

# **The Goa Labour Welfare Fund (Amendment) Bill, 2022**

**(Bill No. 25 of 2022)**

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**BILL**

further to amend the Goa Labour Welfare Fund Act, 1986 (Act No.4 of 1987).

BE it enacted by the Legislative Assembly of Goa in the Seventy-third Year of the Republic of India as follows:-

**1. Short title and commencement.** — (1) This Act may be called the Goa Labour Welfare Fund (Amendment) Act, 2022.

(2) It shall come into force at once.

**2. Insertion of new section 29A.**— After section 29 of the Goa Labour Welfare Fund Act, 1986 (Goa Act 4 of 1987), the following section shall be inserted, namely:—

**“29A. Compounding of Offences.** — (1) Any offence punishable under this Act, not being an offence punishable with imprisonment only, or with imprisonment and also with fine, may, on an application of the accused person, either before or after the institution of any prosecution, be compounded by such Officer, as the Government may, by notification in the Official Gazette, specify, for a sum equivalent to seventy-five percent of the maximum fine provided for such offence, in such manner as prescribed.

(2) Nothing contained in sub-section (1) shall apply to an offence committed by a person for the second time or thereafter within a period of five years from the date,—

(a) of commission of a similar offence which was earlier compounded;

(b) of commission of a similar offence for which such person was earlier convicted.

(3) Every officer referred to in sub-section (1) shall exercise the powers to compound an offence, subject to the direction, control and supervision of the Government.

(4) Every application for the compounding of an offence shall be made in such form and in such manner as may be prescribed.

(5) Where any offence is compounded before the institution of any prosecution, no prosecution shall be instituted in relation to such offence, against the offender in relation to whom the offence is so compounded.

(6) Where the composition of any offence is made after the institution of any prosecution, such composition shall be brought by the officer referred to in sub-section (1) in writing to the notice of the court in which the prosecution is pending and on such notice of the composition of the offence being given, the person against whom the offence is so compounded shall be discharged.

(7) Any person who fails to comply with an order made by the officer referred to in sub-section (1), shall be liable to pay a sum equivalent to twenty percent of the maximum fine provided for the offence, in addition to such fine.

(8) No offence punishable under the provisions of this Act shall be compounded except under and in accordance with the provisions of this section.”.

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