

MEMORANDUM OF SETTLEMENT UNDER SECTION 12(3) OF THE INDUSTRIAL DISPUTES ACT, 1947 REACHED BEFORE THE COMMISSIONER OF LABOUR, MADRAS.

Present: Thiru K.MALAISAMY, I.A.S.

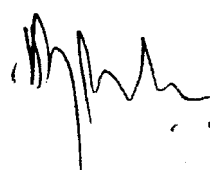
A2/85355/88

Dated: 17.1.'89.

- PARTIES TO THE DISPUTE** : The Management of English Electric Company of India Limited, Pallavaram, Madras and its workmen through English Electric Company Employees Progressive Union.
- REPRESENTING MANAGEMENT** : 1. Thiru C.R.Balasubramanian, Managing Director.
2. Thiru M.M.Rao, Director(Personnel)
3. Thiru A.M.Vincent, General Manager.
ENGLISH ELECTRIC COMPANY OF INDIA LTD., MADRAS.
- REPRESENTING WORKMEN** : 1. Thiru R.Kuchelar, President
2. " R.Krishnamurthy, Secretary
3. " R.Santhanam, Vice-President
4. " J.Henry, Vice-President
5. " V.S.Sainathan, Asst. Secretary
6. " S.Veeraraghavan, Joint Asst. Secretary
7. Mrs. Vasanthakumari, Joint Secretary
8. Thiru K.Murugan, Treasurer English Electric Company Employees Progressive Union.

SHORT RECITAL OF THE CASE:

The workmen employed in English Electric Company of India Limited, Pallavaram, Madras through their union viz., English Electric Company Employees Progressive Union, have raised an Industrial Dispute over the issue of bonus for the year 1987-88. Conciliation was held initially by the Joint Commissioner of



Labour (Conciliation), Madras. Subsequently, on the request of the parties, it was taken up by the Commissioner of Labour, Madras.


In the conciliatory talks, the union urged that the workmen in the unit at Pallavaram, Madras should be paid a bonus of 20% and some ex-gratia amount and while computing bonus, the financial results of Madras and Hosur units have to be taken into account together as is the case hitherto. The management, on the other hand, has contended that the units at Pallavaram, Madras and Hosur are separate units and separate accounts are maintained for both the units though a common balance sheet is prepared for both the units for use by the share-holders. Meanwhile, the union by its letter dated 7.11.'88, has informed the management that the workmen would be leaving the factory from the second half of their respective shifts on 7.11.88 to make monetary arrangements to celebrate Deepavali. The management by its notice dated 9.11.88, has suspended the manufacturing operations from the first shift of 9.11.88.

In addition to the bonus dispute, the union contended that they should be paid lock-out wages for the period of illegal lock-out while the management contended that the suspension of operation was due to the agitation, go slow, obstruction and finally illegal strike.

Conciliation talks were held on many dates on 19.12.88, 21.12.88, 26.12.88, 6.1.89, 13.1.89 and in the course of final conciliation talks held today (17.1.89), a settlement has been arrived at on the following terms:

TERMS OF SETTLEMENT:

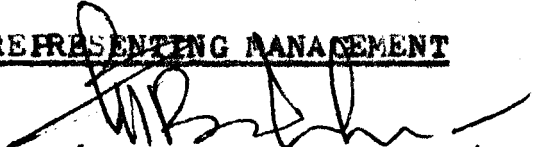
1. It has been agreed that the management will lift the 'suspension of manufacturing process' and the workmen will report for work with effect from 19.1.89.
2. The management has agreed to pay an adjustable/ recoverable advance of Rs.4750/- (Four thousand seven hundred and fifty only) to each workman whose names

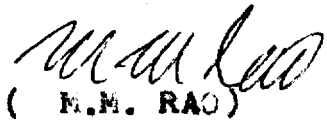
31.3.88 to continue on roll 

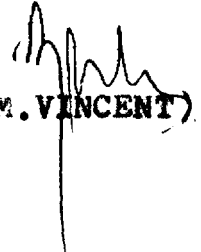
are found on the muster roll as on ~~7.11.88~~. The management may utilise the amount deposited with the bank out of the sale proceeds in terms of the High Court Order in W.P.No.14973/88 and W.A.No.1652/88. The recovery of if any will be effected on the conclusion of the conciliation. The advance will be disbursed to the workmen within a week before 24.1.'89.

3. It is agreed by both parties that all issues vis-a-vis rival contentions of the parties will be discussed and decided in the conciliation talks that will be continued before the Commissioner of Labour, Madras.
4. The workmen agreed to maintain the normal production.
5. The management agreed to drop all the disciplinary action taken on the workmen on account of this dispute and will not resort to any victimisation.
6. Both parties agree to maintain discipline, production and productivity and to extend mutual co-operation and understanding.

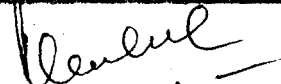
REPRESENTING MANAGEMENT

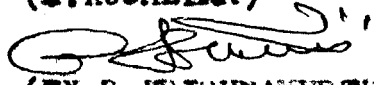

 (C.R. BALASUBRAMANIAN)

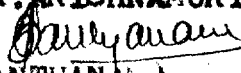

 (M.M. RAO)

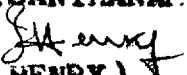

 (A.M. VINCENT)

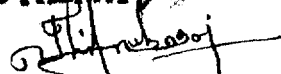
REPRESENTING WORKMEN



 (B. KUCHELAR)

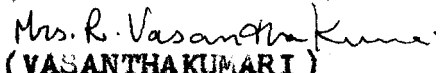

 (TY R. KRISHNAMURTHY)

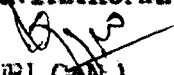

 (R. SANTHANAN.)



 (J. HENRY)


 (V.S. SAYEENATHAN)


 (S. VEERARAGHAVAN)


 (VASANTHAKUMARI)


 (K. MURUGAN)

Before me

 (K. MALAISAMY)
 COMMISSIONER OF LABOUR,
 MADRAS-6.