

Fifteenth Kerala Legislative Assembly

Bill No. 141

**THE KERALA CASHEW FACTORIES (ACQUISITION)
(AMENDMENT) BILL, 2022**

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BILL

further to amend the Kerala Cashew Factories (Acquisition) Act, 1974.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Cashew Factories (Acquisition) Act, 1974 (Act 29 of 1974) for the purposes hereinafter appearing;

BE it enacted in the Seventy third Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Cashew Factories (Acquisition) Amendment Act, 2022.

(2) It shall be deemed to have come into force on the 1st day of August, 2009.

2. *Amendment to the Schedule.*—In the Kerala Cashew Factories (Acquisition) Act, 1974 (Act 29 of 1974), in Serial No. 14 of the Schedule II,—

(i) in column No. 3, after the words “taken over on lease on 13-3-1974”, the word, figures and symbols “and 1-2-1975” shall be inserted;

(ii) in column No. 4, after the words “M/s Ramson & Co., Kollam-4”, the words and symbols “and Smt. D. Sumathi, W/o Sivadasan, Jayanthi House, Nadakkavu, Cutcherry, Kozhikode” shall be inserted.

STATEMENT OF OBJECTS AND REASONS

As per section 3B of the Kerala Cashew Factories (Acquisition) Act, 1974, the Government have acquired twenty cashew factories specified in Schedule-II of the Act which were in the possession of the Kerala State Cashew Development

Corporation either under a lease existing or expired or under requisition current or expired and handed over the said factories to the Kerala State Cashew Development Corporation. Among them, Factory No. 27, the Eravipuram Cashew Factory, which was included as serial No. 14 of Schedule II of the said Act, have a total area of 1 Acre 37.5 cents of land. Out of which 1 Acre and 3 cents of land owned by M/s Ramsons & Co was included in Schedule-II of the Act, but 34.5 cents of land in survey No. 2961/A under the ownership of Smt. D. Sumathy was not included in the said schedule. Since the property under the ownership of Smt. D. Sumathy is an integral part of the Eravipuram factory and is very indispensable for the smooth functioning, the Government have decided to amend the Schedule II of the said Act suitably.

The Bill is intended to achieve the above object.

FINANCIAL MEMORANDUM

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

P. RAJEEVE

EXTRACT FROM THE KERALA CASHEW FACTORIES
(ACQUISITION) ACT, 1974
(29 OF 1974)

** ** ** ** ** **

3B. *Acquisition of Cashew Factories, which are in the possession of the Kerala State Cashew Development Corporation (KSCDC) either under a lease existing or expired or under requisition current or expired.*—Notwithstanding anything contained in section 3 or in any judgment, decree or order of any court, tribunal or other authority and notwithstanding anything contained in any other law, agreement or other instrument for the time being in force, if the Government are of opinion that the cashew factories specified in schedule II of this Act now in the possession of Kerala State Cashew Development Corporation either under a lease existing or expired or under requisition current or expired, if returned to their respective owners, they may not provide employment to the entire/any of the employees/workers and such employees/workers may be rendered unemployed and in order to continue to provide employment to such employees/workers the Government, may in public interest by order published in the Gazette, declare that those factories shall stand transferred to, and vest in, the Government.

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SCHEDULE II
(See section 3B)

<i>Sl. No.</i>	<i>Reg. No. of the cashew factory</i>	<i>Name, description and details of cashew factory</i>	<i>Name and address of the owner</i>
(1)	(2)	(3)	(4)
1	Reg. No. AP.10	Fy. No. 4, Krishnapuram, Kayamkulam, located at Krishnapuram Village, Karthikapally Taluk, Alleppey Dist., taken over on lease on 1-3-1971	Shri S.Ramachandra Naik, 23-2002 Kadri Temple Road, Mangalore.
**	**	**	**
14	Reg. No. Q.95	Fy. No. 27, Eravipuram, Eravipuram Village, Kollam Taluk, Kollam Dist., taken over on lease on 13-3-1974	M/s Ramsons & Co., Kollam-4.
**	**	**	**
20	Reg. No. KU 9	Fy. No. 34, Chegamanadu, Melila Village, Kottarakkara Taluk, Kollam Dist., taken over on lease on 13-6-1974	Smt. Rajeswari, W/o Govindaraja Reddiyar, Raji Nivas, N.A.N.R. Compound, Main Road, Kollam.