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EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃস্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT : LEGISLATIVE BRANCH

NOTIFICATION

The 19th January 1989

No. LGL.106/85/Pt. II/24.—The following Act of the Assam Legislative Assembly which received the assent of the President/Governor is hereby published for general information.

ASSAM ACT No. I OF 1989

(Received the assent of the President on 6th January, 1989)

THE ASSAM TEA PLANTATIONS PROVIDENT FUND
(AND PENSION FUND) (AND DEPOSIT LINKED
INSURANCE FUND) SCHEME (AMENDMENT)
ACT, 1985

An

Act

further to amend the Assam Tea Plantations Provident Fund
(and Pension Fund) (and Deposit Linked Insurance
Fund) Scheme Act, 1955 (Assam Act X of 1955).

Preamble. Whereas it is expedient further to amend the Assam
Tea Plantations Provident Fund (and Pension Fund) (and
Deposit Linked Insurance Fund) Scheme Act, 1955 (Assam
Act X of 1955) hereinafter called the principal Act in the
manner hereinafter appearing ;

Short title, extent and commencement. It is hereby enacted in the Fortieth Year of the
Republic of India as follows:—

1. (1) This Act may be called the Assam Tea Plantations
Provident Fund (and Pension Fund) (and Deposit Linked
Insurance Fund) Scheme (Amendment) Act, 1985

(2) It shall have the like extent as the principal Act.

(3) It shall come into force at once.

Amendment of Section 2. 2. (1) In the principal Act, in Section 2, in the proviso
below Explanation of item (d).

(a) In the principal Act, in Section 2, the word 'six'
occurring in between the words 'exceeding' and 'months' in
the 'Explanation' below item "(d)" shall be substituted by
the word 'three' and the existing items '(a)' and '(b)' to
sub-clause (1) of Clause 2 shall be renumbered as items
(b) and (c).

(b) In line one, for the word "six" occurring between the words "of" and "months", the word "three" shall be substituted, and

(c) In line second, for the words 'two-third of the period' occurring between the words "than" and "the" the words "sixty days" shall be substituted.

(d) After item (c) to Clause (1), following shall be inserted as item (d) to Clause (1) of Section 2 of the principal Act :

"(d)" In the proviso below the Explanation, the words 'six' occurring in line four between the words "completed" and "months" shall be substituted by the word "three".

(2) In the principal Act, in Section 2, in clause (f), for sub-clauses (i) and (ii), the following shall be substituted, namely :—

"(i) With an area of not less than 10 hectares under tea where twenty or more employees are employed or were employed on any day of the twelve months preceding the enforcement of the scheme and where the crop basis under the Tea Act of 1953 (Act XXIX of 1953) is more than 511 kg. per hectare or green leaf of more than 2044kg. per hectare as the case may be; or

(ii) With an area of not less than 20 hectares under tea where twenty or more employees are employed or were employed on any day preceding twelve months of the enforcement of the Scheme".

(3) In the principal Act, in Section 2, after sub-section (2) the following shall be inserted as "sub-section (3)", namely—

"(3) 'Interest' means the amount payable at the rate of 15 per cent per annum by the Employer over the combined dues of Employees and Employer's shares of contribution following default in depositing within 30 (thirty) days of its collection".

Amendment of section 3. 3. In the principal Act, in Section 3, in sub-section (3), for the words "eight per cent" between the words "Provident Fund shall be" and "of the total wages", the words "ten per cent" shall be substituted.

Amendment of Section 7. 4. In the principal Act, in Section 7, the proviso below sub-clause (b) of sub-section (2) shall be deleted.

Amendment of Section 11. 5. In the principal Act, after Section 11, the following shall be inserted as Section 11 A, namely:—

"11(A)—If the employer fails to deposit the employer's contribution together with the employees' share of contribution within 30 (thirty) days of its collection, the employer shall be liable to pay interest at the rate of 15 per cent per annum on the arrear till it is deposited".

Amendment of the Schedule. 6. In the principal Act, in the Schedule,—

(1) in paras 1(a), 1(b) and 8, for the word "Labourers", the word "workers" shall be substituted; and—

(2) in para 2, for the words "servants" and "regional offices and other offices", the words "other staff" and "its offices" shall be substituted respectively.

A. RAHMAN,
Secretary to the Govt. of Assam,
Legislative Department.