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मध्यप्रदेश राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 58]

भोपाल, शुक्रवार, दिनांक 27 फरवरी 2026—फाल्गुन 8, शक 1947

विधि और विधायी कार्य विभाग

भोपाल, दिनांक 27 फरवरी 2026

क्र. 2245-33-इक्कीस-अ (प्रा.)- भारत के संविधान के अनुच्छेद 348 के खण्ड (3) के अनुसरण में, मध्यप्रदेश श्रम कल्याण निधि (संशोधन) विधेयक, 2026 (क्रमांक 3 सन् 2026) का अंग्रेजी अनुवाद राज्यपाल के प्राधिकार से एतद्द्वारा प्रकाशित किया जाता है.

मध्यप्रदेश के राज्यपाल के नाम से तथा आदेशानुसार,
आर. पी. गुप्ता, अतिरिक्त सचिव.

MADHYA PRADESH BILL

No. 3 OF 2026

THE MADHYA PRADESH SHRAM KALYAN NIDHI (SANSHODHAN)**VIDHEYAK, 2026****TABLE OF CONTENTS****Clauses:**

1. Short title and commencement.
2. Amendment of Section 2.
3. Amendment of Section 4.
4. Insertion of Section 9-A, 9-B, 9-C and 9-D.
5. Insertion of Section 11-A.
6. Amendment of Section 16.
7. Insertion of Section 30-A.
8. Amendment of Section 34.
9. Repeal and savings.

MADHYA PRADESH BILL

No. 3 OF 2026

THE MADHYA PRADESH SHRAM KALYAN NIDHI (SANSHODHAN)

VIDHEYAK, 2026

A Bill further to amend the Madhya Pradesh Shram Kalyan Nidhi Adhiniyam, 1982.

Be it enacted by the Madhya Pradesh Legislature in the Seventy-seventh year of the Republic of India, as follows:-

1. (1) This Act may be called the Madhya Pradesh Shram Kalyan Nidhi (Sanshodhan) Adhiniyam, 2026.

Short title and commencement.

(2) It shall come into force from the date of its publication in the Madhya Pradesh Gazette.

2. In Section 2 of the Madhya Pradesh Shram Kalyan Nidhi Adhiniyam, 1982 (No. 36 of 1983) (hereinafter referred to as the principal Act),-

Amendment of Section 2.

- (i) in clause (4), in the opening of the paragraph, after the word "Employer", the words "or occupier" shall be inserted;
- (ii) after clause (10), the following clauses shall be inserted, namely:-

"(10-a) "Slate pencil contribution" means the sum of money payable to the board in accordance with the provisions of Section 9-A;

(10-b) "Slate pencil factory" means a factory manufacturing slate pencil from shale stone;

(10-c) "Slate pencil fund" means the Madhya Pradesh Slate Pencil Workers Welfare Fund constituted under Section 3 of the Madhya Pradesh Slate Pencil Karmakar Kalyan Nidhi Adhiniyam, 1982 and transferred to this board under section 30-A of this Act;"

"(10-d) 'Slate pencil worker' means any person, who is employed for hire or reward to do any skilled, semi-skilled or unskilled, manual, clerical, supervisory or technical work in a Slate Pencil Factory, but does not include a person,-

(a) who is employed in a managerial or administrative capacity, or

(b) Who, being employed in a supervisory capacity, draws wages exceeding such amount per month, as may be determined and notified by the State Government or who, by the nature of the duties attached to his office or by reason of the powers vested in him, performs functions mainly of a managerial nature;"

Amendment of Section 4.**3. In Section 4 of the principal Act,-**

- (i) in sub-section (1), for the words "the Fund", wherever it occurs, the words "the Fund and Slate Pencil Fund" shall substituted;
- (ii) for opening paragraph of clause (b) of sub-section (3), the following paragraph shall be substituted, namely:-

"Such number, as may be prescribed, of representatives of employers and employees, to be nominated by the State Government, of whom one each may be an occupier and slate pencil worker from the slate pencil industry:".

Insertion of Section 9-A, 9-B, 9-C, and 9-D**4. After Section 9 of the principal Act, the following sections shall be Inserted, namely:-****State Pencil Contribution.**

"9-A. (1) With effect from such date, as the State Government may notify, every occupier shall pay contribution to the Board, at such rate, as the State Government may, from time to time, fix by notification.

(2) The amount of contribution payable under sub-section (1) shall be paid to the Board before the last day of each calendar month.

(3) Every occupier shall transport his manufactured slate pencil from the slate pencil factory after obtaining a no dues certificate to the effect, that the contribution payable under sub-section (1) has been paid to the Board.

(4) The amount of contribution paid to the Board under sub-section (2), shall form part of the Slate Pencil Fund and be applied as hereinafter provided.

Interest on unpaid contribution or premium.

9-B. (1) If an occupier does not pay to the Board any contribution or premium when due, the Welfare Commissioner of the Board may cause to be served a notice on the occupier to pay the amount within the period specified therein, which shall not be less than fifteen days from the date of the service of the notice.

(2) If the occupier fails, without sufficient cause, to pay the contribution or premium within the period specified in the notice, the amount together with simple interest at the rate of twelve percent per annum, shall be recoverable as arrears of land revenue.

Consequences of non-payment of contribution or premium.

9-C. Without prejudice to the generality of the provision of Section 9-B, if a consignment of slate pencils is transported from the slate pencil factory or any establishment thereof, without payment of contribution premium, the following consequences shall ensue,-

(a) the person appointed to collect the contribution or the Inspector may detain the consignment;

- (b) the person or the Inspector, as the case may be, shall on detention of the consignment prepare a list of items of consignment duly signed by him and furnish a copy thereof to the person in charge of the consignment at the time of its detention, along with a notice in the prescribed form to the effect, that the detained goods shall be sold by auction at such place, date and time as may be specified therein;
- (c) the person or Inspector shall also cause a copy of the aforesaid list and notice to be sent forthwith to the Welfare Commissioner of the Board;
- (d) if the amount due is not paid before the date fixed for auction, the Welfare Commissioner shall cause the consignment to be sold by public auction and the sale proceeds thereof shall be applied for the payment of amount due and other expenses incurred in connection with the detention and sale;
- (e) the surplus, if any, of the sale proceeds shall be paid in the manner specified, to concerned occupier from whose custody the goods were seized,

- 9-D.** (1) The Board shall prepare, in such form and at such time each year, as may be prescribed, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure and copy thereof shall be forwarded to the State Government.
- (2) The budget for Slate Pencil Fund and for Shram Kalyan Nidhi Shall be prepared and approved separately by the Board."

Budget.

5. After Section 11 of the principal Act, the following sections shall be Inserted, namely:-

Insertion of Section 11-A.

- "11-A.** (1) The Slate Pencil Fund shall vest in and be held and applied by the Board as a Trustee, subject to the provisions and for the purposes of the Act. The moneys therein shall be utilised by the Board to defray the cost of carrying out activities, which may be specified by the State Government, from time to time, to promote the welfare of the slate pencil workers and their dependents.
- (2) Without prejudice to the generality of sub-section (1), the moneys in the Fund may be utilised by the Board to defray expenditure on the following :-
- (a) grant-in-aid to the members of family of a worker, who died or may die on account of silicosis;
 - (b) medical treatment of a worker suffering from silicosis;
 - (c) community necessities of a worker and his dependents;
 - (d) educational facilities for members of family of a worker;

Vesting and application of Slate Pencil Fund.

- (e) establishment of primary health centers and dispensaries for slate pencil factory;
- (f) home industries and subsidiary occupations for women and unemployed persons dependent on slate pencil worker;
- (g) games, sports, entertainments, and other forms of recreation of the worker;
- (h) reading rooms and libraries for the worker;
- (i) payment of life insurance premium in respect of a worker;
- (j) cost of administering the Act, including allowances of the members of the Board, salaries and allowances of the staff appointed by the Board;
- (k) such other objects as would in the opinion of the Board improve the standard of living and ameliorate the social conditions of a worker:

Provided that the Fund shall not be utilised in financing any activity, which the occupier is required to carry out under any law, for the time being in force.

Explanation.- For the purposes of this sub-section, "members of the family" in the case of a slate pencil worker, means the spouse, son, un-married daughter, father, grand father, mother, grand mother, brother, un-married sister, widowed daughter, widowed sister, paternal uncle, paternal uncles wife or widow or brothers son or unmarried daughter, living jointly with or any other relation dependent on him.

- (3) Notwithstanding anything contained in sub-section (1), the State Government may, authorise the Board to utilize the fund for giving loan or advance to an occupier, where such loan or advance is for enabling the occupier to discharge the obligation imposed on him by or under any law, for the time being in force, for the safety and health of the slate pencil workers and members of their family.
- (4) If any question arises whether any particular expenditure is or is not debitable to the Fund, the matter shall be referred to the State Government, whose decision thereon shall be final and binding.

Explanation.- The slate pencil workers shall be eligible for benefit under the Shram Kalyan Fund also. The Shram Kalyan Mandal may provide benefits, schemes, provisions exclusively for slate pencil workers."

6. After sub-section (1) of Section 16 of the principal Act, the following sub-section shall be Inserted, namely:-

**Amendment
of Section 16.**

"(1-a) the Inspectors appointed under Madhya Pradesh Slate Pencil Karmkar Kalyan Nidhi, 1982 shall be construed as appointed under this Act, upon repeal of the said Act:

Provided that the posts transferred from the Madhya Pradesh Slate Pencil Workers' Welfare Board shall be treated separate from the posts under the Madhya Pradesh Shram Kalyan Mandal and all transferred posts from Madhya Pradesh Slate Pencil Workers' Welfare Board to Madhya Pradesh Shram Kalyan Mandal shall be treated as supernumerary."

7. After Section 30 of the principal Act, the following section shall be Inserted, namely:-

**Insertion of
Section 30-A.**

"**30-A.** The Madhya Pradesh Shram Kalyan Mandal shall be the legal successor of the Madhya Pradesh Slate Pencil Workers Welfare Board. All funds, schemes, contributions, posts, powers, assets (including land, buildings, vehicles, furniture and other movable and immovable assets), liabilities, sanctioned posts, existing staff, income sources, expenditure commitments and notified regulation of the Board under Madhya Pradesh Slate Pencil Workers Welfare Fund Act, 1982 shall stand transferred to the Madhya Pradesh Shram Kalyan Mandal constituted under this Act."

**Vesting of
funds and
discharge of
liabilities.**

8. In Section 34 of the principal Act, in sub-section (1), for the colon, full stop shall be substituted and the existing proviso thereof shall be deleted.

**Amendment
of Section 34.**

9. (1) The Madhya Pradesh Slate Pencil Karmkar Kalyan Nidhi Adhiniyam, 1982 (No. 13 of 1983) is hereby repealed.

**Repeal and
savings.**

(2) The repeal of this Act shall not affect anything duly done or suffered before the operation of the Act so repealed or any obligation or liability accrued or incurred under the Act so repealed or any legal proceedings or remedies taken in respect of any obligation or liability aforesaid and any such legal proceedings or remedies may be continue or continued in force. However, all pending proceedings in any Court of Law shall continue, as if the Act had not been repealed.

STATEMENT OF OBJECTS AND REASONS

The Madhya Pradesh Slate Pencil Workers Welfare Board was formed in the year, 1983 under the provisions of the Madhya Pradesh Slate Pencil Karmkar Kalyan Nidhi Adhiniyam, 1982 (No. 13 of 1983). In the last few years, there has been a significant reduction in the number of slate pencil manufacturing factories and the workers working in them. At present only 700 beneficiaries are registered in the Board and the administrative expenditure of the Board is continuously increasing, in such a situation it has been decided, that Madhya Pradesh Slate Pencil Workers Welfare Board and Madhya Pradesh Slate Pencil Karmkar Kalyan Nidhi Adhiniyam, 1982 shall be repealed and the relevant provisions thereof are inserted into a more comprehensive Madhya Pradesh Shram Kalyan Nidhi Adhiniyam, 1982 (No. 36 of 1983), to do the same, the previous benefits provided to the slate pencil workers have been kept in mind and they have been included in this amendment Bill, so that, the slate pencil workers will get all the benefits of the Madhya Pradesh Shram Kalyan Nidhi Adhiniyam, 1982 and also the benefits of the Madhya Pradesh Slate Pencil Karmkar Kalyan Nidhi Adhiniyam, 1982. In this amendment, the interests of slate pencil workers have been fully protected and the benefits available to them have been further expanded.

2. At present Madhya Pradesh Slate Pencil Workers Welfare Board is ineffective. Therefore, it has been decided to end it and in future all its activities shall be run by Madhya Pradesh Labour Welfare Board. For this, through this amendment Bill, the Madhya Pradesh Slate Pencil Karmkar Kalyan Nidhi Adhiniyam, 1982 is being repealed and the major provisions of this same is being brought to include in the Madhya Pradesh Shram Kalyan Nidhi Adhiniyam, 1982.

3. Hence this Bill.

BHOPAL:

PRAHLAD SINGH PATEL

DATED The 24th February 2026.

Member-in-charge.