

THE KERALA MOTOR TRANSPORT WORKERS'
WELFARE FUND (AMENDMENT) BILL, 2022

(As passed by the Assembly)

A
BILL

further to amend the Kerala Motor Transport Workers' Welfare Fund Act, 1985.

Preamble.—WHEREAS, it is expedient further to amend the Kerala Motor Transport Workers' Welfare Fund Act, 1985 (21 of 1985) 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 Motor Transport Workers' Welfare Fund (Amendment) Act, 2022.

(2) It shall come into force at once.

2. *Amendment of section 2.*—In section 2 of the Kerala Motor Transport Workers' Welfare Fund Act, 1985 (21 of 1985) (hereinafter referred to as the principal Act),—

(a) in clause (d), towards the end, the following words shall be inserted, namely:—

“and autorickshaw employee and person employed for any work in connection with workshop jobs in the automobile workshops including repairing and maintenance of motor vehicles and their parts, mechanic, driver, cleaner, fitter, electrician, tyreman, turner, battery man, painter, welder, greaser man, vulcanizer, spray painter, workshop attender, carpenter, motor vehicle body building worker, blacksmith, helper, office staff and any other staff working in this field and worker notified by the Government from time to time.”;

(b) in clause (e), towards the end, the following words shall be inserted, namely:—

“and the person who owns the autorickshaw and also the person who owns and operate the automobile workshop or related occupational organizations or a licensee to operate the workshop.”;

(c) for clause (g), the following clause shall be substituted, namely:—

“(g) “member” means a person registered in the Fund and who is paying contribution to the Fund under section 4 of the Act and includes any person who has been enrolled and continues as a member of the Kerala Autorickshaw Workers’ Welfare Fund Scheme, 1991 and the Kerala Automobile Workshop Workers’ Welfare Fund Scheme, 2004.”.

3. *Amendment of section 4.*—In section 4 of the principal Act, for the existing proviso, the following proviso shall be substituted, namely:—

“Provided that nothing in this section shall apply to a motor transport undertaking to which sub-section (3) of section 1 of the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952 (Central Act 19 of 1952) apply.”.

4. *Amendment of section 8A.*—In section 8A of the principal Act, the brackets, words and figures, “(other than autorickshaws covered under the provisions of the Kerala Autorickshaw Workers’ Welfare Fund Scheme, 1991)” shall be omitted.

5. *Insertion of new section 12B.*—After section 12A of the principal Act, the following section shall be inserted, namely:—

“12B. *Members of the Kerala Autorickshaw Workers’ Welfare Fund Scheme and Kerala Automobile Workshop Workers’ Welfare Fund Scheme deemed to be members of the Fund.*—Every employee or self-employed person who has

been enrolled and continues as a member in the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991 and Kerala Automobile Workshop Workers' Welfare Fund Scheme, 2004 as on the date of commencement of the Kerala Motor Transport Workers' Welfare Fund (Amendment) Act, 2022 shall be deemed to have been registered as a member of the Fund and he shall obtain identity card in such manner as may be provided in the Scheme.”.

6. *Amendment of section 24.*—In section 24 of the principal Act, the existing provision shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

“(2) Notwithstanding anything contained in any other law for the time being in force, on and from the date of commencement of the Kerala Motor Transport Workers' Welfare Fund (Amendment) Act, 2022, all amounts, standing in the credit of the Kerala Autorickshaw Workers' Welfare Fund constituted under the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991 and the Kerala Automobile Workshop Workers' Welfare Fund constituted under the Kerala Automobile Workshop Workers' Welfare Fund Scheme, 2004 shall stand transferred to and credited to the Fund established under the Scheme framed under this Act and with effect from such date, the liability of a member to pay contribution to the Kerala Autorickshaw Workers' Welfare Fund Scheme, 1991 and the Kerala Automobile Workshop Workers' Welfare Fund Scheme, 2004 shall cease.”.
