

**Fifteenth Kerala Legislative Assembly**

**Bill No. 72**

**THE KERALA BAMBOO, KATTUVALLI AND PANDANUS LEAF  
WORKERS' WELFARE FUND (AMENDMENT)  
BILL, 2021**

**Fifteenth Kerala Legislative Assembly**

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**THE KERALA BAMBOO, KATTUVALLI AND PANDANUS LEAF  
WORKERS' WELFARE FUND (AMENDMENT) BILL, 2021**

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**BILL**

*to amend the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund Act, 1998.*

*Preamble.*—WHEREAS, it is expedient to amend the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund Act, 1998 (17 of 1998) for the purposes hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund (Amendment) Act, 2021.

(2) It shall be deemed to have come into force on the 3<sup>rd</sup> day of July, 2020.

2. *Amendment of section 4.*— In the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund Act, 1998 (17 of 1998) (hereinafter referred to as the principal Act), in section 4,—

(1) in sub-section (1), for the words “seven rupees each per month”, the words “fifteen rupees each per month” shall be substituted;

(2) in sub-section (2), for the words “seven rupees per month”, the words “fifteen rupees per month” shall be substituted;

(3) in sub-section (3), for the words “seven rupees each per month”, the words “fifteen rupees each per month” shall be substituted;

(4) in sub-section (4), for the words “an amount equal to the amount contributed”, the words “an amount equal to seventy five percentage of the amount contributed” shall be substituted.

3. *Repeal and saving.*—(1) The Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund (Amendment) Ordinance, 2021 (129 of 2021) is hereby repealed.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 principal Act as amended by the said Ordinance 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 Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund Act, 1998 (17 of 1998) provides that every bamboo, kattuvalli and pandanus leaf worker shall contribute to the Fund seven rupees per month. Sub-section (2) of section 4 of the said Act provides that every employer and every producer of bamboo products or kattuvalli products or pandanus leaf products shall, in respect of each bamboo or kattuvalli or pandanus leaf worker, contribute to the Fund seven rupees per month. Sub-section (3) of section 4 of the said Act provides that every self employed person shall contribute to the Fund seven rupees each per month. Sub-section (4) of section 4 of the said Act provides that the Government shall contribute to the Fund every year an amount equal to the amount contributed by the bamboo workers, kattuvalli workers and pandanus leaf workers and self employed persons, by way of grant.

2. At present the income of the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers Welfare Fund is too insufficient to disburse the benefits of the Bamboo, Kattuvalli and Pandanus Leaf worker's and for meeting its administrative expenses. Hence on the recommendation of the Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund Board, the Government have decided

to enhance the contribution paid by each Bamboo, Kattuvalli and Pandanus Leaf worker, the contribution paid by the employer and every producer and the contribution paid by self employed person to fifteen rupees and to fix the Government contribution at seventy five percentage of the amount contributed by the Bamboo workers, Kattuvalli workers and Pandanus Leaf workers and self employed persons by way of grant by amending sub-sections (1) to (4) of section 4 of Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund Act, 1998 (17 of 1998).

3. As the above said proposal had to be given effect to immediately and the Legislative Assembly of the State of Kerala was not in session and the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund (Amendment) Ordinance, 2020 (37 of 2020) was promulgated by the Governor of Kerala on the 3<sup>rd</sup> day of July, 2020 and the same was published in the Kerala Gazette Extraordinary No. 1658 dated 3<sup>rd</sup> day of July, 2020.

4. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly in its session which convened on the 24<sup>th</sup> day of August, 2020.

5. As the provisions of the said Ordinance had to be kept alive and the Legislative Assembly of the State of Kerala was not in session, the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund (Amendment) Ordinance, 2020 (65 of 2020) was promulgated by the Governor of Kerala on the 26<sup>th</sup> day of September, 2020 and the same was published in the Kerala Gazette Extraordinary No. 2220 dated 29<sup>th</sup> day of September, 2020.

6. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly in its session which convened on the 31<sup>st</sup> day of December, 2020 and during its session which commenced on the 8<sup>th</sup> day of January, 2021 and ended on the 22<sup>nd</sup> day of January, 2021.

7. As the provisions of the said Ordinance had to be kept alive and the Legislative Assembly of the State of Kerala was not in session the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund (Amendment) Ordinance, 2021 (16 of 2021) was promulgated by the Governor of Kerala on the 9<sup>th</sup> day of February, 2021 and the same was published in the Kerala Gazette Extraordinary No. 674 dated 10<sup>th</sup> day of February, 2021.

8. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly in its session which commenced on the 24<sup>th</sup> day of May, 2021 and ended on the 10<sup>th</sup> day of June, 2021.

9. As the provisions of the said Ordinance had to be kept alive and the Legislative Assembly of the State of Kerala was not in session the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund (Amendment) Ordinance, 2021 (75 of 2021) was promulgated by the Governor of Kerala on the 1<sup>st</sup> day of July, 2021 and the same was published in the Kerala Gazette Extraordinary No. 1949 dated 3<sup>rd</sup> day of July, 2021.

10. A Bill to replace the said Ordinance by an Act of the State Legislature could not be introduced in, and passed by, the Kerala Legislative Assembly during its session which commenced on the 22<sup>nd</sup> day of July, 2021 and ended on the 13<sup>th</sup> day of August, 2021.

11. As the provisions of the said Ordinance had to be kept alive and the Legislative Assembly of the State of Kerala was not in session the Kerala Bamboo, Kattuvalli and Pandanus Leaf Workers' Welfare Fund (Amendment) Ordinance, 2021 (129 of 2021) was promulgated by the Governor of Kerala on the 23<sup>rd</sup> day of August, 2021 and the same was published in the Kerala Gazette Extraordinary No. 2469 dated 25<sup>th</sup> day of August, 2021.

12. The Bill seeks to replace Ordinance No.129 of 2021 by an Act of the State Legislature.

## FINANCIAL MEMORANDUM

As per sub-section (1) and (3) of section 4 of the principal Act, proposed to be amended by sub-clauses (1) and (3) of Clause 2 of the Bill, the contribution to be paid by each Bamboo, Kattuvalli and Pandanus Leaf worker and the contribution paid by self employed person per month have enhanced from seven rupees to fifteen rupees. As per sub-section (4) of said section proposed to be amended by sub-clause (4) of the said clause, Government shall contribute an amount equal to seventy five per cent of the contribution to the Fund every year.

At present, if the monthly contribution of the workers are enhanced from the seven rupees to fifteen rupees and if the amount to be contributed as grant by the Government is provided as seventy five per cent an additional amount of rupees 41,86,233 is estimated to be given by the Government.

The Bill, if enacted and brought into operation, a recurring expenditure to the tune of rupees 41,86,233 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 BAMBOO, KATTUVALLI AND PANDANUS  
LEAF WORKERS' WELFARE FUND ACT, 1998  
(17 OF 1998)

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4. *Contribution to the Fund.*—(1) Every bamboo, kattuvalli and pandanus leaf worker shall contribute to the Fund seven rupees each per month.

(2) Every employer and every producer of bamboo products or kattuvalli products or pandanus leaf products shall, in respect of each bamboo or kattuvalli or pandanus leaf worker, contribute the Fund seven rupees per month.

(3) Every self employed person shall contribute to the Fund seven rupees each per month.

(4) The Government shall contribute to the Fund every year an amount equal to the amount contributed by the bamboo workers, kattuvalli workers and pandanus leaf workers and self-employed persons, by way of grant.

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