

THE KERALA COIR WORKERS' WELFARE FUND
(AMENDMENT) BILL, 2025

(As passed by the Assembly on the 7th day of October, 2025)

A

BILL

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 for the purposes hereinafter appearing;

BE it enacted in the Seventy-sixth 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, 2025.

(2) It shall come into force at once.

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

(i) the existing clause (a) shall be re-lettered as clause (aa) and before clause (aa) so re-lettered the following clause shall be inserted, namely:—

“(a) “Appellate Authority” means the appellate authority under sub-section (4) of section 11;” ;

(ii) after clause (d) and the explanation thereunder the following clause shall be inserted, namely:—

“(da) “Compounding Officer” means an officer designated by the Government under section 17D;”.

3. *Omission of section 13.*—Section 13 of the principal Act shall be omitted.

4. *Amendment of section 14.*—In section 14 of the principal Act, after the words, “priority to all other debts” the words, figures, letter, symbols and bracket “subject to section 26E of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest Act, 2002 (Central Act 54 of 2002), ” shall be inserted .

5. *Amendment of section 17.*—In section 17 of the principal Act,—

(i) in sub-section (1), for the words and symbols “ shall be punishable with imprisonment for a term which may extent to three months, or with fine which may extend to five hundred rupees, or with both” the words “shall be liable to a penalty of double the amount due by him under this Act” shall be substituted;

(ii) in sub-section (2), for the words and symbol “ be punishable with imprisonment for a term which may extend to two months or with fine which may extend to four hundred rupees, or with both” the words “be liable to a penalty of twenty five thousand rupees” shall be substituted;

(iii) sub-sections (3) and (4) shall be omitted.

6. *Insertion of new sections after section 17.*—In the principal Act, after section 17, the following sections shall be inserted, namely:—

“17A. *Opportunity before imposing penalty.*—Notwithstanding anything contained in this Act, for imposing penalty under section 17, an officer equivalent to the rank of the Coir Project Officer in the Industries/Coir Department may be designated by the Government, by notification in the Gazette, who shall before taking steps to impose penalty, give an opportunity to the person concerned, to comply with the aforesaid relevant provisions by written direction laying down a time period not exceeding ninety days for such compliance and if the person complies with the direction within the said period, then, no such proceedings shall be initiated against him.

17B. *Punishment for non-payment of penalty.*—(1) Whoever fails to pay the penalty imposed under section 17 of this Act, within a period of ninety days from the date of receipt of the copy of the order, shall be punishable with imprisonment for a term which may extend to six months and with a fine of double the amount imposed as penalty.

(2) No Court inferior to that of a Judicial Magistrate of the First Class shall try any offence punishable under sub-section (1).

(3) No Court shall take cognizance of any offence punishable under sub-section (1) except on a report in writing of the facts constituting such offence made with previous sanction of the officer authorized to impose the fine.

17C. *Power of Officers to impose penalty.*—(1) For the purpose of imposing penalty under section 17 of this Act, an officer as designated by the Government under section 17A of this Act, shall impose the same as provided under this Act, after holding an enquiry in the manner as may be prescribed.

(2) While holding enquiry under sub-section (1), the officer shall have the power to summon and enforce attendance of any person acquainted with the facts and circumstances of the case to give evidence or to produce any document, which in the opinion of the officer, may be useful or relevant to the subject matter of the enquiry and if on such enquiry he is satisfied that the person has committed the offence, he shall impose such penalty as provided under this Act.

(3) Any person aggrieved by an order made by the officer under sub-section (2) may prefer an appeal in such form and in such manner with such fee, as may be prescribed, before the Appellate Authority within thirty days from the date on which such order is communicated to him :

Provided that the Appellate Authority may entertain the appeal after the expiry of the said period of thirty days, if such authority is satisfied that the appellant was prevented by sufficient cause from filing the appeal in time.

(4) The Appellate Authority may, after giving the parties to the appeal an opportunity of being heard, pass such order as he thinks fit, confirming, modifying or setting aside the order appealed against within a period of sixty days from the date of receipt of the appeal.

(5) The amount of penalty received shall be credited to the Consolidated Fund of the State.

17D. *Compounding of Offences.*—(1) The offences under section 17B of this Act, may be compounded, either before or after institution of prosecution by an officer equivalent to the rank of Joint Director in the Industries/Coir Department, appointed by the Government by notification in the Gazette in this behalf, on an application made to such officer by the person alleged of the offence, on payment of seventy five per cent of the amount of fine provided under the said section.

(2) Every application for compounding the offences shall be made in such form and in such manner as may be prescribed.

(3) Where compounding of an offence is made before the institution of prosecution, no prosecution shall be instituted with respect to that offence against whom the offence is so compounded.

(4) Where the compounding of an offence is made after institution of the prosecution, such compounding shall be made with the permission of the court and after such compounding the accused shall be acquitted.

(5) The amount received on compounding of the offences shall be credited to the Consolidated Fund of the State.

17E. *Mode of Recovery of money due from any person.*—Any amount due from any person under this Act or rules or scheme made thereunder may be recovered with interest in the same manner as arrears of public revenue due on land as per the provisions of the Kerala Revenue Recovery Act, 1968 (15 of 1968), for the time being in force."
