


The

Kolkata **Gazette**
सत्यमेव जयते
Extraordinary
Published by Authority

SRAVANA 27]

FRIDAY, AUGUST 18, 2023

[SAKA 1945

PART IV—Bills introduced in the West Bengal Legislative Assembly; Reports of Select Committees presented or to be presented to that Assembly; and Bills published before introduction in that Assembly.

GOVERNMENT OF WEST BENGAL

LAW DEPARTMENT

Legislative

NOTIFICATION

No. 799-L.— 18th August, 2023.—The Governor having been pleased to order, under rule 66 of the Rules

of Procedure and Conduct of Business in the West Bengal Legislative Assembly, the publication of the following Bill, together with the Statement of Objects and Reasons which accompanies it, in the *Kolkata Gazette*, the Bill and the Statement of Objects and Reasons are accordingly hereby published for general information:—

Bill No. 13 of 2023

**THE WEST BENGAL LABOUR WELFARE FUND
(AMENDMENT) BILL, 2023.**

A

BILL

to amend the West Bengal Labour Welfare Fund Act, 1974.

WHEREAS it is expedient to amend the West Bengal Labour Welfare Fund Act, 1974, for the purposes and in the manner hereinafter appearing;

West Ben. Act
XXXVIII of 1974.

It is hereby enacted in the Seventy-fourth Year of the Republic of India, by the Legislature of West Bengal, as follows:—

1. (1) This Act may be called the West Bengal Labour Welfare Fund (Amendment) Act, 2023.

*The West Bengal Labour Welfare Fund
(Amendment) Bill, 2023.*

(Clauses 2 – 4.)

(2) It shall come into force on such date as the State Government may, by notification in the *Official Gazette*, appoint.

Amendment of
section 2 of the
West Ben. Act
XXXVIII of 1974.

2. In section 2 of the West Bengal Labour Welfare Fund Act, 1974 (hereinafter referred to as the principal Act),—

(1) in clause (3), in sub-clause (b), for the words “wages exceeding sixteen hundred rupees *per mensem*”, the words “wages exceeding ten thousand rupees *per mensem*” shall be substituted;

(2) to sub-clause (iii) of clause (5), the second proviso shall be omitted.

Amendment of
section 9.

3. In section 9 of the principal Act, for sub-section (6), the following sub-section shall be substituted:—

‘(6) An employer shall pay the employer’s and the employee’s contribution to the Board electronically through the designated “portal” created and maintained by the Board and shall bear the expenses of remitting to the Board such contributions.’

Amendment of
section 21.

4. In section 21 of the principal Act,—

(1) in sub-section (1),—

(a) for clause (a), the following clause shall be substituted:—

“(a) for the first offence, with fine which may extend to twenty-five thousand rupees; and”;

(b) for clause (b), the following clause shall be substituted:—

“(b) for a second or subsequent offences, with fine which may extend to fifty thousand rupees.”;

(c) the proviso shall be omitted;

(2) in sub-section (2), for the words “he shall be punishable with imprisonment for a term which may extend to one year or with fine which may extend to two thousand rupees or with both”, the words “he shall be punishable with fine which may extend to fifty thousand rupees” shall be substituted.

STATEMENT OF OBJECTS AND REASONS.

The West Bengal Labour Welfare Fund Act, 1974 (West Ben. Act XXXVIII of 1974) (hereinafter referred to as the said Act) has been enacted with the object for the constitution of a fund for promoting activities connected with the welfare of labourers in West Bengal and for the matters connected therewith.

*The West Bengal Labour Welfare Fund
(Amendment) Bill, 2023.*

2. In recent years with the changes in technology and business environment, various policies have been adopted to promote "Ease of Doing Business" with a view to striking a balance between the rights of workmen and demand of the Industry with an aim to provide scope for new employment generation and thriving an opportune environment for the business in operation.

3. It has, therefore, been considered necessary and expedient to amend the said Act for introducing decriminalisation in case of offences committed under the said Act.

4. The Bill has been framed with the above objects in view.

5. There is no financial implication involved in giving effect to the provisions of the Bill.

KOLKATA,
The 16th August, 2023.

MOLOY GHATAK,
Member-in-charge.

By order of the Governor,

PRADIP KUMAR PANJA,
*Pr. Secy. to the Govt. of West Bengal,
Law Department.*