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PART III—Acts of the West Bengal Legislature

GOVERNMENT OF WEST BENGAL

LEGISLATIVE DEPARTMENT

NOTIFICATION

No. 1728-L.—19th June, 1980.—The following Act of the West Bengal Legislature, having been assented to by the Governor, is hereby published for general information:—

West Bengal Act XXIII of 1980

THE WEST BENGAL LABOUR WELFARE FUND
(AMENDMENT) ACT, 1980.

[Passed by the West Bengal Legislature.]

[Assent of the Governor was first published in the *Calcutta Gazette, Extraordinary*, of the 19th June, 1980.]

An Act to amend the West Bengal Labour Welfare Fund Act, 1974.

WHEREAS it is expedient to amend the West Bengal Labour Welfare Fund Act, 1974, for the purposes and in the manner hereinafter appearing:

West Ben.
Act
XXXVIII
of 1974.

It is hereby enacted in the Thirty-first Year of the Republic of India, by the Legislature of West Bengal, as follows:—

Short title. 1. This Act may be called the West Bengal Labour Welfare Fund (Amendment) Act, 1980.

Amend-
ment of
section 2 of
West Ben.
Act
XXXVIII
of 1974. 2. In section 2 of the West Bengal Labour Welfare Fund Act, 1974 (hereinafter referred to as the principal Act),—
(a) for clause (8), the following clause shall be substituted:—

“(8) “independent person” means a person who is not connected with the management of any establishment or who is not an employee, and includes the Welfare Commissioner or any officer of the State Government;”

(b) after clause (17), the following clause shall be inserted:—

“(17a) “regulations” means regulations made by the Board under this Act;”

The West Bengal Labour Welfare Fund (Amendment) Act, 1980.

(Sections 3—6.)

Amend-
ment of
section 3.

3. In section 3 of the principal Act, in sub-section (2), after clause (h), the following clause shall be inserted :—

“(hh) any sum paid by the Central Government or the State Government or any local authority for implementation of any scheme for the welfare of labour not employed in any establishment;”.

Amend-
ment of
section 4.

4. In section 4 of the principal Act,—

(a) for sub-section (1), the following sub-section shall be substituted :—

“(1) The State Government shall, by notification in the *Official Gazette*, constitute for the State of West Bengal a Board to be called the West Bengal Labour Welfare Board. The Board shall consist of—

- (a) the Minister-in-charge of the Labour Department, Government of West Bengal, who shall be the *ex officio* Chairman of the Board,
- (b) a Vice-Chairman to be nominated by the State Government,
- (c) the Secretary, Labour Department, Government of West Bengal, who shall be an *ex officio* member of the Board,
- (d) the Welfare Commissioner, who shall be an *ex officio* member of the Board,
- (e) six persons representing employers to be nominated by the State Government in consultation with the employers' associations,
- (f) six persons representing employees to be nominated by the State Government in consultation with the employees' associations, and
- (g) six independent persons, other than the persons referred to in clauses (c) and (d), of whom at least one shall be a woman, to be nominated by the State Government.”;

(b) for sub-section (2), the following sub-section shall be substituted :—

“(2) Save as otherwise expressly provided in this Act, the members of the Board referred to in clauses (e) and (f) of sub-section (1) shall hold office for a term of three years commencing on the date on which their names are notified in the *Official Gazette*;

Provided that notwithstanding the expiry of the term of office of any such member, he shall continue to hold office until the nomination of his successor is notified in the *Official Gazette*.”; and

(c) for sub-section (3), the following sub-section shall be substituted :—

“(3) The members of the Board referred to in clauses (b) and (g) of sub-section (1) shall hold office during the pleasure of the State Government.”.

Amend-
ment of
section 5.

5. In section 5 of the principal Act, in sub-section (1), for clause (a), the following clause shall be substituted :—

“(a) is a salaried official of the Board other than the Welfare Commissioner; or”.

Amend-
ment of
section 9.

6. In section 9 of the principal Act,—

(a) for sub-section (2), the following sub-section shall be substituted :—

“(2) For each employee whose name stands on the register of an establishment,—

- (a) the employers' contribution shall be one rupee, and
- (b) the employee's contribution shall be fifty paise, payable every six months ending on the thirtieth day of June and the thirty-first day of December.”;

(b) for sub-section (3), the following sub-section shall be substituted :—

“(3) Every employer shall pay to the Board both the employer's contribution and the employee's contribution before the 15th day of July and the 15th day of January of every year.”; and