

# **KERALA MUNICIPALITY (CONSTITUTION AND UTILISATION OF DISTRESS RELIEF FUND) RULES, 2003**

[Translation in English of the Kerala Municipality (Constitution and Utilisation of Distress Relief Fund) Rules, 2003, published under the authority of the Governor]

**S. R. O. No. 335/2003.** In exercise of the powers conferred by sub-section (1) of section 565 of the Kerala Municipality Act, 1994 (20 of 1994), the Government of Kerala hereby make the following rules, namely:-

## **RULES**

**1. Short title and commencement.**-(1) These rules may be called the Kerala Municipality (Constitution and Utilisation of Distress Relief Fund) Rules, 2003.

(2) They shall come into force at once,

**2. Definitions.**-(1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Kerala Municipality Act, 1994 (20 of 1994);

(b) "Municipality" means a Town Panchayat or a Municipal Council or a Municipal Corporation;

(c) "Chairperson" means in relation to a Town Panchayat or a Municipal Council, the Chairman of that Town Panchayat or that Municipal Council and in relation to a Municipal Corporation, the Mayor of that Municipal Corporation;

(d) "Fund" means the Distress Relief Fund Constituted under Rule 3 of these Rules;

(e) "Sub Committee" means a sub-committee constituted under sub-rule (2) of Rule 4 of these Rules;

(2) Words and expressions used and not defined in these rules, but defined in the Act shall have the meanings respectively assigned to them in the Act.

**3. Constitution of Fund.**-(1) Every Municipality may, by a resolution of the Council, constitute a distress relief fund credited and kept separately in the Municipality Fund to be known as Distress Relief Fund of the Chairman or the Mayor as the case may be, for providing urgent financial assistance for the purpose of giving relief to the poor persons residing in the Municipal area and suffering distress due to heavy rains, flood, natural calamity, fire, storm, sea erosion, accidents, protracted illness etc.

(2) The amount required for constituting the Fund may be collected by organising arts-sports-entertainment programmes and by accepting contributions from individuals, organisations, institutions etc:

Provided that, for such collection of fund, there shall not be any type of extension of compulsion or adoption of coercion or offer of enticement or promises or any act of abuse of power or causing of loss of any income due to the Municipality or causing of damage to the development activities of the Municipality.

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(3) No amount shall be transferred to the Fund from any fund of the Municipality or from any grant that the Municipality received from the Government.

(4) A bank account shall be maintained in the name of the Secretary in a Nationalised Bank or in a Co-operative Bank for the transaction of the income and expenditure of the Fund.

(5) The Secretary shall give receipt signed by him for the donations to the Fund.

(6) The Municipality shall take necessary steps for getting income tax exemption for the donations to the Fund.

**4. Utilisation of Fund.**-(1) From the Fund constituted under Rule 3, financial assistance of an amount as decided by the Council of the Municipality may be given to a person or to his family residing in the respective Municipal area.

(2) Those who wish to get financial assistance from the Fund shall submit application thereof to the Chairperson.

(3) There shall be a sub-committee of the Council of the Municipality consisting of the Chairperson, a member elected by the councillors of the Municipality from among themselves and the Secretary, to co-ordinate the steps for collecting amounts to the Fund and to scrutinise the applications received for getting financial assistance from the Fund and to take decision thereon and the Chairperson shall be the Chairman of the said sub-committee and the Secretary shall be the Convenor thereof.

(4) The sub-committee may utilise the services of the councillors of the Municipality or the officers thereof for making necessary enquiries on the applications received for financial assistance.

(5) In emergency situations, where the context so requires, the Chairperson may give financial assistance upto five hundred rupees from the Fund to a deserving individual or family even in the absence of an application thereof;

Provided that the ratification of the sub-committee constituted under sub-rule (3) shall be obtained within a month for having given such financial assistance.

(6) The Chairperson or the sub-committee shall consider the financial assistance that the applicant received or that he may receive from any other agency, before taking a decision to give financial assistance from the Fund.

(7) The Secretary shall, as per the orders of the sub-committee or the Chairperson, as the case may be, withdraw the amount from the Fund and disburse the same in writing to the deserving persons.

**5. Maintenance of Registers.**-(1) The Secretary or the Officer authorised by him shall

maintain the accounts of the income and expenditure in respect of the Fund in a Book.

(2) A register, for recording the details in respect of the applications received for financial assistance, the financial assistance sanctioned thereto etc. and a minutes book for recording the minutes of the proceedings of the sub-committee shall be maintained.

(3) Receipt Book, Bank Pass Book, Cheque Book, Registers, Applications, Enquiry Reports etc. relating to the Fund shall be in the custody of the Secretary or the Officer whom he authorised.

**6. Audit of Accounts.**-(1) Every month, the Secretary shall submit, before the Council of the Municipality the accounts of the income and expenditure in respect of the Fund (including the names of those who contributed to the Fund and of those who received financial assistance from the Fund.)

(2) The accounts of the income and expenditure in respect of the Fund shall, periodically, be subjected to audit in the same manner as in the case of other accounts of income and expenditure of the Municipality.

7. Publishing information.-The Secretary shall, in due course, publish in the Notice Board of the Office, the names and other details in respect of those who had applied for financial assistance from the Fund and of those who received financial assistance therefrom and of those who contributed thereto and the amounts and other accounts thereof and the said details, as the case may be, shall be informed in the Ward Committees or in the Ward Sabhas of the Municipality.

### **Explanatory Note**

(This does not form part of the Notification, but is intended to indicate its general purport.) Government have decided to constitute a Distress Relief Fund for giving emergency financial assistance to the poor persons residing in the Municipal area and suffering distress due to heavy rains, flood, natural calamity, fire, storm, sea erosion, accidents, protracted illness etc. and to make rules under sub-section (1) of Section 565 of the Kerala Municipality Act, 1994 (20 of 1994), for its utilisation. This Notification is intended to achieve the above object.