

Kerala Municipality (Amendment) Act, 2003

10 of 2003

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An Act further to amend the Kerala Municipality Act, 1994. Whereas it is expedient further to amend the Kerala Municipality Act, 1994 (20 of 1994) for the purposes hereinafter appearing; BE it enacted in the Fifty-fourth year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Kerala Municipality (Amendment) Act, 2003.

(2) Section 2 of this Act shall be deemed to have come into force on the 24th day of March, 1999 and the remaining sections shall be deemed to have come into force on the 29th day of March, 2003.

2. Amendment Of Section 85 :-

In section 85 of the Kerala Municipality Act, 1994 (20 of 1994), (hereinafter referred to as the principal Act), after clause (f) the following proviso shall be added, namely:--

"Provided that even if a candidate has omitted any word or words inadvertently when he makes and subscribes signature in such oath or affirmation and he has subsequently been elected as Councillor and assumed office on oath or affirmation made in the Third Schedule he shall not be considered as disqualified for the mistake happened earlier."

3. Validation :-

Notwithstanding anything contained in the Kerala Municipality Act, 1994 (20 of 1994) or in any other law, or in any judgement or order of any court, where a person has been elected as a Councillor of a Municipality and has assumed office after making and subscribing oath or affirmation as per the Third Schedule of the principal Act, 1994, he shall not be considered as invalid for the only reason that while presenting nomination paper he has omitted any word or words in the oath or affirmation made or subscribed before the returning officer or any other authority and shall continue to be the Councillor.

4. Repeal And Saving :-

(1) The Local Self Government Institution Laws (Amendment) Ordinance, 2003 (2 of 2003), except Section 3 thereof is hereby repealed.

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