This has reference to wage agreement between the Management of Plywood Industry and their workmen, Communicated vide Labour Commissioner's Memo No.MWC.2/84/15650-719 dated 30th August,1984, wherein as per relevant terms of settlement both the parties agreed to entrust the Labour Commissioner to pass necessary decision as he deems fit regarding "Fitment" benefit. The representative of the workmen and the management of the plywood industry were heard in person.

The representative of the workmen contended that it will be fair to extend weightage for rendering certain years of service by the workmen in which case element of impetus will automatically infuse quality, improvement of production and stability in the industry. The representative of the management contended that for want of record, it will be difficult to fix years of service rendered. The representative of the workmen counter argument that want of record is irrelevant in view of payment gratuity etc., which are calculated by the industry from records. Hence, this contention is redundant. After further discussion a conscientious is arrived at and it was agreed that the "Fitment" benefit may be extended.

I have heard both the parties. The "Fitment" issue is a new concept in this industry, which was not raised earlier. I am of the view that Govt. Departments follow weightage for services rendered for certain years, which yield effective result in quality. In view of above contentions agreement and counter-agreements, I am inclined to conclude that the concept of "Fitment" benefit though new in this industry, is ethical, and the workmen are entitled to the same. But at what rate and at what stage remain "Moot" point, for which there is no convincing argument either sides.

Contd........p72.
Resultant effect is that I am induced, under circumstances to decide the aforesaid points, in accordance with the principle of natural justice and equity as I am restrained to take other course which, if followed will hit the concept of naked discretion.

In view of above, I fix the "Fitment" benefit at the completion of seven years, to eligible workmen, at the rate of increment of thirty paisa, which will be as per procedure of terms of settlement under head "Wage" of the aforesaid agreement, which I consider to be justified, as a token and a beginning of new concept in the concerned industry, which will presumably be conducive to industrial harmony and peace.

Date:-20th Sept.,1984.
Place:- Guwahati-16.

LABOUR COMMISSIONER:ASSAM: GUWAHATI.

A/Kalita/ 21904/

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