

# Plantations Labour (Tamil Nadu Amendment) Act, 1996

TAMILNADU

India

## Plantations Labour (Tamil Nadu Amendment) Act, 1996

### Act 41 of 1996

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Plantations Labour (Tamil Nadu Amendment) Act, 1996(Tamil Nadu Act 41 of 1996)Statement of Objects and Reasons - Plantations Labour (Tamil Nadu Amendment) Act, 1996 (Tamil Nadu Act 41 of 1996). - Section 15 of the Plantations Labour Act, 1951 (Central Act LXIX of 1951), provides that it shall be the duty of every employer to provide and maintain for every worker and his family residing in the plantation necessary housing accommodation. Section 16 of the said Act provides that the State Government may make rules for the purpose of giving effect to the provision of section 15 and, in particular, for the eviction of workers and their families from such accommodation. By virtue of this provision, sub-rules (2) and (3) of rule 51 of the Tamil Nadu Plantations Labour Rules, 1955, have been framed conferring powers on the Labour Courts to evict such workers and their families. It is now found that the existing rule 51(3) is in-adequate and that unless the Labour Court, while exercising powers under rule 51 of the said Rules, is vested with the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (Central Act V of 1908), the Labour Court will not be able to execute its own order. Hence, the Government have decided to undertake legislation to amend the Plantation Labour Act, 1951 (Central Act LXIX of 1951), in its application to the State of Tamil Nadu, for the purpose in view.<sup>2</sup> The Bill seeks to give effect to the above decision. Published in Part IV - Section 1, page 161, of the Tamil Nadu Government Gazette Extraordinary, dated the 29th August 1996. Received the assent of the President on the 15th November 1996 and first published in Part IV - Section 2 of the Tamil Nadu Government Gazette Extraordinary, dated the 19th November 1996. An Act further to amend the Plantations Labour Act, 1951 in its application to the State of Tamil Nadu. Be it enacted by the Legislative Assembly of the State of Tamil Nadu in the Forty-seventh Year of the Republic of India as follows: -

### 1. Short title, extent and commencement.

(1) This Act may be called the Plantations Labour (Tamil Nadu Amendment) Act, 1996. (2) It extends to the whole of the State of Tamil Nadu. (3) It shall come into force at once.

## **2. Amendment of section 16.**

- Section 16 of the Plantations Labour Act, 1951 (Central Act LXIX of 1951) shall be re-numbered as sub-section (1) of that section and after sub-section (1) as so re-numbered, the following sub-section shall be added, namely: -"(2) The authority specified in the rules made under clause (e) of sub-section (1) to order eviction of any worker, from his accommodation provided by the employer,, shall have the same powers as are vested in a Civil Court under the Code of Civil. Procedure, 1908 (Central Act V of 1908) in ordering such eviction.