

MOTOR TRANSPORT WORKERS WELFARE FUND ACT 1985(AMENDMENT)

Government of Kerala 205 e. KERALA. GAZETTE. No. 25 SEP 1977. AUTHORITY Thiruvananthapuram. 12th August 1977. 21. 840. 50 No. . COVERNMENT OF KERALA Caw (Legislation Department) genrai tntormzuon. , The Bill 21st 1977. 2s puss<d by the Letaislarive Assembly received order of the Goyernor, Sécrétury. _ 2 'ACT 23 OF 1 HE KERALA MOTOR TRANSPORT WORKERS' WELFARE FUND ACT. zacs Act 'he Workm • it is expedient afuend tae Kerala Motor ' Welfare Fuhd 'Act, 1965. Tor the purpose; appearing; it enaced ili the Fifty.-sixth Year. of the Ry•pubiic of.%ldl?. z. C I) This• may ahe called d'e Kerala I. Short title and commencement: Motor Tracspca Workers' • Wel(are Fuad (Aff.endment) Act. 2005. (2) shall be ceme into force. cru the 7.th day o! . .-p_

2605. Amendmcht of •seciio! Z.—z-Ln the Kerala Moor Tran»or.l •Wcikg.s• Welf2re Fuhd e.cq 1985 of €985) refer- ted to as Act), in section (a) in•ctause (e) for- the. words ".ifl reiation to ahi•moter undertakin2, 'hé person." the words "in relation to any t•aOtoi tranSporg undertaking: the registered owner or thé persor." shall be substituted; (b) after clquse (i), (he following clause shall be inserted, nameiy.— means a af wet.... - pavable the fünd by the employe:, émtöyee and. self employed persc.Fb (c) • after clause (j), thZ following clause shall'be inse?red, siamely:— perscc" meaas•a employee engaged in the of a motor bi on such (d) clausé (k) shall. be .omiyed •t—Fü,- section 4 of lthe princ-•ya! Act, the • following ssn.-tiun Sha!} be s•übstituted, natne!y:— "4. khe Fund—a y The contribution F....able by the emplQice to the. fin; d sh.;;; bc such •quantum for each type of tr.ansport be »peci. •jcd in ihe Scheme. • •The • payable by ill' employer and .persun bc such as may speei.fi?d ia the Scheme. • 0). The quantum undc.- sub- sections (I) end (2) shalt be .i.xed taking iato.accvur.t aver#e number of for Operatii.g the atctor trans pote un&rtakinv., (4) •The;contributioti p2.#1Ele bv employer. • pet-son sh'ä!! subject to erne to Provided nothine in this' section shall apply ce a rao. •cr zransport undertaking to which. the provisions of Che Employees? F •:rtds and Misceltaneous ProvFkions *Ct. {952 (Central AccCi9 of 1952) er , -vtnen: c Act, 1972. (Ceuta} Act 39 of 1972) apply." • •4. • Subsuratioh of section 8.—Éor •section S of the Fir, -'ip I.e.: : •section be substituted. naÆely:— "-Q oynottnt due. H I) • The Chief dr any other officer qppointed under (I) of. in this behalf may, by order,' détennir,e :.the amount due cf this Act or of the . person -anä if •he amount due is noyeaid.on or before the .Gue he shz;; - •notice the- -dä\$äüter sho'ing amgunt qi arrears Any person by the of arears sub- dzr.'ileé facts aiid reviewal* ocioin.lt review c•etition' filed gnder sob-sectiog c way; {A) Any persor; aggrieved by art ord.er under seb-s•r:— • et•efer an Df#ai Ehe Distri&e La#ut Offiéer o? ibe eoi.-cerned d Ect dispysed of b} him a pe+iod or sixty days- fiorn the c the• amount in •dispuie.. exceeds' rupees oné any egrfcvéd by' an' GEder under Nib-iecticra (4) may p-of• Bdard and it - shall.be dispose4 ef wighin périidd of sixty c tvs tea: • . •.the:date pt its • •receipt.nw.-e.- 4 mi (6) Every or&r p'sed' under. sub-seciön (4) or subZsection (5). as the case.mây •be, shall' (7) • No ynder this'.•sectionh. shall: be-entertainéd •unlesS fifty per "cent- of the• omodni- •ibe• ordfr against which' the..appea) has been • ff the . appellate abthority in an appeal decides thht the aniouni- : öaid is in exce*. or "hat is .due. 'friril .the• appellant, it dVEct foe the •refiin.d of the éxcee• amödni...•, • . (5).s: 'An officer br•authority exercising the• power-of ap•péal u9der sub? sectipn (5) •pf scctiön 8 .of the;Ker.äla• Motor Transpori '.Vorkers.' w•eifare Fund Act, 1985, immediately béfogé .ihe• pf the Kerala Motor Transport, Wotkets' Fur,d (Amendment). Act, 2005. shall continué tp exe•rcise •such powers.. ih respect of the pending' before such _ offiéer.or au-thority.". Insertioh'of new •section 8A.—After section S of the •piincipa)• Aét, the followino •section s.hail be insert\$, . "SA. rec.cipt: . of ' rémiua-nc:•,' pj- n•e/fare anything contained in' anv o,ther taw (or the time being in farce, eyeo reoistered..owne.- or..persón havine pössesSicin or control of a inotor vehiélg- in. rfspect .in-ot•ör. transpor{ . undectakine liable KO pay contribution (other auiorickshaw s coveFed under the provisions of the. Kera!a Aui&rickshaw : Workers' Weifaie. Fünd Sch.etne•, 199 j) -Sly", -at the linte• oi making payment, of .the •tax,' under lthe Ker:ala Tä.xaüon :Act. i 976 C 19—ci.. • 1976). prâduce bet-oæ thé. Taxation. Ofücer•/he- re•ceipc of lthe• cchtribuüon 'iO the fund due Gptolthe öreceding monili.". 6. o!- section 9.—For• sees ion 9 secuc,n shah be subsiicuted, namely: of n:onthlv •contriötuior:. esery month as proi for in the Scheme. . concricütion snulJ become -:ih day of the succeedinu month.'•. föitö"ing section shall. be substituted,- namety:— ü.,

1720i:ey.Y due Jarom encrselß*izployed ger.S0'. — • pavabke on or before nottce . attythiR2 contained in • 011, ' o:ner for the . !i.mc being iA force. paying uny ornount dug •under this A c, . •.vherefore acc.rüed before the date .01'. (hc e ansa•r, . - 2 chg.-ge on 'the •vehiele• so transferred." _ o/ section seFtion' 12 of the Act, sectiör. shall be ipserted. 12 A. Registration •and oc selfi person shall, register himself witli •.the• Ecard . si.x months DC his. service in a •tiansport -n;g and obtain ide.ntitv card in sugl) as Ina.)' be pt 'r.rided in Provided tha•t every eneploy•ee ét• self-eniployed 'hes registered as a guernber OF chE-•Tgnd. as on Rhe darc 'Of .&ioior Transport Wettäce Fund a. wilh "Board •ps specified in Ehe Sc!'e.",•• ' 9 AmendmeK0J section section 15 -ot- the in for: •the .words ' •er,e thousa:. thousand' rupees" shtifl be substitu:ed: in sub-see.[iotl (2) the sectivn wÖrds•' "by notificatiut: its. the Ga.- i O. thé item shall be aameb.••— P U V 33 it Sor such payn!ent. 12. —41) _ Fend 200.5 (S of 5 (2) NUIWithst,1Qdinn .:t-l taxen• r Act as. by the said Ordinance. shall -r L.. enu.•cf taken ut.ider princip•.:! .1\ct a;neded by . has been Issued er.d<5 Süb-sec:ion of section 8, shall to:zethec with interest therebn (be .rate'ot• 9 Qnt per annur.l in the satfe tuannet as an arrear of public tevénue due on land.

