



THE ASSAM GAZETTE

অসাধাৰণ

EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM
ORDERS BY THE GOVERNOR
ASSAM LEGISLATIVE ASSEMBLY SECRETARIAT

NOTIFICATION

The 18th February, 2019

No. LLE09/2019/22.- The following Bill introduced before the House on 18th February, 2019 together with the Statement of Objects and Reasons are to be published under Rule 71 of the Rules of Procedure and Conduct of Business in Assam Legislative Assembly for General information.

**THE ASSAM TEA PLANTATIONS PROVIDENT FUND AND
PENSION FUND AND DEPOSIT LINKED INSURANCE
FUND SCHEME (AMENDMENT) BILL, 2019**

**A
BILL**

Further to amend the Assam Tea Plantations Provident Fund
and Pension Fund and Deposit Linked Insurance Fund Scheme
Act, 1955

Preamble	<p style="text-align: center;">Whereas it is expedient further to amend the Assam Tea Plantations Provident Fund and Pension Fund and Deposit Linked Insurance Fund Scheme Act, 1955 hereinafter referred to as the principal Act, in the manner hereinafter appearing ;</p> <p style="text-align: center;">It is hereby enacted in the Seventieth Year of the Republic of India as follows :-</p>	<p style="text-align: right;">Assam Act X of 1955</p>
Short title, extent and commencement	<p>1. (1) This Act may be called the Assam Tea Plantations Provident Fund and Pension Fund and Deposit Linked Insurance Fund Scheme (Amendment) Act, 2019</p> <p>(2) It shall have the like extent as the principal Act.</p> <p>(3) It shall come into force at once.</p>	
Amendment of Section 3	<p>2. In the principal Act, in section 3, in sub-section (1), in between the words "Life Assurance coverage" and "for The", the words "and health care assurance to the extent and in the manner as may be specified in the Scheme" shall be inserted.</p>	
Amendment of the Schedule	<p>3. In the principal Act, in the Schedule, in para 9B,-</p>	

- (a) in sub-para (iii), for the words “forty thousand” appearing after the words “more than rupees”, the words “one lakh” shall be substituted.
- (b) in sub-para (v), for the punctuation mark “,” appearing at the end, the punctuation mark “,” shall be substituted, and thereafter the following new sub-paras shall be inserted, namely :-
- “(vi) The health care assurance benefit to be provided by the hospitals established under the Scheme to the extent as may be determined by the Board of Trustees under sub-para (viii) of this paragraph, which shall be in addition to any other benefits as admissible to them under the existing Health Care Schemes of the State and the Central Governments, respectively;
- (vii) The determination of the cost of administration and maintenance of such hospitals in consultation with the Government of Assam which shall be borne by the State Government;
- (viii) The limit of health care assurance to be claimed by an employee under sub-para (vi) which shall be within the limit as determined under this sub-paragraph by the Board of Trustees constituted under para 1(a) of the Schedule to this Act, with the approval of the Government of Assam;
- (ix) The manner in which the requirement of land for construction of hospitals to be established under the Scheme is to be submitted to the Government of Assam, which the State Government is to provide subject to availability of Government land.”

Statement of Objects and Reasons:

- 1) The existing provisions of the Act and Scheme stipulates in the matter of the scale of assurance benefit payable on the death of an employee who is a contributor of the Fund, that the person entitled to receive the provident fund accumulation of the deceased shall, in addition to such accumulation be paid on amount equal to the balance of the deceased in the fund not exceeding rupees forty thousand, provided that the balance in the account of the deceased employee is not below the sum of rupees one thousand.

Over the last few years the pay structure of the workers has considerably been increased. Accordingly, average PF balance of each of each member has been increased due to increased of PF Contribution amount. The Deposit Linked Insurance (DLI) Fund position is also considered satisfactory.

As such, it is considered desirable to enhance the assurance benefit payable to the tea workers of Assam to Rupees One Lakh.

2. It is a fact that all tea gardens do not have hospitals to take care of patients of the respective tea gardens. Workers have been deprived of proper medical care for long and organized medical support for tea workers has become a need of the day.

Medical support to the workers/employees is a matter of social security. Since the Board of Trustees have been looting after some aspects of the social security of the tea garden workers/ employees, it has been decided to provide medical benefit as additional benefit under DLI Scheme out of the available surplus fund DLI Scheme to all PF members.

Hence the proposed amendment.

PALLAB LOCHAN DAS,
Minister,
Labour Welfare.

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

Financial Memorandums

There is no financial implication on the part of the Assam State Government Exchequer:

- a) **The cost of administration of Provident Fund Scheme is met from a separate “Administration Cost Fund” contribution by the employers of the tea plantations covered under the Scheme at the fixed percentage rates on gross Provident Fund Collection.**
- b) **The Cost of administration of the Pension-cum-Family Pension Scheme is met wholly by the Govt. of India.**
- c) **The cost of administration of the Deposit Linked Insurance Fund Scheme are met by the employers of the tea plantations covered and the Govt. of India at the rate of 0.1% and 0.05% respectively of the wages of the members.**

Statement of Delegated Legislation

It is not proposed to delegate any legislative powers either to the Government or to any other Authority subordinate to it.

**Extract of the Existing provisions of the Assam Tea Plantations
Provident Fund and Pension Fund and Deposit Linked Insurance
Fund Scheme Act, 1955**

Section	Existing provision
Section 3 (I) of the ATPPF &PF&DLI Fund Scheme Act, 1955:-	Compulsory Provident Fund, (1) Pension and Insurance) Scheme : (1) The State Govt. may by notification in the Official Gazette, frame a Scheme to be called the Assam Tea Plantation Provident Fund (3)(and Pension Fund) (9)(and Insurance Fund) Scheme for the establishment of Provident Fund (4)(and Pension Fund) (10)(and Insurance Fund for providing Life Assurance Coverage) for the (5)(.....) (6)(employees) (7)(.....) employed in plantations and specify the plantations to which the same shall apply.
Para B (iii) of the Schedule of the ATPPF&PF&DLI Fund Scheme Act, 1955	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 (13)forty thousand.

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