

REPORT ON THE WORKING OF THE PLANTATIONS LABOUR ACT, 1951 DURING THE YEAR 2009*

1 Introduction

The Plantations Labour Act was enacted in 1951 to provide for the welfare of plantation labour by regulating the conditions of work in plantations. The Act covers the entire country except the State of Jammu & Kashmir. It applies to all Tea, Coffee, Rubber, Cinchona, Cocoa, Oil Palm and Cardamom plantations, which admeasures five hectares or more and in which fifteen or more persons are employed or were employed on any day of the preceding twelve months. The Act also covers workers employed in offices, hospitals, dispensaries, schools / *balwadis* and crèches, etc., in the plantations but it does not apply to those factory premises to which the provisions of the Factories Act, 1948 apply.

The State Governments are, however, empowered to extend all or any of the provisions of the Act to any plantation notwithstanding that it admeasures less than five hectares or the number of persons employed therein is less than fifteen provided that no such declaration shall be made in respect of such land which admeasured less than five hectares or in which less than 15 persons were employed, immediately before the commencement of this Act.

2 Important Provisions of the Act

The main provisions of the Act pertain to:

- (i) Health and Welfare,
- (ii) Hours of Work, Rest Intervals etc.,
- (iii) Employment of children / adolescents and
- (iv) Annual leave with wages.

A brief description of these provisions is given below:

(i) Health and Welfare

- (a) **Medical** - Every plantation is required to provide and maintain, readily available, medical facilities for the workers and their families as may be prescribed by the State Governments.
- (b) **Housing** - The Act makes it obligatory for the employers to provide and maintain necessary housing accommodation for every worker and his family residing in the plantation. The Act also requires every employer to provide and maintain necessary housing accommodation for those desiring workers, who have put in six months of continuous service, but are residing outside the plantation. The State Governments are, however, empowered to frame rules to decide the standard and specification of the accommodation.
- (c) **Recreation** - The Act lays down that the State Governments may frame rules for providing such recreational facilities for the workers and children employed in the plantations as are prescribed.
- (d) **Education** - The State Governments are also empowered to make rules requiring every employer to provide educational facilities of such standard as may be prescribed, in his/her plantation, where the number of workers' children in the age group of six and twelve years exceeds twenty five.

* Report for the year 2008 may be seen in October, 2011 issue of the Indian Labour Journal (pages 956-972).

- (e) **Canteens** - In plantations employing 150 or more workers, the employers are required to provide and maintain one or more canteens of the standard prescribed by the State Governments for use of the workers.
- (f) **Creches** - In every plantation wherein 50 or more women workers are employed or were employed on any day of the preceding twelve months or where the number of children (below the age of six years) is 20 or more, creche facility for the use of children of such women workers is required to be provided and maintained by the employer.
- (g) **Other basic amenities** - Adequate supply of drinking water; maintenance of sufficient number of latrines and urinals in clean and sanitary conditions separately for men and women; supply of prescribed number and type of umbrellas, blankets, raincoats or similar amenities for the protection of workers from rain or cold; and appointment of welfare officers in the plantations, wherein 300 or more workers are ordinarily employed, are some of the other facilities required to be made available under the Act, for plantation workers by the employer.

(ii) Hours of Work, Rest Intervals, etc.

The Act provides that no adult worker is required or allowed to work in any plantation in excess of 48 hours a week and no adolescent or child for more than 27 hours a week. Nonetheless, when an adult worker works on any day in excess of the number of hours constituting a normal working day or for more than 48 hours in any week, he shall, in respect of such overtime work, be entitled to twice the rates of ordinary wages, provided that no such worker shall be allowed to work for more than nine hours on any day and more than 54 hours in any week.

It is obligatory under the Act that for any work done on any closed holiday in the plantation or on any day of rest, a worker shall be entitled to twice the rates of ordinary wages as in the case of overtime work. Though the Act does not fix daily hours of work, yet it lays down that the period of work of an adult worker shall be so arranged that it does not exceed beyond 12 hours a day, including rest intervals and the time spent in waiting for work. The Act provides that no woman or child worker be employed in any plantation except between 6 a.m. and 7 p.m. without the permission of the State Government. However, this restriction does not apply to the midwives and nurses employed in any plantation.

As per the Act, workers are required to be given a rest interval of at least half an hour each day after 5 hours of work. The hours of work for a normal working day for the purpose of wages and overtime are to be fixed under the rules framed by the State Governments. The Act empowers an employer to refuse to employ a worker on any day when he turns up more than half an hour after the scheduled time for the commencement of the work. The State Governments under the Rules, have to provide for (a) weekly day of rest and (b) payment for work done on the weekly day of rest at a rate not less than the overtime rate prevailing in a particular area. Where there is no such rate, the State Governments may fix such rate as they may consider proper. The workers are not allowed to work more than 10 days at a stretch without a day's rest. However, they have the option to work on any day which is not a closed holiday. The Act further facilitates that where, on any day, a worker has been prevented from working by reasons of tempest, fire, rain or other natural causes, if he so desires, that day may be treated as his weekly day of rest for the week concerned. Persons whose total period of employment in any week is less than 6 days are, however, not entitled to a weekly day of rest.

(iii) Employment of Children and Adolescents

The employment of children and adolescents is prohibited under the Plantations Labour Act, 1951 unless they are certified as fit for work by a duly appointed Certifying Surgeon in which case, the worker should carry a token to this effect while at work.

(v) Annual Leave with Wages

As per the Plantations Labour Act, 1951, every worker is allowed annual leave with wages, calculated at the rate of one day for every 20 days of work for adult worker and in case of child and adolescent, one day for every 15 days of work. Every worker is entitled to accumulate leave upto a maximum of 30 days. The wages of an employee, if employed wholly on a time-rate basis, will be paid at a rate equal to the daily wages payable to him immediately before the commencement of the leave, and in all other cases, at the average daily wage rate calculated over the preceding twelve calendar months. If the employment of a worker is terminated before he has taken the entire leave to which he is entitled, the employer shall pay him the amount payable in respect of leave not taken and such payment shall have to be made before the expiry of the second working day after such termination.

3 Number and Area of Plantations

Tables 1(a), 1(b) and 2 present the number and area of various categories of plantations by States. Table 1(a) shows that, in all, there are 3698 plantations that are registered under the Act. Of the total number of plantations registered, 1141 (30.85 per cent) are in the State of Karnataka, followed by 829 (22.42 per cent) in Assam, 686 (18.55 per cent) in Tamil Nadu, 628 (16.98 per cent) in Kerala, 282 (7.63 per cent) in West Bengal and 106 (2.87 per cent) in Tripura. The other States/Union Territories which have plantations registered with them are Himachal Pradesh, Uttarakhand and A & N Islands, while the remaining States/Union Territories have no plantations.

Table 1(b) shows the percentage response of the plantations submitting returns. Among States/Union Territories, the response rate from Karnataka was lowest at 30.85 per cent. On the contrary, the response rate from the state of Uttarakhand and Union Territory of A & N Islands was 100 percent.

Table-2 shows the area of plantations submitting returns. The largest area of 4,52,161 hectares has been reported from Assam, followed by 85,188 hectares from West Bengal, 81,467 hectares from Kerala, 52,929 hectares from Tamil Nadu, 44,060 hectares from Karnataka, 15,251 hectares from Tripura, 1,143 hectares from Uttarakhand and 333 hectares from Himachal Pradesh. The information regarding area in respect of A & N Islands has not been received.

Table-1 (a) Number and type of Estates / Plantations covered under the Act during 2009

State/ Union Territory	Number of Estates/Plantations covered								Total
	Tea	Coffee	Rubber	Cardamom	Cinchona	Cocoa	Oil Palm	Others (Mixed)	
1. Assam	829	-	-	-	-	-	-	-	829(22.42)
2. Himachal Pradesh	16	-	-	-	-	-	-	-	16 (0.43)
3. Karnataka	11	1028	102	-	-	-	-	-	1141(30.85)
4. Kerala	86	160	220	130	-	-	4	28	628(16.98)
5. Tamil Nadu	295	326	55	10	-	-	-	-	686(18.55)
6. Tripura	51	-	55	-	-	-	-	-	106 (2.87)
7. Uttarakhand	7	-	-	-	-	-	-	-	7 (0.19)
8. West Bengal	278	-	-	-	4	-	-	-	282 (7.63)
9. A & N Islands	-	-	3	-	-	-	-	-	3 (0.08)
Total	1,573	1,514	435	140	4	-	4	28	3698 (100.00)

Table-1 (b) Number of Plantations submitting returns and their percentage response during 2009

State/ Union Territory	Number of Estates/Plantations submitting returns									Total number of Estates/ Plantations covered under the Act
	Tea	Coffee	Rubber	Cardamom	Cinchona	Cocoa	Oil Palm	Others (Mixed)	Total	
1	2	3	4	5	6	7	8	9	10	11
1. Assam	644	-	-	-	-	-	-	-	644 (77.68)	829
2. Himachal Pradesh	14	-	-	-	-	-	-	-	14 (87.50)	16
3. Karnataka	6	249	97	-	-	-	-	-	352 (30.85)	1,141
4. Kerala	70	84	122	76	-	-	4	22	378 (60.19)	628
5. Tamil Nadu	230	294	37	10	-	-	-	-	571 (83.24)	686
6. Tripura	30	-	32	-	-	-	-	-	62 (58.49)	106
7. Uttarakhand	7	-	-	-	-	-	-	-	7 (100)	7
8. West Bengal	212	-	-	-	2	-	-	-	214 (75.89)	282

9. A & N Islands	-	-	3	-	-	-	-	-	3 (100)	<u>3</u>
Total	1,213	627	291	86	2	-	4	22	2,245 (60.71)	3,698

‘ - ‘ = Nil.

Note:- Figures in brackets indicate response rate.

Table-2 **Number and Area of Estates / Plantations submitting returns and the employment therein during 2009**

State/Union Territory	Plantation Labour Act Rules came into force (Month and Year)	Employment in Plantations Submitting Returns	Number of Estates / Plantations submitting returns	Total Area of Estates/ Plantations submitting returns (in Hectares)
1	2	3	4	5
1. Assam	January, 1956	4,49,047	644 (829)	4,52,160.563
2. Himachal Pradesh	September, 1955	173	14 (16)	332.901
3. Karnataka	October, 1956	16,537	352 (1141)	44,060.000
4. Kerala	April, 1956	54,319	378 (628)	81,467.000
5. Tamil Nadu	January, 1956	49,985	571 (686)	52,928.708
6. Tripura	September, 1955	12,279	62 (106)	15,250.550
7. Uttarakhand	March, 1957	848	7 (7)	1,142.570
8. West Bengal	November, 1957	1,81,538	214 (282)	85,188.110
9. A & N Islands	September, 1957	360	3 (3)	..
Total		7,65,086	2,245 (3698)	7,32,530.402

‘ .. ‘ = Information not received.

Note:- Figures in brackets indicate the total number of Estates/Plantations covered under the Act.

4 Pattern of Employment

The average daily employment in plantations by age and sex during the year 2009 is given in Table 3 and 4. During the year 2009, maximum number of workers i.e. 4,49,047 (58.69 per cent) were employed in the state of Assam, followed by 1,81,538(23.73 per cent) in West Bengal,

54,319(7.10 per cent) in Kerala and 49,985(6.53 per cent) in Tamil Nadu. Out of the total employment (7,65,086) in plantations submitting returns, 7,24,564(94.70 per cent) were adults and 40,522(5.30 per cent) were adolescents. The employment in plantations has been dominated by the female workers which accounted for 53.25 percent (4,07,443) of total employment as against 46.75 percent (3,57,643) male workers.

The workers employed in Tea plantations accounted for the highest proportion of 94.15 per cent (i.e.7,20,315). This was followed by Coffee 2.61 per cent (i.e.19,975), Rubber 2.55 per cent (i.e.19534), Cinchona 0.23 per cent (i.e.1,733), Cardamom 0.21 per cent (i.e.1,645) and Oil Palm 0.09 per cent (i.e.687). Others (mixed) accounted for 0.16 per cent (i.e.1,197). There was no cocoa plantation reported from any state.

Table – 3 Average daily number of workers employed in the Plantations submitting returns during 2009

State/Union Territory	Average daily number of workers employed								Grand Total
	Adult		Adolescent		Children		Total		
	Male	Female	Male	Female	Male	Female	Male	Female	
1.Assam	1,94,610	2,15,183	22,481	16,773	-	-	2,17,091	2,31,956	4,49,047 (58.69)
2.Himachal Pradesh	76	97	-	-	-	-	76	97	173 (0.02)
3.Karnataka	6,432	10,105	-	-	-	-	6,432	10,105	16,537 (2.16)
4.Kerala	26,337	27,982	-	-	-	-	26,337	27,982	54,319 (7.10)
5.Tamil Nadu	18,973	31,012	-	-	-	-	18,973	31,012	49,985 (6.53)
6.Tripura	4,837	7,442	-	-	-	-	4,837	7,442	12,279 (1.61)
7.Uttarakhand	263	585	-	-	-	-	263	585	848 (0.11)
8.West Bengal	82,703	97,567	659	609	-	-	83,362	98,176	1,81,538 (23.73)
9. A & N Islands	272	88	-	-	-	-	272	88	360 (0.05)
Total	3,34,503	3,90,061	23,140	17,382	-	-	3,57,643	4,07,443	7,65,086 (100.00)

‘ - ‘ = Nil.

Note: Figures in brackets are percentage share of States in the total employment in Plantations.

Table – 4 Average daily number of workers employed in various types of Plantations during 2009

State / Union Territory	Average daily employment in Plantations					
	Tea			Coffee		
	Male	Female	Total	Male	Female	Total
1	2	3	4	5	6	7
1. Assam	2,17,091	2,31,956	4,49,047	-	-	-
2. Himachal Pradesh	76	97	173	-	-	-
3. Karnataka	870	1,199	2,069	4,636	7,678	12,314
4. Kerala	17,688	21,425	39,113	668	923	1,591
5. Tamil Nadu	14,803	26,082	40,885	2,125	3,945	6,070
6. Tripura	2,802	5,573	8,375	-	-	-
7. Uttarakhand	263	585	848	-	-	-
8. West Bengal	82,351	97,454	1,79,805	-	-	-
9. A & N Islands	-	-	-	-	-	-
Total	3,35,944	3,84,371	7,20,315	7,429	12,546	19,975
			(94.15)			(2.61)

Table 4 Contd.

State / Union Territory	Average daily employment in Plantations					
	Rubber			Cardamom		
	Male	Female	Total	Male	Female	Total
1	8	9	10	11	12	13
1. Assam	-	-	-	-	-	-
2. Himachal	-	-	-	-	-	-

Pradesh						
3. Karnataka	926	1,228	2,154	-	-	-
4. Kerala	6,357	3,812	10,169	578	984	1,562
5. Tamil Nadu	2,010	937	2,947	35	48	83
6. Tripura	2,035	1,869	3,904	-	-	-
7. Uttarakhand	-	-	-	-	-	-
8. West Bengal	-	-	-	-	-	-
9. A & N Islands	272	88	360	-	-	-
Total	11,600	7,934	19,534	613	1,032	1,645
			(2.55)			(0.21)

Table 4 Contd.

State / Union Territory	Average daily employment in Plantations					
	Cinchona			Cocoa		
	Male	Female	Total	Male	Female	Total
1	14	15	16	17	18	19
1. Assam	-	-	-	-	-	-
2. Himachal Pradesh	-	-	-	-	-	-
3. Karnataka	-	-	-	-	-	-
4. Kerala	-	-	-	-	-	-
5. Tamil Nadu	-	-	-	-	-	-
6. Tripura	-	-	-	-	-	-
7. Uttarakhand	-	-	-	-	-	-
8. West Bengal	1,011	722	1,733	-	-	-
9. A & N Islands	-	-	-	-	-	-
Total	1,011	722	1,733	-	-	-
			(0.23)			

Table 4 Contd.

State / Union Territory	Average daily employment in Plantations					
	Oil Palm			Others (mixed)		
	Male	Female	Total	Male	Female	Total
1	20	21	22	23	24	25
1. Assam	-	-	-	-	-	-
2. Himachal	-	-	-	-	-	-

Pradesh						
3. Karnataka	-	-	-	-	-	-
4. Kerala	484	203	687	562	635	1,197
5. Tamil Nadu	-	-	-	-	-	-
6. Tripura	-	-	-	-	-	-
7. Uttarakhand	-	-	-	-	-	-
8. West Bengal	-	-	-	-	-	-
9. A & N Islands	-	-	-	-	-	-
Total	484	203	687	562	635	1,197
			(0.09)			(0.16)

‘ - ‘ = Nil.

Table 4 Concl.

State / Union Territory	Average daily employment in Plantations		
	Grand Total		
	Male	Female	Total
1	26	27	28
1. Assam	2,17,091	2,31,956	4,49,047(58.69)
2. Himachal Pradesh	76	97	173(0.02)
3. Karnataka	6,432	10,105	16,537(2.16)
4. Kerala	26,337	27,982	54,319(7.10)
5. Tamil Nadu	18,973	31,012	49,985(6.53)
6. Tripura	4,837	7,442	12,279(1.61)
7. Uttarakhand	263	585	848(0.11)
8. West Bengal	83,362	98,176	1,81,538(23.73)
9. A & N Islands	272	88	360(0.05)
Total	3,57,643	4,07,443	7,65,086(100.00)

Note: The figures in brackets indicate the percentage share of States in the total employment in Plantations and also in various categories of Plantations to the total employment.

5. Hours of Work

The average number of weekly hours worked by adult workers in plantations submitting returns in various States /Union Territories is presented in Table-5. The majority of the workers, 86.55 per cent, worked for above 45 and upto 48 hours.

Table –5 Number of adult workers by average number of hours worked per week during 2009

State / Union Territory	Number of Plantations submitting returns	Average daily number of adult workers with Average number of weekly hours worked									
		Upto 42 hours		Above 42 and upto 45 hours		Above 45 and upto 48 hours		Above 48 hours		Total	
		Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
1	2	3	4	5	6	7	8	9	10	11	12
1. Assam	644	-	-	8,447	848	1,86,163	2,14,335	-	-	1,94,610	2,15,183
2. Himachal Pradesh	14	-	-	76	97	-	-	-	-	76	97
3. Karnataka	352	53	960	515	6,810	5,864	2,335	-	-	6,432	10,105
4. Kerala	378	-	-	-	-	26,337	27,982	-	-	26,337	27,982
5. Tamil Nadu	571	70	52	1,416	1,816	15,338	25,675	2,149	3,469	18,973	31,012
6. Tripura	62	-	-	-	-	4,837	7,442	-	-	4,837	7,442
7. Uttarakhand	7	-	-	-	-	263	585	-	-	263	585
8. West Bengal	214	10,706	13,168	5,587	6,153	66,410	78,246	-	-	82,703	97,567
9. A & N Islands	3	-	-	-	-	272	88	-	-	272	88

Total	2,245	10,829	14,180	16,041	15,724	3,05,484	3,56,688	2,149	3,469	3,34,503	3,90,061
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‘ - ‘ = Nil.

‘ .. ‘ = Information not received.

6 Leave with wages

The number of workers granted leave with wages during the year 2009 is presented in Table-6. 97.82 per cent workers entitled for leave with wages were granted leave with wages. Of which 13.01 per cent workers were allowed leave for 30 days or more. In the state of Himachal Pradesh and Tripura, all workers were allowed leave for 30 days or more during the year under report.

Table – 6 Number of workers granted leave with wages during 2009

State/Union Territory	Number of workers entitled to leave with wages	Number of workers granted leave with wages	Number of workers allowed leave amounting to 30 days or more
1	2	3	4
1. Assam	4,49,047	4,49,047	57,124
2. Himachal Pradesh	173	173	173
3. Karnataka	15,204	14,799	13,886
4. Kerala	54,319	54,319	60
5. Tamil Nadu	48,850	32,936	8,583
6. Tripura	5,986	5,986	5,986
7. Uttarakhand	182	182	..
8. West Bengal	1,81,538	1,81,538	10,116
9. A & N Islands	360	241	230
Total	7,55,659	7,39,221 (97.82)	96,158 (13.01)

- = Nil

‘ .. ‘ = Information not received.

Note: The figure in brackets in col.3 indicates the percentage share to total number of workers entitled for leave with wages and in col. 4 it indicates percentage share to number of workers granted leave.

7. Health

The details of facilities in respect of (i) Supply of drinking water; (ii) Arrangements for proper conservancy and (iii) Provision of medical facilities to the workers made available during the year 2009 in different States/Union Territories are given below:

7.1 Drinking Water

In Assam 43,672 water taps, 32,976 tube-wells and 13,023 ring wells existed in 644 plantations submitting returns in 2009. There was adequate arrangement of water supply in the states such as Karnataka and Tamil Nadu. Other States/Union Territories did not furnish any information in this regard.

7.2 Arrangements for Conservancy

As against the total requirement of 3,21,541 Latrines for the families of resident workers, only 2,02,489 have been provided in all the Plantations in Assam. Whereas in Tamil Nadu latrine facilities were provided in every plantation on the scale of one latrine for every fifty hectares of the area under cultivation in addition to the latrine provided to the houses of workers. Other States/Union Territories have not furnished information in this regard for the year under report.

7.3 Medical Facilities

Adequate medical facilities were provided to the plantation workers in Assam and Tamil Nadu. In Assam there were 557 Hospitals, 709 Dispensaries along with 508 Qualified Medical Practitioners, 367 Visiting Doctors, 733 Qualified Pharmacists, 726 Nurses, 676 Midwives, 567 Health Assistants, 554 Nurse-cum-Midwives and 866 Nursing attendants during the year 2009. In Tamil Nadu, there were 29 Garden Hospitals, 126 Dispensaries, 4 Group Hospitals and 23 Group Dispensaries. In Kerala in compliance with rule 18 of Kerala Plantation Labour rules 1959 the Government has reconstituted medical advisory Board to advise the State Government with regard to the standards of medical facilities provided by the management vide Order No. G.O.M.S.Mp.112/07/LBR dated 14/09/2007. No information, however, was received from Himachal Pradesh, Karnataka, Tripura, Uttarakhand, West Bengal and A & N Islands in this regard.

8 Welfare

The information received on the Welfare measures for the year 2009, from the concerned authorities has been presented in the following paragraphs.

8.1 Educational facilities

In 644 tea plantations in the State of Assam, there were 575 Primary schools with Building and 1,087 teachers to provide education to 51,653 students. The schools falling in the areas of Sivsagar, Jorhat, Golaghat and Sildchar districts have already been provincialised by the State Government. In Tamil Nadu, 129 schools have been provided for the plantation workers. In Karnataka, Primary schools with trained teachers exist in all the plantations. In Kerala, study materials such as Note Books, Text Books, Uniforms, School bags, Umbrellas, Instruments Box etc. were being distributed every year to the children of workers in crisis affected plantations. Himachal Pradesh, Tripura, Uttarakhand, West Bengal and A & N Islands have not reported any information on educational facilities.

8.2 Recreational facilities

In the state of Assam, in 644 tea plantations, there were 1,126 recreational centres with building and open air play grounds etc. The recreational facilities are provided in the tea plantations as statutory requirement for the adult and adolescent workers. The employers of tea plantations have also additionally provided television sets in the recreational centres.

8.3 Housing

Of the total plantation workers eligible for housing accommodation, 81.99 per cent workers have been provided with housing accommodation. The Plantation Establishments in the State of Karnataka have provided housing accommodation to all the workers followed by the States of Kerala, Uttarakhand, Tripura, Assam, West Bengal, Himachal Pradesh and Tamil Nadu where 92.28 per cent, 90.11 per cent, 87.88 per cent, 87.30 per cent, 65.57 per cent, 51.45 per cent and 46.06 per cent of workers have been provided with housing accommodation. However, A & N Islands has not reported any information on the number of housing accommodation being provided to the workers.

Table –7 Number of Plantation workers provided housing accommodation during 2009

State/Union Territory	Number of plantations submitting returns	Number of workers employed	Number of plantations workers eligible for housing accommodation	Number of plantation workers provided housing accommodation	Number of workers remaining to be provided with accommodation	Shortage of Houses
1	2	3	4	5	6	7
1. Assam	644	4,49,047	1,98,905	1,73,647 (87.30)	25,258	25,258
2. Himachal Pradesh	14	173	173	89 (51.45)	84	84
3. Karnataka	352	16,537	16,537	16,537 (100.00)	-	-
4. Kerala	378	54,319	49,990	46,132 (92.28)	3,858	3,858
5. Tamil Nadu	571	49,985	48,179	22,192 (46.06)	25,987	25,987
6. Tripura	62	12,279	2,062	1,812 (87.88)	250	250
7. Uttarakhand	7	848	182	164 (90.11)	18	18
8. West Bengal	214	1,81,538	8,880	5,823 (65.57)	3,057	3,057

9. A & N Islands	3	360	..	..	..	..
Total	2,245	7,65,086	3,24,908	2,66,396 (81.99)	58,512	58,512

‘ – ‘ = Nil.

‘ .. ‘ = Information not received.

Note: The figures in brackets indicate percentage of workers provided with housing accommodation to the total number of workers eligible for housing accommodation.

8.4 Canteens

The plantations employing 150 or more workers are expected to provide for canteen facility for the workers. Information received in this regard shows that out of 980 plantations employing 150 or more workers, 72.1 per cent (i.e. 707) of the plantations have provided canteen facility. In Assam, 392 plantations have provided canteen facilities while in Himachal Pradesh and Uttarakhand, 3 estates each have provided canteen facilities as majority of the workers were residing just near their place of work. In the State of West Bengal, 132 plantations have canteen facility for the workers. In Kerala, there were 86 plantations which have provided canteens facility to their workers. In Tamil Nadu, there were 59 plantations which have provided for canteen facility. In Karnataka, the canteen facility was provided in 32 plantations. However, Tripura and A & N Islands have not reported any information on the number of canteens being maintained for workers.

Table-8 Number of Plantations providing canteen facilities to their workers during 2009

State/Union Territory	Number of Plantations covered	Number of Plantations employing 150 or more workers	Number of Plantations having canteens
1	2	3	4
1. Assam	829	520	392
2. Himachal Pradesh	16	-	3
3. Karnataka	1141	62	32
4. Kerala	628	86	86
5. Tamil Nadu	686	96	59
6. Tripura	106	..	..
7. Uttarakhand	7	2	3
8. West Bengal	282	214	132
9. A & N Islands	3	..	..
Total	3,698	980	707

‘ – ‘ = Nil.

‘ .. ‘ = Information not received.

8.5 Creches

As per the Act, creche facility for the children below six years of age in every plantation employing 50 or more female workers is required to be provided. Out of the registered plantations which submitted returns, 54.43 per cent of the plantations employed 50 or more female workers and thus were expected to make provision for creches. It is however observed that the number of plantations maintaining creches was less than the number of plantations required to provide creche facilities. The total number of plantations providing/maintaining creches were 1120 as against 1222 plantations required to provide creches. In the State of Assam, there were 1,688 creches for the 7,669 children of below 2 years of age and 6,739 children of above 2 years of age. In the State of Himachal Pradesh, there were 2 creches for 23 children below 2 years of age and 14 children above 2 years of age. In Karnataka, 117 creches were functional for 522 children below 2 years of age and 815 children above 2 years of age. In the state of Kerala, there were 319 creches for 290 children below 2 years of age and 303 children above 2 years of age. In Tamil Nadu, 251 creches were in existence for 1,064 children below 2 years of age and 1,573 children above two years of age. In Tripura, 21 creches were in existence for 425 children below 2 years of age and 350 children above 2 years of age. In West Bengal, 482 creches were functioning for 3,709 children below 2 years of age and 2,409 children above 2 years of age. In A & N Islands, there was 1 crech for 20 children above 2 years of age. In all the States, the creches provide milk, food, refreshment, toys, etc. to the children.

Table -9 Number of Plantations providing Creche facilities during 2009

State/Union Territory	No. of Plantations covered	No. of Plantations submitting returns	No. of Plantations employing 50 or more workers	No. of Plantations maintain -ing creches	Number of creches	Average daily attendance in creches		
						2 years and below	Above 2 years	Total
1	2	3	4	5	6	7	8	9
1. Assam	829	644	590	538	1,688	7,669	6,739	14,408
2. Himachal Pradesh	16	14	1	2	2	23	14	37
3. Karnataka	1,141	352	88	88	117	522	815	1,337
4. Kerala	628	378	160	113	319	290	303	593
5. Tamil Nadu	686	571	142	153	251	1,064	1,573	2,637
6. Tripura	106	62	34	21	21	425	350	775
7. Uttarakhand	7	7	3	7	7	..	..	..
8. West Bengal	282	214	203	197	482	3,709	2,409	6,118
9. A & N Islands	3	3	1	1	1	-	20	20
Total	3,698	2,245	1,222	1,120	2,888	13,702	12,223	25,925

' - ' = Nil.

' .. ' = Information not received.

8.6 Protection from weather:

In the state of Assam, 644 tea gardens have made provisions for 2,48,890 Umbrellas, 1,46,590 Rain Coats, 1,93,869 Blankets, 70,689 Jerseys and 3,04,765 Chappals.

9. Sickness and Maternity benefits

9.1 Sickness benefit

State-wise total number of workers who received sickness benefits and the amount paid to them during 2009 are presented in Table-10. The maximum amount of Rs 15,79,20,736 as sickness benefits was paid to the 7,23,363 workers as against 7,36,631 workers who claimed for sickness benefit in the state of Assam followed by Rs.5,48,66,171 to 1,71,306 workers in West Bengal and Rs.1,11,25,691 to 37,766 in Kerala as against 1,81,538 and 37,766 workers respectively who claimed for sickness benefit. It can also be seen from the table that in the state of Kerala all the workers who claimed for sickness benefit were given this benefit. In case of Himachal Pradesh, no information has been received for the Payment of sickness benefit.

Table –10 Number of Workers who received Sickness benefits and the amount paid thereof during 2009

State/Union Territory	Number of workers employed	Number of workers who claimed sickness benefit	Number of workers who received the benefit	Amount paid (in Rs.)
1	2	3	4	5
1. Assam	4,49,047	7,36,631	7,23,363	15,79,20,736
2. Himachal Pradesh	173	..	..	..
3. Karnataka	16,537	8,251	8,146	35,85,121
4. Kerala	54,319	37,766	37,766	1,11,25,691
5. Tamil Nadu	49,985	24,514	24,482	81,65,294
6. Tripura	12,279	6,033	6,033	2,98,716
7. Uttarakhand	848	103	103	1,17,637
8. West Bengal	1,81,538	1,81,538	1,71,306	5,48,66,171
9. A & N Islands	360	80	80	67,614
Total	7,65,086	9,94,916	9,71,279	23,61,46,980

‘ .. ‘ = information Not Received.

9.2 Maternity benefit

The number of women workers who received maternity benefits and the amount paid thereof during the year 2009 are presented in Table-11. A maximum amount of Rs.2,75,86,624 was paid as maternity benefit to women workers in the state of Assam. This was followed by West Bengal(Rs.1,36,02,849), Tamil Nadu(Rs.27,49,578) and Kerala (Rs.21,59,779). No information, in this regard, has been received from Himachal Pradesh, Uttarakhand and A & N Islands.

Table –11 Number of women workers who received maternity benefits and the amount paid thereof during the year 2009

State/Union Territory	Number of plantations covered by Maternity Benefit Act	Number of plantations submitted returns	Total number of women workers employed in plantations submitted returns during the year	Number of women workers who worked for a period of not less than 150 days during the year	Number of women workers who claimed maternity benefit during the year	Number of claims accepted and paid either fully or partially		Total amount of maternity benefit paid (in Rs.)
						Total	From current year claims	
1	2	3	4	5	6	7	8	9
1. Assam	829	644	2,15,183	1,20,548	26,490	17,295	2,152	2,75,86,624
2. Himachal Pradesh	16	14	97	..	..	..	..	..
3. Karnataka	1,141	352	10,105	7,253	207	207	..	9,56,159
4. Kerala	628	378	27,982	883	883	883	883	21,59,779
5. Tamil Nadu	686	571	31,012	18,918	531	531	-	27,49,578
6. Tripura	106	62	7,442	133	88	88	88	92,672
7. Uttarakhand	7	7	585	585	..	..	..	..
8. West Bengal	282	214	97,567	79,118	3,391	2,747	2,610	1,36,02,849
9. A & N Islands	3	3	88	88	..	..	..	..
Total	3,698	2,245	390,061	2,27,526	31,590	21,751	5,733	4,71,47,661

‘ .. ‘ = Information not received.

10 Enforcement

Under the Act, the State-wise total number of inspections made, prosecutions launched and convictions obtained for various offences during the year 2009 have been presented in Table 12. The table shows that in the state of Assam, maximum number of inspections were made during the year followed by Tamil Nadu and Kerala. Number of Prosecutions launched were highest in Tamil Nadu whereas, Number of Convictions obtained and amount of fine realized was highest in the state of West Bengal (i.e. 55 and Rs.27,500) followed by Tamil Nadu (i.e. 26 and Rs. 8,650).

Table – 12 State-Wise Number of Inspections made, Prosecutions launched and Convictions obtained during 2009

State/Union Territory	Number of inspections made	Number of prosecutions launched	Number of convictions obtained	Amount of fine realized (in Rs.)
1	2	3	4	5
1. Assam	1135	39	-	-
2. Himachal Pradesh	5	-	-	-
3. Karnataka	213	-	-	-
4. Kerala	622	16	5	8,500
5. Tamil Nadu	784	475	26	8,650
6. Tripura	-	-	-	-
7. Uttarakhand	-	-	-	-
8. West Bengal	59	332	55	27,500
9. A & N Islands	..	..	..	..
Total	2,818	862	86	44,650

‘ - ‘ = Nil.

‘ .. ‘ = Information not received.