

MEMORANDUM OF SETTLEMENT

NAME OF PARTIES:

The Tea Industry of Assam Valley represented by the five Employers' Associations, namely:

1. Indian Tea Association
2. Tea Association of India
3. Bharatiya Cha Parishad
4. Assam Tea Planters' Association
5. North Eastern Tea Association

A N D

The Employees represented by the Assam Chah Karmachari Sangha.

PRESENT:

REPRESENTATIVES OF THE EMPLOYERS:

- | | | |
|---------------------------|---|---------------------------------|
| 1. Shri R.K. Gogoi | } | Indian Tea Association |
| 2. Shri M. Dasgupta | | |
| 3. Shri Arijit Raha | | |
| 4. Shri Dhiraj Kakati | | |
| 5. Shri S. Ghosh | | |
| 6. Shri N. K. Dhama | } | Tea Association of India |
| 7. Shri Kalyan Basu | | |
| 8. Shri J. N. Baruah | | |
| 9. Shri Ranjan Paul | | |
| 10. Shri K. Sensowa | } | Bharatiya Cha Parishad |
| 11. Shri Rishiraj Borooah | | |
| 12. Shri A. R. Kasera | } | Assam Tea Planters' Association |
| 13. Shri D. Bora | | |
| 14. Shri Devendra Khetan | } | North Eastern Tea Association |
| 15. Shri D. K. Dowerah | | |

REPRESENTATIVES OF THE EMPLOYEES:

- | | |
|-----------------------------|--------------------------|
| 1. Shri G.C. Borpatragohain | 7. Shri Juba Baruah |
| 2. Shri T. C. Borthakur | 8. Shri B. D. Goswami |
| 3. Shri H. B. Mahanta | 9. Shri Girish Kotoki |
| 4. Shri B. C. Dutta | 10. Shri Nandeswar Gogoi |
| 5. Shri Malbhog Baruah | 11. Shri H. Zamal |
| 6. Shri Biren Adhyapak | |

SHORT RECITAL:

The Memorandum of settlement dated 12th July, 2006 having expired on 31st December, 2008 bilateral discussions were held between the Employers' Associations and the Employees' Union for revision of Staff Salaries on several dates.

Following the final round of discussions held on 23rd October, 2009 at Bharatiya Cha Parishad Hall, Dibrugarh, a settlement was arrived at on the following terms:

TERMS OF SETTLEMENT:

1 (a) With effect from 1st January, 2009 the new pay scales will be as follows in the Assam Valley:

FOR ESTATES OF 250 ACRES AND ABOVE:

Clerical Grade	I	Rs.	5228 – 98 – 6208 – 116 – 7368
Clerical Grade	II	Rs.	4575 – 77 – 5345 – 89 – 6235
Clerical Grade	III	Rs.	4120 – 50 – 4620 – 65 – 5270
Technical Grade	A	Rs.	5188 – 98 – 6168 – 115 – 7318
Technical Grade	B	Rs.	4525 – 76 – 5285 – 84 – 6125
Technical Grade	B (II)	Rs.	3458 – 50 – 3958 – 63 – 4588
Technical Grade	C	Rs.	2912 – 45 – 3362 – 60 – 3962
School Teacher	II	Rs.	4517 – 97 – 5487 – 108 – 6567
School Teacher	III	Rs.	4120 – 50 – 4620 – 84 – 5460
Medical Grade	I	Rs.	5667 – 136 – 7027 – 171 – 8737
Medical Grade	I (A)	Rs.	5288 – 100 – 6288 – 120 – 8488
* (Only for pharmacist with diploma from recognized Govt. Institutions)			
Medical Grade	I (B)	Rs.	5188 – 98 – 6168 – 115 – 7318
Medical Grade	II	Rs.	4559 – 78 – 5339 – 91 – 6249
Medical Grade	II (B)	Rs.	4409 – 75 – 5159 – 88 – 6039
Medical Grade	III	Rs.	4144 – 55 – 4694 – 66 – 5354
Special Clerical Grade	E	Rs.	5957 – 124 – 7197 – 157 – 8767
Special Clerical Grade	F	Rs.	7495 – 199 – 9485 – 222 – 11705

FOR ESTATES OF BELOW 250 ACRES:

Clerical Grade	I	Rs.	4430 – 46 – 4890 – 74 – 5630
Clerical Grade	II	Rs.	3658 – 44 – 4098 – 56 – 4658
Clerical Grade	III	Rs.	3275 – 34 – 3615 – 42 – 4035
School Teacher		Rs.	3275 – 34 – 3615 – 47 – 4085

Medical Grade	I	Rs.	4940 – 83 – 5770 – 102 – 6790
Medical Grade	I(B)	Rs.	4338 – 60 – 4938 – 72 – 5658
Medical Grade	II	Rs.	3576 – 43 – 4006 – 52 – 4526
Medical Grade	III	Rs.	3165 – 34 – 3505 – 42 – 3925
Technical Grade	A	Rs.	4395 – 58 – 4975 – 70 – 5675
Technical Grade	B	Rs.	3603 – 53 – 4133 – 55 – 4683
Technical Grade	B (II)	Rs.	3084 – 33 – 3414 – 42 – 3834
Technical Grade	C	Rs.	2692 – 33 – 3022 – 40 – 3422

- 1 (b) On the basic pay as per scales mentioned in Clause 1 (a), Dearness Allowance of 40% will be paid.
- 1 (c) The basic pay and Dearness Allowance as per Clause 1 (a) and 1 (b) of the Memorandum of Settlement will together correspond to the average All India Consumer Price Index Number for the year 2008 being 3930 (1949 = 100).
- 1 (d) To neutralise any rise in the average All India Consumer Price Index Number for 2009 and 2010 there will be a provision for payment of VDA during the 12 months period beginning 1st April, 2010 and 1st April, 2011. For the above periods, the VDA will be paid at the rate of 0.4% of the basic pay per point rise in the average increase in the All India Consumer Price Index Number during the Calendar years 2009 and 2010 subject to the maximum of 20 points rise during any of these periods. Any excess over this limit in a year will be carried forward to the subsequent year within the period of the agreement.
- 1 (e) All employees covered by this agreement shall be fitted in the new scale at the corresponding stage (on a point to point basis) as on 1st January, 2009 and will be given the next increment in the new scales on 1st April, 2009.
- 1 (f) In applying the above scales to the employees of gardens under 150 acres and gardens in North Cachar and Karbi Anglong Districts the proviso to Wage Board Recommendations (4.23 and 4.24) will continue to be followed.
- 1 (g) The Agreement will remain valid upto 31st March, 2012.
- 1 (h) Endeavour will be made to pay the arrears arising out of this settlement within 31st December, 2009. However, those gardens which are unable to pay the arrears within the above date due to any constraint, will positively make the payment within 31st March, 2010.
- 1 (i) Those employees who have already reached the top of their respective scales or gone beyond the top of their respective scales prior to signing of this agreement shall receive two increments on 1st April, 2009 and 1st April, 2010 under this agreement.
- 1 (j) Pending matters will be separately taken up for discussion at a future date.

2. The benefit of this agreement would be given to those who had retired between 1st January, 2009 and the date of signing this agreement in all respect including all dues.
3. The management and the Union assured each other of their joint efforts to encourage and maintain the highest degree of healthy industrial relations at all levels.
4. During the pendency of this agreement the employees and the Union will not raise any industrial disputes in respect of the issue covered by this agreement.
5. This agreement will be deemed to be a "Settlement" as defined in Section 2 (p) of the Industrial Disputes Act and will be binding on the parties as provided for in section 18 of the said Act.

**Representatives of
Employers' Associations**

**Representatives of
Assam Chah Karmachari Sangha**

Sd/-

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Memo No. G-12/386 Dated Jorhat the 25th October, 2009

Copy is forwarded to:-

1. Shri Abhijit Sarmah,
Chairman, ATPA
2. Shri A.R. Kasera,
Vice-Chairman, ATPA,
3. Shri P.K. Bezboruah, Member,
Working Committee, ATPA
4. Shri O.P. Chokhani, Member,
Working Committee, ATPA
5. Shri Raj Barooah, Member,
Working Committee, ATPA
6. ATPA Web-Site.

For perusal. This Agreement was signed by and between the Representatives of the Employers' Associations and the Assam Chah Karmachari Sangha after Midnight at 1-30 A.M. on 23rd Oct'09 at BCP Office Dibrugarh. Our Association was Represented in the discussion by the Vice-Chairman and the Secretary.

Sd/- (D.Bora)
SECRETARY,
ATPA, Jorhat