

Passed on 03.04.18

THE KERALA INVESTMENT PROMOTION AND  
FACILITATION BILL, 2018  
(As passed by the Assembly)

A

BILL

*to give effect to certain proposals of the Government of Kerala to avoid delay in granting various licences, permissions, approvals, clearances required under various enactments and to provide for other matters connected therewith or incidental thereto.*

*Preamble.*—WHEREAS, it is expedient to give effect to certain proposals of the Government of Kerala to avoid delay in granting various licences, permissions, approvals, clearances required under various enactments and to provide for other matters connected therewith or incidental thereto;

BE it enacted in the Sixty-ninth Year of the Republic of India, as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Investment Promotion and Facilitation Act, 2018.

(2) It shall be deemed to have come into force on the 20th day of October, 2017.

2. *Amendment of Act 34 of 1960.*—In the Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960), in section 5A, in sub-section (4), after the words “in the prescribed form”, the words “on the same day of the receipt of application” shall be inserted.

3. *Amendment of Act 20 of 1980.*—In the Kerala Headload Workers Act, 1978 (20 of 1980), after section 9, the following section shall be inserted, namely:—

“9A. *Engaging the services of headload workers.*—(1) Subject to the provisions of this Act, an employer shall engage a headload worker registered under the Act in connection with the work of his establishment:

Provided that in the case of works which require assistance of skilled persons and which are to be done with due diligence or require the aid of machinery, such works may be done by engaging the persons having such skill or by the machinery, as the case may be.

(2) Every Headload worker shall be entitled to wages as prescribed by the Government under the provisions of this Act only if their services have been engaged by the employer or the owner of an establishment.”

4. *Power to make rules.*—(1) The Government may, by notification in the Gazette make rules either prospectively or retrospectively for the purpose of carrying into effect the provisions of this Act.

(2) Every rule made under this Act shall be laid, as soon as may be after it is made, before the Legislative Assembly, while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session, in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the rule or decides that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

5. *Repeal and saving.*—(1) The Kerala Investment Promotion and Facilitation Ordinance, 2018 (8 of 2018) 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 Kerala Shops and Commercial Establishments Act, 1960 (34 of 1960) and the Kerala Headload Workers Act, 1978 (20 of 1980) as amended by the said Ordinance, shall be deemed to have been done or taken under the above said Acts as amended by this Act.