

**Thirteenth Kerala Legislative Assembly
Bill No. 253**

**THE KERALA MUNICIPALITY (FOURTH AMENDMENT)
BILL, 2013**

©
Kerala Legislature Secretariat
2014

KERALA NIYAMASABHA PRINTING PRESS.

**Thirteenth Kerala Legislative Assembly
Bill No. 253**

[Translation in English of “2013-ലെ കേരള മുനിസിപ്പാലിറ്റി (നാലാം ഭേദഗതി) ബിൽ” published under the authority of the Governor.]

THE KERALA MUNICIPALITY (FOURTH AMENDMENT) BILL, 2013

A

BILL

further to amend the Kerala Municipality Act, 1994.

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

BE it enacted in the Sixty-fourth Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Municipality (Fourth Amendment) Act, 2013.

(2) It shall come into force on 5th day of October, 2013.

2. *Amendment of section 485A.*—In section 485A of the Kerala Municipality Act, 1994 (20 of 1994) (hereinafter referred to as the principal Act), for the existing proviso, the following proviso shall be substituted, namely:—

“Provided that in the case of a concrete vault or electric/gas crematorium, the said distance shall not be less than twenty-five metres.”

3. *Repeal and Savings.*—(1) The Kerala Municipality (Second Amendment) Ordinance, 2013 (52 of 2013) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

As per Section 485A of the Kerala Municipality Act any place used as crematoria for burial or burning of dead bodies shall be at a distance of fifty metres from residential buildings. As per the proviso of the said section in the case of a concrete vault such distance shall not be less than twenty-five metres.

77/2014.

As it is provided that in the case of electric/gas crematoria in Panchayats, it is sufficient to maintain a distance of twenty-five metres from residential buildings, the Kerala Municipality (Second Amendment) Ordinance, 2013 (52 of 2013) was issued by amending section 485A of the Kerala Municipality Act by inserting a provision stipulating that in municipalities also electric/gas crematoria shall be at a distance of twenty five metres from residential buildings.

This Bill seeks to replace the above Ordinance by an Act of the State Legislature.

FINANCIAL MEMORANDUM

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

MANJALAMKUZHI ALI

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

** ** * * * * *

485A. *Burial and burning grounds to be at distant places from residential buildings.*—No Municipality shall grant a licence under Section 484 for using any place as crematoria for burial or burning of dead bodies within a distance of fifty metres from residential buildings or utilise for such purposes under Section 485:

Provided that in the case of a concrete vault such distance shall not be less than twenty-five metres.

** ** * * * * *
