

Twelfth Kerala Legislative Assembly
Bill No. 243

**THE KERALA BEEDI AND CIGAR WORKERS' WELFARE FUND
(AMENDMENT) BILL, 2009**

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further to amend the Kerala Beedi and Cigar Workers' Welfare Fund Act, 1995.

Preamble.—WHEREAS, it is expedient to amend the Kerala Beedi and Cigar Workers' Welfare Fund Act, 1995, for the purposes hereinafter appearing ;

BE it enacted in the Fifty-ninth Year of the Republic of India as follows :—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Beedi and Cigar Workers' Welfare Fund (Amendment) Act, 2009.

(2) It shall come into force at once.

2. *Amendment to Section 14.*—In section 14 of the Kerala Beedi and Cigar Workers' Welfare Fund Act, 1995 (18 of 1995) the words, figures and brackets “other than an amount payable under sub-section (1) of section 12” shall be omitted.

STATEMENT OF OBJECTS AND REASONS

As per section 14 of the Kerala Beedi and Cigar Workers' Welfare Fund Act, 1995, any amount due from the employer in pursuance of the provisions of that Act or the Scheme, other than the amount payable under section 12(1) may, if the amount is in arrears, be recovered together with interest thereon at the rate of sixteen per cent per annum in the same manner as an arrear of public revenue due on land. Due to the exclusion of section 12(1) from the purview of section 14, the arrear contribution due to the fund from the employer cannot be recovered through revenue recovery proceedings. The Government have decided to include the amount payable under section 12(1) also within the purview of section 14 by amending section 14 of the Act.

2. The Bill seeks to achieve the above object.

FINANCIAL MEMORANDUM

The Bill if enacted and brought into operation, would not involve any expenditure from the Consolidated Fund of the State.

P. K. GURUDASAN

Extract from the Kerala Beedi and Cigar Workers' Welfare Fund Act,
1995 (18 of 1995)

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14. *Mode of recovery of money due from employer.*—Any amount due from the employer in pursuance of the provisions of this Act or the Scheme, other than an amount payable under sub-section (1) of section 12 may, if the amount is in arrears, be recovered together with interest thereon at the rate of sixteen per cent per annum in the same manner as an arrear of public revenue due on land.

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