

THE KERALA ABKARI WORKERS' WELFARE FUND (AMENDMENT) BILL

A bill further to amend the Kerala Abkari Workers' Welfare Fund Act, 1989 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 Abkari Workers' Welfare Fund (Amendment) Act —

(2) It shall come into force at once.

2. *Insertion of Section 3A.*—After Section 3 of the Abkari Workers' Welfare Fund Act, 1989, the following section shall be inserted, namely:—

“3A. *Publication of the list of members of the Abkari Workers.*—(1) The Chief Executive of the Board shall maintain a register of workers enrolled as members of the Welfare Fund showing the name of their employer.

(2) The Chief Welfare Fund Inspector of the Board shall publish a list of members on the first day of January of every year in the notice board of his office and in all other subordinate offices for general information and for filing objections if any to the list.

(3) Any objection to the list published may be filed within thirty days from the date of publication of the list to Chief Welfare Fund Inspector of the Board.

(4) The Chief Welfare Fund Inspector of the Board shall place all the objections before the Chairman of the Board.

(5) The Chairman shall consider the objections and take a decision after affording an opportunity to the affected parties and correct the list according to the decision.

(6) If the Chairman on enquiry finds that the inclusion of any name in the list or omission to include any name in the list is intentional, the Chairman shall place the matter before the Board for appropriate action against the Chief Welfare Fund Inspector.

(7) The Board may after affording an opportunity to be heard the Chief Welfare Fund Inspector may “impose” fine not exceeding ten thousand rupees on him.

(8) In case the Chief Welfare Fund Inspector is aggrieved by the decision of the Board, he may file appeal to the Government against the decision.

(9) The Government may after giving an opportunity to the Chief Welfare Fund Inspector and to the Board take a decision, which shall be final.”

Statement of Objects and Reasons

The object of the bill is to recommend incorporation of necessary provisions in the parent Act to put an end to the mal-practice perpetrated by the employers of the workers coming

within the purview of the Act in not registering his workers in time before the welfare fund authorities and thus denying the workers from getting their legitimate benefits from the fund and to benefit themselves by such omissions. The Chief Welfare Fund Inspector is made responsible for maintaining a list of employees engaged by all employers and to publish such list in the office as well as in all the offices functioning under him in the month of January every year so that every worker may know whether his employer has registered his name with the authority or not and to object to the omission in registration of his name and to get it corrected in time. The employer who fails to get the employee registered is liable to be punished with a fine of Rs.1,000 each violation.