

ESTATES QUARTERS (SPECIAL PROVISIONS)

Act
No. 2 of 1971.

AN ACT TO MAKE SPECIAL PROVISIONS IN RESPECT OF QUARTERS PROVIDED ON ESTATES BY EMPLOYERS TO THE EMPLOYEES ON SUCH ESTATES.

[21st January, 1971]

Shot title.

1. This Act may be cited as the Estates Quarters (Special Provisions) Act,

Period during which the right to occupy quarters subsists after the termination of employee's services.

2. Where the services of any person who is an employee on an estate and who is provided with quarters on the estate are terminated by the employer, whether with or without notice, then, notwithstanding the termination of such services, such person shall -

(a) have the right to occupy such quarters together with his dependants until he is ejected therefrom on a decree of a court of competent jurisdiction; and

(b) during the period he exercises the right conferred on him by paragraph (a), be entitled to have all the facilities which are necessary for the exercise of that right and which he had prior to the termination of his services.

Offences.

3. Any person-

(a) who prevents any other person from exercising the right conferred on such other person under section 2 ; or

(b) who deprives such other person of any facility to which he is entitled under that section ; or

(c) who interferes with the occupation by such other person of such quarters,

shall be guilty of an offence and shall, on conviction after summary trial before a Magistrate, be liable to imprisonment of either description for a period not exceeding six month or to a fine not exceeding one thousand rupees or to both such imprisonment and fine.

Contracting out of the right conferred by this Act.

4. Any contract or agreement, whether made before or after the date on which this Act comes into operation, whereby the right conferred on any person by section 2 of this Act is in any way affected or modified to his disadvantage, shall be null and void in so far as it purports to affect or modify such right.

Interpretation.

5. In this Act:-

“dependant”, when used in relation to an employee, means the spouse of such employee or any child, parent, aged relative or incapacitated relative of such employee or of the employee's spouse;

“employee” means a person who is employed on an estate by an employer under a contract, whether oral, written, express or implied, to perform any work and who is paid wages at an hourly or daily rate;

“employer” means the proprietor of an estate and includes the agent, superintendent or manager of such proprietor ;

“estate” means any land or group of lands-

(a) which belongs to or is held by one or several persons; and

(b) of which an extent of not less than fifty acres is under cultivation for any purpose other than the production of foodstuffs as define in the Food Production (Estates) Act:

“quarters” means place of residence.