

IMPLEMENTATION OF RECOMMENDATIONS OF WAGE BOARD IN RESPECT OF NON-JOURNALISTS

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\*95. SHRI R. BARUA :

SHRI B. K. DASCHOW-DHURY :

SHRI S. P. RAMAMOORTHY :

SHRI C. JANARDHANAN :

SHRI R. R. SINGH DEO :

SHRI HEM BARUA :

SHRI R. K. AMIN :

SHRI VISHWA NATH PANDEY :

SHRI P. VENKATASUBAIAH :

SHRI K. N. PANDEY :

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

(a) whether it is a fact that Government have decided to refer to the National Tribunal the dispute regarding the implementation of the Wage Board Award for Non-Journalists in six Newspapers;

(b) if so, the names of the six newspapers;

(c) the terms of reference of the Tribunal and the position in regard to other newspapers;

(d) whether the Wage Board recommendations have been implemented by the employers;

(e) if so, the percentage thereof; and

(f) whether the Wages have been given to the striking employees for the period of strike ?

THE MINISTER OF LABOUR AND REHABILITATION (SHRI HATHI) :  
(a) to (f). A Statement is laid on the Table of the House :

STATEMENT

(a) to (c). Copies of Orders issued by Government on the 17th September 1968 and the 7th October 1968 referring

the dispute to adjudication are placed on the Table of the Sabha. [Placed in Library. See No. LT-2089/68.] The names of the newspapers covered by the two references and the issues referred to adjudication, are given in these orders.

(d) and (e). The strike arising out of the dispute about non-implementation of the recommendations of the Wage Board for Non-Journalists was limited to newspapers falling in classes I to III only. So far as the other classes of newspapers are concerned, the matter is to be decided by mutual agreement. The implementation of the Wage Board's recommendations is being secured through the State Governments and they are taking necessary action in the matter. Detailed information about the progress of implementation is, however, being collected and it will be laid on the Table of the Sabha.

(f) Government has no information whether any of the employers have paid wages for the strike period.

SHRI R. BARUA : Why is it that the implementation of the wage board award is either sought to be delayed or is delayed, creating chain reaction all around, and why do Government not take action to see that the awards are implemented soon ?

SHRI HATHI : This was a long drawn-out dispute between the employers and the workers. Ultimately by common agreement on some matters the matter has been referred to adjudication. We are taking steps, so far as other wage board reports are concerned. But in this particular case there is no dispute pending, I think, anywhere except the one referred to adjudication.

SHRI R. BARUA : In view of the prolonged negotiations between the employers and the employees even after the wage board award and in view of the reactions that have come up, may I know whether Government are thinking of setting up any machinery for quick implementation of the wage board awards ?

**SHRI HATHI :** As it is, the wage boards are not statutory, and there is no provision in law whereby it can be done. But we have an implementation machinery which tries to persuade the employers to accept.

**SHRI B. K. DASCHOWDHURY :** From the statement it is clear that there are certain difficulties in the matter of implementation of the wage board awards, and that is why in its place a national tribunal has already been formed. I would like to know from the hon. Minister whether the verdict or award of the national tribunal will be binding on the employers of newspapers? I also find from the statement that the newspaper workers went on strike on 23rd July, 1968. But we find that there are two sets of regulations, one issued the 17th September, 1968 and the other issued on the 7th October, 1968. Under the 17th September, 1968 order, the cases of those newspapers except the *Times of India*, Bombay and Delhi have been referred to the national tribunal. May I know why these two sets of orders have been issued by Government, one for the *Times of India*, Bombay and Delhi cases and the other for the cases of the other newspapers?

**SHRI HATHI :** The whole basis of this long drawn-out dispute was this difference. If it were a question of making the wage board's recommendations statutory, perhaps it could have been done. But in *The Times of India* there are 700 people who are not covered by the recommendations of the non-journalists wage board. Therefore, even if we made it statutory, those people were not to be included. Therefore, those two categories had to be separated, one where the dispute was with regard to non-journalists and another where there was dispute with regard to non-journalists as well as other people who were not covered by the wage board, but these workers also wanted some relief. Therefore, these two different orders were issued.

**SHRI B. K. DASCHOWDHURY :** My question has not been answered. I wanted to know whether the award of the national tribunal will be binding or not.

**SHRI HEM BARUA :** In view of the fact that this strike went on for a very long time, for 59 days, in fact—and we must congratulate these journalists for maintaining complete peace and discipline so far as the strike was concerned—may I know what specific steps the Labour Minister took in the context of it to bring about a settlement with the newspaper owners. These newspaper owners are big people who according to the wage board report etc. earn a lot? They were big people who earned a lot and yet they were not ready to pay the necessary emoluments to the workers. What specific steps did the Government take, and particularly the Labour Ministry take to bring these people into a reasonable frame of mind?

**SHRI HATHI :** I had a series of discussions and was trying to persuade them to come to a reasonable settlement. Ultimately, at one point, the workers' representatives themselves in the Hindustan Times agreed that 85 per cent would be full and final settlement. But there the differences in regard to categorisation and other things came in. Ultimately, it was thought that while adjudication would mean a long-drawn-out litigation again and uncertainty as well, we could persuade the employers that they must pay 75 per cent of the difference between the present pay and that recommended by the wage board and that it would be protected even after the tribunal's award. That is to say, if an employee gets Rs. 80 and the wage board has recommended Rs. 20 extra, then he will get 75 per cent of Rs. 20, that is Rs. 15 extra, that is, he will get Rs. 95, and this Rs. 95 will not be disturbed even after the wage tribunal gives its award. We have tried to bring them round to that, and now the dispute is only for the Rs. 5.

**SHRI LOBO PRABHU :** I think it will be agreed to on all sides that these industrial disputes should be settled as soon as possible. It will also be agreed that we have a very comprehensive law which we should enforce as completely as possible.

When this industrial dispute came to the notice of Government as long ago as a year, may I know why Government did

not immediately make a reference to adjudication? Secondly, what legal authority did Government have to conduct negotiations? What authority did they have under the Industrial Disputes Act to conduct negotiations or conciliation at their level? There are other stages such as the stage of the labour officer. But I would like the hon. Minister to pinpoint the authority under which he delayed this reference by more than a year.

**SHRI HATHI :** The first question is why it was not referred to adjudication. The Labour Ministry is interested in seeing that there is industrial peace; if it had been referred to adjudication as such there would not have been peace because only a portion of the dispute would have been covered. The other aspect is that some of the employees of the *Times of India* group were not covered by the wage board recommendation and they would not have been covered if the dispute had straightway been referred to adjudication. That was one reason.

The other reason was this. The wage board recommendations are not statutory. So, they could not be legally enforced, and legally there was no power also. But the Labour Ministry officers and even the Minister can use their good offices and bring the parties together to come to a settlement, and ultimately a settlement was reached that they would pay 75 per cent of the difference.

**श्री रवि राय :** श्रम मंत्रालय के खिलाफ मेरा पहला आरोप यह है कि नान-जर्नेलिस्ट लोगों को हड़ताल साठ दिन तक चलने के बावजूद अपने कोई कार्यवाही नहीं की। वह निजी उद्योग में तो कुछ नहीं कर पाया, लेकिन जब सरकारी कर्मचारी हड़ताल कर रहे हैं, उन पर सरकार का डंडा चल रहा है और वह दृष्टा की तरह देख रहा है। मैं यह जानना चाहता हूँ कि क्या कानून में कुछ गलती या कमी होने के कारण श्रम मंत्रालय कुछ कार्यवाही नहीं कर पाया; यदि हाँ, तो क्या इस बारे में कुछ सोच विचार किया गया है।

क्या वेज बोर्ड के एवार्ड को स्टेचुटरी बनाने का सरकार का इरादा है; यदि हाँ, तो वह इसके लिए कोई बिल सदन के सामने लायेगी?

**श्री हाथी :** ऐसी बात नहीं है कि हम ने कोई कार्यवाही नहीं की। कार्यवाही की थी। इस वक्त वेज बोर्ड की रोकमेंडेशनज स्टेचुटरी नहीं है।

**श्री रवि राय :** क्या अब सरकार उनको स्टेचुटरी बनाने जा रही है न?

**श्री हाथी :** हमने एक स्टैंडिंग लेबर कमेटी बनाई है जो विचार करेगी कि कैसे उन को स्टेचुटरी बनाया जाये। जरूर उस पर विचार किया जायेगा।

**SHRI D. C. SHARMA :** As you know, recently there was a big strike in newspapers involving not only journalists but also non-journalists, and our hon. Minister say that he used his "good offices" to bring about some kind of a settlement between the journalists and non-working journalists and the newspaper owners. May I ask if our Government have become so helpless *vis-à-vis* the press barons and press monopolists that they cannot take any effective action against them except offering their good offices?

**SHRI HATHI :** I have replied to that while answering Shri Lobo Prabhu's question. This is not a statutory recommendation and, therefore, no legal action as such could have been taken. The second thing that I said was that it is not a full and final settlement; it was a settlement up to a point only, that 75 per cent would be given and it would be protected.

**SHRI S. KUNDU :** This is an instance of how the Labour Ministry functions in a casual and cavalier manner, in the sense that the terms of reference to the Wage Board were drawn up in such a casual and vague manner that after the recommendations came, so many lacunae were found out. Many aspects, as to what are the categories which would be covered by the recommendations, what types of people would come

under them—all these were found faulty. The employers did not accept the list given by Government. It has again gone to adjudication. Nobody knows when it will come from adjudication and what will happen to the recommendations. In the circumstances, will the Minister give a categorical assurance that soon after the adjudicator's award is received it would be implemented within a month ?

**SHRI HATHI :** As for the first part that the Labour Ministry is working in a casual manner because so many categories of people were left uncovered, there are hundreds of categories of workers in the newspaper industry. That is exactly the reason why the representatives of the workers are also on the Wage Board. If some categories were left uncovered, they should have drawn attention to it. It is not for the Labour Ministry to do it.

**SHRI S. KUNDU :** Do not take shelter under that.

**SHRI HATHI :** For example, mechanics are there. They are given a certain type of job and are included in that category. In these wage boards, this is not a new thing in regard to categorisation. Perhaps the hon. Member has no experience of how categorisation is done. They have been grouped together. It can be said, 'No, this man is not a clerk; he is an accountant'. Now, a clerk may also be doing the work of an accountant. So this categorisation is not a new process.

So far as implementation is concerned, we have said that this protection will continue till the award becomes enforceable, that is, if they decide to go in appeal, till it is decided.

**SHRI SHIVAJI RAO S. DESHMUKH :** How do Government propose to allay fears that by this action, Government have set at nought and made a laughing stock of the whole sanctity of Wage Boards, because if at all a Wage Board were to inquire as to what should be the plausible ways of settling the matter, and if again that were to be put at the mercy of the em-

ployers as to whether the recommendations can be implemented or not, under the so-called lacuna of legal authority, do the Government propose to enact a legislation once for all that once the wage boards are created, they shall be deemed to have been created statutorily, their recommendations shall be *ipso-facto* binding on the employers and employees and they shall not be the subject matter of dispute at the final stage under the Industrial Disputes Act, liable to be referred to arbitration or adjudication ?

**SHRI HATHI :** It is not a question of laughing stock, because the wage boards are not statutory and it is left to the parties to settle and implement. So far as the other part is concerned, making it statutory, we are certainly considering the whole thing.

**SHRI BAL RAJ MADHOK :** The way in which this strike was handled is a classic instance, because we find that some of the newspapers were prepared to settle at 85 per cent, but actually it has been settled at 75 per cent for the time being. What will come tomorrow we do not know. The employers were prepared, but the trade union leaders were not prepared for 85 per cent. May I know whether it was due to the fact that because of the closure of these papers two newspapers were making hay, one in which the Government was interested and the other in which some trade union leaders were interested, that these six newspapers were allowed to remain closed for two months and the workers were allowed to suffer, and actually when the settlement came the workers got much less than they would have got otherwise? Secondly, may I know whether the pay for the strike period has been given to the workers or not ?

**SHRI HATHI :** To say that the Government was interested in prolonging the strike is wrong. We are not at all interested. In fact, I tried and tried my best.

**SHRI A. B. VAJPAYEE :** You did not do anything.

**SHRI HATHI :** One category was prepared for 85 per cent, but the employers were prepared for only 80 per cent. I and the Deputy-Speaker brought them round to 85, but then we found that the workers would not agree to that.

Secondly, they are getting 75 per cent. I have explained the position that 85 per cent was in full and final settlement, while 75 per cent is the minimum, the remaining 25 per cent being the subject of adjudication. They can take the chance of getting 100 per cent, but it will not go below 75 per cent.

As for the pay for the strike period, we have no information whether they have been paid or not.

**SHRI K. N. PANDEY :** In view of the fact that hon. Labour Minister used his good offices in the negotiations between the parties, may I know whether it is his impression that the management did not want to implement the award, or was there any genuine difficulty? If there was genuine difficulty, how is the position going to improve by referring it to adjudication?

**SHRI HATHI :** In some cases it was genuine, in some cases it was not. Therefore, the adjudication will settle it.

**SHRI NAMBIAR :** In view of the fact that the award was not implemented by the employers and the strike took place, may I know whether the pay for the strike period has been included by the Government as one of the terms of reference for the adjudication?

**SHRI HATHI :** No. We have not included the pay for the strike period in the adjudication.

**SHRI D. C. SHARMA :** I want to know how the Deputy-Speaker came in.

**SHRI HEM BARUA :** That is my problem also. It is said the Deputy-Speaker jumped in. In what capacity did he jump in?

**SHRI HATHI :** In his private capacity.

**श्री प्रेम चन्द वर्मा :** इस में कोई शक नहीं है कि मिनिस्टर साहब ने हड़ताल को टालने और आपस में फैसला कराने के लिए पूरा प्रयत्न किया। उन्होंने फरमाया है कि वह बेज बोर्ड की सिफारिशों को कानून रूप से लागू नहीं कर सके। आप की इजाजत से मैं यह कहना चाहूंगा कि यह कोई पहला मौका नहीं है। इन बड़े-बड़े अखबारों के लिए एक प्राइस-पेज शिड्यूल बना था। वे लोग कोर्ट में चले गये और वह सारा मामला खत्म हो गया। और उस एक कारण से हिन्दुस्तान के कितने छोटे और मीडियम अखबारों का सारा का सारा जो मामला था वह खराब हो गया। इस वक्त भी उन्होंने कहा कि हम कुछ नहीं कर सकते और बेज बोर्ड का मामला आया तब भी कहते हैं कि कुछ नहीं कर सकते। तो मैं यह जानना चाहता हूँ कि दूसरी इंडस्ट्री से यह इंडस्ट्री अलग है क्योंकि इन पेपरों को जो अखबारी कागज है वह सरकार देती है और तमाम फैसिलिटीज जो हैं वह सारी की सारी सरकार देती है तो अगर वह इस बात को नहीं मानते हैं तो क्या सरकार इस बात पर विचार करेगी कि उन की जो फैसिलिटीज हैं, उन को जो अखबारों का कागज दिया जाता है, जो दूसरी चीजें दी जाती हैं, उन में कमी की जा ?

**SHRI HATHI :** This is for the Minister of Information.

**श्री ओम प्रकाश त्यागी :** क्या सरकार यह कह सकती है कि इस टाइम पर जो स्ट्राइक्स होते हैं चाहे पेपर्स में या और जगह जैसे अभी एक महीने के लगभग पेपर्स बन्द रहे, उस से तमाम देश को बड़ी हानि पहुंची और इन स्ट्राइक्स के पीछे यूनियन्स का हाथ रहता है और यूनियन्स का अधिकांश में पोलिटिकल पार्टीज से सम्बन्ध रहता है ज्यादातर यूनियन्स जितनी हैं वह पोलिटिकल पार्टीज से संचालित होती हैं और उनमें बहुतों में मजदूरों की भलाई की अपेक्षा अपनी पोलिटिकल पार्टी का हित ज्यादा रहता है। बहुतों को ला एंड आर्डर खत्म करने में ही हित मालूम पड़ता है, तो

में यह जानना चाहता हूँ कि क्या सरकार इस चीज को हमेशा के लिए समाप्त करने के लिए एक आल इंडिया वेज बोर्ड बनाने के लिए कोई योजना बना रही है जिस से एम्प्लायर्स और एम्प्लायीज़ दोनों पर उन का निर्णय बाईंडिंग हो ? क्या ऐसा विचार सरकार का है ?

**श्री हाथी :** जी हाँ, ऐसा विचार चल रहा है ।

**'WORK TO RULE' BY POSTAL EMPLOYEES**

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\*97. SHRI BENI SHANKER SHARMA :

SHRI D. C. SHARMA :

SHRI RAM KISHAN GUPTA :

SHRI R. K. SINHA :

Will the Minister of COMMUNICATIONS be pleased to state :

(a) whether the Postal employees have started the 'work to Rule' campaign at the instance of the National Federation of Posts and Telegraphs Employees to protest against the victimization of the employees who took part in the strike on the 19th September, 1968;

(b) if so, to what extent it has affected the postal services; and

(c) the action proposed to be taken in the matter ?

**THE MINISTER OF STATE IN THE DEPARTMENTS OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (SHRI I. K. GUJRAL):** (a) Though there was no official intimation from the NFPTE, some of the P&T Employees indulged in a go slow campaign from 20th to 27th September. It is seen from Press Reports that this was following a directive from NFPTE. This 'go-slow' was otherwise described as 'work-to-rule' by the Federation.

(b) This go-slow campaign affected the services only in a few bigger offices in Delhi, Calcutta and parts of Madhya

Pradesh. In these places the delivery of mails was affected to some extent and there was also some accumulation of mails. At other stations the service was hardly affected.

The go-slow was again resumed between the 8th and 17th October in a few places following the hunger strike of the J.C.A. leaders in Delhi. The services were however not dislocated to any extent on this account.

(c) As a result of the action taken against officials neglecting their work, the situation soon returned to normal.

**श्री बेनी शंकर शर्मा :** अध्यक्ष महोदय, कल के अविश्वास प्रस्ताव पर हुई बहस के बाद मेरा यह प्रश्न कुछ पुराना सा हो जाता है किन्तु फिर भी मैं माननीय मंत्री जी से पूछना चाहता हूँ कि जैसा अभी-अभी उन्होंने कहा है कि क्या कलकत्ते, दिल्ली और दूसरी जगहों में संचार व्यवस्था कुछ अंश तक ठप्प हो गई थी, मेरा कहना है कि जहाँ तक कलकत्ते का सवाल है वहाँ संचार व्यवस्था कुछ अंश तक नहीं बल्कि एक दम ठप्प हो गई थी और उसी समय उत्तर बंगाल में बाढ़ का ताण्डव नृत्य हो रहा था । तो क्या माननीय मंत्री जी यह भी बताने की कृपा करेंगे कि उन्होंने उत्तर बंगाल से सम्पर्क स्थापित करने के लिए बेतार की संचार व्यवस्था का काम क्यों नहीं लिया ?

**श्री इ.कु.गुजराल :** अध्यक्ष महोदय, आनरेबल मेम्बर दो चीजों को मिला रहे हैं । जो मैंने जवाब दिया यह गो स्लो के मुताल्लिक दिया जो 20 सितम्बर से 27 सितम्बर और अतूकबर में फिर हुआ था । स्ट्राइक की बात 19 सितम्बर वाली उस से अलग है । जो मैंने यह कहा कि काम में खास नुकसान नहीं हुआ तो मेरा मतलब गो स्लो के मुताल्लिक था । 19 सितम्बर की स्ट्राइक के मुताल्लिक नहीं था ।

**श्री बेनी शंकर शर्मा :** मेरा दूसरा प्रश्न यह है कि जहाँ तक 19 तारीख की टोकन स्ट्राइक का प्रश्न है उस में बहुत से लोगों पर कई प्रकार के चार्ज लगाये गये थे जिनमें बहुत से तो