

IN THE SUPREME COURT OF INDIA
CIVIL ORIGINAL JURISDICTION

INTERLOCUTORY APPLICATION NO. 1

(APPLICATION FOR DIRECTIONS)

AND

INTERLOCUTORY APPLICATION NO. 2

(APPLICATION FOR PERMISSION TO BRING ON RECORD ADDITIONAL FACTS)

IN

CONTEMPT PETITION (C) NO. 109 OF 2015

IN

WRIT PETITION (C) NO. 246 OF 2011

HARPAL SINGH & ORS.

...PETITIONERS

-VERSUS-

SANJAY GUPTA & ORS.

...RESPONDENTS

OFFICE- REPORT

It is submitted that the contempt petition above-mentioned was listed before the Hon'ble Court on 12.01.2016 along with other connected matters with office report dated 11.01.2015, when the Court was pleased to pass the following Order:

"Pursuant to the order of this Court appointing Inspectors under Section 17-B of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955, the Inspectors so appointed in respect of some of the States/Union Territories, namely, Bihar, Nagaland, Chhattisgarh, Sikkim, Chandigarh, Maharashtra, Jharkhand, Arunachal Pradesh, Andaman and Nicobar Administration, Govt. of Manipur, Jammu & Kashmir, Gujarat, Madhya Pradesh, Rajasthan, Punjab, Delhi, Uttar Pradesh, have iled their respective reports. The said reports would go to show that while recommendations of the Majithia Wage Board have been implemented in full by some of the establishments such implementation has been in part by other establishments whereas in the case of majority of the establishments the Majithia Wage Board recommendations remain unimplemented. There are certain other features, which are relevant to the subject matter, that are mentioned in the report of the Inspectors. A copy of the aforesaid reports be made available to the learned counsel for all the contesting parties by the Registry within a period of two weeks from today. The parties may file their respective response within a period of four weeks thereafter. Such of the States in respect of which report(s) has not been submitted may do so within the aforesaid period of six weeks and a copy of the said reports as and when filed will be made available by the Registry to all the contesting parties without there being any further order in this regard by the Court. Response(s) to the said report(s) may also be filed by the contesting parties before the next date of hearing.

It has been brought to our notice by the learned counsels for some of the contesting parties that in case of some establishments, details of which need not be specifically mentioned herein, employees have been retrenched/terminated and in respect of certain other establishments the employees have been forced/compelled to sign undertakings which were later on used as to make out declarations that the employees do not desire to be covered by the Wage Board recommendations. While the latter aspect of the matter is mentioned in the several reports of the Inspectors appointed under Section 17-B, the contesting parties will be at liberty to bring forward all materials in this regard and the establishments in question will, naturally, be at liberty to rebut/counter the said allegations.

List all these cases for further consideration after eight weeks."

It is further submitted that pursuant to the aforesaid order, Mr. Nitin Kumar Thakur has filed two applications seeking appropriate directions and seeking permission to bring on record additional facts, which have been registered as I.A. No. 1 and 2 respectively.

Service of notice is complete.

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

Dated this the 20th day of February, 2016.

ASSISTANT REGISTRAR

COPY TO:

Mr. Parmanand Pandey, Adv.
Mr. Nitin Kumar Thakur, Adv.
Mr. Birendra Kumar Mishra, Adv.

ASSISTANT REGISTRAR