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EXTRAORDINARY

প্ৰাপ্ত কৰ্তৃত্বৰ দ্বাৰা প্ৰকাশিত

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GOVERNMENT OF ASSAM

ORDERS BY THE GOVERNOR

LEGISLATIVE DEPARTMENT : LEGISLATIVE BRANCH

NOTIFICATION

The 16th January 1985

No.LGL.130/83/34.—The following Act of the Assam Legislative Assembly received the assent of the President is hereby published for general information.

ASSAM ACT No. I OF 1985

(Received the assent of the President on 29th December, 1984)

THE ASSAM WORKMEN'S PROTECTION ACT, 1984

An

Act

to prevent the recovery of debts from certain classes of workmen by besetting the places where they work or receive their wages and protect such workmen from molestation and intimidation by their creditors in the State of Assam.

Preamble. Whereas it is expedient to prevent the recovery of debts from certain classes of workmen by besetting the places where they work or receive their wages and protect such workmen from molestation and intimidation by their creditors ;

It is hereby enacted in the Thirty-fifth Year of the Republic of India, as follows :—

Short title, extent and commencement. 1. (i) This Act, may be called 'The Assam Workmens' Protection Act, 1984'.

(ii) It extends to the whole of the State of Assam.

(iii) It shall come into force at once.

Definition. 2. In this Act, unless there is anything repugnant in the subject or context :—

(1) 'Workman' means any person employed by local authority on a system of public conservancy or sanitation or employed in any industrial establishment to do any skilled, unskilled, manual or clerical labour for hire or reward ;

(2) 'Industrial Establishment' means—

(i) A factory as defined in clause (m) of Section 2 of the Factories Act, 1948 (63 of 1948) ;

(ii) A Railway as defined in clause (iv) of Section 3 of the Indian Railways Act, 1890 ;

(iii) The establishment of a person who, for the purpose of fulfilling a contract with the owner of any industrial establishment, employs workmen ;

- (iv) Transport Vehicles Services ;
 - (v) Dock, Wharf or Jetty ;
 - (vi) Inland Steam Vessel Services ;
 - (vii) Mine, Quarry .
 - (viii) Plantations as defined in clause (f) of Section 2 of the Plantations Labour Act, 1951 (69 of 1951), and
 - (ix) Workshop or other establishment in which articles are produced, adopted or manufactured with a view to their use, transport or sale.
- (3) A person who, with intent to cause a workmen to abstain from doing or to do any act which he has a right to do—
- (a) obstructs, threaten or uses violence to, or intimidates such workman ; or
 - (b) persistently follows such workmen from place to place or interferes with any property owned or used by him or deprives him of, or hinders him in the use thereof ; or
 - (c) loiters or does any similar act at or near a house or other places where such workman works or carries on business ;

shall be deemed to molest such workman.

3. BESETTING CERTAIN PLACES WITH A VIEW TO RECOVER DEBT :

Whoever—

- (1) loiters at or near any place where a workman works or receives his wages in a manner or in circumstances indicating that he is so loitering with a view to recover any debt from such workman ; or
- (2) molests, or abets the molestation of any such workman for the recovery of a debt owned by him to his creditor shall be punishable with imprisonment which may extend to 6 (six) months and with a fine upto five thousand rupees or with both.

4. OFFENCES UNDER THIS ACT TO BE COGNIZABLE AND NON-BAILABLE:

Notwithstanding anything contained in the Code of Criminal Procedure, 1973 (Act 2 of 1974) offences punishable under this Act shall be cognizable and non-bailable.

M. D. SAADULLAH,
Secretary to the Gov. of Assam,
Legislative Deptt.