

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

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H. M. W. M.
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R. M.



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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:

- 1.
- 2.
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(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.

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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.

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R. M. G. M.

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L. M. G. M.



Sanjay K. G. M.

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.

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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

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1. Shri

2. Shri

National Union of Jute Workers

1. Shri

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Federation of Chatkal Mazdoor Union

1. Shri

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Rastriya Chatkal Mazdoor Union

1. Shri
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Jute Textile Workers Union

1. Shri
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Bengal Provincial Chatkal Mazdoor Union

1. Shri
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Paschimbanga Chatkal Mazdoor Federation

1. Shri
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All India Jute Textile Workers Federation

1. Shri
2. Shri

National Union of Jute Workers

1. Shri
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All India Jute Workers Federation

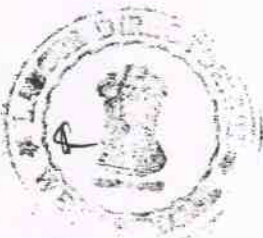
1. Shri
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Indian National Jute Workers Federation

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West Bengal National Jute Mill Shramik Union

1. Shri
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Sanjay Kumar

Jute Workers Federation

1. Shri
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All India Federation of Jute Workers

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Indian Federation of Jute Textile Workers

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Bharatiya Jute Mazdoor Sangh

1. Shri
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Bengal Jute Mills Workers Union

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West Bengal Chatkal Shramik Karmachari Union


1. Shri
2. Shri .

National Union of Jute Textile Workers

1. Shri
2. Shri

Bengal Chatkal Mazdoor Federation

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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., 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 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 :

- 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. 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.

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

Sanjay K...

SIGNATURE OF THE EMPLOYERS

INDIAN JUTE MILLS ASSOCIATION

1. *Sanjay Kajaria*
2. *R.K. Poddar*
3. *Nimelyo Mukherjee*
- 4.
5. *Debasree*
6. *Aras Joti*
- 7.
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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.



SIGNATURE OF THE REPRESENTATIVES OF UNIONS

- Bengal Chatkal Mazdoor Union
Gobinda Chakraborty
- National Union of Jute Workers
Sanjay Kumar
- Federation of Chatkal Mazdoor Union
- Rastriya Chatkal Mazdoor Union
Sanjay Kumar
- Jute Textile Workers Union
Ramayan Ram
- Bengal Provincial Chatkal Mazdoor Union
Bhawan Chaudhary
- Surendra Prusty
S.K. Mahamuni
- Paschimbanga Chatkal Mazdoor Federation
Debasree Chatterjee
- All India Jute Textile Workers Federation
Ram Anwar Prasad
- National Union of Jute Workers
Sh. Samrat
- All India Jute Workers Federation
Sh. Samrat
- Indian National Jute Workers Federation
Chandrama Roy
- West Bengal National Jute Mill Shramik Union
Brail Kher
- Jute Workers Federation
Sahib Rij Singh
- All India Federation of Jute Workers
Sh. Samrat
- Indian Federation of Jute Textile Workers
Sh. Samrat
- Bharatiya Jute Mazdoor Sangh
Sh. Samrat
- Bengal Jute Mills Workers Union
- West Bengal Chatkal Shramik Karmachari Union
- National Union of Jute Textile Workers
Sh. Samrat
- Bengal Chatkal Mazdoor Federation
Sh. Samrat

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.
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. (Auckalnd 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. S.K. Basu
40. Delta Limited.
41. Kanoria Jute & Industries Ltd.
42. Kanknarrah Co. Ltd.
43. Ludlow Jute Mills. Bhadresh Mukherjee

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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. Loom Engineering Pvt. Ltd. (Titagarh No.2 Jute Mill). *Sitendra Nath Chakraborty.*

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

Witness :

S. Biswas
12.02.10
(S. Biswas)
Add. Labour Commissioner
West Bengal

Labour Commissioner
West Bengal

