MEMORANDUM OF SETTLEMENT

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

AND

Their workmen represented by:

1. Bengal Chatkal Mazdoor Union
   53, A.J. Bose Road, Kolkata-700014.

2. National Union of Jute Workers
   'Shramik Bhawan'
   177B, A.J.C Bose Road, Kolkata-700014

3. Federation of Chatkal Mazdoor Union
   144, Lenin Sarani, Kolkata-700012

4. Rastriya Chatkal Mazdoor Union
   C/O. Supreme Law Chamber
   5, K.S. Roy Road, Kolkata-700001

5. Jute Textile Workers Union
   59B, Chowringhee Road, Kolkata-700020

6. Bengal Provincial Chatkal Mazdoor Union
   249, Bipin Behari Ganguly Street, Kolkata-700012

7. Paschimbanga Chatkal Mazdoor Federation
   52/7, Bipin Behari Ganguly Street, Kolkata-700012

8. All India Jute Textile Workers Federation
   35B, Nirmal Chandra Street, Kolkata-700013

9. National Union of Jute Workers
   24B, Ekbal Lane, Kolkata.

10. All India Jute Workers Federation
    53, A.J.C. Bose Road, Kolkata-700016

11. Indian National Jute Workers Federation
    177B, A.J.C. Bose Road, Kolkata-700016

12. West Bengal National Jute Mill Shramik Union
    1, Mirbazar Street, Kolkata.

13. Jute Workers Federation
    113/2, Hazra Road, Kolkata

14. All India Federation of Jute Workers
    144, Lenin Sarani, Kolkata-700012

15. Indian Federation of Jute Textile Workers
    10, Govt. Pla e (E), Kolkata-700001
2. Representatives of Employers:

(a) For Indian Jute Mills Association:

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

(b) For individual Jute Mills

1. Alliance Mills (Lesses) Ltd.

2. Aditya Translink Private Ltd.

3. Agarpara Jute Mills Ltd.

4. Ambica Multifibres Ltd. (Unit: Ambica Mills)

5. The Angus Co. Ltd.

6. Bally Jute Co. Ltd.
7. Birla Corporation Ltd.

8. Budge Budge Co. Ltd.


10. Cheviot Co. Ltd.

11. Chitavalsah Jute Mills (Williard India Ltd.)

12. Calhousie Jute Co. Ltd.


14. Premium Agro Exports Ltd. (Unit: Eastern Jute Mills)

15. The Empire Jute Co. Ltd.

16. East India Commercial Co. Ltd.  
   (Unit: Sh. Krishna Jute Mills)


18. Gloster Jute Mills Ltd.

19. Hastings Jute Mill (Murlidhar Ratanlal Exports)

20. Hooghly Mills Co. Ltd.

21. Hooghly Mills Projects Ltd.

22. Howrah Mills Co. Ltd.

23. Jagatdal Jute & Industries Ltd.

24. Kamarhatty Co. Ltd.
25. Trend Vyapaar Pvt. Ltd.

26. Mahabir Jute Mills Ltd.

27. Mahadeo Jute & Industries Ltd.

28. Padam Mercantiles Pvt. Ltd. (Meghna Jute Mills)

29. Naihati Jute Mills Co. Ltd.

30. Prabartak Jute Mills Ltd.

31. Reliance Jute Mills (International) Ltd.

32. Rameswara Jute Mills (Winsome International Ltd.)

33. Vijayshree Ltd. (Fort William Jute Mills)

34. A.I. Champdany Ind. Ltd. (Anglo India Jute Mills)

35. Auckland International Ltd. (Auckland Jute Mills)


37. W.B. Agro Text. Corpn. Ltd.

38. A.I. Champdany Industries Ltd. (Wellington Jute)

39. Caledonian Jute & Industries Ltd.

40. Delta Limited.

41. Kanoria Jute & Industries Ltd.

42. Kanknarrah Co. Ltd.
43. Ludlow Jute Mills.

44. Naffar Chand Jute Mills Ltd.

45. New Central Jute Mills Co. Ltd.

46. North Brook Jute Co. Ltd.

47. KMP Jute Mills Ltd. (Nuddea Jute Mills)


49. Gouri Shankar Jute Mills Ltd.

50. Tepcon International (India) Ltd. (Hanuman Jute)

51. RDB Textiles Ltd. (Victoria Jute Works)

52. Tirupati Jute Industries Ltd.


3. Representing Workmen/Union: Bengal Chatkal Mazdoor Union

1. Shri

2. Shri

National Union of Jute Workers

1. Shri

2. Shri

Federation of Chatkal Mazdoor Union

1. Shri

2. Shri
Rastriya Chatkal Mazdoor Union
1. Shri
2. Shri

Jute Textile Workers Union
1. Shri
2. Shri

Bengal Provincial Chatkal Mazdoor Union
1. Shri
2. Shri

Paschimbanga Chatkal Mazdoor Federation
1. Shri
2. Shri

All India Jute Textile Workers Federation
1. Shri
2. Shri

National Union of Jute Workers
1. Shri
2. Shri

All India Jute Workers Federation
1. Shri
2. Shri

Indian National Jute Workers Federation
1. Shri
2. Shri

West Bengal National Jute Mill Shramik Union
1. Shri
2. Shri
Jute Workers Federation
1. Shri
2. Shri

All India Federation of Jute Workers
1. Shri
2. Shri

Indian Federation of Jute Textile Workers
1. Shri
2. Shri

Bharatiya Jute Mazdoor Sangh
1. Shri
2. Shri

Bengal Jute Mills Workers Union
1. Shri
2. Shri

West Bengal Chatkal Shramik Karmachari Union
1. Shri
2. Shri

National Union of Jute Textile Workers
1. Shri
2. Shri

Bengal Chatkal Mazdoor Federation
1. Shri
2. Shri
4. SHORT RECITAL OF THE DISPUTE:

The Central Trade Unions and the Federation of Trade Unions as mentioned above, operating in jute mills in West Bengal, served a strike notice dated 26.11.09 along with the copy of charter of demands to all concerned to go for indefinite strike in the jute mills w.e.f. 14th Dec., 2009 until their demands are fulfilled. On receipt of the notice, the dispute was taken up in conciliation and the Labour Commissioner, West Bengal convened conciliation meetings on 27.11.09, 08.12.09, 12.12.09 and 13.12.09 before the Hon'ble Minister-in-Charge, Labour Department with a view to averting the strike w.e.f. 14th Dec., 2009. Since the dispute was not resolved the strike could not be averted. The workmen resorted to continuous strike with effect from 6-00 a.m. of 14th Dec., 2009. The conciliation proceedings were continued and meetings were held on 19.12.09, 28.12.09 (Separate), 04.01.10, 23.01.10 (Separate), 24.01.10 (Separate) 28.01.10, 29.01.10, 31.01.10, 03.02.10, 05.02.10, 08.02.10, 09.02.10, 11.02.2010 and the dispute has been settled amicably before Sri Anadi Kumar Sahu, Minister-in-Charge, Labour Department on 12.02.2010 on the following terms and conditions:

5. TERMS OF SETTLEMENT

It is agreed to by and between the parties that

1) The Management shall make payment of 277 points of DA @ Rs. 1.90 out of 627 points of arrear DA (Rs. 1191/- for 208 hours) w.e.f. 1st February, 2010 and the remaining 350 points of DA shall be paid in five instalments as mentioned hereunder:
   a) 50 points of DA @ Rs. 1.90 w.e.f. 01.08.2010
   b) 75 points of DA @ Rs. 1.90 w.e.f. 01.02.2011
   c) 75 points of DA @ Rs. 1.90 w.e.f. 01.08.2011
   d) 75 points of DA @ Rs. 1.90 w.e.f. 01.02.2012
   e) 75 points of DA @ Rs. 1.90 w.e.f. 01.08.2012

   In cases of retirement/resignation/death of workers etc. during the above period the workers who are entitled to 627 points of arrear DA or part thereof shall get the balance arrear points of DA @ Rs. 1.90 as one-time-payment.

2) The management has also agreed to pay 169 points of DA @ Rs. 1.90 which is due w.e.f. 1st February, 2010.

3) The future DA as per rise or fall of CPI @ Rs. 1.90 per point shall be paid in four quarters i.e. on 1st February, 1st May, 1st August and 1st November every year.

4) For new entrants who will be enrolled after this agreement, shall be paid Rs. 157/- only per day in lieu of Rs. 100/- as the entry level minimum payment. They will also be entitled to future DA.

5) Gratuity shall be paid as per Law.

6) The management agreed to pay last drawn wages to the retired workers in cases of re-employment.

[Signature]
7) That the question of maintenance of strength of permanent and special badlies in the ratio of 90% & 20% respectively of the average daily compliment of each mill will be examined by the Labour Department in depth to arrive at a final settlement in consultation with the parties preferably within a period of one year from the date of this settlement.

For the time being, it is, however, agreed to by and between the parties that 375 workmen (three hundred and seventy five) over the existing permanent strength in each mill shall be made permanent from amongst the special badlies and a similar number of badlies will be promoted to the category of special badlies. This process shall be completed within three months from the date of settlement.

8) That in cases of absenteeism, the Management shall take steps as per Certified Standing Orders applicable to Jute Industry.

9) That the Unions/workmen gave solemn assurance to maintain strict discipline at all levels in the Mills and shall not support/encourage any indisciplined activities of the workmen.

10) That the Unions/all workers agreed to extend their unstinted cooperation; utmost and sincere efforts to eliminate all wasteful practices in order to make the mill economically viable and increase production productivity in terms of clause 5(iii) of the agreement dated 05.01.2002. In case of any dispute, the matter relating to productivity norms will be referred to the third party / Productivity Council by the State Govt. for submission of its report within a period of one month which will be binding on both the parties.

11) It has been agreed that there shall be no contractual services in perennial jobs in jute mills.

12) That the demand for grades and scales of pay for the workers and related matters shall be referred to a Wage Board to be constituted by the State Government within a period of three months from the date of this settlement.

13) In view of the above, the unions and the workmen agreed to call off the strike w.e.f. 6 AM on 14-02-2010. The Management agreed to lift lockout / suspension of work of the mills from the same date and time. The Management and the unions agreed that normal work in the jute mills shall resume from 6-00 a.m. on 14-02-2010 in a phased manner and such phases shall be completed by 29-02-2010. Out-station workers will be granted 15 days' time for reporting back to work / duty.

14) It has also been agreed that there shall be no victimization of any workmen for participation in the strike and the strike period shall be treated on the basis of "no work, no pay" without, however, affecting continuity of their services for the purpose of eligibility towards all statutory entitlements.

15) It has been agreed that this settlement shall remain in operation for a period of three years from the date of settlement and shall continue to remain in operation thereafter till it is terminated by statutory notice in accordance with the provisions of the Industrial Disputes Act, 1947.

16) The other pending issues shall be discussed before the Labour Directorate to avert any further strike during the period of this settlement.

17) The management agreed to provide Identity Card and Service Card for all workmen. The workmen shall carry the same.
SIGNATURE OF THE EMPLOYERS

INDIAN JUTE MILLS ASSOCIATION

1. Sambhu Kajaria
2. R.K. Podder
3. N. Nandy
4. 
5. 
6. 
7. 
8. 
9. 
10. 

SIGNATURE OF THE REPRESENTATIVES OF UNIONS

Bengal Chatkal Mazdoor Union

National Union of Jute Workers

Federation of Chatkal Mazdoor Union

Rastriya Chatkal Mazdoor Union

Jute Textile Workers Union

Ramayan Ram

Bengal Provincial Chatkal Mazdoor Union

Barron Chatterjee Surendra Pradhan

Paschim Banga Chatkal Mazdoor Federation

Rohan Naik

All India Jute Textile Workers Federation

National Union of Jute Workers

All India Jute Workers Federation

Meeran Sinha 12.6.10

Indian National Jute Workers Federation

Panjab Premlata Roy

West Bengal National Jute Mill Shramik Union

Jute Workers Federation

Shri Ram Singh

All India Federation of Jute Workers

Indian Federation of Jute Textile Workers

Bharatiya Jute Mazdoor Sangh

Bengal Jute Mills Workers Union

West Bengal Chatkal Shramik Karmachari Union

National Union of Jute Textile Workers

Bengal Chatkal Mazdoor Federation
10. Cheviot Co. Ltd.
11. Chitavalsah Jute Mills (Williard India Ltd.)
12. Calhousie Jute Co. Ltd.
14. Premium Agro Exports Ltd. (Unit: Eastern Jute Mills)
15. The Empire Jute Co. Ltd.
16. East India Commercial Co. Ltd.
   (Unit: Sh. Krishna Jute Mills)
18. Gloster Jute Mills Ltd.
19. Hastings Jute Mill (Murlidhar Ratanlal Exports)
20. Hooghly Mills Co. Ltd.
21. Hooghly Mills Projects Ltd.
22. Howrah Mills Co. Ltd.
23. Jagatdal Jute & Industries Ltd.
24. Kamarhattty Co. Ltd.
25. Trend Vyapaar Pvt. Ltd.
26. Mahabir Jute Mills Ltd.
27. Mahadeo Jute & Industries Ltd.
28. Padam Mercantiles Pvt. Ltd. (Meghna Jute Mills)
29. Naihati Jute Mills Co. Ltd.
30. Prabartak Jute Mills Ltd.
31. Reliance Jute Mills (International) Ltd.
32. Rameswara Jute Mills (Winsome International Ltd.)
33. Vijayshree Ltd. (Fort William Jute Mills)
34. A.I. Champdany Ind. Ltd. (Anglo India Jute Mills)
35. Auckland International Ltd. (Auckland Jute Mills)
37. W.B. Agro Text. Corpn. Ltd.
38. A.I. Champdany Industries Ltd. (Wellington Jute)
39. Caledonian Jute & Industries Ltd.
40. Delta Limited.
41. Kanoria Jute & Industries Ltd.
42. Kanknarrah Co. Ltd.
43. Ludlow Jute Mills.

S. K. Banerjee
12. 2/10
44. Naffar Chand Jute Mills Ltd.
45. New Central Jute Mills Co. Ltd.
46. North Brook Jute Co. Ltd.
47. KMP Jute Mills Ltd. (Nuddea Jute Mills)
49. Gouri Shankar Jute Mills Ltd.
50. Tepcon International (India) Ltd. (Hanuman Jute)
51. RDB Textiles Ltd. (Victoria Jute Works)
52. Tirupati Jute Industries Ltd.
53. Loom Engineering Pvt. Ltd. (Titagarh No.2 Jute Mill).

Witness: 

(S. CHAKRABARTI)
LABOUR COMMISSIONER
&
CONCILIATION OFFICER
WEST BENGAL

Labour Commissioner
West Bengal

Addl. Labour Commissioner
West Bengal

12.02.10
(S. Biswas)

12