

Fifteenth Kerala Legislative Assembly

Bill No.130

**THE KERALA JEWELLERY WORKERS' WELFARE FUND
(AMENDMENT) BILL, 2022**

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[Translation in English of “2022-ലെ കേരള ആഭരണ തൊഴിലാളി ക്ഷേമനിധി (ഭേദഗതി) ബിൽ” published under the authority of the Governor.]

**THE KERALA JEWELLERY WORKERS' WELFARE FUND
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further to amend the Kerala Jewellery Workers' Welfare Fund Act, 2009.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Jewellery Workers' Welfare Fund Act, 2009 (26 of 2009) for the purposes hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Kerala Jewellery Workers' Welfare Fund (Amendment) Act, 2022.

(2) It shall be deemed to have come into force on the 19th day of May, 2020.

2. *Amendment of section 4.*— In the Kerala Jewellery Workers' Welfare Fund Act, 2009 (26 of 2009), (hereinafter referred to as the principal Act), in sub-section (1) of section 4, for the words “rupees twenty per month”, the words “rupees fifty per month” shall be substituted.

3. *Validation.*—Notwithstanding the cessation of operation of the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2022 (4 of 2022) (hereinafter referred to as the said Ordinance), on the 8th day of August, 2022,—

(a) 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 provisions of the principal Act as amended by this Act;

(b) anything done or any action taken after the cessation of operation of the said Ordinance and before the date of publication of this Act in the Gazette, which could have been done or taken under the principal Act as amended by the said Ordinance, if the said Ordinance had not been ceased to operate, shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Sub-section (1) of section 4 of the Kerala Jewellery Workers' Welfare Fund Act, 2009 provides that every jewellery worker and self employed person shall pay to the Fund rupees twenty per month as contribution. Sub-section (2) of section 4 of the said Act provides that the Government shall pay to the Fund every year an amount equal to five percentage of the amount remitted by every member under sub-section (1) as contribution.

As the income of the Kerala Jewellery Workers' Welfare Fund Board is insufficient to disburse the benefits of the jewellery workers and to meet the administrative expenses of the Board, the Government have decided to amend the sub-section (1) of section 4 of the Kerala Jewellery Workers' Welfare Fund Act, 2009 for enhancing the contribution to be paid by every jewellery workers and self-employed from twenty rupees to fifty rupees.

As the Legislative Assembly of the State of Kerala was not in session and the above proposals had to be given effect to immediately, the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2020 was promulgated by the Governor on the 18th day of May, 2020 and the same was published as Ordinance No. 34 of 2020 in the Kerala Gazette Extraordinary No. 1213 dated 19th day of May, 2020.

In order to keep alive the provisions of the said Ordinance, the Governor of Kerala had promulgated the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2020 (61 of 2020), the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2020 (5 of 2021), the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2021 (79 of 2021), the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2021 (131 of 2021), the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2021 (139 of 2021), the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2022 (4 of 2022).

As the said Ordinance had ceased to operate on the 8th day of August, 2022, the Government have decided to bring an Act of the State Legislature to keep alive the provisions of the said Ordinance and for giving validation to anything done or any action taken under the principal Act as amended by the said Ordinance after the cessation of operation of the said Ordinance and before the date of publication of this Bill as an Act in the Gazette.

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

As per sub-section (1) of section 4 of the principal Act, proposed to be amended by clause 2 of the Bill, the contribution to be paid by every worker and self employed is proposed to be enhanced from twenty rupees to fifty rupees. As per sub-section (2) of section 4 of the said Act, the Government shall contribute to the fund every year an amount equal to five percentage of the amount remitted by every member under sub-section (1). If the monthly contribution of the workers and self employed persons are enhanced from twenty rupees to fifty rupees and since the provisions is to the effect that the Government shall pay to the Fund every year an amount equal to five per cent of the amount remitted by the workers, an additional amount of rupees 4,06,548 (Rupees Four lakh six thousand five hundred and forty eight only) is estimated to be paid by the Government.

Therefore, the Bill, if enacted and brought into operation, a recurring expenditure to the tune of rupees 4,06,548 (Rupees Four lakh six thousand five hundred and forty eight only) is expected from the consolidated fund of the State. There is no non-recurring expenditure in this item.

V. SIVANKUTTY

EXTRACT FROM THE RELEVANT PORTIONS OF
THE KERALA JEWELLERY WORKERS'
WELFARE FUND ACT, 2009
(ACT 26 OF 2009)

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4. *Contribution to the Fund.*—(1) Every worker and self employed person shall pay to the Fund rupees twenty per month as contribution.

(2) The Government shall pay to the Fund every year an amount equal to five percentage of the amount remitted by every member under sub-section (1) as contribution;

(3) the amount of contribution to be remitted as such, shall be remitted to the Fund in the manner as may be prescribed in the Scheme.

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