

**Fourteenth Kerala Legislative Assembly**

**Bill No. 218**

---

---

**THE KERALA JEWELLERY WORKERS' WELFARE FUND  
(AMENDMENT) BILL, 2019**

---

---

©

Kerala Legislature Secretariat

2019

KERALA NIYAMASABHA PRINTING PRESS.

Published on 28-10-2019

Fourteenth Kerala Legislative Assembly

Bill No. 218

**THE KERALA JEWELLERY WORKERS' WELFARE FUND  
(AMENDMENT) BILL, 2019**

[Translation in English of "2019-ലെ കെരള ആഭരണ തൊഴിലാളി ക്ഷേമനിധി (അംഗത്ത്) ബിൽ" published under the authority of the Governor.]

THE KERALA JEWELLERY WORKERS' WELFARE FUND  
(AMENDMENT) BILL, 2019

A

BILL

*to amend the Kerala Jewellery Workers' Welfare Fund Act, 2009*

*Preamble.*—WHEREAS, it is expedient to amend the Kerala Jewellery Workers' Welfare Fund Act, 2009 (26 of 2009) 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 Jewellery Workers' Welfare Fund (Amendment) Act, 2019.

(2) It shall be deemed to have come into force on the 20<sup>th</sup> day of August, 2019.

2. *Amendment of section 2.*—In the Kerala Jewellery Workers' Welfare Fund Act, 2009 (26 of 2009) (hereinafter referred to as principal Act), in clause (r) of section 2 for the words "buying and selling" the word "selling" shall be substituted.

3. *Amendment of section 5.*—In sub-section (1) of section 5 of the principal Act, for the words, figures and symbols "0.25% of his jewellery sale proceeds", the words, figures and symbols "0.1% of his Jewellery sales" shall be substituted.

4. *Repeal and saving.*—(1) The Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2019 (38 of 2019) is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action 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

Sub-section (1) of section 5 of the Kerala Jewellery Workers' Welfare Fund Act, 2009 (26 of 2009) provides that for the purpose of collecting amount to the Fund, for the welfare of the jewellery workers and self employed persons, every dealer shall be liable to pay a sum amounting to 0.25% of his jewellery sale proceeds of a year to the Consolidated Fund of the Government as cess. It also provides that, this is not applicable to dealers whose sale proceeds are less than ten lakh rupees for a year. As per the above said provision, such Jewellery dealers are liable to pay cess on the buying and selling of Jewellery in the State.

2. Now, the Government have decided to amend the said Act by amending the said provision to the effect that, every jewellery dealer have to pay cess only on the sale of Jewellery and such cess shall be 0.1% on the sale of the jewellery.

3. Though a Bill to bring an act of the State Legislative Assembly on this subject was published as Bill No.172 of the Fourteenth Kerala Legislative Assembly, the same could not be introduced in, and passed by, the Legislative Assembly.

4. As the Legislative Assembly of the State of Kerala was not in session and as the above proposals had to be given effect to immediately, the Kerala Jewellery Workers' Welfare Fund (Amendment) Ordinance, 2019 (38 of 2019) was promulgated by the Governor of Kerala on the 20<sup>th</sup> day of August, 2019 and the same was published in the Kerala Gazette Extraordinary No.1898 dated 20<sup>th</sup> August, 2019.

5. The Bill seeks to replace Ordinance No. 38 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.

T. P. RAMAKRISHNAN.

