

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

CONTEMPT PETITION (C) NOS. 411, 570, 571 & 572 OF 2014, 33, 34, 38, 46, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 120, 121, 127, 128, 129, 131, 132, 133, 134, 149, 150, 151, 152, 153, 154, 155, 283, 284, 285, 286, 287, 288, 290, 291, D.Nos. 12967, 21713, 25425, 25424, 25423, 25427, 25426, 25583, 25577, 25581, 23904, 25578, 25579, 25431, 25432, 26077, 26256, 26078 & 25430 OF 2015 AND D.Nos. 8429, 18567, 20025, 23037 & 27528 of 2016

IN

WRIT PETITION (C) NO. 246 OF 2011

WITH

CONTEMPT PETITION (C) NO. 157, 158 AND 174 OF 2015

IN

WRIT PETITION (C) NO. 510 OF 2011

WITH

CONTEMPT PETITION (C) NO. 385, 450 OF 2014 AND 50 OF 2015

IN

WRIT PETITION (C) NO. 264 OF 2012

AVISHEK RAJA & ORS. ETC. ETC.

...PETITIONERS

-VERSUS-

SANJAY GUPTA ETC. ETC.

...RESPONDENTS

OFFICE- REPORT

It is submitted that the matters above-mentioned were listed before the Hon'ble Court on 23.08.2016 with office report dated 22.08.2016, when the Court was pleased to pass, *inter alia*, the following Order:

"...All contempt petitions in respect of establishments in Uttar Pradesh which have been reported by the Labour Commissioner, U.P. to have implemented the recommendations of Majithia Wage Board are also closed.

Office to verify and act accordingly..."

[copy of the order dated 23.08.2016 is enclosed herewith for perusal of the Hon'ble Court]

It is submitted that pursuant to the aforesaid order, certified copy of the order dated 23.08.2016 has been issued to all the concerned authorities/States for information and necessary action.

It is further submitted that as per Annexure 'A' of the compliance affidavit filed by Mr. Ravi Prakash Mehrotra, Advocate for the State of U.P. dated 28.04.2015 filed on 04.07.2016 says as follows:

| S.no. | Name of Newspaper | Whether recommendation of Majithia Wage Board implemented | Action taken by the Inspector | Remarks |
|-------|---|---|---------------------------------------|---|
| 1 | Dainik Jagran, Lucknow, Noida, Jhansi, Bareilly, Varanasi | N.A. | Prosecution launched dated 18.02.2016 | Few employees have denied having given option. Have |

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| | | | | been advised to file their claims u/s 17(1) |
| 2 | Jagran Prakashan Ltd., Moradabad, Meerut, Gorakhpur, Aligarh, Ghaziabad, Agra, Kanpur | N.A. | | Few employees have denied having given option. Have been advised to file their claims u/s 17(1) |
| 3 | Amar Ujala, Lucknow, Meerut, moradabad, Gorakhpur, Aligarh, Bareilly, Agra, Noida, Varanasi, Allahabad, Kanpur | Partially implemented | | As per agreement, arrears are being paid in 48 instalments with 5% bonus on total arrears |
| 4 | Bennett & Coleman Ltd., Lucknow | Not implemented | Prosecution launched dated 18.02.2016 | |
| 5 | Indian Express, Lucknow | Implemented | | |
| 6 | Indian Express, Noida | Partially implemented | Prosecution not launched due to compliance | |
| 7 | Aaj Gyan Mandal Ltd. Lucknow | Not implemented | | |
| 8. | The Pioneer, Lucknow | Partially implemented | | |
| 9. | Rashtriya Sahara, Lucknow, Gorakhpur, Varanasi, Allahabad | Not implemented | Prosecution launched | |
| 10. | Hindustan Media Ventures Ltd., Lucknow, Meerut, Moradabad, Aligarh, Bareilly, Noida, Varanasi, Allahabad, Kanpur | Implemented | | Employees are being paid more than the recommendation of Majithia Wage Board |
| 11 | Dainik Janwani Goodwin Media Ventur Pvt. Ltd. | Not implemented | Inspection note issued and prosecution filed before CJM, Meerut | |
| 12 | Subharti Media Ltd., Meerut | Not implemented | Prosecution launched | |
| 13. | Aaj Gyan Mandal Ltd., Gorakhpur | Not implemented | Prosecution launched dated 19.01.2016 | Prosecution sanctioned |
| 14 | Swatantra Chetna, Gorakhpur | Not implemented | Prosecution launched | Prosecution sanctioned |

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| | | | dated 19.01.2016 | |
| 15 | The Times of India, Ghaziabad | Not implemented | Prosecution launched dated 08.01.2016 | |
| 16 | Hind Publications Pvt. Ltd., Ghaziabad | Not implemented | Prosecution launched dated 08.01.2016 | |
| 17 | Shah Times Unit, Muzaffarnagar | Yes | Compliance | |
| 18. | Swaraj Times Dainik, Agra | Not implemented | Case filed CJM Court, Agra | |
| 19 | Sea Print Media, Agra | Not implemented | Case filed CJM Court, Agra | |
| 20 | Sach Ka Ujala, Agra | Not implemented | Case filed CJM Court, Agra | |
| 21 | Ujala, Agra | Not implemented | Case filed | |
| 22 | DLA Media Pvt. Ltd., Agra | Not implemented | Case filed | |
| 23 | Aaj Prakashan, Agra, Kanpur | Not implemented | Prosecution launched | |
| 24 | Aaj Prakashan, Kanpur | Not implemented | Prosecution filed u/s 18(1) | Rs. 2000 penalty imposed by CMM, Kanpur on 22.12.2015 |
| 25 | Nisha Naresh, Agra | Not implemented | Prosecution launched | |
| 26 | M/s. Sahara India, Noida & Kanpur | Not implemented | Prosecution launched | |
| 27 | Dainik Jansewa, Jhansi | Not implemented | Inspection note issued. Prosecution filed on 08.01.2016 | |
| 28 | Janta Union, Jhansi | Not implemented | Inspection note issued. Further action under process | |
| 29 | Jan Jan Jagran, Jhansi | Not implemented | Inspection note issued. Prosecution filed on 08.01.2016 | |
| 30 | M/s. Gyan Mandal, Varanasi | Not implemented | Inspection note issued. Prosecution filed | |

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| 31 | M/s. Gyan Mandal, Allahabad | Not implemented | Prosecution launched dated 14.10.2016 | |
| 32 | M/s. Gandiv Hindi Daily, Varanasi | Not implemented | Prosecution launched on 09.10.2015 | |
| 33 | Jan Sandesh Times, Varanasi | Not implemented | | |
| 34 | M/s. Allahabad Patrika Pvt. Ltd., Allahabad | Not implemented | Prosecution launched dated 14.10.2015 | |
| 35 | M/s. Daily News Activist, Allahabad | Not implemented | Prosecution launched dated 14.10.2015 | |
| 36 | M/s. United Bharat, Allahabad | Not implemented | Prosecution launched dated 14.10.2015 | |

It is further submitted that some of the advocates for the petitioners in contempt petitions pertaining to the State of U.P viz. M/s. Parmanand Pandey, D.K. Garg, Praveen Swarup, Satish Kumar and Rakesh Mishra have filed letters instead of filing affidavits, and Mr. R.P. Goyal, Advocate has given a report, stating therein that the recommendations of the Majithia Wage Board have not been implemented in respect of the contempt petitioners in the State of U.P. (copies of the letters are enclosed herewith and copy of report as a separate paper book is placed below).

It is further submitted that pursuant to the aforesaid order, following documents have been received:

| C.P(C) .N o. | Filed By (Adv.) | Filed on | Documents |
|-------------------------|------------------------|-----------------|--|
| 411/2014 | Chandra Prakash | 29.08.2016 | Affidavit on behalf of U.T. of Chandigarh |
| 411/2014 | Rajat Joseph | 08.09.2016 | Status report on behalf of State of Goa |
| 411/2014 | Ranjan Mukherjee | 15.09.2016 | Affidavit on behalf of State of Meghalaya along with application for condonation of delay |
| 411/2014 | M/s. Karanjawala & Co. | 15.09.2016 | Two separate affidavits on behalf of respondent- Hindustan Media Ventures Ltd. And HT Media Ltd. |
| 411/2014 | Ms. Pragati Neekhra | 23.09.2016 | Compliance affidavit on behalf of State of Himachal Pradesh |
| 411/2014 | Guntur Prabhakar | 23.09.2016 | Additional Affidavit on behalf |

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| | | | of Govt. Of Andhra Pradesh |
| 411/2014 | Ashok Kumar | 22.09.2016 | Compliance affidavit on behalf of State of Manipur |
| 411/2014 | Arjun Garg | 28.09.2016 | Report on behalf of State of Madhya Pradesh |
| 411/2014 | Rachna Srivastava | 29.09.2016 | Affidavit on behalf of State of Uttarakhand |
| 411/2014 | Chirag M. Shroff | 30.09.2016 | Additional action taken report on behalf of Labour Deptt., GNCT of Delhi |
| 411/2014 | Ajay Choudhary | 29.09.2016 | Additional affidavit on behalf of respondents on report filed by Labour Commissioner of Govt. Of Rajasthan, Gujarat, Madhya Pradesh and Chhattisgarh |
| 128/2015 | M/s. Karanjawala & Co. | 26.08.2016 | I.A. No. 1 - Application for directions |
| 411/2014 | Ravi Prakash Mehrota | 03.10.2016 | Affidavit on behalf of State of U.P. in compliance of order dated 23.08.2016 with permission of the Hon'ble Court |

Service of notice is complete.

The Contempt Petitions above mentioned are listed before Hon'ble Court with this Office Report.

Dated this the 3rd day of October, 2016.

ASSISTANT REGISTRAR

COPY TO:

Mr. P. George Giri, Adv.
Mr. Parmanand Pandey, Adv.
Mr. Abhinav Mukherji, Adv.
Mr. H. K. Chaturvedi, Adv.
Mr. Nitin Kumar Thakur, Adv.
Mr. Rajan K. Chaurasia, Adv.
Mr. Shekhar Kumar, Adv.
Mr. Praveen Swarup, Adv.
Mr. Satish Kumar, Adv.
Mr. Raj Singh Rana, Adv.
Mr. P.N. Puri, Adv.
Mr. Rakesh Mishra, Adv.
Mr. Milind Kumar, Adv.
M/s. Ajay Choudhary, Adv.
Mr. A. Raghunath, Adv.
Mr. Devashish Bharukha, Adv.
Ms. Anuradha Mutatkar, Adv.
Ms. Pragya Baghel, Adv.
Mr. Gautam Awasthi, Adv.
Mr. V.D. Khanna, Adv.
Mr. Birendra Kumar Mishra, Adv.
Mr. Ranjan Mukherjee, Adv.
Ms. Hemantika Wahni, Adv.
Mr. K. Enatoli Sema, Adv.
Mr. D.S. Mahra, Adv.
Mr. C.D. Singh, Adv.
Mr. V.G. Pragasam, Adv.
M/s. Arputham Aruna & Co., Adv.
Mr. Nitin Kumar Thakur, Adv.
Mr. Samir Alir Khan, Adv.
Mr. Chirag M. Shroff, Adv.
Ms. Rachana Srivastava, Advocate

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