Sixteenth Keralam Legislative Assembly
Bill No.36

THE KERALA TODDY WORKERS' WELFARE FUND (AMENDMENT) BILL, 2026

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further to amend the Kerala Toddy Workers' Welfare Fund Act, 1969.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Toddy Workers' Welfare Fund Act, 1969 (22 of 1969) for the purposes hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Kerala Toddy Workers' Welfare Fund (Amendment) Act, 2026.

(2) Clause (i) of section 2 shall be deemed to have come into force on the 14th day of November, 2018 and the remaining provisions of this Act shall come into force at once.

2. *Amendment of section 4.*—In the Kerala Toddy Workers' Welfare Fund Act, 1969 , (hereinafter referred to as the principal Act),—

(i) in sub-section (4), for the words "ten rupees", the words " fifteen rupees" and for the words " twenty rupees", the words "thirty rupees" shall be substituted;

(ii) after sub-section (4), the following sub-section shall be inserted, namely:—

"(5) The Government may, by notification in the Gazette, revise the rate of contribution payable by the employer under sub-section (4), at fixed rate or fixed percent for a specific period.".

3. *Insertion of new section 4B.*—After section 4A of the principal Act, the following section shall be inserted, namely:—

"4B. *Emergency Relief Fund*.—(1) The Board shall constitute a fund called Emergency Relief Fund.

(2) Every employer shall pay a sum of thirty rupees on half-yearly basis in respect of every coconut tree or palmirah tree tapped under him.

(3) The fund shall be utilized for providing relief to natural death of an employee or treatment assistance for serious or accidental or communicable diseases etc. to employees or for disbursing any emergency financial assistance to the employees as determined by the Board or for meeting the expenditure towards the payment of premium of insurance scheme for financial assistance to the employees.

(4) The employee or the Government shall not be liable to pay a contribution equal to the amount payable by the employer under sub-section (2).

(5) The Government may, by notification in the Gazette, revise the rate of contribution payable by the employer specified in sub-section (2) at fixed rate or fixed amount for a particular period.".

STATEMENT OF OBJECTS AND REASONS

Sub-section (4) of section 4 of the Kerala Toddy Workers' Welfare Fund Act, 1969 (22 of 1969) provides that every employer shall pay to the Toddy Workers' Welfare Fund ten rupees each for every half year in the case of every coconut tree and twenty rupees each for every year in the case of palmirah tree tapped, under his control to be utilized for payment of compensation. In view of the necessity for periodic enhancement of employer contributions, the Government have permitted the Kerala Toddy Workers' Welfare Fund Board to enhance the contribution rate with effect from 14th November, 2018 on the basis of the 19th decision of the 604th Board Meeting held on 16th August, 2018 and hence decided to revise the contribution rate from ten rupees to fifteen rupees each for every half year in the case of every coconut tree, and from twenty rupees to thirty rupees each for every year in the case of every palmirah tree with effect from 14th November, 2018.

Furthermore, the Government have decided to constitute an Emergency Relief Fund to ensure financial assistance for employees in the event of natural death, serious or accidental or communicable diseases and require the employer to pay thirty rupees on half-yearly basis in respect of every coconut tree or palmirah tree tapped under his control. For the above purposes, the Government have decided to make suitable amendments in the said Act.

The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (5) of section 4 proposed to be inserted in the principal Act, by clause 2 of the Bill, seeks to empower the Government to revise, the rate of contribution payable by the employer under sub-section (4) at a fixed rate or fixed percentage for a specific period, by a notification in the Gazette.

Sub-section (5) of section 4B proposed to be inserted in the principal Act, by clause 3 of the Bill, seeks to empower the Government to revise the rate of contribution payable by the employer to the Emergency Relief Fund constituted under sub-section (1) of section 4B at fixed rate or fixed amount for a particular period, by a notification in the Gazette .

The matters in respect of which notifications may be issued are matters of procedure and are of routine or administrative in nature. Further, the notifications, after they are made, are subject to scrutiny by the Legislative Assembly. The delegation of legislative powers is, thus, of a normal character.

BINDHU KRISHNA.

EXTRACT FROM THE KERALA TODDY WORKERS' WELFARE FUND ACT, 1969 (22 OF 1969)

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4. *Contribution and matters which may be provided for in the scheme.*—(1) The contribution which shall be paid by the employer to the fund shall be ten percent of the wages for the time being payable to each of the employees, and employee's contribution shall be equal to the contribution payable by the employer in respect of him.

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(4) Every employer shall pay to the fund ten rupees each for every half year in the case of every coconut tree and twenty rupees each for every year in the case of every palmirah tree tapped, under his control to be utilized for the payment of compensation.

4A. *Power of exemption.*—(1) Notwithstanding anything contained in section 4, where the Government, on the recommendation of the Board, are of opinion that it is necessary in the public interest so to do, they may, by notification in the Gazette, exempt any class of employers, either prospectively or retrospectively, from payment of contribution under that section for such period as may be specified in the notification.

(2) For the removal of doubt it is hereby declared that an employee shall not be liable to pay his contribution under sub-section (1) of section 4 for the period for which his employer is exempted from payment of contribution.

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