

1. The Secretary,
Guwahati Tea Auction Centre
Bishnu Prasad Rava Flyover,
Dispur, Ganeshguri,
Guwahati, Assam 781006
2. The State Public Information Officer
Shri MC Nihalani
General Manager(R&D)
Oil India Limited
Registered Office
Duliajan
District: Dibrugarh
Assam - 786602
3. The State Public Information Officer,
Shri Dipak Chetia Phukan,
Chief Manager (HR & A)
Assam Gas Company Limited
Duliajan – 786602 (Assam)
4. The Secretary,
Tea Board
14 B.T.M. Sarani
Kolkata – 700 001
Phone No. +91 33 22351331
Fax No. +91 33 22215715

We have received replies from the above authorities. The Tea Board has advised to send a revised request on a stamp paper for Rs. 50.00 to enable them to process our request and send the required information.

Chairman informed the members that this will be done and the replies as received will be forwarded to all members for analysis and comment in due course of time.

The Association will consolidate all comments and take action as decided in the last meeting.

On a point of query by Shri P.K. Bezbaruah, Shri Raj Barooah stated that AGCL are only transporters of natural gas and all decisions are taken by the Govt. of India in Delhi.

This being the position it is unanimously decided to take up the matter of gas supply to the tea industry with the concerned department of Govt. of India to ensure adequate, affordable and continuous supply of gas to the Tea Industry of Assam.

Thereafter, members were apprised of the discussion and decisions on the following meetings:-

Item No. 2 (a): Meeting of the Board of Trustees, ATEPFO, held on 21.12.2016 at Guwahati.

While observing the record note of the meetings Shri P.K. Bezbaruah stated that the amendment of ATEPFO Act, 2016 is very much prejudicial to the inherent rights of the employers and a petition under the R.T.I. Act be moved to collect following information.

- (i). Whether the Bill was discussed in a meeting of the Board of Trustees and any if any resolutions / decisions were adopted in the meeting?
- (ii). If yes, in which meeting of board of trustees of ATPPF & P.F. scheme the matter was taken up and the Bill was approved by the members.
- (iii). A copy of the proceedings of the meeting of the board of trustees also be requested for detailed information.

On receipt of the information it is decided to consult a lawyer and take appropriate decision by the Association for protection of the rights of the employers.

Item No. 2 (b): Meeting with the Hon'ble Minister of State (IC) for Labour & Employment on 27-12-2016

While drawing attention of the members to the Memorandum placed on the table, Chairman apprised the members that the Hon'ble Minister of State for labour, in the meeting held on 27-12-2016 at Guwahati desired all tea gardens to complete the installation of individual electric meters in all labour quarters by 2018 and has asked all gardens to extend all help and cooperation to achieve this target. He added, billing would be made on the basis of meter reading of individual labour quarters and individual bills would be sent directly to occupants of the quarter.

In the meeting the Hon'ble Minister also announced the following new government proposals for financial help to the tea garden workers for medical treatment.

- (i) **"Atal Amrit Abhijan"** – For patient suffering from cardiovascular diseases, cancer, kidney diseases, neo-natal diseases, neurological condition and burn cases.
- (ii) **"Arogya Nidhi"** – For all diseases of the workers
- (iii) **"P.M. Bima Abas Yojona"** – Medical insurance scheme through ATPPF.
- (iv) **Local M.L.A. Fund** – Financial help for medical treatment

Chairman requested all members to impress upon the member tea estates to avail the benefits of the above mentioned schemes.

Item No. 2 (c): Meeting of the Industrial Tripartite Committee on Plantation Industry on amendment proposals in respect of P.L. Act 51 held on 4th January, 2017 at Guwahati

Chairman apprised the members that the proposals for amendment as mooted out by the Minister of Labour & Employment Govt. of India were discussed a meeting of the working committee on 30.12.016 and it authorised the chairman to submit a written representation to the Govt. of India, after consultation with Shri Devashis Barua, Sr. Advocate, Guwahati.

Shri Devashis Barua, Sr. Advocate submitted us a Draft objection petition which was circulated to all members of the Executive Committee. With inputs received from the members, chairman finalised a Draft objection petition to the proposed amendments of the P.L. Act 51.

The meeting of the I.T.C. on Plantation Industry held on 4.1.2017 at Guwahati was chaired by MOS (IC), Labour & Employment, Govt. of India, Mr. Bandaru Duttatraya.

As the chairman of the meeting advised all stake-holders to submit their objection/suggestions by 20-01-2017 the submission of the objection petition by us was held up. The matter was discussed in a meeting of the CCPA held on 9-1-2017 in Kolkata and it was decided that all constituents would submit their objection/suggestions petition individually to the Govt. of India, Ministry of Labour & Employment Department.

Accordingly, we requested our members again to have a re-look on the draft objection petition and favour the Association with further inputs if any by 14-01-2017. With further inputs received from the members the Draft objection petition is finalised and sent to Govt. of India, Ministry of Labour & Employment as **attached as Annexure - 2(c)(i) & 2(c)(ii)**.

Chairman stated that the Government Representatives in their closing remarks reiterated that the purpose of the amendments was to increase the cash component of wages. Wages in kind should be phased out in a gradual manner.

Item No. 2 (d): **CCPA's meeting held on 09-01-2017**

By drawing attention of the members to the memorandum the chairman apprised the members of the discussion held in the meeting.

Item No. 2 (e): **Bilateral Discussion held with the ACMS on 10-01-2017**

Members perused the record note of the meeting and observed that all demands are not genuine. Specific mandate of the Association be taken as when the discussions are made on concrete terms.

Item No. 2 (f): **ATPA recommendations for the proposed 13th plan of Tea Board of India on plantation development schemes**

Members perused the memorandum placed on the table and suggested that what is already in the rules should not be repeated while listing a new proposal. Only new proposals should be listed.

Chairman welcomed the suggestions and assured the members to look and modify the same accordingly.

Item No. 2 (g): **Bilateral Discussion with the ACMS (Central) on 28-1-2017 at Dibrugarh on supply of food grains to the workers**

Secretary apprised the members that in the bilateral discussion held on 28-1-2017 the CCPA reiterated its stand that the tea industry could not afford to supply food grains to the workers by procuring the same from the open markets at exorbitant prices. CCPA proposed that a cash compensation for the portion of food grains being received by the workers under NFSA at the prevailing issue price of Rs. 3.00 per kg will be provided to the workers and the balance quantity of the entitlement as per the garden scale would continue to be provided in kind by purchasing from the open market.

The alternative arrangement of cash compensation was not acceptable to the ACMS and they insisted that the entire entitlement has to be provided by the management in kind as per the prevailing practice advocating that ration is a part of wages.

To resolve this issue both the parties i.e. the AVBCCPA and the ACMS decided to draw a M.O.U. (as attached) to refer the matter to the state Government and accordingly both the parties agreed to submit a joint petition to the Labour & Employment Department, Govt. of Assam to resolve the issue at an early time.

It is also agreed that in the interim period the implementation of the proposal to stop food grains supply to workers in the tea gardens would be kept in abeyance.

All members endorsed the decision of the CCPA.

Item No. 3: Fund position of the Association

Chairman apprised the members that fund position of the Association is not comfortable as out of 174 member tea estates only 92 member tea estates have cleared their subscription dues till date.

Members discussed this matter and decided to request the concerned Circle Chairman and the Zone Chairman to take up the matter at their levels and impress upon the concerned member tea estates to clear the subscription dues by 31st March, 2017.

Shri P.K. Bezboruah suggested that there is a possibility to augment the income of the Association if it decided to acquire the adjacent vacant land at a reasonable price and build a multi-storied building for purposes of both office and commercial activities.

Members appreciated the proposals and formed a sub-committee with the following members to negotiate with the owner and strike a deal.

- (i) Shri P.K. Bezboruah, Chairman
- (ii) Shri Abhijit Sarmah, Member
- (iii) Shri Raj Barooah, Member
- (iv) Shri A.R. Kasera, Member
- (v) Shri Gautom Barooah, Member

Chairman requested all members to take up the matter at an early date.

Item No. 4: Any other subject as may be raised with the permission of the chair

(a) Relevancy of the P.L. Act'51

Mr. Raj Barooah raised a question whether the P.L. Act'51 which was enacted to provide working and living conditions of workers in plantations has any relevance in the changed scenario of the tea industry.

Members appreciated the point and unanimously decided to consult a supreme court advocate at Guwahati and take action accordingly.

On a proposal by Shri P.K. Bezboruah it was also unanimously decided to involve both NETA and BCP into the matter.

(b) Protocol of the CCPA

Mr. A.R. Kasera stated, it appears some members of some constituents of the CCPA with help of their association are entering into some agreements on some common issues with the unions and thereby putting the neighbouring tea estates, belonging to other associations in a difficult and embarrassing position.

He suggest that when there is the AVBCCPA or CCPA, common issues affecting all gardens should be taken up jointly at the association or AVBCCPA or CCPA level.

Chairman endorsed the view and assured the members of taking up the matter appropriately at the CCPA level

(c) Land Revenue at enhancement

Mr. Bikash Agarwalla stated that the revenue department in Jorhat district was not implementing the High Court's order of adjustment saying that there is no notification from the Govt. of Assam.

When the Deputy Commissioner, Sivasagar and Golaghat was implementing the High Court's order of adjustment of excess payment, members failed to understand why the Deputy Commissioner, Jorhat is not coming forward to implement the High Court's order.

Members discussed the matter and decided to consult an advocate at Jorhat and take the action accordingly.

(d) Refund of the Maximum damage charges

Mr. Bikash Agarwalla also raised the question the upper Assam Power Distribution Company is not refunding / nor adjusting the excess amount of maximum demand charges paid for the period from 01.07.2001 to 31.02.2003 as per the High Court's order dated 25.11.2008.

The matter was being looked into and appropriate advice will be given in due course.

There being no other matter, the meeting was terminated with a vote of thanks from the chair to the members and vice-versa.

Sd/- (Arun Thekedath)
Chairman, ATPA

Memo No. G-2/141 Dated Jorhat the 28th March, 2017

Copy is forwarded to:-

1. The Chairman, ATPA
2. The Vice-Chairman, ATPA
3. The Zone Chairman, all Zones, ATPA
4. The Circle Chairman, all Circles, ATPA
5. All Members, Executive Committee, ATPA
6. All Member Tea Estates, ATPA

} For consideration and approval please.

Sd/-(D.Bora)
SECRETARY
ATPA, Jorhat