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. 11/55 dated the 28th February, 1956 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 15 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. Definition:—In these Rules unless there is anything repugnant in the subject or context:
   
   (a) “Act” means the Plantations Labour Act, 1954.
   
   (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
RULES PRESCRIBED UNDER SECTION 5.

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 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) 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 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.

* Omitted by section 29 of Act No. 53 of 1961.
The Inspector may,

(a) from the

Hospital referred to in Chapter III is appointed to be a Certifying Surgeon, an appeal will be against his finding to the Civil Surgeon of the area in which the plantation is situated.

CHAPTER III

HEALTH

RULES PRESCRIBED UNDER SECTION 8

7. Drinking Water:—An adequate supply of wholesome drinking water shall be made available in every plantation at work-sites, at all times during working hours.

8. Source of Supply:—The water provided for drinking shall be supplied:

(a) from the taps connected with a public water supply system,

(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:—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.

11. Taps in Latrines:—(a) Where piped water supply is available, a sufficient number of a 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.

12. Distribution of Water:—Drinking water shall be supplied at work-sites at conveniently accessible points through paniwallahs or by tankers etc.

13. Latrine Accommodation:—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:

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 latrine should conform to public health requirements and latrines other than those connected with an efficient waterborne 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 a 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 acre 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 other than those connected with an efficient waterborne 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.
21. **Types of Hospitals:** There shall be two types of hospitals in plantations, viz., Garden Hospitals and Group Hospitals.

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

(ii) **GROUP HOSPITALS** shall be capable of dealing efficiency 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 plantations, 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 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 to not 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 midwife, 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:

<table>
<thead>
<tr>
<th>Position</th>
<th>Scale</th>
</tr>
</thead>
<tbody>
<tr>
<td>Qualified Medical Practitioner/number of workers not less than</td>
<td>1/1750</td>
</tr>
<tr>
<td>Midwifes</td>
<td>1/1750</td>
</tr>
<tr>
<td>Nursing attendants (Male or female)</td>
<td>1/700</td>
</tr>
<tr>
<td>Compounder</td>
<td>1/1750</td>
</tr>
<tr>
<td>Health assistants</td>
<td>1/2100</td>
</tr>
</tbody>
</table>

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

7. (a) A minimum of 16 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:—

1. General ward for males;
2. General ward for females;
3. Maternity with separate labour room;
4. Family Planning Centre;
5. Infections ward with separate sanitary arrangements;
6. Out patient department with sufficient waiting space for patients to wait under preferably situated in a separate block from general wards;
7. Consulting room so arranged that patients can be examined in privacy;
8. Minor operation and dressing room;
9. Dispensary and Drug Stores;
10. General Store;
11. Kitchen for cooking (fire proofed);
12. Operating Theatre Block;
13. X-Ray Block;
14. Physical therapy block;
15. Dental treatment block;
16. Labour room;
17. T.B. and V.D. clinics;
18. Consulting and examination rooms;
19. Clinical Laboratory, fully equipped;
20. Dispensary;
21. Administrative and Office block;
22. Kitchen and Laundry block;
23. Laboratories and bath-rooms;
24. Stores;
25. Mortuary and post mortem room;
26. Out-patients block which should preferably be at some little distance from the wards.

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 Chief Inspector.

Separate wards shall be provided for males, females, maternity cases and shall be isolated wards for infections diseases.

Provided further that no exemption shall be allowed without the previous approval of the Central 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.
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 that 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 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 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 and 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

I. The words 'the central as well as' were omitted by Notification No.
   F. 5(18)-LAB/59 dated 9.6.69.

CHAPTER IV

WELFARE

(RULES PRESCRIBED UNDER SECTION 11)

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.

Rule prescribed under sub-section (3) of section 12,

32. Charges:—(1) In every plantation wherein fifty or more 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 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 as 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 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 children an adequate supply of wholesome refreshment.

35. Supply of Clothes, Soap and Oil:—(1) Creche staff 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.

Rules prescribed under section 13.

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 playgrounds 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.

Rules prescribed under section 14.

38. Educational Facilities for Workers' Children:—Every employer shall if the number of workers' children between the age of 6 and 12 in his plantation exceeds 25 provide and maintain primary school or schools for imparting primary education to the children.

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 seals 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 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.

Rules prescribed under section 16.

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 house 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 these 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 exercise 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 Rules 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 and 31st January every year.

49. Maintenance of House:

(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, window and other wooden structure varnished or painted over 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 housing accommodation provided to workers and their families residing in his plantation.

51. Allotment and occupation of houses:

Houses shall be allotted on the basis of one house for a worker having a family for the use of the worker and his family.

Provided that if there are two or more workers in a family, only one house shall be allotted in respect of any such family in the name of any worker in the family.

Provided also that in the case of termination of services of a worker in whose name a house is allotted under the preceding proviso, the house shall be allotted in the name of any other member of his family who is a worker.

(1) The employer may allot houses to workers not having families at the rates of one house for not more than four such workers.

(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 verandas 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.

2. [Substituted by Notification No. F. 9 (10)/LAB/68 dated 12.9. 98 Published in Tripura Gazette on 21. 9. 1968].
52 Threat of Eviction 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 up to 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. 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.

3. Added by Notification No. F. 5(18)/LAB/65 dated 9.11.66. Published in Tripura Gazette on 19.11.66.
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 of 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 majority 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 preceedings 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 preceedings of each meeting shall be signed by the Chairman of the Advisory Board or as the case may be, 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.

68. 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.

Rules prescribed under section 17

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.

CHAPTER V

HOURS AND LIMITATION OF EMPLOYMENT

Rules prescribed under section 20

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 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.
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, double the ordinary rate.

Rules prescribed under Section 23

71. Notice of Period of Work:—(1) The notice prescribed in Section 25 shall be in Form No. 6.

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

(3) Any modification in the period 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 such change.

CHAPTER VI

SICKNESS BENEFITS

(1) Payment of Sick Allowance:—(1) Every worker shall be 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 minimum of Rupee one per day.

(2) Sickness allowance specified in sub-rule (1) 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 installment 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.

CHAPTER VII

MISCELLANEOUS

Rules prescribed under sub-section 2(e) of Section 43.

82. Appeals:—(1) An appeal against the order of an Inspector shall lie to the Chief Inspector and against the orders of the Chief Inspector to the State Government or to such authorities 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.


72. A. Accumulation of sickness allowance:—(1) Notwithstanding anything contained in rule 72 where in any year, a worker does not take the whole of the leave allowed to him under sub-rule (1) of that rule, he shall be entitled to add the leave not taken in that year to the leave to be allowed to him in succeeding year.

Provided that the number of days of leave that may be carried forward to a succeeding year shall not in any case exceed thirty days.

(2) In addition to the leave to which a worker is entitled under sub-rule (1) of rule 72 and sub-rule (1) of this rule a worker may in the event of certified sickness, prefix or suffix to such leave, the balance, if any, of the annual leave with wages standing to his credit under section 30 of the Act.

Provided that leave under this sub-rule shall be allowed only in genuine cases of serious or chronic illness or for prolonged periods of convalescence on the basis of a certificate in form No. 7.

(1) From the Chief Medical Officer or Medical Officer of a plantation or

(2) If the worker is on leave from the plantation on the basis of a certificate from any Government Doctor, from a person not below the rank of an Assistant Surgeon.

(iii) Sickness allowance at the rate laid down in rule 72 shall be payable for the days of leave availed of under sub-rule (1)
All appeals under sub-rule (1) shall be in the form of the memorandum setting forth consisely the grounds of objections to the order and shall be accompanied by the 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.

Rules prescribed under sub-section (2)(j) of section 43

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 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 0.06 paise.

(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 31 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 Rules 5]

**CERTIFICATE OF FITNESS.**

<table>
<thead>
<tr>
<th>Serial No.</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td></td>
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</tbody>
</table>

1. Serial No. ...
2. Date...
3. Name...
4. Father's Name...
5. Sex...
6. Residence...
7. Age certified...
8. Physical fitness...
9. Descriptive marks...
10. Reasons for...

   (i) refusal of certificate
   (ii) certificate being revoked.

<table>
<thead>
<tr>
<th>Thumb Impression</th>
</tr>
</thead>
</table>

Initials of Certifying Surgeon.

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

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**FORM NO 2**

(Proscribed under sub-rule (3) of Rule 5)

**REGISTER SHOWING THE FEES PAID TO THE CERTIFYING SURGEON FOR THE ISSUE OF DUPLICATE CERTIFICATES.**

<table>
<thead>
<tr>
<th>Date</th>
<th>Serial No.</th>
<th>Number and date of previous certificate</th>
<th>Name of person to whom granted</th>
<th>Father's name</th>
<th>Initials of the Certifying Surgeon</th>
</tr>
</thead>
<tbody>
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</table>

Paid to Treasury at...

Signature of the Certifying Surgeon.
FORM No. 3
Prescribed under sub-rule (5) of Rule 5
CERTIFYING SURGEON VISIT NOTE
Visit to (Plantation) on (date) 19

Name of the Certifying Surgeon.
EXAMINATION AND CERTIFICATES.

(A) Children.
1. Original examination ... Number of granted certificates ...
   Number examined ... ...

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) ...

(B) Adolescents.
1. Original examination ... Number of granted certificates ...
   Number examined ... ...

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) ...

Signed ... Certifying Surgeon.


N.B.: — Names of young persons who have been granted certificates and of those whose certificates have been cancelled shall be given in an Appendix to this Form.
### FORM NO. 5

(Prendered under Sub-rule (3) of rule 49)

Record of Lime-washing, Painting, etc.

<table>
<thead>
<tr>
<th>Description of houses.</th>
<th>Parts lime-washing, painted varnished or oiled, e.g., walls, ceilings, wood work, etc.</th>
<th>Treatment whether line-washed, painted, varnished or oiled.</th>
<th>Date on which lime-washing, painting, varnishing or oiling was carried out (according to the English Calendar)</th>
<th>REMARKS.</th>
</tr>
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<tbody>
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</table>

**Instruction to be followed in filling in the notice of Period of Work.**

(i) Divide all workers into groups according to the nature and periods of their work and classify "Groups" as A, B, C, D, etc.

(ii) 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.
This is to certify that I have examined and found him/her suffering from
and recommend the corresponding sickness allowance:

From

To

Signature, qualification and designation of

Medical Practitioner:

Date:

This is to certify that I have examined and found him/her suffering from

From

To

Signature, qualification and designation of

Medical Practitioner:

Date:

This is to certify that I have examined and found him/her suffering from

From

To

Signature, qualification and designation of

Medical Practitioner:

Date:

FORM NO. 12

(Prescribed under sub-rule (1) of rule 72)

REGISTER OF ADULT WORKERS:

<table>
<thead>
<tr>
<th>No.</th>
<th>Name and address</th>
<th>Father's Name</th>
<th>Nature of work</th>
<th>Letter of group as in Notice of period of work (Form No. 6)</th>
<th>Remarks</th>
</tr>
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<tbody>
<tr>
<td>1</td>
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</table>

FORM NO. 13

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

REGISTER OF NON-ADULT WORKERS:

<table>
<thead>
<tr>
<th>No.</th>
<th>Name and address</th>
<th>Father's Name</th>
<th>Date of first employment</th>
<th>Number of certifying Surgeon's Certificate with date</th>
<th>Age as entered in the certificate</th>
<th>Token No. reference to certificate if any</th>
<th>Nature of work</th>
<th>Letter of group as in Notice of period of work (Form No. 6)</th>
<th>Remarks</th>
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</table>
**FORM NO. 14**
(Prescribed under Sub-rule (1) of rule 83)
REGISTER OF LEAVE WITH WAGES

**PART—I—Adults**
**PART—II—Non-adults**

<table>
<thead>
<tr>
<th>SL. NO.</th>
<th>Sl. No. in the Register of adult/ non-adult workers</th>
<th>Date of entry into service</th>
<th>Number of days worked</th>
<th>Leave earned</th>
<th>Leave taken</th>
<th>Balance on return from leave</th>
<th>Date on which wages for leave paid and amount paid</th>
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**REMARKS**

**FORM NO. 15**
(Prescribed under sub-rule (2) of rule 83)

**LEAVE BOOK**

<table>
<thead>
<tr>
<th>SL. NO.</th>
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**REMARKS**

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**Note:** The leave Book shall be made out separately for each worker on thick bound sheets.
11. By Section 29 of the Maternity Benefit Act, 1961, the provisions of Maternity Benefit under Section 32 of the Plantation Labour Act have been omitted. Hence, rules 73 to 81 framed under the said Plantation Labour Act, 1951, become void.
(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 outside 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 outside 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.

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

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

(b) Adolescents
(i) Male
(ii) Female

(c) Boys
(ii) Girls

Total

9. Average number of hours worked per week:

Men
Women
Children

10. Total number of persons employed during the year

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

ADULTS

Men
Women
Adolescent

Men
Women
Children
Boys
Girls

9. Average number of hours worked per week:

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

CRECHES

25. Is there a creche provided in the plantation required under Section—12

26. Number of creches provided

27. Average daily attendance of children at the creche
   (i) 3(two) years and below
   (ii) Above 3(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
   (viii) Ayahs & Attendants
   (ix) Sweepers

29. Is there a canteen provided in the plantation as required under Section 11

30. Number of canteens provided

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 lost ..................
   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 the 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 Rule shall be omitted.

GOVERNMENT OF TRIPURA
DEPARTMENT OF LABOUR

No. 1, 5/116/LA/65
Dated, Agartala, the 6th February, 1967.

NOTIFICATION

In exercise of the powers conferred by rule 52 of the Tripura Plantation Labour Rules, 1954, the Chief Commissioner is pleased to appoint the following Sub-Deputy Collectors as ‘Competent Authorities’ for the purposes of the said rule for the local areas shown against each authority.

Competent Authorities
Sub-Deputy Collector, Sadar
Sub-Deputy Collector, Khowai
Sub-Deputy Collector, Kailashahar
Sub-Deputy Collector, Dharmanagar
Sub-Deputy Collector, Kamalpur.
Sub-Deputy Collector, Sabroom

Local Areas.
Sadar Sub-Division
Khowai Sub-Division
Kailashahar Sub-Division
Dharmanagar Sub-Division
Kamalpur Sub-Division
Sabroom Sub-Division.

By order of the Chief Commissioner,
N. G. Choudhuri
Secretary,
Government of Tripura.

Published in the Tripura Gazette on 18-2-67.
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

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.

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.

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

CHAPTER—I A

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

2C. The Registering Officer shall maintain a register of plantation in Form I-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 occur 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 I-D 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 subsequent 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 I-E 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 rectifying 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 where 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 records, 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 resubmit 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.
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.

The order passed by the appellate authority shall be final.

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:

53A—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 provisions 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 Revenues and Land Reforms Act, 1960 (Act 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 deaths, 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).

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.

<table>
<thead>
<tr>
<th>Sl. No.</th>
<th>Registration No. and date.</th>
<th>Name of the employer</th>
<th>Name address of the plantation</th>
<th>Maximum number of workers employed on any day preceding twelve months.</th>
<th>Amount of fine deposited</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
FORM—ID
(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 agents.

Remark
Amendment made or appeal, if any
FORM NO. 5A.
(See Section 16A and Rule 53B(1)
APPLICATION FOR COMPENSATION

To
The Commissioner for Compensation,

Applicant

Versus

Applicant residing at ........................................

It is hereby submitted that —

1) The applicant is a worker/family member of ...................... the worker employed by the opposite party on the .................. day of .......... of 19........ died/received 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 .......... 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 ;...

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 ;...

The Commissioner for Compensation,

Applicant

Dated............................

Signature of the applicant.

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

(ii) State whether it was moved by mechanical power at the time

(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.............................
<table>
<thead>
<tr>
<th>Date of accident</th>
<th>Name of injured person</th>
<th>Nature of accident</th>
<th>Date of return to work</th>
<th>No. of days person was absent</th>
<th>Compensation paid</th>
<th>Date of payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>8</td>
</tr>
</tbody>
</table>

**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.