

Fourteenth Kerala Legislative Assembly

Bill No. 216

**THE KERALA ANGANAWADI WORKERS' AND ANGANAWADI
HELPERS' WELFARE FUND (AMENDMENT) BILL, 2019**



Kerala Legislature Secretariat

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THE KERALA ANGANAWADI WORKERS' AND ANGANAWADI
HELPERS' WELFARE FUND (AMENDMENT) BILL, 2019

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BILL

to amend the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund Act, 2016.

Preamble.—WHEREAS, it is expedient to amend the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund Act, 2016 (10 of 2016) for the purposes hereinafter appearing;

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

1. *Short title and commencement.*—(1) This Act may be called the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund (Amendment) Act, 2019.

(2) It shall be deemed to have come into force on the 1st day of March, 2019.

2. *Amendment of section 10.*—In sub-section (3) of section 10 of the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund Act, 2016 (10 of 2016) (hereinafter referred to as the principal Act),—

(i) in clause (iv), for the words “Director, Social Justice Department” the words “Director, Women and Child Development Department” shall be substituted;

(ii) in clause (vi), for the words "An officer of the Social Justice Department not below the rank of Additional Director" the words "An officer of the Women and Child Development Department not below the rank of Assistant Director" shall be substituted.

3. *Amendment of section 12.*—In sub-section (1) of section 12 of the principal Act, for the words "five years" the words "three years" shall be substituted.

4. *Repeal and saving.*—(1) The Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund (Amendment) Ordinance, 2019 (26 of 2019) is hereby repealed.

(2) Notwithstanding such repeal 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.

STATEMENT OF OBJECTS AND REASONS

The Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund Act, 2016 was passed by the Kerala Legislative Assembly in the year 2016. As a part of the bifurcation of Social Justice Department, the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund Board comes under the Women and Child Development Department. By the formation of the Women and Child Development Department, consequential amendments were necessitated in the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund Act, 2016 (10 of 2016) to include the officers of the said department in the Board.

2. Certain representations were received by the Government requesting to reduce the existing term of the Welfare Fund Board from five years to three years. In accordance with that, the Government have decided to reduce the term of the Welfare Fund Board from five years to three years.

3. As the Legislative Assembly of the State of Kerala was not in session and the said proposal had to be given effect immediately, the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund (Amendment) Ordinance, 2019

was promulgated by the Governor of Kerala on 1st day of March, 2019 and the same was published as Ordinance No.16 of 2019 in the Extraordinary Gazette No.550 dated 1st day of March, 2019.

4. Though a Bill to replace the said Ordinance by an Act of the State Legislature was published as Bill No.199, the same could not be introduced in, and passed by the Legislative Assembly of the State of Kerala during its session which commenced on the 27th day of May, 2019 and ended on the 4th day of July, 2019.

5. In order to keep alive the provisions of the said Ordinance, the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund (Amendment) Ordinance, 2019 was promulgated by the Governor of Kerala on the 6th day of July, 2019 and the same was published as Ordinance No.26 of 2019 in the Extraordinary Gazette No.1501 dated 6th day of July, 2019.

6. The Bill intended to replace the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund (Amendment) Ordinance, 2019 (26 of 2019) by an Act of the State Legislature.

FINANCIAL MEMORANDUM

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

K. K. SHAILAJA TEACHER.

Provided that the Chairman and non-official members of the Kerala Anganawadi Workers' and Anganawadi Helpers' Welfare Fund Board constituted as per G.O(Rt)94/2013/SJD dated 7th March, 2013 of the Social Justice Department shall hold office for a period of three years from the date of commencement of the Government Order or the date of coming into force of the Board to be constituted by the Government under section 10 whichever is earlier.

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