

## FORM-H

MEMORANDUM OF SETTLEMENT ARRIVED AT UNDER SECTION 12(3) OF THE INDUSTRIAL DISPUTES ACT, 1947 ON 14-8-2010 BEFORE THE REGIONAL LABOUR COMMISSIONER (CENTRAL), COCHIN AT AMBALAMEDU HOUSE IN THE INDUSTRIAL DISPUTE BETWEEN THE MANAGEMENT OF THE FERTILISERS AND CHEMICALS, TRAVANCORE LIMITED AND THEIR WORKMEN REPRESENTED BY FACT EMPLOYEES' ASSOCIATION, FACT WORKERS' UNION, FACT EMPLOYEES' CONGRESS (INTUC), FACT (CD) EMPLOYEES' UNION (CITU), FACT (CD) EMPLOYEES' ASSOCIATION, FACT (CD) EMPLOYEES' SANGH, FACT (CD) WORKERS' CONGRESS (INTUC), FACT (PD) WORKERS' ORGANIZATION & FACT EMPLOYEES' ORGANIZATION.

### PARTIES TO THE DISPUTE

#### **Representing Employer**

1. Shri. K.Mathevan Pillai  
Chairman and Managing Director
2. Shri. V.G.Sankaranarayanan  
Director (Technical)
3. Shri. P.K.Chandrasekharan  
General Manager (Materials)
4. Shri. M.Mathew George  
General Manager (HR)
5. Shri. J.Sreenagesh  
General Manager (F&F)
6. Shri. Thomas Isaac  
General Manager (UC)
7. Shri. V.K.Anil  
General Manager (Mktg))
8. Shri. N.Suresh Babu  
General Manager (CD)
9. Shri. V. Subramonya Iyer  
General Manager (IA)c
10. Shri. V.Murali Nair  
General Manager (Finance)c

#### **Representing Workmen**

##### FACT Employees' Association

1. Shri K Chandran Pillai, Ex-MP,President
2. Shri M M Jabbar, Vice President
3. Shri Mathew Cherian, Secretary General
4. Shri P S Muraleedharan, General Secretary
5. Shri K A Nadarsha , Joint Secretary
6. Shri P J Steephen, Treasurer
7. Shri N V Sachidanandan , Secretary (UD)
8. Shri P A Ibrahim Kutty,Vice President (Adm)UD
9. Shri A Reghu, Vice President(Engg&Trans)(UD)
10. Shri K B Vijayakumar , Secretary (HO)
11. Shri T R Rajasekharan , Vice President (HO)
12. Shri P D Davis, Secretary (PD)
13. Shri KM Pradeepkumar, Vice President(PD)
14. Shri CK Somakumar, Vice President (PD)
15. Shri N V George, Secretary (FEW)
16. Shri M Soman, Vice President (FEW)
17. Shri R Rajan, Secretary (Mktg)
18. Shri E B Kamalasanan, Vice President (Mktg)
19. Shri CR Sasi, Secretary (FEDO)
20. Shri Raveendranathan Pillai, Vice President (FEDO)

##### FACT Workers' Union

1. Shri K Vijayan Pillai, Working President
2. Shri M T Nixon, Senior Vice President
3. Shri P Viju, General Secretary
4. Shri P S Sen, Treasurer
5. Shri P Devarajan, Vice President/Engg
6. Shri P K Abdul Rahiman, Jt Secy/Engg
7. Shri Suresh Babu, Joint Secretary/HO

##### FACT Employees' Congress (INTUC)

1. Adv. V D Satheesan, MLA, President

2. Shri B Sasidharan, Working President
3. Shri Saju Varghese, Vice President
4. Shri KC Raphael, General Secretary
5. Shri V A Nazar, Secretary
6. Shri V Madhu, Secretary
7. Shri PJ Jobinson, Secretary, UD
8. Shri KS Nandakumar, Jt Secretary/Admn,UD
9. Shri Jude Mendez, Joint Secretary, Opns,UD
10. Shri PP Joseph, Joint Secretary/Engg,UD
11. Shri Victor John KJ, Secretary, PD
12. Shri V A Sayed Mohammed,Jt Secy, Engg.,PD
13. Shri PP Murali, Joint Secretary, Opns.,PD
14. Smt Mercy Ignatious, Secretary,FEDO
15. Shri MV Augustine, Secretary. FEW
16. Shri MA Pradeep, Secretary, HO
17. Shri TM Rajan, Secretary (Mktg)
18. Shri B Rajendran, Secretary (Mktg)

#### FACT (CD) Employees' Union

1. Shri PS Ashraf, General Secretary
2. Shri KC Baby, Vice President/Engg
3. Shri MA Sureshkumar, Vice President
4. Shri TK Jamal, Joint Secretary./Opns.
5. Shri CR Moheswaran, Joint Secretary/Engg
6. Shri K Chandrasekharan, Jt Secy/Admn
7. Shri AK Manoharan, Treasurer.

#### FACT (CD) Employees' Association

1. Shri Ajay Tharayil, President
2. Shri KA Varghese, General Secretary
3. Shri V V Johny, Vice President/Engg
4. Shri CK Joy, Vice President/Opns
5. Shri AK Muhammed Ali, Jt Secy/Opns.
6. Shri Jose A Immanuel, Jt Secretary/Engg
7. Shri KP Suresh Babu, Joint Secretary/Admn.
8. Shri VK Ravindran Pillai, Treasurer

#### FACT (CD) Employees' Sangh

1. Shri Thulaseedharan Pillai, Vice President
2. Shri M Santhoshkumar, General Secretary
3. Shri KG Ajithkumar, Joint Secretary/PHD
4. Shri MP George, Joint Secretary, Transp.
5. Shri VK Kamalasanan, Treasurer

#### FACT (CD) Workers' Congress (INTUC)

1. Adv KP Haridas, President
2. Shri R Sreekumar, General Secretary
3. Shri VK Kuttappan, Vice President/Engg
4. Shri MO Poulouse, Vice President /Opns
5. Shri KP Poulouse, Joint Secretary/Opns

6. Shri A Viswanathan, Joint Secretary/Engg
7. Shri KK Gopalakrishnan, Treasurer

FACT (PD) Workers' Organization

1. Adv Sebastian C Kappan, President
2. Shri CP John, Working President
3. Shri KP Premkumar, Vice President
4. Shri KR Suresh, Vice President
5. Shri George Thomas, General Secretary
6. Shri KG Abraham, Joint Secretary
7. Shri EP Mony, Joint Secretary
8. Shri Sabu Varghese, Joint Secretary
9. Shri PM Ali, Treasurer

FACT Employees' Organization (BMS)

1. Adv N Nagaresh, President
2. Shri NK Mohandas, Working President
3. Shri KV Muralidharan, Vice President
4. Shri NP Sankarankutty, Vice President
5. Shri MK Subashanan, Vice President
6. Shri CR Nandakumar, Vice President
7. Shri MG Sivasankaran, General Secretary
8. Shri PB Gopinath, Secretary
9. Shri KB Thankaraj, Secretary
10. Shri R Sajikumar, Secretary
11. Shri PK Manjunath, Secretary
12. Shri KS Sadanandan, Treasurer

### **SHORT RECITAL OF THE CASE**

The Long Term Settlement dated 28.8.2001 between the Company and the Trade Unions representing the workmen of all the Divisions expired on 31.12.2006 and fresh Charters of Demands were submitted by the Unions. With a view to reaching an amicable settlement in a peaceful and cordial atmosphere the parties held negotiations on the demands raised by the Unions in their said Charters of Demands, as also certain Organizational requirements. Certain mutually acceptable terms have emerged in the course of the discussions and negotiations between the parties for improving and varying the terms and conditions of service of workmen and the organizational requirements and in the conciliation conference held by the Regional Labour Commissioner (Central), Cochin on 14.8.2010 at Ambalamedu House, the following Settlement was arrived at and the said terms agreed to between the parties are embodied in this Settlement . " This Settlement covers employees of all the Divisions of FACT who are workmen as defined in Section 2(s) of the Industrial Disputes Act, 1947".

### **TERMS OF SETTLEMENT**

1.0 Period of Settlement:

It is agreed that the period of this Settlement will be 10 years from 01.01.2007 to 31.12.2016. However in case the tenure of pay revision for managerial employees in

the Company becomes operative for any period less than 10 years, this settlement will also be operative for the same period but in any case not less than 5 years.

#### 2.0 Scales of Pay:

All the existing scales of pay will stand revised with effect from 01.01.2007 and the revised scales of pay (including elongated scales) is set out in Annexure A.

#### 3.0 Dearness Allowance:

100% DA neutralization will continue to be adopted w.e.f. 01.01.2007. The DA as on 01.01.2007 will be zero with link point of All India Consumer Price Index(AICPI)2001 = 100, which is 126.33 as on 01.01.2007. The periodicity of adjustment will be once in three months. The quarterly DA payable from 01.01.2007 will be as in Annexure B.

#### 4.0 Fitment benefit:

Workmen covered by this Settlement and who were on scale of pay and are on the permanent rolls of the Company as on 01.01.2007 will be given fitment benefit at the rate of 30% of basic pay plus DA @ 78.2 % as on 01.01.2007 subject to the condition that basic pay for this purpose shall be limited to the maximum of the pre-revised scale of pay applicable to the workman on that date in cases where it exceeds the maximum of the scale of pay. Basic pay for this purpose will include Basic Pay, Personal Pay, Protected Personal Pay (PPP)(personal pay as per clause 6.1 of LTS dt 28.08.2001), Special Personal Pay (SPP) paid as per clause 6.2 of Long Term Settlement dated 28.08.2001 and NPP paid as per clause 22 of the LTS dated 28.08.2001, subject to the limitation specified above. NPP will not be considered as basic pay for calculation of DA.

In respect of workmen whose basic wages, together with personal pay, PPP, SPP and NPP as on 01.01.2007 has already exceeded the maximum of the pre-revised scale of pay on which they were placed on that date, the amount by which the said maximum has so exceeded will be computed and treated as protected personal pay (PPP) applicable to individuals concerned. For the purpose of fixation in the revised scale of pay in their case the basic pay will be the maximum of the pre-revised scale of pay applicable to them. The protected personal pay after such fixation will be treated as basic pay for all purposes other than grant of increments and promotion fixation and will be payable separately in spite of variation, if any, in wages due to increments or promotion.

#### 5.0 Fitment method:

The basic pay of workmen who were on scale of pay and are on the permanent rolls of the Company as on 01.01.2007 will be fixed in the corresponding revised scale of pay as per fitment method given below:

A		B		C		D
Basic Pay + PP + PPP + SPP+ NPP as on 01.01.2007 subject to Para 4.0 above	+	DA @ 78.2% of (Basic Pay + PP + PPP + SPP)	+	30% of A + B	=	Total amount

The amount at (D) would be rounded off to the next multiple of Rs. 10/- to arrive at the revised basic pay and fixed in the revised scale of pay.

5.1 Workmen will first be given the benefit as per clause (4) above and placed in the revised scale of pay on 01.01.2007 as per clause (5) above. Thereafter in the case of workmen who earned Annual Increment / stagnation increments / Placements / Promotions on or after 01.01.2007, the same will be effected in the revised scale of pay with revised rates following the rules applicable to promotion and grant of increment. However in the case of workmen whose date of annual increment is prior to 01.01.2007 and was postponed to a date on or after 01.01.2007 due to loss of pay, such workmen will be given their increment on the new date only at the rate applicable on the original due date and the amount will be rounded off to the next multiple of ten rupees.

5.2 Workmen joining the services of the Company on or after 01.01.2007 and drawing the starting basic pay in a pre revised scale, shall be fitted at the minimum of the revised basic pay in the corresponding revised scale of pay.

Example:

Scale of pay (pre revised) : Rs. 4300 - 80 - 4700 - 90 - 6050  
Scale of pay (revised) : Rs. 8050 - 19400

	Basic pay as on 01.01.2007	Rs. 5330
	PP	Rs. 80
	PPP	Rs. 107
	SPP	Rs. 360
A	Total	Rs. 5877
B	DA at 78.2% of A	Rs. 4596
C	Notional Personal Pay	Rs. 72
D	Fitment Benefit at the rate of 30% of (A + B + C)	Rs. 3163.5
E	Total amount (A + B + C + D)	Rs.13708.5
F	Revised Basic Pay i.e.amount at (F) rounded off to the next Rs 10 (amounts less than 50 paise will be ignored.)	Rs. 13710

5.3 Increment :

It is agreed that the annual increment will be at the rate of 3% of the revised basic pay. The resultant amount would be rounded to the next multiple of Rs 10/- (amounts less than 50 paise will be ignored). If the basic pay of workman reaches the maximum

of the revised scale of pay, the existing system of granting biennial increments will continue.

5.4 Pay fixation on promotion:

One increment equal to the increment being drawn by the workmen in the scale of pay before such promotion would be granted and pay fixed in the promoted scale of pay and rounded off to the next multiple of Rs.10/- (amounts less than 50 paise will be ignored).

5.5 Payment of revised wages (Basic pay and DA) and applicable contributions to PF on the above basis will be made from 01.08.2008.

5.6 If a senior was getting a higher Basic Pay than his junior as on 01.01.2007 including PP, PPP and SPP, but subsequently the junior gets a higher Basic Pay on grant of annual increment in the revised grade on due date or on promotion to the same category as the senior, by drawing a higher increment rate and promotion fixation benefit in the promoted revised grade, then the Basic Pay of the senior will be stepped up to the Basic Pay of the junior with effect from the date on which the junior gets a higher Basic Pay than the senior and the date of annual increment of the senior will also be the date of annual increment of that of the junior subject to variations if any on account of loss of pay etc. Junior-senior relationship for this purpose will be the same as the junior-senior relationship for the purpose of promotion, the senior should also have more/equal service in the Company and should have drawn a higher Basic Pay consistently in the past, than the junior concerned. Service for this purpose will be the same as service reckoned for Gratuity. The option for this purpose may be exercised by the senior within six months from the date of this Settlement. If the senior employee does not opt for the above stepping up within the specified period, there will be no change in his Basic Pay or in his date of annual increment.

6.0 House Rent Allowance :

Effective from 01.08.2010, eligible workmen will be paid HRA based on the reclassification of cities notified by the Government of India as below:

Cities with population	Rates of HRA
50 lakhs and above (X)	30% of Basic Pay
5 to 50 lakhs (Y)	20% of Basic Pay
Less than 5 lakhs (Z)	10% of Basic Pay

Basic Pay mentioned above will be the Basic Pay drawn by the workman in the pre-revised scale of pay + PP + PPP + SPP + SI + Dearness Pay as on 01.08.2010 and will be frozen at that level. Classification of Cities is attached as Annexure C.

Payment of HRA on revised basic pay will be reviewed by the Management / Government of India after the financial year ending 31.03.2011 on finalization of accounts.

In case the HRA amount as per the revised rates is less than the amount of HRA currently being drawn by a workman, the shortfall will be protected as long as he remains posted in the same location. Protection thus granted will be personal to the individual workman. Once such a workman is transferred from that location, his HRA

will be as per the eligibility at the rates notified by the Government in respect of the new place of posting. The other rules and conditions for the payment of HRA shall be as per the guidelines / orders issued by the Government of India.

In the case of workmen coming on to scales of pay on or after 01.08.2010, HRA will be paid on the minimum of the applicable pre-revised scale of pay plus corresponding DP (i.e 50% of the minimum of the pre-revised scale).

For the period from 01.08.2008 (the date of implementation of merger of 50% of Dearness Allowance with Basic Pay) to 31.07.2010 the HRA already paid on the basis of the pre-revised basic pay and dearness pay in terms of the conciliation settlement dated 18.12.2008 would be treated as full and final payment towards HRA and there will be no revision/recovery in the amount of HRA already paid during the period.

7.0 Rent and service charges levied for the quarters provided by the Company shall continue as at present. A committee consisting of representatives of the Management and the trade unions will be constituted for examining various measures for reduction of water and energy consumption in the quarters. A review of the rent and service charges will be considered based on cost reduction effected. The Committee will submit its report by 30.11.2010.

8.0 City Compensatory Allowance:

The City Compensatory Allowance will stand dispensed with, effective from 1.8.2010.

9.0 Leave Travel Concession

Workmen can avail LTC facilities as applicable to a single block during the period of this Settlement subject to existing rules in this regard, modalities for implementation of which shall be announced.

10.0 Shift Allowance

It is agreed that shift allowance will be as follows :

Day shift	: Rs. 10 per shift worked
Evening Shift	: Rs. 30 per shift worked
Night shift	: Rs. 60 per shift worked

These rates will be applicable from 1.8.2010

11.0 Attendance Bonus

It is agreed that the Attendance Bonus will be paid on the pre-revised wages (Basic + DP + DA) as on 1.8.2010 . There are some requirements from the Management towards reviewing the norms for the Attendance Bonus Scheme. As and when these norms on payment of Attendance Bonus are revised, Attendance Bonus on revised wages will be considered.

12.0 Perks and Allowances

All other Perks and Allowances will be restricted to the present level.

Enhancement in the perks and allowances including LTC will be considered after reviewing the financial position of the Company and with the approval of the Government of India. Review will be done at the end of each financial year on finalization of accounts.

#### 13.0 Gratuity

The ceiling on payment of Gratuity is enhanced to Rs.10 lakhs with effect from 01.01.2007 and will be applicable to those covered under sub clause 22.0 below upto 24.5.2010 after which applicability of Rs.10/- lakhs ceiling will be as per provisions of Payment of Gratuity Act.

#### 14.0 Leave Encashment

It is agreed that the facility of leave encashment while in service as per applicable rules shall be on the basis of revised wages with effect from 01.08.2008.

#### 15.0 Manpower Rationalization

It is agreed between the parties that rationalization of manpower will be carried out in the non-managerial categories with a view to improve productivity and performance of the Company and for generating internal resources to offset cost of wage revision. The sanctioned strength of Non-managerial employees as per LTS dated 28/8/2001 was 4432. Subsequently the Company had been implementing various cost reduction / productivity improvement strategies on a continuous basis with the co-operation of trade unions for improving the Company's performance by which the filled strength has come down to 3176 as on 01/01/2007. The sanctioned strength of Non-managerial employees will be further optimized to a strength of 2005. It is agreed that the restructured strength of various departments / categories will be discussed and finalized within the above sanction as early as possible and in any case not later than 31.10.2010.

#### 16.0 Redeployment of surplus personnel

The non-managerial personnel who are in excess of the revised strength consequent to the restructuring of non-managerial manpower strength will be redeployed either to other departments / sections / areas within the Division or to other Divisions to ensure the effective utilization of such personnel. The Unions shall extend their full co-operation for this purpose and the redeployment of personnel will be done in consultation with the Unions.

#### 17.0 The Unions raised certain demands regarding modification to the existing stagnation scheme. The demands of the trade unions will be discussed and finalized as early as possible and in any case not later than 31.10.2010.

#### 18.0 The Unions stated that workmen in lower categories in substantive wage groups I to V are getting lower fitment benefit due to abolition of FDA and service weightage and as the fitment is based on percentage of the basic pay from the 1997 settlement onwards. They have been demanding a special treatment for workers belonging to these categories particularly for those among them who do not have any opportunity for promotion to higher posts by virtue of their qualifications and have been continuing in the same post throughout. The Unions demanded that these workmen may be given some benefit to compensate their loss while implementing the wage

revision. Since providing higher fitment / promotion benefit on wage revision to this category alone would cause anomalies with respect to other employees in the same grades, it was agreed that a provision will be discussed and finalized separately whereby those who joined in posts in substantive wage groups III or below and continuing without getting any promotion to posts in higher substantive wage groups and who are not eligible for further promotion based on their present qualification will be considered for a movement to a higher grade. Those workmen who are extended the grades as above will be required to perform interchangeable jobs with flexibility in utilisation as may be required from time to time by the Management. This will be discussed and finalized as early as possible and in any case not later than 31.10.2010.

- 19.0 It is agreed that the Unions will extend full cooperation in attaining and maintaining maximum production and productivity and in removal of restrictive practices. The Management has in this context specified certain requirements which are listed below to be implemented with a view to improving production / productivity, streamlining functions in some areas, removing restrictive and wasteful practices, if any, etc.

The following will be discussed and finalized as early as possible and in any case not later than 31.10.2010 :

- Integration of UD and PD as Udyogamandal Complex.
- Integration of Promotion Policies of all divisions into a common policy including issues related to centralized departments
- Mechanization of Bagging and Loading operations for improving labour productivity and for cost reduction by fully utilizing available strength.
- Common Pay scales for same categories across divisions.
- Norms for Gypsum loading to be fixed.
- Implementing alternative systems / methods for quality improvement and cost reduction in areas like canteen, garage, sweeping etc.
- Common non managerial welfare fund
- Combining of UD & CD PF Trusts.
- Introduction of Entry / Exit control system in all divisions and main offices and surveillance system in product loading areas.
- The price of meals taken by workmen from the UC and FEW canteens would be recovered by way of salary deduction based on attendance as is being done in CD.
- Review of Production Incentive Schemes/ Common Production Incentive Schemes
- Revised norms for Attendance Bonus

Common Standing Orders for all Divisions shall be discussed and finalized as early as possible and in any case not later than six months;

Co-operation of Unions in making each business unit profitable, if required in partnership with other public sectors, as and when needed.

20.0 Arrears

Payment of arrears of basic pay and DA and statutory benefits of PF and annual bonus on account of this wage revision for the period from 01.01.2007 to 31.07.2008 will be reviewed by the Management / Government based on the Company's financial position and its other liabilities towards employees after each financial year after finalization of accounts. The first review shall be after the financial year ending 31.03.2011.

21.0 The wages for August 2010 payable on 31.8.2010 and thereafter will be on revised scales of pay and other benefits as per this Settlement.

Payment of revised wages payable to workmen from 01.08.2008 to 31.7.2010 will be after adjusting the amount of pre-revised Basic + Dearness Pay and applicable DA & statutory benefits of Provident Fund already paid during the period.

It is also agreed that the amount of recoverable advance of Rs.7000/- paid at the time of Onam as per clause 1(b) of the Conciliation Settlement dated 18.08.2009 will be adjusted against the payment of revised wages due for the period from 01.08.2008 to 31.07.2010 as per this Settlement. In the case the amount due for the period from 01.08.2008 to 31.7.2010 is less than Rs.7000/- the balance amount if any unrecovered will be deducted in 10 equal monthly instalments starting from the salary for the month of September payable on 30.9.2010.

Payment of the balance amount after adjustment as above will be made in eight equal quarterly instalments. The first quarterly instalment will be made on 20.08.2010. Subsequent quarterly instalments will be paid along with salary. Accordingly the second quarterly instalment will be along with salary for the month of November 2010 payable on 30.11.2010 and so on for the remaining instalments.

21.1 In respect of workmen who ceased to be in service of the Company on account of Superannuation/VR/Death prior to the date of this Settlement, the payment for the period from 01.08.2008 to the date of separation will be made latest by 31.10.2010.

In respect of workmen who leave the services of the Company on or after the date of this Settlement, payment for the period from 01.08.2008 till 31.07.2010 will be made on leaving the services after adjusting the amount already paid in installments.

21.2 It is agreed that the terminal benefits of gratuity and leave encashment on the basis of revised wages will also be paid to those workmen who left the services on superannuation, voluntary retirement or death during the period from 01.01.2007 to the date of this settlement. The amount so due will be paid latest by 31.10.2010. In the case of voluntary retirement, the ex-gratia paid will not be re-worked consequent to the wage revision.

21.3 Unions took up the case of PF pension on the basis of revised wages to the workmen who left the services of the Company from 01.01.2007 onwards on account of superannuation and death. Since PF pension is paid on the basis of employer's contribution to the Employees Pension Fund under the EPF Act during the last 12

months prior to the workman's date of separation, non-payment of contribution to the Pension Fund based on the revised salary would result in lower pension amount from the Fund. The unions requested that even if arrears due to the wage revision is not paid at present, the contribution to the Employees' Pension Fund on revised salary may be paid. Management stated that the matter would have to be examined from the legal angle as well as with reference to the provisions of the PF Act. The implications of the recent judgment with respect to the workmen who left the services from 01.01.1997 to 30.06.2001 would also have to be examined. The matter will be discussed separately on the basis of the above examination.

## 22.0 Coverage

This settlement shall apply to all workmen who are borne on the permanent rolls of the Company ie. those who are confirmed in the service after probation on appointment as on the date of this Settlement and shall include the following:

- (i) Subject to clauses 20 and 21 above, those workmen who left the services on superannuation, voluntary retirement or died whilst in service on or after 01.01.2007 will be deemed to be eligible for arrears under this settlement calculated as from 01.01.2007 to the date up to which they were in the services of the Company provided they or their heirs (as the case may be) apply for the same within six months of the decision to pay arrears under the settlement. The amount of arrears if not claimed and paid within this period will be transferred to the welfare fund.
- (ii) Those who were included in the category of workmen as on 01.01.2007 and got promoted to the Managerial category thereafter during the period from 01.01.2007 to the date of such promotion.

23.0 This Settlement is in full and final Settlement of all demands raised by the Unions except for those for which review provisions have been provided in this settlement. The Unions agreed that all issues raised in their Memoranda of demands, other than those specifically referred to herein are waived for the period of this Settlement. The Unions also agree that they will not raise any demands involving financial commitment (other than those specifically referred to in this Settlement) during the life of operation of this Settlement, except individual grievances if any, or any claim for annual bonus.

24.0 The parties agreed that the rights, benefits, responsibilities and liabilities which are binding on them and which are not improved or varied in the Settlement shall continue unchanged.

25.0 Any dispute, difference, disagreement or controversy of any nature or character regarding the interpretation and / or implementation of the Settlement, shall be referred by either parties separately or by the Company and recognized Trade Unions together for arbitration to the appropriate authority under the Industrial Disputes Act and his decision shall be final and binding on both the parties.

## SIGNATURE OF THE PARTIES

### **Representing Employer**

1. K.Mathevan Pillai  
Chairman and Managing Director

2. V.G.Sankaranarayanan  
Director (Technical)

3. P.K.Chandrasekharan  
General Manager (Materials)

4. M.Mathew George  
General Manager (HR)

5. J.Sreenagesh  
General Manager (F&F)

6. Thomas Isaac  
General Manager (UC)

7. V.K.Anil  
General Manager (Mktg))

### **Representing Workmen**

#### **FACT Employees' Association**

1. K Chandran Pillai, Ex-MP,President

2. M M Jabbar, Vice President

3. Mathew Cheriyan, Secretary General

4. P S Muraleedharan, General Secretary

5. K A Nadarsha , Joint Secretary

6. P J Steephen, Treasurer

7. N V Sachidanandan , Secretary (UD)

8. P A Ibrahim Kutty,Vice President (Adm)UD

9. A Reghu, Vice President(Engg&Trans)(UD)

10. K B Vijayakumar , Secretary (HO)

8. N.Suresh Babu  
General Manager (CD)

9. V. Subramonya Iyer  
General Manager (IA)c

10. S Hariharan  
Dy General Manager (Fin)

11. T R Rajasekharan , Vice President (HO)

12. P D Davis, Secretary (PD)

13. KM Pradeepkumar, Vice President(PD)

13. CK Somakumar, Vice President (PD)

15. N V George, Secretary (FEW)

16. M Soman, Vice President (FEW)

17. R Rajan, Secretary (Mktg)

18. E B Kamalasanan, Vice President (Mktg)

19. CR Sasi, Secretary (FEDO)

20. Raveendranathan Pillai, Vice President  
(FEDO)

21. P S Rajan, Vice President (Operation)

**FACT Workers' Union**

1. K Vijayan Pillai, Working President

2. M T Nixon, Senior Vice President

3. P Viju, General Secretary

4. P S Sen, Treasurer
5. P Devarajan, Vice President/Engg
6. P K Abdul Rahiman, Jt Secy/Engg
7. Suresh Babu, Joint Secretary/HO

**FACT Employees' Congress (INTUC)**

1. Adv. V D Satheesan, MLA, President
2. B Sasidharan, Working President
3. Saju Varghese, Vice President
4. KC Raphael, General Secretary
5. V A Nazar, Secretary
6. V Madhu, Secretary
7. PJ Jobinson, Secretary, UD
8. KS Nandakumar, Jt Secretary/Admn,UD
9. Jude Mendez, Joint Secretary, Opns,UD

10. PP Joseph, Joint Secretary/Engg,UD

11. Victor John KJ, Secretary, PD

12. V A Sayed Mohammed,Jt Secy,  
Engg.,PD

13. PP Murali, Joint Secretary, Opns.,PD

14. Mercy Ignatious, Secretary,FEDO

15. MV Augustine, Secretary. FEW

16. MA Pradeep, Secretary, HO

17. TM Rajan, Secretary (Mktg)

18. B Rajendran, Secretary (Mktg)

**FACT (CD) Employees' Union**

1. PS Ashraf, General Secretary

2. KC Baby, Vice President/Engg

3. MA Sureshkumar, Vice President/Opns

4. TK Jamal, Joint Secretary,./Opns.

5. CR Moheswaran, Joint Secretary/Engg
6. K Chandrasekharan, Jt Secy/Admn
7. AK Manoharan, Treasurer.

**FACT (CD) Employees' Association**

1. Ajay Tharayil, President
2. KA Varghese, General Secretary
3. V V Johny, Vice President/Engg
4. CK Joy, Vice President/Opns
5. AK Muhammed Ali, Jt Secy/Opns
6. Jose A Immanuel, Jt Secretary/Engg
7. KP Suresh Babu, Joint Secretary/Admn
8. VK Ravindran Pillai, Treasurer

**FACT (CD) Employees' Sangh**

1. Thulaseedharan Pillai, Vice President

2. M Santhoshkumar, General Secretary
3. KG Ajithkumar, Joint Secretary/PHD
4. MP George, Joint Secretary, Transp.
5. VK Kamalasanan, Treasurer

**FACT (CD) Workers' Congress (INTUC)**

1. Adv KP Haridas, President
2. R Sreekumar, General Secretary
3. VK Kuttappan, Vice President/Engg
4. MO Poullose, Vice President /Opns
5. KP Poullose, Joint Secretary/Opns
6. A Viswanathan, Joint Secretary/Engg
7. KK Gopalakrishnan, Treasurer

**FACT (PD) Workers' Organization**

1. Adv Sebastian C Kappan, President

2. CP John, Working President
3. KP Premkumar, Vice President
4. KR Suresh, Vice President
5. George Thomas, General Secretary
6. KG Abraham, Joint Secretary
7. EP Mony, Joint Secretary
8. Sabu Varghese, Joint Secretary
9. PM Ali, Treasurer

**FACT Employees' Organization (BMS)**

1. Adv N Nagaresh, President
2. NK Mohandas, Working President
3. KV Muralidharan, Vice President
4. NP Sankarankutty, Vice President
5. MK Subashanan, Vice President

6. CR Nandakumar, Vice President
7. MG Sivasankaran, General Secretary
8. PB Gopinath, Secretary
9. KB Thankaraj, Secretary
10. R Sajjikumar, Secretary
11. PK Manjunath, Secretary
12. KS Sadanandan, Treasurer

WITNESSES:

(1)

(2)

SIGNED BEFORE ME ON 14th DAY OF AUGUST 2010 AT AMBALAMEDU HOUSE

**K.P.SASIDHAR**  
**REGIONAL LABOUR COMMISSIONER (CENTRAL)**  
**COCHIN**  
**(CONCILIATION OFFICER)**

**Annexure A**

Grade	Minimum	Increment	Maximum
1	6950		15200
2	7150		16600
3	7500		18000
4	8050		19400
5	8450		22100
6	8650		23300
7	8850		24500
8	9250		25700
9	9850	3%	27300
10	10400		29800
11	11200		31400
12	12000		32000
14	8650		27300
15	8850		27300
16	9250		29800
17	9850		31400
18	9250		32000

**Annexure B**

Dearness Allowance for the quarter commencing from	Rate of Dearness Allowance (in percentage)
1/1/2007	0
1/4/2007	0.8
1/7/2007	1.3
1/10/2007	4.2
1/1/2008	5.8
1/4/2008	6.3
1/7/2008	9.2
1/10/2008	12.9
1/1/2009	16.6
1/4/2009	16.9
1/7/2009	18.5
1/10/2009	25.3
1/1/2010	30.9
1/4/2010	34.8
1/7/2010	35.1

**Annexure C**

**LIST OF CITIES / TOWNS CLASSIFIED BASED ON POPULATION FOR PAYMENT  
OF HRA**

SI.NO.	STATES	CITIES CLASSIFIED AS "X"	CITIES CLASSIFIED AS "Y"
1	Andhra Pradesh	Hyderabad (UA)	Vijayawada (UA), Warangal (UA), Vishakapatanam (UA), Guntur.
2	Assam		Guwahati (UA)
3	Bihar		Patna (UA)
4	Chandigarh		Chandigarh
5	Chhattisgarh		Durg-Bhilai Nagar (UA), Raipur (UA)
6	Delhi	Delhi (UA)	
7	Gujarat		Ahmedabad (UA), Rajkot (UA), Jamnagar (UA), Bhavnagar (UA), Vadodara (UA), Surat (UA)
8	Haryana		Faridabad*
9	Jammu & Kashmir		Srinagar (UA), Jammu (UA)
10	Jharkhand		Jamshedpur (UA), Dhanbad (UA), Ranchi (UA)
11	Karnataka	Bengaluru (UA)	Belgaum (UA), Hubli-Dharwad, Mangalore (UA), Mysore (UA)
12	Kerala		Kozhikode (UA), Kochi (UA), Thiruvananthapuram (UA)
13	Madhya Pradesh		Gwalior (UA), Indore (UA), Bhopal (UA), Jabalpur (UA)
14	Maharashtra	Greater Mumbai (UA)	Amravati, Nagpur (UA), Aurangabad (UA), Nashik (UA), Bhiwandi (UA), Pune (UA), Solapur, Kolhapur (UA)
15	Orissa		Cuttack (UA), Bhubaneswar (UA)
16	Punjab		Amritsar (UA), Jalandhar (UA), Ludhianna
17	Pondicherry		Pondicherry (UA)
18	Rajasthan		Bikaner, Jaipur, Jodhpur (UA), Kota (UA)
19	Tamil Nadu	Chennai (UA)	Salem (UA), Tiruppur (UA), Coimbatore (UA), Tiruchirappalli (UA), Madurai (UA)
20	Uttarakhand		Dehradun (UA)
21	Uttar Pradesh		Moradabad, Meerut (UA), Ghaziabad*, Aligarh, Agra (UA), Bareilly (UA), Lucknow (UA), Kanpur (UA), Allahabad (UA), Gorakhpur, Varanasi (UA)
22	West Bengal	Kolkata (UA)	Asansol (UA)

\* Only for the purpose of extending HRA on the basis of dependency.

UA - Urban agglomeration

NOTE: The remaining cities/towns in various States/UTs which are not covered by classification as 'X' or 'Y' are classified as 'Z' for the purpose of HRA.