

WP(C) 876/2011
BEFORE
THE HON'BLE MR. JUSTICE HRISHIKESH ROY

Heard Ms. B Bhuyan, the learned counsel appearing for the petitioners. Also heard Mr. S N Sarma, the learned senior counsel appearing for the respondent Nos.1, 2, 3 & 7. Mr. R De, the learned counsel represents the respondent No.8 under whom the petitioners are engaged as contract labourers. Ms. D Sinha, the learned Central Govt. counsel appears for respondent Nos.5 & 6 and Mr. H Rahman, the learned Govt. Advocate appears for the Dy. Commissioner, Tinsukia (respondent No.4).

2. The petitioners have worked as contract labourers under the respondent No.8 and have been deployed for duties in the Oil India Limited (OIL). They alleged discrimination and moved the Asstt. Labour Commissioner (Central), Dibrugarh for resolving of their grievances, vis- -vis other contract labourers, who were given better service benefits.

3. Ms. B Bhuyan, the learned counsel refers to the representation made by the petitioners to the Asstt. Labour Commissioner (Central), Dibrugarh (respondent No.6) and the exchange of correspondence made by the respondent No.6 with the Authorities of the OIL, on the claim made by the petitioners.

4. Mr. S N Sarma, the learned senior counsel submits that a section of the contract labourers were given service benefits on the basis of their respective length of service, by execution of bilateral agreement with the concerned Trade Union and the petitioners are covered by a separate agreement of 30.8.2006, which operates for the writ petitioners. It is seen that the settlement of 30.8.2006 is referred to by the respondent No.6 in his communication dated 17.9.2007 (Annexure-F).

5. Ms. Bhuyan contends that a direction be issued in terms of the prayer (b) of the case, to the Asstt. Labour Commissioner (Central), to dispose of the representation filed by the petitioners. Ms. D Sinha, the learned Central Govt. counsel doesn't oppose the prayer of the petitioners.

6. Considering the rival submission, Asstt. Labour Commissioner (Central), Dibrugarh (respondent No.6) is directed to take into account the petitioners grievances and to deal with the matter in accordance with law. To enable such consideration, the petitioner will furnish copies of their pending representation(s) along with this Court's order, so that necessary steps can be taken by the Asstt. Labour Commissioner (Central), Dibrugarh. After the petitioners furnish the requisite, steps be taken by the respondent No.6 expeditiously (preferably within 6 (six) months), for conciliation of the dispute in accordance with the Industrial Disputes Act, 1947.

7. The case is accordingly disposed of with the above order.