

MEMORANDUM OF SETTLEMENT

18-12-2008

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

Sanjoy Kajaria
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Sanjoy Kajaria

& 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.

Handwritten notes and signature:
no pay
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18.12.08
Sudha Pillai
Signature: Sudha Pillai

5. It is agreed that there shall be no victimization of any workmen for participation in the strike.

SIGNATURE OF THE EMPLOYERS

Amritya Karmali
CHAIRMAN
IEMA.

Hareish Patel
IEMA.

SIGNATURE OF THE

REPRESENTATIVES OF UNIONS

Sanjay Sarkar
GAMESH SARKAR
General Secretary National Union
of Textile Workers
INTUC
19/12/08

Debasish Bhatta FCMU (AITUC)
Gen. Secretary

Barun Choudhury BPCMU (U.T.U.C.)
General Secretary

Rajendra Prasad AIFJW (AITUC)
Hafiz Mithun Jute W. Federation

Sheo Prasad Singh } B.J.M.S.
Bhagwan Singh Thakur }

SK. Samad .N.D. W/INTUC 19/12/08

Bikash Chatterjee BCFMF (TUCC)
19/12/08

Ramesh Chandra Mishra
Jang Bahadur Singh (N.D.J.T.W)

Raj Mahi Pandey R.C.M.U
19.12.08

Rahamat Karim (W.B.N.S.M.S.U)
Kallu Prasad Ashrafi AIJTFW (H.M.S.)

Ramayam Ram J.T.W.U.
Atanu Chakravarty, BCFMF (AICCTU)

3 *M. Asrar Nizam*, I.N.J.W.F.
I.N.T.U.C.

CHANDRAMA ROY INTUC
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Awardees
Bengal Jute Mills Workers Union
AIUTUC

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

Gokuldas Das

18.12.2008

G.

S. Biswas
18.12.08

(S. BISWAS)

Add. 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

Sudha Pillai
18/12/08

2. Shri S. Krishnan, IAS Special Secretary,
Labour & Employment, Govt. of India

Shishan
18/12/08

3. Shri S.K. Srivastava, IAS, Joint Secretary, Labour & Emp., Govt. of India

S.K. Srivastava
18/12

4. Shri S.K. Mukhopadhyay, Chief Labour Commissioner (Central),
Govt. of India

S.K. Mukhopadhyay
18.12.08

5. *Gokuldas Das*
Shri Gokuldas Dasgupta⁴ MP