

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

Registered No. A-12 The Assam Gazette EXTRAORDINARY PUBLISHED BY AUTHORITY 21 1989, I xrtq, 1910 Dispur/ Saturday, 21st January, 089, 1st Magha, 1910 (S. E) GOVERNMENT OF ASSAM " ORDERS BY, THE GOVERNOR LEGISLATIVE DEPARTMENT : LEGISLATIVE BRANCH NOTIFICATION 19th January 1989 NMLGL.10G/85Pt, If/24—The following Act of the Assam 3-3 Legislative Assembly which received the assent of the President/ is published for general information, 56 THE ASSAM GAZETTE EXTRAORDINARY, JAN. 21, 1989 ASSAM ACT No. 1 OF 1989 (Received the assent of the President on 6th January, 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). Whereas it is expedient further to amend the Assam Preamble. Short title, extent and commencement. 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, 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. 2. (1) In the principal Act, in Section 2, in the Amendment of Section 2. below Explanation of item (d). (a) In the principal Act, in Section 2, the word 'existing' occurring in between the words 'exceeding' and in the Explanation' below item "(d)" shall be substituted by the word 'three' and the existing items R(a)' and to sub-clause (1) of Clause 2 shall be 'renumbered as items (b) and (c). THE ASSAM GAZETTE, EXTRAORDINARY, JAN. 21, 1989 57 (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 : 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". 58 THE ASSAM GAZETTE, EXTRAORDINARY, JAN. 21, 1989 Amendment of section 3. Amendment of Section. 7., Amendment of section 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 wage", the words "ten per cent" shall be substituted

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

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

6. In the principal Act, in the Schedule,—Amendment (1) in paras 1(a), 1(b) and 8; for the word "labourers", of the Schedule. the word "workers" shall be substituted; and— (2) in para 2, for the words "employees" offices and other offices, the word "offices" shall be substituted respectively. and "regional staff" and teits A. RAEMAN, Secretary to the Govt. of Assam, Legislative

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