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**Thirteenth Kerala Legislative Assembly**

**Bill No. 364**

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**THE KERALA HEADLOAD WORKERS  
(AMENDMENT) BILL, 2015**

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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-sixth 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, 2015.

(2) It shall come into force at once.

2. *Amendment of section 9.*—In the Kerala Headload Workers Act, 1978 (20 of 1980) (hereinafter referred to as the principal Act) the existing provision and the proviso thereto shall be numbered as sub-section (1) and after sub-section (1) so numbered, the following sub-sections shall be inserted, namely:—

“(2) No person other than a headload worker employed or engaged by an employer or contractor shall demand wages for the work done by a headload worker so employed or engaged.

(3) No headload worker shall demand wages in excess of the wages prescribed under sub-section (1).”

STATEMENT OF OBJECTS AND REASONS

At present there is no provision in the Headload Workers Act, 1978 (20 of 1980) to prohibit the headload workers or other workers who are not employed by any employer to demand wages for the work done by the employer's own permanent headload workers. This creates many disputes between the employer and other headload workers not employed by him.

Therefore, as per the decision of the Hon'ble High Court in WP(C) No. 18140 of 2012, Government have decided to amend the said Act incorporating suitable provision for the said purpose. Hence this amendment.

The Bill is intended to achieve the above object.

### FINANCIAL MEMORANDUM

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

SHIBU BABY JOHN.

EXTRACT OF THE RELEVANT PORTIONS FROM  
THE KERALA HEADLOAD WORKERS ACT, 1978  
(ACT 20 OF 1980)

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9. *Wages Payable to Headload Workers.*—Every employer shall pay to any headload worker employed by him such wages as may be prescribed; and different wages may be prescribed for different establishments and for different kinds of work:

Provided that every headload worker shall give a signed receipt to the employer in token of the amount received towards wages.

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