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Thirteenth Kerala Legislative Assembly

Bill No. 347

**THE NON-RESIDENT KERALITES' WELFARE
(AMENDMENT) BILL, 2015**

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THE NON-RESIDENT KERALITES' WELFARE (AMENDMENT)

BILL, 2015

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to amend the Non-Resident Keralites' Welfare Act, 2008.

Preamble.—WHEREAS, it is expedient further to amend the Non-Resident Keralites' Welfare Act, 2008 for the purpose hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Non-Resident Keralites' Welfare (Amendment) Act, 2015.

(2) It shall come into force at once.

2. *Amendment of section 3.*—In section 3 of the Non-Resident Keralites' Welfare Act, 2008 (10 of 2009), (hereinafter referred to as the principal Act), in sub-section (4), after clause (a), the following clause shall be inserted, namely:—

“(aa) for the payment of pension to the members and deemed members who have become members of the Scheme after the completion of fifty-five years of age but before attaining sixty years of age and have remitted contribution for a period of not less than five years”.

3. *Amendment of section 6.*—In section 6 of the principal Act,—

(i) in sub-section (1), for the figure and words, “55 years of age” the words, “sixty years of age” shall be substituted;

(ii) in sub-section (2), for the figure and words, “55 years of age” the words, “sixty years of age” shall be substituted;

(iii) after sub-section (7), the following sub-section shall be added, namely:—

“(8) The membership period of a member shall be from the date on which he enrolled as a member in the Scheme to the date he becomes eligible for pension.”.

4. *Amendment of section 8.*—In section 8 of the principal Act, in sub-section (1), for the words, “fifty-five years of age” the words, “sixty years of age” shall be substituted.

STATEMENT OF OBJECTS AND REASONS

Sub-section (4) of section 3 of the Non-Resident Keralites’ Welfare Act, 2008 (10 of 2009) provides for the payment of pension from the Non-Resident Keralites’ Welfare Fund to the members and deemed members who have completed 60 years of age and have remitted contribution for a period of not less than five years.

As per sub-section (1) and (2) of section 6, every Non-Resident Keralite who have completed 18 years of age but not completed 55 years of age and resides in any place in India outside Kerala for a period of more than six months for employment or otherwise are eligible to be admitted as a member in the Fund. Sub-section (1) of section 8 of the said Act provides for the constitution of a Special Aid Fund, by receiving donations from India or abroad, to provide assistance towards medical treatment or any other assistance as specified in the Scheme to Non-Resident Keralites’ (abroad), who have completed 55 years of age.

As per this Act, the maximum age limit to be admitted as a member in the welfare fund as of now is 55 years of age. The Government intends to provide pension to the members and deemed members who have acquired membership after attaining fifty-five years of age but before completing sixty years of age and have remitted contribution for a period of not less than five years and to provide membership in the welfare fund for the Non-Resident Keralites who have completed 55 years of age but have not completed 60 years of age subject to the compliance of other conditions, and to give assistance towards medical treatment and other essential aids through Special Aid Fund to Non-Resident Keralites (abroad) who have completed 60 years of age. Government have

decided to make suitable amendments to sub-section (4) of section 3, sub-sections (1) and (2) of section 6 and sub-section (1) of section 8 of the Non-Resident Keralites' Welfare Act, 2008 (10 of 2009) for the abovesaid purposes.

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

As per the existing law, the maximum age limit for Non-Resident Keralites' to be admitted as a member of welfare fund is 55 years of age. By this legislation, it is intended to enhance the maximum age limit to be admitted as a member from 55 years of age to 60 years of age. This will make around 25000 Non-Resident Keralites' eligible for new membership and a total amount of Rs. 5,40,00,000 is expected to be obtained as contribution from among them.

By this amendment, the members newly admitted to the welfare fund have to remit an amount of Rs. 27 crore for a minimum period of five years that will make them eligible for pension. Share to be remitted in this manner by the Government to welfare fund comes only two per cent of amount received as contribution. In the circumstances, an amount of Rs. 10,80,000, an amount equal to two per cent of Rs. 5,40,00,000 being remitted by the newly admitted members as contribution to the welfare fund for a period of one year, is expected to be an expenditure from the Consolidated Fund of the State every year.

K. C. JOSEPH

EXTRACT OF THE RELEVANT PORTIONS FROM THE
NON-RESIDENTS KERALITES' WELFARE ACT, 2008
(10 OF 2009)

3. *The Non-Resident Keralites' Welfare Scheme.*—(1) The Government may, by notification in the Gazette, frame a Scheme to be called the Non-Resident Keralites' Welfare Scheme for the constitution of a Fund for the welfare of the Non-Resident Keralites' under this Act and there shall be constituted, as soon as may be, after the framing of the Scheme, a Fund in accordance with provisions of this Act and the Scheme.

(4) The Fund may be utilized for all or any of the following purposes, namely:—

(a) for the payment of pension to the members and deemed members who had completed sixty years of age and had remitted contribution for not less than five years;

6. *Membership.*—(1) Every Non-Resident Keralite who has completed 18 years of age but not completed 55 years of age shall be entitled to register his name as a member of the Fund.

(2) Every Non-Resident Keralite, who has completed 18 years of age, but not completed 55 years of age and who has left Kerala for employment or otherwise and resides for more than six months in any place in India outside Kerala and continues there, is also entitled to register his name as a member of the Fund.

(7) Every registered member shall remit the contribution under section 4 within such period and intervals and in such manner as may be prescribed.

8. *Special Aid Fund for the Non-Resident Keralites' (abroad).*—(1) Under the provisions of the Act and Scheme framed thereunder, a Special Aid Fund may be constituted by receiving donations from any individual or associations in India or abroad or from Government agencies or Central/State Governments or from Local Self Government Institutions or from any other sources to provide medical aid or any other essential aid as may be specified in the Scheme, to the Non-Resident Keralites' (abroad) who have completed fifty-five years of age as on the date of commencement of this Act.
