
**REPORT OF THE SUBJECT COMMITTEE
ON
THE KERALA HEADLOAD WORKERS' (AMENDMENT)
BILL, 2013
AND
THE BILL AS REPORTED BY THE SUBJECT COMMITTEE**

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247/2013.

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SUBJECT COMMITTEE-VII
(POWER, LABOUR AND LABOUR WELFARE)
(2011-2013)
Composition

Chairman:

Shri Aryadan Muhammed,
Minister for Power and Transport.

Ex-officio Members :

Shri Shibu Baby John,
Minister for Labour and Rehabilitation.

Members:

Shri A. K. Balan
Shri M. Chandran
Shri P. K. Gurudasan
Shri M. Hamsa
Shri P. A. Madhavan
Shri N. A. Nellikkunnu
Shri A. K. Saseendran
Shri K. Sivadasan Nair
Shri M. A. Vaheed.

Legislature Secretariat:

Shri P. D. Sarangadharan, Secretary
Shri K. Priyadarsanan, Joint Secretary
Smt. Suma kumari, Deputy Secretary
Smt. A. Shaila, Under Secretary.

THE KERALA HEADLOAD WORKERS' (AMENDMENT)
BILL, 2013

(Report of the Subject Committee)

Subject Committee VII—Power, Labour and Labour Welfare to which the Kerala Headload Workers' (Amendment) Bill, 2013 (Bill No. 186) was referred, considered the Bill clause by clause and now submits this report with the Bill as reported by the Committee annexed thereto.

2. The Kerala Headload Workers' (Amendment) Bill, 2013 was published as a Gazette Extraordinary dated February 2, 2013. The Bill was introduced in the Assembly on February 13, 2013 and was referred to the Committee on the same day.

3. The Committee considered the Bill clause by clause at its meeting held on February 14, 2013.

4. The Committee recommends to adopt the Bill with the following modifications :

Clause 4

(i) after Sub-clause (a) the following Sub-clause shall be inserted, namely:—

“(b) for the word “workmen”, the word “employees” shall be substituted;”

(ii) existing Sub-clause (b) shall be relettered as Sub-clause (c).

5. The minutes of dissent is appended.

Thiruvananthapuram,
February 14, 2013.

ARYADAN MUHAMMED,
Chairman,
Subject Committee VII.

MINUTES OF DISSENT

As the Bill does not contain provisions for the protection of the hapless headload workers who are the victims of the merciless anti-labour policies and activities pursued by this government right from assuming power in May 2011, we record our dissent to the report of the Subject Committee.

M. CHANDRAN (Sd.)

M. HANSA (Sd.)

Thiruvananthapuram,
14th February 2013.

THE KERALA HEADLOAD WORKERS' (AMENDMENT) BILL, 2013

(As reported by the Subject Committee)

[Words underlined indicate the modifications suggested by the Subject Committee]

A

BILL

further to amend the Kerala Headload Workers' Act, 1978.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Headload Workers' Act, 1978 (20 of 1980) for the purposes hereinafter appearing ;

BE it enacted in the Sixty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Headload Workers' (Amendment) Act, 2013.

(2) Sections 3 and 4 of this Act shall be deemed to have come into force on the 1st day of January, 2009 and the remaining sections shall be deemed to have come into force on the 14th day of June, 2010.

2. *Amendment of section 2.*—In the Kerala Headload Workers' Act, 1978 (20 of 1980) (hereinafter referred to as the principal Act), in section 2, for clause (k), the following clause shall be substituted, namely:—

“(k) “family” means,—

- (i) husband;
- (ii) wife;
- (iii) minor children;
- (iv) mentally challenged children;
- (v) dependent parents;
- (vi) unmarried or widowed daughters who are dependent; and
- (vii) physically challenged children who are dependent.”.

3. *Amendment of section 13.*—In section 13 of the principal Act, after clause (b) of sub-section (2), the following clause shall be inserted, namely:—

“(bb) for providing benefits under the Employees’ State Insurance Act, 1948 (Central Act 34 of 1948) to Headload workers.”.

4. *Amendment of section 24.*—In section 24 of the principal Act,—

(a) for the words “Workmen’s Compensation” occurring in the marginal heading and in the opening sentence, the words “Employees Compensation” shall be substituted;

(b) for the word “workmen” the word “employees” shall be substituted;

(c) to the existing provision, the following proviso shall be added, namely:—

“Provided that the Employees Compensation Act, 1923 (Central Act 8 of 1923) shall not apply to the headload workers insured under the Employees’ State Insurance Act, 1948 (Central Act 34 of 1948).”.

5. *Amendment of section 37.*—In section 37 of the principal Act, for the word “Government”, the word “Board” shall be substituted.

6. *Repeal and saving.*—(1) The Kerala Headload Workers’ (Amendment) Ordinance, 2013 (12 of 2013) 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.

Secretariat of the Kerala Legislature,
Thiruvananthapuram,
14th February 2013.

P. D. SARANGADHARAN,
Secretary.