

ASSAM ACT NO. IX OF 1984
(Received the assent of the President on 7th April, 1984)

THE ASSAM TEA PLANTATIONS PROVIDENT
FUND (AND PENSION FUND) SCHEME
(AMENDMENT) ACT, 1984.

An

Act

further to amend the Assam Tea Plantations Provident Fund (and Pension 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) Scheme Act, 1955 hereinafter called the principal Act in the manner hereinafter appearing;

It is hereby enacted in the Thirty-fifth Year of the Republic of India as follows:—

Short title, extent and commencement. 1. This Act may be called the Assam Tea Plantations Provident Fund (And Pension Fund) Scheme (Amendment) Act, 1984.

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

(3) It shall be deemed to have come into force from 4th day of January, 1984.

Amendment of preamble of the Assam Act X of 1955. 2. In the principal Act, in the preamble, between the words "and Pension Fund" and "Scheme" the words "and Deposit Linked Insurance Fund" shall be inserted.

Amendment of section 1 of the Assam Act X of 1955. 3. In the principal Act, in section 1, in subsection (1), between the words "and Pension Fund" and "Scheme" the words "and Insurance Fund" shall be inserted.

Amendment of section 2 of the Assam Act X of 1955. 4. In the principal Act, in section 2,—

(i) in clause (a), the words "or the Insurance Fund" shall be inserted after the words "Provident Fund" wherever it occurs;

- (ii) in clause (c), the words "or the Insurance Fund" shall be inserted after the words "Pension Fund";
- (iii) in clause (d), for the figures and words "Rs.1000/—Rupees one thousand" occurring between the words "exceed" and "per mensem" the figures and words "Rs.1600/— Rupees one thousand six hundred" shall be substituted;
- (iv) in clause (e), the words "or the Insurance Fund" shall be inserted after the words "Pension Fund";
- (V) in clause (g), between the words "Pension Fund" and "Scheme", the words "or the Insurance Fund" shall be inserted.

Amendment
of section 3
of the Assam
Act X of
1955.

5. In the principal Act, in section 3,—

- (i) in the heading, after the word "Provident", the words "Pension and Insurance" preceded by a comma (,) shall be inserted;
- (ii) in sub-section (1), after the words "and Pension Fund" occurring in the third line the words "and Insurance Fund" shall be inserted, and after the words "and Pension Fund" occurring in the fourth line, the words "and the Insurance Fund for providing Life Assurance Coverage" shall be inserted;
- (iii) After sub-section (3), the following shall be inserted as sub-section (4), namely:—

"4. (a) Every employer shall, from time to time pay into the Insurance Fund in respect of every employee in relation to whom he is the employer, such amount not being more than one percent of the wages as defined under sub-section (h) of section 2 of the Act for the time being payable as the State Government may, by notification in the Official Gazette, specify.

(b) The Central Government may contribute to the Insurance Fund, in relation to each employee covered by the Scheme, an amount representing one-half of the contribution which an employer is required by clause (a) to make.

(c) The employer shall pay into the Insurance Fund such further sum of money, not exceeding one-fourth of the contribution which he is required to make under clause (a) as the Board may, with due approval of the Government from time to time, determine to meet all the expenses in connection with the administration of the Insurance Scheme.

(d) The Central Government may pay into the Insurance Fund such further sum of money representing one-half of the sum payable by the employer under clause (c) to meet all the expenses in connection with the administration of Insurance Scheme.

(e) The Insurance Fund shall vest in the Board of Trustees and shall be administered by it in such manner as may be specified in the Scheme.

(f) The Insurance Scheme may provide that any of its provisions shall take effect either prospectively or retrospectively on such date as may be specified in this behalf in that Scheme".

Amendment of section 5 of the Assam Act X of 1955. 6. In the principal Act, in section 5, after the words "amend or vary" the words "either prospectively or retrospectively" shall be inserted.

Amendment of section 6 of the Assam Act X of 1955. 7. In the principal Act, in section 6,—
(i) in sub-section (I), after the words "Provident Fund" and the words "or Pension Fund or Insurance Fund" shall be inserted:

(ii) in sub-section (2), after the words "Provident Fund" the words "or Pension Fund or Insurance Fund" shall be inserted;

(iii) in the proviso to sub-section (2), after the words "Provident Fund" the words "or Pension Fund or Insurance Fund" shall be inserted.

Amendment of section 7 of the Assam Act X of 1955. 8. In the principal Act, in Section 7,—

(i) in sub-section (IA), the word "Scheme" occurring between the words "the" and "in" shall be substituted by the word "Act";

(ii) in sub-section (2), the proviso shall be deleted.

Amendment of section 7A of the Assam Act X of 1955. 9. In the principal Act, in section 7A,—

(a) for the comma "," occurring between the words "Act" and "the", the word "or" shall be substituted.

Amendment of section 13 of the Assam Act X of 1955. 10. In the principal Act, in Section 13,— the words "or any other person" shall be deleted.

Amendment of section 16A of the Assam Act X of 1955. 11. In the principal Act, in section 16A, in sub-section (I), for the words "Fund or the Pension Fund" the words "the Provident Fund, Pension Fund or Insurance Fund" shall be substituted.

Amendment of Schedule. 12. In the principal Act, in the schedule,—

(i) the sub-para (a) of para I shall be substituted by the following, namely.—

"(a) the constitution of a Board of Trustees with 7 nominees of State Government of whom one shall be the Chairman and one shall be the Vice-Chairman and one shall be the Member—Secretary, four representatives of the employers and four representatives of the employees;"

(ii) after para 9A, a new para 9B, shall be inserted, namely:—

“9B (i) the employees or class of employees who shall be covered by the Insurance Scheme;

(iii) The manner of investment of money belonging to the Insurance Fund;

(iv) The scales of assurance amount which shall not be less than the balance in the account of the employees concerned in the Provident Fund or more than rupees ten thousand;

(v) The minimum balance to be maintained by an employee in the Provident Fund to make him eligible for the benefits under Insurance Scheme;

(vi) The manner in which the amount due to the nominee of the member of the family of the employee under the Insurance Scheme is to be paid.”

Repeal and Savings.

13. (1) The Assam Tea Plantations Provident Fund (and Pension Fund) Scheme (Amendment) Ordinance, 1983, is hereby repealed.

Ordinance
No. 1 of
1984.

(2) Notwithstanding such repeal, any order passed, notification issued, anything done or any action taken under the principal Act, as amended by the Assam Tea Plantations Provident Fund (and Pension Fund) Scheme (Amendment) Ordinance, 1983, shall be deemed to have been passed, issued, done or taken under the corresponding provisions of the principal Act as amended by this Act.

MD. SAADULLAH,
Secretary to the Govt. of Assam,
Legislative Department.