

TRIPURA HUMAN RIGHTS COMMISSION
KUNJABAN: AGARTALA

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

ORDER SHEET

SL. No.	Date	Order	Note
22	04/12/2024	<p>Sri Biswajit Paul, Addl. Labour Commissioner, Govt. of Tripura, Agartala, along with Smt. Pinki Paul, Labour Inspector, O/o West District Labour Office, West Tripura are present in person with their official records.</p> <p>Under the Commission's last order dated 04/11/2024, the Labour Commissioner was asked to make certain five nos. of queries and to satisfy this Commission by providing the response today. The Labour Commissioner has accordingly written letters to all the concerned authorities.</p> <p>In respect to query no. 1, 2 and 5, no response has been received yet by the Labour Commission even after reminder. Those respective authorities should be informed again along with the copy of this order of the Commission to satisfy the Labour Commission^{er} about the specific queries, which are essential to dispose this case at hand. The concerned authorities should be informed that if they remain silent on the issues, THRC will have no other option but to call the responsible officer for personal presence before the Commission to satisfy the queries.</p>	



Regarding query no. 3 and 4, it is placed on record that letter was written by the Labour Commissioner to the Registrar of Companies, Guwahati for ascertaining the status of the Companies, namely Hiracherra, Notingcherra, Sonamukhi and Debasthal Tea Estates and in response to that queries, the Registrar of Companies, Guwahati intimated the Labour Commissioner that there is no such registered companies in the name of Hiracherra Tea Company, Notingcherra Tea Company, Sonamukhi Tea Company and Debasthal Tea Estate in the North-East Region.

The Addl. Labour Commissioner and the Labour Officer have shown certain records which they have collected in the mean time, that there are certain Khatians in the name of Rani Bari Tea Company Ltd., Kolkata being the owner of Hiracherra Tea Estate and another Rani Bari Tea Company Ltd., Karimganj being the owner of Debasthal Tea Estate. Another Silkote Tea Company Ltd. as the owner of the Notingherra Tea Estate.



Under such circumstances, the Addl. Labour Commissioner sought some time to verify whether Rani Bari Tea Company Ltd., Karimganj, Rani Bari Tea Company Ltd., Kolkata and Silkote Tea Company Ltd. are registered companies or not and to that effect they would like to write a letter to the Registrar of companies to verify and to inform the Labour Commissioner about the existence of any such company.



We are satisfied that this is necessary to set the issue at rest as to whether those companies are actually existing or not.

It is also intimated by the Addl. Commissioner that one Tea Estate, which was previously known as Sonamukhi Tea Estate has been converted to Khas land, vide case No. 60/REV./Revision/2011, U/S 95 of TLR and LR Act 1960. The total area of land of that Tea Estate was 384.75 acres and a portion of the same has already been allotted to the Industries & Commerce Department, Govt. of Tripura and the rest is under process of allotment to the Industries & Commerce Department, Govt. of Tripura.

Since Sonamukhi Tea Estate is no longer in existence as Tea Estate, anything payable to the labourers of that Tea Estate has to be settled by the government according to the government's different scheme and policy. As there is no existence of Tea Estate, it will be difficult and may not be possible to realize any arrear of wages as well as other benefits of the labourers, if any, and, any such exercise may turn to a futile exercise. This communication may be made to the Revenue Department of the State Government and the concerned District Magistrate & Collector.





As already stated herein before, reminder should be given by the Labour Commissioner to the concerned authorities in respect to point/query no. 1, 2 & 5 and responses should be collected as well as letter should be written to Registrar of Companies in terms of the order to ascertain whether any such companies namely Rani Bari Tea Company Ltd., Karimganj, Rani Bari Tea Company Ltd., Kolkata and Silkote Tea Company Ltd. are in existence or not.

A copy of this order may be supplied to the Labour Commissioner for compliance.

List it after 6(six) weeks.

Fix it on16/01/2025.....


(Justice S. C. Das)
Chairperson

 4/14/24
(U. Choudhuri)
Member