

**Fifteenth Kerala Legislative Assembly**

**Bill No. 213**

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**THE NON-RESIDENT KERALITES' WELFARE  
(AMENDMENT) BILL, 2024**

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**Fifteenth Kerala Legislative Assembly**

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**THE NON-RESIDENT KERALITES’ WELFARE  
(AMENDMENT) BILL, 2024**

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***BILL***

*further to amend the Non-Resident Keralites’ Welfare Act, 2008.*

*Preamble.*—WHEREAS, it is expedient further to amend the Non-Resident Keralites’ Welfare Act, 2008 (10 of 2009) for the purposes hereinafter appearing;

BE it enacted in the Seventy-fifth 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, 2024.

(2) It shall come into force at once.

2. *Amendment of section 2.*— In section 2 of the Non-Resident Keralites’ Welfare Act, 2008 (10 of 2009) (hereinafter referred to as the principal Act), for clause (ga), the following clause shall be substituted, namely:—

“(ga) “Dividend” means the sum allotted to the Board on the deposit transferred to the agencies specified by the Government as per the Non-Resident Keralites’ Dividend Scheme for providing an assured sum to the members or beneficiaries of the said Scheme which the said agencies shall give to the Board together with the Government share;”.

3. *Amendment of section 8A.*—In section 8A of the principal Act, the existing provision shall be numbered as sub-section (1) and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

“(2) The Government may, by notification in the Gazette, make any addition, amendment, omission or variation in the Scheme framed under sub-section (1), either prospectively or retrospectively.”.

4. *Amendment of section 9.*— In section 9 of the principal Act,—

(1) for sub-section (3), the following sub-section shall be substituted, namely:—

“(3) The Board shall consists of fifteen Directors nominated by the Government, by notification in the Gazette, as hereinafter provided, namely:—

(i) five Directors representing the Non-Resident Keralites (abroad);

(ii) two Directors representing the Non-Resident Keralites (India);

(iii) four officers representing the Government (ex-officio);

(iv) one Director representing the Overseas Development and Employment Promotion Consultants Limited (ex-officio);

(v) the Chief Executive Officer of the Board (ex-officio);

(vi) one representative from the NORKA-ROOTS (ex-officio);

(vii) one Director nominated by the Government.”;

(2) for sub-section (4), the following sub-section shall be substituted, namely:—

“(4) The Government shall appoint one of the Directors of the Board representing Non-Resident Keralites (abroad) as its Chairman.”;

(3) sub-section (5) shall be omitted.

5. *Amendment of section 10.*— In section 10 of the principal Act,—

(1) in sub-section (1), after the words “three years” the words “from the date of notification in the Gazette” shall be added;

(2) after sub-section (3), the following sub-section shall be inserted, namely:—

“(4) A casual vacancy occurred due to death, resignation, removal or otherwise of a nominated Director shall be filled as soon as possible by the Government and the person so nominated shall be entitled to hold office only for the remaining term of office of the person, in whose place he is nominated.”.

#### STATEMENT OF OBJECTS AND REASONS

In order to provide for the constitution of a Welfare Fund to grant relief and to ensure the welfare of and to pay pension and other benefits to the Non-Resident Keralites and to promote companies or co-operative societies or societies or other institutions of Non-Resident Keralites for their welfare, the State Legislature has enacted a law called the Non-Resident Keralites’ Welfare Act, 2008. The Subordinate Legislation Committee of the Kerala Legislative Assembly (2021-2023) has scrutinized S.R.O. notifications 650/2019, 976/2019, 445/2020, 446/2020 and the Committee in its Ninth Report have suggested amendments in the said notifications along with consequential amendments to the Non-Resident Keralites’ Welfare Act, 2008. In order to carry out the recommendations of the said Committee and for other matters, the Government considers it expedient to bring amendment to the Non-Resident Keralites’ Welfare Act, 2008.

2. The Bill is intended to achieve the above object.

#### FINANCIAL MEMORANDUM

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

#### MEMORANDUM REGARDING DELEGATED LEGISLATION

Sub-section (2) of section 8A, proposed to be inserted in the principal Act by clause 3 of the Bill, empowers the State Government to make any addition, amendment, omission or variation in the Scheme framed under sub-section (1), either prospectively or retrospectively, by notification in the Gazette.

2. Sub-section (3) of section 9, proposed to be amended in the principal Act by sub-clause (1) of clause 4 of the Bill, empowers the State Government to nominate fifteen Directors to the Kerala Non-Resident Keralites' Welfare Board, by notification in the Gazette.

3. Sub-section (4) of section 9, proposed to be amended in the principal Act by sub-clause (2) of clause 4 of the Bill, empowers the State Government to appoint one of the Directors of the Board representing Non-Resident Keralites (abroad) as its Chairman.

4. The matters in respect of which notifications may be issued or schemes to be made are matters of procedure and are of routine or administrative in nature. Further, the matters regarding the schemes are subject to the scrutiny of the Legislative Assembly. The delegation of legislative power is therefore, of a normal character.

PINARAYI VIJAYAN.

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

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2. *Definitions*:—(1) In this Act, unless the context otherwise requires,—

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(ga) “Dividend” means the share of profit on the invested amount, given to the investor by the agency who receives investments as per Non-Resident Keralites' Dividend Scheme;

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8A. *Non-Resident Keralites' Dividend Scheme*.—The Government may frame a scheme for receiving deposits from non-resident keralites and for giving a monthly dividend to the depositor consequent to the utilization of the same, in the manner determined by the Government, alongwith the share of Government. For the implementation of the scheme so framed and for other welfare activities of non-resident keralites, the Board may, with the prior approval of the Government setup institutions as per section 14.

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9. *Constitution of the Board*.—(1) The Government may, by notification in the Gazette constitute a Board to be called “the Kerala Non-Resident Keralites Welfare Board” for the administration of the Fund and for the supervision and management of the activities financed from the Fund and for other activities under this Act and the Scheme.

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(3) The Board shall consist of fifteen Directors nominated by the Government, as hereinafter provided,—

- (i) five Directors representing the Non-Resident Keralites (abroad);
- (ii) two Directors representing the Non-Resident Keralites (India);

(iii) four officials representing the Government;

(iv) one Director representing the Overseas Development and Employment Promotion Consultants Limited;

(v) the Chief Executive Officer of the Board;

(vi) one representative from NORKA – ROOTS;

(vii) one Director nominated by the Government;

(4) One of the Directors of the Board shall be appointed by the Government, to be its Chairman.

(5) The Government shall publish the names of the Chairman and the Directors of the Board in the Gazette.

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10. *Term of office of the Directors.*—(1) The term of office of the Director other than an ex-officio Director appointed under sub-section (3) of section 9 shall be three years.

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(3) Any Director may resign his office by giving notice in writing to the Government but, he shall continue in office till the resignation is accepted by the Government.

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