



പതിനഞ്ചാം കേരള നിയമസഭ

**സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി
(2021-2023)**

പതിനാറാമത് റിപ്പോർട്ട്

(2023 മാർച്ച് 14-ാം തീയതി സഭയിൽ സമർപ്പിച്ചത്)

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ലെജിസ്ലേഷൻ സമിതിയുടെ നാലാമത് റിപ്പോർട്ടിലെ
ശിപാർശകളിന്മേൽ സർക്കാർ സ്വീകരിച്ച
നടപടികളെ സംബന്ധിച്ചുള്ള
ആക്ഷൻ ടേക്കൺ റിപ്പോർട്ട്**

കേരള നിയമസഭാ സെക്രട്ടേറിയറ്റ്
തിരുവനന്തപുരം
2023

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സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി (2021-2023)

ഘടന

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അവതാരിക

സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി (2021-2023)-യുടെ അദ്ധ്യക്ഷനായ ഞാൻ സമിതി അധികാരപ്പെടുത്തിയതനുസരിച്ച്, സമിതിയുടെ പതിനാറാമത് റിപ്പോർട്ട് സമർപ്പിക്കുന്നു.

പതിനാലാം കേരള നിയമസഭയിലെ സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതിയുടെ നാലാമത് റിപ്പോർട്ടിലെ ശുപാർശകളിന്മേൽ സർക്കാർ സ്വീകരിച്ച നടപടി സംബന്ധിച്ച ആക്ഷൻ ടേക്കൺ റിപ്പോർട്ടാണിത്.

പതിനാലാം കേരള നിയമസഭയിലെ സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി (2016-2019)-യുടെ നാലാമത് റിപ്പോർട്ട് 2017 മാർച്ച് 8-ാം തീയതി സഭയിൽ സമർപ്പിച്ചു. പ്രസ്തുത റിപ്പോർട്ടിലെ ശുപാർശകളിന്മേൽ സ്വീകരിച്ച നടപടികൾ സംബന്ധിച്ച സർക്കാർ മറുപടി വിവിധ യോഗങ്ങളിലായി സമിതി പരിഗണിക്കുകയുണ്ടായി. അതിന്റെ അടിസ്ഥാനത്തിൽ തയ്യാറാക്കിയതാണ് ഈ റിപ്പോർട്ട്.

2023 മാർച്ച് 03-ാം തീയതി ചേർന്ന യോഗത്തിൽ സമിതി ഈ റിപ്പോർട്ട് അംഗീകരിച്ചു.

എം. എം. മണി,

അദ്ധ്യക്ഷൻ,

സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി.

തിരുവനന്തപുരം,
2023 മാർച്ച് 14 .

റിപ്പോർട്ട്

പതിനാലാം കേരള നിയമസഭയിലെ സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി (2016-2019)-യുടെ നാലാമത് റിപ്പോർട്ടിലെ ശിപാർശകളിന്മേൽ സർക്കാർ സ്വീകരിച്ച നടപടി സംബന്ധിച്ച ആക്ഷൻ ടേക്കൺ റിപ്പോർട്ട്.

അദ്ധ്യായം I

പതിനാലാം കേരള നിയമസഭയിലെ സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി (2016-2019)-യുടെ നാലാമത് റിപ്പോർട്ട് 2017 മാർച്ച് 8-ാം തീയതി സഭയിൽ സമർപ്പിച്ചു. The Unorganised Workers' Social Security Act, 2008-ലെ (2008-ലെ 33-ാം കേന്ദ്ര ആക്ട്) വിവിധ വകുപ്പുകൾ പ്രകാരം നൽകപ്പെട്ട അധികാരങ്ങൾ വിനിയോഗിച്ചുകൊണ്ട് പുറപ്പെടുവിച്ച 800/2010, 156/2011, 140/2011, 669/2013, 31/2014 എന്നീ നമ്പർ എസ്.ആർ.ഒ.-കൾ 11-11-2015-ാം തീയതി ചേർന്ന സമിതി യോഗത്തിൽ സൂക്ഷ്മപരിശോധന നടത്തുകയും തൊഴിലും പുനരധിവാസവും, നിയമം എന്നീ വകുപ്പുകളിലെ ഉദ്യോഗസ്ഥരിൽ നിന്ന് തെളിവെടുപ്പ് നടത്തുകയും ചെയ്തു. എസ്.ആർ.ഒ.-കളുടെ വിശദമായ പരിശോധനയിലൂടെയും തെളിവെടുപ്പിലൂടെയും സമിതിക്ക് ബോധ്യപ്പെട്ട വസ്തുതകളാണ് സമിതിയുടെ നിഗമനങ്ങളും ശിപാർശകളുമായി നാലാമത് റിപ്പോർട്ടിൽ ഉൾപ്പെടുത്തിയിരുന്നത്.

പ്രസ്തുത റിപ്പോർട്ടിലെ ശിപാർശകളിന്മേൽ തൊഴിലും നൈപുണ്യവും (ബി), (ഇ) വകുപ്പിൽ നിന്നും യഥാക്രമം 30-4-2018, 29-9-2022 എന്നീ തീയതികളിലെ കത്ത് മുഖേന ലഭിച്ച നടപടിപത്രികകൾ 12-9-2018, 20-12-2022 എന്നീ തീയതികളിലെ യോഗങ്ങളിൽ സമിതി പരിഗണിക്കുകയും ഖണ്ഡിക 2 മുതൽ 32 വരെയുള്ള ശിപാർശകളിന്മേൽ സ്വീകരിച്ച നടപടി അംഗീകരിക്കുകയും ചെയ്തു. ഈ റിപ്പോർട്ടിൽ സമിതി ശിപാർശകളും അവയ്ക്ക് സർക്കാരിൽ നിന്നും ലഭിച്ച മറുപടികളും ഉൾപ്പെടുത്തി അദ്ധ്യായം II ആയി ചേർത്തിരിക്കുന്നു.

അദ്ധ്യായം II

സമിതി (2016-2019)-യുടെ നാലാമത് റിപ്പോർട്ടിലെ ശിപാർശകൾ, സർക്കാർ മറുപടി എന്നിവ

എസ്.ആർ.ഒ. നമ്പർ 800/2010

ശിപാർശ (ഖണ്ഡിക 2)

The Committee notices that even though the Central Act was notified on 31-12-2008, the very first day after it got the assent of the President, it took 20 392/2023.

months for the State Government to frame rules pertaining to the Act. The Committee enquired the reason for the delay in framing rules. The witness replied that the delay occurred on the part of the concerned Departments to scrutinise and finalise the rules. The Committee opines that without proper rules the Act cannot be implemented in the State and hence such delay in issuing the rules will defeat the intention behind the Act. Hence the Committee recommends to avoid such delay in future.

സ്വീകരിച്ച നടപടി

Government is now vigilant to avoid delay in framing State Rules.

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 3)

The Committee notices that in these rules the name of the Board is written as the Kerala State Unorganised Workers’ Social Security Board whereas sub-section (1) of section 6 of the Act and rule 2(b) of the rules provide that the name of the Board shall be (Name of the State) State Social Security Board. Hence the Committee recommends to change the name of the Board as 'The Kerala State Social Security Board for Unorganised Workers'.

സ്വീകരിച്ച നടപടി

The name of the Board has been changed as 'The Kerala State Social Security Board for Unorganised Workers' as per G.O.(P) No. 48/2022/LBR dated 13-6-2022 (S.R.O. No. 611/2022-അനുബന്ധം I).

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 4)

The Committee notices that clause (k) of section 2 of the Act refers to the monthly earning of an amount and clause (n) of section 2 refers to monthly wage

in respect of self employed worker, as may be notified by the Central Government or State Government. The Committee enquired whether the State Government has notified the monthly earning or wage in respect of a self employed worker or the State Government agrees to the Central norms in this regard and any notification has been issued regarding these. The witness replied that notification has not been issued yet and steps are being taken to issue notification. The Committee is distressed to note that even after 7 years of notification of the Act, nothing has been done in favour of workers in the unorganised sector. The Committee takes serious exception on the approach of the Government in having furnished such evasive reply. The Committee feels that without the implementation of various provisions of the Act which are essential, the Act cannot be implemented. The Committee wants the Government to look into this matter seriously and with utmost interest and recommends to issue notification regarding the monthly earning and monthly wage in respect of self employed worker or if the State Government agrees with the Central Government in this matter, it has to be brought out as notification without further delay.

സ്വീകരിച്ച നടപടി

The earning of a 'self-employed worker' under sub-section (k) of section 2 of the Unorganised Workers' Social Security Act, 2008 (Central Act 33 of 2008) has been revised as Rs.400 per day and 'wage worker' under sub-section (n) of section 2 of the said Act, as Rs.11,250 per month as per G.O.(P) No. 52/2022/LBR dated 16-6-2022 (S.R.O. No. 613/2022- അനുബന്ധം II).

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 5)

The Committee enquired whether the word 'year' is defined for all general purposes including budget and audit. The Committee also enquired the propriety of fixing 30th September and 31st December as last date for the submission of budget and audit reports. The witness assured that the Department has decided to verify these aspects specifically. The Committee recommends to issue clarification

for the word 'year' under definition. The Committee wants the Department to verify the matter and recommends to furnish reason for fixing 30th September and 31st December as last dates for submission of budget and audit reports and if found necessary, to make amendments in the rules.

ശിപാർശ (ഖണ്ഡിക 6)

The Committee opines that the provision of submitting Audit report and Annual report before the Legislature is seen omitted in the rules. Hence the Committee recommends to include the provisions for submitting Audit Report and Annual Report before the House in the rules and amend accordingly.

ശിപാർശ (ഖണ്ഡിക 7)

The Committee points out that the word 'only' is wrongly used in rule 3. Hence the Committee recommends to correct the sentence as 'The unorganised workers registered under section 10 of the Act and rule 25 of these rules only shall be eligible for the benefits'.

ശിപാർശ (ഖണ്ഡിക 8)

The Committee recommends to correct the word 'implemation' in the second line of sub-rule (3) of rule 5 as 'implementation'. The Committee points out that the wording '.... specified in the concerned scheme, which shall be under the guidance of the Board' in sub-rule (4) of rule 5 lacks clarity and opines that if the portion 'which shall be under the guidance of the Board' is applicable to the scheme, comma after the word scheme is not necessary in this context. Hence the Committee recommends to delete the comma after the word scheme in sub-rule (4) of rule 5.

ശിപാർശ (ഖണ്ഡിക 9)

The Committee notices that sub-rule(2) of rule 6 states that 'each category shall consist of at least one member each from Scheduled Castes, Scheduled Tribes or minority community.' But sub-section (4) of section 6 of the Act stipulates that adequate representation shall be given to persons belonging to Scheduled Castes, Scheduled Tribes, the Minorities and Women. The Committee points out that the usage 'or minority community' is against the will of the Act,

since Scheduled Castes/Tribes representation cannot be substituted with minority representation. Hence the Committee recommends to substitute a comma instead of 'or' before the words minority community in sub-rule (2) of rule 6.

ശിപാർശ (ഖണ്ഡിക 10)

The Committee notices that sub-rule (2) of rule 7 provides that a member belonging to clause (a) to (c) of sub-rule (1) of rule 6 shall cease to be a member when he ceases to represent the category of interest from which he is nominated and the term of office for these members shall be three years from the date of nomination as per sub-rule (1) of the same rule. The Committee also notices that 5 eminent persons from civil society associated with the field of Labour Welfare, Management, Finance, Law and Administration are to be nominated as per sub-rule (1) (c) of rule 6. Here as per the provision in sub-rule (2) of rule 7, these members cease to be members only when they cease to be members of civil society. The Committee asks how the sub-rule (2) is applicable to these members and is of the opinion that this sub-rule shall be made applicable only to members nominated under (a) and (b) of sub-rule (1) of rule 6. The Committee wants to amend the rule accordingly.

ശിപാർശ (ഖണ്ഡിക 11)

The Committee notices that as per sub-rule (1) of rule (8), a member of the Board other than an ex-officio member can resign his office and that the Chairperson and the member secretary are ex-officio members of the Board. Here as per rule 8 (1), any member nominated under clause (e) of sub-rule (1) of rule 6 representing the Government Departments can resign. The Committee doubts the legality of the provision and the witness opined that members representing Government Departments have no official capacity to resign, as per rule 7(4). Hence the Committee recommends to amend sub-rule (1) of rule 8 as 'A member of the Board, other than an ex-officio member and a member nominated under sub-rule 1(e) of rule 6, may by writing under his hand addressed to the Chairperson shall resign his office at any time'.

ശിപാർശ (ഖണ്ഡിക 12)

The Committee recommends to correct the word 'their' in the last line of sub-rule (2) of rule 7 as 'his'.

ശിപാർശ (ഖണ്ഡിക 13)

The Committee notices that it is stated under sub-rule (3) of rule 8 that the chairperson shall place before the next board meeting, the receipt of the resignation letter from a member. The Committee opines that the usage 'receipt of resignation letter' is incorrect and recommends to delete the words 'the receipt of' from sub-rule (3) of rule 8.

ശിപാർശ (ഖണ്ഡിക 14)

The Committee points out that sub-rule (4) of rule 8 provides that the Board shall inform the Government the acceptance of resignation of a member. Though time limit is prescribed for taking a decision on the resignation letter and also for reporting the same to the board, no time limit is seen prescribed for informing the same to the Government. To the query of the Committee, the witness stated that time limit has to be fixed for reporting the same to the Government and agreed to fix a time limit for the purpose. Hence the Committee recommends to fix a time limit for the Board to inform the Government the acceptance of resignation of a member and modify the rule accordingly.

ശിപാർശ (ഖണ്ഡിക 15)

The Committee notices that sub-section (6) of section 6 of the Act provides that the State Board shall meet at least once in a quarter. But sub-rule (1) of Rule 11 provides that the Board shall meet at least once in four months. Since the provision in the Act makes it mandatory that the Board shall meet once in 3 months, the Committee opines that sub-rule (1) of rule 11 is against the provisions of the Act. Hence the Committee wants to correct sub-rule (1) of rule 11 as 'The Board shall meet at least once in three months' instead of 'four months' .

ശിപാർശ (ഖണ്ഡിക 16)

The Committee points out that sub-rule (3) of rule 11 provides that the Chairperson shall have powers to call special meetings of the Board at any time to

decide any matter which is urgent. Since the Committee thinks that two usages 'decide' and 'which is urgent' will limit the powers intended for the Chairperson, the Committee recommends to substitute the word 'consider' for the word 'decide' in sub-rule (3) of rule 11.

ശിപാർശ (ഖണ്ഡിക 17)

The Committee notices that the quorum of the meeting of the Board is 7, with at least one member each from the category of unorganised workers and employers of unorganised workers. The Committee enquired whether the Board can transact business without official members and the witness replied that it is an omission on the part of the Department to not include the official members and will take steps to include them in the quorum of the meeting of the Committee. Hence the Committee recommends to amend rules accordingly.

ശിപാർശ (ഖണ്ഡിക 18)

The Committee recommends to correct 'adjourn the meeting to another date' as 'adjourn the meeting to a date' in sub-rule (2) of rule 15. The Committee recommends to delete the portion 'irrespective of the number of members attending the meeting' since it is already provided as 'whether there is prescribed quorum or not' in sub-rule (2) of rule (15). The Committee also recommends to correct the usage 'the adjourned meeting' as 'that meeting'. The Committee points out that there is a difference between 'adjournment of a meeting' and 'postponement of a meeting'. Hence the Committee thinks that the word postpone will be more appropriate in this context and hence recommends to amend sub-rule (2) of rule 15 accordingly.

ശിപാർശ (ഖണ്ഡിക 19)

The Committee notices that sub-rule (3) of rule 16 provides that in case of equal number of votes on any issue, the matter shall be decided by exercising a second vote or casting vote by the Chairperson. The Committee points out that the portion 'second vote or casting vote' is vague. The witness informed that the process of casting vote is more viable and the Committee recommends to delete the words 'a second vote or' in sub-rule (3) of rule 16.

സ്വീകരിച്ച നടപടി (ശിപാർശ ഖണ്ഡിക 5 - 19)

Necessary amendments have been made as per G.O.(P) No. 48/2022/LBR dated 13-6-2022 (S.R.O. No. 611/2022-അനുബന്ധം I).

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 20)

The Committee notices that sub-rule (2) of rule 17 states that 'the minutes signed by the Chairperson shall be read over to the members in the next meeting. Modifications, if any, thereon shall be signed by the Chairperson and the Secretary after such modification and confirmation on it.' The Committee enquired whether it is proper to modify the minutes which is already signed by the Chairperson. The witness replied that modifying approved minutes is not a good practice and opined that if a minutes is approved by the Chairman the decisions in that minutes will be final and no one can modify the minutes. The Committee also could not understand the phrase 'and confirmation on it' . Hence the Committee recommends to seek clarification in this regard.

സ്വീകരിച്ച നടപടി

Recommendation of the Committee is noted for future reference. After examination it is found that there is no need to amend Rule 17(2) of the Kerala Unorganised Workers' Social Security Rules, 2010.

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 21)

The Committee notices that sub-rule (4) of rule 25 provides that 'The District Collector or the authorised officer shall enter the name of the applicant in

a register, after allotting a unique identification number'. Since the register is the basic record for registration of unorganised workers the Committee enquired whether a format has been prescribed for the register. The witness replied that a format has not been prescribed yet and the Committee recommends to prescribe a format for the register and hence to amend rules.

സ്വീകരിച്ച നടപടി

Necessary amendments have been made as per G.O.(P) No. 48/2022/LBR dated 13-6-2022 (S.R.O. No. 611/2022-അനുബന്ധം I).

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 22)

The Committee enquired the propriety of prescribing the application form in English for registration of unorganised workers and recommends to issue application forms in Malayalam and Hindi also.

സ്വീകരിച്ച നടപടി

Action is being taken to issue application forms in Malayalam and Hindi.

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 23)

The Committee recommends to substitute 'and' instead of a comma in last line of sub-rule (2) of rule 7 and also delete the comma after the word 'appeal' in line 4 of sub-rule (7) of rule 25. The Committee recommends to delete the comma after the word 'meeting' in line 2, sub-rule (2) of rule 15. The Committee recommends to delete the comma after the word 'letter' in sub-rule (2) of rule 8 and delete the comma after the word 'term' in sub-rule (5) of rule 7.

സൂചിപ്പിച്ച നടപടി

Necessary amendments have been made as per G.O.(P) No. 48/2022/LBR dated 13-6-2022 (S.R.O. No. 611/2022-അനുബന്ധം I).

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 24)

The Committee enquired whether the Board submits Annual Report, Budget Report and Audit report to Government as per rules. The witness replied that steps are being taken to submit reports. Hence the Committee recommends to submit the above mentioned reports to the Government.

സൂചിപ്പിച്ച നടപടി

The Kerala Unorganised Workers’ Social Security Board has informed that action will be taken to submit the Budget report and Audit report to Government as per the conditions of Rule 30& 31.

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

ശിപാർശ (ഖണ്ഡിക 25)

The Committee notices that rule 28 deals with cessation of membership and it is mentioned under Rule 28(3) that any member aggrieved by the order of cancellation of membership under sub-rule (2) may prefer an appeal before the Board within 30 days and the Board shall take decision on the appeal which shall be intimated to the appellant and the decision on the appeal shall be final. The Committee enquired whether it is necessary to include a time limit and the Committee recommends to include a time limit for taking a decision on the appeal and amend rules accordingly.

സൂചിപ്പിച്ച നടപടി

Necessary amendments have been made as per G.O.(P) No. 48/2022/LBR dated 13-6-2022 (S.R.O. No. 611/2022-അനുബന്ധം I).

(തൊഴിലും നൈപുണ്യവും (ഇ) വകുപ്പ് 29-9-2022-ലെ ഇ 3/110/2017-എൽ.ബി.ആർ.ഡി. നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 20-12-2022-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

S.R.O. No. 156/2011ശിപാർശ (ഖണ്ഡിക 27)

The Committee notices that rule 6(c) states that five eminent persons has to be appointed from civil society associated with the field of Labour Welfare, Management, Finance, Law and Administration. But by this S.R.O., only four members have been appointed. The Committee enquired the reason for not appointing a member from the Management category. The witness replied that steps are being taken to reconstitute the Board and at the time of reconstitution the Department will ensure the presence of all the members representing each category as envisaged in the rules. Hence the Committee recommends that while reconstituting the Board in future, the Department must see that every category is adequately given representation in the Board.

സ്വീകരിച്ച നടപടി

സ.ഉ.(പി) നമ്പർ 72/2017/തൊഴിൽ (എസ്.ആർ.ഒ. നമ്പർ 468/2017- അനുബന്ധം III). പ്രകാരം പുനഃസംഘടിപ്പിച്ച കേരള സംസ്ഥാന അസംഘടിത തൊഴിലാളി സാമൂഹ്യ സുരക്ഷാ ബോർഡിൽ തൊഴിലാളികേന്ദ്രം , മാനേജ്മെന്റ്, ധനകാര്യം, നിയമം, ഭരണനിർവ്വഹണം എന്നീ അഞ്ച് മേഖലകളിലെ പ്രഗൽഭരെയും ഉൾപ്പെടുത്തിയിട്ടുണ്ട്.

(തൊഴിലും നൈപുണ്യവും (ബി) വകുപ്പ് 30-4-2018-ലെ ബി1/205/2017/തൊഴിൽ നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 12-9-2018-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

S.R.O. No. 140/2011ശിപാർശ (ഖണ്ഡിക 29)

The Committee notices that the number of the S.R.O. is wrongly written as 140/2011 instead of 140/2012. Hence the Committee directs the Department to issue erratum notification in this regard.

ശിപാർശ (ഖണ്ഡിക 30)

The Committee also notices that in the preamble of this S.R.O. it is not stated that the representatives from Finance and Law Department are substituted in the place of representatives of Finance and Law Departments who have been

appointed by S.R.O. No. 156/2011. Hence the Committee directs the Department to clarify the name of the category of representatives to ensure proper representation from all the categories.

സ്വീകരിച്ച നടപടി (ശിപാർശ ഖണ്ഡിക 29, 30)

എസ്.ആർ.ഒ. നമ്പർ 140/2011 എന്നതിന് പകരം എസ്.ആർ.ഒ. നമ്പർ 140/2012 എന്ന് തിരുത്തുന്നതിലേക്ക് സ.ഉ.(പി) നമ്പർ 6/2018/തൊഴിൽ (എസ്.ആർ.ഒ. നമ്പർ 69/2018-അനുബന്ധം IV) പ്രകാരം തിരുത്തൽ വിജ്ഞാപനം പുറപ്പെടുവിച്ചിട്ടുണ്ട്. പ്രസ്തുത വിജ്ഞാപനത്തിന്റെ അച്ചടിച്ച പ്രതികൾ 9-3-2018-ലെ ബി/205/2017/തൊഴിൽ നമ്പർ കത്ത് പ്രകാരം നിയമസഭാ സെക്രട്ടേറിയറ്റിൽ ലഭ്യമാക്കിയിട്ടുണ്ട്. സ.ഉ.(പി) നമ്പർ 72/2017/തൊഴിൽ പ്രകാരം പുനഃസംഘടിപ്പിച്ച ബോർഡിൽ സർക്കാർ പ്രതിനിധികളുടെ വകുപ്പുകൾ കൃത്യമായി രേഖപ്പെടുത്തിയിട്ടുണ്ട്.

(തൊഴിലും നൈപുണ്യവും (ബി) വകുപ്പ് 30-4-2018-ലെ ബി/205/2017/തൊഴിൽ നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 12-9-2018-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

S.R.O. No. 669/2013 and S.R.O. No. 31/2014

ഖണ്ഡിക 31

The Committee notices that both these S.R.O.s are meant for appointing Additional Labour Commissioners to discharge duties and functions of the Chief Executive Officer as additional duty till separate Chief Executive Officer is appointed under sub-rule (1) of rule 22 of the rules. Hence the Committee enquired whether separate Chief Executive Officer has been appointed as per rules.

ശിപാർശ (ഖണ്ഡിക 32)

The witness replied that Additional Labour Commissioner has given additional temporary charge as Chief Executive Officer. Hence the Committee recommends to appoint Chief Executive Officer at the earliest.

സ്വീകരിച്ച നടപടി (ശിപാർശ ഖണ്ഡിക 32)

ബോർഡിന്റെ ചീഫ് എക്സിക്യൂട്ടീവ് ഓഫീസറുടെ അധികച്ചുമതല അഡീഷണൽ ലേബർ കമ്മീഷണറായ ശ്രീ. എസ്. ഇളസീധരനാണ് നിലവിൽ നൽകിയിരിക്കുന്നത്. ബോർഡ് ജീവനക്കാരുടെ നിയമനവും സേവന വ്യവസ്ഥകളും സംബന്ധിച്ച ചട്ടങ്ങൾ

രൂപീകരിക്കുവാൻ ബോർഡിന് നിർദ്ദേശം നൽകിയിട്ടുണ്ട്. പ്രസ്തുത ചട്ടങ്ങൾ രൂപീകരിക്കുന്ന മുറയ്ക്ക് ബോർഡിന്റെ ചീഫ് എക്സിക്യൂട്ടീവ് ഓഫീസർ തസ്തികയിലേക്ക് മാത്രമായി നിയമനം നടത്തുവാൻ കഴിയുന്നതാണ്.

(തൊഴിലും നൈപുണ്യവും (ബി) വകുപ്പ് 30-4-2018-ലെ ബി1/205/2017/തൊഴിൽ നമ്പർ കത്ത് പ്രകാരം ലഭ്യമാക്കിയ മറുപടി 12-9-2018-ൽ ചേർന്ന സമിതി യോഗം അംഗീകരിച്ചു.)

തിരുവനന്തപുരം,
2023 മാർച്ച് 14.

എം. എം. മണി,
അദ്ധ്യക്ഷൻ,
സബോർഡിനേറ്റ് ലെജിസ്ലേഷൻ സമിതി.



കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 11
Vol. XI

തിരുവനന്തപുരം,
തിങ്കൾ

Thiruvananthapuram,
Monday

2022 ജൂൺ 20
20th June 2022

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6th Mithunam 1197

1944 ജ്യേഷ്ഠം 30
30th Jyaishta 1944

നമ്പർ
No.

2028

GOVERNMENT OF KERALA

Labour and Skills (E) Department

NOTIFICATION

G.O.(P) No.48/2022/LBR.

Dated, Thiruvananthapuram, 13th June, 2022
30th Idavam, 1197.

S. R. O. No. 611/2022

In exercise of the powers conferred by sub-section (1) of section 14 of the Unorganised Workers' Social Security Act, 2008 (Central Act 33 of 2008), the Government of Kerala hereby make the following rules further to amend the Kerala Unorganised Workers' Social Security Rules, 2010 issued as per notification under G.O.(Ms)No.93/10/LBR Dated 10th August, 2010 and



published as S.R.O.No.800/2010 in the Kerala Gazette Extra ordinary No.1863 dated 11th August, 2010, namely:-

RULES

1. *Short title and commencement.*- (1) These rules may be called the Kerala Unorganised Workers' Social Security (Amendment) Rules, 2022.

(2) They shall come into force at once.

2. *Amendment of the Rules.*- In the Kerala Unorganised Workers' Social Security Rules, 2010,-

(a) in rule 2, in sub-rule (1),-

(i) in clause (b), for the words "the Kerala State Social Security Board", the words "the Kerala State Social Security Board for Unorganised Workers" shall be substituted;

(ii) in clause (k), the words "of the succeeding calendar year" shall be omitted;

(b) in rule 3, for the words "Rules shall only be eligible for the benefits", the words "rules only shall be eligible for the benefits" shall be substituted;

(c) in rule 5,-

(i) in sub-rule (3), for the word "implementation", the word 'implementation' shall be substituted;

(ii) in sub-rule (4), for the words and symbol "concerned scheme,", the words "concerned scheme" shall be substituted.

(d) in Chapter III, for the heading "KERALA STATE UNORGANISED WORKERS' SOCIAL SECURITY BOARD", the heading "KERALA STATE SOCIAL SECURITY BOARD FOR UNORGANISED WORKERS" shall be substituted;

(e) in rule 6.-

(i) in sub-rule (1), for the words and symbols, "the Kerala State Unorganised Workers Social Security Board", the words "the Kerala State Social Security Board for unorganised workers' " shall be substituted;



(ii) in sub-rule (2), for the words “Scheduled Tribe or”, the words and symbol “Scheduled Tribe,” shall be substituted;

(f) in rule 7,-

(i) in sub-rule (2),-

(a) for the words, letters and brackets “clauses (a) to (c)”, the words, letters and brackets “clauses (a) and (b)” shall be substituted;

(b) for the word and symbol “nominated,” the words “nominated and” shall be substituted;

(c) for the word “their”, the word “his” shall be substituted;

(ii) in sub-rule (5), for the word and symbol “term”, the word “term” shall be substituted;

(g) in rule 8,-

(i) for sub-rule (1), the following sub-rule shall be substituted, namely:-

“A member of the Board, other than an *ex-officio* member and a member nominated under clause (e) of sub-rule (1) of rule 6, may by writing under his hand addressed to the Chairperson shall resign his office at any time”;

(ii) in sub-rule (2),-

(i) for the words and symbol “reject the resignation letter,” the words “reject the resignation letter” shall be substituted;

(ii) for the words and symbol “receipt of resignation letter,” the words “receipt of resignation letter” shall be substituted;

(iii) in sub-rule (3), the words “receipt of” shall be omitted;

(iv) in sub-rule (4), for the words “Government regarding”, the words “the Government within thirty days from the date of” shall be substituted;

(h) in rule 11,-

(i) in sub-rule (1), for the words “four months”, the words “three months”, shall be substituted;

(ii) in sub-rule (3), for the word “decide”, the word “consider” shall be substituted;



(i) in rule 15,-

(i) in sub-rule (1), for the words, brackets and letters “clauses (a) and (b)”, the words, brackets letters and symbol “clauses (a), (b) and (e)” shall be substituted;

(ii) in sub-rule(2),-

(a) for the words and symbol “adjourn the meeting, to another date”, the words “postpone the meeting to a date”, shall be substituted;

(b) for the words “the adjourned meeting”, the words “that meeting” shall be substituted;

(c) the words “irrespective of the number of members attending the meeting” shall be omitted;

(j) in rule 16,- in sub-rule (3), the words "a second vote or" shall be omitted;

(k) in rule 25,-

(i) in sub-rule (4) for the words “in a register”, the words, figure and letter “in Form 1A appended to these rules” shall be inserted;

(ii) in sub-rule (7), for the words and symbol “decision on the appeal,”, the words “decision on the appeal” shall be substituted;

(l) in rule 28, in sub-rule (3) for the words “The Board shall take decision on the appeal which”, the words, figures and brackets “The Board shall take decision on the appeal within 90 (ninety) days from the date of receipt of the appeal and the decision” shall be substituted;

(m) in rule 29,-

(i) after the words “an annual report” the words “ending 31st March of every year” shall be inserted;

(ii) after the existing sentence the following sentence shall be added, namely:-

“The Government shall inturn submit the annual report along with audited report before the Legislative Assembly before 30th of September every year.”.

(n) in rule 31, for the words “31st December of the next year”, the words “31st July of every year” shall be substituted;



(o) in the Forms, after the Form 1, the following Form shall be inserted

“Form 1A
[See rule 25(4)]

**KERALA STATE SOCIAL SECURITY BOARD FOR UNORGANISED WORKERS
ADMISSION REGISTER**

Sl. No	Name and address of the members, Reg.No	Male/ Female	Age & Date of birth	Marital Status & Name of Father/Mother/ Spouse	Aadhar No.	Name of employment & monthly income(specify whether self employed/contract worker)
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Name of nominees/ Dependants & Relationship with member	Name of Bank where contribution is remitted & Code No. of Bank	Date of issue of Proceedings & Identity Card	Details of enrollment under ESI/PF/other welfare schemes	Initial of the DEO	Remarks
	(8)	(9)	(10)	(11)	(12)	(13)

By order of the Governor,
MINI ANTONY
Secretary to Government.

Explanatory Note

(This does not form the part of the notification, but is intended to indicate its general purport.)

The Government of Kerala have issued the Kerala Unorganised Workers' Social Security Rules, 2010, as per the notification issued under G.O.(Ms.)No.93/10/LBR Dated 10th August, 2010 and published as S.R.O No.800/2010 in the Kerala Gazette Extraordinary No. 1863 dated 11th August, 2010. The Subordinate Legislation Committee (2016-19) after scrutiny and detailed examination in its fourth report pointed out certain mistakes and recommended suitable amendments in the said rules. The Government have now decided to amend the said rules accordingly.

The notification is intended to achieve the above object.





കേരള ഗസറ്റ് KERALA GAZETTE

അസാധാരണം EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 11
Vol. XI

തിരുവനന്തപുരം,
ചൊവ്വ
Thiruvananthapuram,
Tuesday

2022 ജൂൺ 21
21st June 2022
1197 മിഥുനം 7
7th Mithunam 1197
1944 ജ്യേഷ്ഠം 31
31st Jyaishtha 1944

നമ്പർ
No. } 2038

GOVERNMENT OF KERALA

Labour and Skills (E) Department

NOTIFICATION

G.O.(P) No.52/2022/LBR.

Dated, Thiruvananthapuram, 16th June, 2022
2nd Mithunam, 1197.

S. R. O. No. 613/2022

In exercise of the powers conferred by sub-section (1) of section 14 of the Unorganised Workers' Social Security Act, 2008 (Central Act 33 of 2008), the Government of Kerala hereby notify that the earning of a 'self-employed worker' under sub-section (k) of section 2 of the



Unorganised Workers' Social Security Act, 2008 (Central Act 33 of 2008) shall be Rs.400/- per day and 'wage worker' under sub-section (n) of section 2 of the said Act, shall be Rs.11250/- per month.

By order of the Governor,
MINI ANTONY
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The Government of Kerala have decided to notify the monthly earning of a 'self-employed worker' and 'wages worker' as per the Unorganised workers' Social Security Act, 2008 (Central Act 33 of 2008) based on the minimum rate of wages fixed in the State as per G.O(P)No.196/2016/LBR dated 21st December, 2016 for category (E) and (C) respectively.

The notification is intended to achieve the above object.



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Government of Kerala
2017



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 6 Vol. VI	തിരുവനന്തപുരം, വ്യാഴം Thiruvananthapuram, Thursday	2017 ജൂലൈ 27 27th July 2017	നമ്പർ No. } 1583
		1192 കർക്കടകം 11 11th Karkadakam 1192	
		1939 ശ്രാവണം 5 5th Sravana 1939	

GOVERNMENT OF KERALA

Labour and Skills (B) Department

NOTIFICATION

G. O. (P) No. 72/2017/LBR.

Dated, Thiruvananthapuram, 22nd July, 2017
6th Karkadakam 1192.

S. R. O. No. 468/2017.—In exercise of the powers conferred by section 6 of the Unorganised Workers' Social Security Act, 2008 (Central Act 33 of 2008) read with rules 6 and 7 of the Kerala Unorganised Workers' Social Security Rules, 2010, the Government of Kerala hereby re-constitute the Kerala State Unorganised Workers' Social Security Board consisting of the following members, namely:—

- I. 1. Minister for Labour and Excise .. Chair Person,
ex-officio
2. Additional Chief Secretary to Government, Labour and Skills Department .. Member Secretary,
ex-officio.

II. Representatives from Unorganised Workers

1. Sri K. P. Sahadevan,
A. K. G. Nagar Housing Colony,
South Bazar, Kannur.
2. Smt. K. P. Mary, .. (Woman)
Mundaplakkal, Manakkad P. O.,
Thodupuzha.
3. Smt. Sonia George, .. (Woman)
SEWA Union, K.R.A.D. 47,
Kuthiravattom Road,
Kunnumpuram,
Thiruvananthapuram.
4. Sri V. A. Murukan, .. (SC/ST/Minority
Valuppallil Veedu, Community)
Azhiyannoor,
Kadampazhipuram,
Palakkad.
5. Smt. K. K. Pushpavally,
V. V. L. R. Residents Association,
House No. 110, Kamaleswaram,
Manacaud P. O.,
Thiruvananthapuram.
6. Sri Jose VimalRaj,
'Seenai', Koyivila P. O.,
Kollam.
7. Sri B. Sivaji Sudarsanan,
Mazdoor Bhavan (BMS Office),
Asramam Road, Chinnakkada,
Kollam.

III. Representatives from Employers of Unorganised Workers

1. Sri T. V. Vinod,
Managing Director,
Kerala Artisans Development
Corporation Limited,
Vanchiyoor, Thiruvananthapuram.
2. Sri V. Gopinadhan,
Sarco Traders, Mangad,
Kalliasseri P. O., Kannur.
3. Sri S. Devarajan,
Ragam Collections,
Anchal P. O., Kollam.
4. Sri M. Khalid, .. (SC/ST/Minority
2/189, 'Be Happy', .. Community)
Kalaripparambu, Nallalam,
Kozhikode.
5. Smt. Geetha Sasidharan, .. (Woman)
'Aiswarya', Manchadi,
Mungodu P.O., Peyad,
Thiruvananthapuram.
6. Sri Aryanadu Mohanan,
'Chaitram', T. C. 55/65 (6),
Kairali Nagar, Kaimanam,
Thiruvananthapuram.
7. Smt. Bindu, C., .. (Woman)
M/s Granite Udyog, KINFRA,
Seethamgoli, Mayippadi,
Kasargod.

IV. Representatives from Kerala Legislative Assembly

1. Sri P. Unni, MLA,
'Ayilyam', Kadangode,
Karingarapully P. O.,
Palakkad.

2. Sri E. T. Tyson Master, MLA,
'Elanjikkal',
Kunnathu Parakkal, Kava P. O.,
Kodungallur, Thrissur.

V. Representatives of eminent persons from civil society associated with the field of Labour Welfare, Management, Finance, Law and Administration

1. Adv. M. Rahmathulla, .. (Labour Welfare/SC/
'Nilavu', Manjeri P. O., ST/Minority
Malappuram. Community)
2. Smt. G. K. Lalithakumary, .. (Management/Woman)
T. C. 6/976 (1), Padayani Road,
Velam Vilakam, Vattiyoorkavu,
Thiruvananthapuram.
3. Sri A. Siyavudeen, .. (Finance)
7/1005, 'Sareen',
Kunduvara Road, Chembukkavu,
Thrissur.
4. Smt. C. S. Sujatha, .. (Administration/
A. G. Bhavanam, Vallikunnu, Woman)
Alappuzha.
5. Adv. B. Rajendran, .. (Law)
'Rarari', Muttam P. O.,
Haripad, Alappuzha.

VI. Representatives from State Government Departments

1. Sri K. Biju, I.A.S.,
Labour Commissioner,
Thozhil Bhavan, Vikas Bhavan,
Thiruvananthapuram.
2. Smt. K. M. Leelamany,
Additional Secretary to Government,
Social Justice Department,
Government Secretariat,
Thiruvananthapuram.

3. Sri D. Lal,
Joint Secretary to Government,
Labour and Skills Department,
Government Secretariat,
Thiruvananthapuram.
4. Sri G. Sreeni,
Deputy Secretary to Government,
Finance Department,
Government Secretariat,
Thiruvananthapuram.
5. Sri S. A. Sajeew,
Joint Secretary to Government,
Law Department,
Government Secretariat,
Thiruvananthapuram.
6. Sri M. Rajesh Kumar,
Deputy Secretary to Government,
Local Self Government Department,
Government Secretariat,
Thiruvananthapuram.
7. Sri K. Moideenkutty,
Managing Director,
Kerala State Handicapped Persons'
Welfare Corporation, Poojappura,
Thiruvananthapuram.

The term of the Board shall be three years from the date of publication of this notification.

By order of the Governor,

TOM JOSE,
Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport.)

The term of the Kerala State Unorganised Workers' Social Security Board constituted as per notification issued under G. O. (Ms.) No. 29/2011/LBR dated 25th February, 2011 and published as S.R.O. No. 156/2011 in the Kerala Gazette Extraordinary No. 433 dated 25th February, 2011 has expired. Government have now decided to re-constitute the said Board.

The notification is intended to achieve the above object.

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Government of Kerala
2018



Regn. No. KERBIL/2012/45073
dated 5-9-2012 with RNI
Reg. No. KL/TV(N)/634/2015-17

കേരള ഗസറ്റ്
KERALA GAZETTE

അസാധാരണം
EXTRAORDINARY

ആധികാരികമായി പ്രസിദ്ധപ്പെടുത്തുന്നത്
PUBLISHED BY AUTHORITY

വാല്യം 7 Vol. VII	തിരുവനന്തപുരം, തിങ്കൾ Thiruvananthapuram, Monday	2018 ഫെബ്രുവരി 5 5th February 2018	നമ്പർ } No. } 277
		1193 മകരം 22 22nd Makaram 1193	
		1939 മാഘം 16 16th Magha 1939	

GOVERNMENT OF KERALA
Labour and Skills (B) Department
ERRATUM

G. O. (Ms.) No. 6/2018/LBR.

Dated, Thiruvananthapuram, 28th January, 2018
14th Makaram, 1193.

S. R. O. No. 69/2018.—In the notification issued under G. O. (Ms.) No. 29/2012/LBR dated 17th February, 2012, and published as S. R. O. No. 140/2011 in the Kerala Gazette Extraordinary No. 415 dated 1st March, 2012 for S. R. O. No. 140/2011 read "S. R. O. No. 140/2012".

By order of the Governor,
TOM JOSE,
Additional Chief Secretary to Government.

Explanatory Note

(This does not form part of the erratum, but is intended to indicate its general purport.)

The Subordinate Legislation Committee (2016-19) in its fourth report have directed to correct the typographical error that crept in the S. R. O. Number of the notification issued under G. O. (Ms.) No. 29/2012/LBR dated 17th February, 2012 and published as S. R. O. No. 140/2011 in the Kerala Gazette Extraordinary No. 415 dated 1st March, 2012. Accordingly, the Government have decided to correct the said mistake through an erratum.

The erratum is intended to achieve the above object.