

Fifteenth Kerala Legislative Assembly

Bill No. 60

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**THE KERALA COIR WORKERS' WELFARE FUND
(AMENDMENT) BILL, 2021**

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further to amend the Kerala Coir Workers' Welfare Fund Act, 1987

Preamble.—WHEREAS, it is expedient further to amend the Kerala Coir Workers' Welfare Fund Act, 1987 (34 of 1987) for the purposes hereinafter appearing;

BE it enacted in the Seventy-second Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Coir Workers' Welfare Fund (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 17th day of February, 2021.

2. *Amendment of section 4.*—In the Kerala Coir Workers' Welfare Fund Act, 1987 (34 of 1987) (hereinafter referred to as the principal Act), in section 4,—

(1) in sub-section (1), for the words “five rupees”, the words “twenty rupees” shall be substituted;

(2) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Government shall contribute to the Fund every year an amount equal to fifty per cent of the amount contributed by the coir workers and self employed persons, by way of grant, subject to a maximum of rupees ten per capita, per month.”.

3. *Repeal and saving.*—(1) The Kerala Coir Workers' Welfare Fund (Amendment) Ordinance, 2021 (135 of 2021) is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been 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.

STATEMENT OF OBJECTS AND REASONS

As per sub-section (1) of section 4 of the Kerala Coir Workers' Welfare Fund Act, 1987 every coir worker and self employed person shall contribute to the fund five rupees per month and the contribution by the coir worker shall be paid directly or through the employer. Sub-section (3) of said section provides that, the Government shall contribute to the Fund every year an amount equal to twice the amount contributed by the coir worker and self employed persons, by way of grant.

2. In order to increase the financial resources of the Fund, it was proposed to amend the Kerala Coir Workers' Welfare Fund Act, 1987, for enhancing the monthly contribution payable by the coir workers and self employed persons to the fund from rupees five to rupees twenty. The Bill also intends to amend sub-section (3) of section 4 of the Act to provide that the Government shall contribute to the Fund every year an amount equal to fifty per cent of the amount contributed by the coir workers and self employed persons, subject to a maximum of rupees ten per capita per month.

3. Though a Bill, to bring an Act of the State Legislature on this subject was published as Bill No. 240 of the Fourteenth Kerala Legislative Assembly, the same could not be introduced in, and passed by, the Legislative Assembly.

4. As the Legislative Assembly of the State of Kerala was not in session, and the above proposal had to be given effect to immediately, the Kerala Coir Workers' Welfare Fund (Amendment) Ordinance, 2021 was promulgated by the Governor on the 17th day of February, 2021 and the same was published as Ordinance No. 37 of 2021 in the Kerala Gazette Extraordinary No.797 dated 17th day of February, 2021.

5. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly during its session which commenced on the 24th day of May, 2021 and ended on the 10th day of June, 2021.

6. As the Legislative Assembly of the State of Kerala was not in session, and the provisions of the said Ordinance had to be kept alive, the Kerala Coir Workers' Welfare Fund (Amendment) Ordinance, 2021 was promulgated by the Governor on the 1st day of July, 2021 and the same was published as Ordinance No. 76 of 2021 in the Kerala Gazette Extraordinary No.1932 dated 2nd day of July, 2021.

7. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly during its session which commenced on the 22nd day of July, 2021 and ended on the 13th day of August, 2021.

8. As the Legislative Assembly of the State of Kerala was not in session, and the provisions of the said Ordinance had to be kept alive, the Kerala Coir Workers' Welfare Fund (Amendment) Ordinance, 2021 was promulgated by the Governor on the 23rd day of August, 2021 and the same was published as Ordinance No. 135 of 2021 in the Kerala Gazette Extraordinary No.2458 dated 24th day of August, 2021.

9. The Bill seeks to replace Ordinance No. 135 of 2021 by an Act of the State Legislature.

FINANCIAL MEMORANDUM

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

P. RAJEEVE.

EXTRACT FROM THE KERALA COIR WORKERS' WELFARE FUND
ACT, 1987 (34 OF 1987)

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4. *Contribution payable to the Fund.*—(1) Every coir worker and self employed person shall contribute to the Fund five rupees per month and the contribution by the coir worker shall be paid directly or through the employer:

Provided that a coir worker or a self employed person who has not become a member of the Fund before the 30th day of September, 1997 shall become a member of the Fund if he pays to the Fund an amount equivalent to the contribution payable by him, had he been a member for the period prior to the 30th day of September, 1997, within nine months from the said date:

Provided further that the arrears of contribution, if any, for any period prior to the 30th day of September, 1997, payable by a member shall be allowed to be paid waiving interest and penalty if such payment is made before the 30th day of September, 1998.

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(3) The Government shall contribute to the Fund every year an amount equal to twice the amount contributed by the coir workers and self employed persons, by way of grant.

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(7) Where the amount of any contribution payable under this Act involves a fraction of a rupee, the scheme may provide for the rounding off of such fraction to the nearest rupee.

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