

Kerala Handloom Workers Welfare Fund (Amendment) Act, 2001

17 of 2001

CONTENTS

1. Short Title And Commencement
2. Amendment Of Section 4
3. Amendment Of Section 11
4. Validation

Kerala Handloom Workers Welfare Fund (Amendment) Act, 2001

17 of 2001

An Act to amend the Kerala Handloom Workers' Welfare Fund Act, 1989. WHEREAS, it is expedient to amend the Kerala Handloom Workers' welfare Fund Act, 1989 for the purposes hereinafter appearing; BE it enacted in the Fifty-second Year of the Republic of India as follows:-

1. Short Title And Commencement :-

(1) This Act may be called the Kerala Handloom Workers Welfare Fund (Amendment) Act, 2001.

(2) Sub-section (2) of section 4 of the Principal Act substituted by section 2 of this Act, shall be deemed to have come into force on the 1st day of June, 1989 and the remaining sections shall be deemed to have come into force on the 13th day of March, 2001.

2. Amendment Of Section 4 :-

For sub-sections (1), (2), (3) and (4) of section 4 of the Kerala Handloom Workers Welfare Fund Act, 1989 (2 of 1989) (hereinafter referred to as the principal Act), the following sub-sections shall be substituted, namely:--

"(1) Every Handloom Worker shall contribute three rupees (Rs.3) per month and every self employed person shall contribute five rupees (Rs.5) per month to the Fund.

(2) Every dealer shall contribute to the Fund, every year on the

basis of his total annual sale proceeds at the rates specified in the schedule below:--

SCHEDULE

Annual sale proceeds Contribution

| | | |
|--------------------------|----------|---------|
| Up to | 3 lakhs | Nil |
| Above 3 lakhs and up to | 5 lakhs | Rs. 500 |
| Above 5 lakhs and up to | 10 lakhs | Rs. 750 |
| Above 10 lakhs and up to | 15 lakhs | Rs.1000 |
| Above 15 lakhs and up to | 30 lakhs | Rs.1500 |
| Above 30 lakhs and up to | 50 lakhs | Rs.3000 |
| Above 50 lakhs and up to | 75 lakhs | Rs.4500 |
| Above 75 lakhs and up to | 1 crore | Rs.6500 |
| Above | 1 crore | Rs.8500 |

Provided that while calculation contributing in the revised rate, the amount of contribution already paid by dealers in the pre-revised rate before the commencement of the Kerala Handloom Workers Welfare Fund (Amendment) Act, 2001 shall be adjusted.

(3) Every employer and producer of Handloom products including Co-operative Society shall contribute to the Fund every year twice the amount of the amount contributed by the handloom workers and self employed persons in a year.

(4) The Government shall contribute to the Fund every year an amount equal to the contribution paid by the handloom workers and self employed persons in a year.

(4a) Notwithstanding anything contained in sub-section (1), (2) and (3) the Government may, in every year after the coming into force of this Amendment Act, by Notification in the Gazette revise the rates of contribution specified in the said sub-sections considering the expenses in implementing the project, and thereafter every handloom worker or self employed person or dealer or employer or producer of handloom products including co-operative society shall be liable to pay contribution according to the revised rate.

(4b) Every notification under sub-section (4a) shall be laid, as soon as may be after it is issued, before the Legislative Assembly while it is in session for a total period of fourteen days which may be comprised in one session or in two successive sessions and if before the expiry of the session in which it is so laid or the session immediately following, the Legislative Assembly makes any modification in the notification or decides that the notification should not be made, "the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so however that any such modification, or annulment shall be without prejudice to the validity of anything previously done under the notifications."

3. Amendment Of Section 11 :-

In sub-section (1) of section 11 of the principal Act, for the words "Deputy Labour Officer" the words "Assistant Labour Officer" shall be substituted.

4. Validation :-

(1) Notwithstanding the cessation of operation of the Kerala Handloom Workers Welfare Fund (Amendment) Ordinance, 2001 (19 of 2001) on 17th day of July, 2001,--

(a) 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.

(b) Anything done or any action taken after the cessation of operation of the said Ordinance and before the date of publication of this Act in the Gazette which could have been done or taken under the principal Act as amended by the said Ordinance had it not ceased to operate, shall be deemed to have been done or taken under the principal Act as amended by this Act.

(2) The cessation of the said Ordinance shall not,--

(a) affects any right, privilege, obligation or liability acquired, accrued or incurred thereunder; or

(b) affects any legal proceedings or remedy in respect of any such right, privilege, obligation or liability and any such legal proceeding or remedy may be instituted, continued or enforced under the provisions of the principal Act as amended by this Act.