

The Plantations Labour (Assam Amendment) Bill, 2017**A****BILL**

further to amend the Plantations Labour Act, 1951, in its application to the State of Assam.

Preamble

Whereas it is expedient further to amend the Plantations Labour Act, 1951, hereinafter referred to as the principal Act, in its application to the State of Assam, in the manner hereinafter appearing ;

Act
No.69
of 1951

It is hereby enacted in the Sixty-eighth Year of the Republic of India as follows :-

Short title,
extent and
commencement.

1. (1) This Act may be called the Plantation Labour (Assam Amendment) Act, 2017.
- (2) It extends to the whole of the State of Assam.
- (3) It shall come into force at once.

Amendment of
Section 14.

2. In the principal Act, for existing section 14, the following shall be substituted, namely :-

“14. Educational Facilities. - Where the children between the ages of six and fourteen of workers employed in any plantation exceed twenty five in number, the State Government may make rules requiring every employer to provide educational facilities for the children in such manner and of such standard as may be prescribed.”

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Statement of Objects & Reasons.

The Government of Assam is deeply committed to bring necessary improvement in the lives of lakhs of tea garden workers and their families in order to ensure that they are able to access their rights and entitlements as citizens' of the Country and are able to address social and economic exclusion which they have been facing so long.

As per decision taken in the meeting of the State Level Advisory Board on Education for Children of Plantation Workers held on 29-11-2016, amendment of the provision under Section 14 of the Plantation Labour Act, 1951 has been proposed.

Hence proposed amendment.

Minister of State (Independent Charge)
Labour and Welfare, Assam.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly,
Dispur.

FINANCIAL MEMORANDUM

There is no financial involvement in the proposed bill

MEMORANDUM OF DELEGATED LEGISLATION

The is no delegation of legislative powers to the executive in the proposed bill.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.

**Extract of the existing provisions of section 1, section- 2, section 3 and section 14 of the
Plantation Labour Act, 1951.**

- Section 1. (1) This Act may be called the Plantations Labour Act, 1951.
- Section 2 (2) It extends to the whole of the State of Assam.
- Section 3 (3) It shall come into force on such date' as the Central Government may, by notification in the Official Gazette, appoint.
- Definition 2. In this Act, unless the context otherwise requires,-
- (a) "adolescent" means a person who was completed his [fourteenth] year but has not completed his eighteenth year;
- (b) "adult" means a person who has completed his eighteenth year;
- (c) "child" means a person who has not completed his [fourteenth] year;
- (d) "day" means a period of twenty-four hours beginning at midnight;
- (e) "employer", when used in relation to a plantation, means the person who has the ultimate control over the affairs of the plantations, and where the affairs of any plantation are entrusted to any other person (whether called a managing agent, manager, superintendent or by any other name) such other person shall be deemed to be the employer in relations to that plantation;
- Explanation 3 For the purpose of this clause, "the person who has the ultimate control over the affairs of the plantation" means in the case of a plantation owned or controlled by-
- (i) a company, firm or other association of individuals, whether incorporated or not, every director, partner or individual;
- (ii) the Central Government or State Government or any local authority. the person or persons appointed to manage the affairs of the plantation; and
- (iii) a lessee, the lessee;
- Section 14 **Educational facilities** - Where the children between the ages of six and twelve of workers employed in any plantation exceed twenty-five in number, the State Government may make rules requiring every employer to provide educational facilities for the children in such manner and of such standard as may prescribed.

M. K. DEKA,
Principal Secretary,
Assam Legislative Assembly.