

# **REPORT ON THE WORKING OF THE PLANTATIONS LABOUR ACT, 1951 FOR THE YEAR 2012\***

## **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.

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\* Report for the year 2011 may be seen on Labour Bureau website and published in May, 2014 issue of the Indian Labour Journal (pages 475-492).

- (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 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) 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 young person, 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 3747 plantations that are registered under the Act. Of the total number of plantations registered, 1183(31.57 per cent) are in the State of Karnataka, followed by 790 (21.09 per cent) in Assam, 679 (18.12 per cent) in Tamil Nadu, 675 (17.98 per cent) in Kerala, 284 (7.58 per cent) in West Bengal and 106 (2.83 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 13.19 per cent.

Table-2 shows the area of plantations submitting returns. The largest area of 340254.07 hectares has been reported from Assam, followed by 64762.02 hectares from West Bengal, 60297.22 hectares from Kerala, 54176.03 hectares from Tamil Nadu, 29470.00 hectares from Karnataka, 10698.67 hectares from Tripura, 1749.00 hectares from Andaman & Nicobar Islands 1565.10 hectares from Uttarakhand and 254.55 hectares from Himachal Pradesh.

**Table-1 (a) Number and type of Estates / Plantations covered under the Act during 2012**

State/ Union Territory	Number of Estates/Plantations covered								Total
	Tea	Coffee	Rubber	Cardamom	Cinchona	Cocoa	Oil Palm	Others (Mixed)	
1. Assam	790	-	-	-	-	-	-	-	790(21.09)
2. Himachal Pradesh	17	-	-	-	-	-	-	-	17 (0.45)
3. Karnataka	14	1,067	102	-	-	-	-	-	1,183(31.57)
4. Kerala	90	160	264	131	-	-	3	27	675(18.01)
5. Tamil Nadu	305	305	59	10	-	-	-	-	679(18.12)
6. Tripura	51	-	55	-	-	-	-	-	106 (2.83)
7. Uttarakhand	9	-	-	-	-	-	-	-	9(0.24)
8. West Bengal	281	-	-	-	3	-	-	-	284 (7.58)
9. A & N Islands	-	-	3	-	-	-	1	-	4 (0.11)
<b>Total</b>	<b>1,557</b>	<b>1,532</b>	<b>483</b>	<b>141</b>	<b>3</b>	<b>-</b>	<b>4</b>	<b>27</b>	<b>3,747(100)</b>

**Table-1 (b) Number of Plantations submitting returns and their percentage response during 2012**

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	670	-	-	-	-	-	-	-	670	790
									(84.81)	
2. Himachal Pradesh	7	-	-	-	-	-	-	-	7	17
									(41.18)	
3. Karnataka	9	85	62	-	-	-	-	-	156	1,183
									(13.19)	
4. Kerala	63	72	100	13	-	-	3	20	271	675
									(40.15)	
5. Tamil Nadu	217	279	47	10	-	-	-	-	553	679
									(81.44)	
6. Tripura	42	-	25	-	-	-	-	-	67	106
									(63.21)	
7. Uttarakhand	9	-	-	-	-	-	-	-	9	9
									(100.00)	
8. West Bengal	142	-	-	-	1	-	-	-	143	284
									(50.35)	
9. A & N Islands	-	-	3	-	-	-	1	-	4	4
									(100.00)	
<b>Total</b>	<b>1,159</b>	<b>436</b>	<b>237</b>	<b>23</b>	<b>1</b>	<b>-</b>	<b>4</b>	<b>20</b>	<b>1,880</b>	<b>3,747</b>
									<b>(50.17)</b>	

‘ - \* = Nil. Figures in brackets indicate response rate.

**Table-2 Number and Area of Estates / Plantations submitting returns and the employment therein during 2012**

State/Union Territory	Employment in Plantations Submitting Returns	Number of Estates / Plantations submitting returns	Total Area of Estates/ Plantations submitting returns (in Hectares)
1	3	4	5
1. Assam	4,18,434	670 (790)	340254.07
2. Himachal Pradesh	130	7 (17)	254.55
3. Karnataka	11,184	156 (1183)	29470.00
4. Kerala	43,760	271 (675)	60297.22
5. Tamil Nadu	51,578	553 (679)	54176.03
6. Tripura	13,010	67 (106)	10698.67
7. Uttarakhand	1,210	9 (9)	1565.10
8. West Bengal	1,32,558	143 (284)	64762.02
9. A & N Islands	896	4 (4)	1749.00
<b>Total</b>	<b>6,72,760</b>	<b>1,880 (3747)</b>	<b>563226.66</b>

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 group and sex wise during the year 2012 is given in Table 3 and 4. During the year 2012, maximum number of workers i.e. 4,18,434 (62.20 per cent) were employed in the state of Assam, followed by 1,32,558 (19.70 per cent) in West Bengal, 51,578 (7.67 per cent) in Tamil Nadu, 43,760 (6.50 per cent) in Kerala, 13,010 (1.94 per cent) in Tripura and 11,184 (1.66 per cent) in Karnataka. Out of the total employment (6,72,760) in plantations submitting returns, 6,52,322 (96.96 per cent) were adults and 20,438 (3.04 per cent) were adolescents. The employment in plantations has been dominated by the female workers which accounted for 53.74 percent (3,61,546) of total employment as against 46.26 per cent (3,11,214) male workers.

The workers employed in Tea plantations accounted for the highest proportion of 94.26 per cent (i.e.6,34,181). This was followed by Coffee 2.42 per cent (i.e.16,286), Rubber 2.40 per cent (i.e.16,153), Cinchona 0.19 per cent (i.e.1261), Cardamom 0.10 per cent (i.e.653), Oil Palm 0.17 per cent (i.e.1,159) and Others (mixed) accounted for 0.46 per cent (i.e.3,067). There was no cocoa plantation reported from any state.

**Table – 3 Average daily number of workers employed in the Plantations submitting returns during 2012**

State/Union Territory	Average daily number of workers employed						Grand Total
	Adult		Adolescent		Total		
	Male	Female	Male	Female	Male	Female	
1.Assam	1,92,729	2,05,573	8,778	11,354	2,01,507	2,16,927	4,18,434 (62.20)
2.Himachal Pradesh	46	84	-	-	46	84	130 (0.02)
3.Karnataka	3,868	7,316	-	-	3,868	7,316	11,184 (1.66)
4.Kerala	20,056	23,704	-	-	20,056	23,704	43,760 (6.50)
5.Tamil Nadu	19,592	31,986	-	-	19,592	31,986	51,578 (7.67)
6.Tripura	5,910	7,100	-	-	5,910	7,100	13,010 (1.94)
7.Uttarakhand	487	723	-	-	487	723	1,210 (0.18)
8.West Bengal	58,838	73,414	174	132	59,012	73,546	1,32,558 (19.70)
9. A & N Islands	736	160	-	-	736	160	896 (0.13)
<b>Total</b>	<b>3,02,262</b>	<b>3,50,060</b>	<b>8,952</b>	<b>11,486</b>	<b>3,11,214</b>	<b>3,61,546</b>	<b>6,72,760</b> <b>(100.00)</b>

‘ - ’ = 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 2012

State / Union Territory		Assam	Himachal Pradesh	Karnataka	Kerala	Tamil Nadu	Tripura	Uttarakhand	West Bengal	A & N Islands	Total
Tea	Male	2,01,507	46	595	12,063	15,200	3,920	487	58,282	-	2,92,100
	Female	2,16,927	84	910	17,074	27,458	5,890	723	73,015	-	3,42,081
	Total	4,18,434	130	1,505	29,137	42,658	9,810	1,210	1,31,297	-	6,34,181
Coffee	Male	-	-	3,016	804	2,200	-	-	-	-	6,020
	Female	-	-	6,002	668	3,596	-	-	-	-	10,266
	Total	-	-	9,018	1,472	5,796	-	-	-	-	16,286
Rubber	Male	-	-	257	5,415	2,147	1,990	-	-	271	10,080
	Female	-	-	404	3,520	850	1,210	-	-	89	6,073
	Total	-	-	661	8,935	2,997	3,200	-	-	360	16,153
Cardamom	Male	-	-	-	221	45	-	-	-	-	266
	Female	-	-	-	305	82	-	-	-	-	387
	Total	-	-	-	526	127	-	-	-	-	653
Cinchona	Male	-	-	-	-	-	-	-	730	-	730
	Female	-	-	-	-	-	-	-	531	-	531
	Total	-	-	-	-	-	-	-	1,261	-	1,261
Cocoa	-	-	-	-	-	-	-	-	-	-	-
Oil Palm	Male	-	-	-	255	-	-	-	-	465	720
	Female	-	-	-	368	-	-	-	-	71	439
	Total	-	-	-	623	-	-	-	-	536	1,159
Others (mixed)	Male	-	-	-	1,298	-	-	-	-	-	1,298
	Female	-	-	-	1,769	-	-	-	-	-	1,769
	Total	-	-	-	3,067	-	-	-	-	-	3,067
Grand Total	Male	2,01,507	46	3,868	20,056	19,592	5,910	487	59,012	736	3,11,214
	Female	2,16,927	84	7,316	23,704	31,986	7,100	723	73,546	160	3,61,546
	Total	4,18,434 (62.20)	130 (0.02)	11,184 (1.66)	43,760 (6.50)	51,578 (7.67)	13,010 (1.94)	1,210 (0.18)	1,32,558 (19.7)	896 (0.13)	6,72,760

‘ - \* = Nil.

Note: The figures in brackets indicate the percentage share 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. It may be observed that the majority of the workers were in the category of above 45 and upto 48 hours worked.

**Table –5 Number of workers by average number of hours worked per week during 2012**

State / Union Territory	Number of Plantations submitting returns	Average daily number of 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	670	9,515	12,920	31,858	37,895	1,60,134	1,66,112	-	-	2,01,507	2,16,927
2. Himachal Pradesh	7	-	-	-	-	46	84	-	-	46	84
3. Karnataka	156	-	-	1,208	1,305	2,146	4,155	514	1,856	3,868	7,316
4. Kerala	271	-	-	-	-	20,056	23,704	-	-	20,056	23,704
5. Tamil Nadu	553	70	52	828	1,550	16,793	26,954	1,901	3,430	19,592	31,986
6. Tripura	67	117	119	52	42	5,741	6,939	-	-	5,910	7,100
7. Uttarakhand	9	-	-	-	-	487	723	-	-	487	723
8. West Bengal	143	5,287	7,240	5,808	6,981	47,743	59,193	-	-	58,838	73,414
9. A & N Islands	4	-	-	-	-	629	160	107	-	736	160
<b>Total</b>	<b>1,880</b>	<b>14,989</b>	<b>20,331</b>	<b>39,754</b>	<b>47,773</b>	<b>2,53,775</b>	<b>2,88,024</b>	<b>2,522</b>	<b>5,286</b>	<b>3,11,040</b>	<b>3,61,414</b>

‘ - \* = Nil.

## 6 Leave with wages

The number of workers granted leave with wages during the year 2012 is presented in Table-6. The Table reveals that 96.98 percent workers entitled for leave with wages were granted leave with wages. Of which 3.61 percent 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 2012**

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	4,18,434	4,18,434	1,786
2. Himachal Pradesh	130	130	130
3. Karnataka	11,184	5,850	122
4. Kerala	43,760	42,376	-
5. Tamil Nadu	48,621	39,813	8,204
6. Tripura	6,835	6,835	6,835
7. Uttarakhand	170	170	-
8. West Bengal	1,32,558	1,28,433	6,539
9. A & N Islands	896	539	319
<b>Total</b>	<b>6,62,588</b>	<b>6,42,580</b> <b>(96.98)</b>	<b>23,935</b> <b>(3.61)</b>

‘ - \* = Nil.

## 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 2012 in different States/Union Territories.

### 7.1 Drinking Water

In Assam 78,860 water taps existed in 670 plantations submitting returns in 2012. There was adequate arrangement of water supply in the State of 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 2,64,658 Latrines for the families of resident workers, only 1,81,666 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 or part thereof 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. In Assam there were 510 Garden Hospitals with 11,167 beds, 665 Dispensaries with 1,420 detention beds, 466 Qualified Medical Practitioners, 378 Visiting Doctors, 2197 Qualified Pharmacists, 714

Qualified Nurses, 629 Qualified Midwives, 604 Qualified Nurse-cum-Midwives, 976 Trained Nursing Attendants and 596 Trained Health Assistants during the year 2012. No information, however, was received from Himachal Pradesh, Karnataka, Kerala, Tamil Nadu, Tripura, Uttarakhand, West Bengal and A & N Islands in this regard.

## **8 Welfare**

The information received on the Welfare measures for the year 2012, from the concerned authorities has been presented in the following paragraphs.

### **8.1 Educational facilities**

In 790 tea plantations(670 Plantations submitting return) in the State of Assam, there were 903 Primary schools with Building and Teachers. The schools falling in the areas of Sivsagar, Golaghat, Jorhat, Cachar, Karimganj and Hailakandi civil districts have already been provincialised by the State Government. In Karnataka, Primary schools with trained teachers exist in all the plantations. In Kerala, study materials such as Note Books, Text Books, School bags, Umbrellas, Instruments Box etc. were being distributed to the children of workers during the academic year, 2012-13. Himachal Pradesh, Tamil Nadu, 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 790 tea plantations(670 Plantations submitting return), there were 1832 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, 64.17 percent workers have been provided with housing accommodation. The Plantation Establishments in the State of Uttarakhand have provided housing accommodation to all the workers followed by the States of Tamil Nadu, Kerala, Assam, Himachal Pradesh, Andaman & Nicobar Islands, Karnataka, Tripura and West Bengal where 92.37 percent, 88.21 per cent, 83.05 percent, 55.38 per cent, 54.57 percent, 44.40 percent, 30.06 percent and 3.36 percent of workers have been provided with housing accommodation.

**Table –7 Number of Plantation workers provided housing accommodation during 2012**

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	670	4,18,434	2,23,591	1,85,698 (83.05)	37,893	37,893
2. Himachal Pradesh	7	130	130	72 (55.38)	58	58
3. Karnataka	156	11,184	2,180	968 (44.40)	1212	1,212
4. Kerala	271	43,760	34,652	30,566 (88.21)	4,086	4,086
5. Tamil Nadu	553	51,578	44,153	40,782 (92.37)	3,371	3,371
6. Tripura	67	13,010	7,350	2,210 (30.06)	5,140	5,140
7. Uttarakhand	9	1,210	150	150 (100.00)	-	-
8. West Bengal	143	1,32,558	98,729	3,319 (3.36)	95,410	95,410
9. A & N Islands	4	896	896	489 (54.57)	407	407
<b>Total</b>	<b>1,880</b>	<b>6,72,760</b>	<b>4,11,831</b>	<b>2,64,254</b> <b>(64.17)</b>	<b>1,47,577</b>	<b>1,47,577</b>

‘ - \* = Nil.

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 840 plantations employing 150 or more workers, 75.12 percent (i.e. 631) of the plantations have provided canteen facility. In Assam, 379 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, 84 plantations have canteen facility for the workers. In Tamil Nadu, there were 74 plantations which have provided for canteen facility. In Kerala, there were 59 plantations which have provided canteens facility to their

workers. In Karnataka, the canteen facility was provided in 27 plantations. In A & N Islands, there were 2 plantations which have provided for canteen facility. However, Tripura 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 2012**

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	790	450	379
2. Himachal Pradesh	17	-	3
3. Karnataka	1,183	106	27
4. Kerala	675	91	59
5. Tamil Nadu	679	98	74
6. Tripura	106	-	-
7. Uttarakhand	9	3	3
8. West Bengal	284	90	84
9. A & N Islands	4	2	2
<b>Total</b>	<b>3,747</b>	<b>840</b>	<b>631</b>

\* = Nil.

## 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, 65.53 percent of the plantations employed 50 or more female workers and thus were expected to make provision for creches. It is however observed that in the States of Assam Tripura and West Bangal 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 1,148 as against 1,232 plantations required to provide creches. In all the States, the creches provide milk, food, refreshment, toys, etc. to the children.

**Table –9 Number of Plantations providing Creche facilities during 2012**

State/Union Territory	No. of Plantations covered	No. of Plantations submitting returns	No. of Plantations employing 50 or more women workers	No. of Plantations maintaining 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	790	670	609	555	2,289	@	@	@
2. Himachal Pradesh	17	7	1	2	2	19	25	44
3. Karnataka	1,183	156	156	156	156	428	673	1,101
4. Kerala	675	271	116	116	221	218	154	372
5. Tamil Nadu	679	553	141	143	227	488	908	1,396
6. Tripura	106	67	62	28	28	590	510	1,100
7. Uttarakhand	9	9	3	5	5	-	-	-
8. West Bengal	284	143	142	141	338	2,808	1,463	4,271
9. A & N Islands	4	4	2	2	2	16	36	52
<b>Total</b>	<b>3,747</b>	<b>1,880</b>	<b>1,232</b>	<b>1,148</b>	<b>3,268</b>	<b>4,567</b>	<b>3,769</b>	<b>8,336</b>

‘ - \* = Nil. @ = Not reported/ Partly reported/data inconsistent

## 8.6 Protection from weather:

In the State of Assam tea gardens have made provisions for 2,29,277 Umbrellas, 2,64,923 Rain Coats, 2,13,502 Blankets, 42,390 Jerseys and 2,62,803 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 2012 are presented in Table-10. The maximum amount of ₹ 16,98,09,506 as sickness benefits was paid to the 3,02,026 workers as against 3,04,874 workers who claimed for sickness benefit in the State of Assam followed by ₹ 3,06,12,139 to 29,856 in Kerala and ₹ 1,03,79,458 to 25,128 in Tamil Nadu. It can also be seen from the table that in the state of Karnataka, Tripura, Uttarakhand and A & N Islands all the workers who claimed for sickness benefit were given this benefit.

**Table –10 Number of Workers who received Sickness benefits and the amount paid thereof during 2012**

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	4,18,434	3,04,874	3,02,026	16,98,09,506
2. Himachal Pradesh	130	-	-	-
3. Karnataka	11,184	2,882	2,882	36,03,412
4. Kerala	43,760	29,856	29,856	3,06,12,139
5. Tamil Nadu	51,578	25,128	25,128	1,03,79,458
6. Tripura	13,010	6,585	6,585	2,85,840
7. Uttarakhand	1,210	102	102	1,73,055
8. West Bengal	1,32,558	@	@	@
9. A & N Islands	896	21	21	57,227
<b>Total</b>	<b>6,72,760</b>	<b>3,69,448</b>	<b>3,66,600</b>	<b>21,49,20,637</b>

‘ - \* = Nil. @ = Not reported/ Partly reported/data inconsistent

## 9.2 Maternity benefit

The number of women workers who received maternity benefits and the amount paid thereof during the year 2012 are presented in Table-11. A maximum amount of ₹ 9,32,93,156 was paid as maternity benefit to women workers in the state of Assam. This was followed by West Bengal (₹ 1,19,71,088), Kerala (₹ 23,12,022), Tamil Nadu (₹ 20,65,229), Karnataka (₹ 10,78,943), Tripura (₹ 9,80,120) and Andaman & Nicobar Islands (₹ 1,55,792)

**Table –11 Number of women workers who received maternity benefits and the amount paid thereof during the year 2012**

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	790	670	2,16,927	1,27,979	24,713	24,241	11,,377	9,32,93,156
2. Himachal Pradesh	17	7	84	-	-	-	-	-
3. Karnataka	1,183	156	7,316	5,169	62	62	62	10,78,943
4. Kerala	675	271	23,704	16,792	196	196	196	23,12,022
5. Tamil Nadu	679	553	31,986	19,869	217	134	149	20,65,229
6. Tripura	106	67	7,100	124	410	410	410	9,80,120
7. Uttarakhand	9	9	723	-	-	-	-	-
8. West Bengal	284	143	73,546	68,252	1,817	1,800	1,702	1,19,71,088
9. A & N Islands	4	4	160	160	20	20	20	1,55,792
<b>Total</b>	<b>3,747</b>	<b>1,880</b>	<b>3,61,546</b>	<b>2,38,345</b>	<b>27,435</b>	<b>26,863</b>	<b>13916</b>	<b>11,18,56,350</b>

‘ - \* = Nil.

## 10 Enforcement

Under the Act, the State-wise total number of inspections made, prosecutions launched and convictions obtained for various offences during the year 2012 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 Kerala, Tamil Nadu and Karnataka. Number of Prosecutions launched and Convictions obtained was highest in Tamil Nadu whereas, amount of fine realized was highest in the State of West Bengal (i.e. 84 and ₹ 5,41,960) followed by Tamil Nadu (i.e. 124 and ₹ 5,36,550) and Kerala (i.e. and ₹ 5,250).

**Table – 12 State-Wise Number of Inspections made, Prosecutions launched and Convictions obtained during 2012**

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	1,007	49	-	-
2. Himachal Pradesh	9	1	-	-
3. Karnataka	213	-	-	-
4. Kerala	634	16	3	5,250
5. Tamil Nadu	589	815	124	5,36,550
6. Tripura	-	-	-	-
7. Uttarakhand	-	-	-	-
8. West Bengal	92	189	84	5,41,960
9. A & N Islands	3	-	-	-
<b>Total</b>	<b>2,547</b>	<b>1,070</b>	<b>211</b>	<b>10,83,760</b>

‘ - \* = Nil.

#### **11. Limitation:**

The present report is based on information received from 50% of Total Plantations covered under the Act throughout India, wherever the Act is applicable. From the State of Karnataka the response rate was merely 13.19 percent wherein it accounted for 31.57 percent of the total plantations registered.