

GAHC010259832024



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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, REPRESENTED BY ITS GENERAL SECRETARY

VERSUS

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

Advocate for the Petitioner : MR. S CHAKRABORTY, MR. K N CHOUDHURY

Advocate for the Respondent : GA, ASSAM,

BEFORE
HONOURABLE MR. JUSTICE KALYAN RAI SURANA
HONOURABLE MRS. JUSTICE SUSMITA PHUKAN KHAUND

ORDER

09.01.2025

(K.R. Surana, J)

Heard Mr. K. N. Choudhury, learned senior counsel assisted by Mr. S. Chakraborty, learned counsel for the petitioner.

The case projected by the petitioner association is that The Assam Tea Plantations Provident Fund and Pension Fund and Deposit Linked Insurance Fund Scheme (Amendment) Scheme, 2024 contains an amendment which would operate contrary to and in derogation of The Assam Tea Plantations Provident Fund and Pension Fund and Deposit Linked Insurance Fund Scheme (Amendment) Act, 2023, as the Principal Act does not contain a ceiling regarding salary/ wages on which the provident fund @ 12% of the salary/wage would be deducted.

The learned Additional Senior Government Advocate prays for 1 (one) day's time to obtain instructions. Accordingly, the matter stands adjourned today.

List on 10.01.2025.

JUDGE

JUDGE

Comparing Assistant