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PART II

Statutory Notifications (S.R.O.)

GOVERNMENT OF PAKISTAN
MINISTRY OF INFORMATION AND BROADCASTING

NOTIFICATION

Islamabad, the 7th February, 2020

S.R.O. 219(I)/2020.—In pursuance of sub-Section (1) of Section (11) of the Newspapers Employees (Conditions of Service) Act, 1973, the Federal Government is pleased to publish the annexed decision of 8th Wage Board Award unanimously agreed upon by the 8th Wage Board for fixing the rates of wages in respect of newspaper employees.

[No. 4(5)/2018-P-II.]

ATHAR ZEB ABBASI,
Deputy Director.

(563)

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[5248(2020)/Ex.Gaz.]

DECISION OF THE 8TH
WAGE BOARD FOR
NEWSPAPER EMPLOYEES
CONSTITUTED UNDER
THE NEWSPAPER
EMPLOYEES (CONDITIONS
OF SERVICE) ACT, 1973
ALONGWITH SCHEDULES

**DECISION OF THE 8TH WAGE BOARD FOR NEWSPAPER
EMPLOYEES CONSTITUTED UNDER THE NEWSPAPER
EMPLOYEES (CONDITIONS OF SERVICE) ACT, 1973
ALONGWITH SCHEDULES**

INTRODUCTORY

Briefly put, the facts, forming factual canvass of these proceedings, are that the last (7th) Award under the Newspaper Employees (Conditions of Service) Act, 1973 (hereinafter, to be referred as "the Act") was announced on 7th October, 2001 by Justice (R) Raja Afrasiab Khan, as Chairman, 7th Wage Board for Newspaper Employees of Pakistan which was published in the Gazette of Pakistan on 25 October, 2001 but it could not be implemented due to prolonged litigation initiated by All Pakistan Newspaper Society (hereinafter to be referred as "APNS"). Finally, the petition filed by APNS was dismissed by the Hon'ble Supreme Court vide judgment, dated 19.11.2011, reported as **All Pakistan Newspaper Society v. Federation of Pakistan and others, PLD 2012 S.C 1.**

2. After culmination of litigation whereby the validity of 7th Wage Board Award was challenged, 8th Wage Board was constituted successively under the chairmanship of Justice (R) Syed Sakhi Hussain Bukhari, and Justice (R) Raza Khan, *vide* notifications dated 06.09.2013 and 06.06.2014, respectively but unfortunately, said Boards could not hold even a single meeting of the Board. Thereafter, 8th Wage Board was constituted under chairmanship of Mr. Shahid Mehmood Khokhar, Advocate *vide* notification dated 18.04.2018 but subsequently, his appointment was declared as illegal and unlawful by the Hon'ble Supreme Court on the ground of lack of qualifying age,

therefore, the said Board stood dissolved. Ultimately, *vide* Notification No.4(4)/2018-P-II dated 07.11.2018 issued by Federal Government of Pakistan in terms of Sub-section 2 & 3 of Section 9 of the Act, the undersigned was appointed as Chairman, 8th Wage Board for Newspaper Employees for a period of 180 days. Subsequently, through Notification No. 4(5)/2004-P-II, dated 26.11.2018, twelve members of the Board were nominated. The composition of aforementioned Board is stated as under:-

CHAIRMAN,

Justice Hasnat Ahmad Khan,
Former Judge Lahore High Court, Lahore

MEMBERS,

- i. Sahibzada Zulfiqar, Member Executive Council, Pakistan Federal Union of Journalists (PFUJ), Baluchistan, Quetta
- ii. Mr. Shafi Uddin Ashraf, Chairman, All Pakistan Newspapers Employees Confederation (APNEC) & General Secretary, Pakistan Herald Publications (Pvt) Ltd (PHPL) Employees Union, (Dawn Group) Sindh, Karachi
- iii. Mr. Bakhtzada Yousafzai, Daily Aaeen, Peshawar, KPK
- iv. Mr. Nasir Chishti, President, "Jang" Workers Union, Rawalpindi, Islamabad
- v. Mr. Shoaib-ud-Din, Deputy Chief Reporter, Nawa-e-Waqt, Lahore
- vi. Mr. Hameed Haroon, "Dawn Group"

- vii. Ms. Rameeza Nizami, "Nawa-e-Waqt" Group
- viii. Mr. Asif Zuberi, "Business Recorder"
- ix. Mr. Mujeeb-ur-Rehman Shami, "Daily Pakistan"
- x. Mr. Sarmad Ali, "Jang Group"
- xi. Mr. Ijaz-ul-Haq ("Express Group")
- xii. Mr. Muhammad Nawaz Raza, PFUJ ("Dastoor Group")

3. According to the afore-referred notifications, the term of the office of the Chairman and the Members was to start from the date of convening of 1st meeting of the 8th Wage Board.

BACKGROUND

- i.* On 28th September, 1954, Pakistan Press Commission was setup by Government of Pakistan. One of the terms of reference of the Commission was "to examine and make recommendations on the rates of pay and working conditions of the journalists". The Commission was headed by Justice (R) Khurshid Zaman as its Chairman. Further, eleven persons were nominated as members of the said Commission. It was reconstituted on 5th September, 1958 and Justice (R) H.B Tayyabi, an Ex-Chief Judge of the Chief Court of Sindh, was nominated as its Chairman and five gentlemen as its members.
- ii.* On 25th March, 1959, the Commission, after holding thorough deliberations, submitted its report, *inter alia*, recommending for enactment of a codified law to regulate the conditions of service of working journalists with specific reference to constitution of a Wage Board.

- iii.** In the meanwhile, Civilian Government was replaced with Martial Law regime. As a result, the day to day affairs of the country were being run on the basis of Ordinances, promulgated by the President and the Governors and the orders made by Chief Martial Law Administrator and the President.
- iv.** In recognition to the Commission's recommendations, the Central Government enacted the Working Journalists (Condition of Service) Ordinance, XVI of 1960 (hereinafter to be called as the "Ordinance") which was followed by the requisite Rules published on 24th May, 1960. Some of the recommendations made by the aforesaid Commission were incorporated in the Ordinance. To the extent of fixation of rates of wages in respect of working journalists, the Central Government was authorized to constitute a Wage Board, consisting of equal number of persons to represent employers in relation to newspaper establishments and working journalists. In pursuance of said provision, 1st Wage Board was constituted on 30th May, 1960. Justice (R) Sajjad Ahmad Jan, the then Judge of the High Court of West Pakistan, was appointed as its Chairman. Four members of said Board with equal representation from both employers and working journalists were also nominated.
- v.** After holding regular meetings of the Board and recording views of 124 persons, the Board was able to reach a unanimous decision on 31st December, 1960. It was published in Extra Ordinary Gazette of Pakistan dated 31st January, 1961. The salient feature of the said decision was

that life span of said decision was determined as five years with an observation that after expiry of said period the government may appoint fresh authority to revisit the remuneration of the journalists. Also, the Board gave wages structure for the journalists for the first time. It also laid down wage structure of dividing the grade into special grade, senior grade, junior grade-1 and junior grade-2 comprising different classes of the journalists. It would be also relevant to mention here that Rawalpindi, Lahore, Karachi and Dacca were declared as Metropolitan Centers while five important commercial centers of Peshawar, Lyallpur (now Faisalabad), Multan, Hyderabad and Chitagong were categorized as regional 'A' centers. The Board divided the newspapers in four categories, viz, Metropolitan 'A', Metropolitan 'B', Regional 'A' and Regional 'B'. Weekly periodicals were divided into two categories. News agencies were divided into three categories namely category 'A', category 'B' and category 'C'.

- vi.** The 1st Wage Board while making its decision drew comparison to the wages paid to Director of Press Information Department, the information officers in the Government Service, Education Department, news organization of Radio Pakistan, pay scale in civil servants of Pakistan and foreign and local commercial establishments.
- vii.** At this stage it would be worth mentioning that after creation of Pakistan, newspaper industry flourished and numerous papers grew up in the country like mushroom growth. In metropolitan and regional cities, the newspapers in local languages are also being published. With the passage of time,

electronic media started to function in Pakistan. Lately, the social media has also progressed. Unfortunately, trend of reading books has decreased to a large extent. Despite introduction and progress of electronic and social media, the business of print media is still flourishing. Though due to the competition with electronic media, social media and internet, the business of print media has been on decline to some extent but it cannot be said that the owners are suffering losses to the extent that they cannot pay reasonable salaries for the newspaper employees.

- viii.** At the time of 1st Wage Board Award, the law only regulated the Conditions of Service related to the working journalists but not to non-journalistic employees.
- ix.** As mentioned above the decision of 1st Wage Board was subject to review and revision after five years from the date of its enforcement by an authority that might be setup by the central government in that behalf. Thereafter, a report was given by the Fact Finding Committees, formed by the Governments of East and West Pakistan. The committee recommended that Award would be revised at the end of the calendar year 1965. With regard to the implementation of the Award, the committee identified that the implementation of the Award was either totally nil or extremely unsatisfactory inasmuch as except a few prosperous/affluent newspapers none else followed the same. Soon after, the journalists started demanding for the revision of their wages and in order to force the government to do so, they decided in March, 1969 to go on strike. However, Martial Law was once

again proclaimed on 25th of March, 1969. By Martial Law Regulation 18, the strikes and lockouts were prohibited. So the journalists had to give up their proposed strike.

- x.** On 25th April, 1969, West Pakistan Government constituted the 2nd Wage Board with the composition of eight members with Justice (R) Sajjad Ahmad Jan, as its Chairman who, later on, resigned and was replaced by Justice (R) A.S Faruqui, as the Chairman on 17th October, 1969. After giving Interim Relief in December, 1969, the Chairman resigned on 1st day of February, 1970 and was succeeded by Justice (R) S.M Shafi who was appointed as Chairman of 2nd Wage Board on 5th March, 1971. This was the time when Pakistan was passing through a most difficult time. India had already started its nefarious Military activities to separate/ disintegrate East Pakistan from West Pakistan and was threatening West Pakistan with an attack. It actually attacked West Pakistan on the 3rd of December, 1971.
- xi.** At the relevant time, Working Journalists Wage Board was a provincial subject, the actual control remained with the Central Government. After separation of East Pakistan from us West Pakistan was dissolved and instead of one province four news provinces were constituted.
- xii.** The working journalists as well as the newspaper proprietors were anxious that the affairs of the working journalists should be taken over by the Central Government so that the condition of their service should be uniform in all the four provinces. In this backdrop, the aforesaid Ordinance was replaced with the Newspaper Employees (Conditions of

Service) Act (No. LVII) of 1973. Under Section 24(1) of the said Act the Ordinance was repealed but under the deeming clause provided Under Section 24(2) the rules framed under the Ordinance are still in force. Under this Act, it is the duty of Federal Government to constitute a Wage Board for fixation of rates of wages in respect of not only journalists working in the newspaper industry but also all other employees in the industry. The definition of the expression "Newspaper Employee" *vide* clause (d) of Section 2 of the Act, is reproduced as under:-

"newspaper employee" means any person employed to do any work in, or in relation to, any newspaper establishment and includes –

- (i) a whole time journalist, including an editor, leader writer, news editor, feature writer, reporter, correspondent, copy tester, cartoonist, news photographer, calligraphist and proof-reader; and
- (ii) a whole time non-journalist, including a manager, clerk, stenotypist, printing engineer, linotype, operator, composer, type-seller, photo studio attendant, printing worker, an accountant and an office peon".

xiii. Under the said Act, a Wage Board was constituted on 11.09.1973 and Justice (R) S.M Shafi was again appointed as Chairman of said Board.

xiv. During the proceedings of 2nd Wage Board, the employers and employees were unable to come to any agreement, therefore,

the Chairman had to formulate Award himself on 8th June, 1974.

- xv.** Third Wage Board was constituted *vide* Notification dated 24th January, 1979 with Justice (R) Muhammad Munir Faruqui, as its Chairman alongwith four members representing the employers and an equal number representing the newspaper employees. The Board was reconstituted on 6th June, 1979 and it announced interim relief on 5th August, 1979. The Board failed to give Award within statutory period, therefore, the Board was constituted afresh with the same personnel on 3rd December, 1979. The decision/Award was given by said Board on 25th May, 1980 which was published in the Gazette of Pakistan, Extra Ordinary, dated 28th June, 1980 and made effective from 15th April, 1980.
- xvi.** The 4th Wage Board was constituted on 4th October, 1984 with Justice (R) Fazal-e-Mehmood as its Chairman with twelve members out of them six were representing the newspaper employees and the other six representing the employers. The Board could not finalize the Award within statutory period, therefore, Federal Government reconstituted the same Board on 2nd April, 1985. The Board gave final decision on 28th September, 1985 and through schedule-I attached therewith the newspaper employees were classified in 8 Grades.
- xvii.** The 5th Wage Board was constituted on 20th July, 1989 *vide* Notification No. SRO(1)/89. It was reconstituted on 20th December, 1989 with composition of Justice (R) Agha Ali

Hyder, as its Chairman with 14 members; seven representing the newspaper employees and the other seven representing the employers. The Board finalized the report and gave its decision on 18th December, 1990. On the point of fitment, decision of said Board was made in paragraph No.77. In clause-ii of said paragraph, it was observed as under:-

"(ii) Any Employee who reaches the maximum stage of his pay scale applicable to the grade, after completion of one year's satisfactory service shall automatically move over to the next higher grade, fixing his pay at such stage as falls next above his existing pay in the lower grade".

xviii. And in clause (iii, iv & v), it was decided as under:-

"(iii) The pay of an employee promoted at the discretion of his Employer to fill up a vacancy in the higher grade shall be fixed at such stage of the higher pay scale as falls next above the pay last drawn by him in the lower grade.

(iv) Annual increment shall be allowed on the 1st day of July every year to such employees, as have rendered, till that date, six months or more service at a particular stage of a pay scale, Employees who have not rendered at least six month's service till that date, may get their next increment on the 1st day of July of the succeeding year.

(v) If any employee considers that the scheme of new pay is not advantageous to him, he shall have the option to retain his title to draw his pay and increment in the existing pay scales.

ix. While dealing with point of fringe benefits, the said Board in addition to basic pay allowed the following benefits to the employees:-

- i. General Transport Allowance
- ii. A Night Transport Allowance
- iii. Local Travelling Allowance
- iv. Outfit Allowance
- v. Washing Allowance
- vi. Charge Allowance
- vii. Wages for Piece Work etc
- viii. Hill Allowance
- ix. House Rent Allowance
- x. Car Allowance to Editor plus Petrol Allowance and Pension @ 42.5% of last drawn basic salary.

xx. The 6th Wage Board was constituted on 18th August, 1994, subsequently, it was reconstituted on 23rd October, 1994 with formation of Justice (R) Zia Mehmood Mirza, Judge Supreme of Pakistan as he then was, its Chairman with eighteen members; nine representing the newspaper employees and the other nine representing the employers. The Board announced the Award on 13th March, 1996 and it was published in the Gazette of Pakistan on 14th March, 1996.

xxi. The 7th Wage Board was constituted on 19th June, 2000 comprising Justice (R) Raja Afrasiab Khan, Former Judge of Supreme Court, as its Chairman

with ten members out of them five representing the newspaper employees and the other five representing the employers. It granted Interim Relief U/s 16(1) of the Newspaper Employees (Conditions of Service) Act, 1973 in the following terms:-

- (i) For all newspapers in category Metropolitan 'A':-
 - (a) Grade Special & above Rs.2000 Per month
 - (b) Grade I to IV Rs.1600 Per month
 - (c) Grade V to VIII Rs.1100 Per month
- (ii) All newspapers in category/Metropolitan 'B' shall pay at the rate of 50 percent of that fixed in respect of category Metropolitan 'A' above.
- (iii) All newspapers in category Regional shall pay at the rate of 35 percent of that fixed category Metropolitan 'A' above.
- (iv) All news agencies in category 'A' shall pay at the same rate as allowed in respect of newspapers in category Metropolitan 'A' above.
- (v) All news agencies in category 'B' shall pay at the rate of 50 percent of news agencies in category 'A'.

It is clarified that:-

- (a) This decision of interim increase in wages shall take effect from 1st November, 2000.
- (b) The rates of wages fixed hereby are on *ad-hoc* basis.
- (c) The interim increase in rates of wages according to this decision would be subject to adjustment by the final decision of the Board.

(d) That the incumbent of the post of Director-General in the Associated Press of Pakistan will be deemed to fall in the special grade in the present context.

(e) The award of the 6th Wage Board except to the extent referred to above shall remain in force till final decision of this Board under section 11 (2) of Act (No.LVIII) 1973.

xxii. It gave its final decision on 7th October, 2001 whereby 50% increase in the cost of living was treated as edifice for the increase in wages of the workers. According to the said decision, the other benefits were also to be increased on said formula.

xxiii. As stated above, the said Award was challenged by APNS before Superior Courts of the country. The petition filed by APNS was ultimately dismissed by Hon'ble Supreme Court of Pakistan vide judgment dated 19.11.2011. During the pendency of said prolonged litigation, the 7th Wage Board Award remained inoperative. As per decision of the 1st Wage Board, the 8th Wage Board had to be constituted after five years of passing of 7th Wage Board Award but due to pendency of aforesaid litigation before Hon'ble Superior Courts including Supreme Court of Pakistan the 8th Wage Board was constituted on 06.09.2013. Though the 8th Wage Board was constituted thrice but could not make material progress. Ultimately, constitution of present 8th Wage Board, was completed on 26th November, 2018 with the nomination of members of the Board. The Board was reconstituted vide Notification No.4(4)/2018-P-II, dated 8th February, 2019 whereby earlier Notification No.4(5)2004-P-II, dated 26th

November, 2018 was partially modified after deleting names of late Mr. Shafi-ud-Din Ashraf and Mr. Ijaz-ul-Haq ("Express Group"). Former had died even before holding first meeting of the Board whereas name of Mr. Ijaz-ul-Haq ("Express Group") was deleted on the protest of employers' members. Consequently, the following Board was reconstituted:-

CHAIRMAN,

Justice Hasnat Ahmad Khan
Former Judge Lahore High Court

MEMBERS,

- i. Sahibzada Zulfiqar, Member Executive Council of Pakistan Federal Union of Journalists (PFUJ), Baluchistan, Quetta
- ii. Mr. Bakhtzada Yousafzai, Daily Aaeen, Peshawar, KPK
- iii. Mr. Nasir Chishti, President, Jang Workers Union, Rawalpindi, Islamabad
- iv. Mr. Shoaib-ud-Din, Deputy Chief Reporter, Nawa-e-Waqt, Lahore
- v. Mr. Hameed Haroon, Dawn Group
- vi. Ms. Rameeza Nizami, Nawa-e-Waqt Group
- vii. Mr. Asif Zuberi, Business Recorder
- viii. Mr. Mujeeb-ur-Rehman Shami, Daily Pakistan
- ix. Mr. Sarfraz Ali, Jang Group
- x. Muhammad Nawaz Raza, PFUJ (Dastoor Group)

xxiv. The initial period fixed by the Government of Pakistan for announcement of Award was to expire in the week commencing 24th June, 2019, the Board in its meeting held on 8th May, 2019 at Karachi unanimously resolved that Federal Government be requested for extension of time by way of reconstitution of same Board for completion of the process of Final Award. In light of said decision, the undersigned wrote a letter dated 22nd May, 2019 to the Federal Government for doing the needful. Resultantly, the Federal Government instead of reconstituting the Board extended its tenure of further 120 days vide Notification No. 4(4)/2018-P-II dated 21st August, 2019.

PROCEEDINGS CONDUCTED BY THE PRESENT BOARD

4. The first meeting of the Board was held at Islamabad on 27th December, 2018. The members representing the employers did not opt to attend the said meeting. It would be relevant to mention here that even before holding first meeting of the Board, Mr. Shafi-ud-Din Ashraf, one of the learned members representing the employees, unfortunately passed away. Consequently, in the light of decision taken by the Board, vide letter dated 2nd January, 2019 Government was asked to nominate fresh member.

5. In the first Meeting, the employees' members were allowed to submit charter of their demands in terms of Section 10 of the Act. However, the employers' members stayed away from attending the aforesaid meeting.

6. The second meeting of the Board was held at Lahore on 10.01.2019 but once again the employers' members did not attend the meeting on the pretext conveyed by Mr. Sarmad Ali, one of the learned members representing the employers, that a letter had been written to the Secretary Information, Government of Pakistan raising certain objections/issues. In the said meeting, the members representing the employees submitted memorandum on interim relief alongwith supporting documents. Learned members representing employees pressed hard for announcement of interim relief immediately but the request was not acceded to. On the request of the learned members of the Board, next meeting was scheduled to be held after a fortnight instead of next week holding it on weekly basis.

7. Third meeting of the Board was held on 24.01.2019 at Islamabad but once again none of the members representing the employers attended the meeting. As a matter of fact, they refused to attend the meeting on the ground of their boycott of the Board mainly on the ground of inclusion of name of Mr. Ijaz-ul-Haq (Express Group) as one of the members of the Board. Consequently, in view of rule, 5(2) of Working Journalists (Wage Board) Rules, 1960, it was resolved in the meeting that matter of failure of attendance of the employers' members be brought to the notice of the Government for necessary action. Further, the employees' members prayed for time to supplement their claim of interim relief through further documents. In the meanwhile, the employers' members were provided another opportunity to defend the prayer for interim relief by submitting their reply to the memorandum of interim relief.

8. Fourth meeting was scheduled to be held at Islamabad on 18.02.2019 but Mr. Sarmad Ali, one of the learned members of the Board, through a Whatsapp message dated 14th February, 2019 requested for rescheduling of the meeting on 26th February, 2019 or thereafter. Since local holiday was declared in Islamabad on 18.02.2019, the meeting of the Board was rescheduled to be held at Lahore on 26.02.2019. Upon the assurance of the undersigned that the proceedings of the Board shall be conducted according to the settled norms the members representing the employers, who earlier kept themselves away, participated in the meeting under discussion. Thereafter, the formal meeting started on said date. During the formal meeting, a letter dated 26.02.1989 written and signed by Mr. Hameed Haroon, one of the learned members as President of APNS containing certain proposals for holding affective meetings of the Board was placed on record. At the very outset of said meeting, the Chairman welcomed participation of the members representing the employers in the meeting of the Board. The meeting went well in a cordial atmosphere.

9. Copies of the memorandum on interim relief were delivered to the employers' members respectively for their written reply. In order to reach a consensus on the matter of interim relief, a four member sub-committee was formed and tasked to do the needful.

10. Further, during the proceedings of the said meeting Mr. Sarmad Ali disclosed about the letter dated 28th December, 2018 addressed by him to Secretary Ministry of Information and Broadcasting raising certain issues/concerns including the manner of

nomination of members representing the employers as well as communication dated 7th February, 2019 addressed by Mr. Sarmad Ali to Secretary of the Board complaining failure of Government to respond letter dated 28th December, 2018.

11. Fifth Meeting of the Board was held at Peshawar on 14th March, 2019. In said meeting an additional memo of interim relief was placed on record by Mr. Nasir Chishti, one of learned members representing the newspaper employees whereupon the other side was asked to submit reply to the memo of interim relief before or on 25th March, 2019. The needful was done on 25th March, 2019.

12. Sixth meeting of the Board was held on 2nd April, 2019 at Islamabad. In said meeting consensus on major points relating to interim relief was developed between the parties.

13. Seventh meeting of the Board was held on 10th April, 2019 at Islamabad. In said meeting order of interim relief was passed in favour of Newspaper Employees (hereinafter to be referred as "the employees") and copies of said order alongwith the unanimous agreement signed by both the parties were sent to the relevant quarters for due publication in the official gazette.

EMPLOYEES' MEMORANDUM OF DEMANDS

14. At this stage, I would like to refer the memorandum on interim relief presented on behalf of the employees before the Board. In the said memo, it was claimed by the employees' members that the last Award i.e. 7th Wage Board was notified in the year 2001 and became effective from 1st July, 2000 but the employees had been getting salaries as determined by the said Wage Board in the year

2001, almost 18 years before the constitution of the present Board. It was further claimed in the said memo that it was necessary to immediately redress the miseries being faced by the workers at the hands of a galloping rate of inflation which had spiked the cost of living beyond the means of newspaper workers. For seeking interim relief, certain points were raised in the said memo which are reproduced hereunder:-

"1. The inflation rate during the preceding period has gone up by 364.93%. (A copy of inflation rate is attached herewith as Annexure 'A').

2. The Bullion has also gone up by 951.11% (A copy of the Bullion rates is attached as Annexure 'B').

3. The prices of food items over the last 17 years have increased by 327% (Commodity Comparative Rates are hereby annexed as Annexure 'C').

4. Rent of houses during this period has gone up manifold. There is no official applicable figure for house rents, but some relevant facts need to be taken into account. In the first place, wage earners belonging to newspaper industry live in the urban centre where house rents have escalated. Then, there is the practice of paying at least one year's rent in advance, which erodes the already meagre cash resources. In fact, a wage earner loses one month salary by way of interest on mobilizing one year advance. Not only the house rent has escalated a lot, but it is also increased by 10% each year due to escalating prices of their houses. Even though, under the prevailing law, a house owner is authorized to increase the rent by 10% every three years. Thus, escalation in this respect will continue in future also.

5. The cost of education during the period has gone up by about 450%. Admission fee of Play Group has been increased at least 10 times. In return, the education which these schools impart is far from satisfactory. Besides, there are not enough Government run educational institutions to provide administration to all the children with the result

that the parents have to get their children admitted to private institutions. These institutions charge much higher fees and raise at least 10% annually. Therefore, most of the people belonging to the newspaper industry prefer to send their children to private schools in which fees have gone up by about 450% in the last 18 years. Besides, the cost of books and exercise books, even pen and pencils, have gone up by about 300% in this period.

6. During the same period, the government has increased the power and gas tariffs multiple times.

7. Due to acute shortage of electricity, the people of Pakistan generally face 8-12 hours of load shedding which has compelled them to buy and maintain generators and UPS which is an added expenditure. Newspaper employees are no exception on this count.

8. Finally, during the period under review, transport charges have also gone up massively and the vanishing public transport facilities in terms of bus and mini bus routes, commuters are forced to opt for ride-hailing service".

15. After giving the aforementioned detail of inflation rate etc., the employees' members demanded/proposed the rate of interim relief as under:-

Editor Grade.....	Rs.30,000/-
Special Grade.....	Rs.25,000/-
Grade I to IV.....	Rs.22,000/-
Grade V to VIII.....	Rs.20,000/-

16. Rate of interim relief in respect of category Metropolitan B, category Regional A and category Regional B was demanded at the rate of 50%, 35% and 30% respectively of that fixed in respect of category Metropolitan A. Alongwith the said memo, supporting

documents alongwith proposed structure of salaries was also attached.

17. Subsequently, the additional memo of relief, dated 26th February, 2019, submitted by the members representing the employees alongwith supporting documents was filed to strengthen their claim. In the meanwhile, the undersigned sought report from Finance Division about data relating to increase in cost of living and inflation rate from October, 2001 to till 30.01.2019 (the date of letter written by the undersigned). In response whereof, Deputy Finance Advisor (I&B) submitted his report dated 12.02.2018 to the following effect:-

"So for as civil servants are concerned, the Government announces reliefs to cover cost of living from time to time in shape of Ad-hoc Relief Allowances. Ad-hoc Relief Allowances allowed from 2001 to 2017 have since been merged in basic pay scales, 2017. Based on this information, the Federal Government has enhanced the basic pay of the civil servants by 382% (approximately) from 2001 to 2017. In addition Ad-hoc Relief Allowance, 2017 and 2018 have also been allowed at the rate of 10% each."

(Emphasis provided)

18. Similarly, in response to letter addressed to Pakistan Bureau of Statistics, a report dated 11th February, 2019 submitted by said Bureau was received by the undersigned. Concurrent analysis of the said report showed that cost of living had increased by more than 370% from October 2001 to February, 2019.

19. It would be relevant to point out here that on 09.12.2019 the learned members representing the employees submitted another memorandum seeking 325% increase in the wages of the newspaper employees.

REPLY OF EMPLOYERS TO THE EMPLOYEES'
MEMORANDUM

20. In the reply submitted by Mr. Sarmad Ali, Secretary General, APNS to memo of interim relief, it was *inter alia* averred that the members representing the employers are not supposed to sit in the Wage Board as adversaries to the representatives of Newspaper Employees rather they sit as a part of Wage Board, therefore, their first and foremost duty is to facilitate decision of the matter before them in a fair and objective manner; that the memorandum should not have been submitted by the members of the Wage Board representing Newspaper Employees rather it should have been submitted by the Employees (e.g) through their unions; that the Wage Board should send notices to All Newspaper Establishments before giving interim or Final Award; that the manner in which the Act of 1973 has been interpreted and is being implemented is unconstitutional inasmuch as the newspaper industry remain the only private industry in Pakistan in which the wages of every category of employees is fixed. On merits, it was submitted that in the given circumstances there is no need to give Interim Relief inasmuch as the establishment of Daily "Dawn" has already increased the salaries of the employees to the tune of 182% whereas, the establishment of the "Jang Group" has increased the salaries of its employees to the tune

of 249%; likewise, "Business Recorder" has increased the salaries to the tune of 356%; that quantum of increase sought by newspaper employees, through an Interim Relief, is unjustified; that according to the PBS, the C.P.I has increased by 262% from 2000 to 2018, therefore, the demand of the employees of Interim Relief is unjustified; that Dawn's capacity to pay wages in March, 2019 is less than as compared to July, 2001; that newspaper establishments do not have capacity in the present environment to bear the type of increase in wages which the newspaper employees are demanding. However, in paragraph No.36 of the reply, it was admitted that the employees are also facing difficulties due to rising inflation in Pakistan but according to APNS the solution to the said situation does not lie in a dramatic escalation in wages as it would lead to closure of more newspapers and further layoffs and those persons who are gainfully employed would be unemployed.

20. In paragraph No.35 (i) of said reply it was stated as under:-

"Given that newspaper employees are asking for 199% increase in wages (as notified in the 7th Wage Board Award) in the final 8th Wage Board Award and newspaper establishments have already given a 182% to 356% increase in Wages and emoluments up to 1 July, 2018, there is no requirement or justification for an Interim Award at this stage".

21. Vide an unnumbered Annex the employers' members/APNS proposed interim relief (with 40.5% increase over 7th Wage Interim Relief as under:-

Grade	Interim Relief
Editor	Rs.2800/-
Special Grade	Rs.2800/-
I-IV	Rs.2200/-
V-VII	Rs.1500/-

22. After a lengthy discussion spanning five (5) hours, in Islamabad on April 10, 2019, both the parties ultimately arrived at a consensus on the issue of interim relief through a deed duly signed by them and recorded separately, according to which they agreed to Interim Relief in favour of newspaper employees. The said agreement is reproduced as under:-

“No:I(1)/2019-CWB
April 10, 2019

Islamabad:

**UNANIMOUS AGREEMENT OF THE PARTIES ON THE
ISSUE OF INTERIM AWARD**

1. In the meeting of 8th Wage Board held on 2nd April 2019 under the chairmanship of Mr. Justice Hasnat Ahmad Khan in the Press Information Department, Islamabad, following members participated:-

- | | | |
|------|---------------------------|--|
| i. | Mr. Hameed Haroon | (President APNS & CEO Dawn Group) |
| ii. | Mr. Sarmad Ali | (Secy General APNS and MD Jang Group) |
| iii. | Mr. Asif Aziz Zuberi | (Publisher & Director Business Recorder) |
| iv. | Mr. Nasir Chishti | (Daily Jang) |
| v. | Mr. Bakhat Zada Yousafzai | (Daily Aeen, Peshawar) |
| vi. | Mr. Shoaib Uddin | (Member of PFUJ (Workers)) |
| vii. | Mr. Muhammad Nawaz Raza | (President PFUJ (Dastoor)) |

- viii. Mr. Shahzada Zulfiqar (Member Executive council of PFUJ, Baluchistan)
2. After a marathon discussion on the issue of interim relief/award for newspaper employees among all the members of the Board, a general consensus regarding most of the terms for issuance of interim award was developed between the parties. However, due to paucity of time, the draft of agreement could not be finalized. Besides it, the employers' representatives sought some time to submit some terms of the agreement in the written form in the next meeting of the Board.
3. In the meeting held today, we have agreed to passing of unanimous interim award in the wages of the Newspaper Employees in terms of section 16 of The Newspapers Employees (Condition of Service) Act, 1973 to the following effect:-
- i) For all Newspapers in category Metropolitan "A"
- | | | |
|----|--------------------------------|-----------------------|
| a) | Grade Special and above | Rs: 8,500 p.m. |
| b) | Grade I to IV | Rs: 6,500 p.m. |
| c) | Grade V to VIII | Rs: 5,000 p.m. |
- ii) All **Newspapers** in category **Metropolitan 'B'** shall pay at the rate of **50%** of that determined for category **Metropolitan 'A'** above.
- iii) All Newspapers in category **Regional** shall pay at the rate of **35%** of that fixed for category **Metropolitan 'A'** above.
- iv) All **News Agencies** in category **'A'** shall pay at the same rate as allowed in respect of Newspapers in category **Metropolitan 'A'** above.

- v) All News Agencies in category 'B' shall pay at the rate of **50%** of the News Agencies in category 'A'.
- vi) The decision of interim increase in wages shall take effect from 1st February 2019.
- vii) The rates of interim increase in wages of Newspaper Employees per above consensus would be subject to adjustment in the final award of the Board.
- viii) The incumbent of the post of Managing Director in the Associated Press of Pakistan will be deemed to fall in the category of Special Grade.
- ix) All newspapers will pay interim relief through adjustment of any existing bilateral interim reliefs or provisional payments designed to adjust interim relief. The balances, if any, will be paid as required.
- x) In case the relief already granted by the newspaper establishments, covered by this interim award/decision, is in excess of the relief granted hereby, the said establishments shall continue to pay the said excess interim relief in future irrespective of the instant interim award.
- xi) The award of 7th Wage Board, except to the extent decided hereby, shall remain in force until a final decision/award of the 8th Wage Board under section 11(2) of The Newspaper Employees (Conditions of Service) Act, 1973.
- xii) All the newspaper establishments, whether member of APNS or not, shall pay the interim relief granted in the light of decision made on the agreed formula.
- xiii) That the Federal as well as Provincial Governments, and other semi government establishments, shall ensure that the advertisement

are only issued to the newspapers establishments which implement the decisions of the Wage Board.

xiv) It is recommended that the Federal and Provincial Government should increase the basic advertisement rate in accordance with the increase in CPI rate.

xv) It has been agreed between the parties that the Chairman of the 8th Wage Board would recommend strongly for the payment of outstanding dues of the advertisements to the newspaper establishments by the Federal and Provincial Governments in accordance with law/rules before the end of current fiscal year.

Employers' representative

Employees
representatives

Sd/-

Mr. Hameed Haroon
(President APNS &
CEO Dawn Group)

Sd/-

Mr. Nasir Chishti
(Daily Jang)

Sd/-

Mr. Sarmad Ali
(Secy General APNS
& MD Jang Group)

Sd/-

Mr. BakhatZada Yousafzai
(Daily Aeen, Peshawar)

Sd/-

Mr. Mujeeb-ur-RehmanShami
(CEO Daily Pakistan)
(Workers)]

Sd/-

Mr. Shoaib Uddin
(Member of PFUJ)

Sd/-

Mr. Muhammad Nawaz Raza
(President PFUJ (Dastoor)

Sd/-

Mr. Shahzada Zulfiqar
(Member Executive council of PFUJ, Baluchistan)

23. It appears that announcement of interim relief brought about a sigh of relief amongst the newspaper employees.

24. After announcement of interim relief/decision, it was resolved by the Board to decide the agenda for conducting proceedings for passing Final Decision/Award. Consequently, it was decided that the next two back to back meetings of the Board would be held in Quetta and Karachi on 19th and 20th April, 2019 respectively. Mr. Sarmad Ali, one of the learned members, agreed to provide list of owners of non-APNS Newspaper Establishments, so that notices may also be issued to them. It was further decided that both the parties will produce their respective witnesses belonging to the said stations and nearby regions. It was also resolved that in order to save time, instead of recording examination-in-chief of the witnesses intended to be produced by each party, they will produce affidavits of said witnesses, besides ensuring their attendance for cross examination by the other side. Moreover, it was resolved that the sub-committee of the Board will unanimously propose the name of the Wage Advisor for the requisite advice.

25. Due to some unavoidable circumstances, eighth (8th) meeting of the Board scheduled to be held in Quetta, was convened at Karachi on 19th April, 2019. In response to the notices issued to non-APNS owners of the Newspapers, only two persons namely Mr. Riaz Ahmad Arain and Mr. Danish Mehmood Siddique owners of "Weekly Moqadam News, Nawab Shah" and "Daily Sindh Bulletin Hyderabad", respectively, appeared before the Board and made their statements without oath. Mr. Riaz Arain lamented the non-issuance of any advertisement to his weekly for the last 10 years that, according to

him, caused lot of financial problems to the said weekly. He added that he had employed 11 workers and 14 correspondents for publication of said weekly; that circulation of said weekly was not more than 2000 and that his weekly was on central media list. He complained that despite payment of fees to APNS, the latter has not given membership to his weekly. However, he admitted that CPNE has given temporary membership to his weekly. Dr. Danish Mehmood Siddique, owner of Daily "Sindh Bulletin Hyderabad" stated that newspaper owners were facing financial difficulties. He complained that despite deposit of requisite fees his paper was not being given any share in the newspaper advertisements. Thereafter, statements of five witnesses produced by members representing the employees were recorded.

26. Ninth meeting of the Board was held on 20th April, 2019, wherein statements of 18 witnesses, produced by members representing the employees, were recorded. Since the evidence intended to be produced at Karachi could not be completed, therefore, it was decided that two more consecutive meetings would be held at Karachi on 9th and 10th of May, 2019 respectively. However, later on, the meetings were rescheduled to be held on 8th and 9th of May, 2019.

27. In the tenth meeting held on 8th of May, 2019, despite issuance of notices to non-APNS newspapers through different modes none of them opted to appear before the Board.

28. Note: Dr. Khattak failed to turn up on said date, however, later on, he posted some suggestions to the Board vide application/letter dated 27th May, 2019, image whereof is pasted as under:-

تاریخ: 27 مئی 2019ء

جناب چیئرمین صاحب

8 واں ویج بورڈ۔

جناب عالی!

میں آپ کا انتہائی مشکور ہوں کہ آپ نے مجھے 8 ویں ویج بورڈ کے کراچی میں منعقدہ حالیہ اجلاس میں شرکت کرنے کی اجازت دی، جس میں میں نے اپنی معروضات پیش کیں تو آپ نے حکم دیا تھا کہ میں وہ معروضات تحریری طور پر آپ کو ارسال کروں۔

لہذا میری یہ معروضات تحریری طور پر حسب ذیل ہیں:

1. 8 ویں ویج بورڈ کی تشکیل اور بورڈ کے چیئرمین کی تقرری پر آپ کو مبارکباد دیتے ہوئے اپنی تجاویز پیش کرنے سے قبل آپ کے توسط سے بورڈ سے یہ درخواست ہے کہ ویج بورڈ اپنے اجلاس کے ساتھ حکومت پاکستان کو حسب ذیل دو (2) سفارشات ضرور پیش کرے تاکہ ویج بورڈ پر حقیقی معنوں میں عمل ممکن ہو اور اخباری کارکنوں اور صحافیوں کے معیار زندگی میں اضافہ ہو۔
2. سٹارش نمبر (1): ویج بورڈ اپنے فیصلے کے ساتھ وفاقی حکومت اور تمام صوبائی حکومتوں کو یہ مشورہ بھی دے کہ سرکاری اشتہارات صرف ان اخبارات و جرائد کو دے سکے جن میں جو ویج بورڈ کے مطابق اخباری کارکنوں اور صحافیوں کو تحواہیں ادا کرتے ہوں۔
3. اپنی سفارشات اور تجاویز پیش کرنے سے قبل ویج بورڈ کی توجہ ان حقائق کی جانب مبذول کرانا چاہتے ہیں کہ چند اخبارات کے علاوہ باقی تمام اخبارات چھوٹے یا درمیانی حیثیت کے حامل ہیں جن کی اکثریت مقامی اور علاقائی ہے، اور ان کی معیشت کا دارومدار صرف سرکاری اشتہارات پر منحصر ہے۔
4. اخبارات کے لئے سرکاری اشتہارات کے نرخ کا تعین چونکہ وفاقی حکومت کرتی ہے اور موجودہ نرخوں کے فارمولے کا تعین تقریباً 20 سے 25 سال قبل کیا گیا تھا جس کے بعد اس کے فارمولے میں لیپا پوتی کے علاوہ کوئی قابل ذکر تبدیلی نہیں ہوئی ہے۔
5. سٹارش نمبر (2): لہذا ویج بورڈ اپنے اجلاس کے ساتھ یہ سفارش بھی کی جائے کہ اشتہارات کے لئے سرکاری اشتہارات کے نرخوں کا تعین کرنے کے فارمولے کو موجودہ وقت کے زمینی حقائق کی مناسبت سے از سر نو تشکیل دیا جائے، اور سرکاری اشتہارات کے نرخوں کو کنٹرول مہر انڈیکس (CPI) سے منسلک کیا جائے۔
6. جناب چیئرمین صاحب! ہم آپ کی توجہ تیسرے ویج بورڈ میں اشتہارات کے لئے متعین کیٹیگریز کی جانب بھی مبذول کرانا چاہتے ہیں کہ جس میں میٹروپولیٹن اور ریجن کے لئے صرف A اور B کیٹیگریز مقرر کی گئی ہیں اور اس کی بنیاد کو بھی سر کو لیٹین یا آڈی (جو بھی زیادہ ہو گا) معیار مقرر کیا گیا ہے۔ میٹروپولیٹن A کے لئے سر کو لیٹین 10 ہزار اور آڈی چالیس لاکھ سے زائد مقرر کی گئی ہے، اس سے کم سر کو لیٹین اور آڈی والے کراچی، لاہور اور راولپنڈی سے شائع ہونے والے اشتہارات میٹروپولیٹن B کے زمرے میں آتے ہیں۔ تیسرے ویج بورڈ کی مقرر کردہ یہ درجہ بندی 40 سال سے ناکام عرصہ سے نافذ ہے، جبکہ اس عرصہ میں زمینی حقائق میں کمر تبدیل واقع ہو چکی ہے۔

7. کیسٹیریز کا تعین کرنے وقت سر کو ٹیشن کو جمع، ہڈیاں غیر منتقلی ہے کیونکہ انہاری کا قدر ہے ٹھیک اسٹری بیٹن اور فروخت کے پڑھتے ہوئے اخراجات کی وجہ سے اگر ماضی میں سر کو ٹیشن سے کوئی آمدنی امانت حاصل ہو تا ہو تو آج کی حقیقت یہ ہے کہ مندرجہ بالا تمام اخراجات میں کئی سوگنا اضافے کی وجہ سے اب کسی بھی ادارے کے لئے سر کو ٹیشن سے منافع کا حصول ممکن ہی نہیں ہے۔ اس وقت ہر اخباری ادارے کو ہر فروخت کی کئی کاپی پر زور دینی کرنا (Subsidize) ہوتا ہے جبکہ نہ فروخت ہونے والی کاپی میں تو اگست کا 100 فیصد نقصان ہی ہوتا ہے۔ لہذا آپ سے درخواست ہے کہ کیسٹیریز کا تعین کرتے وقت سر کو ٹیشن کو بھائے آمدن (Revenue) کو بھایا جائے۔

8. مثلاً روزنامہ اسٹن کراچی اور روزنامہ جنگ کراچی کی آمدنی میں کم از کم تقریباً 50 لاکھ فرق ہو گا لہذا دونوں اداروں پر یکساں ٹیکسوں کی ذمہ داری غیر منطقی اور غیر حقیقی ہے۔ ایسی صورت حال میں اخباری کارکنوں کو بیچ بڑا بیچ اور کے مطابق ٹیکسوں کا نوازہ درکار روزنامہ اسٹن جیسے ادارے کو بند ہونے سے روکا بھی ضروری ہے تاکہ صحافیوں کی بڑی تعداد کو بے روزگاری کے جہنم سے بچایا جائے۔

9. آمدن (Revenue) کی بنیاد پر بنائی جانے والی اخراجات کی کیسٹیریز کو صرف دو تک محدود کرنے کی بجائے کئی کیسٹیریز بنائی جائیں، کیونکہ مختلف اخباری اداروں کی آمدنی میں بے انتہا کا فرق موجود ہے۔

10. لہذا آپ سے درخواست ہے کہ مندرجہ ٹیشن اخراجات کی مختلف کیسٹیریز حسب ذیل طریقے سے ترجیح دی جائیں:

a. سالانہ 1 ارب روپے سے زیادہ کی آمدنی (Revenue)۔

b. سالانہ 50 کروڑ سے ایک ارب روپے کے درمیان آمدنی (Revenue)۔

c. سالانہ 10 کروڑ سے 50 کروڑ روپے کے درمیان آمدنی (Revenue)۔

d. سالانہ 10 کروڑ سے کم آمدنی (Revenue)۔

ایسی طرح علاقائی مقامی اخبارات کے لئے درج ذیل کیسٹیریز اختیار کرنے کی تجویز دی جاتی ہے۔

a. سالانہ 1 کروڑ سے زائد آمدنی (Revenue)۔

b. سالانہ 25 لاکھ سے ایک کروڑ روپے کے درمیان آمدنی (Revenue)۔

c. سالانہ 1 لاکھ سے 25 لاکھ روپے کے درمیان آمدنی (Revenue)۔

d. سالانہ 1 لاکھ روپے سے کم آمدنی (Revenue)۔

جہاں جہاں

چائیرمین ایگزیکٹو روزنامہ عوامی آواز

ایڈریس: 10، سولہ منزل، ایچ ٹی 2، صدرالستار، ایچ ایف ایف، کراچی

یہ گیس، آف ٹائمر اوٹس، کراچی۔

ای میل: jah.drk@gmail.com

فون: 0333-2334913

Chairman

Place is in record
Jahid
31/5/2019

In response notices issued by this office to establishments of Newspapers of Karachi & Hyderabad regions, Dr. Jahid Khan, Publisher of Daily Awwami Aung, Karachi submitted his reply through E-mail on 29.5.2019. Submitted for kind perusal please.

30/05/2019

29. At this stage, I would like to mention here that on the request of late Rehmat Ali Razi, a renowned journalist and office bearer of CPNE, I had held a meeting with him at my residence for hearing the issues raised by CPNE, before holding the meeting at Karachi.

30. On said day, it was resolved that office of the undersigned would issue questionnaires to all the newspaper establishments for seeking the requisite information. Consequently, the said questionnaires were prepared and issued to all the concerned. Images of the said questionnaires circulated as *Annex-A & B* are pasted as under:-

OFFICE OF THE CHAIRMAN
8TH WAGE BOARD

Annexure 'A'

No. 1(1)/2019-CWB

Islamabad: May 14, 2019

QUESTIONNAIRE

The replies to the questionnaire be sent to the Secretary Wage Board by 17.06.2019.

1. Taking into the consideration the cost of living, the circumstances relating to newspaper industry in the different regions of the country and other relevant circumstances, including the prevailing rates of the wages that are being paid in comparable employments, what do you think would be wages for each of the following classes / grades of the newspaper employees?

- 1) Editor's grade
- 2) Special Grade
- 3) Grade-I
- 4) Grade-II
- 5) Grade-III
- 6) Grade-IV
- 7) Grade-V
- 8) Grade-VI
- 9) Grade-VII
- 10) Grade-VIII

2. Apart from fixed wages what are the other concessions or fringe benefits which you propose for the working employees?

3. What are your suggestions for remunerating any extra work assigned to a working employee over and above his normal duty?

4. Any other suggestion that might be useful for the Board in the discharge of its duty to fix wages for the newspaper employees to have a contented class of working employee and flourishing newspaper establishment as a happy and willing pay masters?

Name of newspaper establishment.....

Station.....

Dated:

Signature.....

Full Address.....

OFFICE OF THE CHAIRMAN
6th WAGE BOARD

Annexure 'B'

No: 1(1)/2019-CWB

Islamabad: May 14, 2019

QUESTIONNAIRE / STATEMENT*Statement to be filled in by the Newspapers, Periodicals and News Agencies and sent to the Secretary, Wage Board, 17.06.2019.*

- 1) Name of Newspaper or News Agency
- 2) Frequency of Publication
- 3) Place of Publication
- 4) Date of establishment
- 5) Have you got your own press?
- 6) If not, where printed?
- 7) Do you own / manage some press abroad?
- 8) Net paid Circulation-----
- 9) (Attach a true copy of the latest ABC Certificate)
- 10) Size ----- Pages and Columns?
- 11) Price per copy?
- 12) Commission allowed on sale to hawkers and agents (State your rate)?
- 13) Ownership --- Individual or firm or joint stock company whether private or public?
- 14) Last three years revenue, year wise, separately:
- 15) a) Circulation
- 16) b) Advertisements
- 17) c) Other income
- 18) Last 3 years profit or loss, year-wise separately--- (Attach true copy of the Balance Sheet, Trading and Profit and Loss A/c for each year separately)
- 19) Advertisement rates--- (Attach your tariff)
- 20) Commission allowed on Advertisements to Agencies and Others--- (State your rate)
- 21) Attach a statement showing the following details:
- 22) i) Number of regular employees / staff
- 23) ii) Number of contract employees
- 24) iii) Number of employees hired from outsource companies
- 25) iv) Number of employees sacked or laid off during last two years
- 26) v) Number of employees sacked after constitution of 6th Wage Board
- 27) vi) Number of employees re-hired after sacking or laying them off
- 28) Have you introduced Provident Fund?
- 29) If so, give details
- 30) Have you introduced Gratuity Fund?
- 31) If so, give details
- 32) Have you introduced Pension scheme? If so, give details
- 33) Have you introduced and staff welfare scheme? If so, give details
- 34) Have you given bonus to staff? If so give details of last three years
- 35) Do you provide medical facilities to the staff? If so, give details
- 36) What other facilities or concessions have been allowed to the staff?
- 37) Leave allowed per year:-
- 38) a) Privilege
- 39) b) Sick
- 40) c) Casual
- 41) Who is the appointing authority? The editor or the Proprietor or the Managing Director and what is the procedure of appointment, punishment, suspension, termination and dismissal?
- 42) Has an employee the right to appeal against the orders of censure, suspension, termination or dismissal? If so, to whom?

Station _____

Dated _____

To be signed by the authorized
officer, Proprietor or Managing
Director

31. Both the parties undertook to produce evidence regarding salaries/wages of comparable departments so that the question of determining wages of the employees could be decided effectively. Moreover, on said date, statements of five witnesses produced by employers' side were recorded. In view of paucity of time required to give final decision, it was resolved unanimously that Federal Government be requested for extension of time by way of reconstitution of same Board for completion of the process of Final Award.

32. Eleventh meeting of the Board was held on 9th May, 2019. On said date the evidence produced by both the parties was recorded at Karachi. Further, it was agreed by members of the sub-committee that Mr. Nasir Awan, Chief Economist be appointed as Wage Advisor subject to his consent. Since Mr. Awan, did not give his consent therefore, the idea to appoint him as Wage Advisor was dropped.

33. Twelfth and thirteen meetings of the Board were held consecutively at PID Office Lahore on 20th and 21st of May, 2019 and statements of 29 witnesses produced by both the parties were recorded. It would be relevant to mention here that despite issuance of notices to non-APNS members, no one bothered to appear on their behalf during the meetings held at Lahore.

34. Fourteenth meeting of the Board was scheduled to be held at Faisalabad on 3rd June, 2019 but on the request of Mr. Sarmad Ali, one of the learned members representing the employers/Secretary General APNS, the meeting was rescheduled to be held on 12th June, 2019, however, once again on his request, the meeting was rescheduled to be held on 13th June, 2019 at

Faisalabad. In the said meeting, in response to notices issued to non-APNS members, only Mr. Tariq Qureshi Publisher/Editor of Daily "Zarb-e-Ahan" appeared before the Board. But he also left the meeting with a statement to pursue the matter for getting membership of APNS for himself. In the said meeting, Mr. Nasir Chishti, one of the learned members of the Board stated that Dr. Lubna Shahnaz had agreed to work as Wage Advisor of the Board. Mr. Chishti was asked to arrange a meeting of Dr. Lubna with the undersigned and Mr. Asif Zuberi, one of the learned members. Moreover, statements of 10 witnesses produced by the employees' members and those of two witnesses produced by the other side were recorded. During the said meeting Mr. Sarfraz Ghouri, Editor Daily "State Express" and Mian Muhammad Mujeerur Sharif, Editor Daily "Waqif" appeared before the Board and highlighted their problems by making their statements without oath. Image of said statements is pasted as under:-

سرفراز احمد غوری، مالک، ایڈیٹر روزنامہ "سٹیٹ ایکسپریس"۔

جہاں کیا کرکڑ شہر 24 سال سے بھی نکال رہا ہوں۔ لاہور اور فیصل آباد سے پریش کر دیا ہوں۔ 24 سالوں میں 24 اشتہار بھی نہیں ملے کیونکہ میں کیٹیشن نہیں دے سکتا۔ فیصل آباد ایک ایسا مشہور شہر ہے جہاں پر ہر گھنٹہ کے اندر کوئی نہ کوئی اشتہار شائع / چھپ جاتا ہے۔ لیکن اشتہار دہشت کی تقسیم، تصفا جنت ہے۔ اس کو تصفا نہ ہونا چاہیے۔ اچھے اخبار کی سرکوشش ABC سرٹیفکیٹ 9000 ہے لیکن اخبار چھوچھو ہوسکتی تعداد میں چھپتا ہے۔ دوسرے اخبارات کا بھی ایسا ہی معاملہ ہے جو ABC سرٹیفکیٹ کے مطابق نہیں چھپتا ہے۔ کم چھپتا ہے۔ پوروں کے سوال کے جواب میں سرفراز غوری صاحب نے یہ تسلیم کیا کہ وہ بیجا ایڈیٹر کے مطابق ملازمین کو کچھ نہ نہیں دیتے۔ مزید سوال پر بتایا کہ اس کے اخبار میں کل چھ سات ملازمین ہیں۔ مزید کہا کہ اشتہار دہشت میں ریجنل اخبارات کا کوڈ 25 فیصد ہے۔ 5 صرشتی صاحب ممبر پوروں کے سوال کے جواب میں کہا کہ اشتہار دہشت دہشت کے ذریعے نہیں کوئی تحریری درخواست نہیں دی تھی۔ لیکن میں ذاتی طور پر تصفا جنت کام کے پاس پیش آ رہا تھا۔ صرشتی دہشت کے بعد بتایا کہ اس کے پاس ایک اشتہار دہشت کی حکومت کے دوران پر یہ رشید صاحب کو اشتہار دہشت نہ ملنے کی شکایت تحریری طور پر پڑا یہ درخواست دی تھی لیکن کوئی شکایت نہ ہوئی۔

میاں محمد شریف ایڈیٹر / مالک روزنامہ "واقف"۔

جہاں کیا کرکڑ؟ میں اشتہار دہشت نہ ملنے ہیں۔ دس بارہ ماہ سے کوئی اشتہار نہیں مل رہا۔ میں ممبرانہ حقوق کی وجہ سے اشتہار چار بار دوں۔ ریجنل بھی حیثیت پرینڈ کی پڑی ہوئی ہے۔ وکرڈ بھی مایوس ہیں۔ اشتہار دہشت کے معاملہ میں ممبرانہ کی سرکوشش کے تعاون کریں۔ ناچاب حکومت سے بھی اشتہار دہشت نہ ملنے ہیں۔ البتہ یہ انجی جنت اشتہار دہشت اپنی محنت کی وجہ سے مل جاسکتا ہے۔ سرکاری طور پر جب تک اشتہار دہشت کو سمجھو دہشت نہ کیا جائے تو یہ نہیں مل سکتا۔ فیصل آباد سے کچھ کچھ اشتہار دہشت شائع ہو رہے ہیں۔ پوروں کے سوال کے جواب میں بتایا کہ میرے اخبار کی سرکوشش دس بارہ ہزار ہے۔ اور میرا سٹاف تین افراد پر مشتمل ہے۔

35. Fifteenth meeting of the Board was held at Multan on 25th June, 2019. In response to the notices issued to non-APNS members, 9 persons appeared before the Board and highlighted the problems being faced by the owners/publishers of the newspapers. The members representing the employees produced structure of salaries of Civil Servants which was placed on record. Thereafter, evidence of the members representing the employees was recorded.

36. Sixteenth meeting of the Board was held at Quetta on 13th July, 2019. In response to notices issued to non-APNS members, none of them appeared before the Board. Similarly the members representing the employers once again failed to reply the questionnaires sent to newspaper establishments. After a detailed discussion, name of Dr. Lubna Shahnaz was unanimously recommended for appointment as Wage Advisor. A formal letter regarding her appointment was written by the undersigned to the Federal Government for doing the needful. Mr. Shoaib, one of the learned members promised to submit hard copy of wage structure of Bank Al-Falah before the next meeting. On said date, statements of 12 witnesses produced by both the parties were recorded. Due to pre-engagements of learned members representing the employers, it was decided that next meeting of the Board would not be held before 15th August, 2019. But in the meanwhile, the undersigned was conveyed that the request for reconstitution of the Board had yet to be approved by the cabinet, therefore, the undersigned cancelled the meetings of the Board scheduled to be held at Islamabad from 15th to 17th August consecutively.

37. After extension of the tenure of the 8th Wage Board, the seventeenth meeting of the Board was held on 29th August, 2019 at Islamabad. Even in said meeting, despite issuance of notices to non-APNS members none of them appeared before the Board. Similarly, Mr. Asif Aziz Zuberi, one of the learned members, requested for another opportunity for submission of reply to the questionnaires sent by the undersigned.

38. Eighteenth meeting of the Board was held at Islamabad on 13th September, 2019. Mr. Asif Aziz Zuberi, one of the learned members once again requested for another opportunity to submit replies to the questionnaires sent by the undersigned. The requisite data of advertisements issued to newspapers during last five years was produced by Government of Punjab.

39. Nineteenth and twentieth meetings of the Board, were held at Islamabad on 1st and 2nd October, 2019. During the meeting, held on 1st October, 2019, the issue of terms and conditions for appointment of Wage Advisor was discussed and it was resolved that Government be asked to issue notification regarding appointment of Dr. Lubna as Wage Advisor against lump sum remuneration of Rs.4,00,000/-. Instead of submitting reply to the questionnaires, Mr. Asif Aziz Zuberi, one of the learned members, submitted a written request seeking permission to do the needful subject to certain conditions, copy whereof was handed over to the other side for their reply. Moreover, copy of pay scales of salaries of Government Servant was submitted by Mr. Nasir Chishti, one of the learned members. Further, statements of 10 witnesses produced by both the parties were recorded in said meeting.

40. Twenty first meeting of the Board was held on 7th October, 2019 at Peshawar. Once again, no one entered appearance before the Board on behalf of non-APNS establishments. Employees submitted reply to the letter submitted by the members representing the employers. After a brief discussion, it was resolved that said issue would be discussed in the next meeting. However, the members representing the employers agreed that they would submit their replies to the questionnaires individually in sealed covers directly to the undersigned. Statements of four witnesses produced, by the employees' side, were recorded in said meeting.

41. Twenty second meeting of the Board, was held on 21st October, 2019 at Islamabad. The employers' members handed over sealed envelopes containing reply to questions No.2 and 3 of aforesaid questionnaires to the undersigned on behalf of Dailies "Dawn", "Business Recorder" and "Jang" respectively. Moreover, members representing the employers undertook to submit reply to *Annex-B* of the questionnaires in the said meeting.

42. Twenty third meeting of the Board was scheduled to be held in Lahore on 29th October, 2019 but on the request of both the sides, said meeting was rescheduled for November 5, 2019. On said date, the Board appointed Dr. Lubna Shahnaz, an eminent economist, as Wage Advisor of the Board against lump sum fees of Rs.4,00,000/- payable by Federal Government. In this meeting, reply to *Annex-B* of questionnaires sent by me was received in sealed envelopes by "Dawn" Group as well as "Business Recorder". Mr. Sarmad Ali representing "Jang" Group undertook to furnish reply on behalf of his group by the evening of said day. He also stated that

written letters had already been sent to other members of APNS for their respective reply to said annexure. On the issue of representation of employees of Associated Press of Pakistan (APP) in the Board, all the members unanimously resolved that all full time employees, including contractual employees of APP, are also governed by the Act, therefore, as per past practice they will also be governed by the Award/Decision of the Board.

43. Twenty fourth meeting of the Board, held on 12th November, 2019, was also attended by Dr. Lubna Shahnaz, Wage Advisor of the Board. On my direction, separate and complete sets of copies of oral as well as documentary evidence produced by both the parties during the whole proceedings of the Board were furnished to Mr. Hameed Haroon, one of the learned members as well as the Wage Advisor. The former directed his staff to furnish bound copies of said material to all the other members of the Board. Mr. Hameed Haroon, one of the learned members, ensured submission of reply to the questionnaires by "Jang" Group and all the other members of APNS before the next meeting. The Wage Advisor was requested to finalize her report before 9th of December, 2019. Both the parties undertook to file proposed/draft Awards on their behalf separately before the said meeting which was decided to be held on 21st November, 2019 followed by three consecutive meetings scheduled to be held from 9th to 11th December, 2019.

44. Twenty fifth meeting of the Board was held on 21st November, 2019 at Islamabad. Mr. Ali Almani Advocate Supreme Court appeared before the Board and argued the matter on behalf of the employers. During the meeting it was noticed that neither Mr.

Sarmad Ali, one of the learned members of the Board, had submitted reply to *Annex-B* of the questionnaires, on behalf of "Jang" group, nor had any other member of APNS furnished reply to said *annex*. However, Mr. Hameed Haroon and Mr. Asif Aziz Zuberi, learned members of the Board, assured the Board that needful will be done in the next meeting. Moreover, Dr. Lubna Shahnaz, was appointed as Wage Advisor after considering competitive quotations submitted by different candidates. Further, it was decided that next three meetings of the Board will be held consecutively at Islamabad from 9th to 11th December, 2019.

45. Twenty sixth meeting of the Board was held on 9th December, 2019 at Islamabad, Mr. Mujib-ur-Rehman Shami, one of the learned members of the Board, submitted reply to the questionnaire issued by the undersigned. However, none of the remaining members of APNS opted to submit reply to said questionnaire. "Jang" group also failed to submit reply to *Annex-B* of said questionnaire. Khawaja Muhammad Arif ASC, argued on behalf of learned members representing the employees. Further, learned Wage Advisor undertook to submit her report before the Board on the next day. Moreover, the Board constituted a sub-committee for deciding the issue of final award with consensus of the parties.

46. Twenty seventh meeting of the Board was held on 10th December, 2019 at Islamabad. Mr. Ali Almani ASC completed his arguments on behalf of members representing the employers and meeting was adjourned for 11.12.2019 when Mr. Sarmad Ali, one of the learned members, submitted reply to some of questions raised in the above mentioned questionnaire. However, remaining members of

APNS once again failed to submit the requisite reply to said questionnaire. Consequently, Dr. Tanvir A. Tahir, Executive Director, APNS who was also in attendance was requested to get the needful done. The report submitted by learned Wage Advisor was placed on record.

47. Mr. Nasir Chishti, submitted a copy of Wage Structure of APP Corporation before the Board. The sub-committee of the Board undertook to continue dialogue for reaching to some consensus on issue of final award. The Board decided to hold next two meetings consecutively on 16th and 17th December, 2019.

48. Twenty eighth meeting was held on 11th December, 2019 at Islamabad wherein Khawaja Muhammad Arif, ASC, completed his arguments on behalf of learned members representing the employees. The report submitted by Dr. Lubna Shahnza, learned Wage Advisor was placed on record.

49. Twenty ninth meeting was held on 16th December, 2019 wherein Dr. Tanvir A. Tahir, Executive Director APNS, placed on record a copy of letter addressed to all member publications of APNS, whereby they were required to submit reply to the questionnaires prepared by the undersigned. However, it was noticed that no one replied/responded to said letter. After undoing the typographical mistakes the learned Wage Advisor submitted fresh report. The Sub-committee apprised the Board about their failure to resolve the matter with consensus, however, it was reported by them that they had reached to partial compromise to the extent of wage scale of employees falling within the category of grade 5 to 8. But the said partial compromise was subject to the condition of agreement to the

rest of grades as well. The terms of said partial compromise was recorded in the minutes of the said meeting. Moreover, Mr. Ali Almani, ASC, concluded his arguments on behalf of members representing the employers.

50. Thirtieth meeting of the Board was again held at Islamabad on 17th December, 2019 wherein Mr. Nasir Chishti, one of the learned members proposed that for recommendation by the Board for the Constitution of next Wage Board by the Government after interval of three years. Similarly, Mr. Bakhtzada Yousafzai, another learned member representing the employees suggested that Peshawar and Quetta being Headquarters of said Provinces may also be included in the list of Metropolitan Category. During the meeting Mr. Hameed Haroon, learned member representing the employers challenged jurisdiction of the Board vide a letter which was placed on the record.

51. The Sub-committee of the Board again failed to reach to some consensus on the issue of Final Award. With a view to facilitate the resolution of the matter with consent, the Sub-committee already constituted by the Board was expanded by adding the names of Mr. Shahzada Zulifqar, learned member representing the employees and Mr. Sarmad Ali, learned member representing the employers as members of the said committee. Further, it was resolved that the Sub-committee would hold a meeting headed by me at RIO, PID Office, Lahore on 20.12.2019 at 01:00 PM.

52. According to the schedule the said Sub-committee, headed by the Chairman, held its meeting on 20th December, 2019, at RIO,

PID Office, Lahore which was not attended by Mr. Shahzada Zulifqar, learned member representing the employees, however, he remained in touch with his co-member Mr. Chishti telephonically. After a marathon discussion on the issue, the Sub-committee resolved all the contentious issues and after getting instructions from their co-members off and on gave their consent for decision of the 8th Wage Board with consensus. Consequently, it was decided that I will draft final decision according to the terms settled between the parties, whereafter, the said agreement will be signed by the members representing the employees by rotation. It was further decided that after completing the said process the said agreement will be signed by the learned members representing the employees on 24th December, 2019 at PID Office, Islamabad before its final announcement.

EVIDENCE

Gist of evidence of the witnesses produced by both sides, during meetings held at Karachi, is given as under:-

53. Mr. Obaid Ullah, General Secretary APNEC (Shafi-ud-Din Ashraf group), Employees' Witness (EW-1) has stated that 7th Wage Board Award was announced in 2001 whereas the instant Wage Board has been constituted in 2019 after a gap of 18 years. During said period the cost of living has skyrocketed causing significant distress to newspaper employees. Many of them, after becoming victim of grave and serious diseases died. He prayed that following factors may be taken into consideration while giving final award.

- i. Devaluation of Pak Rupee
- ii. Increase in inflation
- iii. Increase of prices of commodities of daily use

- iv. Increase in rate of rent, transport and utility bills
- v. Increase in expenditure on education of children

54. While employees have suffered adversely due to low wages etc, the owners of the newspapers are progressing by leaps and bounds. During last 17/18 years, employers have doubled publication of their newspapers besides establishing electronic channels.

55. During cross examination, witness showed ignorance about increase in salaries of employees of "Dawn Newspaper", "Jang Group" and "Business Recorder" at the rate of 182, 249 and 356 percent respectively during last 18 years. According to the witness, he has been working in "Jang Group" for last 22 years and at the moment he is in special grade. He added that he was recruited in grade 3 in 1995. In answer to another question, he replied that at the moment, his total monthly salary is Rs. 35,000/- which includes interim relief and 6 bonuses.

56. EW-2 Irshad Ahmad, Sports Editor, "Daily Dawn" and President Pakistan Herald Workers Union stated that "Dawn Group" is best institution. However, he said that there are some complaints against the management including—

- The fact that from 1st February, 2019 they cut provisional additional payment (PAP) by 40%.
- That while the workers did not protest against the management but they are facing hard times due to aforementioned cut in PAP. The management has not shown any flexibility and as a

result thereof base salaries have not been increased. Consequently, the employees are receiving lesser bonuses.

He further complained that in this era of dearness, it has become very difficult to make both ends meet.

57. During cross examination, he admitted that the employees had signed an undertaking to the effect that PAP was not part of salary and it could be adjusted or withdrawn. He admitted that on their demand, low paid employees were exempted from the implementation of the said agreement. He went on to add that salary of employees is very low thus, deserves to be increased at least 60%.

58. EW-3 Ghulam Farid-ud-Din, General Secretary, Dawn Union Group stated that—

- Last Wage Award given in 2000 could not be implemented till year 2012. As a result, the arrears which accrued between periods from 2000 to 2012 in favour of employees on the basis of 7th Wage Award were devalued.
- During said period the monthly house rent has increased from Rs.4000/- to Rs. 25,000/-, cost of utilities has increased more than threefold and the inflation has increased up to 350%, price of the gold has gone up by 1200%, prices of commodities and basic necessities have been increased to 300%, while overall inflation has been 350%. Overall, average of increase in rate of rent, school fee, utility bills, gold, inflation and commodities of basic necessity for life comes to 400%.

59. In cross examination, the witness stated that figure of 350% in the increase of inflation has been obtained by him from the internet. At this stage, the witness demanded that increase of salaries of workers should be with the same ratio.

60. EW-4 Niaz Ahmad, Senior Machine Man, Jang Press (Javed Press) stated that—

- Increase in salaries of the employees should correspond to increase in price during last 18 years.
- Despite long service of 39 years, he has a meagre salary of 23,000/- out of which an amount of Rs.16,000/- Rs.17,000/- is spent on rent, Rs.9,000/- utilities and an amount of Rs.9,000/- is spent on the school fee of his kids.
- That minimum requirement for monthly kitchen expenses of eight member family can go to the extent of Rs. 24,000/-.

61. During cross examination, he admitted that in addition to his aforesaid salary he has also been receiving Rs.10,000/- as interim relief. He, however, denied that he has been receiving an amount of Rs. 6,000/- in addition to said salary. He further denied that his total salary is Rs. 39,000/-. He admitted that the administration pay six bonuses to the employees every year. He further admitted that he alongwith his family has been provided medical cover which is meant for permanent employees. He further admitted that during last two years, the publication of newspaper has halved and there has been a decrease of 20 to 25% in the advertisement revenue.

62. EW-5 Jamil Ahmad, Assistant Production, Javed Press, "Jang Group", produced his duly sworn affidavit-in-evidence (EX-EW5/A) with the averments that—

- His family comprises of 7 members.
- Steep price increases have made it very difficult to survive with a meagre salary of Rs. 19,200/-.
- Imbalance between the expenditure and income is due to imbalance in salary increases against inflation insomuch as salary increase is slower than rate of inflation.
- He has been making both ends meet after taking loan from provident fund continuously, whereby, he has exhausted hundred percent loan facilities.
- His monthly expenditure is Rs. 66,500/- whereas, despite his long service of 24 years, he is drawing an amount of Rs. 19,200/- as monthly salary.

63. During his cross examination, he stated that after including interim relief and COLA his total monthly salary is Rs. 34,850/-. He, however, explained that his basic salary according to Wage Board Award is only Rs. 19,000/- and an amount of Rs. 19,000/- is being deducted from his salary as provident fund.

64. EW-6 Altaf Ahmad Khan, Retd District News Editor, "Nawa-e-Waqt" produced his affidavit-in-evidence as EX-PW6/A, his retirement order as Mark-E and Stay Order as Mark-F. In his affidavit, he stated that—

- Before announcement of interim relief by 8th Wage Board, the administration changed the service rules on 27th February,

2019, whereby the age of retirement and tenure of service were reduced to 50 years and 25 years respectively and very next day many employees were removed from service.

- He was retired before attaining age of 60 years and the sole purpose of change in service rules was to deprive the employees from benefiting forthcoming W.B Award.

65. During his cross examination he stated that he has been removed from service to deprive him from benefit of W.B Award.

66. EW-7 Muhammad Ajmal Khan, Ex-Senior Editor, "Daily Express"-Karachi, produced his duly sworn affidavit-in-evidence as EX-EW-7/A alongwith utility bills Mark-A to Mark-D respectively. In his affidavit, he deposed that—

- 7th W.B Award was frustrated by owners of newspapers and their handpicked journalists' organizations.
- Majority of employees being contract workers could not get benefit of said 7th Wage Board Award.
- Very small percentage of employees is regular/permanent.
- Range of monthly salaries of contract employees is from 7 to 40 thousand rupees.
- Employees working in Urdu Newspapers are discriminated against in comparison to those working in English Newspapers.
- Attitude of newspaper owners towards employees is very apathetic.
- The owners of establishments are not ready to compromise even on a penny.
- Increase of salaries of newspaper employees is not compatible with rise of prices of different commodities (he backed his

assertion with details of increase of prices of different commodities).

- Despite serving for very long periods, he could not get benefit of Wage Award given he had been working as a contract employee.

67. During his cross examination, he clarified that 90% employees have failed to get benefit of 7th Wage Board Award. He added that Newspaper Unions had been protesting against the wrongful and unfair acts of employers. He further stated that Government Officials get yearly increase in salaries at the rate of 20/25%, but the salary of newspaper employees is not increased on yearly basis, and that in the year 2000, his monthly salary was Rs.1162/- but now he is getting salary to the tune of Rs.29,200/-.

68. EW-8 Rana Muhammad Yousaf, General Secretary, (Javed Press) stated that—

- His service spans over a period of 22 years but he has been receiving a meagre monthly salary to the tune of Rs.17,535/- plus 10,000/- as Wage Board allowance.
- Since 2000 cost of living has increased to the tune of 400%.
- There should be increase of salaries at the rate of increase in advertisement revenue of “Jang Group”.
- Face price of (Jang) newspaper has also increased.
- Besides daily “Jang”, “Jang Group” has been publishing “Akhbar-e-Jahan”, “The News Karachi” and “Mag”.
- There is 400% increase in dearness but keeping in view the financial problems faced by newspaper establishment there should be 200% increase in salaries of the employees.

- Employees' salaries should be increased according to the ratio of increase in the salaries of Directors of "Jang Group".
- Said directors cannot work even one hour in the environment prevailing in the printing press.

Astonishingly, the said witness was not cross examined by the other side.

69. EW-9 Muhammad Amin, Dark Room Operator, Daily "Jang" produced his affidavit-in-evidence (EX-EW-9/A) alongwith his pay slip (Mark-G). In his affidavit, he stated that—

- During last 19 years, after announcement of 7th Wage Board Award, prices of commodities have skyrocketed but the employees are getting almost same salaries as they were receiving 19 years ago.
- C.P.I reached an all time high at 237.61 index points in February, 2019 whereas, it was a record low at 62.82 index points in July, 2001.
- His monthly expenditures are Rs. 65,000/- whereas, his salary is Rs. 34,966/-.

70. During cross examination, he stated that after serving 32 years, he falls in special grade and his total salary including interim relief and COLA is Rs.35,000/-. He admitted that he has no means to collect C.P.I data.

71. EW-10 Muhammad Ashraf Ansari, Ex-Key Board Operator, Daily "Nawa-e-Waqt" Karachi produced his affidavit-in-evidence as EX-EW-10/A plus application Mark-H and retirement order Mark-K. Vide his application (Mark-A), he has also complained

about his premature retirement by the management after amending the relevant rules. He was also not cross-examined at all.

72. EW-11 Uzma Shaheen, Ex-Key Board Operator, Daily "Jang" Karachi produced her affidavit EX-EW-11/A and salary slip Mark-M. Barring minor variations, the contents of her affidavit are quite similar to those of affidavit of EW-5, therefore, there is no need to reproduce her statement. The employers' representatives did not opt to cross examine the said witness after raising objection that she is an employee of an outsourcing company. The witness replied that as per the decision of Higher Courts, she would also be considered as an employee.

73. EW-12 Zohra Rizvi, Terminal Operator, Daily "Jang" Karachi produced her affidavit EX-EW-12/A alongwith her pay slip Mark-N. Barring minor variations, the contents of her affidavit are quite similar to those of affidavit of EWs-5 and 11, therefore, there is no need to reproduce her statement. The employers' representatives did not opt to cross examine her. Although, before leaving the witness box she started crying vociferously. During that episode, she stated that her daughter is going to be married in June but she is unable to get any loan for said purpose. She lamented and exclaimed how she would manage the things. While all the members of the Board tried to pacify and calm her down, she kept on weeping. In this state of hers she also stated that although she is M.A and had received and had received a double increment on the basis of her good performance, she is getting meagre salary of Rs.41,000/- which is insufficient to make both ends meet. At this stage, she claimed that HR, Director

(who was also sitting in the meeting) had telephonically threatened and warned her that she will no longer be seen in office of "Jang".

74. EW-13 Shahana Zaidi, Terminal Operator, Daily "Jang" Karachi produced her affidavit EX-EW13/A alongwith pay slip Mark-Q. Barring minor variations, the contents of her affidavit are quite similar to those of affidavit of EWs-5, 11 and 12, therefore, there is no need to reproduce her statement.

75. During her cross examination, nothing could be gained by the employers.

76. Contents of affidavits of EW-14 Azra Sultana, Terminal Operator, Daily "Jang", EW-15 Makhan Khan, Security Guard, "The News" and EW-16 Nazik Jatoi, Senior Sub-Editor, "Jang" Karachi respectively are quite similar to those of the affidavit of EW-13 therefore, need not be repeated.

77. EW-17 Shakeel Yameen, Sports Reporter, Daily "Jang" stated that—

- He is working against editor grade but has been entrusted job of reporter.
- Editor grade is equivalent to grade 20 to 22 of government employees.
- Despite having long service of 30 years, his gross salary including interim relief is Rs.52,945/-.
- According to report of State Bank, during last 19 years, there has been increase of prices to the tune of 350% to 400%.
- That expenditure on increase of salaries of employees can be met with the funds generated by the administration of the

newspapers from advertisement revenues of only one Sunday edition.

- He lamented that due to the meagre salaries of newspaper employees, they are forced to do part time jobs like Rickshaw Drivers and Street Vendors etc.

78. During cross examination, he stated that he did not know the rate of advertisements, but he knew one thing very well that newspapers give more space to the advertisements than the news itself, due to which people have stopped purchasing newspapers. He denied the suggestion that there is a decrease of advertisements revenue of the newspapers to the tune of 23% in comparison to year 2018. He explained that there is decrease of advertisements due to the decrease of number of pages of the newspapers. In answer to another question, he stated that fit man formula should be devised so that the employees may be awarded promotions in due course. He demanded that there should be increase in salaries of employees on the pattern of increase of salaries of government servants and that government advertisements should only be awarded to those newspapers which implement W.B Award. In answer to another question, he explained that due to long drawn litigation initiated by newspaper employers, employees could not reap benefit of 7th W.B Award. He denied the suggestion that Dawn's advertisement revenue of Sunday edition has decreased 15% to 18% from 60% of said revenue. He added that face price of a newspaper and advertisement rates have actually increased.

79. EW-18 Irfan Gouri, Layout Assistant, "The News" Karachi tendered his affidavit-in-evidence as EW-18/A and copy of Identity

Card EW 18/B. EW-19 Muhammad Naseem, Computer Operator, Daily "Jang" tendered his affidavit as EW-19/A, copy of Identity Card EW-19/B and Pay Slip Mark-V. Contents of the said affidavits are also in line with those of EW-13; therefore, there is no need to reiterate the said contents.

80. EW-20 Dara Zafar, Layout Assistant, "The News" Karachi tendered his affidavit as EW-20/A which is also in line with that of EW-13. However, in addition to the contents of his affidavit he made a detailed oral statement in capacity of General Secretary of The News Employees Union Karachi. According to him the newspaper owners have started to outsource newspaper employees at a large scale. He requested that contract and outsource employees should also be protected under 8th Wage Board Award.

81. During cross examination, he showed his ignorance about provision of gratuity, old age benefit, provident fund and profit sharing bonus to the contract employees by the "Dawn" Administration. However, he claimed that the administration of "The News" has not been granting such facilities to the contract employees. He further denied the assertion that "Jang Group" had asked outsourcing companies to give preference to the ex-newspaper employees. On his own, the witness stated that it is the right of outsourced employees as well to be benefited from the W.B Award.

82. EW-21 Sheikh Kamran, Senior Machine Man, Javed Press, Daily "Jang" Karachi tendered his affidavit as EX-21/A which is also in line with the statements of EW-11, EW-12 and EW-13. However, in addition to the contents of his affidavit, the witness orally stated that—

- Given his meagre salary he couldn't even get admit card worth Rs. 21,000/- for his son.
- He had not been received any salary for the last two months and as a result his family has been facing miserable conditions.
- He could not even pay fee of his daughters and that neither any relative nor any friend can financially help anyone all the time.

83. EW-22 Muhammad Abid, Page Maker, Daily "Jang" Karachi tendered his affidavit EX-E22/A, Photocopy of NIC EW-22/B, Pay Slip Mark-W, Bills of Sui Gas, Electricity and Water Mark-X, Y & Z respectively. Barring minor variations, contents of said affidavit are also in line with the statements of EW-11, EW-12 and EW-13, therefore, need not be repeated. He, however, orally added that—

- Due to paucity of funds, he could not pay the bill of water (Mark-Z).
- After decreasing size and volume of newspaper, the administration has been getting financial benefits.
- He demanded that there should be increase of salaries comparable to the commitment and hard work of the employees. He was also not cross-examined.

84. EW-23 Majid Iqbal, Junior Machine Man, Javed Press Daily "Jang" Karachi tendered his affidavit-in-evidence as EX-EW23/A which is also similar to that of EW-13. He was also not cross-examined.

85. EW-24 Faiza Ilyas, Senior Reporter, -Daily "Dawn" Karachi tendered her affidavit-in-evidence as EX-EW24/A alongwith several other documents including salary slips. In paragraph No.5 of said

affidavit, it was claimed that on 31st January, 2019, the employer unilaterally announced 40% cut in the salary package of the employees, on the grounds that organization was suffering losses. According to paragraph No. 7 of said affidavit, the gross salary being paid to a handful of employees of "Dawn" organization under 7th W.B Award has been rendered insufficient when compared to the soaring inflation and unbridled hike in the prices of essential commodities over the last two decades. In paragraph No.8, she has deposed that vide Mark-HHH her Ex-gratia/PAP has been reduced from Rs.68,154/- in January, 2019 to Rs.40,791/- in February, 2019.

86. In paragraph No.12 of the said affidavit, she deposed that her basic salary saw a minimal increase in last 12 years and that hiring staff and taking their services for years without an appointment letter is a common practice. She has further added that lack of provision of transport is a major problem that journalists face. According to her, interim relief announced by 8th Wage Board was highly disappointing. In paragraph No.25 of the said affidavit, she prayed for revision of pay scales after taking into consideration the inflation rate, price hike, house rent and cost of living. She produced a list of her monthly household expenses as (Mark-NNN) showing total monthly expenses as Rs.98,088/- whereas, her present salary is Rs.64,415/-.

87. She was subjected to lengthy cross examination during which she admitted that she was inducted in "The Star" which was closed in 2006. She further admitted that she had signed an agreement whereby the amount already paid under PAP could not

only be adjusted but also withdrawn. On her own, she stated that a journalist receives salary as of right and not as a bounty.

88. EW-25 Muhammad Kashif, Edition In-Charge, Daily "Dawn" produced his duly sworn affidavit-in-evidence as EX-EW25/A, NIC EW25/B, PAP letter Mark-QQQ, Pay Slip Mark-RRR extract of 7th W.B Award Mark-SSS and Pay Slips Mark-TTT, UUU & VVV. In his affidavit, he deposed that—

- Keeping in view almost 400% increase in inflation during last 19 years, there was an urgent need of increase in salaries with identical percentage in order to help workers to maintain a decent living. He has further added that he is sole breadwinner of six-member family and after 40% pay cut in salary, it has become very difficult to maintain a respectable living.
- After having served for almost 19 years, his basic pay is just Rs. 15,070/- which is shamefully low.
- In the year 2000, a journalist of a 'Metropolitan A' category was drawing a salary higher than what a BPS-17 Officer was earning at that relevant time.
- In January 2019, PAP has been reduced by 40%.
- Wage Board under NECOSA, 1973, only determines minimum wages for the newspaper employees but the said act does not put any restriction on paying more than that and sky could be the limit and it is evident from 7-digit salaries besides hefty perks being given to managerial position holders and some blue-eyed big names in the journalists community and such is the case in "Dawn".

89. During cross examination, he showed his ignorance about increase of C.P.I. In answer to another question, he stated that despite going through terms and conditions, he joined "Dawn" group considering that serving the "Dawn" group was an honor. However, later on, it was revealed that people who joined that group in fact had been deceived by the said perception. He, however, admitted that quantum of flow of advertisements of "Dawn" group has decreased during last one and a half year.

90. EW-26 Abdul Wahab, Senior Sub-Editor, Daily "Dawn" produced his affidavit-in-evidence as EX-EW26/A, NIC, EX-EW-26/B alongwith other documents as Marks-WWW, XXX, YYY, ZZZ, AAAA to Mark-LLLL. In his affidavit, he deposed that—

- Scales under 7th Wage Board Award were valid for the period 2000-2005 thus, same needed revision. However, due to prolonged litigation, 8th Wage Board was constituted after gap of 19 years; therefore, the employees' wages remained far below a justifiable level considering the inflation and price hike that had registered a steep rise during said period.
- At the same time, all employers resorted to downsizing/retrenchment understandably to shed their expenditures and ward off any upcoming pay rise.
- Shamefully, their strategy achieved the common target of bringing down the strength of WB-entitled employees to 25-15%.
- The rest of the retained employees were outsourced to contractors to deprive them of W.B Awards etc.

- Employers' strategy was to shift 75-80% of their employees to outsource companies.
- Balance sheets of almost all newspaper organizations, particularly four major ones, show huge net profits during the period 2000-2017.
- Depreciation of rupees affects both employers and employees equally and that actual value of an employee's salary has shrunk by 25-30% in the last decade.
- Present slump in the private sector advertising market is a temporary phenomenon but the salary structures/scales being formulated for the 8th W.B Award will be for many years and are not supposed to be revised upwards in near future.
- The witness demanded a reasonable percentage of increase in salary structure for the next five years/until the constitution of next wage board, keeping in view the high inflation rate and other such figures, e.g price hike, fuel prices, currency devaluation etc, of the last five.

91. In answer to a question during cross examination, the said witness replied that he had not gone through the balance sheets personally but he has knowledge about the said balance sheets from other evidence and resources. He added that the employers themselves increased salaries of the employees during last 18 years to the tune of 200% to 350%-a fact that shows that they (employees) are financially quite stable. He, however, admitted that said increase in the salaries was due to competition in the market.

92. EW-27 Muhammad Mukhtar Khan, Sub-Editor Daily "Dawn" produced his affidavit-in-evidence as EX-EW27/A, NIC, EX-

EW-27/B, PAP Letter Mark-NNNN, Pay Slip Mark-OOOO and Pay Slip Mark-PPPP. In his affidavit, he deposed that—

- He joined the organization at a gross salary of Rs.65,000/- as agreed upon during successive interviews, without any mention of its component-wise breakdown.
- He started work before receiving a contract.
- Upon receiving the documentation, he found his basic salary to be Rs. 6,660/- with numerous allowances adding up to Rs. 12,090/-.
- Cumulative inflation over the last decade is around 140%, while the figure is even higher since 2001, the year of announcement of last Wage Board Award.
- Current pay scale, including allowances for utilities, rent for accommodations, as well as other factors, is absolutely insufficient to support even subsistence-based living and that it needs immediate revision in accordance with rising inflation rate and costs of living. He was not cross-examined either.

93. Shabbir Ahmed Dawood Gangat, Director Finance “Dawn” Group of Newspapers (The Company), Owners’ Witness (OW-1) produced his affidavit EX-OW-1/A wherein, it has been deposed that—

- Financial year 2018-19 is proving to be a watershed year for Pakistan Media. Print media particularly has been dealt a major financial blow in the current financial year.
- Print media market is abuzz with news of closure of newspaper editions, salary cuts and mass layoffs from a number of newspaper establishments.

- Any increase in salaries of Print Media workers beyond 50 percent shall spell financial disaster for the entire Print Media Industry.
- Dawn's revenues have declined over revenues of base year 1999-2000.
- On one hand advertisement and circulation revenues have declined about one fourth whereas on the other the management witnessed increase in general inflation level, huge deprecation of Pak rupee against major foreign currencies and the situation further worsened due to colossal increase in the newsprint prices during the calendar year 2018.

94. In paragraph (viii) the witness highlighted following few factors that, according to him, have played a major role in bringing the matters to this stage.

- a. The company is currently faced with huge amounts of unpaid advertisement bills totaling hundreds of millions of rupees. As per current position, federal and provincial governments owe about Rs. 254 millions to the company.
- b. Advertisement revenues of Dawn have taken a nose dive during current financial year and as compared to corresponding period of previous year the decline has reached to the tune of 25 percent which translates into projected decline of approximately Rs.550/- million on yearly basis
- c. In 2004-2005 television had a 34% share in total media advertising spend, print media had a 39% share and digital had no share at all. In 2017-18 the share of television had increased to 46% and digital to 10%. Print media's share shrunk to 24%.

- d. The cumulative effect of devaluation of Rupee alongwith overheads is that cost of newsprint has gone up 190.4% compared to the year 2000. Moreover, increase in prices of petroleum products and utilities, alongwith persistent increase in bank rates, is resulting in pushing up the cost of doing business.
- e. Like rest of the world, readership base of newspaper is consistently declining in Pakistan.
- f. Existing cover price of the paper does not cover its ever-increasing paper and printing cost despite frequent upward revisions in the cover price.
- g. The digital arm of the paper is an attempt to keep the newspaper relevant in the time of record technology disruption and rise of social media.

95. In paragraph X it has been stated that the management has already cut about 14 pages per week from regular edition of the paper.

96. In paragraph XIII he deposed that in the past, the company had to close down two of its publications namely Daily "Star" and "Spider" monthly due to continued losses incurred by said publications and that monthly Herald magazine has been sustaining continued losses for past many years and is now scheduled for closure.

97. During his cross examination, the witness has admitted that in his affidavit he has not mentioned about the profit gained by the said group during last 5/6 years. According to him there should be increase in salary of workers, but it should be to the extent of 50%

only. He has further conceded that there is an increase of 187% in the rates of the advertisements. However, he clarified that he did not talk about increase of advertisement rates rather he talked about total volume of advertisements and during this period increase of C.P.I comes to 272.32%. In answer to yet another question he stated that he did not say either that the group is suffering loss in business rather the newspaper actually gained profit during some years. In answer to a question put by me, the witness stated that he did not know about the magnitude of the profit gained during last years; that the magnitude of profit was between one hundred million to three hundred million during said years. In answer to another question he admitted that during this year the newspapers have got concession in custom duty on newsprint. It was also admitted by him that this year 5% concession in custom duty has been given to the newspaper. He further admitted that the price of newspaper was increased and similarly there was increase in the head of advertisements revenue. He went on to admit that management of Dawn "Group" established an electronic channel as well but hastened to add that due to losses a separate company namely "AURORA Broadcasting Company" was established and business of said channel was transferred to it; that the said company has got no concern with the printing but the management is same. He further clarified that the owners are not same but controlling body is same; that previous owner namely Ambar Haroon Saigal was majority shareholder and even now she is majority shareholder but she is not share holder of AURORA Broadcasting Company and that it is not in his knowledge that who are shareholders of the said company. He admitted that Ambar Haroon, who, during first three years, was shareholder of "Dawn" is

owner of "Herald Publication". He added that after decreasing number of pages of newspaper the management has got some financial relief. It was further admitted by the witness that despite loss to the newspaper the employees are given aid to the extent of Rs. 50,000/- each in the shape of PAP. He admitted that employees are affected by C.P.I increase same as employers are. In answer to another question the witness admitted that arrears under 7th Wage Board Award were paid to the employees after 12 years of the award. In answer to a question put by undersigned the witness could not give the number of regular employees.

98. OW-2 Niloufer Cyrus Patel, Director Circulation and Coordination of "Dawn"- Pakistan Herald Publication (Pvt) Ltd, produced her affidavit EX-OW2/A wherein, she deposed that—

- Despite a 57% increase in population 132 million as per 1998 census to 207 million as per census 2017 the total number of print publications being published in Pakistan fell from 1344 in 1998 to 714 in 2017 showing a drop of 47%. In Sindh the number of print publications reduced by margin of 91% from 1998 to 2017.
- In the period 2000-2019 the Karachi edition saw a decrease of 4% in circulation due to multiple reasons. One such reason mentioned by the witness was inability of the people to pay the bill due to increase of newspaper's regular price by 92%, Saturday price by 67% and Sunday price 166%, during period of July 2000 to April 2019.

99. The witness produced an untitled and unverified chart which was placed on the record as Mark-AA.

100. During her cross examination, she admitted that since 2000 there has been 92% increase in cover price of newspaper; that in year 2000 ABC certified circulation of newspaper was 87487 whereas presently it is 84093. On her own, she stated that cost of printing of one copy of newspaper is more than its price and the said deficiency is met with the revenue of advertisements.

101. OW-3 Muhammad Khurshid Aizid, Head of Human Recourses Department, M/S "Dawn" Group of the Newspaper Establishment, produced his affidavit EX-OW-3/A wherein after highlighting purpose of creating "Editor's Grade or Unique Grade" he has stated that the said grade should necessarily be integrated in the 8th Wage Board which shall apparently specify that "A person in an "Editor's Grade or "Unique Grade" is a newspaper employee and secures the highest position in the Editorial Sector and is thus responsible for the final selection of the content that is to be published in a newspaper.

102. He has further deposed that even a working journalist, working under the supervision of any editor is not entitled to be promoted or moved over to "Editor's Grade" and that Non- Journalist is also not entitled to Editor Grade.

103. During his cross examination, he stated that total number of employees of Dawn is 316, out of which 194 are regular employees and remaining 122 are contract employees. At his own he added that there is no difference between regular and contract employees as both the categories get benefit of Wage Board Award and that, like regular employees, the contract employees also get all the privileges. He admitted that employees have also been hired through outsourcing

companies but he is not aware of number of such employees. In answer to another question he stated that the management of newspaper does not award Editor Grade to any of the employees. He added that the point regarding Editor Grade was never re-considered in the subsequent Wage Boards, therefore, the decision made in fourth Wage Board Award to the said extent is still holding the field. He admitted that arrears in the light of 7th Wage Board Award were paid to the employees after 12 years and that too in installments.

104. OW-4 Syed Ali Hassan Naqvi, Head of Marketing, Marketing Department, "Dawn" Group of the Newspaper Establishment, produced his affidavit EX-OW4/A and certain documents as Mark-XX to Mark-DDD. According to him—

- The newspaper industry has witnessed a widening shortfall between the budget needed to meet costs and advertising revenue generated over the past few years.
- Advertising revenues of the company have more or less remained stagnant from fiscal year 2016 till 2018.
- Revenue generated by "Dawn" until third quarter of running financial year is 25% less than that compared to first three quarters of 2017-18 fiscal years.
- Situation has grown graver in the current financial year.
- 2004-2005 television had a 34% share of advertising budget and digital had no share at all, however, in 2017-18 the share of television increased to 46% and digital to 10% and consequently, print media's share of advertising shrunk to 24%.

- Despite significant increases in operating costs and inflation, there has been a negligible increase in the rate charged for Pure Government Advertising.

105. During his cross examination, the witness admitted that since 2000 there has been an increase of 75% in the rate of advertisements; that in 2019 rate of private advertisement of Sunday Edition is Rs.5650/- per column cm and for other days it is Rs.4400/- per column cm whereas, in 2000 rate of Sunday Edition was Rs.2200/- per column cm and for other days it was Rs.1500/1800/- per column cm.

106. OW-5 Syed Farhan Hassany, General Manager in Finance Department, "Dawn" Group of the Newspaper Establishment, produced his affidavit and a chart of yearly inflation rates as Mark-EEE. In his affidavit he has stated that—

- As per aforesaid Pakistan Bureau of Statistic the C.P.I has increased 272.32% from 2000-2001 to January, 2019, whereas, the C.P.I index has reached 372.32% after including the base number of 100 and therefore, to consider 372.32% instead of 272.32% as the C.P.I inflation percentage is misleading and incorrect method of interpreting the C.P.I inflation percentage.

107. During his cross examination the witness denied the suggestion that there was a 300% increase in CPI.

108. OW-6 Muhammad Nadeem Tahir, General Manager Finance, "Dawn" Group of the Newspaper Establishment, produced his affidavit EX-OW6/A. In his affidavit he stated that—

- Impact of any increase of Wages whether by a Wage Award or otherwise is not just on the Wages but translates into corresponding and much higher increase in the retirement dues and benefits resulting in creation of huge financial liabilities for the company.
- On the basis of proposed increase of 199%, in the first year of implementation of Wage Board, cost shall increase by 407 million rupees in total and, thereafter, there shall be an incremental charge of Rs.75 million every year, and the company shall buckle down under such huge financial impact which may lead to either scaling down of operation or closure of the company.

109. During his cross examination, the witness has denied the suggestion that if there is increase of 199% increase in the salaries of the employees total additional amount would not touch figure of 75 million rupees. He has denied the suggestion that the amount of 372 million rupees as mentioned in paragraph iv of his affidavit in fact also included the amount of 75 million rupees mentioned in the same paragraph. He stated that he got employment in "Dawn" group 16 years ago and his present monthly salary is Rs.3,60,000/-; he is a qualified chartered accountant having experience of 20 years and that he definitely wishes for 5/6% increase in his salary.

110. OW-7 Fouzia Shaheen, Chief Editor of monthly "Dastak" produced her affidavit EX-OW7/A, wherein, she stated that—

- Almost all periodical publications were seriously suffering from severe financial crises for years owing to no advertisement support from government and private sector.

- Similarly there had been a drastic decrease in circulation due to a boom in electronic and social media which resulted in dramatic increase in overall cost of production.

111. During her cross examination the witness stated that monthly "Dastak" is being published for the last 20 years; that barring herself there is no other staff, however, her family members work with her and that, since she has got no staff, therefore, no question of implementation of Wage Board Award arises. However, she is a member of APNS. In answer to another question she stated that announcement of Wage Board Award will not make any difference for her because she owns no staff for publishing aforesaid monthly. According to the witness, circulation of said monthly falls within range of 5000 to 10000.

112. OW-8 Zia-ud-Din Ahmed Zia, Group Director, HR & Administration (Daily "Jang", "The News" and "J&S Press:), produced his affidavit EX-OW8/A and certain documents as Mark-QQQQ to Mark-QQQQ/13. According to the contents of his affidavit—

- Print media is facing severe problems throughout the globe and especially in Pakistan.
- Jang printing media group, being the largest print media group in the country, is facing extreme financial pressure.
- Huge amounts have become outstanding and there has been exorbitant increase in the cost of news print, films, plates and other inputs in addition to printing machinery.
- Rupee Dollar parity was 1= 52.3 in the year 2000 whereas, it has now gone up to 1= 142, which means that Dollar has become 271.5% more expensive.

- There is 172% increase in the cost of news prints.
- Increases in rates of electricity, water tanker and diesel are 771.87%, 833.33% and 783.13% respectively.
- The most unfortunate aspect of move over scheme devised by previous Wage Boards is that even a very junior category employee (e.g Peons, helpers, ink-man, machine man) can move over, step by step, from grade VIII or VII even to the editorial grade which is meant for editors only. It is one of the biggest anomalies that 7 peons have been moved over to editorial grade in "Jang" Group.
- Due to decrease of profitability of the print media organizations, a number of newspaper organizations were either forced to stop printing their newspaper or to discontinue the printing at different stations.
- Jang Group had to stop four of its publication.
- Due to serious financial crises even the salary payments of Jang group employees have been effected and that it was compelled to lay off a good number of employees as well.
- The witness (in paragraph 13 of his affidavit) criticized move over scheme announced through an earlier Wage Board Award and he deposed that under said scheme even a very junior category employee could move over, step by step, from grade VIII or VII to the editorial grade, which was meant for editors only.
- Federal Government has expanded its pay scales to accommodate 30 increments in each pay scale and that Editor Grade should be restricted only to Editors.

- The witness (in paragraph 20 of the affidavit) quoted examples of twelve journalists who, according to the witness, are getting very high salary.

113. During his cross examination, he has stated that in "Jang" group there are 347 regular and 461 contract based employees and apart from them there are people employed through outsourcing companies as well. He denied the suggestion that during last one year more than eight hundred employees of "Jang" group were sacked. According to him only 81 employees, including 79 employees who were hired on contract basis, were shown the door. According to him the reason for sacking them was steep increase of expenditures of "Jang" Group. The witness denied the suggestion that increase in diesel price effects the employees to the extent that affects the newspaper owner. He also denied the suggestion that increase in diesel price effects the employees as well. He admitted that by getting move over the employees are only entitled to increase of salary and if any employee attains Editor Grade in the light of Grade Interval Policy he cannot get salary equivalent to Government Officer of Grade 22. However, according to the witness, due to said formula salary of one of the peons has touched figure of Rs. 62,900/-. He, however, conceded that said amount included bonuses as well. He further conceded that such like addition of salary occurs after service of 25 years. He denied the suggestion that after induction into service an employee can get first move over at the most after 10 years. In answer to another question he admitted that despite financial difficulties various employees of "Jang" group have been receiving monthly salary more than Rs.100,000/-, in fact one of the employees has been receiving more than Rs.300,000/- as salary. He conceded that while a

regular employee receives six bonuses, employees hired on contract do not get even one bonus. In answer to yet another question, he refused to give amount of salary received by him on the ground that such disclosure violates the trust between him and the employer but at the same time he stated that disclosure of amount of salary of 12 other employees in his affidavit is not violation of such trust.

114. OW-9 Muhammad Suleman, Group Director, Editorial Management “Jang Group” produced his affidavit EX-OW9/A and certain documents as Mark-RRRR to Mark-SSSS. According to his affidavit—

- Throughout the world hundreds of newspapers are being closed down every year due to heavy and unsustainable losses
- Most of the media space is taken over by digital and social media.
- In December 2018 “Jang” group stopped publishing four newspapers namely Daily News, “Awam”, “Inqalab” and “Waqt”.
- The group has also closed its two stations where editions of daily Jang were planned to be launched.
- A number of newspapers in Pakistan have closed down during the period from 2000 to 2018.
- Share of advertising revenue of print media is continuously going down since the emergence of internet, digital media and social media.
- Rates of newsprint ink and other material have gone up in international market; however, the Pakistani newspaper industry is particularly affected due to heavy devaluation of Pak Rupee.

- If the employees are affected by increase in the cost of electricity, gas and petrol, the cost of production of newspaper is also increased.
- Due to high cost of material and production, plus decrease in revenue, "Jang" group has been compelled to reduce pages of Daily "Jang" from 16 to 12 and of "The News" from 24 to 20 in October 2018 just to survive.

115. During his cross examination, the witness admitted that, due to increase in price of Dollar, the financial condition of employees has become worse; that, Daily "Jang" is available on internet as well but the rates of advertisement through internet vary from time to time. He added that the rates of advertisement through internet are very low. In answer to a question he replied that, after decreasing pages of a newspaper, loss of the employers has decreased to some extent, but it does not increase the income. He, however, admitted that after announcement of the 8th W.B Award lot of employees would have to be dismissed from service due to financial crunch. He added that share of print media advertising has been decreasing day by day.

116. OW-10 Sadia Sharif, Chief Marketing Officer of "Jang" Media Group, produced her affidavit EX-OW10/A and statement of receivables (Mark-TTTT). According to her from fiscal year 2013-14 to the current fiscal year, "Jang" Media Group has witnessed a steady decline in advertising and circulation revenues—

- From fiscal year 2013-14 to the current fiscal year, "Jang" Media Group has witnessed a steady decline in advertising and circulation revenues.
- Recent slowdown in print advertising started in 2017.

- Despite significant increases in operating costs and inflation, there has been a negligible increase in the rate charged for Pure Government Advertising.
- Conventional tariff of both "Jang" and "The News" have only been increased by 88% in 19 years whereas, the C.P.I has gone up by 272%.
- Despite an increase in population, there is decline in number of print publications by the margin of 47%.
- Due to multiple reasons, the readership of newspapers has decreased significantly, and that margin of profit has further fallen due to the increase of trade discounts of hawkers from 33% to 40%.

117. During her cross examination, the witness gave detail of outstanding receivables but she admitted that neither she was attached to the department of recovery nor did she oversee the Finance Department. She admitted that like employers, the employees are also suffering due to inflation. She further admitted that during last 19 years the rate of government advertisements increased by margin of 75% whereas, the rate of commercial advertisements has increased 88%. She voluntarily stated that during last three quarters the government's advertisement revenue has decreased by a margin of 27%. She admitted that Jang group receives 70 crores rupees (7 hundred million rupees) on account of publishing advertisements of Federal and Provincial Governments.

118. OW-11 Qazi Sajjad Akbar Abbasi, Publisher/Editor of Daily the Regional Times of Sindh Hyderabad, produced his affidavit EX-OW11/A wherein it has been deposed by him that—

- Being a regional English Daily, his newspaper is on the verge of financial collapse due to the prevailing circumstances in the industry.
- Unfortunately the Federal Government and the Sindh Government have reduced their spending in print media drastically.
- Federal Government in particular has reduced advertisement support for regional Sindh based papers over the past few years on the pretext that after the 18th amendment the Federal Government is not obliged to issue advertisements to regional papers.
- Print media has suffered a great deal due to non-payment of government advertisements on the part of Federal Government and Sindh Government.

119. During his cross examination, he has stated that ABC certified circulation of his regional B newspaper is 21,000. He added that his entire staff comprising 4/5 members do not get any salary, because all of them are family members, therefore, no question of enforcement of Wage Board Award arises. He claimed that regional newspapers are given step motherly treatment.

120. Muhammad Younas Wahab, Chief Editor of Daily "Halchal" Hyderabad, appeared as OW-12, and produced his affidavit as EX-OW12/A alongwith a copy of NIC EX-OW12/B. Main crux of his statement is that, keeping in view the short falls, media, and specifically the print media, is not able to Award the 8th Wage Board and therefore, according to him, market should decide the matter of employees' wages with mutual consent.

121. During his cross examination, the witness stated that circulation of his newspaper was 38,000. He added that government was not issuing advertisements to local newspapers of Sindh. He further added that for the last three years Sindh Government had not paid any amount on account of advertisements. In answer to another question, he stated that, including 7 regular employees, there were 30 employees of his newspaper and rest of the employees were part timers. According to him he pays Rs.30,000/- monthly to his senior most employee who is News Editor.

Gist of evidence of the witnesses produced by both sides during meetings at Lahore is given as under:-

122. EW-28 Raja Riaz Ahmad, Secretary General, PFUJ Workers, deposed that—

- Last Wage Board Award was not implemented by all the newspapers management.
- Employers in order to avoid implementation of award resorted to different tricks like appointing employees through 3rd parties.
- The owners laid off employees on the pretext of economic recession/slump and there was a decrease of 25 to 50% in staff.
- The number of people publishing ABC certified newspaper is huge.
- Since 2010, there is a huge increase of prices of commodities of daily use but salary of newspaper employees has not been increased with the same ratio.
- In comparison to year 2010, a Government Servant is getting more than double salary.

- That the salary of an employee should be either increased according to the ratio of increase of price of gold or the salary of 3rd grade employee should be equivalent to grade 17 Officers and similarly the salary of other grades needs increase accordingly.

123. During cross examination, the witness stated that now-a-days, he has been working as correspondent in "Arab News" and his salary is Rs.2,00,000/- whereas, in 2000 his monthly salary was Rs.9500/-. In answer to another question, he replied that in the year 2001, he purchased 20 tolas of gold against Rs.1,19,000/- whereas, the price of gold at present is Rs.73,000/- per *tola*. He denied the suggestion that on 1st July, 2000, price of gold was Rs.16,300 per *tola*.

124. EW-29 Sadaqat Ali Bhatti, K.B.O/Shift Incharge, Computer Unit, Daily "Nawa-i-Waqt" and member of APNEC produced his affidavit-in-evidence as EX-EW29/A. Barring minor variations, the contents of his affidavit are quite similar to those of affidavit of EW-5, therefore, there is no need to reproduce his statement.

125. During cross examination, he admitted that he was compulsorily retired from service on 28th February, 2019. He however, added that the said retirement order has already been challenged before ITNE. In answer to another question, he stated that management of "Nawa-i-Waqt" has not implemented 7th Wage Board Award and that management changed retirement policy to frustrate litigation for implementation of the aforesaid Award.

126. EW-30 Mansoor Malik, Senior Staff Reporter, "Dawn" Group and General Secretary, Workers Union Lahore produced his affidavit-in-evidence as EX-EW30/A alongwith other documents as Marks-Lah-A to Lah-H and closed his statement. In his affidavit, the said witness deposed that—

- After 22 years regular service with "Dawn", he was drawing Rs.91,768/- as gross salary including Rs.66,040/- in PAP which is being considered a loan.
- With the cost of living skyrocketing, he and his colleagues were expecting decent pay rise but the management slapped a 40% cut on his PAP which is part of salary.
- A government college lecturer having 17-year service has been drawing more than Rs. 100,000/- salary including Rs. 80,000/- basic pay.
- A lecturer inducted in a university service in 2000 was drawing Rs. 9,511 including Rs. 6,210/- basic pay. The same lecturer after 17 years' service in 2019 is drawing a total sum of Rs. 1,12,660/- including Rs.72,790/- as basic pay.
- Even before 40% cut, he, alongwith his wife and three kids, had been living at bare minimum trying to make both ends meet and at times was compelled to take loans.
- He had to switch from his 800 CC Car to motorcycle against doctor's advice and continues to use motorcycle even after 22 years of service in "Dawn".
- Gross salary cut reduced his salary to just Rs.65,352/- having only Rs.56,059/- as draw able salary.

- Keeping in view almost 400% increase in inflation during the last 19 years, there is need to increase the salaries with identical percentage to help the newspaper workers to maintain a decent living.

The said witness was not cross-examined.

127. EW-31 Muhammad Irfan, K.B.O/Sub-Editor, Daily "Nawa-i-Waqt" produced his affidavit-in-evidence as EX-EW31/A. Barring minor variations, the contents of his affidavit are quite similar to those of affidavit of EW-5, therefore, there is no need to reproduce his statement.

128. During cross examination, he admitted that previously he was permanent employee but since 1st March, 2019, he has been serving as part time employee.

129. EW-32 Ijaz Ahmad, Computer Operator/Lead Maker, daily "Nawa-i-Waqt" produced his affidavit-in-evidence EX-EW32/A. The contents of said affidavit are also similar to those of affidavit of EW-5 therefore, need not be repeated.

130. During cross examination, he stated that previously, he was permanent employee but 2/3 months ago after having being forced to retire, he was made to work as part timer.

131. EW-33 Muhammad Ibrahim, Editorial Assistant Daily "Jang" Lahore submitted his affidavit-in-evidence as EX-EW33/A wherein, he stated that—

- It is very difficult to make ends meet with a total monthly salary of Rs. 38,794/- as with the said salary, he can only pay utility bills.
- His monthly expenditures come to the tune of Rs.73,000/-
- In order to make ends meet, he, alongwith his two kids work as newspaper hawkers in morning time.

132. During cross examination, he admitted that during the last five years, there is 5% decrease in publication of the newspapers but according to him that occurs temporarily due to increase of face price of a newspaper.

133. EW-34 Muhammad Qamar Zaman Bhatti, Ex-Secretary, PFUJ produced his affidavit-in-evidence as EX-EW34/A, EX-34/A/1, copy of NIC EX-EW34/B and copy of receipt EX-EW34/C. In his affidavit, he stated that—

- In 2001 price of gold was Rs.6100/- per tola whereas, presently it is sold at the rate of Rs.73,000/- per tola.
- Similarly price of a dollar has increased from rupees 60 to rupees 150 and that keeping in view the price hike there should be 300% increase in the salary of the employees. He has given table of his monthly expenditures amounting to Rs.93,700/-.

134. During cross examination, he admitted that he writes online columns. He however, denied the suggestion that people have been attracted to write online columns due to precarious condition of print media industry. He stated on his own that during last 19/20 years, there is an increase of 300% in the salary of government

servants, whereas, increase of salary of newspaper employees is equal to none.

135. EW-35 Muhammad Arshad, Computer Operator, Daily "Jang" produced his affidavit-in-evidence as EX-EW35/A wherein, he stated that his monthly salary is Rs.42,210/- whereas, his monthly expenditures are more than Rs.90,000/-. He demanded that keeping in view the price hike, there should be increase of 300% in the salary. He added that for maintaining his multimember family, he must get financial support from salary of his sons.

136. During his cross examination, he stated that his claim of price hike at 300% is based on the fact that in the year 1981 price of gold was Rs.900/- per tola whereas, presently its price is Rs.72,000/- per tola. He further stated that he makes both ends meet after borrowing from his relatives. He added that in the year 2000 monthly grocery used to cost Rs.4000/- whereas, presently it is costing to Rs.40,000/- per month.

137. EW-36 Muhammad Farooq, Computer Operator, Daily "Jang" produced his affidavit EX-EW36/A, wherein, he stated that his total salary including interim relief is Rs. 42,300/- whereas he has already attained his maximum stage. According to him, his monthly expenditure is Rs. 63,000/-. He also demanded 300% increase in the salary.

He was not cross examined by the employers' members at all.

138. EW-37 Muhammad Afsar Khan, Librarian Daily, "Jang" produced his affidavit EX-EW37/A, wherein barring minor variations,

the contents of his affidavit are quite similar to those of affidavit of EW-35, therefore, there is no need to reproduce his statement.

139. The statements of EW-38 Muhammad Arshad Munir Khan, Computer Operator, Daily "Jang" and EW-39 Muhammad Asghar Khan are almost the same as those of EW-35, and therefore, need not to be repeated.

140. EW-40 Naveed Latif, Ex-K.B.O, Nida Investment and Printing Cooperation produced his affidavit EX-EW40/A. In addition to that, he orally stated that—

- He has been serving as K.B.O since 1987.
- For claiming arrears of his salary in the light of 7th Wage Board Award, he instituted an application before ITNE in 2013. However, despite getting decree on 02.11.2015, he was not paid arrears of his salary.
- For recovery of said salary, he has knocked the door of DC Office, Lahore.
- The management of the newspaper has devised retirement policy to avoid payment of arrears under 7th W.B Award and future salaries under forthcoming 8th Wage Board Award.

141. During the cross examination, he admitted that a bail able case under cyber law was registered against him but he has already been granted bail in said case.

142. EW-41 Muhammad Aneel Shahid produced his affidavit EX-EW41/A, wherein he stated that he is Computer Engineer in Nida Investment and Printing Cooperation since 1993. Rest of the contents

of his affidavit are similar to those of EW-40, therefore, need not be repeated.

143. During the cross examination, he admitted that he was dismissed from service but he has got stay order from ITNE. On his own, he added that he has not been paid arrears by the administration; that his removal order does not contain any reason. However, he was told that the post against which he was working had been abolished. He stated that if an offer to pay his entire arrears in lump sum is made to him, he will readily accept it.

144. EW-42 Zulifqar Ali, Clerk/Typist Legal Department "Nawa-i-Waqt" Lahore, produced his affidavit EX-EW42/A, wherein he stated that despite long service of 32 years, his present monthly salary is Rs.27,600/- whereas expenditures of his family comprising of 5 members are Rs.53,000/- per month.

No material question was put to him during his cross examination.

145. EW-43 Mubashar Hussain, Retired K.B.O Daily "Nawa-i-Waqt", produced his affidavit EX-EW43/A, wherein he has made a statement similar to that of EW-40, therefore, contents of the same need not be repeated.

146. During the cross examination, he stated that at the time of his compulsory retirement, his service was more than 25 years. He stated that if an offer to pay his entire arrears including PF and gratuity in lump sum is made, he will readily accept it.

147. Statements of EWs-44, Ilyas Ahmad, Ex-Diary Clerk, and EW-45, Tariq Saleem, Ex-K.B.O, Daily "Nawa-i-Waqt" Lahore are similar to that of EW-40 and therefore need not be repeated.

148. Statement of EW-46, Muhammad Akram, Ex-Reference Clerk Daily "Nawa-i-Waqt", is similar to that of EW-40 and therefore need not be repeated.

149. During his cross examination, he denied the suggestion that he was removed from service on the ground that advanced technology had made his post redundant. He added that none of removed employees is allowed to enter the building of "Nawa-i-Waqt". In answer to yet another question he stated that if an offer to pay his entire arrears in lump sum is made, he will readily accept it.

150. Statements of EWs-47, Emanuel Masih, Ex-Daftri, EW-48 Naveed Rauf Khan, Ex-K.B.O, and EW-49, Khurram Nisar, Ex-K.B.O Daily "Nawa-i-Waqt" Lahore, are similar to that of EW-40 and therefore need not be repeated.

151. Dr. Ijaz Hassan Qureshi, Chairman and Owner of "Urdu Digest", Owners' Witness appeared as (OW-13) and produced his affidavit as EX-OW13/A, wherein he stated that there was drastic decrease of publication of monthly magazines and journals etc. According to him, due to decrease of release of private and government advertisements, it has become very difficult to continue publications of monthly magazines and journals therefore, he is unable to pay salary to the employees according to the W.B Awards.

152. During his cross examination, he stated that there are eight employees of Urdu Digest. In answer to another question he stated that he has never paid salary according to W.B Award, however, the employees are paid salary more than fixed in Wage Award; that he will be unable to pay salary according to forthcoming

Wage Board Award because his expenditures would become double and that his magazine falls in periodical A category, therefore, it receives advertisements at the rate fixed for said category. He denied the suggestion that in order to avoid payment of additional benefits, fixed by Wage Boards, to the employees, he does not enforce the Award in his institution.

153. Noor Ullah, Senior Manager Marketing of “Jang” Media Group, appeared as OW-14 and produced his affidavit as EX-OW14/A alongwith copy of NIC EX-OW14/B. Precisely speaking, he raised following points in his affidavit—

- i. From the fiscal year 2013-14 “Jang Group” has witnessed a steady decline in advertising revenues and in the current fiscal year revenues of Lahore station until the end of third quarter fell by almost 40% lower than the revenue generated during first three quarters of fiscal year 2017-18.
- ii. Per ton prices of newsprint have risen by more than hundred percent in the last couple of years.
- iii. Due to declining revenues and steep input costs, “Jang Group” has closed down four nationwide dailies namely “Waqt”, “Inqilab”, “Awam” and daily “News”, and that the group was forced to close down offices in Faisalabad and Peshawar.
- iv. Television advertising, and most recently digital advertising have continued to increase their share of advertising at the cost of print advertising and that 40% share of print in overall advertising in fiscal year 2004-05 has nosedived to 24% in fiscal year 2017-18.

- v. Overall advertising market has shrunk resulting in further reduction of print advertising.
- vi. Despite financial difficulties faced by the newspaper industries there has been a negligible increase in the rates of "Jang" Media Group for government advertising that comes to a mere 75% since the year 2000.
- vii. Commercial tariff of the group has only increased by 88% in last 19 years whereas; C.P.I has gone up by 272%.
- viii. In order to motivate hawkers to sell reasonable number of copies the group had to increase trade discounts from 33% to 40% effective from 10th January, 2016 thus further adversely affecting circulation revenue.

154. During his cross examination, the witness admitted that government has reduced import duty by a margin of 5%, but, according to him, that is negligible; that due to increase in the expenditures, the management has reduced number of pages of the newspaper. He has admitted that people numbering in hundreds have been laid off by "Jang" group. He has further admitted that the group gets advertisement through website as well, but the number of said advertisements has also decreased. He also admitted that electronic media, which has diverted advertisement from print media includes "Geo Channel" as well. He, however, denied the suggestion that "Geo" is major share holder of advertisement revenue. It is, however, admitted that the cover price of the newspaper has already been increased. It is also admitted that since 2000 there is increase of 88% in rate of advertisements. The witness showed his ignorance about income of Sunday Edition's Advertisements, however, he

admitted that rate of Sunday Edition's Advertisements is 10% higher than the normal days.

155. Bilal Mehmood, Director Marketing of "Nawa-i-Waqt" Group, appeared as OW-15, and produced his affidavit as EX-OW15/A alongwith Mark OW15/B and Mark OW15/C. In his affidavit he highlighted the following points—

- i. "Nawa-i-Waqt" Group has witnessed a decline of 30% in business revenue during period of 2016 to 2018.
- ii. Diversion of advertising to other advertising sources has jolted the budget of print media. Print media's share has shrunk to 24%.
- iii. Price hike in the Newspaper Industrial Consumable Items has widened the gap of income and expenditures.
- iv. Increase in government advertisements rate is not at par with that of inflation.
- v. During past 19 years, the commercial tariff of the newspaper has only been increased by 88%, whereas, the C.P.I has gone up by more than 200%, and, the ability of the market to absorb higher tariff has diminished over the years with advertising moving away from print to other platforms.
- vi. Rapidly repeated devaluations of Pak Rupees have also adversely affected the market.
- vii. Circulation of daily "Nawa-i-Waqt" and "The Nation" has considerably dropped during a couple of years.

156. During his cross examination, the witness stated that he has been receiving salary more than that fixed by Wage Board. He has admitted that in times of need the newspaper can increase

advertisements by publishing supplements or increasing pages. He denied the suggestion that hundreds of people had been laid off by the administration of "Nawa-i-Waqt", but, according to him they have been made to retire after formulating a retirement policy, which of course, has been slapped against their wishes. He further added that at the time of retirement they were not paid gratuity fund and their salaries due to paucity of funds. He has denied the suggestion that employees were laid off in order to avoid dilution of profit margins. He has admitted that like employers, increase of price of Dollar and petrol adversely affects the employees as well. He has further admitted that in Mark-OW15/A, produced by him, decrease of income has been shown but the decrease of expenditures through employee layoffs, has not been shown.

157. Kashif Saeed, Director Operations "Dawn Group" Lahore, appeared as OW-16 and produced his affidavit as EX-OW16/A alongwith other documents as Mark-OW16/A to Mark-OW16/E. In his affidavit he raised the following points—

- i. First three quarters' advertising revenue of 2018-19 is 32% lower than that of the same period for 2017-18.
- ii. Advertising share of print has seen a decline owing to the upsurge in the electronic media. Consequently print media's share in advertisements shrunk from 39% to a mere 24%.
- iii. The economic slowdown has resulted in an additional dip in the already debilitating print share.
- iv. On one hand newspaper industry is struggling with rising inflation while on the other hand there has been a nominal

increase in the Pure Government advertising tariff for Lahore and Islamabad region.

158. During his cross examination, he admitted that there is 300% increase in the commercial tariff of advertisements of Sunday. He further admitted that business of "Dawn" was adversely affected due to its Editorial Policy. He goes on to admit that devaluation of rupees adversely affects employees as well.

159. Syed Hasan Akbar, General Manager Marketing Department "Dawn" Karachi, appeared as OW-17 and after producing his affidavit EX-OW17/A he closed his statement. In his affidavit the following points have been raised—

- i. "Dawn has successively raised its private advertising rates on several occasions from 2000 to 2018.
- ii. While the base rate charged to private advertisers has increased, this does not automatically translate into additional revenues.
- iii. Advertising volumes have indeed registered a sharp decline by 41% as compared to 2001-2002.
- iv. While private advertising volumes on regular pages as a whole have increased by 41% in "Dawn", the decline in the revenues is even more disproportionately pronounced.

160. During his cross examination, he admitted that there is 300% increase in rate of private advertising. He showed his ignorance as to whether there was addition in salary of the employees with the same ratio. It stands admitted by the witness that the pages of "Dawn" newspaper have been reduced but it happened during last 6

months. He further admitted that larger decrease in commercial tariff also occurred during last six months.

161. Irfan Athar, Group Editor, Daily "Jurat", "Tajarat" & daily "The Business Lahore", appeared as OW-18 and produced his affidavit EX-OW18/A alongwith some other documents as Mark-OW-18/A to OW-18/C. According to his affidavit—

- Like other media houses, Daily "Tajarat" has also been facing acute financial crises since induction of caretaker government in 2018.
- There is extra ordinary decrease in issuance of advertisements to the newspapers by the Federal and Provincial Governments and that similarly there is extra ordinary delay in payment of arrears to the newspapers by said governments.
- After referring to statements of some Federal Ministers, the witness claimed that in the light of Government Policy the newspapers establishments can neither be expected to pay interim relief to the employees nor can they implement forthcoming Wage Board Award.
- Bigger newspaper establishments have stopped various publications of theirs and hundreds of employees have been laid off.
- The publication and income of newspaper establishments has shrunk.

162. During his cross examination, he has stated that regional newspapers don't have any representation in Wage Board and that publication of newspapers is likely to be stopped even before announcement of 8th W.B Award because the whole industry has

been facing financial crises continuously. He admitted however, that according to the documents relied upon by him the income of his newspapers in 2018 increased by a margin of the 20 million rupees in comparison to year 2017. According to the witness, due to decrease in duty by the government the newspaper establishments have benefited marginally. He further admitted that, according to his affidavit, there were no crises in the industry before 2018.

163. Arshad Mehmood, Manager Finance, "Daily Pakistan" Lahore, appeared as OW-19 and produced his affidavit EX-OW19/A wherein, he has claimed that—

- Due to financial and political instability, private as well as government businesses suffered heavily.
- Prices of all the material required for publication of newspapers have been increased but there is decrease of advertisement revenue.

164. During his cross examination he claimed that "Daily Pakistan" has been paying salary to the employees according to 7th W.B Award. He admitted that according to his affidavit the income of his newspaper increased in 2018 due to holding of general elections. He has further claimed that the said newspaper has increased salary of the employees during last 4/5 years. In answer to a question, he stated that he was not equipped with the record supporting said contention. He, however, undertook to appear again before the Board in the next meeting.

Note: The said witness failed to turn up in all the remaining meetings.

Gist of evidence of the witnesses produced by both sides during meeting at Faisalabad is given as under:-

165. EW-50 Tahir Rasheed, President Faisalabad Union of Journalists, stated that—

- Journalists of Faisalabad had yet not received benefit of 7th W.B Award given 17 years ago.
- The salaries of journalists being very meager, it is very difficult for the journalists to run the expenditures of kitchen, education of children and health care.
- Journalists are facing financial difficulties.
- Journalists are being appointed through third party.
- There is no job security.
- The employees are not handed over regular appointment letters and therefore can be removed from service at any time.
- In Faisalabad dailies “Jang”, “Express”, “Dunya” and “92 News” fall in the category of regional newspapers as they have got NOC from Faisalabad, Sargodha and Lahore in order to get more advertisements.
- The newspaper show fake circulation with the collaboration of PID and that all the newspapers, whether regional or national, should be treated alike and the payment of advertisement revenue should be subjected to payment of salaries to the workers.

166. During cross examination, he admitted that metropolitan newspapers, even if published in Faisalabad, cannot be termed as regional newspaper. On his own he stated that the bigger organizations maintain their setups in Lahore and do not arrange

publications from local stations, therefore, the local people cannot get job opportunity. He admitted that Dawn Newspaper has received a certificate from ITNE to the effect that the said administration has fully enforced 7th W.B Award. He added that Daily "92 News" Newspaper is supplied in Sargodha after being printed in Faisalabad. Similarly, Daily "Express", and Daily "Dunya" have got declaration for Faisalabad but are being printed in Lahore.

167. EW-51 Shoukat Ali, General Secretary Faisalabad Union of Journalists, produced his affidavit as EX-EW51/A. In addition to that, he stated that, keeping in view the price hike, there should be threefold increase in the salaries of journalists. The crux of contents of his affidavits is to the effect that journalists cannot make both ends meet with the meager salaries paid to them.

168. During cross examination, he stated that he is an employee of Daily "Nai Baat" and his salary is only Rs.23,000/- and that he is forced to work in two institutions namely the aforesaid newspaper and "Neo Tv". He added that his employer does not implement Wage Board Award.

169. EW-52 Mian Muhammad Saleem, produced his affidavit EX-EW52/A. According to that affidavit, his monthly salary is Rs.20,000/- whereas, his monthly expenditures are more than Rs.70,000/-.

170. During his cross examination, he stated that he is an employee of Daily "Pakistan" (Shami Group); that he did not protest his grievance before ITNE because any worker who approaches ITNE is dismissed from service; that he is a full time employee and

performs the duties of reporter as well as Sub-Editor and that, in addition to that, he works on desk as well. On his own he stated that the said paper is published from Lahore after having been printed in Faisalabad.

171. EW-53, Syed Zikar Ullah Hasni, General Secretary PFUJ (Dastoor), produced his affidavit EX-EW53/A, wherein he stated that—

- Workers of local and national newspapers are not even handed over appointment letters, and, if any worker is given appointment letter, he is shown as employee of some factory or press and not an employee of newspaper. He gave some names of journalists who have been removed from service by Daily Jang and some other daily newspapers.
- At the time of induction into service journalists are made to sign blank papers which can be used for their removal at any time.
- Local newspapers cannot afford to pay remuneration to their employees.

172. He demanded that the employees should be provided job security and it should be ensured that accredited journalists be paid at least Rs. 50,000/- monthly. He further demanded that issuance of advertisements to the local newspapers be made subject to payment of salaries to the journalists.

173. During his cross examination he stated that he is Bureau Chief of Daily "Islam" and district representative of Daily "Ummat" Karachi. Responding to the question put by me, the witness stated

that aforesaid newspaper did not implement W.B Award. On his own, he added that the owners of newspaper do not issue appointment letters to journalists, rather they are only provided cards depicting them as correspondents of the newspapers, and therefore, they are not even paid salary, let alone implementation of W.B Award.

174. EW-54 Shahid Ali, Resident Editor Daily "Nai Baat", produced his affidavit EX-EW54/A. In addition to that, he stated that—

- Keeping in view the price hike, there should be an increase of 3 fold in the salaries of the employees as the present Wage Board has been constituted after 17/18 years.

175. In his affidavit, he deposed that the salaries of the employees and journalists are so meager that it is very difficult for them to make both ends meet.

176. EW-55, Saeed Ahmad Somi, produced his affidavit EX-EW55/A. In addition to that, he deposed that—

- Similar to other journalists of Faisalabad, he has never been paid salary according to the W.B Award for the last 30 years.

177. The contents of his affidavit are to the effect that there should be a threefold increase in the salaries of the journalists.

178. During cross examination he claimed to be an employee of Daily "Jang" but, on further questioning, he admitted that at the moment he is not employee of Daily "Jang" because publication of Daily "Jang" from Faisalabad has been on hold for the last five months.

179. EW-56, Syed Shahbaz Ali Hadi, produced his affidavit EX-EW56/A. His statement is almost similar to that of EW-54, Shahid Ali, therefore there is no need to repeat it.

180. EW-57, Muhammad Ramzan, produced his affidavit EX-EW57/A. In addition to that he deposed that—

- He is working as Sub-Editor in Daily “Al-Bayan” Pakistan.
- A year ago administration of said daily removed all the employees from service without payment of their dues and that, due to non-payment of salaries, the employees have been starving.

No material question was put to him during his cross examination.

181. EW-58, Muhammad Arshad Imran, stated that he had been working as Sub-Editor of Daily “Jang”, but was removed from service on 15.12.2018 and that, being jobless, he is very upset.

182. During cross examination he stated that he was not communicated any reason at the time of his removal. He admitted that since December 2018, publication of said daily from Faisalabad has been on hold. However, he added, that Bureau Office of said daily is still functioning in Faisalabad. He denied the suggestion that only four people have been working in Bureau Office. On his own he stated that ten people are still working in said office. However, he admitted, that before closure of publication from Faisalabad, 92 employees had been working in said office.

183. EW-59, Syed Mumtaz Hussain, produced his affidavit EX-EW59/A. He, however, slipped away without signing his statement; therefore, the same need not be discussed.

184. Syed Munir Gilani, Chief Editor, "Daily Pegham" Faisalabad, Owners' Witness (OW-20) has stated that—

- Due to advertisements not being released to the newspaper establishments, publication of lot of newspapers has stopped.
- His newspaper has been paying satisfactory salaries to its employees but, due to the imbalance between exorbitant expenditures and low income, said system is not likely to continue further.

185. During his cross examination, he stated that his newspaper is on media list, therefore, Federal as well as Provincial Governments release advertisements to his newspaper; that ABC certified circulation of his newspaper is 40 thousand; that 21 employees are working in his establishment, however, barring four permanent employees rest are part timers; that the employees are paid salary more than that prescribed in W.B Award and that besides himself and his brother there are three other journalists in his establishment. In answer to a question he showed ignorance about the salary of Saleem Rehmani, one of his employees. Likewise he showed ignorance about salary of his other employees. He admits that decrease in advertisements occurred from the last year. He further stated that there was no permanent employee in Lahore and Sahiwal stations of his newspaper.

186. OW-21, Humayon Tariq, Chief Editor Daily "Business Report" Faisalabad, deposed that the major problem of his newspaper is that advertisements are not being released to it and that his newspaper has been surviving only on the basis of local advertisement revenues:

187. During his cross examination, he stated that total circulation of his newspaper from Faisalabad city as well as Faisalabad Division is 12 to 28 thousands; that strength of his newspaper's employees is 31/32; that out of said employees four are his family members but they are also paid salary; that decrease in government advertising started from year 1999 and during last two years of Mian Nawaz Sharif's regime release of advertisements to his newspaper was totally stopped; that in his newspaper maximum salary is paid to the Editor and Reporter; that package of maximum monthly salary is about Rs.1,05,000/- which is paid to the CFO and that he is not sure as to whether gratuity or provident fund is paid to any of his workers. He admitted that despite being owner of the newspaper, he was not aware of salary of his employees because that matter is overseen by other family members.

Gist of evidence of the witnesses produced by both sides during meeting at Multan is given as under:-

188. Masih Ullah Jampuri, Chairman Newspaper Workers Foundation, Employees' Witness (EW-60) produced a chart EX-EW60/A bearing his signatures EX-EW60/B. He stated that—

- Salary of a journalist should be at least Rs.81,000/- per month and that different allowances given to the journalists have been stopped gradually.

- He narrated an incident of a journalist who was patient of hepatitis and his appointment letter had been issued by some other company. His salary was stopped after declining request of his wife to employ her daughter in place of her husband and that, on the death of said journalist, many journalists staged a protest/rumpus during his funeral procession.
- Newspaper employers have hired workers through outsourcing companies in order to avoid enforcement of W.B Award.
- A journalist does not even get salary equivalent to a sweeper.

189. During his cross examination he stated that all newspapers do not implement W.B Award. In answer to a question he admitted that some people do write for different newspapers. In answer to another question as to whether he (the witness) can name any institution which has been paying salaries according to the chart produced by the witness he replied that it used to happen before year 1992. He added that, in said year, he used to receive monthly salary of Rs.7,000/- and if it had continued, his present salary would have been Rs.1,50,000/-. He added that NPT Newspapers used to pay salaries according to W.B Award. He further deposed that in order to protect their interest, to a few people, owners are paying salaries above those stated in the chart. In answer to another question the witness could not name any foreign institution which has been paying salaries according to the chart produced by the witness. Also, he failed to give name of any bank paying Rs. 81,000/- salary per month to their employees.

190. EW-61 Shahzad Khan, produced his affidavit EX-EW61/A. He was duly cross examined but he also slipped away without signing his statement.

Gist of evidence of the witnesses produced by both sides during meeting at Quetta is given as under:-

191. Abdul Samad Maingal, Senior Terminal Operator Daily "Jang" Quetta, Employees' Witness (EW-62) produced his affidavit EX-EW62/A, wherein he deposed that—

- He has been working against 5th stage of Special Grade but, despite his lengthy service of 24 years, he has been receiving Rs.34,000/- as monthly salary which includes interim relief as well as other allowances whereas a Federal Government Employee of 19 Grade working at 6th stage has been receiving Rs.77,510/- as monthly salary in basic pay scale.
- It is impossible to make both ends meet with the salaries paid to journalists.
- Only 2 or 3 Urdu Newspapers and similar number of English Newspapers have been paying salaries to the employees according to the W.B Award.
- Contract system has been introduced by said newspapers.
- There is no institution which is not earning huge profits, had it been so, said institutions must have closed down during last 16/17 years.

192. Note: the witness has given a chart of revenue collected by the management of newspapers against commercial and government advertisements besides the revenue collected from the sale of newspapers. Similarly, he has given a comparative table of prices of

different commodities showing skyrocketing increase in prices of said commodities etc since 2001.

193. In answer to a question during cross examination, he stated that the figures quoted/stated in his affidavit have been obtained by him from his colleagues. In answer to another question, he replied that he does not have personal information about revenue of advertisements, however, he emphasized that the contents of his affidavit are correct. He clarified that figures given by him only relate to Quetta.

194. EW-63 Hamad Ullah, Vice President, Union of Journalist Baluchistan, Quetta/Sub-Editor, EW-64 Ghulam Farooq, Sub-Editor and EW-65 Muhammad Imran, Junior Machine Man, Daily "Jang" Quetta produced their affidavits EX-63/A, 64/A and 65/A respectively. Contents of said affidavits are repetition of those of EW-62, therefore, there is no need to discuss the same.

195. Cross examination of EWs-63, 64 and 65 revolves against the part of their statements regarding disbanding of N.P.T, therefore, there is no need to discuss the same. It would be relevant to state here that the contents of the affidavits of the said witnesses regarding other merits of the case stood unchallenged during cross examination.

196. EW-66 Nadeem Masih, Senior Terminal Operator, Daily "Jang" Quetta, produced his affidavit EX-EW66/A, contents whereof are ditto copy of the affidavit of EW-62, therefore, there is no need of repetition.

197. During his cross examination in answer to a question about figures mentioned by him in his affidavit, he answered that having long service of 24 years to his credit a few things/figures have come into his personal knowledge; he added that he knows about income/revenue obtained by the owners' against advertisements as he, alongwith, others procures business for the newspaper and people ask from him rates of advertisements. In answer to another question he stood by the figures he has given in his affidavit.

198. EW-67, Saleem Shahid, Staff Correspondent Daily "Dawn" Quetta, produced his affidavit EX-EW67/A, wherein he stated that—

- He has been working as staff correspondent Daily "Dawn" Quetta for the last 27 years.
- He started his career in the department of journalism 40 years ago.
- Numerically journalism progressed a lot, but standards wise it regressed.
- During this period people who used to work against ordinary posts in ordinary newspapers have themselves become owners of newspapers and are earning millions.
- The budget of Government Advertisements has gone into billions.
- Baluchistan is the only province where even first W.B Award has not been enforced.
- Barring owners of few newspapers, none has enforced W.B Award.
- Minimum salary for unskilled laborer announced in the recent budget is Rs.17,500/-whereas, there would hardly be any

reporter or Sub-editor of national or regional newspaper getting similar salary.

- In Baluchistan Reporters or Sub-editors are getting salary within range of 7 to 10 thousand rupees monthly.
- The interim award announced by 8th Wage Board is not being enforced in Baluchistan.
- In Baluchistan, the employees of newspapers are employed and removed orally.
- None of the correspondents receive any salary, rather they are just issued cards and if any correspondent of any newspaper is killed during his service, the owners would not own him as their employee.
- In Baluchistan, during last ten years, 48 Journalists and Camera men have been martyred.
- During last 17 years, price of US Dollar has increased from 62 to 162 rupees per USD, and, likewise, there is increase of hundred percent in electricity bills and 198 percent in the gas price and the prices of commodities of daily use and transport expenses have skyrocketed.
- During last 17 years, there is yearly increase of 10% to 15% in the salaries of Government Servants but newspaper employees have been deprived of said increments and they are working against the same remuneration which they were getting in 2001 to 2002.

199. During his cross examination he stated that he is working on the basis of Post Retirement Contract since retirement. In answer to another question he stated that Newspaper Employees'

Organizations provided the figures narrated by him in his affidavit orally and not in writing. He denied the suggestion that the figures narrated in his affidavit are incorrect.

200. EW-68 Abdul Khaliq, Staff Reporter Daily "Jang" Quetta, produced his affidavit EX-EW68/A, wherein he deposed that:

- He is working against Special Grade but despite long service of 24 years his basic pay is Rs. 17,000/- per month.
- Government Servants with same amount of service have been getting much higher salary than newspaper employees.
- Salary of Government Servants is increased each year.
- His monthly house rent allowance is Rs.7,000/- against which he cannot even rent in suburbs of Quetta.
- During last few months there has been a steep price hike.
- The witness prayed for 400% increase in the salary of employees.

201. During his cross examination, he stated that his aforesaid demand is well considered one because last award was given 18/19 years ago and, moreover, there is unprecedented rise in C.P.I. He denied the suggestion that the said demand is based upon guess work instead of reality.

202. EW-69, Ayub Tareen, President Baluchistan Union of Journalists, Quetta, produced his affidavit EX-EW69/A wherein it has been claimed that:

- Financial condition of journalists and newspaper employees working in Baluchistan is miserable and pitiful.

- At the moment the number of daily newspapers being published from Quetta is between 100 to 150, but out of said newspapers, at the most twenty newspapers are seen on the bookstalls.
- The government has fixed an amount of Rs. 17,500/- as minimum salary of unskilled workers but, unfortunately, the newspaper employees are receiving lesser salary than that of unskilled workers.
- Even said salary is not paid to the employees.
- Daily "Jang" has the highest circulation amongst all the newspapers published from Quetta.
- Daily "Mashraq" Quetta has been earning an amount of 8 to 10 million rupees monthly as advertisement revenue, however, two of its full time employees, despite having long service, are getting meager salaries to the tune of Rs.14,500/- and Rs.12,500/- respectively.
- Recently two photographers have been employed by Daily "Mashraq" against total salary of Rs.10,000/- for both of them
- Daily "Dunya" Quetta is printed in Lahore, but it obtains advertisements from Government of Baluchistan.
- A lot of newspapers are functioning under the patronage of PID.
- Many of dailies published from Baluchistan have hired government servants as part timers.
- Despite possessing a degree of M.A Journalism, many youngsters are jobless due to the fact that they are not ready to work against very meager salaries.

203. In answer to a question during his cross examination, he stated that under the prevailing circumstances it has become impossible for genuine print media owners to run their business. He further admitted that salary paid by some of the newspapers like daily "Dawn" and "Jang" is better than others. He, however, added that a senior reporter and a photographer employed in daily "Mashraq" published from Quetta are receiving Rs. 14,500/- and Rs.12,000/- as their monthly salaries. He further added that such employees will have no option but to receive bribes. He further claimed that "Mashraq" newspaper was over taken from NPT in the name of workers but after showing door to all said workers the owner of said newspaper purchased property in his own name.

204. EW-70, Banaras Khan, produced his affidavit EX-EW70/A, wherein it has been claimed that—

- For the last 35 years he has been working as a Photographer.
- A lot of employees have been working on contract basis.
- Monthly salary of Reporters and Sub-editors ranges from Rs.8,000/- to 15,000/- whereas, salary of a Photographer is even less than that and that some of the newspapers are publishing only fifty copies apiece, but they are obtaining Governments Advertisements on the basis of fake ABC certificates.

205. During his cross examination he admitted that presently he is not working in any institution.

206. Javed Ahmad, Editor/Publisher, "Daily Aitemad" Quetta, Owners' Witness (OW-22) has deposed that—

- He has been publishing Daily "Aitemad" Quetta since 1970, but it is very difficult task to continue publishing any newspaper from Baluchistan and Quetta.
- Financial resources of Baluchistan are equal to none.
- That since sufficient ads are not being released by Federal and Provincial Governments, it is very difficult for the owners to run any newspaper comfortably.

207. In his cross examination, the witness stated that he does not know the number of circulation of his newspaper according to ABC certificate, however, according to him circulation of his newspaper is about 2000; that there are twenty employees working in his establishment and most of them are part timers because the establishment cannot afford full time employees. He admitted that he could not afford to pay salaries to his employees according to W.B Award. At this stage, the witness clarified that barring him and his son there was no other permanent employee in his establishment. In answer to a question he replied that despite suffering losses he was publishing his newspaper with the financial help of his son.

208. OW-23 Waseem Ahmad, Editor/Publisher, Daily "Awam" Quetta, raised following points—

- There is huge disparity in distribution of Government Advertisements between newspapers of Baluchistan and other provinces.
- During last two years there was advertisement revenue has decreased by the margin of 75% whereas; the expenditures of the newspaper establishment have increased to the tune of 200%.

- It is very hard to hire newspaper employees in Baluchistan
- It is becoming very difficult to pay salaries according to W.B Award.
- If said situation continues to prevail, he will have to stop publication of his newspaper.

209. During his cross examination, he stated that most of his employees have been working on contract basis; that out of 20 employees five are full time workers and that certified ABC circulation of his newspaper is 48,500. However, he stated that he would not like to answer as to whether he has been publishing newspaper according to ABC circulation. At this stage, he stated that he does not know exact number of circulation of his newspaper. He denied the suggestion that full time employees are not hired to avoid implementation of W.B Award.

210. According to OW-24 Muhammad Azhar, Station Manager, "Daily Jang" Quetta, since last one year there is 40% decrease in release of advertisements and similarly circulation and revenue of the newspaper has been decreased to a large extent due to competition with electronic and social media.

211. During his cross examination, he stated that in his establishment there were nine regular employees besides 105 contract based employees and two part timers. He denied the suggestion that after constitution of every Wage Board the employees are laid off in his institution. He stated that circulation of his newspaper in Quetta is 40000. He admitted that during last 6/7 months ten surplus employees were sacked.

212. In answer to a question, put by undersigned, he stated that he has three daughters but despite his long service/association of 40 years with his establishment he has been receiving monthly salary to the tune of Rs.60,000/-. He further claims that people of his caliber might have been getting monthly salary of about Rs. 1,00,000/-. He went on to admit that naturally he also wished that keeping into consideration his long experience his salary should also be increased.

Gist of evidence of the witnesses produced by both sides during meetings at Islamabad is given as under:-

213. Dr. Imran Farooq, Graphic Designer, Employees' Witness (OW-70) produced his affidavit EX-EW71/A, wherein it has been claimed that—

- Despite his long service of 24 years and attaining 6th stage of Special Grade his monthly salary, including PAP and other allowances, comes to Rs.34,000/-, which is extremely low.
- A Grade-19 Government Officer after reaching same stage is receiving an amount of Rs.99,810/- as basic pay besides allowances.
- Basic pay of a newspaper employee holding Special Grade is less than that of a Naib Qasid holding Government Scale 1
- It is almost impossible for employees to make both ends meet with the wages they are receiving.
- Minimum monthly rent of a two room house in the city is Rs.16,000/-.
- Paying education fee of children, transport expenses and other domestic expenses in addition to house rent has become

impossible for the employees and their living standard has touched dangerously low ebbs.

- Grievances of the media workers should be redressed by 8th Wage Board that has been constituted after lapse of 19 years of last Award.
- There are only 2 or 3 Urdu Newspapers and similar number of English Newspapers that pay the wages according to the W.B Award and that too only the regular employees, and the number of such employees is very small.
- Even in aforesaid newspapers, system of hiring employees on contract is prevalent.
- Contract employees are deprived of their legal rights.
- None of aforementioned establishments is suffering losses, rather they are earning big profits.
- The closed down newspaper establishments, as mentioned by the employees, had never been paying wages to their employees according to the W.B Award.
- Such unknown newspaper establishments start business every year but after a little time they perish.
- Implementation of 7th Wage Award started after long drawn litigation of 12 years but outstanding dues of said period were paid to the employees in installments spanning over period of five years.

214. The part of the affidavit of the witness regarding comparative table of advertisement rates of "Jang" group image is pasted as under:-

41

میں سب سے پہلے 2001ء اور موجودہ 2019ء کے دوران اشتہارات کے نرخوں میں ہونے والے اضافے سے آپ کو آگاہ کرنا چاہتا ہوں۔ یہ تمام نرخ روزنامہ جنگ کے ٹریف کارڈ 2000ء اور 2019ء سے لئے گئے ہیں۔

یہ ایک ڈیز کے ریٹ ہیں سٹریٹ کے ریٹ اس سے زیادہ ہیں۔

2001ء میں ریٹ فی سٹی میٹر	2019ء کے ریٹ	فرق	فیصد اضافہ
سرکاری کرشل اشتہارات 250 روپے	646 روپے	396	158 فیصد
سرکاری اشتہارات 213.39 روپے	388.82 روپے	175.6	82.53 فیصد

مندرجہ بالا ریٹ روزنامہ جنگ راولپنڈی کے ہیں۔

روزنامہ جنگ کراچی۔ لاہور۔ راولپنڈی اور کوئٹہ کے کمانڈو ایک ڈیز ریٹ درج ذیل ہیں۔ سٹریٹ کے ریٹ اس سے زیادہ ہیں۔

2001ء میں ریٹ فی سٹی میٹر	2019ء کے ریٹ	فرق	فیصد اضافہ
کراچی 825 روپے	1760 روپے	935	113%
لاہور 825 روپے	1710 روپے	885	107%
راولپنڈی 540 روپے	1320 روپے	780	144%
کوئٹہ 350 روپے	710 روپے	360	102%
کمانڈو 2000 روپے	4630 روپے	2630	131%
اوسط ٹوٹل اضافہ			597 (اوسط 119 فیصد)

نیز آخری صفحات پر 100 فیصد اضافہ صفحوں پر 200 فیصد اضافہ اور ٹیکس اشتہارات پر مزید 75 فیصد اضافہ چارج کیا جاتا ہے۔ روزنامہ جنگ راولپنڈی

میں صفحہ 2 پر 50 فیصد اضافہ چارج ہیں۔

۱۱۹

215. Describing the comparison of face price of newspaper, he submitted that in year 2001 it was 7 to 10 rupees whereas, presently price of "Jang" Newspaper is 20 to 25 rupees, hence, according to the witness, there is 150% to 185% increase in face price of the newspaper. Giving table of comparison of classified advertisements, the witness claims that there is an increase of 92.5% in the said head.

216. In addition, he has provided a chart detailing average increase for each pay scale granted by previous Wage Boards from 1974 to 2000. Image of said chart is pasted as under:-

میں ذیل میں آپ کے سامنے 1974ء سے 2000ء تک کے وٹج ایوارڈز میں پے سکیلوں میں ہونے والے اضافوں کی اوسط شرح فیصد پیش کرنا چاہتا ہوں۔

سیریل نمبر	وٹج ایوارڈز	اوسط اضافہ
1	دوسرے سے تیسرے وٹج ایوارڈز میں اضافہ	75.73
2	تیسرے سے چوتھے وٹج ایوارڈز میں اضافہ	74.85
3	چوتھے سے پانچویں وٹج ایوارڈز میں اضافہ	85.77
4	پانچویں سے چھٹے وٹج ایوارڈز میں اضافہ	67.21
5	چھٹے سے ساتویں وٹج ایوارڈز میں اضافہ	50
	وٹج ایوارڈز میں مجموعی اضافہ	353.56

217. Thereafter, he gave a table comparing prices of different commodities in the year 2019 with those of 2001. Image of said comparative table is pasted as under:-

نمبر شمار	اشیائے ضروریہ کی تفصیلات	قیمت 2001ء	قیمت 2019ء	فرق	فیصد اضافہ
1	آٹا 20 کلو گرام	175 روپے	810 روپے	635	363
2	چینی (نی کلو)	26.50 روپے	78 روپے	51.50	195
3	باجی چاول (نی کلو)	24 روپے	190 روپے	166	691
4	کریل سیلا چاول (نی کلو)	31 روپے	200 روپے	169	545
5	باجی چاول (نوہ) (نی کلو)	14 روپے	80 روپے	66	471
6	دال چنا (نی کلو)	94 روپے	130 روپے	96	282
7	دال مسور (نی کلو)	40 روپے	130 روپے	90	225
8	دال ماش (نی کلو)	44 روپے	170 روپے	126	286
9	دال ماش چھلکے والی (نی کلو)	42 روپے	170 روپے	124	295
10	دال مونگ بغیر چھلکے کے (نی کلو)	41 روپے	140 روپے	99	219
11	دال مونگ چھلکے والی (نی کلو)	38 روپے	140 روپے	102	268
12	سرخ لوبیا (نی کلو)	32 روپے	190 روپے	158	493
13	سفید چنے (نی کلو)	40 روپے	140 روپے	100	250
14	ڈالڈا مچی (5 کلو)	330 روپے	1080 روپے	750	227
15	ڈالڈا کوکنگ آئل (5 کلو)	330 روپے	1140 روپے	810	245
16	مرچ پاؤڈر (200 گرام پیکٹ)	18 روپے	180 روپے	162	900
17	دھنیا پاؤڈر (200 گرام پیکٹ)	13 روپے	160 روپے	147	1130
18	گرم مصالحہ (50 گرام پیکٹ)	18 روپے	100 روپے	82	455
19	بلدی (100 گرام پیکٹ)	5.50 روپے	85 روپے	79.50	1580
20	بڑی الائچی (50 گرام)	3.5 روپے	60 روپے	25	71
21	کالی مرچ ٹائٹ (50 گرام)	23 روپے	60 روپے	37	160
22	کالی مرچ پاؤڈر (50 گرام پیکٹ)	24 روپے	60 روپے	38	158
23	دار چینی (50 گرام)	8.25 روپے	30 روپے	21.75	263

2125	85000	روپے 89000	روپے 4000	سونا فی تولہ	24
200	104.85	روپے 156.83	روپے 52	ڈالر	25
257	81.50	روپے 113.24	روپے 31.64	پٹرول	26
615	109.37	روپے 127.14	روپے 17.77	ڈیزل	27
816	980	روپے 1100	روپے 120	چھوٹا گوشت	28
900	540	روپے 600	روپے 60	بڑا گوشت	29
500	10	روپے 12	روپے 2	روٹی	30
88	240	روپے 510	روپے 270	سینٹ فی ہوری	31
650	10400	روپے 12000	1600	اینٹ فی ہزار	32

اس طرح مہنگائی میں مجموعی اضافہ 15923 فیصد کو 32 پر تقسیم کرنے سے 497 فیصد اوسط نکلتا ہے۔

218. In addition to that, he has given a proposed pay scale chart with a prayer of 425% addition in the pay scale of employees. Image of said proposed pay scale table is pasted as under:-

EXISTING AND NEW SCALE AND POINT TO POINT FIXATION
METROPOLITAN "A"

The Existing Grade	PAYSCALES			with an increment	with 1 increment	with 2 increments	with 3 increments	with 4 increments	with 5 increments	with 6 increments	with 7 increments	with 8 increments	with 9 increments	with 10 increments
	Min	Mid	Max											
Existing	14100	675	80850	14100	14775	15450	16125	16800	17475	18150	18825	19500	20175	20850
Revised	59985	5998	119845	59925	65917	71909	77901	83893	89885	95877	101869	107861	113853	119845
Special Grade														
Existing	11700	568	17380	11700	12369	13038	13707	14376	15045	15714	16383	17052	17721	18390
Revised	49785	4978	99465	49725	54697	59669	64641	69613	74585	79557	84529	89501	94473	99445
Grade-I														
Existing	7800	540	13200	7800	8340	8880	9420	9960	10500	11040	11580	12120	12660	13200
Revised	33150	3315	66300	33150	36465	39780	43095	46410	49725	53040	56355	59670	62985	66300
Grade-II														
Existing	6585	450	11025	6585	6975	7365	7755	8145	8535	8925	9315	9705	10095	10485
Revised	27731	2773	55461	27731	30504	33277	36050	38823	41596	44369	47142	49915	52688	55461
Grade-III														
Existing	5910	375	9660	5910	6285	6660	7035	7410	7785	8160	8535	8910	9285	9660
Revised	25117	2511	50237	25117	27628	30139	32650	35161	37672	40183	42694	45205	47716	50227
Grade-IV														
Existing	5175	300	8175	5175	5475	5775	6075	6375	6675	6975	7275	7575	7875	8175
Revised	21994	2199	43984	21994	24193	26392	28591	30790	32989	35188	37387	39586	41785	43984
Grade-V														
Existing	4590	255	7140	4590	4845	5100	5355	5610	5865	6120	6375	6630	6885	7140
Revised	19507	1950	39007	19507	21457	23407	25357	27307	29257	31207	33157	35107	37057	39007
Grade-VI														
Existing	4325	234	6715	4325	4567	4809	5051	5293	5535	5787	6029	6271	6513	6755
Revised	18679	1867	37349	18679	20546	22413	24280	26147	28014	29881	31748	33615	35482	37349
Grade-VII														
Existing	4380	225	6570	4380	4545	4710	4875	5040	5205	5370	5535	5700	5865	6030
Revised	18360	1836	36720	18360	20196	22032	23868	25704	27540	29376	31212	33048	34884	36720
Grade-VIII														
Existing	4185	218	6365	4185	4365	4545	4725	4905	5085	5265	5445	5625	5805	5985
Revised	17786	1778	35566	17786	19564	21342	23120	24898	26676	28454	30232	32010	33788	35566

219. Moreover, he gave a comparative table of salaries of Government Servants and Newspaper Employees pertaining to years 2001 and 2019.

Year		Edition	Special	I	II
2001	Newspaper Employees	14100-675-20850	11700-562-17320	7800-540-13200	6525-450-11025
		BPS-20	BPS-19	BPS-18	BPS-17
2001	Government Employees Scale	14710-950-28010	12400-615-24700	8135-585-19835	6210-465-15510
2019	Govt. Employees Scale	88650-5870-170830	75990-3970-155390	49210-3740-124010	38990-2990-98790
	Difference 2001-19	73940	63590	41075	32780
	Increase 2001-19	502%	512%	504%	527%

220. Giving said tables, the witness deposed that between 2001 and 2019 there is total average increase to the tune of 511% in Government Servants salary. Given the importance of remaining contents of his affidavit, images are pasted as under:-

جناب والا!

مجھے دینچ ایوارڈ کے مطابق 1995ء میں سب ایڈیٹر اور رپورٹر گریڈ III میں بھرتی ہوتے تھے جن کا پے اسکیل کچھ اس طرح تھا
3940-250-6440 جبکہ اسی طرح سرکاری سکیل 17 کو دیکھا جائے تو اس وقت 1994ء میں یہ تھا 3880-290-7360۔
2001ء میں ساتواں دینچ ایوارڈ آنے کے بعد گریڈ III کا پے اسکیل 5910-375-9660 تھا اور سرکاری تنخواہوں میں 2001ء میں سکیل 17 کا اضافہ
کچھ اس طرح تھا 6210-465-15510۔

2019ء میں سکیل 17 کا پے اسکیل کچھ اس طرح ہے 38990-2990-98790 جبکہ 2000ء کے 19 سال تک کوئی ایوارڈ نہیں آیا جس کی
بنام میں ہمارے پے اسکیل میں کوئی اضافہ نہیں ہوا جو کہ انتہائی افسوسناک اور شرمناک ہے۔

اب میں ایک انتہائی اذیت ناک بات آپ سے کرنا چاہتا ہوں وہ کچھ اس طرح ہے کہ 2001ء میں ساتویں دینچ ایوارڈ کے مطابق پینشل گریڈ کا پے
اسکیل 11700-562-17320 تھا اور سرکاری سکیل 19 کا پے اسکیل 12400-615-24700 تھا جو کہ تقریباً برابر تھے۔ لیکن 2019ء میں اس وقت سکیل
19 کا پے اسکیل 75990-39700-155390 ہے۔ اب تقریباً 19 سال گزرنے کے بعد سرکاری سکیل 19 میں تقریباً 64000/- روپے کا اضافہ ہوا ہے۔ جبکہ
2000ء کے بعد کوئی ایوارڈ نہ آنے کی وجہ سے اخباری ملازمین کی تنخواہوں میں کوئی اضافہ نہیں ہوا۔

2019ء میں آپ ہمارے اس پینشل گریڈ کا موازنہ سرکاری سکیل 17 جو کہ ایک نائب صدر کا سکیل ہے سے موازنہ کیا جائے تو سرکاری سکیل 17 کا ملازم
ہمارے پینشل گریڈ سے بہتر ہے اس وقت سرکاری سکیل 17 کا پے اسکیل کچھ اس طرح ہے 11720-380-23120۔ اس سے زیادہ اذیت ناک مذاق اخباری
ملازمین سے کیا ہو سکتا ہے کہ پینشل گریڈ کا ملازم سرکاری نائب صدر کا قاعدے بھی برے حالات میں رہ رہا ہے۔



اگر سابقہ وٹج ایوارڈز میں صرف پیش گریڈ اور
سرکاری سکیل 19 کا موازنہ بھی کیا جائے تو اس کے مطابق

یا ٹچس وٹج ایوارڈ 1990ء کے مطابق:

5000-240-7400 1990ء میں پیش گریڈ اخباری ملازمین
5740-285-5590 1991ء میں سرکاری 19 سکیل

چھٹے وٹج ایوارڈ 1995ء کے مطابق:

7800-375-11500 1993ء میں پیش گریڈ اخباری ملازمین
7750-385-11600 1994ء میں سرکاری 19 سکیل

جناب عالی!

اب کچھ انتہائی اہمیت کی حامل تجاویز الائنسز کے بارے میں۔

کرایہ مکان:

اس وقت ہمیں جو ہاؤس رینٹ ادارہ کی جانب سے مل رہا ہے شہر میں اتنے کرایہ پر مکان دستیاب نہ ہے۔ اس وقت ایک کمرے کی رہائش کا کرایہ کم از کم سات ہزار روپے ہے جسے عرف عام میں ٹینٹک کہا جاتا ہے۔ یہی شہر اور کم از کم تین بچوں پر مشتمل پانچ افراد کا خاندان ان ٹینٹکوں میں رہائش نہیں رکھ سکتا دو کمروں کا مکمل مکان شہر کے پسماندہ اور سستے علاقے میں کم از کم 16 ہزار روپے میں دستیاب ہے یہ ہماری تنخواہ کا ایک اچھا خاصہ جڑ ہے۔ تنخواہ میں سے اتنی رقم نکل جائے تو باقی جو بچتی ہے وہ فلیٹینی کے بلوں کی ادائیگی اور بچوں کے سکولوں کی فیسوں میں نکل جانے کے بعد شرمناک حد تک آ جاتی ہے۔ میری تجویز ہے کہ ہاؤس رینٹ الاؤنس میں پروگریسو بینک بے کے حساب سے اضافہ ہوتے رہتا چاہئے یا بنیادی تنخواہ کا 100 فیصد کرایہ مکان مقرر کیا جائے کیونکہ اخباری ملازمین کو متبادل کوئی سہولت نہیں جس طرح کہ سرکاری ملازمین کو کرایہ مکان کے ساتھ ساتھ "پارٹنگ" کی بھی آہٹن متبادل کے طور پر موجود ہے۔

چارٹ درج ذیل ہے۔

Entitlement B.S	Revised Rental Ceiling	
	Islamabad	Other Stations
B.S 1-2	Rs. 4881/-	Rs. 4577/-
B.S 3-6	Rs. 7625/-	Rs. 6704/-
B.S 7-10	Rs. 11391/-	Rs. 10196/-
B.S 11-13	Rs. 17139/-	Rs. 14904/-

ATTESTED
ABAS JAK
HONARY PUBLIC
ISLAMABAD

12/3

B.S 14-16	Rs. 21587/-	Rs. 18843/-
B.S 17-18	Rs. 28574/-	Rs. 24929/-
B.S 19	Rs. 37989/-	Rs. 32511/-
B.S 20	Rs. 47709/-	Rs. 41027/-
B.S 21	Rs. 57126/-	Rs. 49380/-
B.S 22	Rs. 68364/-	Rs. 61965/-

پوائنٹ ٹوپوائنٹ فلیکسشن:

جناب عالی! چھنے ویج ایوارڈ میں مکمل طور پر پوائنٹ ٹوپوائنٹ کی بنیاد پر فلیکسشن کی گئی تاکہ کسی بھی مستقل ملازم کی سناریائی متاثر نہ ہو۔ اس طرح ایک ہی گریڈ میں تمام سروس گزرنے کی انتہائی طالعاندہ رسم ٹوٹی۔ آپ سے انتہائی مودبانہ احساس ہے کہ مالکان اخبارات کے بلا جواز دعوے کو خاطر میں نہ لاتے ہوئے پوائنٹ ٹوپوائنٹ فلیکسشن کا سلسلہ آٹھویں ویج ایوارڈ میں بھی برقرار رکھا جائے جس طرح سرکاری ملازمین کا بھی یہی فلیکسشن فارمولہ ہے مزید یہ کہ کوئی متبادل فارمولہ نہ دیا جائے اور کارکنوں کی دعائیں لی جائیں۔

جنرل ٹرانسپورٹ الاؤنس (G.T.A.):

جناب عالی! اس وقت ہمیں جو G.T.A کی مدد مل رہا ہے 2001ء کے مطابق دو کچھ اس طرح ہے۔

- To all employees of newspaper establishment categories as Metropolitan A, Metropolitan B, Regional A and Regional B and Periodical A belonging to special Grade and Grades I to III at the rate of 1275 p.m.
- To all employees of the newspaper establishment mentioned at (a) above and belonging to Grade IV to VII at the rate of Rs.1050p.m. and Grade VIII at the rate of Rs.850p.m.

پٹرول کی قیمتوں اور دیگر اشیاء ضروریہ کی قیمتوں میں اضافے کو مد نظر رکھتے ہوئے موجودہ ایوارڈ 2019ء میں کم از کم 25 فیصد اضافہ کیا جائے۔

- To all employees of newspaper establishment categories as Metropolitan A, Metropolitan B, Regional A and Regional B and Periodical A belonging to special Grade and Grades I to III at the rate of 5420 p.m.
- To all employees of the newspaper establishment mentioned at (a) above and belonging to Grade IV to VII at the rate of Rs.4420p.m. and Grade VIII at the rate of Rs.3578p.m.

ٹائم ٹرانسپورٹ الاؤنس (N.T.A.):

جناب عالی! ٹائم ٹرانسپورٹ کی مدد میں ملازمین کو 2000ء کے ایوارڈ کے مطابق کچھ اس طرح مل رہا ہے۔

- Employees in Grade I to IV at the rate of 57 per night.
- Employees in Grade V to VIII at the rate of 27 per night.

پٹرول کی قیمتوں اور دیگر اشیاء ضروریہ کی قیمتوں میں اضافے کو مد نظر رکھتے ہوئے موجودہ ایوارڈ 2019ء میں کم از کم 25 فیصد اضافہ کیا جائے۔

- Employees in Grade I to IV at the rate of 156 per night.
- Employees in Grade V to VIII at the rate of 114 per night.

کمپیوٹر الاؤنس:

جناب عالی! کمپیوٹر الاؤنس کی مدد میں درکار 2000ء کے ایوارڈ کے مطابق کچھ اس طرح مل رہا ہے۔

- (i) Those who have Master's / Bachelor's degrees in Computer Science or in Math, Physics Stat, Economics with Computer Training Rs. 1500/- per month
- (ii) Key Punch Operators / Data Entry Operator. Rs. 450/- per month

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اس میں ہونگے کو مد نظر رکھتے ہوئے کم از کم 450/- روپے اضافہ کیا جائے جو کچھ اس طرح ہوتا ہے۔

- (i) Those who have Master's / Bachelor's degrees in Computer Science or in Math, Physics Stat, Economics with Computer Training Rs. 6500/- per month
- (ii) Key Punch Operators / Data Entry Operator. Rs. 2000/- per month

جناب عالی!

اس وقت آٹھویں ویج ایوارڈ کی کارروائی جاری ہے اس سے پہلے سات ایوارڈ آچکے ہیں لیکن کسی بھی ایوارڈ کے نفاذ کیلئے کوئی شخص قدم نہیں اٹھایا گیا۔ چھٹے ویج ایوارڈ کے چھترہویں جنیشن فیما مہمود مرزا نے ایوارڈ میں حکومت کی طرف سے اخبارات کو جاری ہونے والے اشتہارات کے اجراء کو ویج ایوارڈ سے منسلک کرنے کی تجویز دی تھی۔ لیکن ابھی تک حکومت اس سلسلے میں قانون سازی سے قاصر رہی ہے اس لئے آپ سے اتنا اس ہے کہ کچھ ایسے کے تھن کے علاوہ آپ جناب اس ایوارڈ پر عملدرآمد کو یقینی بنانے کیلئے جامع اور تفصیلی تجاویز اور سفارشات بھی دیں تاکہ حکومت کو ایوارڈ کے نفاذ کیلئے قانون بنانے پر مجبور کیا جاسکے۔

آپ سے استدعا ہے کہ دیگر اشتہارات میں صحافیوں اور ورکرز کو ویج ایوارڈ کے مطابق تنخواہیں دیئے اور تقررہ مدت سے جاری کرنے کے عملی اقدامات کے لئے اہٹا کر رانا کریں۔ اور 2001ء سے لیکر 2019ء تک اشیائے ضروریہ کی قیمتوں میں اضافے کو مد نظر رکھتے ہوئے تنخواہوں میں عبوری اعداد کے اضافے کی طرح 425 فیصد تک اضافہ کیا جائے۔

آخر میں ہماری آپ سے انتہائی سوجاؤ گزاری ہے کہ کچھ اشتہارات کے حالات (قبول ماکان) بہت خراب ہو چکے ہیں اور وہ ویج ایوارڈ ادا کرنے کی سکت نہیں رکھتے اگر ویج ایوارڈ پہلی منٹ کیا گیا تو ادارے بند ہو جائیں گے۔ اس وقت جنگ گروپ سے تقریباً 850 لوگوں کو ملازمت سے فارغ کیا جا چکا ہے اور مزید چھائیوں بھی متوقع ہیں تو ان حالات کو مد نظر رکھتے ہوئے اشتہارات کو سرکاری جھیل میں لیکر پریس ٹرسٹ کے حوالے کیا جائے تاکہ مزید ورکرز کو بے روزگاری سے بچایا جاسکے۔ تاکہ ماکان اشتہارات کا بوجھ بھی کم ہو سکے۔ نوازش ہوگی۔

آپ کی لمبی عمر کے دعا گو۔

م. م. م.

العاض
15/03/2019
مرزا ملک محمد
روزنامہ جنگ راولپنڈی



- (i) Those who have Master's / Bachelor's degrees in Computer Science or in Math, Physics Stat, Economics with Computer Training Rs. 1500/- per month
- (ii) Key Punch Operators / Data Entry Operator. Rs. 400/- per month

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اس میں پیشگی کوڈ نظر رکھتے ہوئے کم از کم 425 یورو کا اضافہ کیا جائے جو کہ کھانسی طرح ہوتا ہے۔

- (i) Those who have Master's / Bachelor's degrees in Computer Science or in Math, Physics Stat, Economics with Computer Training Rs. 6500/- per month
- (ii) Key Punch Operators / Data Entry Operator. Rs. 2000/- per month

جناب عالی!

اس وقت آٹھویں ونچ ایوارڈ کی کارروائی جاری ہے اس سے پہلے سات ایوارڈ آچکے ہیں لیکن کسی بھی ایوارڈ کے نفاذ کیلئے کوئی خاص قدم نہیں اٹھایا گیا۔ پہلے ونچ ایوارڈ کے جیتزین جنس شیام محمود مرزا نے ایوارڈ میں حکومت کی طرف سے اخبارات کو جاری ہونے والے اشتہارات کے اجراء کو ونچ ایوارڈ سے منسلک کرنے کی تجویز تو دی تھی۔ لیکن ابھی تک حکومت اس سلسلے میں قانون سازی سے قاصر رہی ہے اس لئے آپ سے اتنا س ہے کہ تجویز انہوں کے تین کے علاوہ آپ جناب اس ایوارڈ پر منظور آمد کو پیش کرتے کیلئے جانچ اور تصدیقی تجاویز اور سفارشات بھی دیں تاکہ حکومت کو ایوارڈ کے نفاذ کیلئے قانون بنانے پر مجبور کیا جاسکے۔ آپ سے استدعا ہے کہ دیگر اخبارات میں صحافیوں اور وکروں کو ونچ ایوارڈ کے مطابق تجویز دیئے اور قرارداد سے جاری کرنے کے عملی اقدامات کے لئے اپنا کردار ادا کریں۔ اور 2001ء سے لیکر 2019ء تک اشیائے ضروریہ کی قیمتوں میں اضافے کو مد نظر رکھتے ہوئے تجویز انہوں میں مجموعی اعداد کے اضافے کی طرح 25 فیصد تک اضافہ کیا جائے۔

آخر میں ہماری آپ سے انتہائی مودبانہ گزارش ہے کہ چونکہ اخبارات کے حالات (بقول ناکان) بہت خراب ہو چکے ہیں اور ونچ ایوارڈ ادا کرنے کی سکت نہیں رکھتے اگر ونچ ایوارڈ پہلی سٹ کی کیا تو ادارے بند ہو جائیں گے۔ اس وقت جنگ گروپ سے تقریباً 850 لوگوں کو ملازمت سے فارغ کیا جا چکا ہے اور مزید چھائیوں بھی متوقع ہیں تو ان حالات کو مد نظر رکھتے ہوئے اخبارات کو سرکاری قومی میں لیکر پریس ٹرسٹ کے حوالے کیا جائے تاکہ مزید وکروں کو بیروزگاری سے بچایا جاسکے۔ تاکہ ناکان اخبارات کا بوجھ بھی کم ہو سکے۔ نوازش ہو گی۔

آپ کی لمبی مسرت کے دعا گو۔

المعز

العاض
01/03/2019
محمد اسد عثمان شاد روق
مرکز انکسٹر
روزنامہ جنگ راولپنڈی



221. During his cross examination he stated that Special Grade of newspaper employees is akin / equivalent to 19-Scale of the government but he wasn't aware of any similar comparison drawn by any previous Wage Board. He denied the suggestion that aforesaid comparison is based upon his supposition. He has voluntarily stated that in his affidavit he has made it clear that according to 7th Wage Award Pay Scale of Special Grade was equivalent to 19-Scale of Government. However, he has admitted that according to last Wage Board Award there are 9-Grades of Newspaper Employees and each Grade has ten intervals. According to the witness, he has only prayed for fixing of employees' salary according to Government Scales and he has not prayed for fixing 22 Grades of Employees. Further, according to him, he is fully aware of economic conditions of newspaper industry. He further added, on his own, that having long association of 24 years with Jang group he does not consider that the financial condition of the said group is bad. He admitted that rate of advertisement given by him in his affidavit does not mention rate of advertisement according to centimeters. He has voluntarily stated that even under the prevailing circumstances lot of advertisements cannot be published in the newspapers due to scarcity of space scarcity, and that it is not only Sunday Edition which carries advertisements but the same are published in other days of week as well. According to the witness, his statement/affidavit is based upon the record procured by himself. In answer to a question he replied that, per his affidavit, salary of Special Grade in year 1990/1991 was equal to that of 19-Scale of Government.

222. EW-72 Muhammad Saeed Khan, Terminal Operator "Daily Jang" Rawalpindi, produced his affidavit EX-EW72/A wherein he,

stated that despite his long service of 38 years and achieving Special Grade his monthly salary including PAP and other allowances comes to Rs.35,000/- which is extremely low.

223. Rest of the statement is almost repetition of that of EW-71, therefore, there is no need to repeat.

224. During his cross examination he showed his ignorance about the ratio of increase of inflation. In answer to another question he stated that his demand of increase of salaries with ratio of 425% is based on interim award of this Board. He stated that interim relief was enhanced with ratio of 325% but during this period there was additional price hike, therefore, demand of 425% increase in the salaries has been made.

225. EW-73 Khalid Mehmood Su-Editor, "Daily Jang" Rawalpindi, produced his affidavit EX-EW73/A wherein he, stated that despite his long service of 30 years and achieving last stage of Special Grade his monthly salary including PAP and other allowances comes to Rs.36,000/- which is extremely low.

226. Rest of the statement is almost repetition of that of EW-71 and EW-72, therefore, there is no need to be repeated.

227. During his cross examination he denied the suggestion that financial condition and circumstances of newspaper industry have become worse, however, according to him there is slight financial decline in the industry; he denied the suggestion that removal of 850 employees by the administration was due to worsening financial conditions of the newspaper; he voluntarily stated that the aforesaid ousted employees were not regular employees

rather they were outsourced employees; he admitted that the number of sweepers working in “Jang” Rawalpindi has been reduced to two from four.

228. EW-74 Syed Qalb-e-Ali, Senior Reporter, “Daily Dawn” Islamabad, produced his affidavit EX-EW74/A wherein he, stated that—

- Instead of increasing, his salary has been reduced significantly by the management since February, 2019.
- Incidentally, the plea currently advanced by managements of almost all media outlets to the effect that declining advertising revenues and increase in operational costs do not allow any raise in salary packages, was also the main argument at the time of 7th Wage Award.
- It was in the same period (2000 to 2005) that almost all media houses made heavy investments to launch their electronic news/entertainment (or both) channels.
- Another plea taken by the employers is that media industry is a drowning ship. This used to be the statement in early two thousands as well, but yet again the highly educated and foreign qualified third generation of media outlets owners has joined this industry instead of creating a space for themselves in corporate sector or any other business.
- Employees’ salaries should match the increase made by the government for its employees over the period 2005-2019.
- After reduction in pay since February 2019, it has become very difficult for him to maintain a decent living.

- His basic pay is Rs. 12,600/- which is shamefully low when compared to other industries and Financial or Provincial Government Departments.

229. During his cross examination, he stated that just after announcement of 7th Wage Board Award the print media owners started demanding for permission to run cross media for establishing electronic channels. The witness added that said demand showed that they were financially very stable and that is why they were ready to make such a huge investment. He admitted that due to the incident of 9/11 financial condition prevailing in the country improved significantly. The witness added that despite improvement, the print media owners delayed the implementation of 7th W.B Award by obtaining stay orders from the courts. In answer to another question, he stated that the newspaper owners are making false pretext for not increasing the salaries. He added that that during last two years publication of some newspapers and monthlies was stopped voluntarily as is done after constitution of each Wage Board. He admitted that "Jang" Group did not stop any of its publications during period of 1947 to 2018. He further stated that the publications of "Jang" Group have been stopped intentionally.

230. EW-75, Malik Tahir, Copy Pester, "The News" Rawalpindi, produced his affidavit EX-EW75/A, contents whereof are almost repetition of statements of EW-71 and EW-72, therefore, same is not reproduced here.

231. During his cross examination he denied the suggestion that statement is ditto copy of Khalid Mehmood EW-73. In answer to another question he admitted that various newspaper establishments

removed their employees due to recent financial crunch. He denied the suggestion that now a days no advertisement is published on front or back page of "The News". He voluntarily stated that even yesterday an advertisement was published on front page of said newspaper.

232. Dr. Tanveer A. Tahir, Executive Director Head Quarter APNS Karachi, (Owners' Witness) appeared as OW-25. He gave details of billions of rupees of outstanding amounts owed by Federal and Provincial governments to all the newspapers. He stated that:

- Out of outstanding amount of Rs.240,27,42,494/- owed by Federal Government, an amount of Rs.278,289,671/- has been paid to the newspaper establishments.
- Out of receivable amounts PID has verified an amount of Rs.915,557,935/- as outstanding, whereas, an amount of Rs.1,133,516,768/- has been declared as disputed one and that despite repeated demands of APNS etc. and direction of Hon'ble Chief Justice of Pakistan only aforesaid amount has been released to newspaper establishments.
- Apart from aforesaid dues, an amount of Rs.1,608,896,928/- is outstanding from Provincial Governments as well.

233. During cross examination, he stated that out of outstanding amounts the share of APNS newspapers is 90% whereas that of non-APNS is 10%. He admitted that the newspapers also get advertisements from Provincial Governments directly, in fact most of the time Provincial Governments issue advertisements directly and the payment is also made directly. In answer to my question the

witness replied that he does not possess any document in order to support his version.

234. Khushnood Ali Khan, Publisher of "Sahafat", "Dopehar" and Economic Times, appeared as OW-26 and has stated that—

- NECOSA, 1973 is an unjust law which was enforced by late Zulifqar Ali Bhutto for arm twisting of owners of newspapers.
- Perhaps in Pakistan there is no profession or industry where such law is applicable.
- In market the employers can hire very good employees at lesser wages than the ones fixed by W.B.
- Since the tenure of caretaker government price of a Dollar has increased by margin of 60 rupees.
- The expenditure of newspaper establishments has skyrocketed
- Cost of publishing of one copy of newspaper ranges between 45 to 50 rupees and therefore there is loss of 35 to 40 rupees per copy of newspaper.
- Future indicators of economy of the country are not positive, and, therefore, under the prevailing circumstances there is possibility of closure of publication of newspapers.
- He apprehends that 8th Wage Board will convert the newspaper industry into a sick one and that the owners will have to say good bye to the employees with tears.
- Advertisement amounts running in billions are outstanding from the governments.

235. During his cross examination, he admitted that he had been working as an employee in establishment of "Jang" and "Nawa-i-Waqt" respectively, but he does not remember as to when he started

job as publisher. He further stated that at no point of time he got benefit of W.B Award and that if the quantity and rate of the advertisement is increased by the governments then question of increase in employees' salaries can be considered. The witness admitted that he is member of executive committee of APNS. He further admitted that the law of NECOSA, 1973 has already been declared a valid law by Hon'ble Sindh High Court. He stated that he was not aware of total number of employees working in all the newspapers owned by him and similarly he does not remember as to how many of his employees are being paid salary according to the Wage Board Award; that government does not release advertisement to newspapers for payment of salary to their employees rather publishing of advertisements against consideration is indeed right of the newspapers. He has, however, admitted that like newspaper establishments the increase of price hike had also adversely affected the employees. It has been further admitted by him that despite suffering losses he is continuously publishing his newspapers. In answer to another question he showed his ignorance about release of advertisements by Punjab Government to his newspaper namely "Sahafat" against an amount of Rs.98,812,338/- during last five years. He has, however, admitted that during last five years the face price of newspaper has increased. He showed his ignorance about number of circulation of Daily "Sahafat" after stating that none of the owners of newspaper would give statement about its ABC circulation. He could not refute the suggestion that during last 10 years Daily "Sahafat" has been awarded advertisements to the tune of Rs.161,525,312. He could not contradict the suggestion that total number of circulation of all his newspaper is 50,000/-. He was

confronted with the question that despite suffering loss of two hundred thousand rupees daily on publishing 50,000 copies of his newspaper why was he continuing his business, the witness replied that it was his personal affair.

236. Mohsin Bilal Khan, Group Editor, "Daily Ausaf" Islamabad, appeared as OW-27 and stated that—

- Existence of print media is under threat due to the decrease of income against advertisements.
- Due to delay in payment of dues the owners will be compelled to sack their employees let alone the increase of their salaries.

237. During his cross examination, he stated that besides 50 part timers there are 50 or 60 regular/full time employees of his newspaper; that "Ausaf" newspaper is being published from five cities of Pakistan; that during last five years there is five rupees increase in face price of newspaper and that in the same period, due to increase of Dollar price, there is 65% increase in the price of printing paper etc. He, however, categorically admitted that the increase in the Dollar price has not only affected the employees but every citizen of Pakistan. He further admitted that during last five years his newspaper received advertisements to the tune of Rs.212,920,016/- from Government of Punjab but he added that the said income comes to the tune of 33 lacs per month. He could not refute the suggestion that during last 10 years his newspaper was released advertisements by the Federal Government to the tune of Rs.415,745,811/-. In answer to another question he could not give wage structure of part timers.

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238. Syed Ijaz Badsha, Chief Editor, "Daily Mashraq" Peshawar, appeared as OW-28 and produced his affidavit EX-OW28/A whereby, he raised following points:

- i. Print industry in Pakistan is under immense pressure due to multiple reasons and in KPK situation is much worse because of the local business and industry drought during last two decades of terrorism and fight against it, a fact which is evident from the closure of many publications.
- ii. Print industry is facing losses every year due to decline in advertising revenues coupled with the skyrocketing expenses in shape of production expenses.
- iii. Total share of advertising revenue of print media is shrinking since the emergence of electronic, digital and social media.
- iv. Devaluation of rupee has also hit print industry overall in manifolds.
- v. Many newspapers have been closed down and a number of employees have lost their jobs.

239. During his cross examination, he has stated that according to ABC certificate, circulation of his newspaper is 1,25,000/-; that number of employees working in both of his newspapers ranges between 150 to 200 and that monthly salary of Daily "Mashriq" comes to the tune of 3 to 4 million rupees. He could not deny the suggestion that during last 10 years Daily "Mashriq" was paid an amount of Rs.442,055,963/- against advertisement revenue. He stated that it might be correct that during last five years Provincial Government paid an amount of Rs.418,286,281/- to Daily "Mashriq"

as advertisement revenue. He admitted that like employers, the employees were also affected due to price hike.

240. OW-29 Syed Haroon Shah, Publisher Editor, "Daily Wahdat", produced his affidavit as EX-OW29/A wherein, he stated as under—

- "Daily Wahdat" is only Pashto Newspaper that is being published from Peshawar.
- In view of Impending financial crises in the whole world the publication of newspapers is being closed down gradually in Pakistan as well.
- On the one hand the expenditures on publication of newspaper are being increased and on the other their income squeezing.
- Devaluation of Pak rupee and emergence of electronic and social media have also adversely affected financial condition of newspaper establishments.
- In KP the owners of newspapers etc are suffering worse than those of other parts of the country.

241. During his cross examination, he stated that his employees are paid salary according to the Wage Board Award, however, some of them are paid less than that fixed by Wage Board Award and that including his brother and some of his relatives there are 22 employees working in his establishment. He did not deny the suggestion that during last five years his newspaper received an amount of Rs. 42,924,110/- as advertisement revenues paid by Provincial Government.

Gist of evidence of the witnesses produced by both sides during meetings at Peshawar is given as under:-

242. Fida Muhammad Khan Khattak, President Khyber Union of Journalists and Resident Editor of "Nai Baat" Peshawar, Employees' Witness (EW-76) produced his affidavit EX-EW76/A, wherein he deposed that—

- Per his observations made, during last 25 years the financial condition of the newspaper employees especially those working in Provincial Headquarter of KPK, has become worse and their salaries are very low, in fact some of the establishments are paying salaries below those fixed by Government as Minimum Wages.
- Non-payment of the salaries to the employees has become another monstrous and horrible problem.
- During last 20 years Peshawar has been a conflict zone and journalists have suffered due to terrorism like other citizens.
- Peshawar Press Club is the only Press Club where a suicide attack occurred in 2009.
- Journalists working in conflict zone are paid extra allowances besides provision of safety tools to them but it is vice versa in Peshawar.

243. During cross examination he stated that Headquarter of Daily "Nai Baat" is situated in Lahore. He showed his ignorance about the category of said newspaper.

244. EW-77, Muhammad Naeem, General Secretary Khyber Union of Journalists Peshawar, produced his affidavit EX-EW77/A.

Crux of his affidavit is that due to increase of price hike and inflation the problems of newspaper employees are multiplying day by day and their salaries are not increased according to the ratio of increase of price hike and inflation.

No significant question was put to him during cross examination.

245. EW-78 Nasir Hussian, Editor Daily "Awaz-e-Subha Peshawar, produced his affidavit EX-EW78/A contents whereof are almost similar to those of affidavit and additional statement of EW-76. Therefore, there is no need of repetition.

246. During his cross examination he admitted that like newspaper employees the media industry is drowning but he hastened to deny the said suggestion by stating that the media owners are not like a drowning boat. He added that revenue of newspaper advertisements has been increasing by leaps and bounds and that salaries of newspaper employees can be paid with the revenue of Sunday Editions of Local and National Newspapers only. He denied the suggestion that the revenue of private advertisements has been affected by on the down fall of country's economy.

247. EW-79 Ibrahim Khan, Member Executive Council PFUJ Peshawar, produced his affidavit EX-EW79/A wherein, he stated that—

- Newspaper employees, especially those working in Peshawar, have been facing terrible circumstances.

- Their salaries are very low; in fact some of the establishments are paying salaries that are lower than those fixed by Government as Minimum Wages.
- Non-payment of the salaries to the employees has become another monstrous and horrible problem.
- In Peshawar only 2 or 3 newspaper establishments enforce Wage Award and that newspaper employees have been suffering terrible circumstances due to payment of very low amount of salaries.
- At the end he prayed that contractual employees be given the same benefit of 8th Wage Award as regular employees.

248. During his cross examination, he stated that it was in his knowledge that law of NECOSA covers contract based employees as well. He voluntarily added that most of Peshawar's Newspapers do not pay salaries to the contract employees according to the Wage Award. He further added that salaries paid to the employees of bigger establishments are nothing but a mockery of Wage Award. Even some of the bigger establishments like Dailies "Aaj", "Mashraq" and "Express" Peshawar haven't set a tradition of salary increments, even though assets of said establishments are on the up; that in 2000 he was deprived of Wage Award after branding him as part timer; that due to excess of availability of advertisements reporters are told that the news sent by them could not be accommodated due to scarcity of space; that for obtaining advertisements local newspapers claim themselves to be National Newspapers but while granting facilities to the employees they brand themselves to be metropolitan B newspapers, and that some newspaper establishments pay less than Rs.15000/-in salaries to employees. 11

JURISDICTION OF THE BOARD

249. Since the question against constitution of the present Wage Board surfaced on the scene I would venture to dilate upon the same irrespective of the fact that the said objection was not pressed by the employers' side anymore due to compromise between the parties regarding final decision of the 8th Wage Board. The major thrust of arguments raised by Mr. Ali Almani Advocate Supreme Court assisted by Mr. Ahad Aziz Zuberi Advocate High Court against the jurisdiction of this Board was that after promulgation of Sindh Terms of Employment (Standing Order) Act, 2015, the Industrial & Commercial Employment (Standing Orders) Ordinance (No.VI) 1968 to the extent of the Sindh stood repealed. Undeniably, the 8th Wage Board was constituted for the first time on 06.09.2013 whereas Sindh Terms of Employment (Standing Order) Act, 2015 was promulgated on 25.04.2016 meaning thereby that at the time of constitution of the 8th Wage Board for the first time the said enactment had not come into existence thus, the matter relating to determination of terms and conditions of the newspapers employees was to be dealt with under the existing law viz the Act. Further, since present Wage Board was constituted in continuation of the 8th Wage Board previously constituted, the promulgation of Sindh Terms of Employment (Standing Order) Act, 2015 had no bearing on its jurisdiction as the proceedings for announcement of 8th Wage Board were already under process. It is well entrenched by now that any amendment in law would have no affect on the pending proceedings until and unless it has been clarified by the legislature.

250. Considering from another angle, if it is presumed for academic discussion that after 18th amendment the provisions of the Industrial & Commercial Employment (Standing Orders) Ordinance (No.VI) 1968 are not applicable in provinces, even then the objection against the jurisdiction of the Federal Government to constitute 8th Wage Board in terms of Section 9 of the Act cannot be given any weightage given that, until there is formal legislation by the Provincial Government on the subject relating to terms and conditions of the newspaper employees, the Federal law would continue in terms of Article 270-AA (6) of the Constitution.

251. As far as plea regarding bar against the jurisdiction of the Federal Government to constitute a Wage Board after abolition of concurrent list is concerned, suffice it to note there is no cavil with the proposition that after 18th amendment the subject of labour has fallen to the Provincial Government. However, it does not mean that the legislation already done by the Federal Government on the subject has become redundant *ipso facto*, especially when it was made clear in the 18th amendment that until there is formal legislation by the respective provinces, legislation done by the Federation on the subject would continue to cover the matters arising out of such subject.

252. Though after 18th amendment the items falling at serial No.26 and 35 of the concurrent legislative list prior to the 18th amendment have been deleted, it only means that in future the legislation on the subject would be within the domain of the Provincial Government concerned. However, by no stretch of imagination can it be presumed that deletion of said items from the current legislative list means that the legislation already undertaken

by the Federal Government on the said subject has become redundant and will deprive the Federal Government from the authority to constitute Wage Board in terms of Section 9(1) of the Newspaper Employees (Conditions of Service) Act, 1973, especially when the Sindh Government has not amended or repealed the said Act.

253. There is no denying the fact that there are two legislative pieces regarding labour where one has been passed by the Federal Government and other by the Provincial Government. In such situation Article 143 of the Constitution of the Islamic Republic of Pakistan comes into play, according to which, when any Provincial legislation offends an Act of the Parliament, the latter would prevail. Insofar as matter in hand is concerned, admittedly the Sindh Government has not enacted any law relating to the terms and conditions of the Newspaper Employees, thus the operation of the Act cannot be ousted from the Province of Sindh merely on the ground that the Provincial Government has enacted Sindh Terms of Employment (Standing Order) Act, 2015.

254. Now, coming to the case-law referred in support of the objection against jurisdiction of the Federal Government to constitute the 8th Wage Board. With all humility and respect at my command for the superior judiciary, I am of the view that the same is inapplicable, inasmuch as in the case of Salim Javed Baig and others vs Federal Ombudsman (**PLD 2016 Lahore 433**) the Hon'ble Lahore High Court held that after promulgation of the Punjab Protection Against Harassment of Women at the Workplace (Amendment) Act, 2012, the Federal Ombudsman had no jurisdiction to entertain any matter

falling within the domain of the Province of Punjab, especially when the parties were also residing there, whereas none of the Provincial Governments has legislated at their own level determining the terms and conditions of the Newspaper Employees. Similarly, in the case of Shaheed Zulfiqar Ali Bhutto Institute of Science and Technology v. Federal Government (**PLD 2018 Sindh 581**), a learned Division Bench of the Sindh High Court held that, when a subject is covered under any provincial legislation, and the parties also reside within the provincial limits, the provincial authorities have jurisdiction instead of the Federal Authorities. Likewise, in the case of Shafiquddin Moinee v. Federation of Pakistan (**2018 CLD 1088**), a learned Division Bench of the Sindh High Court, while dealing with the applicability of Companies Profit (Workers' Participation) Act, 1968, after promulgation of Sindh Companies Profit (Workers' Participation) Act, 2015, held that since the latter was confined to the Province of Sindh and it had nothing to do with the profits earned by a trans-provincial establishment, the same is irrelevant. As far as the case of Syed Imran Ali Shah v. Government of Pakistan (**2013 PLC 143**) is concerned, suffice it to note that the findings of the Hon'ble Lahore High Court, Lahore, regarding exclusion of the jurisdiction of the Federal Government towards implementation of the international treaties, was revisited by a learned Division Bench of Lahore High Court, Lahore in the case reported as P.T.V Employees Ittehad Union, Punjab through Secretary v. Federation of Pakistan and six others (**2018 PLC 136**) by *inter alia* observing as follows:-

"29. The learned counsel for the Appellant/Petitioner has attempted to argue that there is no obligation on the Federal Government to implement the conventions and the matter

can be placed before the competent authorities of the provinces who may implement the same.

30. *We are unable to subscribe to this view. In case such course of action was to be adopted, it could lead to anomalies, different and varied levels and methodologies of enforcement which would cause irreconcilable and contradictory situations. The possibility of different provinces interpreting different provisions of the Conventions differently cannot be ruled out. In view of the fact that the Federation being a "Member" has ratified the conventions, the Federation is principally and primarily obligated to implement provisions of the same and decide on the mechanism and methodology through which such implementation and enforcement can take place. Further, considering that implementation of treaties and agreements falls within the exclusive domain of the Federation in terms of Entry Nos. 3 and 32 *ibid*, in the interest of uniform implementation and enforcement of the treaties and conventions, it was just, proper and constitutionally permissible for the Federation to enact legislation especially so in areas which fall within the sphere of its jurisdiction i.e. Islamabad Capital Territory and for matters involving establishments which have presence in more than one provinces. Such matter needed to be dealt with in accordance with a uniform set of regulations, as opposed to different sets of regulations, enacted by Federating Units in accordance with their own interpretation of the meaning, scope, import and desirability of enforcement of*

international conventions. More importantly, these matters clearly relate to the Federation and squarely fall within the scope of entries Nos.58 and 59 ibid. Therefore, in our opinion enactment of IRA, 2012 can amply be justified on the basis of the aforementioned entries in the Part-I of the Federal Legislative List. Further, admittedly provincial legislatures lack the power to enact legislation involving trans-provincial establishments, because their powers extend only to the territorial limits of the respective provinces. Hence, the need for federal legislation which would be enforceable throughout the federation bringing within its ambit, all trans-provincial establishments".

255. Similar view was taken by a learned Division Bench of the Sindh High Court headed by Mr. Justice Gulzar Ahmed, in the case of Industrial Relations Advisors Association through General Secretary v. Federation of Pakistan through Secretary, Ministry of Labour and Manpower, Islamabad and others (2010 PLC 359).

256. The afore referred judgments passed by the learned Division Bench of the Lahore High Court as well as by the learned Division Bench of the Sindh High Court were upheld by the Hon'ble Supreme Court of Pakistan in the judgment reported as Messrs Sui Gas Company Limited and others v. Federation of Pakistan (2018 SCMR 802) by *inter alia* observing as follows:-

"16. Having decided the question regarding the legislative competence of the Provincial legislature, now we shall consider the question whether the IRA 2012 is a valid piece of legislation or not, and whether by promulgating the said

Act, the Federal Legislature has gone beyond its legislative competence and encroached upon the authority of the Provincial Legislature. In this regard it is to be noted that although through the Eighteenth Amendment the CLL (Entries Nos.26 and 27 whereof covered the subjects, inter alia, of labour disputes and trade unions) was abolished from the Constitution, however, a new Entry No.32 in Part-I of the FLL was introduced which covered the subjects of "International treaties, conventions and agreements and International arbitration". Previously, somewhat similar subjects were available in Entry No.3 of Part-I of the FLL, i.e. "External affairs; the implementing of treaties and agreements, including educational and cultural pacts and agreements, with other countries; extradition, including the surrender of criminals and accused persons to Governments outside Pakistan". It has been argued by the learned counsel for the appellants that if the interpretation of Entry No.3 of Part-I of FLL as made by the learned High Courts is presumed to be correct, then the Federal legislature could enlarge its legislative powers and legislate on any subject it chooses simply because the Executive has signed a treaty in relation to that topic; this would negate the basic concept of division of powers on which our constitutional structure has been erected. In this regard it is to be noted that the Parliament through Eighteenth constitutional amendment, though abolished the CLL which contained the subjects of labour practices and trade unions (Entries Nos.26 and 27 of the CLL), but with conscious

application of mind, through insertion of the new Entry No.32 ibid in the FLL, brought within the legislative competence of the Federal Legislature the matters relating to the international treaties, conventions, etc.; obviously, while doing so, it (Parliament) was conscious of the fact that the matters relating to trade unions and labour disputes, etc., have been dealt with and protected under the International Labour Organization's Conventions No.87 (Convention concerning Freedom of Association and Protection of the Right to Organise) and 98 (Convention concerning the Application of the Principles of the Right to Organise and to Bargain Collectively) which are covered under Entries Nos.3 and 32 of Part-I of the FLL. Thus, the Federal Legislature has legislative competence to legislate in this regard to discharge the obligations created under the International Treaties and Conventions. Therefore, the IRA 2012 has been validly enacted by the Parliament".

"17. Additionally, Entries Nos.58 and 59, which fall at the end of the Part-I of the FLL, have their own significance. These two entries are independent and unfettered. Entry No.58 ibid covers the "Matters which under the Constitution are within the legislative competence of Majlis-e-Shoora (Parliament) or relate to the Federation". Further, Entry No.59 deals with the "Matters incidental or ancillary to any matter enumerated in this Part". From the plain reading of these two Entries, it is clear that besides the subjects enumerated in the previous Entries, these Entries provide extended powers to the Federal Legislature; inasmuch as,

by means of these Entries, the legislative competence of the Federal Legislature extends not only to the matters which under the Constitution are within the legislative competence of the Parliament but also to the matters which relate to the Federation and also the matters incidental or ancillary thereto. Thus, in addition to the matters specifically enumerated in any of the Entries in Part-I of the FLL, the matters which in some way relate to the Federation would also fall within the legislative competence of the Parliament. This interpretation also finds support from the fact that in terms of Article 141 of the Constitution, a Provincial Legislature does not possess extra-territorial legislative competence and therefore, cannot legislate with regard to a subject which in its application has to transcend the provincial boundaries. It is to be noted that as clarified by the learned High Court the resort to Entry No.58 ibid could only be made to deal with an extra-ordinary situation i.e. when a matter may fall within the legislative competence of the Province but when it comes to its application it has to travel beyond the territorial boundaries of the Province, bringing it into the domain of the Federal Legislation. Thus, it is held that the federal legislature has the competence to legislate relating to the Establishments/Trade Unions functioning at the Federal as well as trans-provincial level".

"18. There is yet another Entry in Part-II of the FLL which provides the legislative authority to the Federal Legislation, namely, entry No. 13 which covers "Inter-provincial matters and co-ordination". This Entry also has two parts, firstly,

*the inter-provincial matters and secondly, inter-provincial co-ordination. It is clear that under the command of this Entry too, the Federation has competence to enact laws relating to the inter-provincial matters/Trade Unions. Further, Entry No.18 thereof covers the "Matters incidental or ancillary to any matter enumerated in this Part". This Entry further enlarges the scope of the above Entry. Thus, it is held that even on the basis of Entries Nos.13 and 18 *ibid*, the IRA 2012 is a valid piece of legislation".*

257. Admittedly most of the newspapers have nationwide circulation thus, they fall within the definition of trans-provincial establishments. Further, indubitably the Provincial Governments have no jurisdiction to legislate qua the trans-provincial matters and in case the Provincial Governments are allowed to determine the wages of the newspaper at provincial level, perhaps there would be disparity in respect of wages of the similarly placed newspaper employees of an Establishment working in different provinces.

258. Indisputably, the newspaper employees have their Central Bargaining Agents (CBA) and, in case they were split according to provincial limits, perhaps the very purpose of forming a CBA would become redundant. While dealing with the anomalous situation regarding jurisdiction of the provincial governments to legislate about the terms and conditions of the CBA relating to trans-provincial establishment, the Hon'ble Supreme Court in the case of Messrs Sui Gas Company Limited and others (*supra*) held that the said function only falls within the domain of the Federal Government. /,

259. At some point in time, Provincial Wage Boards for determination of the terms and conditions of the Newspaper Employees were constituted, however, on the demand of the respective stakeholders the same was made a subject which ultimately resulted into promulgation of the Act. The said fact also finds supports from the findings of the 2nd Wage Board contained in paragraphs No.21 and 22, out of which the relevant portion is reproduced as under:-

“The working journalists as well as the proprietors were anxious that the affairs of the working journalists should be taken over by the Central Government so that the conditions of their service should be uniform in all the four provinces. The National Assembly of Pakistan consequently passed the Newspaper Employees (Conditions of Service) Act No. LVIII of 1973 which received the assent of the President on the 11th of August 1973 and was published in the Gazette Extraordinary of Pakistan dated 13.08.1973 and was published in the Federal Government to constitute a Wage Board for fixing rates of wages in respect of not only journalists working in the Newspaper Industry but also all other employees in the industry. A Wage Board under this Act was constituted by the Federal Government by a notification dated 11.09.1973”.

260. The hollowness of the objection is evident from the fact that 8th Wage Board was constituted thrice even after 18th amendment, but none of the parties objected to its jurisdiction despite the fact that the proceedings conducted by 8th Wage Board headed by Mr. Shahid Mehmood Khokhar, Advocate, were attended by all the members representing the employers and the employees. Further, inaction on the part of the newspaper establishments towards challenging the *vires* of the act before any forum, despite the fact that 18th amendment was passed way back in the year 2010, affirms that the present Wage Board was validly constituted under the Act. Moreover, acceptance of interim relief granted by the present Board to the employees without any objection on the part of the employers against constitution of the Board by the Federal Government also stands proof of the fact that it has validly been constituted while exercising powers Under Section 9 of the Act. As a necessary corollary to the discussion made in the foregoing paragraphs, I found no substance in the objection against jurisdiction of the Federal Government to constitute Wage Board Award in terms of Section 9 of the Act. Resultantly, the same is hereby spurned.

AGREEMENT BETWEEN THE PARTIES

261. For resolving the contentious issues with unanimity a meeting of the Sub-committee of the Board, headed by the undersigned, was held at Lahore on 20th December, 2019 wherein the parties, after prolonged deliberations and sincere efforts arrived at a consensus. Paragraph No.3 of the minutes of the meeting of said Sub-committee are reproduced as under:-

"After a marathon discussion on the issue of Final Award for Newspaper Employees among all the members of the Sub-

committee of the Board, a consensus regarding all the terms for issuance of Final Award was developed between the parties. Consequently, it was decided that the learned Chairman will draft the Final Award according to the terms settled between the parties, whereafter, the said draft will be signed by the members representing the employers by circulation. Thereafter, the Final Award will be signed by the learned members representing the employees and the learned Chairman on 24th December, 2019 at PID Office, Islamabad before its formal announcement”.

262. In the light of said decisions the undersigned prepared a draft agreement which was sent to both the parties respectively through emails, whereafter, certain minor issues cropped up between the parties. However, after constant communication through emails, WhatsApp messages and telephonic conversation the said issues including preparation of all the relevant schedules were also resolved between the parties. Final draft of the agreement was communicated to both the parties. Similarly, the schedules No. II to VII prepared by the employers' side were finalized after getting input of the members representing the employees. After getting the agreement signed by all the members representing the employers by circulation, Mr. M. Khurshid Aizid, Head of Human Resources, Dawn Group of Newspapers, handed over the same to the undersigned at PID Office, Islamabad today at 04:00 p.m whereafter, all the members representing the employees signed the said document/agreement in my presence. The contents of the said duly signed agreement are reproduced as under:-

OFFICE OF THE CHAIRMAN
8th WAGE BOARD
GOVERNMENT OF PAKISTAN

**AGREEMENT OF THE PARTIES ON THE ISSUE OF FINAL
DECISION OF THE BOARD**

1. One of the salient features of the proceedings conducted by the present Wage Board is that on the one hand both sides contested the matter tooth and nail and on the other they continued their efforts for resolution of the matter through negotiations. The efforts for announcement of interim relief through consensus also materialized due to sincere efforts made by us i.e. the members representing both sides which resulted into announcement of interim relief with consent. To keep the said momentum on, both sides, while actively participating in the proceedings of the Board kept on negotiating to arrive at a consensus.
2. After recording evidence of the parties and hearing arguments in support of their respective stances, a Sub-committee comprising two of us namely Messrs Asif Aziz Zuberi and Nasir Chishti was constituted to arrive at a compromise regarding final decision. The said Sub-committee held successive meetings on different dates to resolve the matter with consensus but initially could not make any head-way, however, they continued their efforts to do the needful.

3. Ultimately, they arrived at a compromise to the extent of wage scale of employees falling within the category of Grade-V to VIII, with the condition that the said compromise would be subject to the consensus of the parties on the rest of the points, as was reported by them in the meeting of the Board held on 16th December, 2019 at Islamabad. As the margin of difference between the employees' demand for increase of their wages and offer of the employers' in that regard was wider, the matter could not be settled between the parties.
4. In the meanwhile, Dr. Lubna Shahnaz, learned Wage Advisor, submitted her report before the Board in the meeting held on 11th December, 2019 at Islamabad which was followed by the amended report submitted by the learned Wage Advisor in the meeting of the Board held on 16.12.2019 at Islamabad. With a view to facilitate the resolution of the matter with consent, the Sub-committee already constituted by the Board was expanded by adding the names of two of us namely Messrs Shahzada Zulifqar and Sarmad Ali as members of the said committee.
5. According to the schedule the said Sub-committee, headed by the Chairman, held its meeting on 20th December, 2019, at RIO, PID Office, Lahore which was not attended by one of us namely Mr. Shahzada Zulifqar, however, he remained in touch with his co-member Mr. Chishti telephonically. Latter, assured the other members of the Sub-committee that all the members of the Board

representing the employees as well as their unions will help the newspaper establishments by lobbying with the Federal as well as Provincial Governments for demanding the release of all arrears due to the members of APNS outstanding as of 1st February, 2019 and for increase of Government Advertisement rate proportionately. After a marathon discussion on the issue, the Sub-committee resolved all the contentious issues and after getting instructions from their co-members off and on gave their consent for decision of the 8th Wage Board with consensus. As a token to acknowledge the settlement arrived at by the Sub-committee we, the members of the 8th Wage Board, execute this agreement with the following terms and conditions:-

- (i) The nomenclature of all the known occupations or work in the newspaper industry, standardized and classified into ten grades as defined by the preceding Board shall remain in force.
- (ii) The scheme of move over prevalent at the moment would continue but the intervals in the pay scales for each grade will be increased from existing 10 to 17. However, an employee who has been moved over to a higher grade before the date of this award, will remain in that grade and will not revert back to his earlier grade on account of the increase in intervals in the pay scale of his earlier grade.

- (iii) The existing basic pay as well as admissible allowances of Editor Grade, Special Grade and employees falling in Grade-I to IV will be increased at the rate of 145%.
- (iv) The existing basic pay as well as admissible allowances of employees of Metropolitan-A falling in Grade-VIII will be increased at the rate of 134% whereas the employees of the same category falling in Grade-V to VII will be entitled to increase in their basic pay as well as admissible allowances at the rate of 130%.
- (v) The existing basic pay as well as admissible allowances of employees of Metropolitan-B falling in Grade-V to VIII will be increased at the rate of 219%, 240%, 239% and 250% respectively.
- (vi) The existing basic pay as well as admissible allowances of employees of Regional-A falling in Grade-V to VIII will be increased at the rate of 267%, 270%, 273% and 287% respectively.
- (vii) The existing basic pay as well as admissible allowances of employees of Regional-B falling in Grade-V to VIII will be increased at the rate of 359%, 361%, 366% and 384% respectively.
- (viii) The existing basic pay as well as admissible allowances of employees of Periodical-A falling in Grade-V to VIII will

be increased at the rate of 144%, 146%, 147% and 152% respectively.

- (ix) The fringe benefits admissible allowances as prescribed in the 7th Wage Board will be increased at the rates set out in the attached table.
- (x) The category Metropolitan-A will be confined to the newspapers being published from Metropolitan Centers and have the circulation of 30000 or more per day or annual gross revenue of Rs.250 million or more. Category Metropolitan-B will be changed accordingly.
- (xi) Unless expressly provided otherwise in the main decision of 8th Wage Board rest of the terms and conditions as enshrined in the 7th Wage Board, will be part of the 8th Wage Board.
- (xii) Unless expressly provided otherwise by any other clause, the decision of the Board shall be operative from the 1st day of February, 2019.

**THE MEMBERS REPRESENTING THE
EMPLOYERS**

Sd/-
Mr. Hameed Haroon
(President APNS & CEO Dawn Group)

Sd/-
Mr. Asif Aziz Zuberi
(Business Recorder)

**THE MEMBERS REPRESENTING
THE EMPLOYEES**

Sd/-
Mr. Nasir Chishti
(Daily Jang)

Sd/-
Mr. Shahzada Zulfiqar
(President PFUJ)

Sd/-
Mr. Sarmad Ali
 (Secy General APNS and MD Jang Group)

Sd/-
Mr. Mujeeb-ur-Rahman Shami
 (CEO Daily Pakistan)

Sd/-
Ms. Rameeza Nizami
 (Daily Nawai-e-Waqt)

Sd/-
Mr. Bakhat Zada Yousafzai
 (Daily Aeen, Peshawar)

Sd/-
Mr. Shoalb Uddin
 (Member of PFUJ (Workers))

Sd/-
Mr. Muhammad Nawaz Raza
 (President PFUJ (Dastoor))

Sd/-
(Justice Hasnat Ahmad Khan)
Former Judge Lahore, High Court/
 Chairman 8th Wage Board

The above said duly signed agreement is attached as **Schedule-I**.

OPERATIVE PART OF THE DECISION

1. In the light of the afore referred agreement between the parties, and as required by the provisions of the Newspaper Employees (Conditions of Service) Act, 1973, (herein after to be referred as "the Act"), and in pursuance of the powers emanating therefrom, the 8th Wage Board for Newspaper Employees, setup by Government of Pakistan U/s 9 of the Act for fixing rates of wages in respect of Newspaper Employees, hereby gives decision as follows:-

2. *Short title and Commencement*

- i. This decision shall be called "the Newspaper Employees Wage Board Decision 2019".

- ii. Unless expressly provided otherwise by any other clause hereinafter, this decision shall be operative from the 1st day of February, 2019.

3. **Definitions**

- i. All words and expressions used, but not defined, in this decision shall have the same meaning as defined in the Act.
- ii. A newspaper employee, as defined in the Act, shall be referred to in this decision as "employee". An employer in relation to a "Newspaper Establishment", as defined in the Act, shall be referred to in this decision as "employer".
- iii. "Metropolitan Centre" means the cities of Karachi, Lahore and Rawalpindi/Islamabad. "Regional Centre" means the Centers other than the Metropolitan Centers from which newspapers are published.
- iv. "Existing pay" means the monthly rate of basic pay to which an employee was entitled to in accordance with the 7th Wage Board Award.
- v. "Interim Award (Relief)" means the interim relief awarded by this Board to the Newspaper Employees in Pakistan as published in the Gazette of Pakistan Islamabad, July 1, 2019.
- vi. "Category" means any of the kind of newspaper establishment mentioned hereunder.

- vii. "Grade" means any of the kind of employees as mentioned under the scheme of classification of employees made by the preceding Board.
- viii. "New Pay Scale" means the pay scale devised for a particular grade under scheme of new pay scales set out in **Schedule-II**.
- ix. "Gross Revenue" (A) In the case of newspapers means the entire revenue earned by the newspaper establishment from sale, circulation, advertisement and from job work done by its printing press and any other income directly or indirectly related to the above mentioned operations. Revenue in respect of circulation and advertisements, shall be taken to be the amount after deducting the trade discounts to circulation agents and advertisement agents.

(B) In the case of News Agency, means the entire revenue of the establishment from whatever sources earned by the establishment and includes any payment received from the government, whether by way of service or charges of subsidy.

4. **Categories**

The various newspaper establishments in Pakistan shall be categorized as under:-

- a. All newspaper dailies published from Metropolitan Centers which have the circulation of 30,000 or more

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- per day or annual gross revenue of Rs.250 million or more would be included in Metropolitan-A category.
- b. All newspaper dailies published from Metropolitan Centers but not covered under the conditions laid down for Metropolitan-A newspapers would be included in Metropolitan-B category.
- c. All newspaper dailies published from Hyderabad, Multan, Faisalabad, Quetta and Peshawar would be included in Regional-A category.
- d. All newspaper dailies published from Regional Centers but not covered under clause(c) above would be included in Regional-B category.
- e. All periodical publications, other than dailies, having a gross annual revenue of Rs. 5 million rupees or above would be included in Periodical-A category.
- f. All periodical publications which do not fall within Periodical-A category would be placed in Periodical-B category.
- g. All news agencies having annual gross revenue of 10 million rupees or more would be placed in Category-A and the rest would be considered in Category-B.
- h. Any change in the ownership or proprietorship of an establishment, shall not affect the category in which an establishment is placed for the time being under the above scheme. //

- i. Any newly created establishment, created after this decision comes into operation, shall be placed in the lower of two categories applicable to the center at which it is established, subject to its re-categorization based on its operating results after a period of two years from its creation.
- j. The category assigned to any newspaper establishment shall be subject to alteration in accordance with fluctuation in its circulation, gross annual revenue, either on the initiative of the employer or on written application from the employees to the Implementation Tribunal for Newspaper Employees as prescribed in Rule 14 of the Implementation Tribunal for Newspaper Employees (Procedure and Functions) Rules, 1977.
- k. A new edition of a newspaper already in publication shall bear the same category as its parent newspaper regardless of the place of its publication, provided it is published in the same language as the parent newspaper and bears the same name.

5. **Grades**

- a. The nomenclature of all the known occupations or work in the newspaper industry, standardized and classified into ten grades as defined by the preceding

Board and attached herewith as **Schedule-III** shall remain in force.

- b. The scheme of move over prevalent at the moment would continue but the intervals in the pay scales for each grade will be increased from existing 10 to 17. However, an employee who has been moved over to a higher grade before 1st February, 2019 will remain in that grade and will not be reverted back to his earlier grade on account of the increase in intervals in the pay scale of his earlier grade.
- c. The employer at the time of appointment, transfer or promotion of an employee shall strictly adhere to the provisions of Section 3 of the Act, for determination of future service prospects of such employee.
- d. The post held by an employee shall determine his principal duties in addition to his perks and privileges in accordance with the functional definitions, notwithstanding the fact that he is designated with different nomenclature in the newspaper establishment. No casual or occasional work entrusted to him or any casual combination of duties shall alter his entitlement to wages as prescribed by this decision.
- e. The management of a newspaper establishment may, for its own convenience, create any new post, or re-

designate an existing post or continue with the existing designation of a post of its employees provided that in respect of wages they are covered under any of the classes of newspaper employees, defined in functional definitions given in **Schedule-IV**.

6. **New Pay Scales**

- a. The existing basic pay as well as admissible allowances of Editor Grade, Special Grade and employees falling in Grade-I to IV will be increased at the rate of 145%.
- b. The existing basic pay as well as admissible allowances of employees of Metropolitan-A falling in Grade-VIII will be increased at the rate of 134% whereas the employees of the same category falling in Grade-V to VII will be entitled to increase in their basic pay as well as admissible allowances at the rate of 130%.
- c. The existing basic pay as well as admissible allowances of employees of Metropolitan-B falling in Grade-V to VIII will be increased at the rate of 219%, 240%, 239% and 250% respectively.
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- e. The existing basic pay as well as admissible allowances of employees of Regional-B falling in Grade-V to VIII will be increased at the rate of 359%, 361%, 366% and 384% respectively.
- f. The existing basic pay as well as admissible allowances of employees of Periodical-A falling in Grade-V to VIII will be increased at the rate of 144%, 146%, 147% and 152% respectively.
- g. The employer shall pay to the employees engaged in occupations classified in **Schedule-III** at rates not less than the respective new pay scales fixed for each grade as mentioned in the same schedule. However, the same shall not be regarded as an impediment in the way of the establishment to pay wages at higher rate as being done at the present moment in view of any consideration, including past experience or higher cost of living in particular locality or other region. Further, any existing wage, higher than fixed now as minimum wage, shall not be reduced.

7. **Fitment**

Without prejudice to the rights of the newspaper employees, as protected by the proviso to Section 19 of the Act, the fitment of the present employees in the newspaper establishment in the new pay

scales applicable to their respective grades under this decision shall be as set out in **Schedule-II**.

- a. Any employee who reaches the maximum stage of his present pay scale applicable to his grade, after completion of one year's satisfactory service, shall automatically move over to the next higher grade. Further, he shall be entitled to pay protection by fixing his pay at such stage which falls next above his existing pay in the lower grade.
- b. The pay of an employee, promoted at the discretion of his employer to fill up a vacancy in a higher grade, shall be fixed at such stage of the higher pay scale as falls next above the pay last drawn by him in the lower grade.
- c. Annual increment shall be allowed on the 1st day of July every year to employees having at least six months satisfactory service in the existing pay scale.
- d. The new pay scales fixed in this decision are optional to the extent of employees inasmuch as if any one of them wants to continue with the existing pay scales for determination of his future service prospects, he would submit written request in that regard to his employer, who shall be bound to accept the same and service benefits shall be determined accordingly.
- e. The initial pay of a person who is appointed to a post in Newspaper Establishment is to be fixed at the minimum of the new pay scale prescribed for the grade to which such post belongs under this scheme.

The employer may, at its discretion, allow premature increment in consideration of employee's age, experience in the profession and special qualification, and fix employee's pay at any stage higher than the minimum of the pay scale.

8. **Interim Relief**

The interim relief already granted by the present Board shall cease to continue with effect from the date on which an employee begins to receive his wages according to the newly consolidated structure of wages.

9. **Fringe Benefits**

In addition to basic pay, all employees shall be entitled to the following benefits:-

- (i) In addition to General Transport Allowance, a night transport allowance shall be allowed to all employees who are required to attend duties between 9.00 p.m. to 5.00 a.m. at the following rates:-
 - (a) Employees in Grade I to IV at the rate of Rs. 91/- per night.
 - (b) Employees in Grade V to VIII at the rate of Rs. 66/- per night.
- (ii) *General Transport Allowances (Conveyance Allowance)* shall be Allowed to all employees at follows :-

- (a) to all employees of newspaper establishments categories as Metropolitan A, Metropolitan B, Regional A, Regional B and Periodical A belonging to Special Grade and Grades I to III at the rate of Rs.3124 p.m.
- (b) to all employees of the newspaper establishment mentioned at
 - (a) above and belonging to Grade IV to VII at the rate of Rs. 2573 p.m. and Grade VIII at the rate of Rs.2021 p.m.
- (c) to all employees of newspaper establishment falling in category Periodical B at the rate of Rs. 2021 p.m. if belonging to Grades Special and I to IV and at the rate of Rs.1323 p.m. if belonging to Grades V to VIII.
- (iii) *Local Travelling Allowance* of Rs.4998 p.m. shall be allowed to a person employed as Staff Reporter, Staff News Photographer, Staff Correspondent or any other employee of the same or higher grade whose duties involve local travelling in a Metropolitan Centre. Similar employees whose duties involve local travelling in Regional Centers shall be entitled to a local travelling allowance of Rs.3528 p.m.
- (iv) *Outfit Allowance* - All Staff Reporters, Correspondents and Staff and News Photographers working in newspaper of Metropolitan-A category and News

Agencies of category A shall be paid Rs.5880 every year as outfit allowance.

- (v) *Uniform* - The newspaper establishments of Metropolitan-A category and news agencies of category A, shall continue to provide liveries to all employees in Grade VIII in the same manner as specified in the Third and Fourth Wage Board Awards. The washing allowance, however, shall be raised to Rs.368 p.m.
- (vi) Wages for piece rated workers, piece rated stringers, correspondents and photographers shall be paid as per **Schedule-V**.
- (vii) *Charge Allowance* - Charge Allowance shall be paid as per **Schedule-VI** appended to this decision.
- (viii) *Hill Allowance* - A Hill Allowance of Rs. 919 p.m. shall be paid to all employees posted in Quetta for six months of winter irrespective of the pay, grade or category of the establishment to which he belongs.
- (ix) *House Rent Allowance* - House Rent Allowance shall be paid to all employees, irrespective of the category in which the newspaper employee is placed, at the rate of 60% of the start of basic pay in the respective grade.
- (x) *Computer Allowance* shall be paid to the computer staff at the following rates:-

i.	Those who have Master's/Bachelor's degrees Computer Science or in Math, Physics, Statistics Economics with computer Training.	Rs. 3675/- per month
ii	Key Punch Operators/Data Entry Operators	Rs.1103/- per month

10. It might as well be mentioned that employees getting wages upto Rs.1,500/- p.m were entitled to Cost of Living Allowance through the amendment in the Cost of Living (Relief) Act, 1973. Their entitlement will continue, if the Government raises the limit of wages above Rs.1,500/- p.m and they remain workmen under the Newspaper Employees (Conditions of Service) Act, of 1973 to derive benefit therefrom.

11. All privileges, safeguards, benefits etc, regulation of over time, night duty, apprenticeship, lead hazards, medical attendance, risks arising out of performance of duty, contributory provident fund, and gratuity etc, as provided under the relevant laws, shall be admissible to newspaper employees. Further, if any establishment is providing extra benefit(s) to its employees as compared to those enumerated in the preceding sentence, such benefit(s) same shall not be curtailed.

12. All safeguards or privileges benefits declared as wages already allowed under the decisions of all previous Wage Boards and not covered under this decision, shall continue to be enjoyed by the newspaper employees.

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13. All benefits allowed in paragraph No.9 relating to fringe benefits above are declared as wages.

14. The necessary **Schedules-I to VI** are being appended at the end of this decision for clarification of its various aspects.

15. In order to facilitate newspaper establishments to clear arrears arising as a result of this decision, as it would be operative with effect from the 1st February, 2019, it is provided that the arrears so accruing shall be paid by the newspaper establishments to their employees as per arrangement which will be mutually agreed upon between the employees and the employers in each establishment, but in no case said period shall be fixed beyond 30th June, 2020.

16. The Chairman of the Wage Board, before the publication of the decision in the Official Gazette, shall be entitled to correct any clerical error, accidental slip or supply any other omission.



Shahzad Zulfiqar
Faris Chishti
DIRECTOR
Justice (R) Hasnat Ahmed Khan
Chairman Wage Board
Press Information Department
Government of Pakistan
Islamabad

Note: The operative part of the decision was transmitted, through emails, to the learned members representing the employers respectively. They, after going through the same have given their approval through emails which are also attached herewith.

RECOMMENDATIONS

1. The Federal as well as the Provincial Governments, including autonomous bodies, semi-autonomous bodies, statutory organization/corporations, State owned companies, attached departments etc., would ensure that advertisements are only issued to the Newspaper Establishments that implement the decision of the Wage Board in full substance.
2. Before parting with this decision, I would like to share my harsh experience of conducting proceedings of this Board as its Chairman due to lack of requisite infrastructure, in particular competent and required number of staff. The task being time bound, I had to make the requisite arrangements at my own end and expense. However, with a view to sensitize the Government in this regard, I deem it appropriate to recommend that, in future, while constituting Wage Board in terms of Section 9 of the Act, in addition to ancillary facilities, competent and required number of staff members be placed at the disposal of the Board. The Government can either hire services of competent persons through fresh recruitment for specific period or it can depute from the surplus pool or can manage from the departments already dealing with the matters relating to newspapers and its

employees. The foremost consideration before the Government, while undertaking said process, should be the competency of the persons to be deployed with Board, as I suffered lot of problems due to insufficiency of the staff attached by the Government with me, which ultimately compelled me to utilize the services of the staff working in my private office at Lahore.

3. During proceedings of the Board, I have noticed a stark disparity amongst the regular newspaper employees and those working on contract basis. One of the glaring difference between two categories is the payment of bonus, inasmuch as the same is only admissible to the regular employees excluding the contract employees despite the fact that in the Government departments, to compensate the contract employees against the benefits admissible to the regular employees, they are paid 30% contract/ad-hoc allowance in addition to routine remuneration. In this scenario, it is recommended that the newspaper establishments should either give bonuses to the contract employees as well or compensate them by adding an extra allowance in their pay.

4. It has further come on the record that the newspaper establishments hire employees through outsourcing entities. To address the said issue, it is recommended that either the newspaper establishments be bound to hire staff directly or to pay the equal wages to the employees hired through outsource entities as admissible to the employees recruited by themselves.

5. During proceedings of the Board, it was revealed that due to constitution of one Implementation Tribunal for Newspaper Employees at Federal level, most of the employees feel handicapped in approaching said tribunal for implementation of the Wage Board Award in the event of its non-compliance by a newspaper establishments. I am cognizant of the fact that according to the practice, in-vogue, the Chairman Implementation Tribunal holds sittings beyond the Federal Capital on occasional basis. However, the same cannot be considered as substitute of regular functioning of said tribunal at Provincial Level. In this backdrop, it is recommended that U/s 12-A of the NECOSA, 1973, one or more members may also be appointed to redress the grievances of the employees in respect of non-implementation of the Wage Board Award by the newspaper establishments.

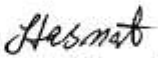
6. Further, during proceedings it came to limelight that the newspaper establishments show fake circulation with the collaboration of the concerned departments/people for getting advertisements. Releasing of advertisements to such dummy newspapers adversely affect the advertisement revenue of genuine newspapers that ultimately impairs their capacity to pay salaries to the newspaper employees. Hence, it is recommended that Federal as well as Provincial Governments should ensure the release of advertisements to genuine publications fairly, justly and in accordance with law.

7. It would be parsimonious attitude on my part to omit appreciation to the members of the Board representing both sides, staff attached with the undersigned by the Government and those working

in my private office at Lahore in particular Mr. Ali Raza, Stenographer. Further the legal assistance provided by Mr. Khawaja Muhammad Arif ASC, representing the employees, and Mr. Ali Almani ASC, representing the employers, who was ably assisted by his associate namely Mr. Ahad Aziz Zuberi, Advocate High Court, was also laudable.

8. I also offer deepest gratitude to Chaudhary Fawad Hussain, Former Minister for Information and Broadcasting, ^{He} currently Minister for Science and Technology, Dr. Firdous Ashiq Awan, Special Assistant to the Prime Minister for Information and Broadcasting, Mr. Shafqat Jalil, Former Secretary for Information and Broadcasting, Miss Zahida Parveen, Secretary for Information and Broadcasting, Mr. Sohail Ali Khan, D.G for Information and Broadcasting, Mr. Danyal Gillani, Director to Minister, Hafiz Muhammad Rafique, D.S (B&A), Ateeq-ur-Rehman Khan, Deputy Director, (MOIB), Mr. Sikandar Ali Shah DGPR, RIO, PID, Karachi and Mr. Shah Nawaz, APS RIO, PID, Karachi, Syed Hamza Saleem Gilani, Deputy Director, Mr. Abdul Manan, Deputy Director, RIO, PID, Quetta, Mr. Asad Khan, Information Officer, Quetta, Ms. Hina Malik, Deputy Director, RIO, PID Faisalabad and Miss Uzma Afzal, Deputy Director, RIO, Multan for rendering full cooperation to the Wage Board during the entire proceedings. I am also thankful to Shahzada Zulifqar, President PFUJ, Mr. Afzal Butt, Ex-President PFUJ, Dr. Lubna Shahnaz, learned Wage Advisor, Khawaja Farrukh Saeed, Mr. Saeed Aasi and Mr. Ghulam Muhammad Hussain, Senior Journalists for giving their valuable advice and input during the proceedings. Further, I offer special thanks to Dr. Imran Farooq, Graphic Designer and Mr. Khalid Mehmood, Mr. M. Khurshid Aizid,

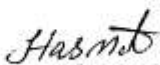
Head of Human Resources, Dawn Group, Mr. Farooq Adenwalla, AGM (Finance) Dawn and Dr. Tanvir A. Tahir, Executive Director APNS who while assisting both the parties respectively, rendered full assistance to me as well.


(Justice Hasnat Ahmad Khan)
Former Judge Lahore, High Court/
Chairman 8th Wage Board for Newspaper
Employees of Pakistan

Islamabad, the 26th December, 2019

CERTIFICATE:

This Decision consists of 170 (one hundred and seventy) pages and every page is initialed by me. The schedules are also initialed by me.


(Justice Hasnat Ahmad Khan)
Former Judge Lahore, High Court/
Chairman 8th Wage Board for Newspaper
Employees of Pakistan

schedule-1
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**OFFICE OF THE CHAIRMAN
8th WAGE BOARD
GOVERNMENT OF PAKISTAN**

**AGREEMENT OF THE PARTIES ON THE ISSUE OF FINAL
DECISION OF THE BOARD**

1. One of the salient features of the proceedings conducted by the present Wage Board is that on the one hand both sides contested the matter tooth and nail and on the other they continued their efforts for resolution of the matter through negotiations. The efforts for announcement of interim relief through consensus also materialized due to sincere efforts made by us i.e. the members representing both sides which resulted into announcement of interim relief with consent. To keep the said momentum on, both sides, while actively participating in the proceedings of the Board kept on negotiating to arrive at a consensus.
2. After recording evidence of the parties and hearing arguments in support of their respective stances, a Sub-committee comprising two of us namely Messrs Asif Aziz Zuberi and Nasir Chishti was constituted to arrive at a compromise regarding final decision. The said Sub-committee held successive meetings on different dates to resolve the matter with consensus but initially could not make any head-way, however, they continued their efforts to do the needful.

3. Ultimately, they arrived at a compromise to the extent of wage scale of employees falling within the category of Grade-V to VIII, with the condition that the said compromise would be subject to the consensus of the parties on the rest of the points, as was reported by them in the meeting of the Board held on 16th December, 2019 at Islamabad. As the margin of difference between the employees' demand for increase of their wages and offer of the employers' in that regard was wider, the matter could not be settled between the parties.
4. In the meanwhile, Dr. Lubna Shahnaz, learned Wage Advisor, submitted her report before the Board in the meeting held on 11th December, 2019 at Islamabad which was followed by the amended report submitted by the learned Wage Advisor in the meeting of the Board held on 16.12.2019 at Islamabad. With a view to facilitate the resolution of the matter with consent, the Sub-committee already constituted by the Board was expanded by adding the names of two of us namely Messrs Shahzada Zulifqar and Sarmad Ali as members of the said committee.
5. According to the schedule the said Sub-committee, headed by the Chairman, held its meeting on 20th December, 2019, at RIO, PID Office, Lahore which was not attended by one of us namely Mr. Shahzada Zulifqar, however, he remained in touch with his co-member Mr. Chishti telephonically. Latter, assured the other members of the

Sub-committee that all the members of the Board representing the employees as well as their unions will help the newspaper establishments by lobbying with the Federal as well as Provincial Governments for demanding the release of all arrears due to the members of APNS outstanding as of 1st February, 2019 and for increase of Government Advertisement rate proportionately. After a marathon discussion on the issue, the Sub-committee resolved all the contentious issues and after getting instructions from their co-members off and on gave their consent for decision of the 8th Wage Board with consensus. As a token to acknowledge the settlement arrived at by the Sub-committee we, the members of the 8th Wage Board, execute this agreement with the following terms and conditions:-

- (i) The nomenclature of all the known occupations or work in the newspaper industry, standardized and classified into ten grades as defined by the preceding Board shall remain in force.
- (ii) The scheme of move over prevalent at the moment would continue but the intervals in the pay scales for each grade will be increased from existing 10 to 17. However, an employee who has been moved over to a higher grade before the date of this award, will remain in that grade and will not revert back to his earlier grade on account of the increase in intervals in the pay scale of his earlier grade.

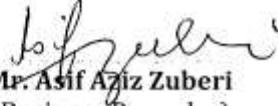
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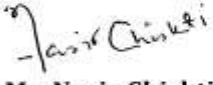
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- (xii) Unless expressly provided otherwise by any other clause, the decision of the Board shall be operative from the 1st day of February, 2019.

**THE MEMBERS REPRESENTING THE
EMPLOYERS**


Mr. Faheed Haroon
(President APNS & CEO Dawn Group)


Mr. Asif Aziz Zuberi
(Business Recorder)

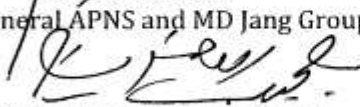
**THE MEMBERS REPRESENTING
THE EMPLOYEES**

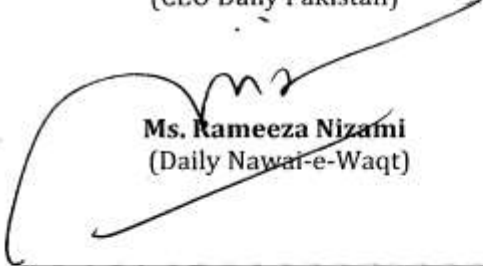

Mr. Nasir Chishti
(Daily Jang)


Mr. Shahzada Zulfiqar
(President PFUJ)

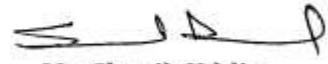
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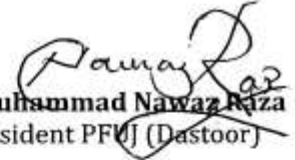

Mr. Sarmad Ali
 (Secy General APNS and MD Jang Group)


Mr. Mujeeb-ur-Rahman Shami
 (CEO Daily Pakistan)


Ms. Rameeza Nizami
 (Daily Nawai-e-Waqt)


Mr. Bakhat Zada Yousafzai
 (Daily Aeen, Peshawar)


Mr. Shoaib Uddin
 (Member of PFUJ (Workers))


Mr. Muhammad Nawaz Raza
 (President PFUJ (Dastoor))


 24/12/2019
(Justice Hasnat Ahmad Khan)
 Former Judge Lahore, High Court/
 Chairman 8th Wage Board

**SCHEDULE-II
EXISTING AND NEW SCALE AND POINT TO POINT FIXATION
METROPOLITAN "A"**

The Editor Grade	PAY SCALES		With No Inc.	With 1 Inc.	With 2 Inc.	With 3 Inc.	With 4 Inc.	With 5 Inc.	With 6 Inc.	With 7 Inc.	With 8 Inc.	With 9 Inc.	With 10 Inc.	With 11 Inc.	With 12 Inc.	With 13 Inc.	With 14 Inc.	With 15 Inc.	With 16 Inc.	With 17 Inc.
	Existing	Revised																		
14,109	675	20,850	14,106	14,775	15,450	16,125	16,800	17,475	18,150	18,825	19,500	20,175	20,850							
34,545	1,635	42,660	34,542	36,201	37,860	39,519	41,178	42,837	44,496	46,155	47,814	49,473	51,132	52,791	54,450	56,109	57,768	59,427	61,086	62,745
Special Grade																				
Existing	11,795	502	11,790	12,262	12,834	13,406	13,978	14,550	15,122	15,694	16,266	16,838	17,410	17,982	18,554	19,126	19,698	20,270	20,842	21,414
Revised	28,845	1,376	28,840	30,041	31,242	32,443	33,644	34,845	36,046	37,247	38,448	39,649	40,850	42,051	43,252	44,453	45,654	46,855	48,056	49,257
Grade I																				
Existing	7,800	540	7,800	8,340	8,880	9,420	9,960	10,500	11,040	11,580	12,120	12,660	13,200	13,740	14,280	14,820	15,360	15,900	16,440	16,980
Revised	19,110	1,322	19,110	20,452	21,794	23,136	24,478	25,820	27,162	28,504	29,846	31,188	32,530	33,872	35,214	36,556	37,898	39,240	40,582	41,924
Grade II																				
Existing	8,525	450	8,525	8,975	9,425	9,875	10,325	10,775	11,225	11,675	12,125	12,575	13,025	13,475	13,925	14,375	14,825	15,275	15,725	16,175
Revised	15,085	1,103	15,085	16,008	16,931	17,854	18,777	19,700	20,623	21,546	22,469	23,392	24,315	25,238	26,161	27,084	28,007	28,930	29,853	30,776
Grade III																				
Existing	5,510	373	5,510	5,885	6,260	6,635	7,010	7,385	7,760	8,135	8,510	8,885	9,260	9,635	10,010	10,385	10,760	11,135	11,510	11,885
Revised	14,480	979	14,480	15,299	16,118	16,937	17,756	18,575	19,394	20,213	21,032	21,851	22,670	23,489	24,308	25,127	25,946	26,765	27,584	28,403
Grade IV																				
Existing	5,175	398	5,175	5,475	5,775	6,075	6,375	6,675	6,975	7,275	7,575	7,875	8,175	8,475	8,775	9,075	9,375	9,675	9,975	10,275
Revised	12,075	735	12,075	12,614	13,153	13,692	14,231	14,770	15,309	15,848	16,387	16,926	17,465	18,004	18,543	19,082	19,621	20,160	20,699	21,238
Grade V																				
Existing	4,593	255	4,590	4,845	5,100	5,355	5,610	5,865	6,120	6,375	6,630	6,885	7,140	7,395	7,650	7,905	8,160	8,415	8,670	8,925
Revised	10,597	625	10,597	11,182	11,767	12,352	12,937	13,522	14,107	14,692	15,277	15,862	16,447	17,032	17,617	18,202	18,787	19,372	19,957	20,542
Grade VI																				
Existing	4,385	232	4,385	4,627	4,869	5,111	5,353	5,595	5,837	6,079	6,321	6,563	6,805	7,047	7,289	7,531	7,773	8,015	8,257	8,499
Revised	10,109	568	10,109	10,677	11,245	11,813	12,381	12,949	13,517	14,085	14,653	15,221	15,789	16,357	16,925	17,493	18,061	18,629	19,197	19,765
Grade VII																				
Existing	4,320	225	4,320	4,545	4,770	4,995	5,220	5,445	5,670	5,895	6,120	6,345	6,570	6,795	7,020	7,245	7,470	7,695	7,920	8,145
Revised	9,935	551	9,935	10,487	11,039	11,591	12,143	12,695	13,247	13,799	14,351	14,903	15,455	16,007	16,559	17,111	17,663	18,215	18,767	19,319
Grade VIII																				
Existing	4,105	218	4,105	4,303	4,499	4,695	4,891	5,087	5,283	5,479	5,675	5,871	6,067	6,263	6,459	6,655	6,851	7,047	7,243	7,439
Revised	9,770	534	9,770	10,319	10,868	11,417	11,966	12,515	13,064	13,613	14,162	14,711	15,260	15,809	16,358	16,907	17,456	18,005	18,554	19,103

**SCHEDULE-II
EXISTING AND NEW SCALE AND POINT TO POINT FIXATION
METROPOLITAN "B"**

	PAY SCALES		With No Inc.	With 1 Inc.	With 2 Inc.	With 3 Inc.	With 4 Inc.	With 5 Inc.	With 6 Inc.	With 7 Inc.	With 8 Inc.	With 9 Inc.	With 10 Inc.	With 11 Inc.	With 12 Inc.	With 13 Inc.	With 14 Inc.	With 15 Inc.	With 16 Inc.	With 17 Inc.
The Editor Grade																				
Existing	8,370	810	14,670	8,370	9,090	9,810	10,530	11,250	11,970	12,690	13,410	14,130	14,850	15,570	16,290	17,010	17,730	18,450	19,170	19,890
Revised	20,607	1,544	46,795	23,977	22,031	21,085	20,139	19,193	18,247	17,301	16,355	15,409	14,463	13,517	12,571	11,625	10,679	9,733	8,787	7,841
Special Grade																				
Existing	8,750	805	12,000	8,750	7,275	7,850	8,425	9,000	9,575	10,150	10,725	11,300	11,875	12,450	13,025	13,600	14,175	14,750	15,325	15,900
Revised	18,038	1,286	38,699	16,530	17,824	18,110	18,396	18,682	18,968	19,254	19,540	19,826	20,112	20,398	20,684	20,970	21,256	21,542	21,828	22,114
Grade I																				
Existing	5,325	460	9,825	5,325	5,775	6,225	6,675	7,125	7,575	8,025	8,475	8,925	9,375	9,825	10,275	10,725	11,175	11,625	12,075	12,525
Revised	13,046	1,100	31,757	13,046	14,140	15,232	16,324	17,416	18,508	19,600	20,692	21,784	22,876	23,968	25,060	26,152	27,244	28,336	29,428	30,520
Grade II																				
Existing	4,725	315	7,875	4,725	5,040	5,355	5,670	5,985	6,300	6,615	6,930	7,245	7,560	7,875	8,190	8,505	8,820	9,135	9,450	9,765
Revised	12,002	777	25,126	12,002	12,774	13,546	14,318	15,090	15,862	16,634	17,406	18,178	18,950	19,722	20,494	21,266	22,038	22,810	23,582	24,354
Grade III																				
Existing	3,945	315	7,260	3,945	4,260	4,575	4,890	5,205	5,520	5,835	6,150	6,465	6,780	7,095	7,410	7,725	8,040	8,355	8,670	8,985
Revised	11,204	772	24,328	11,204	11,976	12,748	13,520	14,292	15,064	15,836	16,608	17,380	18,152	18,924	19,696	20,468	21,240	22,012	22,784	23,556
Grade IV																				
Existing	3,600	255	6,240	3,600	3,855	4,200	4,455	4,710	4,965	5,220	5,475	5,730	5,985	6,240	6,495	6,750	7,005	7,260	7,515	7,770
Revised	10,983	635	21,608	10,983	11,600	12,220	12,840	13,460	14,080	14,700	15,320	15,940	16,560	17,180	17,800	18,420	19,040	19,660	20,280	20,900
Grade V																				
Existing	3,315	210	5,495	3,315	3,503	3,791	3,989	4,187	4,405	4,623	4,841	5,059	5,277	5,495	5,713	5,931	6,149	6,367	6,585	6,803
Revised	10,575	534	19,683	10,575	11,109	11,643	12,177	12,711	13,245	13,779	14,313	14,847	15,381	15,915	16,449	16,983	17,517	18,051	18,585	19,119
Grade VI																				
Existing	3,030	195	4,980	3,030	3,225	3,420	3,615	3,810	4,005	4,200	4,395	4,590	4,785	4,980	5,175	5,370	5,565	5,760	5,955	6,150
Revised	10,302	473	18,428	10,302	10,790	11,278	11,766	12,254	12,742	13,230	13,718	14,206	14,694	15,182	15,670	16,158	16,646	17,134	17,622	18,110
Grade VII																				
Existing	3,030	180	4,918	3,030	3,225	3,414	3,602	3,790	4,005	4,256	4,507	4,758	5,009	5,260	5,511	5,762	6,013	6,264	6,515	6,766
Revised	10,299	481	18,136	10,299	10,740	11,221	11,682	12,143	12,604	13,065	13,526	13,987	14,448	14,909	15,370	15,831	16,292	16,753	17,214	17,675
Grade VIII																				
Existing	2,902	180	4,702	2,902	3,082	3,262	3,442	3,622	3,802	4,002	4,202	4,402	4,602	4,802	5,002	5,202	5,402	5,602	5,802	6,002
Revised	10,157	441	17,454	10,157	10,596	11,035	11,474	11,913	12,352	12,791	13,230	13,669	14,108	14,547	14,986	15,425	15,864	16,303	16,742	17,181