

**Bill No. 72 of 2023**

THE WELFARE OF SHOPKEEPERS IN ANDAMAN AND  
NICOBAR ISLANDS BILL, 2023

By

SHRI KULDEEP RAI SHARMA, M.P.

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BILL

*to provide for the welfare of Shopkeepers in Andaman and Nicobar Islands and for setting up of Shopkeepers' Welfare Fund and a Board to administer the Fund and for matters connected therewith or incidental thereto.*

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Welfare of Shopkeepers in Andaman and Nicobar Islands Act, 2023.

Short title,  
extent and  
commencement.

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(2) It extends to the Union Territory of Andaman and Nicobar Islands only.

(3) It shall come into force at once.

Definitions.

2. In this Act, unless the context otherwise requires,—

(a) "Board" means the Shopkeepers Welfare Board established under section 4;

(b) "Fund" means Shopkeepers Welfare Fund set up under section 3;

(c) "prescribed" means prescribed by rules made under the Act; and

(d) "shopkeeper " means any person who is engaged in sale of goods either retail or wholesale or where services are rendered to customers and includes an office, a store-room, godown, warehouse or workhouse or workplace.

Shopkeepers  
Welfare Fund.

3. (1) **The Central Government shall by notification in the Official Gazette set up a Fund to be known as the Shopkeepers Welfare Fund for carrying out the purposes of this Act.**

(2) **The Fund shall consist of contributions from Central Government and the Administration of Andaman and Nicobar Islands in such ratio as may be prescribed.**

Establishment  
of Shopkeepers  
Welfare Board.

4. (1) **The Central Government shall, by notification in the Official Gazette, establish a Board to be called the Shopkeepers Welfare Board.**

(2) **The Board shall consist of,—**

(a) **a Chairperson to be appointed by the Central Government in such manner as may be prescribed;**

(b) **Member of Parliament representing Andaman and Nicobar Islands in the House of the People—Vice-Chairperson;**

(c) **one representative from the Administration of Andaman and Nicobar Islands to be appointed by the Central Government in such manner as may be prescribed; and**

(d) **two representatives from Retailers Association of India to be appointed by the Central Government in such manner as may be prescribed.**

(3) The salary and allowances payable to, and other terms and conditions of the service of Chairperson, Vice-Chairperson and other members of the Board shall be such as may be prescribed.

Utilisation of  
Fund.

5. (1) **The Board shall administer the Fund determine the purposes for which the Fund shall be utilized.**

(2) **Notwithstanding anything in sub-section (1), the Fund shall be utilized for the following purposes:—**

(i) **payment of old-age pension at the rate of rupees twenty thousand per month after the shopkeeper has attained the age of sixty years and is incapable of performing his job on account of physical illness, infirmity or incapacity;**

(ii) **free healthcare facilities for the shopkeepers and their dependent family members at the Government and other designated hospitals;**

(iii) **free insurance cover to shopkeepers; and**

(iv) **free housing facilities for shopkeepers.**

Central  
Government to  
provide Funds.

6. **The Central Government shall after due appropriation made by Parliament by Law in this behalf, provide adequate funds to the Board for the effective implementation of the provisions of the Act.**

7. The provisions of this Act shall be in addition to and not in derogation of any other law providing for matters dealt with in this Act.

Act not in  
derogation of  
any other law in  
force.

8. (1) The Central Government may, by notification in the Official Gazette, make rules for carrying out the purposes of the Act.

Power to make  
rules.

5 (2) Every rule made under this section shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both the  
10 Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

## STATEMENT OF OBJECTS AND REASONS

According to International Labour Organisation, "Social security is the protection that a society provides to individuals and households to ensure access to health care and to guarantee income security, particularly in cases of old age, unemployment, sickness, invalidity, work injury, maternity or loss of a breadwinner". It is a right which is generally guaranteed by some act or legislation to people for their economic and social security in the time of sickness, disability or old age.

The recent occurrence of coronavirus pandemic has brought the issue of social security in India at the forefront. Large scale movement of migrant workers from the various cities of India was a great lesson for all the stakeholders. It made people realise the need for social security for all the members in the society and thus, there needs to be a great deal of discussion on this issue at all the levels. It helps the recipients to ensure their rights to family protection and assistance, an adequate standard of living and adequate access to healthcare. Social security acts as an umbrella for people during adverse situations. Social welfare is not possible without social security. It acts as a buffer against all odds in the time of need. It helps in lifting millions of people out of poverty and thus, raises people's standard of living.

This bill can be considered as one of the step in the direction of dealing with provision of social security net for shopkeepers in the Andaman and Nicobar Islands by providing:

- (i) payment of old-age pension at the rate of rupees twenty thousand per month after the shopkeeper has attained the age of sixty years and is incapable of performing his job on account of physical illness, infirmity or incapacity;
- (ii) free healthcare facilities for the shopkeepers and their dependent family members at the designated Government and other hospitals;
- (iii) free insurance cover to shopkeepers; and
- (iv) free housing facilities for shopkeepers.

The Bill also seeks to provide for the establishment of a welfare fund for shopkeepers in the Andaman and Nicobar Islands with a sense of security in times of need.

Hence this Bill.

NEW DELHI;

KULDEEP RAI SHARMA

*February 28, 2023.*

## FINANCIAL MEMORANDUM

Clause 3 of the Bill provides for setting up of a Shopkeepers' Welfare Fund for welfare for shopkeepers in Andaman and Nicobar Islands. Clause 4 provides for constitution of a Board for administration of the Shopkeepers Welfare Fund. It also provides for appointment of Chairperson and other member to the Board. Clause 6 provides that the Central Government shall provide adequate Funds to the Board for effective implementation of the provisions of the Bill. The Bill, therefore, if enacted, will involve expenditure from the Consolidated Fund of India. It is estimated that a sum of one hundred crore rupees is likely to be involved out of the Consolidated Fund of India per annum.

A non-recurring expenditure of one hundred crore rupees is also likely to be involved.

## MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill empowers the Central Government to make rules for carrying out the purposes of the Bill. Since the rules will relate to matters of detail only, the delegation of legislative power is of a normal character.

LOK SABHA

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