

REPORT OF THE STUDY GROUP FOR NEWSPAPER INDUSTRY

NATIONAL RESOURCE CENTRE OF LABOUR
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FOREWORD

The National Commission on Labour appointed the Study Group on Newspaper Industry in its attempt to understand the changes in conditions of labour in that industry since Independence. This was one of the series of Study Groups set up for different industries. The Group was required to analyse available information and project its thinking on labour problems in the industry for years to come taking into account the possible developments in the economy.

The views expressed in the report are the views of the Study Group. In examining them for framing its final recommendations, the Commission will attach due importance to these views coming as they do from knowledgeable persons in the Newspaper Industry. In the meanwhile, the report is being published by the Commission with a view to seeking comments on it from persons/institutions interested in the development of that industry.

The Commission is grateful to the Chairman and Members of the Study Group individually for completing their work within the time-limit fixed for them. The Commission is also grateful to all persons/institutions who may have helped the Study Group in reaching conclusions.

P. B. Gajendragadkar.
Chairman.

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INTRODUCTION

Vide Notification No. 3/41/67/NCL dated the 24th October, 1967, the National Commission on Labour constituted a Study Group for Newspaper Industry with the following members :

- | | |
|--------------------------|------------------|
| 1. Mr. M. Chalapathi Rau | Chairman |
| 2. Mr. P.L. Sondhi | Member |
| 3. Mr. J.M. D'Souza | „ |
| 4. Mr. C.N. Chittaranjan | „ |
| 5. Mr. A.R. Bhat | „ |
| 6. Mr. J.P. Chaturvedi | „ |
| 7. Mr. T.V.R. Sheno | „ |
| 8. Mr. V.R. Kulkarni | Member-Secretary |

By another Notification Mr. R. Shamanna was appointed a member of the Study Group.

In his D.O. letter No. 3/41/67-NCL dated September 19, 1967, inviting the Chairman and the members to serve on the Study Group, the Chairman of the National Commission on Labour observed :

“In view of the comprehensive nature of the enquiry and the need for tapping the expertise available within the country on labour problems in different industries on the various aspects of the Commission's terms of reference, the Commission has set up a large number of expert Study Groups. A fair amount of information is available in the country on different industries. Each Study Group is expected to draw upon the relevant material on the whole area of the Commission's enquiry in the concerned industry and project its thinking on labour problems in the industry in the years to come.

“You will appreciate that for the successful completion of its work the Commission will depend to a great extent on the material which the Study Group will compile and the problems they pose with possible solutions for consideration by the Commission. I am relying on your co-operation in this matter.”

The Study Group met in Delhi five times and the report was finally approved/signed on July 1, 1968, in its last meeting. As three members, Messrs. J.M. D'Souza, P.L. Sondhi and T.V.R. Shenoi, were not present in this meeting, they have not signed the report.

October, 1967, the National Commission on Labour constituted a Study Group for Newspaper Industry with the following members:

Chairman	1. Mr. M. Chalapathi Rao
Member	2. Mr. P.L. Sondhi
"	3. Mr. J.M. D'Souza
"	4. Mr. C.N. Chittaranjan
"	5. Mr. A.R. Bhat
"	6. Mr. J.P. Chaturvedi
"	7. Mr. T.V.R. Shenoi
Member-Secretary	8. Mr. V.R. Kulkarni

By another Notification Mr. R. Shanmugas was appointed a member of the Study Group.

In his D.O. letter No. 3/41/67-NCL dated September 19, 1967, inviting the Chairman and the members to serve on the Study Group, the Chairman of the National Commission on Labour observed:

"In view of the comprehensive nature of the enquiry and the need for tapping the expertise available within the country on labour problems in different industries on the various aspects of the Commission's terms of reference, the Commission has set up a large number of expert Study Groups. A fair amount of information is available in the country on different industries. Each Study Group is expected to draw upon the relevant material on the whole area of the Commission's enquiry in the concerned industry and project its thinking on labour problems in the industry in the years to come.

"You will appreciate that for the successful completion of its work the Commission will depend to a great extent on the material which the Study Group will compile and the problems they pose with possible solutions for consideration by the Commission. I am relying on your co-operation in this matter."

Chapter I

BACKGROUND

1.1. It took nearly two centuries after the British arrived in India, and exactly 106 years after they brought a printing press, for a newspaper to make its appearance in India. Needless to say, the Bengal Gazette of Calcutta General Advertiser was published in English, by an Englishman, James Augustus Hicky.

1.2. Court rivalry between the British Nabobs, it seems, played a significant role in the development of Journalism in Bombay and Madras. At both places the East India Company had an establishment.

1.3. In the second quarter of the nineteenth century, social reformers took charge of this new and powerful medium. Raja Ram Mohan Roy understood the potentialities of newspapers. Orthodox Hindus too took to the printed word to stall the social revolution. Throughout the nineteenth century the press in India was a platform for debate. This was the phase during which the language press came into its own.

1.4. The large majority of the Indian newspapers before Independence were a part of the nationalist movement. Apart from the British-owned newspapers which were few, most of the Indian-owned newspapers opposed British rule. The dominant mood was one of protest. It was a period of struggle for expression and struggle even for survival. Some of the earliest newspapers had been devoted to social reform. With the impetus given to nationalism by the founding of the Indian National Congress in 1885, there was a fresh upsurge of nationalist journalism. It was usually, what were known as vernacular journals that gave the most direct and vigorous expression to nationalism. Not all were extremist; many were moderate. There were outstanding examples—like Tilak with his *Kesari*—of political leaders running newspapers to express their views. Gandhi with his *Young India*, *Navjivan* and *Harijan*, Lajpat Rai, the Nehrus and others were to find in newspapers a powerful means of expressing their views and guiding the freedom struggle.

1.5. British policy towards nationalist newspapers alternated between tolerance and repression. Macaulay, Metcalfe and others were prepared to extend the principle of freedom of expression from Britain to India. But under Viceroys like Lytton, there was legislation for restricting freedom. The penalties ranged from fines to suppression. This policy was accepted as a challenge and there were many notable instances of proprietors and editors taking it up and expressing defiance. During the two world wars, public safety acts and press acts led to large-scale resistance and large-scale closures. But the press was increasingly a powerful means of political expression. When the legislatures, partly elected on narrow franchise and partly nominated with loyalists, gave only limited scope for political expression, the newspapers became the standards of the freedom struggle. Many newspapers were missionaries in the cause of freedom. Journalism was more a mission with risks than a profession with security. There was a conflict of wills between the rulers and the ruled. From this conflict emerged the modern Indian press.

CHANGED ROLE

1.6. Since Independence, role of the press has changed. The challenge of foreign rule is gone ; other challenges are pressing, the challenge of limitless poverty, the challenge of limitless illiteracy, the challenge of external threats and of the forces of disunity. The press at large has had to turn to the task of giving form and content to freedom. It has found that it has to be absorbed not only with political problems but with the problems of the social revolution. The press as a whole is nationalist, with a few ugly exceptions, but it is largely a party press or a press with differing points of view ranging from support to private enterprise to support to socialist measures. Newspapers have been accused of suppression, distortion, vulgarity, sensationalism, or of being on the side of property. But if newspapers are to satisfy the readers, they cannot ignore the basic challenges which concern the basic needs of the people. Whatever the political point of view, a social outlook has developed.

1.7. Freedom has emphasized the nature of freedom of the press. How far the press is free and what it does with its freedom is a theme of constant debate. The problem of pressures, internal and external, has come up for discussion. The role of the various sections of the newspaper industry is an increasing absorption. Labour laws are as important as

press laws. Journalism is now a profession, not a mission, and newspapers are now an industry, which while sharing some features with other industries, has its special features. But in spite of the great growth that has taken place, the press is not yet equal to the people's needs.

1.8. The social and economic content of the newspapers has become at least as important as the political content. This is partly a reflection of the people's increasing absorption in social and economic policies and the importance which political parties attach to them. Whatever the policy, the press has increasingly to think not in terms of the fortunes of parties but of the needs of the people. The working of the democratic process and the firm establishment of national unity and secularism are a growing concern. The newspaper's task now is not to fight a foreign regime ; it is to see that the people get the regime they need. The primary interest now is in the social and economic processes.

1.9. This is a part of the democratic process. If democracy is to take firm roots in the country, the newspapers have as much a vested interest in it as the people. It would mean democratization of the processes of the newspaper industry itself. There is always need for giving news and highlighting it, but it has to be realised that news now is different from what news once was, that social and economic change is now news. Democracy is Government by debate, by discussion, and the newspaper is the most proper medium for it. It has thus to be a part of the democratic process itself, criticising it from within, where necessary. The newspaper has the duty to educate the people in the issues of the day, to provide a forum for discussion, and to provide comment and guidance. The future of the Indian press is bound up with the future of Indian democracy.

1.10. The press is still an important mass medium. Radio and television have not made it out-dated. The people will increasingly take to the radio, and television will one day come up, but, while they have their advantages, the printed word has still its attraction. It may be that there is a limit to the circulation of each newspaper, but the press as a whole will have growing influence even in a country like India, where the mass media are not yet in an advanced stage. The growth of literacy will mean large circulations in the future, though all literacy does not mean readership, and circulations depend on other factors like purchasing power. But it is obvious that the press will have an increasing influence. All

newspapers may not influence public opinion to the same extent, but they have the opportunity, and to that extent, they have the responsibility.

1.11. The controversy over the growth of monopolistic tendencies in the newspaper industry and the control exercised over newspapers by other industries is among signs that within the Press as well as among the people there is awareness of the key position of the Press in the future and the need to ensure its health. The first Press Council has failed to focus attention on some of the weaknesses which have to be overcome if the newspapers in India are to function entirely in the public interest and get rid of the yellow streak that occasionally brings the whole Press into disrepute. Despite low literacy and meagre circulations, newspapers in India do command prestige, and with the growth of education their importance in national life is bound to increase. But the smaller newspapers' complaint that they face unequal competition remains valid, and it is not easy for independent persons without vast resources to start quality newspapers to present a different point of view.

Chapter 11

EMPLOYMENT, RECRUITMENT AND TRAINING

2.1. It is difficult to assess correctly the level of employment provided by the newspaper industry. According to the report of the press Registrar (1967), the number of journalists, excluding correspondents employed in editing/procuring news in 294 newspapers was 2,817. The number of correspondents in 230 newspapers in 1967 was 3,149, including 76 correspondents abroad. The number of journalists in about 250 daily newspapers came to 6,674. Considering that the number of daily newspapers in India in 1967 was more than 500, it can be safely assumed that the industry employs about 10,000 journalists, including mofussil correspondents.

2.2. It is difficult to hazard a guess regarding the level of employment of non-journalists. According to the Press Registrar's report (1967), about 22,198 non-journalists were employed in 284 newspaper establishments. The number of newspapers, including dailies and periodicals, is well over 10,000. It can be assumed that the industry provides employment to at least 40,000 non-journalists. Thus the total number of jobs provided by the industry for journalists and non-journalists together is about 50,000.

RECRUITMENT AND TRAINING

2.3. A striking feature of the growth of the newspaper industry in India is the absence of a scientific system of recruitment, especially in respect of professional journalists whose work calls for high standards of mental equipment apart from basic integrity. Only two or three big newspapers have scholarship schemes which however bear no relation even to the requirements of the establishments concerned. Apart from the number trained being very small, not all so-trained have been absorbed. The relationship between institutions offering courses in journalism and the newspaper establishments is tenuous, and the handful of students sent to a few newspapers for practical training find that they have either no opportunity of learning the intricacies of the profession or that they have chosen the wrong

profession. Even where some imagination is evident in the conduct of the institutions of journalism, students are generally unable to get the kind of training that will make them fit to be competent journalists. Despite the inadequacies in the system mentioned above, however, a large number of competent journalists are to be found in newspapers, although as in most other spheres a downward trend is noticeable. It is surprising to find that what the Press Commission found 14 years ago is largely valid even to-day. The Commission said, "We have been unable to find evidence of any well-defined system of recruitment to the editorial staff of newspapers. In most cases the recruitment is made in a haphazard fashion.....The appointments are often made on considerations other than merit".

2.4. The position in regard to the non-journalist staff is certainly better, except perhaps in the case of specialised jobs like handling of advertisement and circulation. The reason is that there is a vast area from which recruitment can be made in respect of the bulk of the press workers (the rotary department of a daily is an obvious exception) and managerial staff. Recruitment here follows the pattern in other industries, mainly the printing industry. Workers with experience elsewhere are taken after a period of trial, and occasionally raw youngsters are recruited and trained in the establishment. There has been no systematic study of the advantages and drawbacks of this kind of recruitment in relation to efficiency.

2.5. The need for providing basic professional training has been long-felt in India. An experimental course in journalism was first started by Aligarh University in 1938. It was however, discontinued in 1940. A one-year post-graduate diploma course in journalism was started in undivided Punjab at Lahore in 1941.

2.6. At present ten Universities in India impart instruction in journalism—Punjab, Calcutta, Nagpur, Osmania, Madras, Mysore, Poona, Jabalpur, Gauhati and Gujarat. Recently there have been proposals to start new departments of journalism in the Delhi, Agra, Aligarh, Vikram, Lucknow, Banaras and Bombay universities.

2.7. The Government of India showed keen interest in journalism education by accepting the relevant recommendations of the Press Commission in 1954. The Indian Association for Education in Journalism and the Inter-University Board Committee on Professional Training in Jour-

nalism have been taking steps to standardise courses and promote training. Recognition for the course has come from various States and from the Union Government. The Public Service Commissions of States and the U.P.S.C. have been giving due weight to candidates possessing degrees and diplomas in journalism.

2.8. According to the Press Commission, there is unanimity of opinion that systematic and comprehensive institutional education in journalism is necessary. The Commission's report states, "The modern tendency of University education is to start specialisation after reaching the intermediate standard. If this is extended to a specialised degree or diploma in journalism, then the course should be of three and not two years. Of these three years, the first should be devoted to study of general subjects like history, sociology, economics and politics. The actual instructions in journalism should be given in the second and third years. The curriculum should also include a study of management of newspapers and the technique of their production including instructions in printing and typography, press photography, radio journalism and so on."

2.9. For students who want to qualify for Indian language papers, there should be a three years' course after intermediate or higher secondary examination and for students who want to join English papers there should be two years' course after graduation.

2.10. Facilities for practical training available are hardly satisfactory. The response from newspaper and news agency offices has been good at some places and poor at other. It should be made compulsory for newspapers to extend practical training facilities to a fixed number of students every year. The starting of a central institute of journalism in India, well-equipped, well-staffed and with its own campus newspaper, laboratory and library will go a long way towards meeting the need for facilities for practical training.

2.11. There are not many trained teachers. Experienced newspapermen are employed as part-time lecturers. To improve the standard of teaching there should be exchange of professors, and grants and fellowships should be made available to deserving persons to enable them to go abroad for studying the latest methods and techniques.

2.12. A majority of journalists in employment have had no training and only some have had the advantage of early training in standard newspapers with rich traditions. Univer-

sities should organise short appreciation courses for working journalists. Suitable grants from the Government and endowments from private parties will help.

2.13. A comprehensive survey of openings for journalists in various fields should be carried out.

2.14. At present only foreign text-books are available and these have been found not quite suitable. Text-books on journalism to suit Indian conditions should be prepared.

2.15. In this connection the efforts made by the Press Institute of India must be mentioned. The Institute, despite the controversy that has surrounded its origin and working, has been able to provide refresher courses and workshops for various categories of journalists. Working journalists' organisations however, have not been very enthusiastic about it. In any case, its set-up may have to undergo changes : for instance, leading journalists widely respected in the profession for their independence and competence should be associated with its control and management.

The PII has also been making efforts to impart instruction in the field of newspaper administration.

However, facilities for training technical and administrative staff of newspapers are virtually non-existent in the country. There is need for a properly constituted central institution for training journalists as well as other staff, with branches in all the States. Its independence from newspaper owners, the Government as well as foreign foundations has to be ensured. Planning such an institution is supposed to come within the purview of the Press Council, but it is doubtful if the Press Council will in the foreseeable future have sufficient resources to be able to bring about such improvements.

Chapter III

LABOUR LAWS

3.1. The employees in the newspaper industry fall into three distinct groups so far as the application of different Labour Laws are concerned. Working Journalists are governed by the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act. Non-journalist employees working in the printing press are subject to the provisions of the Factories Act if the printing press is a factory within the meaning of Section 2 of the Factories Act. Otherwise they are governed by the Shops and Commercial Establishments Act. The administrative staff are governed by the Shops and Commercial Establishments Act.

3.2. By virtue of Section 27 of the Minimum Wages Act, some of the State Governments have added employment in the printing industry to the first schedule of the Minimum Wages Act for the purpose of fixation of the minimum rates of wages.

3.3 The Working Journalists (Conditions of Service) and Miscellaneous Provisions Act, the Factories Act and the Minimum Wages Act are Central Acts, whereas the Shops and Commercial Establishments Act has been enacted in various States by the respective State Governments. While there can certainly be some amount of uniformity guaranteed under the Central Acts for its beneficiaries, the same cannot be said about the State laws.

3.4. The Working Journalists Act lays down a 6-hour day or 144 hours in four weeks for working journalists, the Factories Act provides 8 hours a day and 48 hours a week, the Shops Act a maximum 10 hours a day and 48 hours a week, and finally the Minimum Wages Act provides 9 hours a day without specifying the weekly hours of work. The Working Journalists Act does not provide for spread-over. The Factories Act provides for 10½ hours as the normal permissible period of spread-over. Under the Factories Act, it is necessary to provide rest interval for half an hour after 4 hours work at a stretch. The Working Journalists Act lays

down that a working journalist will not be required to work at a stretch for more than four hours in the day shift and three hours in the night shift without a rest interval of one hour in the day shift and half an hour in the night shift.

3.5. A close scrutiny of the above provisions under various labour laws dealing with a broad subject like working conditions reveals that there is a lot of overlapping provisions in the laws, which besides creating confusion can defeat the very purpose for which they are meant. It is a peculiar situation of employees belonging to one industry being governed by four or five different laws on the subject of conditions of work. The provisions under these laws not being uniform, many practical difficulties arise in implementation.

NEED FOR UNIFORMITY

3.6. Not only in respect of hours of work and overtime, but also in respect of leave, medical facilities, etc., different sections of newspaper employees are treated differently because of the application of such a wide variety of laws. While certain differences in the conditions of work may be unavoidable because of the differing nature of work, we think that a certain measure of uniformity is desirable. The ideal solution may be to extend the most beneficial provisions of the enactments now applicable to all sections of newspaper employees, but the disparity is so wide (for example between the leave provisions in the Working Journalists Act and the Factories Act) that improvement will necessarily have to be phased so as to minimise the burden on the managements in monetary terms. To start with, the provisions of the Working Journalists Act could be made applicable to the administrative staff, keeping in view the need to bring the press workers on par at a later date. Thus the Shops Act will cease to be applicable immediately, while the Factories Act will become redundant only after some years. Meanwhile the newspaper printing presses should be taken out of the purview of the Minimum Wages Act. The framing of one law for the entire newspaper industry—working hours, spread-over, overtime, leave etc. with special provisions for particular categories where necessary, will thus become a gradual process.

3.7 The ultimate aim should be to widen the scope of the Working Journalists Act to cover all newspaper employees, taking due care to include such special provisions as may be found necessary in the case of press workers and

administrative staff. Such a law could well be called the Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act.

3.8. To start with, the scope of Sections 8 to 13-A of the Working Journalists Act should be widened to bring non-Journalists into the ambit of statutory wage fixation. This does not mean a major departure from existing practice. The wages of non-Journalist employees of newspapers have been fixed by the Government following the same procedure as that laid down in the Working Journalists Act. Although the Wage Board for Non-Journalist Employees was non-statutory body, it followed exactly the same procedure as the statutory Board for Working Journalists. The tensions and difficulties created by the existence of these two types of Boards can be obviated by providing for one statutory Board for the whole industry.

3.9. Much of the present confusion could have been avoided if a single statutory Board had been set up for the whole industry. This would have eliminated for instance the differences in classification of newspapers in the two awards. Also, a clear concept of the minimum and maximum emoluments permissible would have emerged. In the light of experience gained it would be advisable for the Government and Parliament to think in terms of a single statutory Wage Board for the industry. But without a proper enforcement machinery, wage fixation becomes pointless in the majority of cases. Now the position is that although four years have been spent in working out the minimum rates of wages payable, individual managements seek to whittle down the minimum rates further, and everything depends on the capacity of the employees in each unit to forge and enforce sanctions.

Chapter IV

ASSOCIATIONS OF EMPLOYERS AND EMPLOYEES

4.1. Newspaper establishments were not organised in any form until the late thirties. After a few years of negotiations among themselves, some 14 leading newspaper establishments came together in 1939 to form an association named the Indian and Eastern Newspapers Society (I.E.N.S.). It is registered under the Indian Companies Act. The principal objects are "to act as a central organisation primarily of the Press of India and of any other country in Asia which desires to associate itself with the Society" and "to promote and safeguard the business interests of its members incidental to the production of their publications and take suitable steps in respect of such business as are affected by the action of Legislature, Governments, Law Courts, Municipal and Local bodies, and associations or organisations, commercial or formed for any other purpose." As at the end of 1967, it had a membership of 214. Although its Constitution permits membership from any other country from Asia, no newspaper from outside India is at present its member. The Society has succeeded in dealing with the standardisation of advertising practices for its members and enforcing rigidly the period of payment of advertising dues and the rate of advertising agency commission for its members, by creating a class of accredited Advertising Agents, and with the problems of supply of newsprint.

4.2. Generally, advertising agencies charge 25% agency commission on advertisements placed by them with the non-I.E.N.S. newspapers. Further, many advertising agencies pay the advertisement dues of newspapers at their convenience. But immediately a newspaper becomes a member of the Society it gets the advantage of reduced advertising agency commission of 15% in the case of fully accredited agencies and 10% in the case of provisionally accredited agencies and also of payments of its advertisement dues within 45 days. The monetary benefits conferred by the accredited advertising agencies on the Society's members is the biggest attraction for newspapers to become its members.

4.3. On the eve of the introduction of newsprint control, the Indian Languages Newspapers Association (I.L.N.A) was formed in 1941 principally "to promote and safeguard the business interests of newspapers and periodicals published in Indian Languages" and "to consider all questions of interest connected with the management of Indian Languages newspapers." The membership of the Association as on 31st March 1968, the last date of its reporting year, stood at 214.

4.4. While the Association has all along pressed for increased supply of newsprint, it has demanded a preferential quota to small newspapers and succeeded in getting it. It has been asking for equitable distribution of Government expenditure on advertising between the Indian Languages Newspapers and English Newspapers and after years of effort, it is on the way to success. It has also been pressing for replacing more Government advertisements with the small and medium newspapers and the Ministry of Information and Broadcasting has constituted an Advisory Committee attached to the Directorate of advertising and Visual Publicity for the purpose.

4.5. ILNA has been insisting that the advertising agencies should not discriminate against the non-IENS newspapers in the matter of agency commission by charging more and in the matter of period of payment of outstandings by delaying it. The Press Commission categorically stated, "We consider that such discrimination is unjustified and feel that once advertising agencies place advertisements with newspapers no ground exists for any discrimination." A recent survey under the scholarship of Press Institute of India clearly brought out the adverse effect of the discriminatory practices of the advertising agencies on smaller papers which are not members of the IENS. ILNA pleaded before the Enquiry Committee on Small Newspapers that if the advertising agencies do not abandon these unfair practices voluntarily, there should be a statutory obligation placed on them not to discriminate.

4.6. ILNA pleaded before the Press Commission and the Enquiry Committee on Small Newspapers that in order to create a fair field of competition among newspapers and to make the entry of new newspapers easy, a price-page schedule should be statutorily introduced.

4.7. In order to help small newspapers to secure their requirements of newsprint at fair and reasonable prices when the newsprint was decontrolled, ILNA promoted the Indian Newspapers Co-operative Society in 1946 which functioned for about five years.

4.8. There has been some overlapping of membership. There are about 50 newspapers which are members of both the Associations. It is clear that though the total number of members of IENS and ILNA is almost the same, the IENS has mostly big and medium papers and periodicals among its members, while the membership of the ILNA very largely consists of medium and small papers and periodicals.

4.9. Although both the associations are of proprietors, they have been formed on the lines of Chambers of Commerce and Industry for promoting and safeguarding their business interests. They have not developed an employers' organisation and have not concerned themselves with the problems of industrial relations except when they were called upon to serve on the Wage Boards for Working Journalists and non-Working Journalist Employees of newspapers. They have participated in negotiations on wages and service conditions, but I.E.N.S. at any rate admitted that it is in no position to enforce agreements so reached on its members. Neither of them has organised any labour advisory service or industrial relations cell.

4.10. For the last fifteen years, ILNA has been regularly publishing the monthly "Language Press Bulletin" to acquaint newspapers with the developments in the Indian Newspaper Industry.

4.11. Newspaper employees have been virtually the last so far to join the trade union movement, and even so, unionisation is confined to the papers in the metropolitan cities and major towns. So far as the non-journalists are concerned, the limited protection statutorily provided for all industrial workers has been available to them also for a long time; but unions were organised only in stray establishments.

4.12. The attitude of many newspaper employers to the trade unions has generally not been as enlightened as it should be. Only in a few cases have the newspaper managements given official recognition to their employees' unions. Direct negotiations do take place occasionally, but this is not generally based on any cordiality between the unions and the managements but only on the strength of the union. So far as the all-India organisations of employees and employers are concerned, mutual trust and cordiality are absent.

4.13. There are three All-India Organisations of newspaper and news agency employees. The first is the All-India Newspaper Employees' Federation which was established in 1960 and claims a membership of 10,750. The second is

the Indian Federation of Working Journalists which was established in 1950 and has a membership of about 2,200. The third is the PTI Employees' Federation which has 98 per cent membership in a staff of 900 PTI employees, spread all over India. Recently 40 journalist members of P.T.I. Employees' Federation left the organisation and formed a Delhi P.T.I. Journalists' Union in protest against the P.T.I. Federation's agreement with the management about implementation of the Wage Board awards.

4.14. The I. F. W. J. works as a central trade union organisation for journalists, the A. I. N. E. F. as a central body of non-journalist employees, and the P.T.I. Federation as an organisation for both types of workers in the particular agency. But in practice there is much overlapping in the sense that many journalists are also members of staff unions like the Hindustan Times Union and the Times of India Union. For the sake of co-ordination in wage matters, a central co-ordination committee of these three organisations plus the U.N.I. Employees' Union (which is affiliated to the A.I.N.E.F.) was set up. A call for an all-India token strike was given by this co-ordinating committee and it was successful. Later on the same committee gave a call for an indefinite strike from 23rd April. The strike was called off on 24th April following an agreement between the A.I.N.E.F. and the I.E.N.S.

4.15. The I.F.W.J. was formed in October, 1950, by a number of State and local organisations in the country at a convention held in New Delhi on October 29 and 30. Its objectives were not only to form a federation of trade unions, but to have a central organisation of working journalists. Among its aims and objects are the raising of the status of members of the profession, promoting the highest standards of professional conduct and integrity, striving for the freedom and independence of the press, and promoting legislation for the welfare of working journalists. After the passing of the Working Journalists Act and the setting up of the Wage Boards, the attention of the Federation has been mainly directed to presentation of the case before the Wage Board and later on to implementation of the decisions, fighting cases in the Supreme Court and High Courts and conducting labour disputes in States. On professional matters it is not as active now as it used to be. A rival organisation has recently been floated in U.P., but neither its strength nor potentiality is known.

4.16. One of the significant characteristics of the I.F.W.J. is that there are no outsiders in it. It is not affiliated to any central T. U. organisation and it has largely been free from the influence of political parties. But it has no set of permanent office-bearers or whole-time workers and as a result has not been able to function effectively.

4.17. The basic difficulty of the I.F.W.J. is that it has no organisation at plant level. So the initiative has passed to organisations with roots at plant level. The recent strike and agreement are a pointer. Although the Co-ordination Committee had at Hyderabad decided that there would be joint struggle for implementation of Wage Board decisions for journalists and non-journalists, when the strike came, the negotiations were held and an agreement was arrived by the I.E.N. S. only with the A. I. N. E. F, with the result that while implementation of the Non-journalists Wage Board was more or less assured, the matter of the Journalists' Wage Board remained bogged down due to cases pending in the Supreme Court. The strike was called off without any agreement on this question.

4.18. The A.I.N.E.F. is a federation of plant and city level organisations. Its objectives are similar to those of trade unions in other industries and its composition and methods are also similar.

4.19. It is a federation of 47 affiliated bodies in 16 States. It is most powerful in Bombay, Delhi, Madras, West Bengal and Kerala and weak in Punjab, Mysore, Andhra Pradesh, Gujarat, U.P., Rajasthan, Haryana and Madhya Pradesh.

4.20. The pattern of membership of AINEF units differs from State to State and Union to Union. The Hindustan Times, Times of India and U. N. I. unions for example include journalists and non-journalists. On the other hand in Kerala even in Communist papers, there are unions like the Deshabhimani Non-journalists Employees' union. In some places there are both vertical and horizontal unions. In some places the union is concerned with only non-journalist employees, while in others all employees are grouped together. In Calcutta there are two unions in the Statesman, both affiliated to the AINEF (Statesman Employees' Union and Statesman clerical Staff Union). Some of these unions have a State Federation, but those Federations are not affiliated to the AINEF but are affiliated to all-India bodies like the AITUC. But, policy-making is in the hands of the AINEF.

4.21. The P. T. I. Federation is a Federation of unions registered at various places. It has a plant level unit and an all-India set-up. Unfortunately, the P. T. I. Federation has not provided any information to the Study Group.

4.22. All the labour organisations have been able to do a lot for the improvement of working conditions. The IFWJ was responsible for getting the Press Commission appointed, the Working Journalists Act, the First Wage Board, the Wage Committee and the Second Wage Board. Working conditions have improved and emoluments increased. There is greater security of service.

4.23. But because of the lack of organisation in many areas, the law has remained a dead letter, specially in remote areas, district headquarters, periodical press, etc. There have been no collective agreements even on points left unresolved by the law or by the Wage Boards. The holidays fixed under law are not always enforced, correspondents do not get the advantage of shorter working hours, and no agreements have been arrived at about conveyance, entertainment and out-station allowances. Many mofussil correspondents do not get the remuneration fixed by the Wage Board. The unions have been able to do little about the unemployment problem and if a worker is sacked due to his insistence on his rights, he rarely finds alternative employment. Workers have therefore become reluctant to fight for their rights.

4.24. As far as the A.I.N.E.F. is concerned, within 8 years it has been able to get wage benefits for a large number of workers in big newspapers. It had to wage some big strikes in the Statesman, The Hindustan Times, The Times of India, Vir Arjun, Pratap, Tej, etc. Yet the benefits have not reached the employees of small newspapers and periodicals who form the largest number of employees and who are virtually unorganised.

WORKING OF UNIONS

4.25. The trade unions in the newspaper industry are run on democratic lines and annual elections are held for election of office-bearers. There are different procedures in different bodies. In some, the President and General Secretaries are elected by the general body and other office-bearers are elected by members of the executive committee. In a few cases, all the office-bearers are elected by the general body. But as the central organisations are not registered bodies, sometimes general body meetings for their elections are post-

poned. For many years, only the President and Members of the general council were elected by the general body of members of the I.F.W.J. and all office-bearers and members of the executive committee were nominated by the President, but this method has been changed; the President has now the right to nominate only the Secretary-General and a few members of the working committee and National Council. It is the National Council that elects the Working Committee, which elects the Vice-Presidents, Secretaries, etc. In the A.I.N.E.F., all office-bearers are elected by the annual delegates' conference.

4.26. The policies are decided either at annual meetings and conferences or in executive committees. As far as strike decisions are concerned, decisions for all-India strikes have not been taken by the general body of members but by the co-ordination committee or the working committee. The latest example is the strike on 23rd April. This decision was arrived at by the National Executives of the I.F.W.J. and A.I.N.E.F. and the co-ordination Committee consisting of representatives of the I.F.W.J., the A.I.N.E.F., the P.T.I. Employees' Federation and the U.N.I. Employees' Union. It was later on endorsed by the annual conference of the A.I.N.E.F. after the date had been announced. On other bodies it became binding without further discussion. Later on it was withdrawn by the President and Secretary of the A.I.N.E.F. who entered into an agreement to this effect. This decision was next day formally endorsed by the Secretariat of the Co-ordination Committee.

4.27. This episode has exposed the deficiency of organisational safeguards in calling or calling off strikes. Although the agreement was a big achievement for the non-journalists, it failed to resolve the problem of journalists who were left where they were before the strike was called. Even after it was called off, the strike continued in some papers in Delhi and Poona because the proprietors concerned decided to ignore the decision of the I.E.N.S. of which they are members.

4.28. The last two years have been years of mammoth strikes in newspapers. There was a 3-month strike in the Hindu, 40-day strikes in the Statesman and in the Hindustan Times, a 35-day strike in the Aj (Banaras), a week's strike in Gujarat newspapers, a 40-day strike in Times of India and an all-India token strike on 24 January, 1968, and also the strike on 23 April 1968. But, except for the last strike, none

solved any of the problems of the workers. There is need to provide machinery whereby decisions to go on strike will be taken by as large a body of members as possible, taken section-wise.

4.29. As far as recognition is concerned, technically, except the P.T.I. Employees' Federation, none of the all-India organisations has been recognised by the employers. But as the I.F.W.J. and the A.I.N.E.F. are the only all-India organisations, these have been recognised by the Government for purposes of nomination to wage boards and tripartite meetings. Therefore, employers have also recognised their de facto status.

SPECIAL FEATURES

4.30. Trade union activity in newspapers is noticeable in places where a large number of newspapers are produced. This is so in Delhi, Bombay, Calcutta and Madras, and in Kerala. The journalists' as well as non-journalists' unions were weak and unorganised in Gujarat, but as soon as two Bombay papers established branches in Ahmedabad, the employees went on an indefinite strike and forced the employers to come to terms on the wage awards. Even so, out of about 40,000 employees, only 12,000-odd employees are unionised and that is one of the reasons why the legal benefits have not been fully utilised. There are no inter-union rivalries in most places, but there was a phase when employers encouraged rival unions in some places. Except in U.P. there is no rival organisation among journalists.

4.31. The leadership in all the three unions is in the hands of journalists. The General Secretary of the A.I.N.E.F. is a journalist and so is the Secretary of P.T.I. Employees' Federation.

4.32. The finances of the different organisations of newspaper employees are generally in a weak state.

Chapter V

SETTLEMENT OF DISPUTES

5.1. The newspaper employer who recognises the utility of a strong trade union in his establishment and is willing to negotiate with employees' representatives on friendly terms is the exception rather than the rule in the newspaper industry. The inadequacy of the official machinery for the settlement of industrial disputes has added to the dimensions of the problems. The attitude of management and the long delays involved in the statutory processes available for settlement inevitably promote militancy or fear among the employees; in the case of the former, demagogic leadership takes over, and in the case of the latter frustration sets in. Neither is conducive to the maintenance of harmonious relations based on mutual goodwill in the establishments concerned.

5.2. Newspaper employees share the experience of other industrial workers in respect of conciliation, adjudication, etc. Conciliation officers are not in a position to deal firmly either with recalcitrant employers or with unreasonable union leaders. This is partly due to the feeling that the personalities involved are very influential with the Government. Whatever the reasons, there is no doubt that the conciliation has proved to be a long-drawn-out, frustrating, and often fruitless process. The conciliation officer does indeed bring about settlements now and then, but generally only in relation to minor matters affecting stray individuals. Normally the best that can be expected of him is recommendation for reference of the disputes for adjudication.

5.3. Adjudication, again, is a time-consuming affair. With the law as it is, it is possible to delay proceedings by various means, including recourse to the High Courts and the Supreme Court. There are instances of final disposal of industrial disputes taking between four and eight years. These have included even cases of lockout.

5.4. It is clearly necessary to tighten the law to ensure speedy disposal of industrial disputes. Legal provisions for recognition of unions and encouragement of direct nego-

tiations will go a long way towards improving industrial relations in the newspaper industry as in other industries. In the present state of development in the country, it may be difficult to end compulsory adjudication altogether, but it is possible to give greater powers to the conciliation officer taking care to ensure that he is kept beyond temptation and is enabled to discharge his functions impartially and in the interests of industrial peace. A short time-limit for conciliation proceedings is desirable, obviating the tendency of one side or the other to seek adjournment on one pretext or another. While the officer will necessarily be a mediator, he should have the power to inspect the necessary records and take such evidence as will help negotiations. There should also be provisions to enforce any agreement that the officer is able to bring about. For adjudication proceedings also, a clear time-limit, not exceeding six months should be fixed, and provisions made to obviate vexatious litigation. The scope for writ and special leave petitions should be reduced to the minimum, if necessary, then even by amending the Constitution.

5.5. Works Committees have not been successful in practically any newspaper establishment. Wherever they have been tried, it has been found that neither side takes them seriously. The trade unions feel that if encouraged the works committees may reduce their own importance; the managements generally are unwilling to take the workers' representatives on such committees into confidence about the working of the institutions, leading to an all-round feeling that the committees are useless appendages. Some newspapers have accepted in principle the need to establish machinery for grievance procedure, but in practice nothing has been done. Here again problems similar to those of the works committees are in evidence. In all such cases, effectiveness will depend upon willing participation by the workers and their unions on the one hand, and a genuine desire to make them useful on the part of the managements on the other. Compulsory recognition of representative unions may perhaps pave the way for such internal bipartite bodies to be useful.

Chapter VI

WAGE FIXATION AND ITS IMPLICATIONS

6.1. Prior to the mid-fifties there was no thought of regulating the wage structure in the newspaper industry. Only in stray cases, particularly where employees were organised, agreements or awards relating to wages were in force. In the vast majority of newspapers, the wages structure was arbitrary and unscientific. The position was such that the Press Commission felt that matters could be improved if at least the minimum wage was fixed, specially in the case of working journalists who at the time did not enjoy any kind of legal protection unlike the other sections of newspaper employees covered by the Industrial Disputes Act, the Factories Act, the Shops Act, the Minimum Wages Act, etc. It was only in 1956 that the Working Journalists (Conditions of Service) and Miscellaneous Provisions Act was enacted, and this Act provided *inter alia* for fixation of rates of wages by a Wage Board. The first Wage Board under the Act was set up subsequently, composed of three representatives of employees, three of working journalists and an independent chairman. However, when the Board completed its work and the Government notified the relevant Wage Order, some of the leading newspaper employers moved the Supreme Court, and the Order was set aside on the ground that the Board had not paid due consideration to the capacity of the industry to pay. In view of the unrest evident in the industry following this, the Government by an ordinance set up a Wage Committee made up of officials. This Committee proceeded with great care in the light of the guidelines laid down by the Supreme Court, and the wage scales and allowances it recommended were considerably lower than those contained in the first Wage Order. The second Wage Order was notified in May 1959. It was not challenged, but in many cases it was not implemented.

6.2. Even though the wage scales fixed by the Committee were considered unsatisfactory by the working journalists, there was general satisfaction that at last some kind

of rationalisation had taken place on a national scale. Naturally, therefore, the demand for similar rationalisation of wage structure and categorization in respect of non-journalist employees of newspapers arose. The Second Wage Board for Working Journalists was appointed at the end of 1963. Its composition was different from that of the first Board ; it was made up of two representatives each of employers and working journalists, two independent members and a chairman. In February, 1964, the Central Government for the first time constituted a Wage Board for Non-journalist Employees of Newspapers. While the Journalists' Wage Board was statutory, the Non-journalists' Board was non-statutory. The Government however decided that it would be advantageous for the two Boards to have a common chairman. The two Wage Boards took about four years to complete their work. This long delay led to virtual freezing of wages in many establishments all over the country, and consequent frustration among the employees. The employees' organisations have complained that the delay was due to the attitude of the employers' representatives. There was also grievance that the unanimously formulated "tentative proposals" were watered down considerably in the final stage. Both employers and employees appended minutes of dissent to the Wage Boards' reports.

6.3. The Wage Award for working journalists was notified by the Union Government on October 27, 1967, and the non-statutory award for the non-journalist employees on November 18, 1967. Employers generally were plainly reluctant to implement either. Subsequently some newspaper managements and one news agency filed writ petitions either in High Courts or in the Supreme Court, against the working journalists' Wage Order. There was no move to get the non-journalists' award implemented either. The employees, journalists and non-journalists alike, began to agitate and a joint call for token strike on January 24, 1968, was given. The strike was successful throughout the country. This was followed by efforts by the Union Labour Ministry to bring the parties together for negotiations. Lack of progress in these efforts led to a call for indefinite strike by the co-ordination committee of the central organisations of newspaper employees. The strike, from April 23, was to cover those establishments which had not implemented either or both the awards. Within hours of commencement of the strike the Union Labour Ministry convened a tripartite meeting, at

which an agreement was reached between the IENS and the AINEF regarding implementation of the non-journalists' wage award. The agreement stipulated that the non-journalist employees would be paid 70 per cent of the increase awarded and the balance would be negotiated. There was however no undertaking from the IENS regarding withdrawal of the cases pending in the courts, and the agreement therefore left the working journalists thoroughly dissatisfied.

6.4. In any case, the IENS later took the position that even the agreement about non-journalists was not binding on its members. The IENS is evidently not an employers' organisation in this sense. Another cause of dissatisfaction was the agreement reached between the PTI management and the PTI Employees' Federation which had the effect of whittling down the benefits for the working journalists from the statutory award. Some of the smaller newspapers, however, ignored the stand taken by the IENS and arrived at amicable settlement with their employees. At the time of reporting, the Supreme Court has not finally disposed of the petitions filed by the managements in respect of the journalists' Wage Order.

6.5. One important aspect that must be mentioned is that while the IENS complained about the burden cast on smaller newspapers, the employees' organisations consistently offered to consider the cases of any individual newspapers facing extreme difficulty provided the employers' organisation agreed in principle to the implementation of the two awards simultaneously. This may be taken as acknowledgement of the fact that there are a few small newspapers which for various reasons might find the burden beyond them. The Wage Boards themselves suggested that in some cases tightening up of the administration and economising would help some of these newspapers to overcome the difficulty.

6.6. The experience of two Wage Boards for the industry has made it clear that it would be advantageous all round to have a single Wage Board for the whole industry. Some of the anomalies and disparities noticed in the awards of the two Boards might well have been avoided if a single Board had gone into the questions involved. Since the non-statutory character of the Non-journalists' Wage Board has left the field wide open for "negotiations", implying that strong unions can get maximum advantage while weak unions will be at great disadvantage, it would be advisable to constitute the suggested single Wage Board on a statutory basis. In

view of the enormous difficulties created by the inordinate length of time taken by two Wage Boards to complete their work, it seems advisable to fix a time-limit for the Wage Board to complete its labours—say, a year. One member, Mr. A.R. Bhat, feels that newspapers with a gross revenue of less than Rs. 3.5 lakhs should be left out of the purview of wage scales (only minimum wages being prescribed instead) on the ground that these very small papers cannot survive if they are heavily burdened.

6.7. A view has been expressed that statutory wage regulation may have the effect of weakening trade unions and retarding progress towards collective bargaining. This would certainly be undesirable, but in an industry in which unionisation is poor, collective bargaining is possible at present only in the case of a few establishments, mainly in the metropolitan areas. It may not therefore be wise in the prevailing circumstances to leave this vital matter to be settled entirely between employers and employees. Statutory regulation of wages over a period of years may conceivably lead to both sides gradually coming to accept the idea of bilateral negotiation and settlement. As at present, the prospect seems remote.

6.8. The Study Group also considered some related questions which have a bearing on small and medium newspapers improving their capacity to pay over the years. Smaller newspapers, especially language newspapers, have been complaining for years that they face unequal and often unfair competition from newspapers with vastly greater resources and that even survival becomes a matter of grim struggle. On the basis of the Press Commission's recommendations the Government attempted to correct the position by introducing a price-page schedule, but the Supreme Court struck it down. Subsequently, neither the Government nor Parliament appears to have bestowed thought on this problem. The Small Newspaper Inquiry Committee also recently recommended introduction of price-page schedule, if necessary, by amending the Constitution. There appears to be a clear case for reopening the issue and evolving a formula which will enable the small and medium newspapers to face competition on the basis of near equality at least in terms of the quantum of reading matter made available to the reader for a certain price.

6.9. Another grievance voiced by the smaller newspapers relates to the quantum of Government advertising made available to them. It is true that the Government has

adopted a more liberal attitude towards these newspapers in recent times, but even so the disparity between the small and big newspapers in terms of revenue on this account remains huge. The Press Commission made a proposal for limiting the total space devoted to advertising in a newspaper to 40 per cent. Such a ceiling combined with more equitable distribution (in monetary terms) of Government advertising will certainly go some way towards making the smaller newspapers more viable economically, and this in turn will minimise grievances about the burdens cast by regulation of wages in the industry.

6.10. One suggestion that has come up is that the Government should withhold or restrict certain facilities for which the industry is dependent on the Government in the case of establishments which fail to implement the wage orders.

Chapter VII

RECOMMENDATIONS

7.1. Industrial relations in the newspaper industry are far from satisfactory. Unionisation is generally poor, but even where there are strong unions, there is a communication gap between them and the managements. The primary need is to establish useful contacts between the two. Virtually no union of newspaper employees has been recognised by the employers. Even the all-India organisations of employers and employees do not have cordial relations. The following steps may help to improve the atmosphere and make bilateral settlement of disputes easier in the long run and ensure harmonious relations :

(a) The all-India organisations of both working journalists and non-journalist employees must be given recognition, as also the associated organisations or unions at State and plant levels. This can only flow from an agreement between the national organisations representing the two sides.

(b) The same procedures as are contemplated for recognition of unions in other industries may be adopted in the newspaper industry also.

(c) Permanent tripartite machinery for settlement of disputes in the industry may be set up at both national and State levels. This will make acceptance of the value of bilateral negotiation and settlement easier and speedier.

(d) By agreement between employers' and employees' organisations, plant level machinery comprising representatives of the respective unions and managements can be set up.

Once the two sides accept the above in principle, it may not be difficult to give statutory form to the machinery for direct negotiation.

7.2. The multiplicity of legal enactments covering newspaper establishments has led to differences in treatment of the different sections of employees which are not always just or justifiable. It is desirable to have a single piece of legislation covering all sections of newspaper employees—working journalists, press workers, and administrative staff. In such legis-

lation, the necessary special provisions may be incorporated in respect of categories like working journalists as in the present Working Journalists Act, relating to hours of work, notice, pay and certain essential facilities. Uniformity in respect of leave facilities, medical facilities, standing orders, etc, is desirable. Uniformity in hours of work may be difficult of enforcement in the short run in view of implications in monetary terms, but this should be the goal and first steps should be initiated in the suggested legislation to reduce the prevailing wide differences in this regard. The ultimate goal should be a six-hour day for all categories of newspaper employees.

7.3. Provision should be made in the proposed law for payment of gratuity to non-journalists on the same basis as for working journalists. This will not now mark a major departure, the wage award for non-journalists notified by the Government having accepted, such payment being made to all categories of newspaper employees on the same basis. What remains to be done is to incorporate suitable provision in the proposed comprehensive law for the newspaper industry, that is, giving it a statutory basis instead of leaving things in the air as at present.

7.4. The beginning made in the direction of rationalisation of wages and allowances and categorisation of employees in the industry is laudable and needs to be consolidated. Suitable machinery should be set up at national and State levels to go into complaints regarding categorisation from both employers and employees so that uniformity can be arrived at to the satisfaction of both sides on a scientific basis.

7.5. The creation of two Wage Boards for the industry—a statutory one for working journalists and non-statutory one for non-journalists—has led to needless complications and even tensions. In future it would be advisable to set up a single statutory authority for wage fixation in the entire industry in the whole country. Appropriate provision should be made in the proposed law on the same lines as in the present Working Journalists Act.

7.6. It has been found that a statutory wage award evolved after four years of labour can be stalled by employers going to court. The employers on the other hand complain that too heavy a burden has been cast on some newspapers. There is need to consider how to overcome such a situation. As wage boards essentially represent bipartite settlements with third party assistance, their awards should be made non-justi-

ciable. Insistence on unanimity will be to place a premium on non-co-operation. It may be necessary to reconsider the composition and procedures of such committees so that complaints and litigation after the awards are notified can be minimised. Employers' and employees' organisations represented on such boards should be made to undertake to get the awards implemented by their members and failure to do so should be made an offence inviting deterrent punishment.

7.7. Wage orders cannot be implemented fully and other disputes cannot be settled satisfactorily unless the relevant governmental machinery is geared up. The enforcement machinery particularly is inadequate. Few State Governments have been able to take speedy action to get the statutory award for working journalists implemented by the various newspaper establishments. While this lapse may not hurt well-unionised workers in the bigger establishments, the real sufferers are the employees of the small newspaper establishments. It is therefore necessary to set up a compact and swift-moving enforcement machinery in all States which will compel implementation not only of wage awards but also of agreements and awards given by industrial tribunals and labour courts.

7.8. The machinery for settlement of industrial disputes needs to be streamlined and made efficient and effective. The status and powers of conciliation officers should be raised, and a time-limit not exceeding six weeks should be fixed for conciliation proceedings to be completed and the report submitted, with copies to both sides. The time-lag between the conclusion of conciliation proceedings and reference of the dispute for adjudication should not exceed four weeks. And adjudication proceedings should not take longer than three months at the most. If for any reason these proceedings cannot be taken out of the purview of the High Courts and the Supreme Court for the time being, provision should be made to ensure final disposal of every dispute within a year of its commencement.

7.9. As the role of the conciliation officer is essentially one of using third party good offices to bring about a bilateral settlement, the tendency to bring professional lawyers into the picture and raise legalistic and technical arguments should be severely discouraged through Statute.

7.10. It must be made statutorily obligatory for managements to provide basic facilities for the functioning of the unions of non-journalist employees and working journalists.

7.11. There should be a specific provision in the law that any strike decision by unions over specific demands should be preceded by a strike ballot among the general body of workmen concerned.

7.12. The provision relating to the constitution of works committees has not worked well anywhere. At present the workers' organisations are suspicious of this kind of characterless machinery, while managements do not take the idea seriously. In the suggested single legislation for the newspaper industry, either the works committee's scope should be enlarged to make it a bipartite negotiating machinery between the workers' union and the management dealing with specific types of problems, or it should be dropped.

7.13. The contrast between the economic viability of the bigger newspapers and the difficult financial position of the smaller newspapers is glaring. The complaints about the burden cast by the awards of the two Wage Boards are in part a result of this situation. Among the major reasons for the inability of small and medium newspapers to improve their circulation and revenue speedily is the unequal competition they have to face from newspapers with huge resources, often from outside the industry itself. The Press Commission's suggestion for a price-page schedule was meant to correct this imbalance. Although the Supreme Court struck down the legislation brought in for this purpose, it appears necessary to enact the law again in the light of the report of the Small Newspaper Inquiry Committee, with necessary safeguards, so that the smaller papers may be enabled to build up circulation, thereby attracting a greater volume of advertisements, and become increasingly prosperous.

7.14. Allied to the question of price-page ratio, is that of the ratio between space devoted to news and comments and that given over to advertisements. The Press Commission wanted a ceiling of 40% space to be fixed for advertisements. Fixation of such a ceiling would make for more equitable distribution of advertisements, helping the small and medium newspapers to augment their revenue and making them more stable. Voluntary acceptance of a ceiling seems highly unlikely; on the other hand, any attempt at regulation is certainly to be resisted by the big newspapers and the interests associated with them. For the purposes of this recommendation as well as the earlier one (12), amendment of the Constitution may be necessary.

7.15 The pattern of ownership and control of newspapers is an important aspect that needs attention. The Press Commission in 1954 had suggested diffusion of ownership—for instance, by means of share-holding by employees—as a method for ensuring relative independence. The public trust form was also suggested, as well as co-operatives. As for the PTI, the only national news agency at that time, its conversion into a public corporation had been recommended. In view of complaints about the growth of concentration of ownership and about control of major newspapers by other industries, there is need to introduce forms of ownership which will obviate these evils. Such changes are also likely to make for better relations inside the industry and for a greater sense of participation among the employees.

Sd/- M. Chalapathi Rau	Chairman
P. L. Sondhi	Member
J. M. D'Souza	"
Sd/- C. N. Chittaranjan	"
Sd/-* A. R. Bhat	"
Sd/- J. P. Chaturvedi	"
T.V.R. Shenoi	"
Sd/- R. Shamanna	"
Sd/- V.R. Kulkarni	Member-Secretary

New Delhi

Dated 1st July, 1968.

*Subject to my note of Explanation/Dissent.

A NOTE OF EXPLANATION/DISSENT BY SHRI A.R. BHAT

While I am in general agreement with the approach of the Study Group to the problems of the press, I have reservations regarding some of the observations and recommendations.

2. A plea has been made for enacting one law called the Newspaper Employees (Conditions of service) and Miscellaneous Provisions Act which would govern the working conditions and prescribe retirement benefits etc., with special provisions for particular categories of employees. It is mentioned, "the ultimate goal should be a six-hour day for all categories of newspaper employees".

3. While I am not opposed to a single legislation regulating the conditions of service in the newspaper establishments, I feel that working hours and their spread-over in the case of the managerial staff and factory staff will have to be in conformity with those of business offices and the commercial printing presses respectively. The nature of work in different departments in a newspaper establishment differs and therefore forced uniformity would be undesirable. The Study Group has some awareness of this aspect and therefore it has stated that the process will have to be phased.

4. It is stated, 'as wage Boards essentially represent bipartite settlements with third party assistance their awards should be made non-justiciable'. A suggestion has also been mentioned, 'that the Government should withhold or restrict certain facilities for which the industry is dependent on the Government in the case of establishments which fail to implement the wage Orders'.

5. I am afraid, in the context of the major recommendations of the First Wage Board for Working Journalists and of the Second Wage Board for Working Journalists and the First Wage Board for Non-Working Journalist Employees of the Newspaper Establishments, it is not possible to support these suggestions. As already stated in

the report, the Supreme Court set aside the recommendations of the First Wage Board for Working Journalists, because the capacity of the industry to bear the burden had not been considered and the trouble with the implementation of the orders passed in the case of the recommendations of the Second Wage Board for Working Journalists and the First Wage Board for Non-working Journalists is similar. The latter Wage Boards themselves found that only 9 out of 33 newspapers, the effects on whose finances of the recommendations were studied by them, could bear their burden. It needs to be noted that an independent member of the latter Wage Boards, Shri P. Bramhayya, a reputed Chartered Accountant, dissented from the recommendations.

6. The economics of working of newspapers differs widely from that of other industries, in as much as the newspaper is a product that is sold much below its cost of production, in the determination of which the advertisement revenue plays a dominant part. Therefore, while fixing the rates of wages of newspaper employees, utmost care has to be taken that the revision and increases proposed do not have a crippling effect. Before arriving at a decision, the effect of the probable recommendation on the different classes of newspapers should be carefully assessed by employing some scientific statistical method. That was not done by the Wage Boards so far ; and therefore the trouble.

7. The awards could be made non-justiciable and even penalty imposed through withholding or restricting certain facilities for which the industry is dependent on Government, provided the Awards and Wage Orders have been made on the basis of agreement. Central Wage Boards in certain industries and State Minimum Wages Committees in certain employments have made unanimous, recommendations and given goodwill on both sides, this should be possible in the case of newspaper industry, also.

8. One point which is of vital importance but has not been dealt with in the report is the one of urgent need to increase productivity of employees and foster in them a sense of discipline. It is a matter of regret that while during the last few years there has been improvement in the service conditions and emoluments, there is deterioration in productivity and discipline among various sections of employees. As the associations and trade unions are making a strenuous effort to better their lot, it is equally their responsibility to

make a constructive effort to bring about increase in the productivity of employees and foster a sense of discipline in them. The employers also on their part should strive to develop cordial relations with their employees.

(Sd/.) A. R. Bhat