

Tripura Plantations Labour Rules, 1954

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GOVERNMENT OF TRIPURA
DEPARTMENT OF LABOUR

No. F. 2(21)/LAB/55.

Agartala, the 26th July, 1955.

NOTIFICATION

In exercise of the powers conferred by section 43 of the Plantations Labour Act, 1951 (LXIX of 1951) read with Notification No. F. 3(1)—Judl. II/55, dated the 28th February, 1955 issued by the Government of India in the Ministry of Home Affairs the Chief Commissioner, Tripura is pleased to make the following rules the same having been previously published as required by Sub-section (1) of section 43 of the said Act.

HIRALAL ATAL
Major-General,
Chief Commissioner, Tripura.

TRIPURA PLANTATIONS LABOUR RULES, 1954.

CHAPTER I.

Preliminary

1. SHORT TITLE, EXTENT AND COMMENCEMENT.—(1) These Rules may be cited as the Tripura Plantations Labour Rules, 1954.

(2) These Rules shall extend to the whole of the State of Tripura.

(3) These Rules, except Rules 13 to 20 and 30 to 43 shall come into force at once. Rules 13 to 20 and 30 to 43 shall come into force in respect of any plantation or group of plantations on such date or dates as the State Government may, by notification in the Official Gazette, appoint.

2. DEFINITIONS.—In these Rules unless there is anything repugnant in the subject or context :—

- (a) "Act" means the Plantations Labour Act, 1951
- (b) "Form" means a form appended to these Rules.
- (c) "Health Officer" means the Municipal Health Officer or such other official as may be appointed by the State Government in that behalf.
- (d) "Inspector" means an officer appointed under Section 4 of the Act and includes "Chief Inspector".
- (e) "Maintained" means maintained in an efficient state, in efficient working order and in good repair.
- (f) "Public Health Authority" means the local Health Officer having jurisdiction over the area.
- (g) "Section" means a section of the Act.
- (h) All other words and expressions used herein and not defined shall have the meaning respectively assigned to them under the Act.

CHAPTER II.

The Inspecting Staff

3. POWERS AND FUNCTIONS OF INSPECTORS.—An Inspector shall, for the purpose of giving effect to the provisions of the Act, have power to do all or any of the following things, that is to say—

(i) to photograph any non-adult worker ; to inspect, examine, measure, copy, photograph, sketch or test, as the case may be, any house, building or room, register or document maintained under the Act or anything provided for the purpose of securing the health or welfare of the workers employed in a plantation ;

(ii) to prosecute, conduct or defend before a Court any complaint or other proceeding arising under the Act.

(iii) to require an employer to supply or send any return or information relating to the provisions of the Act ;

(iv) to satisfy himself at each inspection that

- (a) the provisions of the Act and the rules regarding the health and welfare of workers employed in the plantation are observed ;

- (b) the adolescents and children employed in the plantation have been granted certificates of fitness and that no adolescent or child is employed who is obviously unfit ;
- (c) the prescribed registers are properly maintained ;
- (d) the periods of rest and holidays provided by the Act are granted and that the limits of hours of work laid down therein are not exceeded ;
- (e) the notice of period of work required under section 23 of the Act is duly affixed ;
- (f) leave with wages and sickness and maternity benefits are granted in accordance with the provisions of the Act and the Rules ;
- (v) to note how far the defects pointed out at previous inspections have been removed and how far orders previously issued have been complied with ; and
- (vi) to point out all such defects or irregularities as he may have observed and to give orders for their removal and to record and furnish to the employer a summary of the defects or irregularities and of his orders.

4. Every order passed under the Act and the rules shall be served on the employer

- (a) by delivering a copy of it to him personally or at his office,
or
- (b) by registered post.

5. DUTIES OF CERTIFYING SURGEONS.—(1) For purposes of the examination and certification of young persons who wish to obtain certificates of fitness, the Certifying Surgeon shall fix a suitable time and place in consultation with the employer for the attendance of such persons, before the expiry of one month from the date of application, and shall give previous notice in writing thereof to the employers of the plantations situated within the local limits assigned to him.

Rules prescribed
under section 7.

(2) Every Certifying Surgeon shall keep bound books containing certificates in Form No. 1 respectively in foil and counterfoil. In each book, the form shall be numbered consecutively and shall be printed on clothbacked or other durable paper. The foil and counter-foil shall be filled in and either the signature or the left thumb mark of the person in whose name the certificate is granted shall be taken on them. On being satisfied as to the correctness of the entries made therein and of the fitness of the person examined, the certifying Surgeon shall sign the foil and initial the counter-foil and shall deliver the foil to him. The foil so delivered shall be the certificate of fitness granted under section 27.

All counterfoils in a book shall be preserved by the Certifying Surgeon for a period of at least two years after the issue of the last certificate in that book.

(3) A person who loses a certificate of fitness which has been granted to him may apply to the Certifying Surgeon who granted it for a copy of the Certificate and the said Surgeon after making such enquiry from the employer of such person (or if such person is unemployed, from his last employer) and from such other sources, as he deems fit, may grant a duplicate of the lost certificate. The word "Duplicate" shall be clearly written in red ink across such duplicate certificate and initialled by the Certifying Surgeon. The counterfoil in the bound book of forms shall be similarly marked "Duplicate" and initialled. For every copy of a duplicate certificate granted, a fee of eight annas shall be charged from the person concerned which shall be credited to Government. The Certifying Surgeon shall maintain a register in Form No. 2 of all fees paid for the issue of duplicate certificates and shall initial each entry therein. No duplicate of a certificate shall be granted to any person otherwise than in accordance with the provisions of this sub-rule.

(4) The Certifying Surgeon at his periodical visit shall satisfy himself as to the fitness of all the adolescents and children employed in the plantation and shall revoke the certificate of fitness of any whom he deems to be unfit.

(5) The Certifying Surgeon shall hand over to the employer and Chief Inspector a note in Form No. 3 detailing the result of each visit to the plantation.

(6) The Certifying Surgeon shall, upon request by the Chief Inspector, carry out such examination as he may indicate for any plantation or class of plantations where young persons are, or are to be, employed in any work which is likely to cause injury to their health.

(7) The employer shall provide for the purpose of any medical examination which the Certifying Surgeon wishes to conduct at the plantation (for his exclusive use on such occasion) a room which shall be properly cleaned and adequately ventilated and furnished with a screen, a table (with writing materials) and chairs.

6. If a qualified medical practitioner employed in a Garden or Group Hospital referred to in Chapter III is appointed to be a Certifying Surgeon, an appeal will lie against his finding to the Civil Surgeon of the area in which the plantation is situated.

CHAPTER III.

HEALTH

7. DRINKING WATER.—An adequate supply of wholesome drinking water shall be made available in every plantation at worksites, at all times during working hours.

Rules prescribed
under section 8.

8. SOURCE OF SUPPLY.—The water provided for drinking shall be supplied :—

- (a) from the taps connected with a public water-supply system, or
- (b) from any other source approved by the Chief Inspector of Plantations.

9. STORAGE OF WATER.—If drinking water is not supplied from taps connected with a public water supply system, it shall be kept in suitable vessels and renewed at least daily. All practicable steps shall be taken to preserve the water and vessels from contamination and to keep the vessels scrupulously clean.

10. CLEANLINESS OF WELL OR RESERVOIR.—(1) Drinking water shall not be supplied from any open well or reservoir unless it is so constructed, situated, protected and maintained as to be free from the possibility of pollution by chemical or bacterial and extraneous impurities.

(2) Where drinking water is supplied from such well or reservoir, the water in it shall be sterilised periodically as required by the Inspector by written order, and the date on which sterilising is carried out shall be recorded :

Provided that this requirement shall not apply to any such well or reservoir if the water therein is filtered and treated before it is supplied for consumption.

11. REPORT FROM THE HEALTH OFFICER.—The Inspector, may by order in writing, direct the employer to obtain, at such time or at such intervals as he may direct, a report from the Health Officer or the Certifying Surgeon, if the former is not available, as to the fitness for human consumption of the water supplied to workers, and in every case to submit to the Inspector a copy of such report as soon as it is received from the Health Officer.

12. DISTRIBUTION OF WATER.—Drinking water shall be supplied at worksites at conveniently accessible points through paniwallahs or by tankers, etc.

13. LATRINE ACCOMMODATION.—(a) Latrine accommodation shall be provided in every plantation on the scale of one latrine for every fifty acres of the area under cultivation or part thereof.

Rules prescribed under section 9.

Provided that there shall be at least one latrine each for either sex.

(b) The latrines shall be conveniently situated and shall have exclusive access for either sex.

14. **LATRINES TO CONFORM TO PUBLIC HEALTH REQUIREMENTS.**—The latrines should conform to public health requirements and latrines other than those connected with an efficient water-borne sewage system, shall comply with the requirements of the Public Health authorities.

15. **PRIVACY OF LATRINES.**—Every latrine shall be under cover and so partitioned off as to secure privacy and shall have a proper door and fastenings.

16. **SIGN BOARDS TO BE DISPLAYED :—**Where workers of both sexes are employed, there shall be displayed outside each latrine or latrine block, a notice in Hindi and also in the language understood by the majority of workers "For Men Only" or "For Women Only" as the case may be. The notice shall also bear the figure of a man or of a woman as the case may be.

17. **WATER TAPS IN LATRINES.**—(a) Where piped water supply is available, a sufficient number of water taps, conveniently accessible shall be provided in or near such latrine accommodation.

(b) If piped water supply is not available, sufficient quantity of water shall be kept stored in suitable receptacles near the latrines.

18. **URINAL ACCOMMODATION.**—Urinal accommodation shall be provided on the scale of one urinal for every 50 acres of the area under cultivation or part thereof. The urinals shall be conveniently situated for both males and females and shall have exclusive access for either sex.

19. **URINALS TO CONFORM TO PUBLIC HEALTH REQUIREMENTS.**—Urinals should conform to public health requirements. Urinals other than those connected with an efficient water-borne sewage system shall comply with the requirements of the Public Health authorities.

20. **CONSTRUCTION AND MAINTENANCE OF DRAINS.**—All drains carrying waste or sullage water shall be constructed in masonry or other impermeable materials and shall be regularly flushed and the effluent disposed of by connecting such drains with a suitable drainage line.

Provided that, where there is no such drainage line, the effluent shall be deodorized and rendered innocuous and then disposed of in a suitable manner to the satisfaction of the Health Officer.

MEDICAL FACILITIES

21. **TYPES OF HOSPITALS.**—There shall be two types of hospitals in plantations, viz., Garden Hospitals and Group Hospitals.
Rules prescribed under section 10.

(i) **GARDEN HOSPITALS** will deal with out-patients, in-patients not requiring any elaborate diagnosis and treatment, infectious cases, mid-wifery, simple pre-natal and post-natal care, care of infants and children and periodical inspection of workers.

(ii) GROUP HOSPITALS shall be capable of dealing efficiently with all types of cases normally encountered but will not be used for routine treatment. Admission to Group Hospitals shall be only on the recommendation of a garden hospital doctor.

22. GARDEN HOSPITALS.—(1) Subject to the provisions of sub-rules (2) and (3), every employer shall, by the 31st December, 1955, either

(a) provide a garden hospital in his plantation according to the standards laid down in these rules ; or

(b) have a lien on beds in such hospital in a neighbouring plantation or other hospital to the scale of 15 beds per 1000 workers as may be approved by the Chief Inspector :

Provided that in the case of lien on hospital beds outside the plantation, a plantation or group of plantations may provide a dispensary with up to 5 detention beds under the immediate care and supervision of a qualified medical practitioner assisted by at least a full-time trained nurse and such other staff as the Chief Inspector may consider necessary, with corresponding reduction in the number of beds on which the plantation or group of plantations shall have a lien.

(2) A plantation employing 1,000 or more workers shall run its own garden hospital wherever possible while plantations employing less than 1,000 workers which are situated within reasonable distances from one another may, with the approval of the Chief Inspector, combine and provide joint hospitals/dispensaries and share their expenses. For this purpose, the plantations concerned shall submit to the Chief Inspector particulars of the scale of staff proposed to be employed, the equipment proposed to be provided, the location of joint hospitals/dispensaries, areas of plantations served, the distances of plantations from one another, the number of workers employed and all other relevant information :

Provided that in the case of combined hospitals, plantations employing more than 200 workers shall, wherever possible, run their own dispensaries referred to in proviso to sub-rule (1).

(3) In the plantations where a garden hospital/dispensary or a combined garden hospital/dispensary provided under sub-rule (1) is not situated, the employer shall also provide and maintain so as to be readily available during all hours at least one first-aid box or cup-board equipped with such contents as may be specified by the Chief Inspector. The first-aid box or cup-board shall be kept in charge of a responsible person trained in first-aid treatment whose services shall be readily available during all hours to render first-aid.

(4) Notwithstanding anything contained in sub-rules (1) to (3) small and inaccessible plantations employing 350 or less workers so situated as not to be within reasonable distance or reach of a garden

hospital shall have subject to the approval of the Chief Inspector dispensaries with upto 5 detention beds under the immediate care of a full-time qualified compounder, but supervised and visited daily at regular hours by the nearest garden doctor.

(5) Each garden hospital shall be under a qualified medical practitioner assisted by at least one trained nurse, one trained mid-wife, a qualified compounder and a trained health assistant. The services of the staff shall be readily available during all hours :

Provided that doctors employed in plantations at the commencement of these rules who are not qualified medical practitioners, may continue in service until they retire.

(6) Medical and auxiliary personnel shall be appointed according to the following scale :—

Qualified Medical Practitioner/number of workers not less than...		1/1750
Midwives	/ " "	1/1750
Nursing attendants (Male or female)	/ " "	1/700
Compounder	/ " "	1/1750
Health assistants	/ " "	1/2100

Note :—Where more than one medical practitioner are appointed, at least one shall be a lady doctor.

(7) (a) A minimum of 15 beds shall be provided in every garden hospital per 1,000 workers served and each bed shall be allowed at least 60 sq. ft. of floor space.

(b) Every hospital shall be of sound permanent construction, with impermeable washable walls to a height of at least 5 feet on the inside with proper water supply and efficient sanitary arrangements.

(c) Every hospital shall have pure piped water supply and the wards, consulting room, operation theatre and dispensary shall each have a water point over a suitable glazed sink.

(d) The following departments shall be provided :—

- (i) General ward for males ;
- (ii) General ward for females ;
- (iii) Maternity with separate labour room ;
- (iv) Family Planning Centre ;
- (v) Infectious Ward with separate sanitary arrangements;
- (vi) Out patient department (with sufficient waiting space for patients to wait under cover preferably situated in a separate block from general wards ;

- (vii) Consulting room so arranged that patients can be examined in privacy ;
- (viii) Minor operation and dressing room ;
- (ix) Dispensary and Drug Store ;
- (x) General Store ;
- (xi) Kitchen for cooking (fly proffed) ;

(e) In every hospital, transport facilities shall be provided for carrying patients to and from Group Hospitals.

23. GROUP HOSPITALS.—(1) Group Hospitals shall be established by the 1st July, 1957.

(2) Plans for the establishment of Group Hospitals containing details as regards their location and size, areas of plantations served, the number of workers employed thereon etc. shall be approved by the State Government

(3) Every Group Hospital shall have a minimum of 100 beds and there shall be at least 3 beds per 700 workers, every bed having 80 sq. ft. of floor space ;

Provided that the State Government may fix a lesser number of beds to be provided in a Group Hospital and exempt a group of plantations from providing a Group Hospital, if it is satisfied that adequate alternative arrangements exist for treatment of patients intended to be treated at a Group Hospital :

Provided further that no exemption shall be allowed without the previous approval of the Central Government:

(4) The Hospitals shall be built according to such specifications as may be approved by the State Government.

(5) There shall be provision for piped supply of pure water, electricity, modern methods of sanitation and water flushed closets. Each ward, labour room, surgical dressing room, consulting room and dispensary shall have a water point over a suitable glazed sink :

Provided that with the approval of the State Government, suitable alternative arrangements may be made in regard to supply of pure water, electricity and other modern methods of sanitation.

(6) Each Hospital shall have provision for—

- Operating Theatre Block ;
- X-Ray Block ;
- Physical therapy block ;

Dental treatment block ;
 Labour room ;
 T. B. and V. D. clinics ;
 Consulting and examination rooms ;
 Clinical Laboratory, fully equipped ;
 Dispensary ;
 Administrative and Office block ;
 Kitchen and Laundry block ;
 Lavatories and bathrooms ;
 Stores ;
 Mortuary and post mortem room ;
 Out-patients block which should preferably be at some
 little distance from the wards.

Separate wards shall be provided for males, females, maternity cases and small isolated wards for infectious diseases :

Provided that X-Ray and Physical Therapy Blocks may not be provided if satisfactory arrangements are made by employers to provide these facilities with some hospital approved by the Chief Inspector.

(7) (a) Every Group Hospital shall have such medical and other staff as may be specified by the State Government. All doctors in a Group Hospital shall be qualified medical practitioners.

(b) There shall be 15 nurses for a 100 bedded hospital of whom one shall be senior trained, 5 junior trained and 9 assistant nurses. Such classification may be made according to their qualifications and experience.

(8) A properly equipped ambulance shall be maintained in every Group Hospital.

24. EQUIPMENT AND DRUGS.—Every dispensary, garden hospital and group hospital shall maintain such equipment and drugs etc. as may be specified by the State Government.

25. MEDICAL RECORDS.—The medical officer in charge of each dispensary, garden or group hospital shall—

(a) maintain such registers, books, accounts and a medical record in respect of every patient, as may be prescribed by the State Government for the purpose ; and

(b) comply with such regulations as may be made by the State Government in respect of medical stores.

26. STANDARD OF MEDICAL FACILITIES.

(a) **OUT-PATIENTS' TREATMENT.** It shall include—

- (i) detention for observation and treatment ;
- (ii) preventive treatment such as vaccination and inoculation ;
- (iii) free provision of all drugs including those needed for injections and dressings and appliances that may be considered necessary ;
- (iv) anti-natal, natal and post-natal advice ;
- (v) Provision of certificates free of cost, in respect of maternity and sickness benefit claims under Section 32 of the Act.

(b) **IN-PATIENTS' TREATMENT.**—The hospital treatment shall include maintenance, food and medicines, including treatment at **confinement** as may be available at the Hospital :

Provided the State Government may fix the charge of food supplied to a patient while he is in the hospital.

27. SUBMISSION OF SCHEME FOR THE PROVISION OF MEDICAL FACILITIES AND PROGRESS REPORTS.

(1) Within six months of the promulgation of these rules every employer shall submit to the Central as well as the State Government concerned a scheme for providing medical facilities according to the prescribed standards. The scheme shall show the various stages in and the date by which the required medical facilities are proposed to be provided. Medical facilities shall be provided according to the approved Scheme.

(2) Every employer shall furnish to the Central as well as the State Government concerned reports in such form as may be prescribed by the 31st January and 31st July every year to show progress made in providing medical facilities according to the approved Scheme.

28. FAILURE TO PROVIDE AND MAINTAIN MEDICAL FACILITIES AS REQUIRED IN THESE RULES.

If any employer does not provide and maintain medical facilities as required in these rules to the satisfaction of the Chief Inspector, the latter will cause to be provided and maintained these facilities in the nearest garden hospital or dispensary, or in a District Board or other similar hospital. The defaulting employer shall be liable to pay the cost of such medical facilities including charges, if any, in respect of—

- (a) a medical officer's visit to the plantation for the purpose of attendance on any sick worker or workers ;

- (b) the maintenance of sick worker in a hospital/dispensary for each day's maintenance; and
 (c) transport to and fro provided to the sick worker.

29. RECOVERY OF SUM DUE UNDER RULE 28.

When any sum of money is due from any employer under rule 28, the Chief Inspector shall give him notice in writing requiring the payment of the amount to the Collector, who may recover the same as an arrear of land revenue.

CHAPTER IV

WELFARE

30. CANTEENS.—In or near every plantation wherein one hundred and fifty or more workers are ordinarily employed, the employer shall provide and maintain a canteen or canteens with facilities for sale of tea and snacks to workers.

31. PRICES TO BE CHARGED.—(1) Tea and snacks served in every canteen shall be sold on a no-profit basis.

(2) The prices of all items served in the canteen shall be conspicuously displayed in every canteen.

32. CRECHES.—(1) In every plantation wherein fifty or more women workers are employed or were employed on any day of the preceding twelve months, the employer shall provide and maintain a creche or creches for the use of their children who are below the age of six years according to the standards laid down in these rules.

(2) Every creche shall be conveniently accessible to the mothers of the children accommodated therein.

(3) There shall be not less than 15 sq. ft. of floor area for each child to be accommodated in a creche.

(4) The building in which the creche is situated shall be of sound construction with a good plinth.

(5) The plan of the creche building shall be in accordance with the standard plan or plans laid down by the Chief Inspector :

Provided that where no standard plan has been laid down or where it is proposed to deviate from a standard plan, the Chief Inspector's approval shall be obtained.

(6) The creche shall be furnished with suitable furniture and a cradle for each child below the age of two.

(7) A suitably fenced and shady open air play ground shall be provided for the older children.

(8) The employer shall appoint

(i) a woman as Creche-in-charge to look after children during the absence of their mothers, who shall possess such qualifications and training as may be approved by the State Government ; and

(ii) such other staff on a scale approved by the said authority.

33. WASH ROOM.—(1) There shall be in or adjoining the creche a suitable wash room for the washing of the children and their clothes.

(2) There shall be provided a latrine for the use of the children in the creche.

34. SUPPLY OF MILK AND REFRESHMENT.—At least half a pint of clean pure milk if possible, otherwise powdered milk approved by the Certifying Surgeon shall be made available for each child on every day it is accommodated in the creche and the mother of such child shall be allowed in the course of her daily work, two intervals of sufficient time to visit the creche and feed the child. For children above two years of age there shall be provided in addition an adequate supply of wholesome refreshment.

35. SUPPLY OF CLOTHES, SOAP AND OIL.—(1) The creche staff shall be provided with suitable clean clothes for use while on duty in the creche.

(2) An adequate supply of clean clothes, soap and oil shall be made available for each child while it is in the creche.

36. RECREATIONAL FACILITIES.—Every employer shall provide and maintain

(i) a recreation centre or centres for workers with provision for indoor games suitable for adult and child workers.

(ii) where adequate flat open space is available within a reasonable distance, a playground or play grounds for adult and child workers with necessary sports equipment for outdoor games :

Provided that subject to the provisions of Rule 37, a group of employers may with the approval of the Chief Inspector, provide and maintain joint recreation centres and playgrounds and share their expenses.

37. Every recreation centre to be provided and maintained under Rule 36 shall be conveniently situated as near as possible to the workers' quarters.

38. EDUCATIONAL FACILITIES FOR WORKERS' CHILDREN. — Every employer shall, if the number of workers' children between the ages of 6 and 12 in his plantation exceeds 25, provide and maintain primary school or schools for imparting primary education to the children :

Rules prescribed under section 14.

Provided that an employer may not provide and maintain a primary school if there is one under the direct management of the State Government or of any local body for imparting free education to the children up to the primary or higher standard, with enough seats to admit the children between the ages of six and twelve of the workers in his plantation and within a distance of one mile from the place where workers reside in his plantation, or if under any other law he is required to pay a cess or tax for primary education :

Provided further that subject to the provisions of sub-rule (1) of Rule 39, a group of employers may jointly provide and maintain a primary school and share its expenses.

39. (1) Every school to be provided and maintained under Rule 38 shall be conveniently situated and within a distance of one mile from the workers' quarters.

(2) The School building shall be constructed in accordance with the standard plan or plans which may be laid down by the State Government :

Provided that where there is no standard plan or where it is proposed to deviate from a standard plan, the State Government's approval of the plan of the school building shall be obtained.

(3) Where adequate space is available, an open air playground with suitable accessories shall also be provided for the children attending the school.

40. The employer or employers as the case may be shall provide for every primary school maintained under Rule 38 such educational and other equipment as may be considered necessary by the State Government.

41. (1) The employer or employers concerned shall appoint one teacher for every forty children attending the primary school.

(2) The teacher shall possess the qualifications prescribed by the State Government for teachers in Government primary schools :

Provided that in the case of any person who is working as a school teacher in a plantation at the commencement of these rules, the State Government may, subject to such conditions as it may specify, relax any of the qualifications.

42. The curriculum, duration, standard and syllabus of the course of instruction to be imparted in the primary school shall be such as may be approved by the State Government.

43. No fees shall be charged from the workers' children attending the primary school.

44. HOUSING ACCOMMODATION FOR WORKERS.—Every employer shall provide for every worker and his family residing in a plantation, housing accommodation as near as possible to the place of work. It shall be open to an employer to provide such accommodation in the course of several years provided that houses shall be built for at least eight per cent of the resident workers every year.

45. STANDARD AND SPECIFICATION OF HOUSING ACCOMMODATION.—All housing accommodation for workers in a plantation shall conform to such standards and specifications as may be approved by the State Government on the recommendation of the Advisory Board referred to in Rule 54.

46. SITES FOR HOUSING ACCOMMODATION.—(1) The housing accommodation shall be provided on dry well-drained land which, consistent with the requirements regarding distance from the plantation, has supplies of wholesome drinking water within a reasonable distance. In malarial tracts, the houses shall be provided at a safe distance from the swamps and marshes and above the highest flood level.

(2) Adequate lighting arrangements shall be provided in and around the area in which housing accommodation is provided.

(3) The employer shall maintain in good condition the approach roads and paths to the area where houses are located as also the sewers and drains in that area.

(4) The employer shall not deny to the public free access to those parts of the plantation where the workers are housed.

(5) The employer shall cause the vicinity of all houses to be kept clear of refuse and excreta and the latrines and drains to be cleaned out daily and all refuse in or near them to be collected, removed and disposed of hygienically.

47. HOUSING SCHEME.—Within six months of the date of issue of these rules, every employer shall submit to the Chief Inspector of Plantations for approval a scheme in regard to the provision by him of housing accommodation for workers. The scheme shall provide for the following matters :—

(1) specification of the period during which housing accommodation is proposed to be provided in respect of all resident workers

in a plantation, such period being not later than the period referred to in rule 44.

(2) the type design which is proposed to be adopted for the construction of houses, such design being in conformity with the standards and specifications as may be approved by the State Government under Rule 45.

(3) plan and site plan, in duplicate, of the buildings to be constructed or remodelled for use as workers' houses.

48. CONSTRUCTION OF HOUSES IN ACCORDANCE WITH SCHEME AND REPORT IN RELATION THERETO.—All houses shall be built in accordance with the scheme as approved in writing by the Chief Inspector of plantations. With a view to showing the progress made in providing houses according to the approved scheme, every employer shall submit to the Chief Inspector of Plantations a report in Form No. 4 on the 31st July every year.

49. MAINTENANCE OF HOUSES.—(1) The employer shall, at his own expense, execute such repairs to the houses as may be required from time to time and maintain the houses in fit and safe condition for occupation.

(2) A worker occupying a house may, and an Inspector appointed under the Act shall, bring to the notice of the employer any defects in the condition of a house which make it dangerous to the health and safety of the worker. Where an Inspector so brings any such defects to notice, it shall be the duty of the employer to rectify them with the least possible delay.

(3) The employer shall get all the houses lime-washed at least once every year and all the doors, windows and other wooden structure varnished or painted once in three years. A record of dates on which lime-washing or painting was carried out shall be maintained in a register in Form No. 5.

50. ACCOMMODATION TO BE RENT FREE.—No rent shall be charged by an employer for the housing accommodation provided to workers and their families residing in his plantation.

51. OCCUPATION OF HOUSES.—(1) Houses shall be allotted on the basis of one house for one worker ;

Provided that it shall be open to an employer to allot houses to single worker at the rate of a house for not more than four such workers ;

Provided further that if there are more than one worker in a family, only one house shall be allotted to the husband, his wife and one-adult children.

(2) The occupant of a house shall not make any unauthorised additions to or alterations in the house.

(3) The occupant shall not exchange the house with the occupant of another house except with the written permission of the employer.

(4) The occupant shall not let the house or any portion thereof to any person.

(5) All workers and members of their families occupying the houses shall use the latrines provided and shall not pollute the soil and shall keep the houses and the precincts thereof clean and tidy and shall not waste drinking water.

(6) No cattle or goats shall be kept in the living rooms or verandahs and no windows or air spaces shall be blocked up.

(7) The employer shall bring to the notice of each worker to whom housing accommodation has been provided, the conditions governing the occupation of such accommodation, in writing, in a language which the latter can understand.

52. OCCUPATION OF ACCOMMODATION AFTER TERMINATION OF EMPLOYMENT.—When a worker dies in the service of the employer, or retires, or goes on transfer, or resigns, or goes on leave or when his services are terminated, he or his family may retain the house upto the period as detailed below :—

(i) in the case of death, transfer or termination of service, a period not exceeding two months ;

(ii) in the case of retirement or resignation, a period not exceeding one month ;

(iii) in the case of leave, for the period of leave ; and

(iv) in the case where the discharge of a worker is disputed and the matter has been taken to an industrial tribunal or court, for so long as the case is not finally disposed of.

53. FACILITIES FOR HARVESTING STANDING CROPS ON TERMINATION OF EMPLOYMENT.—In the case of termination of his employment, a worker shall, where possible, be given reasonable facilities to harvest the standing crops in his garden plot.

Advisory Board

54. CONSTITUTION OF ADVISORY BOARD.—The State Government shall, by notification in the official Gazette constitute an Advisory Board for consultation in regard to matters connected with housing.

55. COMPOSITION OF ADVISORY BOARD.—(1) The Advisory Board shall consist of :—

(i) the secretary to the State Government in the Department concerned, who shall be the Chairman of the Board ;

(ii) Two officials to be nominated by the State Government; and

(iii) three representatives each of the employers and workers nominated in consultation with the interests concerned.

(2) No act or proceedings of the Advisory Board shall be invalid on the ground of any defect in the constitution of, or any vacancy in, the Board.

56. TERM OF OFFICE OF MEMBERS.—(1) A nominated member shall, unless he resigns his office or dies, hold office for a period of three years from the date of the notification appointing him a member of the Board and shall be eligible for renomination ;

Provided that an outgoing member shall continue in office until the appointment of his successor is notified.

(2) The official members of the Board shall hold office during the pleasure of the State Government.

57. TRAVELLING ALLOWANCES FOR MEMBERS.—Every non-official member shall be entitled to draw travelling and daily allowances at the ordinary rate as admissible to a Government servant of the 1st class for any journey performed by him for attending a meeting of the Advisory Board.

58. RESIGNATION.—A non-official member may resign his office by letter, addressed to the Chairman of the Advisory Board and his office shall fall vacant from the date on which his resignation is accepted by the Chairman.

59. VACATION OF OFFICE.—A nominated member may be declared by the Chairman of the Advisory Board to have vacated his office :—

(a) if he becomes insolvent ; or

(b) if he is convicted of an offence, which in the opinion of the State Government involves moral turpitude ; or

(c) if he is absent from three consecutive meetings of the Advisory Board without leave of absence from its Chairman ; or

(d) if the State Government consider it undesirable that he should continue to be a member of the Advisory Board ; or

(e) if he is declared to be of unsound mind by a competent court.

PROCEDURE RELATING TO MEETINGS

60. **DISPOSAL OF BUSINESS.**— (1) Every question which the Advisory Board is requested to take into consideration, shall be considered either at its meeting or, if its Chairman so desires, by circulating the necessary papers to all the members for their opinion :

Provided that the papers need not be circulated to a member who is at the time outside India.

(2) When a question is circulated for opinion under sub-rule (1), any member may request that the question be considered at a meeting of the Advisory Board and thereupon the Chairman may, and if the request is made by three or more members, shall, direct that it be so considered.

61. **TIME AND PLACE OF MEETINGS.**— The Advisory Board shall meet at such time and place as may be appointed by the Chairman.

62. **NOTICE OF MEETINGS.**—(1) Notice shall be given to every member of the time and place fixed for each ordinary meeting at least fifteen days before such meeting and each member shall be furnished with a list of business to be transacted at the meeting.

Provided that, when an emergent meeting is called by the Chairman, a notice giving such reasonable time as he may consider necessary, shall be deemed sufficient.

(2) No business which is not in the list shall be considered at a meeting without the permission of the Chairman.

63. **PRESIDING AT MEETINGS.**—The Chairman of the Advisory Board shall preside at every meeting of the Board at which he is present. If the Chairman is absent from any meeting, the members present shall elect one of the members to preside over the meeting and the member so elected shall at that meeting exercise all the powers of the Chairman.

64. **QUORUM.**—No business shall be transacted at the meeting of the Advisory Board, whether ordinary or emergent, unless at least three members are present :

Provided that if at any meeting, less than three members are present, the Chairman of the Advisory Board may adjourn the meeting to a date not later than seven days, informing the members present and sending notice to other members that he proposes to dispose of the business at the adjourned meeting, whether there is a quorum or not, and he may thereupon dispose of the business at such adjourned meeting even if there is no quorum.

65. **DECISION BY MAJORITY.**—(1) Every question at a meeting of the Advisory Board shall be decided by a majority of votes of the members present and voting on the question but the minority shall have the right of getting their dissent recorded. In the case of an equality of votes, the Chairman shall have a second or casting vote.

(2) Every question, referred to the members for opinion shall, unless the Chairman reserves it for consideration at a meeting, be decided in accordance with the opinion of the majority of members submitting their opinions within the specified time.

66. **MINUTES OF MEETINGS.**—(a) The proceedings of each meeting of the Advisory Board shall be circulated to all members not later than two months from the date of the meeting and thereafter recorded in a minute book which shall be kept for permanent record.

(b) The record of the proceedings of each meeting shall be signed by the Chairman of the Advisory Board or as the case may be, by the person presiding at that meeting.

67. **POWERS AND FUNCTIONS OF THE ADVISORY BOARD.**—(1) The Advisory Board shall advise the State Government as regards standards and specifications of houses which may be approved.

(2) The Advisory Board shall scrutinise the yearly progress reports from employers and advise the State Government to issue such instructions in the light thereof as will ensure compliance with the relevant provisions of the Act and these rules within the scheduled period.

(3) In addition to matters specified in sub-rules (1) and (2), the Advisory Board shall consider and report on any matter connected with housing of workers which may be referred to it by the State Government or by the Chairman of the Advisory Board.

64. **REMOVAL OF DIFFICULTIES**—If there is any difficulty in the working of rules 44 to 67, the State Government may issue such instructions as it may consider necessary to remove the difficulty.

69. **FACILITIES FOR PROTECTION FROM WEATHER.**—Every employer shall supply to every worker free of cost, at specified interval or intervals, such materials for protection from rain or cold as may be notified by the State Government.

Rule prescribed under section 17.

CHAPTER V

Hours and Limitation of Employment

70. **WEEKLY HOLIDAYS.**—(1) Unless otherwise permitted by the State Government no worker shall be required or permitted to work on any plantation on a Sunday, except when he has had or will have a day of rest on

Rule prescribed under section 20

one of the three days immediately preceding or succeeding that Sunday:

Provided that the weekly holiday may be substituted by another day :

Provided further that every worker shall be free to work on a day of rest, which is not a closed holiday, but in so doing he shall not work for more than ten days consecutively without having holiday for full one day.

(2) Every worker shall be paid for work on the day of rest at the overtime rate prevailing in a particular area as fixed under the Minimum Wages Act, 1948, and where there is no such rate, at double the ordinary rate.

71. NOTICE OF PERIOD OF WORK.—(1) The notice prescribed in Rule prescribed under section 23 shall be in Form No. 6.
section 23.

(2) It shall be written in English and in language understood by the majority of workers in the plantation, shall be displayed at some conspicuous and convenient place and shall be maintained in a clean and legible condition.

(3) Any modification in the periods of work in the plantation which may necessitate a change in the aforesaid notice shall be intimated to the Inspector in duplicate, along with a copy of the original notice, either before the change is made or within three days of making and such change.

CHAPTER VI

Sickness and maternity benefits

72. PAYMENT OF SICKNESS ALLOWANCE.—(1) Every worker shall be Rules prescribed under section 32. entitled to obtain sickness allowance from his employer for each day of certified sickness for a total period of 14 days in a year at the rate of two-thirds of his daily wages or of the average daily earnings if he is employed on piece wages, subject to a maximum of annas twelve per day :

Provided that the worker shall not be entitled to the allowance for an initial waiting period of two days except in the case of a spell of sickness following, at an interval of not more than fifteen days, the spell of sickness for which sickness allowance was last paid.

(2) Sickness allowance specified in sub-rule (i) shall be paid at the option of the worker either at the time of payment of Weekly advances on account of wages or along with the first instalment of wages payable to the workers after he resumes his work on recovery from certified sickness.

(3) The certificate of sickness shall be issued in Form No. 7 (to be supplied by the employer free of cost) by the Certifying Surgeon or a resident medical officer appointed by the employer or any other qualified medical practitioner to every worker entitled to obtain sickness allowance, on a request being made by such worker in this behalf. Every employer shall pay to a worker sickness allowance due to him on presentation of such certificate in accordance with the provisions of sub-rule (2) above. If a worker has to pay any fee for obtaining the sickness certificate, the employer shall bear the cost.

(4) No sickness allowance shall be paid to a worker if he attends to work on any day for which he has been granted sickness allowance.

73. PAYMENT OF MATERNITY ALLOWANCE.—(1) Subject to the provisions of these Rules but without prejudice to her right if any, to free medical facilities existing in a plantation, every woman employed in a plantation shall be entitled to obtain from her employer a maternity allowance for a period of four weeks immediately preceding the expected day of her delivery and for a period of eight weeks immediately following the day of her delivery ;

Provided that a woman shall not be entitled to obtain such maternity allowance unless she has worked in the plantation or plantations of the employer from whom she claims such allowance for not less than one hundred and fifty days in the twelve months immediately preceding the expected day of her delivery ;

Provided further that the period of 150 days may either be continuous or interrupted by a period or periods of absence on account of authorised leave.

(2) A woman shall not be entitled to obtain maternity allowance if she has not—

(a) permitted herself to be medically examined for the purpose of certifying pregnancy or expected confinement by a Certifying Surgeon or a qualified resident medical officer with the assistance of a nurse, if the Surgeon/medical officer is male or a qualified lady medical practitioner, or

(b) during the period which extends from the commencement of the four weeks immediately preceding the expected day of her delivery to the day of her delivery and during the period of eight weeks immediately following the day of her delivery attended, or permitted herself to be treated in a hospital by a qualified medical practitioner or under the supervision of such medical practitioner by a nurse ;

Provided that non-compliance by the woman with the provisions of this sub-rule shall not disentitle her to maternity allowance if a

certifying surgeon or any other qualified medical practitioner certifies that in his opinion such non-compliance was due to premature delivery or to a bonafide miscalculation on the part of the woman as to the state of advancement of her pregnancy.

74. PROHIBITION OF EMPLOYMENT OF WOMEN DURING CERTAIN PERIOD.—

(1) No employer shall knowingly employ a woman in a plantation during the four weeks immediately preceding the expected day of her delivery and during the eight weeks immediately following the day of her delivery.

(2) In case of miscarriage a woman shall, on production of a certificate signed by the Certifying Surgeon or any other qualified medical practitioner or such other proof of miscarriage as may be accepted by her employer, be entitled to two weeks leave from the day of her miscarriage with pay as under the rules.

(3) During the period of pregnancy a woman shall not be employed on work which is arduous or which requires long hours of standing at one place or which may in any way interfere with her pregnancy and is likely to cause miscarriage or adversely affect her health and interfere with the normal development of foetus.

75. PROCEDURE REGARDING PAYMENT OF MATERNITY ALLOWANCE.—

(1) (a) A woman who claims or intends to claim maternity allowance shall on any day give notice in Form No. 8 to the employer that she expects to be confined within one month next following and may nominate therein a person for purposes of sub-rule (2) of rule 77 ;

(b) Where no such notice has been given and the woman has been delivered of a child, she shall within seven days of the delivery give notice in Form No. 9 that she has given birth to a child :

Provided that non-compliance of the procedure laid down in the sub-rule shall not disentitle a woman to maternity allowance if she is found to be illiterate.

(2) When such notice as is referred to in clause (a) or clause (b) or sub-rule (1) is received the employer shall permit the woman to absent herself from work in the plantation on and from the day following that on which such notice is received until the expiration of eight weeks after the day of her delivery.

76. PAYMENT OF MATERNITY ALLOWANCE.—(1) Where a woman entitled to obtain maternity allowance has given notice referred to in clause (a) of sub-rule (1) of rule 75 and has obtained permission to absent herself from work the employer shall pay her maternity allowance for twelve weeks at the rate of rupees five and annas four per week in twelve equal weekly instalments and the payment of the first instalment shall be made within three days of the receipt of the notice.

Provided that an employer before making any payment may require the woman to whom such payment is to be made to produce a certificate in Form No. 10 given by a Certifying Surgeon or a qualified resident medical officer or any other qualified medical practitioner as to the expected day of her delivery.

(2) Where a woman entitled to maternity allowance has given notice referred to in clause (b) of sub-rule (1) of rule 75 the employer shall pay her maternity allowance for eight weeks at the rate of rupees five and annas four per week in eight equal weekly instalments and the payment of the first instalment shall be made within three days of the receipt of the notice :

Provided that an employer before making any payment may require the woman to whom such payment is to be made to produce a certified extract from a birth register or a certificate signed or countersigned by a Certifying Surgeon or a qualified resident medical officer or any other qualified medical practitioner.

77. PAYMENT OF MATERNITY ALLOWANCE IN CASE OF A WOMAN'S DEATH.—

(1) If a woman entitled to obtain maternity allowance dies before being delivered of a child the employer shall be liable only for the payment of maternity allowance due in respect of the four weeks immediately preceding the expected day of her delivery.

(2) If a woman entitled to maternity allowance dies on the day of her delivery or during the period of eight weeks immediately following that day the liability of the employer shall not by reason of her death be discharged and he shall pay the amount of the maternity allowance, if the newly born child survives her, to the person who undertakes the care of the child and if the child does not survive her, to the person nominated by her under sub-rule (1) of rule 75 or if she has made no nomination to her next of kin as determined by the employer subject to the Inspector's approval.

(3) The fact that a woman is dead shall be proved by the production either of a certificate to that effect from a certifying surgeon or any other qualified medical practitioner or of a certified copy of an extract from a death register maintained under the provisions of any law.

78. PROHIBITION OF DISMISSAL DURING OR ON ACCOUNT OF ABSENCE FROM WORK OWING TO CONFINEMENT.—

(1) When a woman absents herself from work in accordance with the provisions of these Rules it shall not be lawful for her employer to give her notice of dismissal during such absence or on such a day that the notice will expire during such absence.

(2) The dismissal of a woman at any time within six months before she is delivered of a child, if the woman but for such dismissal would have been entitled to obtain maternity allowance under these rules, shall not have the effect of depriving her of the maternity allowance if the Chief Inspector is satisfied that her dismissal was without cause.

(3) If the confinement involves illness incapacitating a woman for work the employer shall not be entitled to dismiss her or give her notice of dismissal, if she fails to return to duty on the expiry of eight weeks after the date of delivery without getting the approval of a Certifying Surgeon who may increase the period of absence if he considers fit.

79. **MUSTER-ROLL.**—(1) Every employer in a plantation in which women are employed shall prepare and maintain a muster-roll in Form No. 11 and shall enter all particulars specified in the Form in respect of all women employed in the plantation from whom notice of confinement is received :

Provided that where a register is maintained under a State Maternity Benefit Act, which covers all the provisions of Form No. 11, that register may be deemed sufficient for the purpose of this sub-rule.

(2) All entries in the muster-roll shall be made in ink and maintained and it shall be made available for inspection at any time during the working hours.

80. Every employer shall supply to a woman at her request free of cost copies of Form Nos. 8 and 9.

81. Records relating to payment of maternity benefit under these rules shall be preserved for two years from the date of preparation.

CHAPTER VII

Miscellaneous

82. **APPEALS.**—(1) An appeal against the orders of an Inspector shall lie to the Chief Inspector and against the orders of the Chief Inspector to the State Government or to such authority as the State Government may appoint in this behalf. The appellate authority after giving both parties an opportunity of being heard shall either reject the application or decide in any manner it deems fit.

(2) All appeals under sub-rule (1) shall be in the form of a memorandum setting forth concisely the grounds of objections to the order and shall be accompanied by a certified copy of the order appealed against, duly signed by the appellant or, on his behalf, by a duly

authorised agent or legal practitioner. An appeal shall be considered valid only if submitted within two months from the date of the order appealed against.

(3) On receipt of the memorandum of appeal, the appellate authority shall, if it thinks fit, appoint an assessor within two weeks to assist in the disposal of the appeal. It shall then fix a date for the hearing of the appeal and shall give due notice of such date to the appellant and to the Inspector or Chief Inspector, as the case may be, whose order is appealed against.

83. REGISTERS.—(1) Every employer shall maintain (a) registers of adult and non-adult workers in Form Nos. 12 and 13 respectively, and

(b) a register in Form No. 14 hereinafter called the Leave with Wages Register which shall be preserved for a period of three years after the last entry in it :

Provided that if the Inspector or the Chief Inspector is of the opinion that any muster roll or register maintained by the employer gives the required particulars in respect of any or all workers in the plantation, he may by order in writing, direct that such muster roll or register shall, to the corresponding extent, be maintained in the place of and be treated as the register required under this sub-rule in respect of that plantation.

(2) (a) Every employer shall provide a plantation worker with a book in Form No. 15 (hereinafter called the Leave Book). The Leave Book shall be the property of the worker and the employer or his agent shall not demand it except to make necessary entries, and shall not keep it for more than a week at a time.

(b) If a worker loses his Leave Book, the employer shall provide him with another copy on the payment of an anna.

(3) Every employer shall maintain a bound Inspection Book and shall produce it when required by the Inspector or Certifying Surgeon.

84. RETURNS.—(1) Every employer shall furnish to the Inspector and the Chief Inspector on or before the 31st January, of every year an annual return in duplicate in Form No. 16.

(2) Every employer shall furnish to the Inspector and the Chief Inspector not later than the 15th February of the year subsequent to that to which it relates, returns in Form Nos. 17, 18, 19, 20 and 21.

(3) Every employer shall furnish to the Inspector and the Chief Inspector by the 31st January and 31st July every year a half yearly progress report in duplicate in regard to the provision of medical facilities in Form No. 22.

FORM NO. 1.

(Prescribed under sub-rule (2) of Rule 5)

CERTIFICATE OF FITNESS

1. Serial No.....	Serial No.....
Date	Date
2. Name	I certify that I have personally examined (name)
3. Father's name	
4. Sex	son/daughter of
5. Residence	residing at
6. Age certified	
7. Physical fitness	and that his/her age, as nearly as can be ascertained from my examination, is... .. years, and that he/she is fit for employment in plantation as an adolescent/child.
8. Descriptive marks	
9. Reasons for	His/her description marks are
(i) refusal of certificate	
(ii) certificate being revoked	
Thumb impression.	Thumb Impression.
Initials of Certifying Surgeon.	Certifying Surgeon.

NOTE :—Exact details of cause of physical disability should be clearly stated.

FORM NO. 2

(Prescribed under sub-rule (3) of Rule 5)
 REGISTER SHOWING THE FEES PAID TO THE
 CERTIFYING SURGEON FOR THE ISSUE
 OF DUPLICATE CERTIFICATES.

Date	Serial No.	Number and date of previous certificate	Name of person to whom granted	Father's name	Initials of the Certifying Surgeon
1	2	3	4	5	6

Paid into Treasury at.....on (date).....

Signature of the Certifying Surgeon.

FORM NO. 3

(Prescribed under sub-rule (5) of Rule 5)
 CERTIFYING SURGEON'S VISIT NOTE

Visit to (plantation)

on date 195 .

Name of the Certifying Surgeon.

EXAMINATION AND CERTIFICATES

(A) Children.

- | | | | | |
|---|-----|-----|----------------|-----|
| 1. Original examination | ... | ... | ... | ... |
| Number examined | ... | ... | Number granted | ... |
| certificates | ... | ... | ... | ... |
| 2. Re-examination of those holding certificates | ... | ... | ... | ... |
| Number examined | ... | ... | Number of | ... |
| certificates cancelled | ... | ... | Reason | ... |
| for cancellation in each case (i. e., general nature of | ... | ... | unfitness) | ... |
| unfitness) | ... | ... | ... | ... |

FORM NO. 5

(Prescribed under sub-rule (3) of rule 49.)

Record of Lime-washing, Painting, etc.,

Description of houses.	Parts lime-washed, painted, varnished or oiled, e. g., walls, ceilings, wood work, etc.	Treatment whether lime-washed, painted, varnished or oiled.	Date on which lime washing, painting, varnishing or oiling was carried out (according to the English Calendar)			Remarks
			Date	Month	Year	
1	2	3	4	5	6	7

Signature of Employer.

FORM NO. 6
(Prescribed under rule 71)
NOTICE OF PERIOD OF WORK

Name of Plantation.....Place.....District.....

Period of work	Adults				Adolescents		Children		Description of Groups		Remarks		
	Male	Female		Male	Female	Male	Female	Group letter	Nature of work				
	A	B	C	D	E	F	G	H	I	J	K	L	M
From...
To...
From...
To...

Date on which the notice is first exhibited.....(Signed) Employer

- Instructions to be followed in filling in the notice of Period of Work.
- (1) Divide all workers into groups according to the nature and periods of their work and classify 'Groups' as A, B, C, D etc.
 - (2) If workers in a particular group do not work during the same periods on all working days of the week, the periods should be shown separately for different days or sets of days during the week.

Form No. 7

(Prescribed under sub-rule (3) of rule 72)

CERTIFICATE OF SICKNESS

This is to certify that I have examined
son/daughter/wife of... ..
 employed in... ..plantation at... .. in the
 district ofon and found
 him/her suffering from I recommend ...
days absence from work and payment of the
 corresponding sickness allowance.

Signature, qualification and designation
 of Medical practitioner.

FORM NO. 8

(Prescribed under sub-rule (1) (a) of rule 75)

Iwife/daughter of
employed in group Noof
 plantationhereby give notice that I expect to be
 confined within one month next following from the date of this notice
 and that I will absent myself from the plantation with effect from.....

2. For the purpose of rule... .., I
 hereby nominate
 (name and address of the nominee) to receive maternity benefit due to
 me in case of my death.

Given this date

Signature
 Thumb impression.

Signature of attester
 in case the woman
 affixes thumb impression.

Address

To

The Employer,

.. .. (name of plantation and full
 address),

FORM NO. 9

(Prescribed under sub-rule (1) (b) of rule 75)

I wife/daughter of
 employed in group No.
 of plantation, hereby give notice that I gave birth to
 a child on the... .. 19

2. For the purpose of rule, I
 hereby nominate (name and full
 address of nominee) to receive maternity benefit due to me in case of
 my death.

Given this day... ..

Signature/Thumb impression

Signature of attester
 in case the woman
 affixes thumb
 impression.

Address... ..

To

The Employer,

... .. (name of plantation
 and full address).

FORM NO. 10

(Prescribed under sub-rule (1) of rule 76)

This is to certify that I examined
 wife/daughter of employed
 in... .. plantation at
 in the district of... .. on
 and found* that she is pregnant and is expected to be
 cannot discover
 delivered of a child within months and
 or
 days) from the above mentioned date.

Signature, qualification
 and designation of
 medical practitioner or
 mid-wife.

*strike out when not applicable.

FORM NO. 12.

(Prescribed under sub-rule (1) of rule 83).

REGISTER OF ADULT WORKERS

S. No.	Name, age and address	Father's/Husband's name	Nature of work	Letter of group as in Notice of period of work (Form No.....)	Remarks
1	2	3	4	5	6

FORM NO. 13

(Prescribed under sub-rule (1) of rule 83)

Register of non-adult workers

No.	Name & address	Father's Name	Date of first employment	Number of Certifying Surgeons with date	Age as entered in the certificate	Taken No. reference to certificate, if any	Nature of work	Letter of group as in Notice of period of work Form No.....	Remarks
1	2	3	4	5	6	7	8	9	10

FORM NO 14.
 (Prescribed under sub-rule (1) of rule 88)
Register of leave with wages

Part I --Adults
 Part II --Non-adults

Plantation.....

Sl. No.....	Sl. No. in the Register of adult/non-adult workers	Date of entry into service	Number of days worked		Leave earned	Leave at credit (including, if any, balance on return from leave on last occasion)	Leave Taken			Balance on return from leave	Date on which wages for leave paid and amount paid	Remarks
			From	To			From	To	Number of days			
1	2	3	4	5	6	7	8	9	10	11		

Note :-- Separate page shall be allotted to each worker.

FORM NO. 15

(Prescribed under sub-rule (2) of rule 83)

LEAVE BOOK

Part I — Adults

Part II — Non-adults

Plantation.....
 Sl. No.....
 Sl. No. in the Register of adult/non-adult workers.....
 Date of entry into service.....
 Name of worker...
 Father's/husband's name...
 Address...
 ...
 ...
 ...

Number of days worked		Leave at credit (including balance, if any, on return from leave on last occasion)	Leave Taken			Date on which wages for leave paid and amount paid.	Remarks			
From	To		From	To	Number of days.					
1	2	3	4	5	6	7	8	9	10	11

Note :—The Leave Book shall be made out separately for each worker on thick bound sheets.

FORM NO. 16

(Prescribed under sub-rule (1) of rule 84)

Annual Return Year ending the 31st December, 195.....

(To be furnished to the Inspector and Chief Inspector by
the 31st January)

- | | | | | |
|--|-------------------|-----|-----|-----|
| 1. Name of plantation... | ... | ... | ... | ... |
| 2. Name of employer... | ... | ... | ... | ... |
| 3. District... | ... | ... | ... | ... |
| 4. Postal address | ... | ... | ... | ... |
| * | | | | |
| 5. Average number
of workers em-
ployed daily. | (i) Men... | ... | ... | ... |
| | (ii) Women... | ... | ... | ... |
| | (iii) Adolescents | ... | ... | ... |
| | (a) Male | ... | ... | ... |
| | (b) Female | ... | ... | ... |
| 6. Normal hours
worked per week. | (i) Adults... | ... | ... | ... |
| | (ii) Adolescents | ... | ... | ... |
| | (iii) Children... | ... | ... | ... |
| 7. Number of days worked in the year... | ... | ... | ... | ... |
| 8. What rest intervals
were given to **:— | (i) Adults... | ... | ... | ... |
| | (ii) Adolescents | ... | ... | ... |
| | (iii) Children... | ... | ... | ... |

9. Were week days sometimes substituted for Sundays as weekly holidays ?
10. Total number of workers discharged during the year for which this return is made

Certified that the information furnished above is to the best of my knowledge and belief, correct.

Signature of Employer

*The average daily number should be calculated by dividing the aggregate number of attendance on working days by the number of working days in the year. In reckoning attendances, attendance by temporary as well as permanent workers should be counted and all workers should be included, whether they are employed directly or under contractors. Days on which the plantation was closed, for whatever cause, should not be treated as working days.

**Enter "one hour", "two half hours", "one half hour" or "None" as the case may be. If none of these categories apply to the adult workers, enter the category applicable to the majority of adult workers. Where the majority received an interval exceeding one hour, enter "one hour".

Note :— Where possible, separate figures should be shown in respect of clerical and supervisory staff and other workers.

FORM NO. 17.

(Prescribed under sub-rule (2) of rule 84)

Leave with Wages—Annual Return for the year ending
31st December, 195 .(To be furnished to the Inspector and Chief Inspector by
the 15th February).

- | | | | | | | |
|----|---|-----|-----|-----|-----|-----|
| 1. | Name of Plantation | ... | ... | ... | ... | ... |
| 2. | Name of employer | ... | ... | ... | ... | ... |
| 3. | District | ... | ... | ... | ... | ... |
| 4. | Postal Address | ... | ... | ... | ... | ... |
| 5. | Total number of persons
employed during the year | ... | ... | ... | ... | ... |
| | (a) Men | ... | ... | ... | ... | ... |
| | (b) Women | ... | ... | ... | ... | ... |
| | (c) Young persons | ... | ... | ... | ... | ... |
| | Adolescents | | | | | |
| | Children | ... | ... | ... | ... | ... |
| 6. | Number of persons who were granted leave during the year :— | | | | | |
| | Men | ... | ... | ... | ... | ... |
| | Women | ... | ... | ... | ... | ... |
| | Adolescents | ... | ... | ... | ... | ... |
| | Children | ... | ... | ... | ... | ... |
| 7. | Number of workers to whom the leave allowed amounted to
thirty days. | | | | | |
| | Men | ... | ... | ... | ... | ... |
| | Women | ... | ... | ... | ... | ... |
| | Adolescents | ... | ... | ... | ... | ... |
| | Children | ... | ... | ... | ... | ... |

Certified that the information furnished above
is, to the best of my knowledge and belief, correct.

Signature of employer

Note :—Where possible, separate figures should be shown in respect of
clerical and supervisory staff and other workers.

FORM NO. 18

(Prescribed under sub-rule (2) of rule 84)

Annual Return-Creches (year ending the 31st
December, 195.....)

To be furnished to the Inspector and Chief Inspector
by the 15th February).

1. Name of plantation... ..
2. Number of women
workers normally employed... ..
3. Area of the plantation... ..
4. Number of creches
5. Number of children admitted in each creche
6. Average daily attendance of children at each creche
 - (i) Two years and below... ..
 - (ii) Above two years... ..
7. Facilities provided in each creche.
 - (i) Milk
 - (ii) Food
 - (iii) Clothes
 - (iv) Toys
 - (v) Medical aid
 - (vi) Others
8. Strength of staff employed in each creche.
 - (i) Doctors :—
 - (a) Males
 - (b) Females.
 - (ii) Nurses.
 - (iii) Ayahs/or inferior attendants.
 - (iv) Sweepers.

9. Remarks

Date.....

Certified that the information
furnished above is, to the best of
my knowledge and belief, correct

Signature of employer.

FORM NO. 19
 (Prescribed under sub-rule (2) of rule 84)
Annual Return—Canteens

Year ending the 31st December, 195.....
 (To be furnished to the Inspector and Chief Inspector by the 15th February)

Name of Plantation.....

Area of Plantation.....

Number of workers normally employed daily	Number and type of Canteens					Whether articles sold below cost price. If so, state, items provided below cost price in each canteen	Remarks
	Providing cooked food and refreshment etc.	Providing cooked food only	Providing refreshment and tea only	Providing tea only	Number of workers patronising each canteen normally daily		
1	2	3	4	5	6	7	8

Certified that the information furnished above is to the best of my knowledge and belief, correct.

Signature of employer.

FORM NO. 20

(Prescribed under sub-rule (2) of rule 84)

Annual Return-Maternity Benefit

For the year ending the 31st December, 195.....
 (To be furnished to the Inspector and Chief Inspector by the 15th February)

Name of Plantation.....

1 Total Number of women employed during the year	2 Number of women who worked for a period of not less than 150 days	3 Number of women who gave notice of confinement	4 Number of cases where women refused to submit to medical Examination	5 Number of cases, where employer refused permission for absence during 4 weeks before the expected day of delivery	6 Number of cases where employer granted permission to absent on account of notice of confinement	7 Number of claims for maternity benefit paid and the total amount
Number of claims for benefit rejected		Number of expectant women dismissed while working		Number of expectant women who were fined		Remarks
8	9	10	11	12	13	

NOTE :—Where possible, separate figures should be shown in respect of clerical and supervisory staff and other workers.

N. B. Full particulars of each case and reason for action taken under headings (5) (8)(9) and (10) should be given.

FORM NO 21

(Prescribed under sub-rule (2) of rule 84)

Annual Return-Sickness benefit

For the year ending the 31st December, 195.....

(To be furnished to the Inspector and Chief Inspector by the 15th February)

Name of Plantation

Number of persons employed	Number of persons who applied for sickness benefit	Number of cases in which the claim was rejected and the reasons therefor	Number of persons who were granted sickness benefit and the total amount paid	Remarks
1	2	3	4	5

Signature of employer

Date.....

Note :—Where possible, separate figures should be shown in respect of clerical and supervisory staff and other workers.

FORM NO 22

(Prescribed under sub-rule (3) of rule 84)

Provision of medical facilities

Return for the period ending the 30th June, 195.....

or 31st December, 195

(To be furnished to the Inspector and the Chief Inspector
by the 31st July

31st January

1. Name of Plantation.....
2. Total population.....
3. Average number of workers employed daily
4. Garden hospital/dispensary.

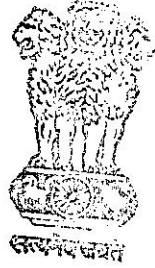
Figures per 700 workers

Nature of medical facilities	Facilities prescribed in the rules	Facilities available	Deviation + (plus) - (minus)
Hospital beds			
Doctors			
Mid-wives, Nurses			
Compounders			
Anti-malaria Assistants.			

5. Number of first-aid boxes or cup-boards maintained, if any.
6. Steps taken or proposed to be taken, if any, to bring the medical facilities available in the plantation at par with those prescribed in rules. State with special reference to the various stages of the approved scheme for provision of medical facilities.
7. Number of patients recommended for treatment at the Group Hospital and arrangements made for their treatment if no Group Hospital has been established.

Signature of the employer

TRIPURA



GAZETTE

Published by Authority

EXTRAORDINARY ISSUE

Agartala, Wednesday, December 5, 1984 A. D.

Agrahayana 14, 1906 S. E.

PART-I---Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA
DEPARTMENT OF LABOUR

d No. F. 90(3)-LAB/PL/81/4091 Dated, Agartala the 29th October, 1984.

NOTIFICATION

In exercise of the power conferred by sub-section (1) of Section- 43 of the Plantations Labour Act, 1951 (Act No. 69 of 1951), the State Government with the previous approval of the Central Government hereby make the following Rules to amend the 'Tripura Plantations Labour Rules 1954', the same having already been published in the Tripura Gazette, Extra-ordinary issue dated 26th June, 1984 inviting objections and suggestions as required.

R. N. CHAKRABORTY
Commissioner-Cum-Secretary,
Government of Tripura.

RULES

Short title and commencement

1. (1) These Rules may be called "The Tripura Plantation Labour (Amendment) Rules, 1984".

(2) They shall come into force on and from the date of publication in the official gazette.

Amendment of Rule 2.

2. In the Tripura Plantation Labour Rules, 1954 (hereinafter called the principal rules), after clause (f) the following shall be inserted, namely :

(ff)—"Registering Officer" means the Registering Officer appointed under Section 3A of the Act.

(fff)—"Schedule" means the schedule appended to these rules.

Insertion of new Chapter—1-A

3. After Chapter I of the principal rules, the following Chapter shall be inserted, namely :—

CHAPTER—IA

Procedure for Registration of Plantation.

2A. (1) Mode of application for registration of a plantation—The application for registration of plantation under Section 3B shall be made in form 1-A and addressed to the Registering Officer.

(2) The application shall be accompanied by Treasury Challan showing payment of fees under the proper Head of Account "Fees realised under the Plantation Labour Act" as specified below :—

(a) for plantation with an area of ten or less than ten hectares of land—	Rs. 50.00
(b) for plantation with an area of more than 10 hectares, but not more than 20 hectares of land—	Rs. 100.00
(c) for plantation with an area of more than 20 hectares of land—	Rs. 200.00

(3) The application shall be delivered in the office of the Registering Officer by hand or by registered post.

2B. Issued of certificate of Registration—Where a plantation is registered under Section 3B, the Registering Officer shall issue a certificate of Registration in Form 1-B to the employer.

2C. The Registering Officer shall maintain a register of plantation in Form 1-C and shall enter in it the particulars of every plantation registered by him :

Provided that for each plantation, a separate page shall be used.

2D. (1) Intimation of changes of particulars of a plantation after registration—Changes which occurs in the ownership of management or in the extent of the area or other particulars in respect of a plantation after registration thereof shall be intimated by the employer in Form 1D to the Registering Officer within a period of thirty days from the date when such changes occurred.

(2) On receipt of intimation of changes referred to in sub-rule (1) in respect of any plantation, the Registering Officer shall enter such changes in the register of plantation maintained under Rule 2C and shall also make subsequential changes wherever necessary in the Certificate of Registration over his signature.

Provided that where there is a change in the ownership of plantation, the employer shall be required to make fresh application for registration of the plantation under Rule 2A and the procedure laid down in that Rule and Rule 2C shall apply in relation to such application.

2E. (1) Before making any order under sub-section (6) of Section 2B cancelling the registration of a plantation, the Registering Officer may make such inquiry as he considers necessary:

Provided that no order under sub-section (6) of Section 3B shall be made by the Registering Officer without giving the employer an opportunity of being heard.

(2) The Registering Officer shall furnish a certified copy of the order referred to in sub-rule (1) to the employer free of cost.

2F. (1) An appeal under section 3C against an order passed by the Registering Officer under sub-section (3) of Section 3B shall lie to the Labour Commissioner, Government of Tripura.

(2) Every appeal under sub-section (1) of Section 2C shall be preferred in the form of Memorandum signed by the appellant or his authorised agent and presented to the appellate authority in person or through authorised agent or sent to the appellate authority by registered post.

(3) The Memorandum shall set forth concisely and under distinct Heads the ground of appeal against the order appealed from and shall be accompanied by a certified copy of the order.

(4) No appeal shall be entertained unless a fee of Rs. 25/- has been deposited in the Treasury or Sub-Treasury in Tripura under proper Head of Account. Fees realised under the Plantations Labour Act, and the Memorandum of Appeal is accompanied by the challan showing such deposit.

(5) The appellate authority shall maintain or cause to be maintained a register of appeals in Form 1-B and the particulars of every appeal preferred under sub-section (1) of Section 3C shall be entered in the register.

(6) Where the Memorandum of appeal does not comply with the requirements specified under sub-rule (2), (3) and (4), it may be rejected by the appellate authority or in a fit case, returned to the appellant for the purpose of re-filing it within a specified date after removing the defects.

(7) Where the appellate authority rejects a Memorandum of Appeal under sub-rule (5) or on the ground of limitation, he shall record the reasons for such rejection and furnish a copy of the order to the appellant free of cost.

(8) Where the Memorandum of Appeal fulfils the requirements specified above and is not barred by limitation, or if barred by limitation, delay is condoned, the appellate authority shall admit the appeal.

(9) Where the appeal has been admitted, the appellate authority shall send notice of appeal to the Registering Officer against whose order the appeal has been preferred and the Registering Officer shall send the record of the case to the appellate authority.

(10) On receipt of the record, the appellate authority shall send a notice to the appellant and Registering Officer to appear before him on such date and at such time as may be specified in the notice for hearing of the appeal.

(11) If on the date fixed for hearing of the appeal, the appellant does not appear, the appellate authority may dismiss the appeal for default of the appellant unless the appellate authority chooses to decide the appeal *ex parte* on merits.

(12) Where an appeal has been dismissed for default under sub-rule (11), the appellant may apply to the appellate authority for readmission of the appeal and where it is proved that he was prevented by sufficient cause from appearing when the appeal was called on for hearing, the appellate authority may restore the appeal to its original number and shall hear the appeal on the date to be fixed for the purpose.

(13) An application under sub-rule (12) for restoration of appeal shall not be entertained unless filed within 30 days of the date of dismissal of the appeal for default;

Provided that if good and sufficient reasons are shown, the appellate authority may extend the period of thirty days for making such application.

(14) If the appellant is present when the appeal is called on for hearing, the appellate authority shall hear the appellant or his authorised agent, Registering Officer and any other person whom the appellate authority may summon for the purpose and shall pronounce the judgement either confirming or reversing or modifying the order appealed against.

(15) The judgement of the appellate authority shall contain a brief statement of facts, the points for determination, the decision thereon and the reasons for such decisions.

(16) The order passed by the appellate authority shall be final.

(17) The appellate authority shall cause a copy of the judgement and order passed by him sent to the Registering Officer from whose order, the appeal was preferred. A copy of the judgement and order passed in appeal shall also be furnished to the appellant free of cost.

4. After Rule 63 of the principal rules, the following rules shall be inserted, namely:—

55A.—Qualifications for appointment of Commissioner—

Any member of the All India Service serving under State Government or any member of the Tripura Civil Service, Grade-I shall be qualified to be appointed as Commissioner to determine the amount of compensation payable under Section 16A.

53B. (1) Form of application for compensation—

An application for payment of compensation under Section 16A shall be made in Form 5A.

(2) The application under sub-rule (1) shall be accompanied by as many copies thereof as may be required for service upon the employer or as the case may be, employers.

53C.(1) For determining the amount of compensation payable under Section 16A, the provisions of the Workmen's Compensation Act, 1923 (Act VIII of 1923) and the Tripura Workmen's Compensation Rules, 1952 shall *mutatis mutandis* to the proceedings before the Commissioner to the extent such provision are consistent with the provisions of the Act and these rules.

(2) If in any proceeding for determination of any claim for compensation payable under Section 16A, the Commissioner considers that for a just decision of the matter in issue, the assistance of one or more persons possessing special knowledge of any matter relating to the inquiry is necessary, the Commissioner may choose such person or persons to assist him in such manner as he deems fit.

53D. (1) The amount of compensation awarded under section 16A shall be deposited by the employer with the Commissioner appointed under Section 16B read with Rules 53A.

(2) The amount of compensation awarded under section 16A may, on receipt of a certificate from the Commissioner, be recovered as arrears of land revenue under the provisions of the Tripura Land Revenue and Land Reforms Act, 1960 (43 of 1960).

5. After rule 82 of the principal rules, the following shall be inserted, namely:—

82A. (1) Form of notice of accident—When an accident of the nature specified in Section 32A or described in the schedule occurs, the employer shall—

- (i) send intimation thereof forthwith by special messenger or by telegram or through telephone to the Labour Inspector in whose jurisdiction the accident has occurred; and
- (ii) send notice of such accident in Form 7A by registered post to the Commissioner appointed under Section 16B within seven days from the date of the accident.

Provided that if the accident causes death or is likely to cause death, the employer shall also send intimation thereof to the Chief Inspector of Plantation and the officer in-charge of the nearest Police Station by special messenger or telegram or through telephone immediately after the death or as the case may be, the accident.

82B. (1) Form of register of accident—

Every employer shall maintain a register of accidents in Form 7-B.

(2) The particulars of all accidents which occur in a plantation shall be entered by the employer in the register maintained under sub-rule (1).



FORM--1A

(See Rule--2A)

APPLICATION FOR REGISTRATION OF PLANTATION

1. Name of the location of the Plantation :--
2. Postal address of the Plantation :--
3. Full name and address of the employer with father's/husband's name in case of individuals :--
4. Name and address of the Manager or person responsible for the supervision and control of the Plantation :--
5. Full name and address of the manager or person responsible for the supervision and control of the Plantation :--
6. Maximum number of workers employed in Plantation on any day preceding last twelve months :--
7. Particulars of challan by which fees have been deposited :--

I hereby declare that the particulars given above are true to the best of my knowledge and belief.

Employer

Seal and Stamp.

Date of receipt of application.

FORM--IB

(See rule 2B)

CERTIFICATE OF REGISTRATION

Dated.....19.....

GOVERNMENT OF TRIPURA
OFFICE OF THE REGISTERING OFFICER

A certificate of registration containing the following particulars is hereby granted under sub-section (3) of Section 3 of the Plantation Labour (Amendment) Act, 1981 and the Rules made thereunder to

1. Name and location of the Plantation :--
2. Postal address of the Plantation :--
3. Name of the employer :--
4. Maximum number of workers employed on any day preceding twelve months :--

Signature of the Registering
Officer with Seal.

Sl. No.	Registration No. and date.	Name, address of the Plantation	Name of the employer.	Maximum number of workers, employed on any day preceding twelve months.	Amount of fees deposited	Remarks
1	2	3	4	5	6	7



FORM 1D
(See Rule 2D)

1. Name and address of the Plantation :—
2. Registration No. and date of the Plantation :—
3. Name of the employer :—
4. Nature of change is to be made in the certificate of Registration :—
5. Reasons for change :—

Dated.....

Signature of the employer or
his authorities agent.

FORM-I E

(See Rule 2F (5)

Registrar of appeals

Sl. No.	Name and address of the plantation	Date of filing appeals	Date & nature of decision	Amendment made or appeal, if any	Remark
---------	------------------------------------	------------------------	---------------------------	----------------------------------	--------

FORM NO. 5A
(See Section 16A and Rule 53B(1))
APPLICATION FOR COMPENSATION

The Commissioner for Compensation,
.....
..... residing at.....

Applicant.

Versus

residing at

It is hereby submitted that—

1) The applicant is a worker/family member of the
worker employed by the opposite party on theday
.....of 19.....died/receive injury as a result of collapse of
a house provided under Section 15 of the Act.

2) The applicant/injured namely:—

3) (a) Notice of accident was served on the.....day of.....
.....19.....

(b) Notice of accident was served as soon as practicable ;

(c) Notice of the accident was not served (in due time) by reasons
of.....for the following reasons ;

You are, therefore, requested to determine the following questions,
namely:—

- i) Whether the applicant/injured/victim has suffered any injury or died.
- ii) Whether the death/injury was caused as a result of the collapse of the house provided under Section 15 ;
- iii) Whether the amount of compensation claimed is due ;
- iv) To what extent the opposite party is liable to pay the compensation ;
- v)
- vi)

Signature of the applicant.

Dated.....

FORM 6-A
NOTICE OF ACCIDENT
(See Rule 81-A(i)(ii))

1. Name of the employer :—
2. Address of work where accident occurred :—
3. Exact place where the accident occurred :—
4. Injured persons :—
 - (a) Name :—
 - (b) Parentage :—
 - (c) Age :—
 - (d) Sex :—
 - (e) Occupation :—
 - (f) Full address :—
5. Date and hour of accident :—
6. Hour at which he started work on the day of accident :—
7. (a) Cause of nature of accident :—
 - (b) If caused by machinery :—
 - (i) Give name of the machine and part causing the accident and (b)(i)
 - (ii) State whether it was moved by mechanical power at the time (b)(ii)
 - (c) State exactly what injured person was doing at the time
8. Nature and extent of injuries (e.g. fatal, loss of finger, fractures of leg, scaled, scratch followed by septic) :—
9. If accident is not fatal or likely to be fatal, state whether the injured person is likely to be prevented from working for 48 hours or more immediately following the accident.
10. Name of Medical Officer in attendance on injured person.

I certify that to the best of knowledge and belief the above particulars are correct in every respect.

Signature of occupier of manager... ..

Date of despatch of report... ..

FORM-6B
 (See rule 82 (B)(1))
REGISTER OF ACCIDENTS AND DANGEROUS OCCURENCES

Name of injured person (if any)	Date of accident	Date of report	Nature of accident	Date of return of injured person to work	No. of days injured person was absent from work	Compensation determined with date of determination	Compensation paid with date of payment
1	2	3	4	5	6	7	8

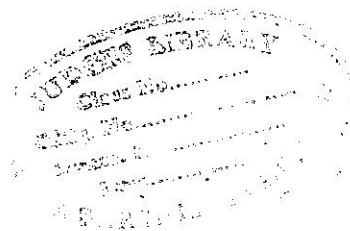
SCHEDULE—I

See Section 32 A and Rule 82A(1)(i)

LIST OF INJURIES

(To be incorporated by the administrative Department to carry out their intention)

1. Accident causing total or partial disablement or disfiguration.
2. Any other type of accident which may be added to the Schedule by the Govt. of Tripura by notification in the official gazette.



GOVERNMENT OF TRIPURA
DEPARTMENT OF LABOUR

CORRIGENDA

NO.F. 90 (3)-LAB/PL/81 /1382

Dated, Agartala, the 7th May, 1985.

In the Notification No.F. 90 (3)-LAB/PL/81 published in the Tripura Gazette, Extra-Ordinary Issue, December 5, 1984 wherein Tripura plantations Labour (Amendment) Rules, 1984 was published, clauses mentioned below in the Rules may be read as follows :-

1. In the Notification in the second line after the first bracket the words 'to be read with amended Act of 1981' (Act No. 58 of 1981) will be inserted.
2. In Rule 2B in first line please read "issue" instead of word "issued".
3. In Rule 2D(1) in the second line please read "or" instead of word "of".
4. In Rule 4 in the first line, please read "Rule 53" instead of "Rule 63".
5. In Form 1A in item 4 please read "name and address of Director/particulars of partners (in case of companies and Firm)" in stead of words "Name and address of the Manager or persons responsible for the supervision and control of the plantations".
6. In Form No. 5A in para(1) in para 3 please read "receivid" instead of word "receive".
7. In Form 6A in item 4 of first line, please read "persons" instead of word "persnos".
8. In Form 6A in item 7(a) in the first line, please read "or" instead of word "of".

S. BANERJEE
UNDER SECRETARY,
GOVERNMENT OF TRIPURA

Government of Tripura
Department of Labour

No. F. 99(1)-LAB/SE/81/3069-70 Dated, Agartala, the 3rd June, 1993.

NOTIFICATION

In the interest of public service and in exercise of the powers conferred by sub-section (4) of Section 5 of the Tripura Shops and Establishments Act, 1970 (Act VIII of 1970), the Governor is pleased to grant weekly holidays on Thursday full and Friday 1st half for all the Shops and Establishments covered under the Panisagar Market area situated in Panisagar Gaon Sabha with effect from the date of publication of the notification.

By order of the Governor,
K. Arya
Commissioner-cum-Secretary,
Government of Tripura.

Government of Tripura
Labour Department

No. F. 90(3)-LAB/P /81/3020. Dated, Agartala, the 29th June, 1993.

NOTIFICATION

In exercise of the powers conferred by Sub-section (1) of Section 43 of the Plantations Labour Act, 1951 (Act No. 69 of 1951), the State Government with the previous approval of the Central Government makes the following Rules further to amend the Tripura Plantations Labour Rules, 1984, namely :—

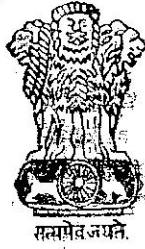
1. Short title and Commencement :—

- (1) These Rules may be called the Tripura Plantations Labour (Second Amendment) Rules, 1993.
- (2) They shall come into force from the date of their publication in the official Gazette.

2. In Form 1B of the Tripura Plantations Labour Rules, 1984, for the figures, words and bracket "3 of the Plantations Labour (Amendment) Act, 1981," the figures and the words "3B of the Plantations Labour Act, 1951," shall be substituted.

By order of the Governor,
K. ARYA
COMMISSIONER & SECRETARY
GOVERNMENT OF TRIPURA

TRIPURA



GAZETTE

Published by Authority,
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Agartala, Saturday, February 19, 2000 A.D. Magha 30, 1921 S. E.

PART—I Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

Government of Tripura
Labour Department

No. F.90(32)-LAB/PL/COM/97/782

Dated, Agartala, the 14th February, 2000.

NOTIFICATION

In exercise of the power conferred by sub-section (1) of Section-43 of the Plantations Labour Act, 1951 (Act No. 69 of 1951,) the State Government with the previous approval of the Central Government hereby make the following Rules to amend the "Tripura Plantations Labour Rules 1954", the same having already been published in the Tripura Gazette, Extra-Ordinary issue dated 16th December, 1999 inviting objection and suggestions as required.

S. C. Das
Secretary,
Government of Tripura

RULES.
Short title and
Commencement.

1. (1) These Rule may be called the Tripura Plantation Labour (Amendment) Rules, 1999.
- (2) They shall come into force on the date of their publication in the Official Gazette.

Amendment of
Rule-22.

2. In Rule 22 of the Tripura Plantations Labour Rules 1954 (hereinafter referred to as the Principal Rules).
 - (a) for sub-rule (4), the following shall be substituted, namely :-

"(4) Notwithstanding anything contained in sub-rules (1), (2) and (3) small and inaccessible Plantations employing in 350 or less workers so situated as not to be within reasonable distance or reach of a garden hospital shall have, subject to the approval of the Chief Inspector, dispensaries with five detention beds, a dhai or midwife and a general duty attendant under the immediate care of a fulltime qualified Pharmacist, but supervised and visited daily at regular hours by the nearest garden doctor.

(b) after sub-rule (4) the following sub-rules shall be inserted, namely :-

(4A) Whether the worker is required to be sent to a hospital out side the Plantation, the employer shall pay the cost of medicine prescribed by the Medical Officer of the Hospital and actual Bus, Jeep Auto Rickshaw fare of the worker and one escort. (4B) The employer shall pay the cost of medicines prescribed by the attending Medical Officer to the worker and the actual cost of journey of the worker and one escort when the worker is referred to a Hospital out side Tripura by the State Medical Board.

Amendment of
Rule-84.

3. In rule 84 of the Principal rule (a) in sub-rule (1) for the figures "16", the figure "16", shall be substituted. (b) sub-rule (2) and (3) shall be omitted (c) sub-rule(4) shall be renumbered as sub-rule (2):

4. For Form 16 appended with Principal Rules, the following Form shall be substituted, namely :-

ANNEXURE — 16.1
THE PLANTATIONS LABOUR ACT, 1951.
ANNUAL RETURN.

Registration Number of the Plantation	:-
Name of the Manager	:-
1. District	:-
2. Full Postal address of the Plantation	:-
3. Name of the Plantation	:-
4. Area (Hectares)	:-
5. Number of days worked in the year	:-
6. Number of mandays worked during the year	:-
7. Average number of workers employed daily	:-

ADULTS

Men
 Women

Adolescent

Men
 Female

Children

Boys
 Girls

8. Total Number of manhours worked including overtime, excluding rest interval.

(a) Adults	(b) Adolescents
(i) Men	(i) Male
(ii) Women	(ii) Female
(c) Children	
(i) Boys	
(ii) Girls	
	Total

9. Average number of hours worked per week :—

Men
 Women
 Children

- * The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days in the year. In reckoning attendances, attendance by temporary as well as permanent employees should be included, whether they are employed directly or under contractors.
- * Adult — Adult means a person who has completed his eighteenth year of age
- Adolescent — Adolescent means a person who has completed his fifteenth year of age, but has not completed his eighteenth year.
- * Child — Child means a person who has Completed his twelfth year of age, but has not completed fifteenth year of age.

LEAVE WITH WAGES

10. Total number of persons employed during the year

- (i) Men
- (ii) Women
- (iii) Children

11. Number of workers who were entitled to annual leave with wages during the year
 - (i) Men
 - (ii) Women
 - (iii) Children
12. Number of workers who were granted leave during the year
 - (i) Men
 - (ii) Women
 - (iii) Children
13. Number of workers whose services were terminated during the year
14. Number of workers whose services were terminated and were paid wages in lieu of leave
15. Number of workers to whom leave granted amounted to 30 days
 - (i) Men
 - (ii) Women
 - (iii) Children

MATERNITY BENEFITS

16. Total Number of women workers employed during the year :-
17. Number of women workers who worked for period not less than 150 days during the year :-
18. Number of women workers who claimed Maternity Benefit during the year :-
19. Number of claims accepted and paid either fully or partially :-
 - (i) Total
 - (ii) From current year claim
20. Total amount of maternity benefits paid (in Rs.) :-

SICKNESS BENEFITS

21. Number of workers who applied for sickness benefit :-
22. Number of workers who received the benefit :-
23. Amount paid (in Rs.) :-
24. Number of cases in which the claims were rejected :-

ADULTS

Men
 Women

Adolescent

Men
 Female
Children
 Boys
 Girls

8. Total Number of manhours worked including overtime, excluding rest interval.

(a) Adults

(i) Men
 (ii) Women

(b) Adolescents

(i) Male
 (ii) Female

(c) Children

(i) Boys
 (ii) Girls

Total

9. Average number of hours worked per week :—

Men
 Women
 Children

* The average daily number should be calculated by dividing the aggregate number of attendances on working days by the number of working days in the year. In reckoning attendances, attendance by temporary as well as permanent employees should be included, whether they are employed directly or under contractors.

* Adult — Adult means a person who has completed his eighteenth year of age
 Adolescent — Adolescent means a person who has completed his fifteenth year of age, but has not completed his eighteenth year.

* Child — Child means a person who has Completed his twelfth year of age, but has not completed fifteenth year of age.

LEAVE WITH WAGES

10. Total number of persons employed during the year

(i) Men
 (ii) Women
 (iii) Children

(Specify reason for rejection)

- (i)
- (ii)
- (iii)
- (iv)
- (v)

CRECHES

- 25. Is there a creche provided in the plan required under Section—12 :-
- 26. Number of creches provided :-
- 27. Average daily attendance of children at the creche :-
 - (i) 2 (two) years and below :-
 - (ii) Above 2 (two) years :-
- 28. Whether the following facilities provided in the creches (Yes/No)
 - (i) Milk
 - (ii) Food
 - (iii) Clothes
 - (iv) Toys
 - (v) Medical aid
 - (vi) Others
 - (vii) Doctors/Nurses (Number)
 - (viii) Ayhas & Attendants (Number)
 - (ix) Sweepers (Number)
- 29. Is there a canteen provided in the Plantation as required under Section 11
- 30. Number of canteens provided No.and serving
 - (i) Cooked food and refreshment tea etc,
 - (ii) Cooked food only
 - (iii) Refreshment and tea only
 - (iv) Tea only
- 31. Is the canteen run and managed departmentally or through contractors
- 32. Please state of a common canteen is being shared with some other Plantation.

HOUSING FACILITIES

33. Number of workers eligible for housing accommodation.
34. Number of workers already provided with accommodation.
35. Number of workers remaining to be provided with accommodation.
36. Shortage of houses (Number)
37. Details of housing accommodation sanctioned for construction,
38. Details of housing accommodation :—
under construction.
39. Details regarding monetary assistance provided by the Central Government under subsidised housing scheme.
40. Details regarding monetary assistance provided by other agencies (specify)

ACCIDENTS DUE TO HOUSE COLLAPSES.

41. Number of houses collapsed.
42. Number of persons injured.
43. Number of deaths, if any.
44. Compensation paid (in Rs.)
 - i) Due to injuries
 - ii) Due to deaths
45. a) Total number of accidents
(workers injured)
Fatal
Non-Fatal
- b) Accidents in which workers returned to work during the year to which this return relates.
 - i) Accidents (workers injured) occurring during the same year number...
... Mandays lost...

- ii) Accidents (workers injured) occurring in the previous year in which workers returned to work during the year to which the return relates number...
... .. Mandays... ..
- c) Accidents in which the workers did not return to work during the year to which this return relates. Number
... ..Mandays lost... ..
- d) Cases of accidents
 - i) Machinery moved by Mechanical power
 - ii) Transport
 - iii) Others (specify)

Certified that the information furnished above is to the best of my knowledge and belief, correct.

Signature of Manager,

Date

Omission of
Forms No.-17,
18, 19, 20
and 21.

6. Forms No. 17, 18, 19, 20 and 21 appended to the Principal Rules shall be omitted.

TRIPURA GAZETTE



Published by Authority

EXTRAORDINARY ISSUE

Agartala, Tuesday, May 22, 2018 A. D. Jyaistha 1, 1940 S. E.

PART -- I -- Orders and Notifications by the Government of Tripura,
the High Court, Government Treasury etc.

GOVERNMENT OF TRIPURA LABOUR DEPARTMENT.

No.F.90(32)-LAB/PL/COM/97/4527

Dated, Agartala, the 7th May, 2018.

NOTIFICATION

Whereas, in exercise of the powers conferred by Sub-Section (1) of Section-43 of the Plantations Labour Act, 1951 (Act 69 of 1951), the State Government with the previous approval of the Central Government intended to amend the "Tripura Plantations Labour (Amendment) Rules, 2017" was published on 01/12/2017 in Tripura Gazette Extra Ordinary issued, giving 06(six) weeks time for information of all concerned likely to be affected thereby and also to submit objection or suggestion, if any, to the Labour Commissioner, Jackson Gate, Agartala;

And whereas, within the specified time no objection or suggestion was received from any person;

Now, therefore, having regard to that and considering all aspects, the State Government hereby publish the following Rules namely, "Tripura Plantations Labour (Amendment) Rules 2017" with effect from the date of publication of this in Extra Ordinary issue of Tripura Gazette.

By order

Sd/- Illegible
Dy. Secretary,
Government of Tripura.

TRIPURA PLANTATIONS LABOUR (AMMENDMENT) RULES, 2017

1. Short title, extent and commencement-

(a) These rules may be called the "Tripura Plantations Labour (Fourth Amendment) Rules, 2017".

(b) They shall apply to whole of the State of Tripura.

(c) They shall come into force on the date of their publication in the Official Gazette.

2. Amendment of Rule 2A (2)- Under Chapter IA, the Rule 2A (2) of the Principal rules shall be substituted with the following, namely,

"2A (2): The application shall be accompanied by Treasury Challan showing payment of fees under the Head of Account "0230- Labour & Employment" as specified below :-

- a) Plantation with an area from 5 hectares to 50 hectares - Rs.500/-
- b) Plantation with an area above 50 hectares up to 100 hectares - Rs.1000/-
- c) Plantation with an area above 100 hectares - Rs.2000/-"

3. Insertion of new chapter IV-A: After Chapter IV of the Principal Rules, the following rules shall be inserted namely-

"CHAPTER IV-A

WELFARE FOR SPRAYING WORKERS

69A. Eligibility for employment in spraying works :- No person who has not attained 18 years of age and no women shall be employed or permitted to be employed in use, handling, Spraying, Storage and transport of insecticides, chemicals and toxic substances in the tea gardens.

69B. Medical examination:- (1) Every person who is to be engaged in connection with the works of use, handling, spraying, storage and transportation of insecticides, chemicals and toxic substances, shall get examined by a Registered medical practitioner before his engagement and within 15 days, by a Certifying Surgeon appointed under the plantations Labour Act, 1951. Such medical examination shall include appropriate tests that are necessary for assessment of his health status.

(2) The employers of a Tea Estate shall appoint at least one person designated as Chemical Supervisor and having minimum qualification of Higher Secondary (pass) with Chemistry as one of the subjects and duly trained in handling, use and storage of insecticides, chemicals and toxic substances with additional qualification on first-aid measures to supervise the safe & proper use of such substances in the plantations.

(3) There shall be compulsory medical check-up of each Workers engaged for the purpose at an interval of not more than 90 days by a Certifying Surgeon appointed under the Plantations Labour Act, 1951.

(4) Every employer shall ensure that every worker in the plantation employed for handling, mixing, blending and applying insecticides, chemicals and toxic substances is trained thoroughly about the possible hazards involved in the operation in which he is engaged, the various safety measures and safe work practices to be adopted in emergencies arising from spillage of such insecticides, chemicals and toxic substances which may lead to contamination of lungs, skin, eyes, and other parts of the body through inhalation, swallowing etc. The employers shall also ensure through repeated periodic instructions for safety measures and safe working practices in words, related to use, handling, mixing, blending,

storage and applying of such substances.

(5) Any worker showing symptom of poisoning shall immediately be examined and given proper medical treatment.

(6) The employer shall report immediately to the Certifying Surgeon declared under the Plantations Labour Act, 1951 of any accident caused due to use, handling, mixing, blending, storage and transportation of such substances.

(7) Every employer shall maintain health records of every worker who is exposed to insecticides, chemicals and toxic substances in Form No.20 and every affected worker shall have access to such records with precautions. The record shall also be presented before Certifying Surgeon notified under the Plantations Labour Act, 1951, as well as before the Labour Officer of the area. The same also be presented before any Inspector declared under the Act having jurisdiction over the area where the Plantation is located, If asked for either orally or in writing on his visit to the Plantation or within 3 months at his office, whichever is earlier.

69C. Washing Facilities and Cloak Room :- (1) The washing, bathing and cloakroom facilities as prescribed under sub-section (7) (a) of Section 18A, shall be provided in the following manner-

These shall be provided and maintained in a cleanly state and in good condition for the use of all persons employed :-

- (a) a through with a smooth impervious surface fitted with a waste pipe with plug, and of sufficient length to allow at least two feet for every ten persons employed at any one time, and having a constant supply of water from taps or jets above the through at intervals of not more than two feet; or
- (b) at least one wash basin for every ten such persons employed at any one time, fitted with a waste pipe and plug and having a constant supply of water together with, in either case, a sufficient supply of nail brushes, soap or other suitable cleansing material and clean towels changed daily;
- (c) suitable accommodation for clothing not worn during working hours with adequate arrangement for drying the clothing if wet. The accommodation so provided shall be placed under charge of a responsible person.

(2) No food, drink or eatables including pan, supari or tobacco shall be brought into or consumed by any worker either at the work place or at the washrooms.

69D. Precautionary Notice:- Every employer shall exhibit precautionary notices indicating the hazards of insecticides, chemicals and toxic substances in the vicinity of the work place, printed / typed in the language of the majority of the workers and shall be affixed in prominent places where it could be easily seen and conveniently read by the workers.

69E. First Aid measures:- In all cases of poisoning, first-aid treatment shall always be given before the physician is called. The Indian Standard Guide for handling cases of pesticide

poisoning Part 1, First Aid Measure [I.S.4015 (Part-II)- 1967] shall be consulted for such first-aid treatment in addition to any other books on the subject. The workers shall also be educated in periodic manner as deems fit, on the effects on poisoning and the first -aid treatment to be given.

69F. Protective Clothing :- (1) Every worker handling insecticides during transport or application, shall be adequately protected with appropriate clothing.

(2) The protective clothing shall be used wherever necessary in conjunction with appropriate respiratory devices for preventing inhalation of toxic dusts, vapours or gases.

(3) No worker shall be allowed to dilute chemical solutions to be used for spraying nor allowed to spray without using gauntlets, dust-proof hats, hood, goggles, knee-length polythene apron, rubber gloves, rubber boots (gum boots) with socks, nose mask or bleached kerchief to cover nose and mouth.

(4) Lenses of goggles shall be of good quality.

(5) Rubber or rag-pad shall be used on the back to minimize, the jerking of spraying machine.

(6) Every worker engaged in spraying shall be provided with a bar of washing soap every fortnight.

(7) The equipment used for spraying as well as protective clothing and other equipments shall be maintained properly and replaced whenever necessary, immediately.

69G . Provision of change of batch used in spraying :- Workers engaged in spraying work shall be changed and replaced by other batches of workers after they have worked continuously for a period of three months.

69H. Disposal of used packages surplus materials and washings of insecticides :-
(1) It shall be the duty of the Employers and Operators to dispose packages or surplus materials and washings of insecticides, chemicals and other toxic substances in a safe manner so as to prevent environmental or water pollution.

(2) The used packages shall not be left outside to prevent their re-use.

(3) The packages shall be broken and buried away from human habitation.”

By order of the Governor,

Sd/- Illegible
Dy. Secretary
to the Govt. of Tripura
Labour Department.