership role in plan formulation, implementation and monitoring as Chairperson/member of the Working Groups, constituted for plan formulation and monitoring
- Attend various Committees in which s/he is a member such as Hospital Management Committee, Anganwadi Welfare Committee etc. and take a leading role.
- Call attention of the Panchayat regarding the needs of the people of the Panchayat area and matters of public importance.
- Submit statement on election expenditure within 30 days of declaration of result. (The authority to whom the statement are to be given is shown in Box. 4.2).

<b>Box 4.2: Submitting Statement of Election Expenditure</b>	
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Grama Panchayat	- Secretary, Block Panchayat
Block Panchayat	- Secretary, District Panchayat
District Panchayat	- District Collector.

- Submit statement of Assets of himself and of the members of the family within the stipulated time in the form prescribed to the competent authority (details of competent authority are given in Box 4.3).

<b>Box 4.3: Competent Authority regarding filing Statement of Assets (Sec. 159 of Kerala Panchayat Raj Act)</b>	
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Grama Panchayat	- Deputy Director of Panchayats.
Block Panchayat	- Assistant Development Commissioner
District Panchayat	- Director of Panchayats.

The important statements falling within the above categories are given below:

Note: (1) Statement of Assets is to be filed within 15 months from assuming office. If any assets are subsequently acquired or disposed of or any liability created on the assets, a statement shall be filed within three months.

(2) As per Kerala Lokayukta Act, 1999 a public worker shall file a statement of assets once in two years on or before 30<sup>th</sup> June in the prescribed format.

#### **4.6 Duties and functions of the Chairperson/Mayor (Sec. 14, 15 and 16 of the Kerala Municipality Act)**

The Chairperson/Mayor who is the fulltime executive authority of the Municipality/Municipal Corporation has a number of duties and functions to perform. It may be broadly categorised into four as shown in Box 4.4.

##### **4.6.1 Administrative Functions**

- Give necessary instructions and orders on files and records in writing.
- To peruse tapals regularly and give instructions.
- Authorise the councillor of the adjacent ward to convene the Ward Sabha when the concerned councillor fails to do so for any reason.
- Deliver introductory speech in the meeting convened for the presentation of the annual budget.
- Convene and preside over the meetings of the LSGI, its Steering Committee, Functional Committees, Joint Committees etc .
- To administrate the oath or affirmation to councillors elected in bye-election and to councillors who could not take oath immediately after the General election.
- To exercise casting votes in council meeting if necessary.
- To direct the Secretary to tender public works and to execute agreements.
- To carry out the resolution passed by the Council by exercising the executive authority vested with him.



- To exercise such other powers and discharge such other functions as may be conferred or imposed upon him by the Act or rules made there under.

#### **4.6.2 Regulatory Functions**

- Exercise supervision and control over the acts done and actions taken by all officers and employees of the Municipality and its institutions, give instructions to them, prepare confidential report of the Secretary and review the confidential reports of other employees prepared by the Secretary.
- Ensure the attendance of the officers in the meeting of the Panchayat.
- Take disciplinary proceedings against the erring officers and employees under the control of the Municipality, other than the Secretary and officers in gazetted rank, for dereliction of duty or insubordination or for violation of rules or standing orders (including suspension from service) ( the order of suspension shall be got ratified in the next meeting of the Council).
- Give instructions to the Secretary for the prompt removal of rubbish and solid waste.
- Give permission to incur expenditure for the disposal of unclaimed dead bodies.
- Give instructions to the Secretary for inspection of slaughter houses, meat stalls, public and private markets etc and to compound offences.

#### **4.6.3 Financial Functions**

- Authorise financial transactions of the Municipality.
- Incur contingent expenditure up to such limit as may be fixed by the Government.
- To prepare all statements and reports required by or under the Act including annual financial statement. (AFS is to be sent to State Audit Department on or before 31<sup>st</sup> July).
- Place Audit reports before the next meeting of the Council with ATR.

#### **4.6.4 Functions related to Meetings**

- Convene the meetings of the Council.

- Preside over and regulate the meetings of the Council and Steering Committee.
- Grant permission to the resolutions and interpellations received from the councillors to be included in the agenda for the consideration of the council.
- Give replies to the interpellations in the meeting of the Council.
- Take decision on point of order raised in the meeting.
- Attend the meetings of the Standing Committees (no right to vote).
- Verify and approve the draft minutes submitted by the Secretary within 24 hours (after making material changes, if any) of the receipt of the draft.

#### **4.7 Functions of the Deputy Chairperson/Deputy Mayor**

- Exercise the function of the Chairperson/Mayor if he is continuously absent from jurisdiction for more than 15 days or is incapacitated.
- Exercise the functions as the Chairperson of the Standing Committee as given in Para 4.8.
- Discharge the functions as a councillor as narrated in Para 4.9.

#### **4.8 Functions of the Chairpersons of Standing Committees**

- Convene the meeting of the Standing Committee and preside over it.
- Attend the meeting of the Steering Committee.
- Give reply to the interpellations of councillors to the Chairperson.
- Record remarks on the concerned files on behalf of the Standing Committee.
- When the office of the Chairperson and Deputy Chairperson are vacant, the functions of the Chairperson will devolve on the standing committee chairperson in the order of the Standing Committees mentioned in Municipality Act.

#### **4.9 Functions and Responsibilities of Councillors**

- Attend promptly the meeting of the Council and express opinion on matters discussed in the meeting.
- Cast vote in the meeting of the Council whenever necessary.

- Call attention of the Chairperson and Secretary regarding the needs of the people of the Municipal area and matters of public importance.
- Attend the meeting of the Standing Committee in which s/he is a member.
- As Convenor of the Ward Sabha, convene the meeting of the Ward Sabha/ Ward Committee at least once in three months.
- In Municipalities having a population of more than one lakh, convene the meeting of voters of the Ward for the formulation of annual plan.
- Preside over the meeting of the Ward Sabha in the absence of the Chairperson.
- Assist the Municipality in discharging its Mandatory, General and sectoral functions.
- Participate in collective action for administration.
- File the statement of assets (within 15 months from assuming office) of himself/ herself and members of his/her family in the prescribed form to the competent authority. If any assets are subsequently acquired or disposed off or any liability created on the assets a statement shall be filed within three months. (The statement has to be filed to the Regional Joint Director of Urban Affairs. In addition to this statement of assets shall also be filed to the Registrar of Lokayukta once in two years in the prescribed format).
- Submit statement on election expenditure within 30 days of declaration of result to the District Collector.
- Take leadership role in plan formulation, implementation and monitoring as Chairperson/member of the Working Groups for plan formulation.
- Participate in the formulation and implementation of Plan.
- Carefully evaluate the Budget of the Municipality and use it as a tool for developmental schemes.
- Assist in the functioning of Kudumbasree, Neighbourhood groups, A.D.S and C.D.S. Function as the Caretaker of the A.D.S.
- Participate in the training programmes for capacity development.

#### **4.10 Rights of Members of Panchayat/Councillors of Municipality**

- Move resolutions and interpellate in the meeting.
- To express dissenting opinion in the meeting and give dissenting note.
- To get a copy of the decisions and resolutions passed in the Panchayat meeting within 48 hours after the Panchayat meeting.
- To obtain the Minutes of the proceedings of the Municipal Council (within a maximum period of 5 days).
- Shall have access during office hours to the records of the LSGI in which s/he is a member after giving notice to the President/Chairperson.
- To inspect the works and schemes undertaken by the LSGI.
- To tender resignation.

#### **4.11 Relationship between Elected Representatives and Officials**

In the administration of the Panchayat/Municipality, the elected representatives and officials must complement each other in discharging their functions. Both of them are equally accountable to the people. Section 185 A of the Kerala Panchayat Raj Act and Sec. 229A of the Kerala Municipality Act contain provisions for this. In exercise of the powers conferred by these sections, specific Rules have been framed to keep the professional relationship between the elected representatives and officers for the Panchayats and Municipalities in 2007 and 2005 respectively. More details on this are given in Chapter 2 of the Hand book No 6 on Local Governance- Institutions and Services.

#### **4.12 Control over Officers**

Officers and employees of the Panchayat/Municipality and Government Officers and employees whose services have been lent to them are under the control of the Panchayat/ Municipality. Officials are bound to follow /implement the lawful directions of the Panchayat/Municipality. Details regarding the control over officers are given in Chapter 2 of the Hand book No 6 on Local Governance- Institutions and Services.

### 5.1 Meeting and Resolutions

All resolutions regarding the administration and development matters of the Panchayats/ Municipalities are taken in their meetings. Meetings shall be held at least once in a month in the office of the Panchayat/ Municipality on the date and time fixed in the notice. Meetings are of different types (see Box 5.1)

Box 5.1: Different Types of Meetings		
1	Ordinary meeting	Meeting convened by the LSGI by giving agenda and notice to the members so as to reach them 3 clear days before the meeting (excluding the date of receipt of the notice and the date of the meeting).
2	Urgent meeting	Meeting convened by giving notice of a period not less than 24 hours (in Municipalities at short notice) under urgent circumstances.
3	Special meeting	Meeting convened for discussing a particular agenda ( eg. Meeting for presenting the budget) by giving notice as in the case of an ordinary meeting.
4	Meetings convened by State Election Commission	Meetings convened for the matters under the responsibility of the Election Commission (eg. Election of office bearers).

Irrespective of the type of the meeting (i.e. whether Ordinary, Urgent or Special) three aspects should be considered while taking decisions:

- 1) Convening of the meeting, conduct of the meeting as well as taking decisions should be done by strictly observing due process of law.

- 2) All decisions must conform to laws.
- 3) Decisions must be within the purview of the functions of the Panchayat/Municipality.

To ensure the above, the Secretary/Implementing Officer/Head of Institution shall compulsorily record the legal aspects of the issue on all files that requires the decision of the local body and in the agenda notes. See Box 5.2 for the provisions of Acts and rules connected with the procedure for meeting.

<b>Box 5.2: Meeting Procedures</b>			
<b>Sl. No.</b>	<b>LSGI</b>	<b>Provisions of the Act</b>	<b>Rules</b>
1	Three tier Panchayats	Sec. 157,158 and 161 of Kerala Panchayat Raj Act	K.P.R (Procedure for Panchayat Meeting) Rules, 1995.
2	Urban local bodies	Sec. 19 and 36 of Kerala Municipality Act.	Procedure for the meeting of Municipal Council, 1995.

## **5.2 Meeting - persons responsible and responsibilities**

Only when the persons concerned carry out their responsibilities properly, meetings become effective. The details of the persons responsible for this and their responsibility are given in Box 5.3.

<b>Box 5.3: Meetings – Responsibilities</b>		
<b>Sl. No.</b>	<b>Persons Responsible</b>	<b>Responsibilities</b>
1	President/ Chairperson/ Mayor	Fixing date and finalising agenda, Convening, presiding over and conduct of meeting.
2	Standing Committees	All resolutions of the Standing Committees are agendas of the next meeting of the Panchayat/Municipal council. Therefore they should meet and take decisions prior to the meeting of the Panchayat/Council.
3	Secretary	Preparation of agenda in consultation with the President/Chairperson/Mayor, preparation of agenda notes and making it available to the members/councillors, giving legal advice, recording of Minutes and decision, publishing it, giving copies to the members, placing the decisions of the Standing Committees before the Panchayat/Council.

4	Members	<ol style="list-style-type: none"> <li>1) Give note to the President/ Chairperson/Mayor regarding items to be included in the agenda.</li> <li>2) Submit questions and resolutions to be included in the agenda within the prescribed time to the President/Chairperson.</li> <li>3) Participate in the discussions, express views and cast vote.</li> </ol>
5	Head of Institutions/ Implementing officers.	<ol style="list-style-type: none"> <li>1) Give remarks and explanations as and when required by the person presiding over the meeting.</li> <li>2) Give files on which decision of the Panchayat/ Municipality is required to the Secretary well in advance for including in the agenda.</li> <li>3) Record legal opinion on the files on which decision is required, and submit draft resolutions.</li> </ol>

Public as well as media persons shall have access as visitors to the meeting of the Panchayat/Municipal Council with the permission of the person presiding over the meeting. (Rule 8 of Panchayat Procedure for meeting Rules , Rule 9 of Municipal Meeting Rules)

### 5.3 Convening of Meeting

When letters, applications, complaints etc. that requires the resolution of the Panchayat/ Municipal Council are received in the office, the Secretary initiates action for the meeting by making relevant entries in the Agenda Register. The procedure for convening the meeting is as follows:

- 1) The President/Chairperson/Mayor decides the date of the meeting.
- 2) Secretary prepares the agenda in consultation with the President /Chairperson/ Mayor.
- 3) The Secretary sends notice of meeting duly signed by the President/Chairperson/ Mayor to all members so as to reach them three clear days(except for urgent meetings) before the meeting ( The date of receipt of notice and the date of the meeting shall not be reckoned).
- 4) Notes on the legal aspects of the items included in the agenda must be prepared and circulated to all members along with the notice or before the meeting. ( Getting

agenda note is the right of every member –Rule 5(4) of Panchayat meeting rules and Rule 6(3) of Municipal Meeting Rules)

- 5) Meeting shall be held at the office of the LSGI at the appointed time (except in urgent situations, meetings shall be held only between 9 a.m and 6 p.m).
- 6) Members present at the appointed time of the meeting mark their attendance in the Attendance Register. ( If sufficient number of members to meet the quorum do not turn up at the appointed time, the members present shall wait for half an hour and even after passing of this time they may wait further if they are willing to do so. However under no circumstance meeting shall be held without quorum. If there is no sufficient quorum meeting should be postponed.)
- 7) The quorum for the meeting of the Panchayat/Municipality shall be one third of the sanctioned strength.
- 8) ‘Sakarma’ is the application software used for the preparation of agenda, recording of minutes and decisions and for follow-up action. (See Box 5.4)

#### **Box 5.4: Sakarma Software**

- Give print out of Agenda notes to the members after entering it in the Sakarma application software.
- As the meeting proceeds enter the agenda and the discussions thereon in the system through Sakarma software.
- The decisions of the meeting shall also be entered in the system in the same manner.
- At the end of the meeting the President/Chairperson/Mayor shall approve the decisions and minutes in the computer.
- This finalises the minutes, decisions.
- Take print out of the minutes, decisions and the President/Mayor and Secretary shall authenticate it.
- Publish the print out on the Notice board, give copies to the members.
- Upload it on the website of the Panchayat/Municipality and also on the touch screen.
- Forward it to the Deputy Director of Panchayats/ Director of Urban Affairs/Secretary, LSGD by e-mail.



## 5.4 Procedure of Meeting

- 1) Meeting is chaired by the President/Chairperson/Mayor (when quorum is met).
- 2) Interpellation session begins.
- 3) The President of the meeting answers the questions received from the members. (The Chairperson of the Standing Committees may be asked to give replies). Duration of this session is maximum one hour.
- 4) Discussion on Agenda. The President of the meeting reads out the agenda item wise and invites members for discussion.
- 5) Discussion continues under the control of the President.

### **Box 5.5: Conduct of meeting- fall in quorum**

The meeting shall not be continued, if at any time there is a fall in quorum consequent on some members leaving the meeting. The meeting shall be disbursed immediately.

Rule 7(2) of Kerala Panchayat Raj ( Procedure for Panchayat meeting rules)1995 and Rule 12(2) of Kerala Municipality(procedure for council meeting )Rules,1995.

The interpellations and resolutions moved at the meeting shall relate to the matters coming within the administrative function of the Panchayat/ Municipality.

- 6) Resolution is announced at the end of the discussion of each item (the decisions shall be recorded in the Decision Register in the case of Panchayats and in the Minutes book in Municipalities then and there. If necessary, resolution shall be taken after voting. (In all cases of equality of votes the President/Chairperson/ Mayor can exercise casting vote).

### **Box 5.6: Subjects not included in the agenda**

A subject is not included in the agenda for a particular meeting shall not be considered in the meeting of the Panchayat. Hence every item that requires the decision of the Panchayat shall be included in the agenda. However orders and directions, having urgency, received from Government for consideration of the Panchayat shall be considered in that meeting even if they are not included in the agenda.

In the case of Municipalities/Municipal Corporations if all the members present agree any subject of **urgent importance**, but not included in the agenda, may be considered in that meeting.

Members who have given prior notice of resolution are invited to move the resolution one by one. ( Only resolutions permitted earlier are taken up for discussion)

Discussion on resolutions continues.

On completion of the discussions the President/Chairperson/Mayor announces the decision.(the procedure for recording the decision is as given above).

### **Box 5.7: Disorder behaviour**

If any member behaves disorderly and causes obstruction in conducting the meeting, the Chairman may suspend him from the meeting for the day [Rule 9(4) of Kerala Panchayat Raj (Procedure for Panchayat meeting) Rules and Sec. 38(3) of Kerala Municipality Act].

## **5.5 Recording and Publishing of Decision – Panchayats**

- 1) There shall be a Decision Register to record the decision and resolutions passed in the Panchayat meeting and a Minutes Book to record the proceedings of the meeting.
- 2) The Secretary shall record the decisions and resolutions passed by the Panchayat then and there.
- 3) Decision shall be recorded after assigning each item a serial number in the order of passing it and making entries as to the respective agenda number, along with carbon paper copy.
- 4) At the close of the meeting the Secretary and the Chairman of the meeting shall sign the Decision Register.
- 5) The Secretary shall read out the decisions in the meeting.

### **Box 5.8: Dissenting note on decisions**

All opinions expressed by the members (including dissenting opinions) shall be recorded in the minutes by the Secretary. A member having dissenting opinion on a decision or a resolution passed in the meeting may after the conclusion of the meeting and within 48 hours of getting a copy of the decision give his dissenting note to the Secretary if he has attended the meeting and voted against the decision or resolution.

- 6) Immediately after the conclusion of the meeting, the Secretary shall notify the carbon copy of the decisions and resolutions passed on the notice board.
- 7) The Secretary shall, within forty-eight hours after the meeting, give all the members a copy of the decisions and resolutions.

### **5.6 Recording and Notifying the Minutes - Panchayats**

- 1) The Secretary shall within three days after the meeting, prepare the draft notes on the proceedings of the meeting and submit the same for the approval of the chairman.
- 2) The Chairman shall within twenty four hours approve the minutes and return it to the Secretary.
- 3) The Secretary shall immediately record the same in the Minutes Book and obtain the signature of the Chairman.
- 4) A copy of the minutes shall be published on the notice board.

### **5.7 Recording of Decision and Minutes and Publishing it -Municipalities Municipal Corporations**

- 1) There shall be a Minutes book for recording the proceedings of the meeting of the Council and the decisions taken. The Secretary shall prepare the draft minutes within 24 hours of the meeting and submit it to the Chairperson/Mayor (or the person who presided over the meeting) for approval.
- 2) The draft minutes shall be approved and returned to the Secretary within 24 hours of its receipt by the Chairperson (after examining it and making necessary material changes, if any).
- 3) The Secretary shall within 48 hours record the approved minutes in the Minutes Book and obtain the signature of the Chairman.

- 4) Immediately after recording the minutes in the Minutes Book, a copy of the same shall be given to councillors and a copy along with dissenting note, if any, shall be published on the office notice board.
- 5) Any councillor who has attended the meeting and has voted against a decision may, within 48 hours of the meeting, give his dissenting note to the Secretary if he has a dissenting opinion against the decision. [Sec 36(4) of Kerala Municipality Act].
- 6) Dissenting note shall also be given, to the Chairperson of the meeting and the Secretary, within 48 hours on receipt of the copy of Minutes. (Rule 15 of procedure of council meeting rules).

### 5.8 Forwarding of Minutes

- 1) Copy of the Minutes shall be given to the concerned sections of the office and to other institutions under the control of the Municipality.
- 2) Copy of the Minutes with dissenting note shall be forwarded to the concerned officers within the prescribed time limit as shown in Box 5.9.

<b>Box 5.9: Forwarding of Minutes</b>		
<b>LSGI</b>	<b>Time limit</b>	<b>Competent authority</b>
Grama Panchayat	10 days (S.161(9))	Deputy Director of Panchayats.
Block Panchayat	10 days -do-	Director of Panchayats
District Panchayat	10 days -do-	Secretary, LSGD
Municipality	10 days (S 36)	Director of Urban Affairs
Municipal Corporation	10 days (S 36)	Secretary, LSGD.

### 5.9 Urgent Meetings (Rule 4 (2) of KPR (Procedure for meeting) Rules and Rule 5 of KM (Procedure for Council Meeting) Rules

In a situation where there is no sufficient time to convene a regular meeting and decision of the Panchayat/Municipality/Municipal Corporation is inevitably required, an urgent meeting may be convened.

**Notice for Urgent Meeting shall be given to the members at least 24 hours before the meeting.**

(In Municipalities/Municipal Corporations, short notice shall be sufficient). Considering the urgency of the matter more than one item may be included in the agenda for an Urgent meeting. Other than notice period all other procedures of a regular meeting shall be followed for an Urgent meeting.

### **5.10. Special Meeting**

A meeting convened to discuss a particular agenda is called Special Meeting. It is convened in the same manner as a regular meeting.

#### **Circumstances under which Special Meetings are to be convened**

- Presenting Budget.
- Discussing Audit Report.
- Recommending the transfer of the Secretary.
- Cancellation or modification of a resolution within 3 months.
- If requested by not less than one third of the members.

### **5.11 Meetings convened by the State Election Commission.**

- Meeting for oath or affirmation of elected members.
- For the election of President/Chairperson/Mayor or Vice-President/Deputy Chairpersons/Deputy Mayor.
- Election to Standing Committee.
- No-confidence motion.

The responsibility of preparing and keeping the Attendance, Minutes etc of the meetings convened at the instance of the Election Commission vests with the officer authorised by the Election Commission to conduct the meeting. Attendance and minutes of such meeting shall not be entered in the Minutes Book of the LSGI but shall be recorded in a separate Minutes Book.

## 5.12 Standing Committee Meetings

- A Standing Committee shall meet in the office of the Panchayat/Municipality/Municipal Corporation at least once in a month on such date and time as may be fixed by the Chairperson.
- The procedure for the meeting of the Standing Committees of the Panchayats and Municipalities are laid down in the Kerala Panchayat Raj (Standing Committee) Rules, 2000 and the Kerala Municipality (Standing Committee) Rules, 2000 respectively.
- Notice for meeting shall be given to the members at least three clear days before the meeting. (In urgent situations meeting can be convened on shorter notice)
- The Chairperson shall inform the President/ Chairperson/Mayor who is the ex-officio member, the date and time fixed for the meeting of the Standing Committee and the subjects to be discussed in the meeting.
- Standing Committees shall consider only those subjects assigned to them as per the Panchayat Raj/Municipality Act.
- The quorum of the Standing Committee shall be three and the committee shall not meet without quorum. But if the number of members having voting right in a Standing Committee is four or less than four the quorum of such committee shall be two.
- The Secretary shall submit every resolution passed by the Standing Committee in the next meeting of the Panchayat/Municipality.

### **Box 5.10: Disqualification for absenting from the meeting**

If any member of the Panchayat/Councillor absents himself/herself without permission of the concerned LSGI from its meeting or the meeting of the Standing Committee thereof for a period of three consecutive months, s/he shall cease to hold office. (Sec 35 (k) of KPR Act and Sec. 91(k) of KM Act.

### 5.13 For the Meetings to be in order

For conducting the meetings in an orderly manner every elected representative should ask the following questions to himself:

<b>Box 5.11: Questions one should ask himself for conducting the meetings in an orderly manner</b>
<ul style="list-style-type: none"><li>• Am I getting the meeting notice in time?</li><li>• Is the agenda received along with the meeting notice?</li><li>• Do I put dated signature in the meeting notice book while acknowledging receipt of the meeting notice?</li><li>• Is each item to be discussed in the meeting included in the agenda?</li><li>• Whether agenda note is received either with the meeting notice or before the meeting?</li><li>• Do I have a clear perception about the matters included in the agenda?</li><li>• Whether items not included in the agenda are discussed in the meeting and decisions taken thereon?</li><li>• Are decisions taken and resolutions passed in the meeting recorded then and there and read out at the end of the meeting?</li><li>• Am I getting a copy of the decisions taken in the meeting within 48 hours (in the case of Panchayats)?</li><li>• Is the copy of the Minutes received at least 5 days after the date of the Council meeting?</li></ul>

The different types of meetings that are conducted in Panchayats are given in Box 5.12

## 5.12 Defferent types of meetings that are conducted in Panchayats

Sl. No.	Type of meeting	Notice Time	Convener & Presidency	Quorum	Remarks
1.	Ordinary Meeting	3 Clear Days	Panchayat President	1/3	
2.	Special Meeting (only one agenda)	3 Clear Days	Panchayat President	1/3	In the case of requisition meeting under section 161(1)(a) all the signatories should sign the notice
3.	Urgent meeting	24 Hours	Panchayat President	1/3	
4.	President Election – (soon after General election)	3 Clear Days	Officer designated by the State Election commission	½	If no quorum at appointed time the meeting should be adjourned for the next working day and for that meeting there will be no quorum
5.	President election – (For filling casual vacancy)	7 clear Days	Officer designated by the State Election commission	1/3	If no quorum at appointed time the meeting should be adjourned for the next working day and for that meeting there will be no quorum
6.	Standing Committee Election	5 Clear Days	Officer designated by the State Election Commission	1/3	
7.	Meeting under Section 157-No Confidence motion	7 clear Days	Authorised Officer	½ of the sanctioned strength	The notice and motion expressing want of confidence in the President or Vice-President signed by at least 1/3 <sup>rd</sup> of the sanctioned strength of the concerned Panchayat, should be handed over to the Authorised Officer i.e., (In the case of Grama Panchayat. The Block Panchayat Secretary. In the case of Block Panchayat. The District Panchat Secretary and in the case of District Panchat. The District collector) who will convene a special meeting of the Panchayat with in 15 working days of the receipt of the notice in the Panchayat Office, sending the meeting notice registered post. The meeting should be convened at the appointed time and should not be postponed. If the motion is passed with a majority of the sanctioned strength the President/Vice-President is deemed to have vacated the Post.



When the Panchayat Raj/Nagarapalika system came into existence and functions related to different departments transferred to the LSGIs, there were some limitations in discharging the functions as a local government. Ambiguity and incompatibility in the Acts and Rules gave rise to disputes between the departments and the LSGIs.

To tide over such difficulties and to empower the LSGIs to carry out their functions effectively certain enactments having a bearing on the functions of the LSGIs were amended as per the Kerala Decentralisation of Powers Act, 2000 (Act 16 of 2000). This gave more powers to the LSGIs to intervene in the matters related to the public amenities, social security and environmental protection. The important allied statutes are given below:

### **6.1 Acts related to the Maintenance of Ferries**

As per Cochin Ferries and Tolls Act, 1082 (applicable to Cochin region), Travancore Public Canal and Public Ferries Act, 1096 (applicable to Travancore) and the Madras Canals and Public Ferries Act, 1890 (applicable to Malabar region), ensuring the safety of passengers in boats and maintenance of ferries are the responsibilities of the LSGIs.

### **6.2 Public Health Acts**

The Madras Public Health Act, 1939 applicable to erstwhile Malabar region and the Travancore-Cochin Public Health Act, 1955 applicable to Travancore-Cochin area are the Public Health Act still in force in our state. The responsibility of Public Health and Public Safety are vested with the LSGIs as per these enactments. Both these acts were amended in 2000 in tune with the Kerala Panchayat Raj Act and the Kerala Municipality Act.

### **6.3 Kerala Land Protection Act, 1957**

This act is intended to protect public lands from encroachment. Just like Government property the lands of Panchayats and Municipalities also come under the purview of this act. Protection of public land against encroachment is one of the mandatory functions of the Grama Panchayats /Municipalities.

### **6.4 Kerala Cinema Regulation Act, 1958**

The objective of this Act is to regulate all Cinematographic exhibitions within the Grama Panchayat/Municipal area from public safety viewpoint. This is also a source of income to the Grama Panchayats/Municipalities. Grama Panchayat/Municipality grants permission for the construction of Cinema theatres. The authority to issue licence for exhibition vests with the Secretary and Revenue Divisional Officer is the appellate authority.

### **6.5 Kerala Land Assignment Act, 1960**

This law pertains to the assignment of public land. The Government have to consult Panchayat/Municipality before assigning any public land within its area and if the land is required by the Panchayat/Municipality it shall be assigned to it.

### **6.6 Kerala Local Authorities Entertainment Tax Act, 1961**

As per Kerala Local Authorities Entertainment Tax Act, 1961 Grama Panchayat/Municipality can impose and collect tax on amusements and entertainments to which persons are admitted on payment.

### **6.7 Kerala Cattle Trespass Act, 1961**

The act aims to prevent destruction of agriculture or agriculture products by cattle trespassing into farm lands. It is the responsibility of Grama Panchayats/Municipalities to construct pounds for impounding such cattle.

### **6.8 Kerala Survey and Boundaries Act, 1960**

The law pertains to land survey and settlement of land disputes. The Taluk surveyor is bound to demarcate the land owned by the Panchayat/Municipality on application made to the Tahsildar without collecting any fee.

### **6.9 Kerala Places of Public Resort Act, 1963**

The objective of the Act is to ensure safety in public resorts and recreation centres to which public are admitted other than for bonafide religious or charitable purpose. The responsibility of ensuring this lies with the LSGI. The authority for granting license rests with the Secretary and the appellate authority is the Panchayat/Municipality.

### **6.10 Kerala Tolls Act, 1976**

The Act permits the Panchayat/Municipality to collect tolls for the use of bridges and roads constructed by them utilising fully or partially their funds. The rate and period of toll can be fixed by the Panchayat/Municipality. They can also construct bridge on B.O.T basis.

### **6.11 Kerala River Protection and Sand Mining Act, 2001**

The control and protection of the rivers vested with the LSGIs is their responsibility. Uncontrolled mining of sand damages the environment and the eco system. The object of the Act is to regulate such activities. (Sec. 218 of the KPR Act vests absolutely all water courses, river beds and banks etc. with the Grama Panchayat. As per Sec 208A this is applicable to the Municipalities as well).

### **6.12 Bio Diversity Act, 2002**

According to this Act all LSGIs shall constitute a Biodiversity Management Committee. It is the function of this committee to prepare a Biodiversity Register with the participation of the local people. The information regarding endemic bio species, medicinal values and indigenous knowledge shall be entered in the register.

### **6.13 Kerala Irrigation and Water Conservation Act, 2003**

The construction and maintenance of minor irrigation projects is vested with the Grama Panchayat/Municipality by virtue of this Act. Irrigation projects not exceeding five hectors of area comes under the purview of this act.

### **6.14 Kerala Conservation of Paddy field and Wetland Act, 2008**

The Act that came into force on 12/08/2008 aims at the conservation of paddy land and wetland and to restrict the conversion or reclamation thereof, in order to promote agricultural growth, to ensure food security and to sustain the ecological system in the

State of Kerala. As per the Act local level monitoring committees should be constituted and a Data Bank prepared with the details of the cultivable paddy land and wetland, within the area of jurisdiction of the Committee. Permit for the construction of house shall be issued only after getting approval on the basis of the recommendation of the local level monitoring committee.

## **6.15 Acts and Rules related to the Statuary powers vested with the Secretary**

### **6.15.1 Registration of Births & Deaths Act, 1969**

All events of Births & Deaths occurring within the jurisdiction of the local body shall be registered in the Grama Panchayat/Municipality as per this Act. The Secretary and the Health Inspector/Health officer are authorised as Registrar in the Grama Panchayat and Municipality/Municipal Corporations respectively. The Director of Panchayats is the Chief Registrar of Births and Deaths and the Deputy Director of Panchayats and the Secretary of the Municipality exercises the powers of District Registrar in Grama Panchayat and Municipality respectively.

#### **Box 6.1 :**

##### **Registration of Births & Deaths - Computerisation**

- Registration of Births and Deaths are done in the Grama Panchayats and Municipalities using the application software called ‘Sevena-Civil Registration’. Online computer facility is operational in all the registration units for this purpose.
- Kiosks for registration are established in hospitals where an average of 10 births/deaths occurs per day and information required for registering the event is forwarded to the Grama Panchayats and ULBs.
- Certificates are issued from there.
- Facility for downloading computer generated Birth/Death certificate from the website ([www.cr.kerala.gov.in](http://www.cr.kerala.gov.in)) is available now for newly registered as well as past events.
- Such downloaded certificates are accepted for all official purposes.

### 6.15.2 Kerala Registration of Marriages (Common) Rules, 2008

As per this Rule, all marriages solemnised in the State as per any law in force in India or as per religious rites shall be compulsorily registered irrespective of religion of the parties. Marriages registered under Special Marriage Act may also be registered under this Rule if the parties so desire. The certificate of marriage issued under this Rule shall be treated as a proof of marriage.

### 6.15.3 Hindu Marriage Act, 1955

Marriages performed under Hindu Marriage Act, 1955 can also be registered in the Grama Panchayats/Municipalities under this Act.

<b>Box 6.2: Marriage Registration - Computerisation</b>
<ul style="list-style-type: none"><li>• Registration of Marriages under the Common Marriage Rules as well as Hindu Marriage Act is done in Grama Panchayat/Municipality using Sevena Civil Registration software.</li><li>• Certificates will be available immediately after registration.</li><li>• It can also be downloaded from the website <a href="http://www.cr.kerala.gov.in">www.cr.kerala.gov.in</a>.</li></ul>

### 6.16 Right to Information Act, 2005

In democracy absolute power rests with the people. The Right to Information Act provides the means to the constitutional right of every citizen to access information on administrative matters. According to the Act every citizen has the right to get information or copy of any document relating to the LSGI within 30 days. In the case of Grama Panchayats, Secretary is the Public Information Officer. There is an Assistant PIO (JS/HC) to assist the PIO. The Act also provides for appeal (first appeal to the Deputy Director of Panchayat and second appeal to the State Information Commissioner) .

In Urban Local Bodies, an officer below in rank of the Secretary is designated as the PIO and Assistant PIOs to assist them are also there. The Secretary is the first appellate authority.

**Box 6.3:**  
**Right to Information and Citizen Charter on Website**

The Citizen Charter and the information to be given to the public are available on the website of the LSGIs. The website of the LSGIs can be accessed through the website [www.lsg.kerala.gov.in](http://www.lsg.kerala.gov.in). It is the statutory obligation of each LSGI to disclose maximum information proactively.

Detailed information on RTI is given in Chapter 4 of Volume 2 on Good Governance of this Hand Book set.

**6.17 Kerala Municipality Building Rules, 1999/Kerala Panchayat Building Rules, 2011**

Construction of building is regulated as per the above rules in order to protect environment and to ensure public safety and public amenities. Hence no building including huts, well etc shall be constructed within the Grama Panchayat/Municipal area without first obtaining a building permit from the Secretary. The Tribunal for LSGI is the appellate authority. In case the Secretary fails to take a decision on the application for Building permit within 30 days the Panchayat/Council can intervene.

**Box 6.4:**  
**Issue of Building Permit - Computerized Service**

- ‘Sanketham’ is the application software that makes issue of building permit transparent and hassle free.
- It forms a part of computerised e-governance. The software covers all work right from the submission of application to printing permit.
- It mitigates the workload of the employees and helps the public to obtain building permit easily and without delay.

**Annexure 1:**  
**Sector-wise Functions of the Grama Panchayats**  
**(As per Schedule 3 of the KPR Act)**

**I Agriculture**

1. Cultivate waste lands and marginal lands.
2. Ensure optimum utilisation of land
3. Soil protection.
4. Production of organic manure.
5. Establishment of nurseries.
6. Encourage the system of co-operative group farming.
7. Organise self-help groups among farmers.
8. Encourage horticulture and vegetable cultivation.
9. Fodder development.
10. Plant protection.
11. Seed protection.
12. Farm mechanisation
13. Management of KrishiBhavans.

**II Animal Husbandry and Dairy Farming**

1. Cattle development Programme.
2. Dairy farming.
3. Poultry farming, bee keeping, piggery development, goat rearing, rabbit rearing etc.
4. Running Veterinary hospitals.
5. Running ICDP Sub centres.
6. Preventive health programmes for the animals.
7. Prevention of cruelty to animals.
8. Implementation of fertility improvement programmes.
9. Control of diseases of animal origin.

### **III Minor Irrigation**

1. Maintenance and implementation of all minor irrigation projects within the area of a Village Panchayat.
2. Implementation and maintenance of all micro irrigation projects.
3. Put into practice water conservation.

### **IV Fishing**

1. Development of fisheries in ponds, Pisciculture in fresh water and brackish water and mariculture.
2. Improvement of fish seed production and distribution of off springs.
3. Distribution of fishing implements.
4. Provide assistance for fish marketing.
5. Provide minimum basic facilities for fishermen families.
6. Implementation of fishermen welfare schemes.

### **V Social Forestry**

1. Growing trees for cattle feed, fire wood and growing of fruit trees.
2. Organise campaigns for planting of trees and to build environmental awareness.
3. Afforestation of waste land.

### **VI Small Scale Industries**

1. Promotion of cottage-village industries.
2. Promotion of handicrafts
3. Promotion of traditional and mini industries.

### **VII Housing**

1. Identification of the homeless people and the puramboke dwellers and provide them with land for house construction and with housed.
2. Implementation of rural housing programmes,
3. Implementation of shelter upgradation programmes.



## **VIII Water Supply**

1. Management of water supply schemes within a Village Panchayat.
2. Setting up of water supply schemes within a Village Panchayat.

## **IX Electricity and energy**

1. Installation and maintenance of street lights.
2. Encourage the consumption of bio gas.

## **X Education**

1. Management of Government pre-primary schools and Primary Schools.
2. Implementation of literacy programmes.
3. Management and promotion of reading rooms and libraries.

## **XI Public Works**

1. Construction and maintenance of village roads within a Village Panchayat.
2. Construction of buildings for the institutions including those transferred from the Government.

## **XII Public Health and Sanitation**

1. Running of dispensaries, Primary Health Centres and Sub-centres (with all systems of medicine).
2. Management of maternity and child welfare centres.
3. Carry out immunisation and other preventive measures.
4. Implementation of family welfare programmes.
5. Implementation of sanitation programmes.

## **XIII Social Welfare.**

1. Running Anganwadis.
2. Sanctioning and distribution of pension to destitute, widows, handicapped and agriculture labourers.
3. Sanctioning and distribution of unemployment wages.
4. Sanctioning of financial assistance for the marriage of the daughters of widows.
5. Implementation of Group Insurance Scheme for the poor.
6. Constitute and function Jagratha Samithies at Panchayat level and constituency level (ordinance).

#### **XIV Poverty Alleviation**

1. Identifying the poor.
2. Implementation of self employment and Group employment Schemes for the poor especially for women.
3. Providing community assets of continuing benefits to the poor.

#### **XV Schedule Caste-Schedule Tribe Development**

1. Implementation of beneficiary oriented schemes under S.C.P. and T.S.P.
2. Running nursery schools for Schedule Caste-Schedule Tribe students.
3. Arrange basic facilities in Schedule Caste-Schedule Tribe colonies.
4. Provide assistance to Schedule Caste -Schedule Tribe students.
5. Provide discretionary assistance to Schedule Caste -Schedule Tribe when necessary.

#### **XVI Sports and Culture Affairs**

1. Construction of playgrounds.
2. Establishment of culture centres.

#### **XVII Public Distribution System**

1. Examining the complaints against the Public Distribution System and find out and implement remedial measures.
2. Organise campaigns against offences relating to weights and measures.
3. General supervision and guidance of Rations Shops, Mavali Stores, Neethi Stores and other public distribution centres, if necessary.

#### **XVIII. Natural Calamities Relief**

1. Protection of Relief Centres.
2. Conduct works relating to natural calamity. The work to compensate damages caused to the assets should be done by the respective Panchayats.

#### **XIX. Co-operation**

1. Organise Co-operative societies within the boundaries of Village Panchayats.
2. Strengthen the existing co-operative institutions.

## **Annexure 2:**

### **Sector wise functions of Block Panchayats. (As per Schedule 4 of the Kerala Panchayat Raj Act)**

#### **I. Agriculture**

1. Farmers training programmes for the implementation at the village level.
2. Arrange agricultural inputs required for schemes at the village level.
3. Conduct of agricultural exhibitions.
4. Management of watersheds falling within the Block Panchayat area.
5. Mobilise agricultural loans.
6. Encouragement of sericulture.

#### **II. Animal Husbandry and Dairy Farming**

1. Running veterinary poly clinics and zonal artificial insemination centres.
2. Provide speciality services in animal husbandry.
3. Conducting of cattle and poultry shows.

#### **III. Minor Irrigation**

Implementation and maintenance of all Lift Irrigation Schemes and Minor Irrigation Schemes covering more than one Village Panchayat.

#### **IV. Fisheries**

Development of traditional landing centres.

#### **V. Small Scale Industries.**

1. Establishment of mini industrial estates.
2. Promotion of industries with investment limit of one third of S.S.I.
3. Formulation of self employment schemes in Industrial sector.

#### **VI. Housing**

1. Popularisation of low cost housing.
2. Promotion of housing co-operative societies.

## **VII. Electricity and Energy**

Development of conventional energy sources.

## **VIII. Education**

Management of Government Industrial Training Institutions.

## **IX. Public Works**

1. Maintenance of Village roads connecting more than one village Panchayat within the Block Panchayat and other roads vested in Block Panchayat.
2. Construction of buildings for institutions transferred from Government.

## **X. Public Health and Sanitation**

Running community health centres and Taluk Hospitals with all systems of medicine within the Block Panchayat.

## **XI. Social Welfare**

Management of I.C.D.S.

## **XII. Poverty Alleviation**

1. Planning and implementation of employment assurance schemes in co-ordination with the Village Panchayat.
2. Skill upgradation of poor for self employment and giving wage employment for people below poverty line.

## **XIII. Scheduled Caste/Scheduled Tribe Development**

1. Management of pre-metric hostels.
2. Promotion of Co-operative Societies means for Scheduled Caste/Scheduled Tribes.

## **XIV. Co-operation**

1. Organising co-operatives within the jurisdiction of block Panchayat.
2. Strengthening co-operative institutions.

**Annexure 3 :**  
**Sector- wise Functions of District Panchayats.**  
**(Schedule 5 of the Kerala Panchayat Raj Act)**

**I. Agriculture**

1. Running agriculture farms other than regional farms and research centres.
2. Integrated water-shed management in water sheds covering more than one Block Panchayat area.
3. Provide for agricultural inputs.
4. Soil testing
5. Pest control
6. Marketing of agricultural products
7. Cultivation of ornamental plants.
8. Promotion of agricultural co-operatives
9. Promotion of commercial crops.
10. Application of bio-technology.
11. Popularisation of innovative field trials and pilot projects.
12. Conduct of locally appropriate research and development.

**II. Animal Husbandry and dairy Farming**

1. Running district level veterinary hospitals and laboratories.
2. Running dairy extension units.
3. Promotion of Milk Co-operative societies.
4. Running farms other than regional farms, breeding farms and research centres.
5. Implementation of district level training.
6. Implementation of disease prevention programmes.
7. Propagating new methods of field trials and pilot projects.
8. Locally relevant research and development.

### **III. Minor Irrigation**

1. Development of ground water resources.
2. Construction and maintenance of minor irrigation schemes covering more than one Block Panchayat.
3. Command area development.

### **IV. Fisheries**

1. Arrangements for fish marketing
2. Management of fish farm development agency.
3. Management of district level pisci-culture centres net making units, fish markets, feed mills, ice plants and cold storages.
4. Management of fisheries schools.
5. Introduction of new technologies.
6. Provide implements required for fishermen.
7. Promotion of fishermen's co-operative societies.

### **V. Small Scale Industries.**

1. Management of district industries centres.
2. Promotion of small scale industries.
3. Setting up of industrial estates.
4. Organising exhibitions for sale of products
5. Conduct of entrepreneur development programme.
6. Marketing products.
7. Imparting training.
8. Create input service and common facility centres.
9. Implementation of industries development credit schemes.

### **VI. Housing**

1. Implementation of housing complex and infrastructure development.
2. Mobilisation of housing finance.

## **VII. Water Supply**

1. Implementation of water supply schemes covering more than one village Panchayat.
2. Taking over of water supply schemes covering more than one Village Panchayat.

## **VIII. Electricity & Energy**

1. Taking over micro-hydel projects.
2. Determining priority areas for extension of electricity.

## **IX. Education.**

1. Management of Government high schools (including Lower and Upper Primary Schools attached to high schools).
2. Management of Government Higher Secondary schools.
3. Management of Government Technical Schools.
4. Management of Government Vocational Training Centres and Polytechnics.
5. Management of government Vocational Higher Secondary Schools.
6. Management of District Institute for Education and Training.
7. Co-ordination of centrally and state sponsored programmes related to education.

## **X. Public Works.**

1. Construction and maintenance of all district roads vested within the District Panchayat other than major district roads.
2. Construction of building for institutions transferred.

## **XI. Public Health & Sanitations**

1. Management of district hospitals with all systems of medicines.
2. Setting up of centres for the care of special categories of handicapped and mentally disabled people.
3. Co-ordination of centrally and state sponsored programmes at district level.

## **XII. Social Welfare**

1. Provide grants to orphanages.
2. Establishment of welfare centres for the handicapped and destitute.

### **XIII. Poverty Alleviation**

Provide infrastructure facilities for self employment programme.

### **XIV. Development of Scheduled Caste-Scheduled Tribe**

1. Management of post metric hostels.
2. Management of vocational training centres for the Scheduled Caste/Scheduled Tribes.

### **XV. Sports and Cultural affairs.**

Construction of stadia.

### **XVI. Co-operation**

1. Organisation of co-operatives within the limits of District Panchayat.
2. Strengthening the co-operative institutions.



**Annexure 4 :**  
**Sector-wise functions of Municipalities.**  
**(As per Schedule 1 of the Kerala Municipalities Act)**

**I. Agriculture**

1. Bring into cultivation barren land and surrounding land.
2. Ensure optimum utilisation of land.
3. Soil conservation.
4. Production of organic manure.
5. Establishment of nurseries.
6. Promotion of co-operative-group farming.
7. Organising self-help groups among farmers.
8. Promotion of horticulture and vegetable cultivation.
9. Implementation of fodder crop development.
10. Encourage plant protection activities.
11. Development of seed production.
12. Implementation of farm mechanisation.
13. Running Krishi Bhavans.
14. Organise Agricultural exhibitions.

**II. Animal Husbandry and Dairy Farming**

1. Implementation of cattle improvement programmes.
2. Increase the production of milk.
3. Poultry farming, bee keeping, piggery development, goat rearing and rabbit rearing.
4. Running veterinary hospitals.
5. Running of I.C.D.P. sub-centres.
6. Formulation and implementation of preventive-health programme for animals.
7. Prevention of cruelty to animals.

8. Implementation of fertility improvement programmes.
9. Control of animal origin disease.
10. Running veterinary poly-clinics and Regional Artificial Insemination Centres.
11. Providing speciality services in animal husbandry.
12. Conduct cattle-poultry shows.

### **III. Minor Irrigation:**

1. Implementation and maintenance of all minor and lift irrigation projects within the Municipal areas.
2. Implementation and Maintenance of all micro-irrigation projects.
3. Carry out conservation of water.
4. Implementation of ground water resources development.

### **IV. Fisheries:**

1. Implementation of Pisciculture in ponds, fresh water and brackish in water, and development of marine products.
2. Promotion of fish-seed production and distribution.
3. Distribution of fishing implements.
4. Providing assistance for fish marketing.
5. Providing minimum basic services for fishermen families.
6. Implementation of fishermen welfare scheme.
7. Development of traditional landing centres
8. Administrative control of fisheries schools.

### **V. Social Forestry:**

1. Growing trees for fodder or fuel and growing of fruit trees.
2. Organise campaign for planting of trees and environmental awareness.
3. Afforestation of waste land.

### **VI. Small Scale Industries:**

1. Promotion of cottage-village industries.
2. Promotion of handicrafts.

3. Promotion of traditional and mini industries.
4. Establishment of Mini Industrial Estates.
5. Encourage the industries with investment of one-third of S.S.I. limit.
6. Formulate and implement self employment schemes in Industrial Sector.
7. Promotion of Small Scale Industries.
8. Implementation of the entrepreneur development programmes.

### **VII. Housing:**

1. Identify the homeless and purampoke dwellers and to provide house sites and houses.
2. Implementing housing programmes.
3. Implementing the shelter rejuvenation programmes.
4. Popularising the low-cost housing.
5. Encourage housing co-operative societies.
6. Implement the development of housing complex and infrastructure.
7. Mobilise fund necessary for housing.

### **VIII. Water Supply:**

1. Maintain water supply schemes within the respective Municipal area.
2. Arrange water supply schemes within the respective Municipalities.

### **IX. Electricity and Energy:**

1. Install street lights.
2. Encourage the consumption of bio-gas.
3. Promote the non-conventional energy sources.

### **X. Education:**

1. Run Government pre-primary schools, primary schools and High schools.
2. Implement literacy programmes
3. Run Government Industrial Training Centres in the Municipal area.
4. Run Government Higher Secondary Schools in the Municipal area.

5. Run Government Technical Schools in the Municipal area
6. Run Government Vocational Training Centres and Polytechnics in the Municipal area.
7. Run Government Vocational Higher Secondary Schools in Municipal area.
8. Running municipal libraries.

#### **XI. Public Works:**

1. Construct and maintain the roads except National Highways, State Highways and major District roads within the Municipality.
2. Construction of buildings for institutions including those transferred from Government.

#### **XII. Public Health and Sanitation:**

1. Run Dispensaries, Primary Health Centres and sub centres under all systems of medicine.
2. Conduct child welfare centres and mother care homes.
3. Organise remedial and other preventive measures against disease.
4. Implement family welfare programmes.
5. Implement sanitation programmes.
6. Run Public Health Centres and Taluk hospitals under all systems of medicine, in Municipal area.

#### **XIII. Social Welfare:**

1. Run Anganwadis.
2. Sanction and distribute pension to destitute, widows, the handicapped and agricultural labourers.
3. Sanction and distribute unemployment wages
4. Sanction financial assistance for the marriage of the daughters of widows.
5. Implement Group Insurance Scheme to the poor sectors.
6. Provide grant to orphanages,
7. Start institutions for the welfare of the handicapped, destitute etc.

#### **XIV. Eradication of Poverty:**

1. Identify the poor.
2. Implement self employment and group employment schemes for the poor, especially for women.
3. Create community assets to get continuing benefit to the poor.
4. Develop skills of those below poverty line to do self-employment and remunerative employment.
5. Provide basic facilities for self employment schemes.

#### **XV. Development of Scheduled Caste/Scheduled Tribe:**

1. Implementation of beneficiary oriented schemes under Special Component Plan (SCP) and Tribal Sub Plan (TSP).
2. Run Nursery schools for the Scheduled Caste/Scheduled Tribe.
3. Provide basic facilities in the residential centres for the Scheduled Caste/Scheduled Tribe.
4. Provide financial assistance to the Scheduled Caste/Scheduled Tribe Students.
5. Provide assistance discretionally to the Scheduled Caste and the Scheduled Tribes who deserve.
6. Run Pre-Metric hostels in Municipal area.
7. Develop Scheduled Caste/Scheduled Tribe Co-operative Societies.
8. Run post-metric hostels in Municipal area.
9. Run Vocational Training Centres for the Scheduled Caste/Scheduled Tribe Municipal area.

#### **XVI. Sports and Cultural Affairs:**

Construct playgrounds and stadia.

#### **XVII. Public Distribution system:**

1. Examine complaints against Public distribution system and implement remedial measures.
2. Organise campaigns against offences relating to weights and measures.

3. General Supervision of Ration shops, Maveli Stores, Neethi Stores and other public distribution systems and to provide guidance, and start new public distribution centres if necessary.

**XVIII. Natural Calamity Relief:**

1. Maintain relief centres.
2. Organise relief activities.
3. Constitute distress relief fund of the Chairman/Mayor.

**XIX. Co-operation:**

1. Organise Co-operative Societies within the Municipal area.
  2. Distribute Government grants and subsidies.
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