

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, Mirbahar 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

Handwritten notes and signatures on the left side of the page:

- A large handwritten 'D' with an arrow pointing to the right.
- Handwritten text: "H.M. W. M." and "12/2/2010".
- Handwritten text: "12/2/10" and "Rajesh Kumar".
- A circular stamp with the text "Rajesh Kumar" and "12/2/10".
- A handwritten signature "Rajesh Kumar" inside a circle.



Handwritten signature: Anirban Roy

16. Bharatiya Jute Mazdoor Sangh  
10, Kiran Sankar Roy Road, Kolkata-700001.
17. Bengal Jute Mills Workers Union  
48, Lenin Sarani, Kolkata-700013.
18. West Bengal Chatkal Shramik Karmachari Union  
129/A, Karl Marx Sarani, Kolkata-700023.
19. National Union of Jute Textile Workers  
2A, Hazi Mohd. Mahasin Square, Kolkata-700016.
20. Bengal Chatkal Mazdoor Federation  
21/1/1, Creek Row, Kolkata-700014.

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2. Representatives of Employers: (a) For Indian Jute Mills Association:

*92/10/10  
12/2/10  
A. M. W. M.  
S. S.  
R. Indrani*

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- 2.
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- 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.

*Case  
Camp/Amkor  
12/2/10*

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7. Birla Corporation Ltd.

8. Budge Budge Co. Ltd.

9. The Calcutta Jute Mfg. Co. Ltd.

10. Cheviot Co. Ltd.

11. Chitavalsah Jute Mills (Williard India Ltd.)

12. Calhousie Jute Co. Ltd.

13. Delta Limited.

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)

17. The Ganges Mfg. Co. Ltd.

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.



57  
12/21/2010  
H. M. G. W.  
R. K. S.

R. K. S.

L. S. S. S. S.  
12/21/10

R. K. S.



Sanjay Kumar

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)

36. Baranagore Jute Factory Plc.

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.

*H*  
*Specialty*  
*12/2/10*  
*H. H. H.*  
*Pran*

*Leamhanta*  
*12/2/10*  
*RRam*



*Aniraj Kayari*

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)

48. Bristi Vinimay Pvt. Ltd. (Premchand 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. Loomtex Engg. Pvt. Ltd. (Titagarh No.2 Jute Mill).

**3. Representing Workmen/Union :** Bengal Chatkal Mazdoor Union

*RBam*

1. Shri

2. Shri

National Union of Jute Workers

1. Shri

2. Shri

Federation of Chatkal Mazdoor Union

1. Shri

2. Shri



*Sanjay Kanyani*

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
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National Union of Jute Workers

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All India Jute Workers Federation

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Indian National Jute Workers Federation

1. Shri
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West Bengal National Jute Mill Shramik Union

1. Shri
2. Shri

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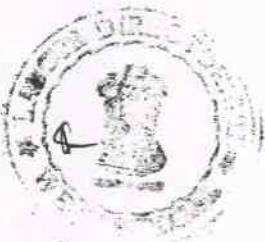
*H. R. Ghosh*

*Ahmed*

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*East Jute  
12/11/10*

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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



*H. M. M. M.*

*G. S. S.*  
*12/2/10*



*Amiyang Karmachari*

#### 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. 14<sup>th</sup> 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. 14<sup>th</sup> Dec.,09. 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 14<sup>th</sup> 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. 1<sup>st</sup> February, 2010 and the remaining 350 points of DA shall be paid in five instalments as mentioned hereunder :

- 50 points of DA @ Rs. 1.90 w.e.f.01.08.2010
- 75 points of DA @ Rs. 1.90 w.e.f.01.02.2011
- 75 points of DA @ Rs. 1.90 w.e.f.01.08.2011
- 75 points of DA @ Rs. 1.90 w.e.f.01.02.2012
- 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. 1<sup>st</sup> 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 1<sup>st</sup> February, 1<sup>st</sup> May, 1<sup>st</sup> August and 1<sup>st</sup> 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.

*Sanjay Kumar*



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 averting any further strike during the period of this settlement.

17) The management agreed to provide Identity Card and Service Record for all workmen. The workmen shall carry the same 9

*Sanjay Kumar*

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S. Saha  
27/2/10  
H. M. Khan  
S.S.

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R. Saha  
R. Saha  
12/2/10  
R. Saha

*Handwritten initials:* P.P.



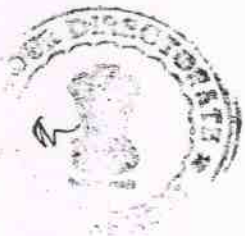
SIGNATURE OF THE EMPLOYERS

INDIAN JUTE MILLS ASSOCIATION

1. Sanjay Kajaria
2. RK
3. (R.K. Poddar)
4. Nirmalya Mukherjee
5. Debajit
6. Anusati
7. -
8. -
9. -
10. -

INDIVIDUAL JUTE MILLS

1. Alliance Mills (Lessee) 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.



SIGNATURE OF THE REPRESENTATIVES OF UNIONS

- Bengal Chatkal Mazdoor Union
- Gobinda Das
- National Union of Jute Workers
- Leena Das Kar
- Federation of Chatkal Mazdoor Union
- Rastriya Chatkal Mazdoor Union
- Indrajit Prasad
- Jute Textile Workers Union
- Ramayan Ram
- Bengal Provincial Chatkal Mazdoor Union
- Babun Choudhury Surendra Prusty
- SK. Mahamun
- Paschimbanga Chatkal Mazdoor Federation
- Debdas Chatterjee
- Ram Anwar Prasad
- All India Jute Textile Workers Federation
- All India Jute Workers Federation
- SK. Samrat
- Dharm Nath Das
- All India Jute Workers Federation
- Meera Samal 12/2/10
- Indian National Jute Workers Federation
- Chandrama Roy
- M. Nizam
- West Bengal National Jute Mill Shramik Union
- Brajkumar
- Jute Workers Federation
- Shri Nivas
- Sahib Raj Singh
- Prasti
- Hafiz Ali Khan
- All India Federation of Jute Workers
- Indian Federation of Jute Textile Workers
- SK. Nirmal
- Bharatiya Jute Mazdoor Sangh
- Bengal Jute Mills Workers Union
- West Bengal Chatkal Shramik Karmachari Union
- National Union of Jute Textile Workers
- Jay Bahadur Singh
- Bengal Chatkal Mazdoor Federation

9. The Calcutta Jute Mfg. Co. Ltd.
10. Cheviot Co. Ltd.
11. Chitavalsah Jute Mills (Williard India Ltd.)
12. Calhousie Jute Co. Ltd.
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25. Trend Vyapaar Pvt. :Ltd.
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34. A.I Champdany Ind. Ltd. (Anglo India Jute Mills)
35. Auckland International Ltd. (Auckalnd Jute Mills)
36. Baranagore Jute Factory Plc.
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39. Caledonian Jute & Industries Ltd. S.K. Basu
40. Delta Limited.
41. Kanoria Jute & Industries Ltd.
42. Kanknarrah Co. Ltd.
43. Ludlow Jute Mills. Bhadresh Mukherjee

12.2.10



