

***THE KERALA PANCHAYAT RAJ (REMOVAL OF DISQUALIFICATION OF CANDIDATES AND MEMBERS IN CERTAIN CASES) RULES, 1995**

S. R. O. No. 1021/95.— In exercise of the powers conferred by Clause (g) of sub-section (1) of Section 34, Clause (f) of Section 35 and Section 254 of the Kerala Panchayat Raj Act, 1994 (13 of 1994) the Government of Kerala, in consultation with the State Election Commission, make the following rules, namely:-

RULES

1. Short title and commencement.— (1) These rules may be called the Kerala Panchayat Raj (Removal of Disqualification of Candidates and Members in certain cases) Rules, 1995.

(2) They shall come into force at once.

2. Definitions.— In these rules, unless the context otherwise requires,-

(a) “Act” means the Kerala Panchayat Raj Act, 1994 (13 of 1994);

(b) “Member” means the member of a Panchayat at any level.

3. Removal of Disqualification of Candidates and Members in certain cases.— A person shall not be deemed to have any interest, for the purposes of Clause (g) of sub-section (1) of Section 34 or Clause (f) of Section 35, in a subsisting contract made with or in any work being done for the Panchayat concerned on the sole reason that he is having a share or interest, in the following cases,-

(i) any sale, purchase or lease of an immovable property or entering into any agreement for the same; or

(ii) In the case of a business of sale of any article or articles one ordinarily sells to Panchayat or in the purchase of any article or articles from the Panchayat, the value of transaction for one year in the aggregate does not exceed rupees five thousand in the case of Grama Panchayat, rupees seven thousand in the case of Block Panchayat and rupees ten thousand in the case of District Panchayat; or

(iii) undertaking any contribution work in the Panchayat for the benefit of the community, not as a contractor, but as a representative of the community or the sponsor; or

(iv) taking over of a building or shop room of Panchayat for commercial purposes on rent or lease.

Explanatory Note

(This does not form part of the Notification, but is intended to indicate its general purpose.)

Clause (g) of sub-section (1) of Section 34 and clause (f) of Section 35 of the Kerala Panchayat Raj Act, 1994 (13 of 1994) give permission to make rules regarding the circumstances under which the disqualification of a person related with a subsisting contract with the Government or the Panchayat concerned or engaged in any work for them, can be removed. This Notification is intended to prescribe rules accordingly.