

GAHC010259832024



undefined

THE GAUHATI HIGH COURT
(HIGH COURT OF ASSAM, NAGALAND, MIZORAM AND ARUNACHAL PRADESH)

Case No. : WP(C)/6594/2024

ASSAM CHAH KARMACHARI SANGHA A REGISTERED TRADE UNION
UNDER THE TRADE UNION ACT, 1926 HAVING ITS REGISTERED OFFICE
AT BIJOY BHAWAN, PST BOX NO. 13, DIBRUGARH, ASSAM,

VERSUS

1: THE STATE OF ASSAM AND ANR REPRESENTED BY THE CHIEF
SECRETARY TO THE GOVERNMENT OF ASSAM, DISPUR, GUWAHATI-06

2: THE ADDL. CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM
LABOUR AND WELFARE DEPARTMENT DISPUR GUWAHATI-0

For the Petitioner(s) : Mr. S. Chakraborty, Advocate.

For the Respondent(s) : Mr. S. Baruah, Govt. Advocate, Assam.

– B E F O R E –

HON'BLE THE CHIEF JUSTICE MR. ASHUTOSH KUMAR
HON'BLE MR. JUSTICE ARUN DEV CHOUDHURY

30.01.2026

(Ashutosh Kumar, CJ)

The petitioner herein is a registered Trade Union of Assam Tea Garden Workers, which has challenged the Notification issued on 12.11.2024 by the Government of Assam in its Labour Welfare Department, which essentially caps the Employer's Provident Fund Contribution at Rs.15,000/- per month even if a worker earns more than that.

The contention of the petitioner is that such Notification is illegal, in view of the Assam Tea Plantations Provident Fund Act, 1955 having been amended in December, 2023 to completely remove any salary ceiling.

Every worker, no matter what his/her salary is, would now be entitled to provident fund contribution on full salary.

The impugned Notification, it has been argued, brings back Rs.15,000/- cap through a mere Notification when the same has been removed from the parent Act.

This is precisely the reason why such Notification has been challenged.

Mr. S. Baruah, learned Government Advocate, Assam seeks some more time to address this Court on the issue raised in this writ petition.

Time prayed for is granted.

List on **16.03.2026.**

JUDGE

CHIEF JUSTICE

Comparing Assistant