

LOK SABHA

Thursday, February 15, 1968/Magha
26, 1889 (Saka)

The Lok Sabha met at Eleven of the
Clock.

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

STRIKE BY EMPLOYEES OF NEWSPAPERS
AND NEWS AGENCIES

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- *61. SHRI HIMATSINGKA:
SHRI VASUDEVAN NAIR:
SHRI GEORGE FERNANDES:
SHRI D. C. SHARMA:
SHRI ANANTRAO PATIL:
SHRI YAJNA DATT SHARMA:
SHRI JUGAL MONDAL:
SHRI MOLAHU PRASAD:
SHRI ARJUN SINGH
BHADORIA:
SHRI BAL RAJ MADHOK:
SHRI RAMAVTAR SHASTRI:
SHRI T. P. SHAH:

Will the Minister of LABOUR AND
REHABILITATION be pleased to
state:

(a) whether it is a fact that the
employees of the newspapers and news
agencies made a mass demonstration
in front of the office of the Indian and
Eastern Newspaper Society on the
19th January, 1968 demanding imple-
mentation of the awards of the Jour-
nalists and Non-Journalist Wage
Boards;

(b) if so, what are the difficulties in
the implementation of the said Wage
Board awards; and

(c) the steps which are being taken
to expedite implementation of these
awards?

THE MINISTER OF LABOUR AND
REHABILITATION (SHRI HATHI):

(a) Yes.

(b) Employers complain that the
scales fixed for some categories are too
high and that some managements are
unable to bear the additional financial
burden imposed by the recommenda-
tions of the two Wage Boards.

(c) The State Government/Union
Territories have been requested to take
suitable action under the Working
Journalists (Conditions of Service) &
Miscellaneous Provisions Act, 1955 to
secure implementation of the recom-
mendations of the Wage Board for
Working Journalists.

The recommendations of the Wage
Board for Non-Journalists have no
statutory force and their implemen-
tation is to be secured through persua-
sion and advice. State Governments
have been requested to do the need-
ful, and they are doing so.

— SHRI HIMATSINGKA: May I know
whether it is a fact that these employ-
ees went on an all-India strike on
24th January on the eve of the Russian
Premier Mr. Kosygin's arrival, result-
ing in a total black-out of publicity
machinery and newspapers on that day
and if so, whether the Government's
attention has been drawn to the neces-
sity for immediate implementation of
these awards and by what time Gov-
ernment expect the awards would be
enforced?

SHRI HATHI: It is a fact that the
employees went on strike because the

recommendations were not implemented. The results are obvious. When a wage board makes some recommendations, I think it is the duty of the employers to see that they are implemented. If there are practical difficulties, I have had talks with the employees also and they are prepared to discuss and negotiate.

SHRI HIMATSINGKA: May I know if some of the newspaper organisations have agreed to implement the award and if so, what percentage of the working journalists and non-journalists are covered by such establishments which have declared their intention to carry them out?

SHRI HATHI: Very few have agreed. I think the percentage will be insignificant. In Delhi 5 have implemented and 4 have agreed.

SHRI VASUDEVAN NAIR: When a wage board make recommendations after thorough enquiry and serious deliberations, they take into consideration the capacity of the management also to pay. If the management refuses to implement the award, is it possible for the Government only to go on sermonising to the management that they should implement it or is there any other method to see to it that these awards are implemented?

SHRI HATHI: So far as the working journalists are concerned, it is a statutory wage board and it is perfectly within the power of the State Governments to enforce it statutorily. I have informed the State Governments that there is no need for discussion so far as the wage board for journalists is concerned and the recommendations should be implemented according to the procedure laid down under the law. In Kerala also, I have spoken to the minister and he says he has taken action. About the non-journalists, it has to be discussed.

SHRI D. C. SHARMA: The wage board was a tripartite body consisting of representatives of newspaper employers, employees and Government.

Whether they are journalists or non-journalists, I think the decision of the wage board should have a statutory force. May I know from the hon. Minister what machinery he has at the Centre to see to it that the recommendations of the wage boards are implemented vis-a-vis the journalists and the non-journalists staff and what penalty he can impose on a newspaper if the recommendations with regard to both these categories are not implemented?

SHRI HATHI: It is true that these wage boards are constituted of the representatives of the employers, the employees, independent members and the Chairman appointed by the Government. But all wage boards are not statutory and therefore the recommendations of the wage boards are not capable of being implemented statutorily. The question whether they should be statutory or not has been under the consideration of Government and the National Labour Commission also is looking into it. The Standing Committee has also appointed a sub-committee because the question is that if we make it statutory then the collective bargaining power of the union is reduced. These are the points which are being considered. But so far as, as I said, the Journalists' Wage Board is concerned, it is statutory and there are provisions where the employers can also be prosecuted and recovery could be made according to the revenue dues also.

SHRI ANANTRAO PATIL: May I know from the hon. Minister whether it is a fact that small and medium sized language newspapers are not so much opposed to the implementation of the recommendations for journalists as the big newspapers, the monopolies and the groups are opposed? I know some of the members of the Indian Language Newspaper Organisation have already started implementation of the recommendations for journalists but for the implementation of the recommendations for the non-

journalists the small and medium sized language newspapers are facing many difficulties because the increase in the burden of expenditure is so heavy that many of the small units will have to close down their publications. In these circumstances, I would like to know from the Government whether they propose to give some relief to the small newspapers by way of advertisements and reducing their cost of newsprint?

SHRI HATHI: I am glad the hon. Member has raised this point. There are language newspapers which are very small newspapers and they have some difficulties. I have talked with the representatives of the workers also. They are also prepared to discuss all such matters with us in respect of these small newspapers where they feel they would not be able to implement the recommendations. But so far as the bigger newspapers are concerned I think the recommendations should be implemented.

श्री यशवन्त शर्मा : क्या मंत्री महोदय बतायेंगे कि दिल्ली में किन पत्रों ने वेज बोर्ड के इस निर्णय को लागू नहीं किया है और जिन्होंने लागू नहीं किया है, सरकार ने उनके विरुद्ध इस रोकवरी के अपने प्रोसीजर को कहां तक बढ़ाया है; अगर नहीं बढ़ाया है, तो क्यों नहीं बढ़ाया है ?

SHRI HATHI: In Delhi five establishments have implemented, four have agreed to implement and they will be implementing the recommendations.

श्री कंबरलाल गुप्त : नाम बताइये।

SHRI HATHI: Those who have implemented are: *Shankers Weekly,*

Thought, Weekly Radiance Review, Hindustan Samachar, and Dainik Savera. Those who are prepared to implement and who are discussing the matter with the workers are: *Patriot, Link, Pratap and Veer Arjun.* There are three papers who say that the journalists have not yet exercised their option whether they want the new scales or the old ones. They are: *The Statesman, The Times of India and Navbharat Times.* The remaining 20 have not implemented and show cause notices have already been issued against them.

श्री यशवन्त शर्मा : मेरा अगला प्रश्न था कि उनके विरुद्ध जो रोकवरी की बात थी वह सरकार कहां तक चला रही है और नहीं तो क्यों ?

SHRI HATHI: The Delhi Administration has taken action against this.

SHRI KANWAR LAL GUPTA: What action?

MR. SPEAKER: Shri Mondal.

SHRI HATHI: The action is that they should receive a complaint . . .

MR. SPEAKER: Order, order.

SHRI KANWAR LAL GUPTA: Sir, he is answering it and you have stopped him from doing that.

अध्यक्ष महोदय : जवाब उन्होंने दे दिया।

श्री कंबरलाल गुप्त : नहीं, अभी वह जवाब दे रहे थे जब आप ने रोक दिया। एक तो वह पहले ही जवाब नहीं देते, दूसरे आप भी उसमें मदद करेंगे तो कैसे होगा ? वह उन्होंने पूछा है कि दिल्ली ऐडमिनिस्ट्रेशन ने क्या कार्यवाही की, उस का जवाब वह दे रहे हैं अभी

MR. SPEAKER: I have no objection if he has anything more to say. I thought, he had answered it.

श्री संश्लेषक शर्मा : शायद आप मेरे वकील से नाराज हो गए हों, लेकिन नाराज नहीं और मेरे सवाल का जवाब दें।

श्री हाथी : मैं किसी को नाराज नहीं करना चाहता हूँ और मेरे पास जितनी इन्फार्मेशन है वह मैं देने के लिए तैयार हूँ। मैंने लेबर कमिश्नर दिल्ली एडमिनिस्ट्रेशन के साथ परसों बातचीत की और जो मिस्टर सिंह इन्वार्ज हैं उन से भी बात की। उन्होंने कहा कि छः महोने का टाइम है जिसमें वह आप्रेशन होता है। अभी ताल ने आप्रेशन नहीं दिया है, उन के साथ बातचीत चल रही है।

SHRI J. K. MONDAL: I want to know how many writ petitions are pending in the Delhi High Court as well as in the Supreme Court against the award for journalists.

SHRI HATHI: I think, two: one in the High Court and one in the Supreme Court.

श्री मौलजू प्रसाद : अध्यक्ष महोदय, अभी मंत्री महोदय ने बताया कि मंजूरी बोर्ड को संवैधानिक अधिकार नहीं हैं तो जब तक मंजूरी बोर्ड को संवैधानिक अधिकार नहीं दिये जायेंगे तब तक इनके फैसले मालिक लोग क्या मानेंगे? तो इतनी तारीके से सरकार मामले को टरका रही है। अभी आज के समाचार पत्रों में छपा है कि डा० वी० वी० गिरि ने कहा है कि मालिकों और मजदूरों के मामलों में कार्यकाल निश्चित होना चाहिये, उसकी अवधि कि किस तारीख तक यह फैसला कर दिया जायगा, निश्चित किया जाना चाहिए नहीं तो मामला दस दस वर्ष तक

लटका रहता है और जिन न्यायाधीशों की सहानुभूति नहीं होती है वह कानूनी दृष्टिकोण से पांच पांच सात सात वर्ष लगाते हैं, तब तक तो मजदूर लटके रह जायेंगे और मर जायेंगे, इसलिए जो बोर्ड बने हैं उन को संवैधानिक अधिकार देने चाहिए, इसके बारे में मंत्री जी सफाई दें।

श्री हाथी : मैं ने सफाई पहले ही कर दी। जो बात माननीय सदस्य ने कही कि कोर्ट में मामला जाता है और पांच छः साल मजदूर भाइयों को लटके रहना पड़ता है, मैं इसमें बिलकुल सहमत हूँ कि जल्दी से जल्दी उसको निपटाना चाहिये। दूसरी बात जो कही कि वेज बोर्ड को स्टेट्यूटरी इम्प्लीमेंटेशन की सत्ता होनी चाहिये, जर्नलिस्ट के लिए है, और वेज बोर्ड स के लिए नहीं है, वह होनी चाहिये या नहीं होनी चाहिये इस बात पर ही सोचने की जरूरत है। इसलिए मैं ने एक सब-कमेटी बनायी है क्योंकि क्लेक्टिव बारगेनिंग फिर नहीं रह जायगी सभी कानून से करेंगे तो।

श्री मौलजू प्रसाद : जो कोर्ट में मामले जाते हैं उसकी निश्चित अवधि हो कि इस तारीख तक फैसले हो जायें, इसके बारे में क्या कहना है?

श्री हाथी : यह मेरे हाथ में नहीं है।

श्री बलराज मधोक : वेज बोर्ड के फैसले को कुछ पत्रकार एजेंसियों ने नहीं माना है यह मन्त्री महोदय मानते हैं और यह भी सच है कि अलग अलग इंडस्ट्रीज में अलग अलग वेज बोर्ड बनाये जा रहे हैं। उन के बारे में भी इस प्रकार की शिकायतें हो रही हैं। पिछले दिनों यहीं दिल्ली में एक सेमिनार हुआ था जिसमें मुझाव दिया गया कि इस प्रकार के अलग अलग वेज बोर्ड रहने से झगड़े बढ़ते हैं। एक ही नेशनल

वेज बोर्ड होना चाहिये जिसके निर्णय कानून के द्वारा एन्फोर्स किए जायें ताकि इस प्रकार के भ्रमण भ्रमण इंडस्ट्रीज के संगड़े पैदा न होते जायें। मैं जानना चाहता हूँ सरकार का इस के बारे क्या मत है? और यह जो आपने कहा कि कुछ न्यूजपेपर्स से जानना चाहते हैं कि उन के यहां के लोग नये वेज बोर्ड के निर्णय को मानेंगे या पुराने को इसका मतलब यह है कि कुछ पत्रों में पत्रकारों को इस वेज बोर्ड के निर्णय से बेहतर वेजेज मिल रहे हैं तो इस प्रकार के पत्रों को इस के एन्फोर्समेंट से भ्रमण क्यों नहीं देखा जाता?

श्री हाथी : जो सेमिनार हुआ था जिसमें मैं भी शामिल था, एक राब उस में बो कि वेज बोर्ड स्टेट्यूटरी बनने चाहियें, एक राय यह भी है कि स्टेट्यूटरी नहीं बनने चाहियें इसलिए कि स्टेट्यूटरी बनता है तो क्लेक्टिव बारगेनिंग पावर जो वर्कर्स की होती है वह खत्म होती है। तो उसके लिए हमने, स्टैंडिंग लेबर कमेटी ने, एक कमेटी नियुक्त की है। लेबर कमिश्नर ने भी एक कमेटी बनायी है। स्टैंडिंग लेबर कमेटी की रिपोर्टें आ जायगी उस के बाद उसका फंसला होगा।

दूसरी बात जो कही कि ग्राप्शन नहीं दिया है, उनका मतलब वही है कि ग्राज जो मिल रहा है वह शायद वेज बोर्ड ने जो दिया है उससे ज्यादा उनको मिल रहा है। इसलिए ग्राप्शन शायद नहीं दिया है। लेकिन दो तीन कैटेगरीज ऐसी हैं जिसमें कम मिलता है और कुछ कैटेगरीज ऐसी हैं जिसमें ज्यादा मिलता है।

SHRI P. RAMAMURTI: In view of the fact that the wage board is a statutory one and when the matter has been taken to the court and no stay order has been taken, it is still binding, and will the Government immediately, in view of the fact that the employers are not implementing it, make a criminal offence so that the employers may

be compelled to pay? After all, it is a simple matter.

SHRI HATHI: It is a simple matter. Prosecution is provided for and the notices . . .

SHRI P. RAMAMURTI: They are only for recovery; it is not a criminal offence.

SHRI HATHI: It is also provided in the Act that they can be instituted and the notices are also there . . .

SHRI P. RAMAMURTI: The Act provides that they should be fined. Nobody bothers about the fine. Will you make it a criminal offence where-by the employers are compulsorily sent to jail?

SHRI HATHI: That is a matter for the amendment of the Act.

SHRI K. LAKKAPPA: The non-implementation of the award has created a sort of suspicion in the minds of the workers. May I know whether it is a fact that the owners of the newspapers have put a pressure and terrorised the Government not to implement the award and, if so, will the Government convene a meeting of all the interested parties to see that the award is implemented at once?

SHRI HATHI: I wonder how the hon. Member has got the impression that the Government is terrorised by the newspaper employers.

SHRI K. LAKKAPPA: The newspaper owners.

SHRI HATHI: I would request my friend to meet the representatives of the workers and find out whether the Government is terrorised or the Government is trying to help them.

श्री एच० एम० जीसी : अध्यक्ष महोदय, मैं मंत्री महोदय से यह जानना चाहूंगा कि जैसा कि श्री पाटिल साहब ने सुझाव दिया और आपने कहा कि जो छोटे

पेपर्स होते हैं वह आपस में समझौता कर लें क्योंकि स्टेट्यूटरी वेज बोर्ड ने जो डेसीशन दिया है उसको वह पूरा नहीं कर सकते.... (व्यवधान)..... तो अगर वह अपना समझौता कर लें, उसमें कई ऐसे भी हो सकते हैं जो उसको पूरा नहीं कर सकते अगर वह ऐसा समझौता करेंगे तो हकूमत की तरफ से वह समझौता करने वाले मालिक और उनके मजदूर में जो समझौता होगा उसके अलावा गवर्नमेंट का आर्डर तो यह दूसरा है तो उस हालत में कोई एक मजदूर अगर कोर्ट में जायगा तो उसके लिए आप क्या प्रोटेक्शन दे सकते हैं? वह फिर सामुदायिक सौदे वाली बात आ जाती है।

श्री हाथी: जहां तक वकिंग जर्नलिस्ट की बात है वहां पर तो पाटिल साहब ने कहा कि पेपर्स तैयार हैं लेकिन जहां नान-जर्नलिस्ट की बात कही वहां कई पेपर्स ऐसे हैं कि जो इसका वड्डेन सहन नहीं कर सके और उनके साथ समझौता करने की बात है। तो 17 तारीख को मैंने यहीं मीटिंग बुलाई है एम्पलायर्स और वर्कर्स को नान-जर्नलिस्ट के लिए और वहां वह सारी बातें तय करेंगे।

SHRI K. M. KUSHIK: In view of the fact that the wage board recommendations are not statutorily enforceable and there is no way for the Government to enforce them I want to know from the hon. Minister as to why they should indulge in constituting such committees if they are not able to enforce their recommendations.

SHRI HATHI: It is not that the recommendations are not implemented. Up-till now, nearly 35 lakhs of workers have been benefited by such an agreement. It is of late only that this sort of difference has arisen in implementation and non-implementation and that is why we are considering whether the present system should continue or some change should be made.

श्री डा० ना० तिवारी: अभी मंत्री महोदय ने कहा कि कुछ ऐसे न्यूजपेपर्स हैं, जो वेज-बोर्ड के एवार्ड से अधिक पैसा देते हैं, या वेज बोर्ड एवार्ड लागू होने के बाद उनका पैसा कम हो जायगा, या उतना ही मिलेगा, क्या कोई ऐसा बन्धन है?

श्री हाथी: कम नहीं होगा; जर्नलिस्ट को आप्शन दी गई है कि 6 महीने के अन्दर वह बता दें कि वे पुराना वेतन चालू रखना चाहते हैं या नई स्कीम से रखना चाहते हैं।

SHRI S. M. BANERJEE: The newspaper owners are the owners of various industries in the country—jute, textile, sugar, coal, mine, etc. (*Interruptions*) I am not talking of the smaller ones; I am talking of the bigger ones. They are not implementing the recommendations of the various Wage Boards. We were assured in this House by the ex-Labour Minister, Mr. Nanda, who also believed in persuasion and change of heart, that if they failed and the hearts did not change, he would bring some sort of a legislation by which this becomes a statutory and a compulsory thing. I would like to know from the hon. Minister whether after the 17th Meeting or in the 17th Meeting, he is definitely going to give an ultimatum giving a particular date, i.e., if it is not implemented after that date, they will be prosecuted in a court of law.

SHRI HATHI: As I said, the working journalists recommendation is a statutory one and it has to be implemented; whether they agree or not, it will be done. I have instructed all the State Governments that it is a statutory one and it should be done. There is no question of giving any ultimatum at all. It is a law and it can be done.

So far as the non-journalists are concerned, it is not statutory. Whether it should be made statutory or not is a matter which, as I have said is already being discussed.