

FORM NO.II

TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN : AGARTALA

ORDER SHEET

Complaint No. 23 of 2023
(Sunil Bauri Vs Hiracherra Tea Estate)

SL. NO.	DATE	ORDER	NOTE
16	16.04.24	<p>We have examined the record meticulously.</p> <p>It appears from the record that the commission vide order dated 19.01.24 directed the Labour Commissioner, Govt. of Tripura to submit list of registered laborers of four Tea Gardens, records of payment of provident fund to those labourers and other essential records in respect of registered owners of those 4 Tea gardens..</p> <p>Accordingly Labour Commissioner, Govt. of Tripura vide letter dated 9.2.24 has submitted enquiry report conducted by Labour Officer, Unakoti District. It is reported that 'Sonamukhi Tea Estate' was granted registration under section 3 (3) of the Plantations</p>	

Labour (Amendment) Act 1981 by the Labour Officer (Registration Officer, Plantation Labour Act, Tripura North, Kailashahar) on 25.07.1986 with their head office in Kolkata, West Bengal. One Mr.C.N. Banik, Managing Director of the "Tripura Tea Company Ltd." was the employer of said "Sonamukhi Tea Estate".

That company also managed the Tea Estate of Debasthal, Hiracherra, Notingcherra and Sonamukhi Tea Estates for many years.

The said management handed over the business of three plantation to "Ranibari Tea Company Ltd.", 1-British India Street, Kolkata-69 and said Ranibari Tea Company was managed by Nawratan Pugulia. Mr.Pugulia also handed over the gardens after some years to "Sunshine Tea Processing Co. Private Ltd." with its registered office at 166, Jessore Road, Kolkata-55 and one Mahammad Makarram was the Director of that "Sunshine Tea Processing Co. Private Ltd."

"Hiracherra Tea Estate" was owned by "Silkote Tea

Company Ltd."166 Jessore Road Kolkata-55 and this Tea Estate Company was also taken over by Md. Makarram.

The management of all the 4(four) gardens under the aforesaid two companies **left the gardens in the month of February, 2014** and no person/authority was available in the concerned plantation having responsibility for payment of wages and no one was working as manager.

It is also reported that the Labour Inspector, Kumarghat, Tripura subsequently filed application in the court under the payment of wages Act 1936, against Md. Makarram, Director of "Sunshine Tea Processing Co. Private Ltd." in the year 2014.

The fate of all those cases is not reported by the Labour Commissioner.

However, the Labour Commissioner submitted list of permanent of workers/ temporary workers and staff and sub-staff of all the 4(four) tea gardens. They also

submitted the total amount of dues in respect of wage of worker of all the 4 tea gardens to be recovered in total Rs.7,77,627.28/- (Rupees seven lakh seventy seven thousand six hundred twenty seven and twenty eight paisa) only.

Regarding the particulars of payment of provident fund to the workers, it is reported that EPF Office, Govt. of India is the related department to provide all the particulars.

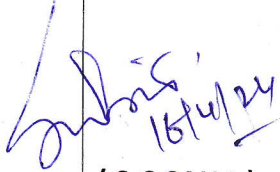
At this stage the Commission is to find out as to what are the action taken by Labour Department in respect of recovery of arrear wages and accordingly Labour Commissioner, Govt. of Tripura is directed to submit report in details by the next date.

At the same time Commissioner, EPF Regional Office, Gorkha Basti Tripura is hereby directed to enquire about the payment of EPF to the workers of 4 gardens and to submit report by the next date.

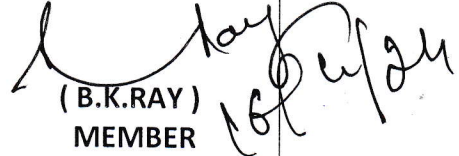
Copies of this order alongwith the letter of

Commissioner of Labour Department dated 9.2.24 and the copy of the complaint be sent to Commissioner EPF Regional Office, Gorkha Basti to submit report.

Fix on 31.05.2024 for report by Labour Commissioner and Commissioner, EPF Regional Office, Gorkha Basti, Agartala, Tripura.


(S.C.SAHA)
MEMBER


(JUSTICE S.C. DAS)
CHAIRPERSON


(B.K.RAY)
MEMBER