

Government of Jammu and Kashmir  
Labour and Employment Department  
Civil Secretariat, Jammu/Srinagar.

**Notification**

Jammu, the 7<sup>th</sup> of April, 2021

S O. 122:- Whereas, the Ashok Kumar (claimant) has filed an application dated 18.11.2019 against the management of M/S Amar Ujala Publications Ltd., for recovery of dues, under section 17(1) of the Working Journalist and Other News Paper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955); and

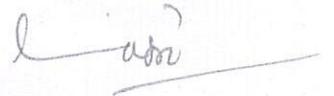
Whereas, the claimant demanded the dues of Rs.50, 55,666/- including interest under the Majithia Wage Board recommendations from the management ; and

Whereas, the Management challenged the present claim of the applicant, on the pretext that, he was working in supervisory category and hence the category of the supervisor is not covered under the definition of working journalist as defined in the Working Journalist and Other Newspaper Employees ( Conditions of Service) and Miscellaneous Provisions Act, 1955; and

Whereas, claims and counter claims of both the parties were scrutinized at length by the Authority under Section 17(1) of the Act, and the Authority came to the conclusion that amount claimed by the claimant is not settled claim and recovery proceedings cannot be initiated as per the provisions of section 17(1) of the Working Journalist and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955. Thus, the question of payment of the claimed amount is required to be adjudicated by the Hon'ble Labour Court/Tribunal as per the provisions of Section 17(2) of the Act; and

Whereas, the Government considers it desirable to refer the said dispute to the Labour Court/Tribunal for adjudication.

Now, therefore, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Dispute Act,



1947 (XIV of 1947), the Government hereby refers the said dispute to the Labour Court/Tribunal for adjudication on the following issues:-

- 1) Whether the claimant is covered under the definition of working journalist as defined in the Working Journalists and Other Newspaper Employees (Conduct of Service) and Miscellaneous Provisions Act, 1955; if yes.
- 2) Whether the claimant is entitled for claim as per the recommendations of the Majithia Wage Board and if yes, then up to what extent he is entitled for?

By order of the Government of Jammu and Kashmir.

Sd/  
(Sarita Chauhan) IAS,  
Commissioner/Secretary to Government  
Labour & Employment Department.

No: L&E/Legal/03/2021

Dated: 07.04.2021

**Copy to the**

01. Secretary to Government, Department of Law, Justice and Parliamentary Affairs.
02. Labour Commissioner, J&K, Srinagar.
03. Director Information, J&K, Jammu with the request to publish the SO in the next local dailies of Jammu.
04. General Manager, Government Press, Jammu for its publication in the next issue of Government Gazette.
05. Presiding Officer, Industrial Tribunal/Labour Court, J&K Jammu along with full case/leaves in original.
06. Assistant Registrar, J&K, High Court, Jammu.
07. Deputy Labour Commissioner, Jammu.
08. Assistant Labour Commissioner (Conciliation Officer), Jammu.
09. Stock file (w.2.s.c.).

  
(Nisar Ahmad Shad) KAS. 07.04.2021  
Deputy Secretary to Government  
Labour & Employment Department.