

Appendix 1.1
List of selected ULBs
(Reference: Paragraph 1.5)

Corporations

1. Thiruvananthapuram Corporation
2. Kochi Corporation
3. Kozhikode Corporation

Municipalities

1. Nedumangad
2. Kayamkulam
3. Haripad
4. Pandalam
5. Thiruvalla
6. Pathanamthitta
7. Kattappana
8. Aluva
9. Irinjalakkuda
10. Wadakkanchery
11. Ponnani
12. Ottappalam
13. Cherpulassery
14. Kalpetta
15. Koduvally
16. Panoor
17. Mattannur
18. Nileshwar

Appendix 2.1
Comparison of State level legislations with the provisions of 74th CAA
(Reference: Paragraphs 2.2, 2.5)

Provision of Constitution of India	Requirement as per provision of Constitution of India	Provision of State Act (The Kerala Municipality Act, 1994)	Remarks
Article 243Q	Constitution of Municipalities: It provides for constitution of three types of Municipalities namely, a Municipal Council for a smaller urban area, a Nagar Panchayat for transitional area and a Municipal Corporation for a larger urban area.	Section 4 - Constitution, conversion and alteration of Municipalities.	Provides for Town Panchayat for transitional area, a Municipal Council for a smaller urban area and a Municipal Corporation for a larger urban area. However Town Panchayats were not seen notified/formed in the State.
Article 243R	Composition of Municipalities: All the seats in a Municipality shall be filled by direct elections and by persons with special knowledge in municipal administration nominated by Government. The Legislature of a State may by law, provide for representation to the Municipality of Members of Parliament and Legislative Assembly representing constituencies which comprise wholly and partly the Municipal area and Members of the council of State and State Legislative Council who are registered as electors within the city.	Section 6 - Constitution of Council	No representation provided for persons with special knowledge in municipal administration nominated by Government, Members of Parliament and Legislative Assembly representing constituencies which comprise wholly and partly the Municipal area and members of council of State/State Legislative Council who are registered as electors within the city.
Article 243S	Constitution and composition of Wards Committees: This provides for constitution of Wards Committees in all municipalities with a population of three lakh or more	Section 42 - Constitution of Ward Committees— In every Municipality where the population exceeds one lakh, there shall be constituted a Ward Committee for each ward of that Municipality as provided in Section 43, within three months from the date of its constitution.	Provision given for constitution of Ward committees in Municipalities where the population exceeds one lakh, in place of three lakh.

Appendix 2.1 (Contd...)

Provision of Constitution of India	Requirement as per provision of Constitution of India	Provision of State Act (The Kerala Municipality Act, 1994)	Remarks
Article 243T	Reservation of seats: The seats shall be reserved for SC/ST and women. ⁵⁹	Section 6 ((5) to (8)) -Constitution of Council. The provision for reservation of seats for SC/ST and women specified.	Included
Article 243U	Duration of Municipalities: The Municipality has a fixed tenure of five years from the date of its first meeting and re-election to be held within the six months of end of tenure.	Section 7 - Duration of Municipalities and filling up of vacancies	Included
Article 243V	Disqualifications for membership: A Person shall be disqualified for being a member of a Municipality- <ul style="list-style-type: none"> • If he is so disqualified by or under any law for the time being in force for the purposes of elections of the Legislature of the State concerned. • If he is so disqualified by or under any law made by the Legislature of the State. 	Section 91 - Disqualification of Councillors	Included
Article 243W	Powers, authority and responsibilities of the Municipalities: All Municipalities would be empowered with such powers and authority as may be necessary to enable them to function as effective institutions of self-government. The State Government shall entrust them with such powers and authority to enable them to carry out the responsibilities in relation to the Twelfth Schedule.	Section 5(2) - Incorporation and Administration of Municipality Every Municipality, shall exercise such powers, perform such duties and functions and shall have such responsibilities and authority as are provided by or under this Act or any other law for the time being in force.	Powers and authority being vested, are not specified to be related to Twelfth Schedule.

⁵⁹ KM Act, 1960 envisaged that for every Municipal Council the sanctioned strength of which is twenty or less, the number reserved for women shall be one and in Municipal Councils the sanctioned strength of which is above twenty, the number of such reservations shall be two.

Appendix 2.1 (Contd...)

Provision of Constitution of India	Requirement as per provision of Constitution of India	Provision of State Act (The Kerala Municipality Act, 1994)	Remarks
Article 243X	<p>Power to impose taxes by, and funds of the Municipalities:</p> <ul style="list-style-type: none"> • Municipalities would be empowered to levy and collect the taxes, fees, duties, etc. • Grant-in-aid would be given to the Municipalities from the State • Constitution of funds for crediting and withdrawal of moneys by the Municipality 	<p>Section 230 - Enumeration of taxes and duties</p> <p>Section 279 - Levy of tax on direction by Government</p> <p>Section 283 - Municipal Fund</p>	Included
Article 243Y read with Article 243I	<p>Finance Commission: State Government shall constitute Finance Commission to</p> <ul style="list-style-type: none"> • Review the financial position of the Municipalities and for taking such steps that help in boosting the financial condition of the Municipal bodies <p>Make recommendation on</p> <ul style="list-style-type: none"> • Distribution between the State and the Municipalities of the net proceeds of the taxes, fees, tolls and duties that are charged by the State Government. • Allotting the funds to the municipal bodies in the State from the Consolidated fund of the State. 	<p>Section 205 - Finance Commission</p> <p>Section 206 - Powers and functions of the Finance Commission</p>	Included
Article 243Z	<p>Audit of accounts of Municipalities: This provides for maintenance of accounts by the Municipalities and the auditing of such accounts.</p>	<p>Section 295 - Accounts and Audit</p>	Included
Article 243ZA read with Article 243K	<p>Elections to the Municipalities: The Superintendence, direction and control of all procedures of election of the Municipalities shall be vested in the State Election Commission.</p>	<p>Section 68 - Elections to Municipalities</p>	Included
Article 243ZB	<p>Application to Union territories: The provisions of this Part shall apply to the Union Territories</p>		No provisions were given in KM Act
Article 243ZC	<p>Part not to apply to certain areas: Part not applicable to certain Scheduled areas and Tribal areas</p>		No provisions were given in KM Act

Appendix 2.1 (Contd...)

Provision of Constitution of India	Requirement as per provision of Constitution of India	Provision of State Act (The Kerala Municipality Act, 1994)	Remarks
Article 243 ZD	Committee for District Planning: <ul style="list-style-type: none"> • Constitution of District Planning Committee at district level. • Composition of District Planning Committee. • Preparation of draft development plan to be forwarded to the Government. 	Section 53 - District Planning Committee	Included
Article 243ZE	Committee for Metropolitan Planning: Provision for constitution of Metropolitan Planning Committee (MPC) in every Metropolitan area with a population of 10 lakh or more (as defined in Article 243P).	Section 54 - Metropolitan Planning Committee— (1) The Government shall, by notification in the Gazette, constitute a Metropolitan Planning Committee in a Metropolitan area to prepare a draft development plan for such area as a whole.	Metropolitan area not defined in KM Act. However provision included for constituting Metropolitan Planning Committee in any Metropolitan area, without specifying 'the population limit of 10 lakh or more'
Article 243ZF	Continuance of existing laws and Municipalities Notwithstanding anything in this Part, any provisions of any law relating to Municipalities in force in a State immediately before the commencement of the Constitution (Seventy-fourth Amendment) Act, 1992, which is inconsistent with the provisions of this Part, shall continue to be in force until amended or repealed by competent Legislature or other competent authority or until the expiration of one year from such commencement, whichever is earlier.	Section 575 - Repeal and saving	Included

Appendix 2.1 (Concl.)

Provision of Constitution of India	Requirement as per provision of Constitution of India	Provision of State Act (The Kerala Municipality Act, 1994)	Remarks
Article 243ZG	<p>Bar to interference by courts in electoral matters (a) the validity of any law relating to the delimitation of constituencies or the allotment of seats to such constituencies, made or purporting to be made under Article 243ZA shall not be called in question in any court; (b) no election to any Municipality shall be called in question except by an election petition presented to such authority and in such manner as is provided for by or under any law made by the Legislature of a State</p>	<p>Section 70 - Validity of delimitation, etc. Section 163 - Election petitions</p>	Included

(Source: 74th CAA and KM Act 1994)

Appendix 2.2
Activity Mapping
(Reference: Paragraph 2.3)

Sl. No.	Functions as per 74 th CAA	Functions as included in KM Act Mandatory (A), General (B), Sector wise / transferred (C)	Remarks on role of ULBs in execution of the function
1.	Urban planning including town planning.	Preparation of detailed town planning and Action plan for implementation in a phased manner (A)	Limited Role for ULBs <ul style="list-style-type: none"> • Master Plan and Detailed Town Planning Scheme are to be prepared or got prepared by ULBs. • The ULBs passed resolution for preparation of Master Plan and Detailed Town Planning Scheme and get them prepared by Town and Country Planning Department.
2.	Regulation of land use and construction of buildings.	Regulating building construction (A)	Limited Role for ULBs <ul style="list-style-type: none"> • Regulation of land use has no mention as a function in Schedule I of KM Act. However, Section 381 of KM Act provides for regulation of land use. • Master Plan and Detailed Town Planning schemes are prepared by the Town and Country Planning Department.
3.	Planning for economic and social development.	Ensuring maximum people's participation in all stages of development (B)	Limited Role for ULBs <ul style="list-style-type: none"> • Development plans are prepared every year by Municipalities based on Plan formulation and subsidy guidelines issued by Government. • Transferred departments are also involved in scheme implementation. ULBs function as implementing arms for various Central/State Government schemes.
4.	Roads and bridges.	Maintenance of roads and other public properties (A) Construct and maintain the roads except National Highways, State Highways and major District roads within the Municipality (C) Amenities including foot path, road crossing facilities for pedestrians (A)	Full jurisdiction of ULBs
5.	Water supply for domestic, industrial and commercial purposes.	Maintain water supply schemes within the respective Municipal area (C) Arrange water supply schemes within the respective Municipalities (C) Conservation of traditional drinking water sources (A) Preservation of ponds and other water tanks (A)	Limited role for ULBs <ul style="list-style-type: none"> • Kerala Water Authority plays the major role. KWA arranges distribution pipeline extension works for uncovered areas in ULB as deposit works. • ULBs also pay for water charges to KWA for water supplied through public taps. • Conservation of traditional drinking water sources and preservation of ponds and other water tanks are undertaken by ULBs.

Appendix 2.2 (Contd...)

Sl. No.	Functions as per 74 th CAA	Functions as included in KM Act Mandatory (A), General (B), Sector wise / transferred (C)	Remarks on role of ULBs in execution of the function
6.	Public health, sanitation conservancy and solid waste management	Run Dispensaries, Primary Health Centres and sub centres, Taluk hospitals under all systems of Medicines (C) Conduct child welfare centres and mother care homes (C) Organize remedial and other preventive measures against diseases (C) Implement family welfare programmes (C) Adopt immunisation measures (A) Effective implementation of National and State level strategies and programmes for prevention and control of diseases (A)	Limited role for ULBs <ul style="list-style-type: none"> Health and Family Welfare Department involved in execution of functions, Purchase of medicines and medical equipment, repairs of buildings entrusted to ULBs. The elected representatives exercise limited control over hospital activities through Hospital Management Committees (HMCs). Health Institutions under all systems of medicine as well as functions like conducting child welfare centres and mother care homes, family welfare programmes, etc., are executed by Health and Family Welfare Department. Immunisation as well as strategy for controlling diseases are under the purview of Health and Family Welfare Department.
		Implement sanitation programmes (C) Collection and disposal of solid waste and regulation of disposal of liquid waste (A) Maintenance of environmental hygiene (A)	<ul style="list-style-type: none"> Suchitwa Mission provides managerial and technical support for solid waste disposal activities. Central and State funds routed to ULBs through Suchitwa Mission. Suchitwa Mission also provides funds to Ward Sanitation Committees for pre-monsoon cleaning Liquid waste disposal done by KWA/Department. Collection and disposal of solid waste by ULBs Maintenance of Environmental hygiene is a mandatory function of ULBs. Cleaning of public markets and streets are done by ULBs engaging contingent sanitation staff. Detailed Project Report for Solid Waste Management prepared and projects implemented by ULBs
		Management of public markets (A)	<ul style="list-style-type: none"> Managed by ULBs
7.	Fire services		Not devolved
8.	Urban forestry, protection of the environment and promotion of ecological aspects.	Growing of trees for fodder or fuel and growing of fruit trees (C) Organize campaign for planting of trees and environmental awareness (C) Afforestation of waste land (C)	Limited role for ULBs <ul style="list-style-type: none"> Forest department is also involved in growing trees for fodder, fuel, etc., and organising campaigns for afforestation

Appendix 2.2 (Contd...)

Sl. No.	Functions as per 74 th CAA	Functions as included in KM Act Mandatory (A), General (B), Sector wise / transferred (C)	Remarks on role of ULBs in execution of the function
9.	Safeguarding the interests of weaker sections of society, including the handicapped and mentally retarded.	Run Anganwadis (C)	Limited role for ULBs <ul style="list-style-type: none"> • ULBs provide basic facilities. • ICDS officer is the implementing officer of nutrition programmes. • Fifty <i>per cent</i> of central funds for nutrition programmes is routed through Women and Child Development Department
		Sanction and distribute pension to destitute, widows, handicapped and agricultural labourers (C)	<ul style="list-style-type: none"> • Sanction and distribution of pension to destitute, widows, differently abled and agricultural labourers are done by ULBs • Funds for the above purposes are provided by Government
		Sanction and distribute unemployment wages (C)	<ul style="list-style-type: none"> • Sanction and distribution of unemployment wages is done by ULBs. • Funds for the above purposes are provided by Government
		Sanction financial assistance for the marriage of daughters of widows (C)	<ul style="list-style-type: none"> • Financial assistance sanctioned by ULBs as well as Scheduled Caste Development Department and Scheduled Tribe Development Department
		Start institutions for the welfare of handicapped, destitute, etc. (C)	<ul style="list-style-type: none"> • Social Justice Department runs institutions for welfare of handicapped, destitute, etc.
		Identify the homeless and <i>puramboke</i> dwellers and to provide house sites and houses (C) Implement beneficiary oriented schemes under Special Component Plan (SCP) and Tribal Sub Plan (TSP) (C)	<ul style="list-style-type: none"> • ULB implements beneficiary oriented schemes under Special Component Plan (SCP) and Tribal Sub Plan (TSP).
		Provide basic facilities in the residential centres for the Scheduled Caste/Scheduled Tribe (C) Provide financial assistance for the Scheduled Caste/Scheduled Tribe students (C) Provide assistance discretionally to the deserving Scheduled Caste and the Scheduled Tribes (C)	<ul style="list-style-type: none"> • ULBs provide basic facilities in residential centres. • ULBs and SC/ST Development Department provide financial assistance to SC/ST students.
		Nursery schools, Vocational Training Centres, Pre-matric and post-matric hostels for SC/ST in Municipal area and develop Co-operative Societies (C)	<ul style="list-style-type: none"> • SC/ST Development Department runs Nursery schools, Vocational Training Centres, pre-matric and post-matric hostels, etc.
		Implementing housing programmes, shelter rejuvenation programmes, low-cost housing, development of housing complex and infrastructure, etc. (C) Mobilise funds necessary for housing (C)	<ul style="list-style-type: none"> • ULBs mobilise funds for scheme implementation. • ULBs, Department of Housing, SC/ST and Fisheries departments implement housing schemes and Kudumbashree plays role in implementation.

Appendix 2.2 (Contd...)

Sl. No.	Functions as per 74 th CAA	Functions as included in KM Act Mandatory (A), General (B), Sector wise / transferred (C)	Remarks on role of ULBs in execution of the function
10.	Slum improvement and upgradation.	Providing basic facilities in slum areas (A)	Full jurisdiction of ULBs <ul style="list-style-type: none"> Implementation through Kudumbashree.
11.	Urban poverty alleviation	Identify the poor (C) Implement self-employment and group employment schemes for the poor, especially for women (C) Create community assets to get continuing benefit to the poor (C) Develop the skills of those below poverty line to do self-employment and for remunerative employment (C) Provide basic facilities for self-employment schemes (C)	Full Jurisdiction of ULBs <ul style="list-style-type: none"> ULBs involve through people's participation in all stages of development through Ward committees / Ward sabhas. Plan schemes executed with grants given to ULBs. Schemes implemented by Kudumbashree through NHG/SHGs. Assets created by ULBs.
12.	Provision of urban amenities and facilities such as parks, gardens, playgrounds.	Construct playgrounds and studios (C)	Limited role for ULBs <ul style="list-style-type: none"> Smart City Mission and AMRUT Mission also engaged in execution
13.	Promotion of cultural, educational and aesthetic aspects.	Regulating the conduct of fairs and festivals (A) Run the Government pre-primary, primary schools, High schools, Government Higher Secondary Schools, Government Industrial Training Centres, Government Technical Schools, Government Vocational Training Centres and Polytechnics in the Municipal area (C)	Limited role for ULBs <ul style="list-style-type: none"> Education Department and Tourism Department involved Only pre-primary schools, primary schools, High schools are transferred to the Local Bodies with functionaries to implement schemes. Sarva Shiksha Abhiyaan (SSA)/Samagra Shiksha Kerala (SSK) schemes implemented by Education Department. The ULBs provide toilets, undertake repair of school buildings and contributes 40 <i>per cent</i> of the share towards expenditure incurred by SSA for various items, <i>viz.</i>, providing furniture, teacher training, etc.
14.	Burials and burial grounds, cremations, cremation grounds and electric crematoriums.	Establishment and maintenance of burial and burning grounds (A)	Full jurisdiction of ULBs
15.	Cattle pounds; prevention of cruelty to animals.	Issue licence to domestic dogs and destroy stray dogs (A) Prevention of cruelty to animals (C)	Limited role for ULBs <ul style="list-style-type: none"> Animal Husbandry Department issues license to domestic dogs and are entrusted with management of stray dogs and prevention of cruelty to animals.

Appendix 2.2 (Concl.)

Sl. No.	Functions as per 74 th CAA	Functions as included in KM Act Mandatory (A), General (B), Sector wise / transferred (C)	Remarks on role of ULBs in execution of the function
16.	Vital statistics including registration of births and deaths.	Registration of births and deaths (A)	Full jurisdiction of ULBs
17.	Public amenities including street lighting, parking lots, bus stops and public conveniences.	Street lighting and its maintenance (A) Providing parking spaces for vehicles (A) Construction of waiting sheds for travellers (A) Providing toilet facilities and bathing ghats at public places (A) Providing bathing and washing ghats (A) Arranging ferries (A)	Full jurisdiction of ULBs
18.	Regulation of slaughter houses and tanneries.	Regulation of slaughtering of animals and sale of meat, fish and other easily perishable food stuffs, etc. (A)	Full jurisdiction of ULBs

(Source: 74th CAA, KM Act, Government Orders)

Appendix 2.3
State-wide shortage in number of Councillors
(Reference: Paragraph 2.5.1)

Sl. No.	District	ULB	Population	Required No. of Councillors	Actual No. of Councillors	Shortage	
Corporation							<i>Corporation: Fifty five councillors for the first four lakhs and one each for every ten thousand exceeding four lakhs, subject to a maximum of one hundred councillors</i>
1	Ernakulam	Kochi	602046	75	74	1	
Municipalities							<i>Municipality: Twenty five councillors for first twenty thousand and one each for every two thousand and five hundred exceeding twenty thousand, subject to a maximum of fifty two Councillors</i>
1	Ernakulam	Tripunithura	92522	52	49	3	
2	Ernakulam	Kalamassery	71038	45	42	3	
3	Ernakulam	Maradu	44704	34	33	1	
4	Ernakulam	Kothamangalam	38837	32	31	1	
5	Ernakulam	Muvattupuzha	30397	29	28	1	
6	Ernakulam	Piravom	29105	28	27	1	
7	Ernakulam	Perumbavoor	28105	28	27	1	
8	Idukki	Thodupuzha	52025	37	35	2	
9	Kannur	Payyannur	72311	45	44	1	
10	Kannur	Kuthuparamba	32405	29	28	1	
11	Kasaragod	Kanhangad	73536	46	43	3	
12	Kottayam	Changanassery	56049	39	37	2	
13	Kottayam	Ettumanoor	51129	37	35	2	
14	Kottayam	Erattupetta	34245	30	28	2	
15	Kozhikode	Vadakara	80356	49	47	2	
16	Kozhikode	Koyilandy	71929	45	44	1	
17	Malappuram	Manjeri	97102	52	50	2	
18	Malappuram	Ponnani	90491	52	51	1	
19	Malappuram	Malappuram	68088	44	40	4	
20	Malappuram	Tirur	56058	39	38	1	
21	Malappuram	Perinthalmanna	49723	36	34	2	
22	Malappuram	Kottakkal	48342	36	32	4	
23	Malappuram	Nilambur	46342	35	33	2	
24	Malappuram	Valanchery	44437	34	33	1	
25	Palakkad	Ottappalam	53792	38	36	2	
26	Palakkad	Shoranur	43528	34	33	1	
27	Pathanamthitta	Pandalam	45497	35	33	2	

Appendix 2.3 (Concl.)

Sl. No.	District	ULB	Population	Required No. of Councilors	Actual No. of Councilors	Short age	
28	Thiruvananthapuram	Neyyattinkara	70840	45	42	3	
29	Thiruvananthapuram	Nedumangad	60161	41	39	2	
30	Thrissur	Kodungalloor	71244	45	44	1	
31	Thrissur	Guruvayur	70012	45	43	2	
32	Thrissur	Kunnamkulam	54071	38	37	1	
33	Wayanad	Kalpetta	31580	29	28	1	
Total						60	

(Source: KM Act, 1994, Data furnished by Directorate of Urban Affairs, Official Website of Municipalities and Corporations)

Appendix 2.4
Timeliness in constitution of SFCs and submission of reports
(Reference: Paragraph 2.5.3)

SFC	Date by which SFC was to be constituted	Date of constitution	Time elapsed (days)	Date of submission of SFC Report to Government	Date of submission of Action Taken Report by Government	Time elapsed (days)	Period covered
First	23 April 1994	23 April 1994	Nil	29 February 1996	13 March 1997	378	1996-97 to 2000-01
Second	23 April 1999	23 June 1999	61	08 January 2001	07 January 2004	1094	2001-02 to 2005-06
Third	23 April 2004	20 September 2004	150	23 November 2005	16 February 2006	85	2006-07 to 2010-11
Fourth	23 April 2009	19 September 2009	149	20 January 2011 (First Part) 31 March 2011 (Second Part)	24 February 2011 (First Part) 22 March 2012 (Second Part)	35 (First Part) 357 (Second Part)	2011-12 to 2015-16
Fifth	23 April 2014	17 December 2014	238	19 December 2015 (First Part) 11 March 2016 (Second Part)	07 February 2018 (First and Second Part)	781 (First Part) 698 (Second Part)	2016-17 to 2020-21

(Source: SFC Cell, Government of Kerala)

Appendix 2.5

Recommendations of State Finance Commissions facilitating empowerment of ULBs which were accepted by Government but not implemented

(Reference: Paragraph 2.5.3)

i. Recommendations relating to Own revenue

- Cable television/Dish TV operators may be required to pay annual Licence Fee as well as Entertainment Tax (First, Second and Fourth SFCs).
- Government may look into the possibility of bringing the land developed for non-agricultural purpose into the property tax domain, as the change in land use pattern is gaining unusual momentum all over the State in recent times (Fourth SFC).
- Building Tax collected under Kerala Building Tax Act, 1975 be exclusively assigned to local bodies (First SFC).
- The entrance fees in tourism centres and agricultural farms and operation of house boats to be brought under the purview of Entertainment tax by making necessary amendments to the Kerala Local Authorities Entertainments Tax Act, 1961 (Fourth SFC).
- Building Permit Fee and Rates of all other non-tax items (except fee for marriage certificate) to be raised at least by 50 per cent (Fifth SFC).

ii. Recommendations relating to Institutional Measures

- New posts of Environmental Engineer, Mechanical Engineer and Electrical Engineer in the cadre of Assistant Engineer shall be created in three regions to look after the engineering related issues of Municipalities and Municipal Corporations (Fifth SFC).
- Kerala Institute of Local Administration (KILA) should come out with a plan of action to build the capacity of different grades of staff within three years, with special emphasis on imparting the necessary skill to use computers (Fourth SFC).
- A Human Resource Commission for Local Governments headed by an eminent expert and consisting of the Secretaries of Finance, Personnel and Administrative Reforms and Local Self Government Departments and two other experts may be constituted to work out the details and modalities involved in the issue of Human Resource Development. The work may be completed in six months (Fourth SFC).
- A Manual of Personnel Management may be developed incorporating not only disciplinary rules and code of conduct but also explaining well accepted techniques of human resource management and Performance assessment (Fourth SFC).

iii. Other recommendations

- A chapter on Fiscal accountability to be added in KM Act to strengthen appropriation controls (Fourth SFC).
- The Budget Rules needed to be amplified in considerable detail in a simple manner with enough number of illustrations and issued in the form of a Budget Manual which would detail procedures for appropriation to enable appropriation control. (Fourth SFC).
- The lack of clarity in powers and functions of critical constitutional mechanism like District Planning Committee has to be remedied (Fourth SFC).
- The relationship between Local Governments and the State Governments including parastatals performing functions assigned to Local Governments has to be laid down clearly (Fourth SFC).

Appendix 2.6
Overriding powers of Government in the KM Act
(Reference: Paragraph 2.6)

Sl. No.	Subject	Provision
1	Power to make Rules	The Government may, by notification in the Gazette, make rules, either prospectively or retrospectively, to carry out all or any of the purposes of this Act (Section 565 of KM Act, 1994)
2	Power of Government to issue direction to Municipality	Notwithstanding anything contained in this Act, the Government shall have the power to issue directions to the Municipality in accordance with the National and State policies in matters of finance, maintenance of accounts, office management, selection of schemes, sites and beneficiaries, proper functioning of Ward Sabhas and Ward Committees, welfare programmes, environment control, etc., and the Municipality shall comply with such directions (Section 58 of KM Act, 1994)
3	Power to dissolve ULBs	Before the expiry of a financial year, if the council fails to approve the budget of the Municipality for the succeeding financial year, and if, for that reason, there is financial crisis to the Municipality or if the majority of the councillors resign or have been disqualified, the Government may, by notification in the Gazette, dissolve the Municipality from such date as may be specified therein and shall forward a copy thereof to the State Election Commission (Section 64 of KM Act, 1994)
4	Power of Government to undertake certain works	The Government may, with the consent of a Municipality, undertake on its behalf the construction of water supply, drainage or any other work, appoint any officer or person to carry out the construction of such works and direct that the expenses including the pay and allowances of such officers be paid from the Municipal fund in priority, to any charges except charges for the service of authorised loans (Section 62 of KM Act, 1994)
5	Power of Municipality to acquire and dispose of property	A Municipality may in the manner prescribed, acquire any property such as land or building within or outside its Municipal area or dispose of any of its properties with the prior approval of the Government for providing any arrangement or facility for a public purpose (Section 215 of KM Act, 1994)
6	Power to give retrospective effect to certain bye-laws	The Council may, with the previous sanction of the Government, and subject to the provisions hereinafter contained in this Chapter make bye-laws with retrospective effect (Section 568 of KM Act, 1994)
7	Confirmation of bye-laws or regulations	No bye-law or regulation or any cancellation or alteration thereof shall have effect until the same is approved and confirmed by the Government (Section 572 of KM Act, 1994)

(Source: KM Act, 1994)

Appendix 3.1
Details of Solid Waste Management by selected ULBs
(Reference: Paragraph 3.2.1)

Urban Local Body	Type	Per day generation (Tonne)	Capacity to handle (Tonne)	Percentage of Waste handling capacity to per day generation
Irinjalakuda	Bio Waste	15.50	9.00	58.06
	Non bio-recyclable	3.50	3.50	100.00
	Non bio non-recyclable	1.00	1.00	100.00
Wadakkanchery	Bio Waste	12.00	2.00	16.67
	Non bio-recyclable	5.00	5.00	100.00
	Non bio non-recyclable	3.00	3.00	100.00
Cherpulassery	Bio Waste	No details available		
	Non bio-recyclable	2.00	1.00	50.00
	Non bio non-recyclable	1.00	0.50	50.00
Ottappalam	Bio Waste	0.10	0.10	100.00
	Non bio-recyclable	5.00	0.45	9.00
	Non bio non-recyclable	0.02	0.015	0.75
Ponnani	Bio Waste	6.00	5.00	83.33
	Non bio-recyclable	1.50	1.00	66.67
	Non bio non-recyclable	0.50	0.25	50.00
Koduvally	Bio Waste	0.05	0.05	100.00
	Non bio-recyclable	0.60	0.40	66.67
	Non bio non-recyclable	0.10	0.08	80.00
Kalpetta	Bio Waste	6.00	6.00	100.00
	Non bio-recyclable	3.50	4.00	114.29
	Non bio non-recyclable	4.00	4.00	100.00
Mattannur	Bio Waste	9.38	9.38	100.00
	Non bio-recyclable	5.00	5.00	100.00
	Non bio non-recyclable	0.49	0.49	100.00

Appendix 3.1 (Contd...)

Urban Local Body	Type	Per day generation (Tonne)	Capacity to handle (Tonne)	Percentage of Waste handling capacity to per day generation
Nileshwar	Bio Waste	4.00	4.00	100.00
	Non bio-recyclable	1.00	1.00	100.00
	Non bio non-recyclable	3.00	0.00	0.00
Kochi Corporation	Bio Waste	226.00	250.00	110.62
	Non bio-recyclable	80.00	1.00	1.25
	Non bio non-recyclable	20.00	0.00	0.00
Nedumangad	Bio Waste	5.60	2.80	50.00
	Non bio-recyclable	5.60	2.80	50.00
	Non bio non-recyclable	0.20	0.00	0.00
Kayamkulam	Bio Waste	5.00	3.00	60.00
	Non bio-recyclable	0.10	0.45	450.00
	Non bio non-recyclable	0.34	0.00	0.00
Haripad	Bio Waste	8.30	4.00	48.19
	Non bio-recyclable	0.25	0.25	100.00
	Non bio non-recyclable	0.05	0.05	100.00
Thiruvalla	Bio Waste	5.20	4.00	76.92
	Non bio-recyclable	2.00	0.5	0.25
	Non bio non-recyclable	0.45	0.00	0.00
Pathanamthitta	Bio Waste	2.00	1.50	75.00
	Non bio-recyclable	0.50	0.40	80.00
	Non bio non-recyclable	0.50	0.30	60.00
Pandalam	Bio Waste	1.50	2.00	133.33
	Non bio-recyclable	0.05	1.00	2000.00
	Non bio non-recyclable	0.15	1.00	666.67

Appendix 3.1 (Concl.)

Urban Local Body	Type	Per day generation (Tonne)	Capacity to handle (Tonne)	Percentage of Waste handling capacity to per day generation
Kattappana	Bio Waste	5.50	4.00	72.73
	Non bio-recyclable	2.50	2.50	100.00
	Non bio non-recyclable	2.00	2.00	100.00
Kozhikode Corporation	Bio Waste	205.00	150.00	0.73
	Non bio-recyclable	26.00	10.00	0.38
	Non bio non-recyclable	69.00	25.00	0.36
Aluva	Bio Waste	10.00	6.00	0.6
	Non bio-recyclable	4.00	4.00	100
	Non bio non-recyclable	0.00	0.00	0.00
Panoor	Bio Waste	13.13	0.6	0.05
	Non bio-recyclable	3.00	3.00	100
	Non bio non-recyclable	1.38	1.38	100

(Source: Data furnished by test-checked ULBs)

Appendix 3.2
Details of fund allotted for SWM and expenditure incurred by the
test-checked ULBs during 2015-20
(Reference: Paragraph 3.2.1)

ULB	Allotment (₹)	Expenditure (₹)	Percentage of Expenditure
Thiruvananthapuram	404460817	182672434	45.16
Kochi	59086897	4928656	8.34
Kozhikode	143054509	29555000	20.66
Nedumangad	32623640	4383940	13.44
Kayamkulam	87332568	3268772	3.74
Haripad	8185302	3536839	43.21
Thiruvalla	22916822	2117138	9.24
Pandalam	14437672	1350418	9.35
Pathanamthitta	10102508	4232043	41.89
Kattappana	34496497	6757269	19.59
Aluva	51899297	21245020	40.94
Irinjalakkuda	26770079	9742747	36.39
Wadakkanchery	13264618	209519	1.58
Cherpulassery	15457149	2052425	13.28
Ottappalam	38232275	6143697	16.07
Ponnani	23510375	1917091	8.15
Koduvally	37685732	952872	2.53
Kalpetta	35681688	9830368	27.55
Panoor	11487500	337500	2.94
Mattannur	4954000	980000	19.78
Nileshwar	41424120	9678946	23.37

(Source: Data furnished by test-checked ULBs)