MEMORANDUM OF SETTLEMENT

Name of the Parties : Employers of Jute Mills of West Bengal

AND

Their Workmen represented by the operating unions

Representing the Employer : Shri Sanjoy Kajaria, Chairman, IJMA
Shri Manish Poddar, IJMA

Representing the Unions : Shri Ganesh Sarkar, Gen. Secretary, NUJW (INTUC) and others.

Short Recital of the Case

The Central Trade Unions operating in Jute Industry and the representatives of I.J.M.A. and other employers of Jute Mills signed an agreement on 8.3.2007 before Labour Commissioner, West Bengal. In the said agreement it was mentioned in Clause 5(ii) that discussions will continue at tripartite level to resolve all the issues as raised by the Unions and Management. Accordingly, 13 meetings were convened by the Labour Commissioner, West Bengal to resolve the issues. 17 Trade Unions by their letter dated 6.11.2008 sought the intervention of MIC, Labour Department, Government of West Bengal and they decided to go on strike w.e.f 1.12.2008 if the issues are not resolved. Paschim Banga Chatkal Mazdoor Federation (TUCC) submitted notice of strike on 10.11.2008. The MIC, Labour Department, Government of West Bengal were also present in the meetings. The meetings were also held on 24.11.2008, 27.11.2008 and 15.12.2008 before the MIC, Labour Department.

The Ministry of Labour and Employment intervened into the matters and a meeting has been convened before the Hon’ble Union Minister of State (IC), Labour
& Employment on 17.12.2008 at Shram Shakti Bhawan, New Delhi. A series of discussions were held on 17.12.2008 and 18.12.2008. After protracted negotiations with active cooperation and help of Shri S.K. Mukhopadhyay, CLC(C) and in presence of Shri Oscar Fernandes, Hon'ble MOS(IC), L&E, Smt. Sudha Pillai, IAS, Secretary, Labour & Employment, Government of India, the parties arrived at an agreement on the following terms and conditions:

1. A Tripartite Committee comprising experts, representatives of Government of India, Government of West Bengal, representatives of workers and employers shall be constituted by Govt. of India immediately to study all outstanding issues and various facets of the working of jute industry including pricing, productivity and wage structure. This Committee will submit its recommendations to Ministry of Labour, Govt. of India within 8 weeks.

2. It is agreed that all workmen shall be paid a sum of Rs.500/- per month (for 208 hours) with effect from the date the mill re-opens as ad hoc payment against outstanding dues.

3. In view of the above, the Trade Unions agree to call off the strike immediately and workmen will resume normal work in the jute mills immediately. Workers will be granted 15 days time for reporting back to work/duty.

4. It is agreed that the period of strike shall be treated on the basis of 'no work no pay' without, however, affecting the continuity of the services of the workmen for the purpose of eligibility towards all statutory entitlements.
5. It is agreed that there shall be no victimization of any workmen for participation in the strike.

SIGNATURE OF THE EMPLOYERS

[Signatures]

SIGNATURE OF THE REPRESENTATIVES OF UNIONS

[Signatures]

SK. Sarmad, N.U.W./I. T.U.C 19/12/08

[Signatures]
Bengal Jute Mills Workers Union
AIUTUC

I accept the settlement arrived between striking unions and management of Jute Industry on behalf of Bengal Chadda
Martun Union & All India
Jute Workers Federation CITU

Golam Rasul

18.12.2008

(S. BISWAS)
Addl. Labour Commissioner,
Govt. of West Bengal
&
Conciliation Officer,
West Bengal
Camp: New Delhi.

Witnesses:

1. Smt. Sudha Pillai, IAS
   Secretary, Labour & Employment, Govt. of India
   
2. Shri S. Krishnan, IAS Special Secretary,
   Labour & Employment, Govt. of India
   
3. Shri S.K. Srivastava, IAS, Joint Secretary, Labour & Emp., Govt. of India
   
4. Shri S.K. Mukhopadhyay, Chief Labour Commissioner (Central),
   Govt. of India
   
5. Shri Girindra Prasad, MP