
REPORT OF THE SUBJECT COMMITTEE
ON
THE KERALA MOTOR TRANSPORT WORKERS'
WELFARE FUND (AMENDMENT) BILL, 2022
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE

Presented on 7th December, 2022

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Kerala Legislature Secretariat

2022

KERALA NIYAMASABHA PRINTING PRESS.

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SUBJECT COMMITTEE VII
(ELECTRICITY, LABOUR AND LABOUR WELFARE)
(2021-2023)

Composition

Chairman :

Shri K. Krishnankutty,
Minister for Electricity.

Ex-officio Member :

Shri V. Sivankutty,
Minister for General Education & Labour.

Members :

Shri Anwar Sadath, M.L.A.
Shri A. K. M. Ashraf, M.L.A.
Shri M. M. Mani, M.L.A.
Shri P. Nandakumar, M.L.A.
Shri A. Prabhakaran, M.L.A.
Shri K. K. Ramachandran, M.L.A.
Shri Vazhoor Soman, M.L.A.

Legislature Secretariat:

Shri A. M. Basheer, Secretary
Shri Shaji C. Baby, Joint Secretary
Smt. Sheena Sivasdas, Deputy Secretary
Smt. Anitha E., Under Secretary.

THE KERALA MOTOR TRANSPORT WORKERS'
WELFARE FUND (AMENDMENT) BILL, 2022

(Report of the Subject Committee)

Subject Committee VII (Electricity, Labour and Labour Welfare) to which “The Kerala Motor Transport Workers' Welfare Fund (Amendment) Bill, 2022” was referred, considered the Bill (Bill No. 105) clause by clause and now submits its report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Motor Transport Workers' Welfare Fund (Amendment) Bill, 2022 was published as a Gazette Extraordinary dated 17th May, 2022. The Bill was introduced in the Assembly on 6th December, 2022 and was referred to the Subject Committee on the same day.

3. The Subject Committee VII (Electricity, Labour and Labour Welfare) considered the Bill clause by clause at its meeting held on 6th December, 2022 and recommends to adopt the bill without modifications.

4. All other changes are either verbal or consequential.

5. The minutes of dissent and the Bill as reported by the Subject Committee are appended.

Thiruvananthapuram,
7th, December 2022.

K. KRISHNANKUTTY,
Chairman,
Subject Committee VII.

അനുബന്ധം I

വിയോഗജനക്കുറിപ്പ്

സംസ്ഥാനത്തെ ഓട്ടോറിക്ഷ തൊഴിലാളികൾക്കും ഓട്ടോമൊബൈൽ വർക്ക്ഷോപ്പ് തൊഴിലാളികൾക്കും രണ്ട് തരത്തിലുള്ള ക്ഷേമ പദ്ധതികൾ നിലവിലുള്ളതിനാൽ, ക്ഷേമനിധി ആനുകൂല്യങ്ങളിലും മറ്റും ഏകീകൃത സ്വഭാവം ഉണ്ടാക്കുന്നതിനും എല്ലാ തൊഴിലാളികൾക്കും ഒരേ പദ്ധതിക്കുകീഴിൽ ഒരേ രീതിയിലുള്ള ആനുകൂല്യങ്ങൾ നൽകുന്നതിനുമായി, യഥാക്രമം 1991-ലെ കേരള ഓട്ടോറിക്ഷ തൊഴിലാളി ക്ഷേമനിധി പദ്ധതിയെയും 2004-ലെ കേരള ഓട്ടോമൊബൈൽ ക്ഷേമനിധി പദ്ധതിയെയും 1985-ലെ കേരള മോട്ടോർ ട്രാൻസ്പോർട്ട് തൊഴിലാളി ക്ഷേമനിധി പദ്ധതിയുമായി ലയിപ്പിക്കുന്നതിനാണ് ബില്ലിൽ വ്യവസ്ഥ ചെയ്തിട്ടുള്ളത്.

തൊഴിലാളികളുടെ ആനുകൂല്യങ്ങൾ ഏകീകരിക്കുന്നതിനായി വ്യവസ്ഥ ചെയ്തു പുതിയ ക്ഷേമനിധി പദ്ധതി രൂപീകരിക്കുമ്പോൾ മുൻപ് തൊഴിലാളികൾക്ക് കിട്ടിയിരുന്ന അർഹതപ്പെട്ട എല്ലാ ആനുകൂല്യങ്ങളുടെയും തുടർച്ച ഉറപ്പാക്കുന്നതിന് വ്യവസ്ഥ ചെയ്തിട്ടില്ലാത്തതിനാൽ ബില്ലിനോട് വിയോഗജിപ്പ് രേഖപ്പെടുത്തുന്നു.

അൻവർ സാദത്ത്

(ഒപ്പ്)

എ. കെ. എം. അഷ്റഫ്

(ഒപ്പ്)

Appendix-II

THE KERALA MOTOR TRANSPORT WORKERS'
WELFARE FUND (AMENDMENT) BILL, 2022

(As reported by the subject committee)

A

BILL

further to amend the Kerala Motor Transport Workers' Welfare Fund Act, 1985.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Motor Transport Workers' Welfare Fund Act, 1985 (21 of 1985) for the purposes hereinafter appearing;

BE it enacted in the Seventy-third Year of the Republic of India 4as follows:—

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

(2) It shall come into force at once.

2. *Amendment of section 2.*—In section 2 of the Kerala Motor Transport Workers' Welfare Fund Act, 1985 (21 of 1985) (hereinafter referred to as the principal Act),—

(a) in clause (d), towards the end, the following words shall be inserted, namely:—

“and autorickshaw employee and person employed for any work in connection with workshop jobs in the automobile workshops including repairing and maintenance of motor vehicles and their parts, mechanic, driver, cleaner, fitter, electrician, fireman, turner, battery man, painter, welder, greaser man, vulcanizer, spray painter, workshop attender, carpenter, motor vehicle body building workers,4

blacksmith, helper, office staff and any other staff working in this field, worker notified by the Government from time to time.”;

(b) in clause (e), towards the end, the following words shall be inserted, namely:—

“and person who owns the autorickshaw and also the person who owns and operate the automobile workshop or related occupational organizations or a licensee to operate the workshop.”;

(c) for clause (g), the following clause shall be substituted, namely:—

“(g) “member” means a person registered in the Fund and who is paying contribution to the Fund under section 4 of the Act and includes any person who has been enrolled and continues as a member of the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991 and the Kerala Automobile Workshop Workers' Welfare Fund Scheme, 2004.”.

3. *Amendment of section 4.*—In section 4 of the principal Act, for the existing proviso, the following proviso shall be substituted, namely:—

“Provided that nothing in this section shall apply to a motor transport undertaking to which sub-section (3) of section 1 of the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (Central Act 19 of 1952) apply.”.

4. *Amendment of section 8A.*—In section 8A of the principal Act, the brackets, words and figures, “(other than autorickshaws covered under the provisions of the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991)” shall be omitted.

5. *Insertion of new section 12B.*—After section 12A of the principal Act, the following section shall be inserted, namely:—

“ 12B. *Members of the Kerala Autorickshaw Workers' Welfare Fund Scheme and Kerala Automobile Workshop Workers' Welfare Fund Scheme deemed to be members of the Fund.*—Every employee or self employed person who has

been enrolled and continues as a member in the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991 and Kerala Automobile Workshop Workers' Welfare Fund Scheme, 2004 as on the date of commencement of the Kerala Motor Transport Workers' Welfare Fund (Amendment) Act, 2022 shall be deemed to have been registered as a member of the Fund and he shall obtain identity card in such manner as may be provided in the Scheme.”.

6. *Amendment of section 24.*—In section 24 of the principal Act, the existing provision shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

“(2) Notwithstanding anything contained in any other law for the time being in force, on and from the date of commencement of the Kerala Motor Transport Workers' Welfare Fund (Amendment) Act, 2022, all amounts, standing in the credit of the Kerala Autorickshaw Workers' Welfare Fund constituted under the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991 and Kerala Automobile Workshop Workers' Welfare Fund constituted under the Kerala Automobile Workshop Workers' Welfare Fund Scheme, 2004 shall stand transferred to and credited to the Fund established under the Scheme framed under this Act and with effect from such date, the liability of a member to pay contribution to the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991 and Kerala Automobile Workshop Workers' Welfare Fund Scheme, 2004 shall cease.”.

Kerala Legislature Secretariat,
Thiruvananthapuram,
6th, December 2022.

A. M. BASHEER,
Secretary.

