

Organ of Federation of Medical And Sales Representatives' Associations of India

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Total strike in Sun pharma

Field workers' strike leaps to new height

The strike in sun pharma on 25th July, 2019 leapt to a great unprecedented height and all marketing activities of Sun Pharma across divisions came to screeching halt on that day. Field workers of Sun pharma, across division and designation, throughout the country joined strike. The anti-worker policies of Sun Pharma got a befitting a rebuff. On 25th July, 2019, the strike day was observed as a Black day in protest against the retrograde policies of the Sun management and all FMRAI members in every state unit state units wore demand badges.

Dharma and demonstrations were organized in front of Sun Pharma establishment by every state unit in



MSMRA demonstrated before Sun House, Mumbai on the Strike day

management resorted to unilateralism and de-unionization. Even if FMRAI committee signed 9 successive wage settlement with

In December, 2015, FMRAI was compelled to launch the big battle since the sun pharma management resorted to mass transfer of leading functionaries. Following protracted struggle the Sun management signed an agreement with FMRAI's committee in April, 2017 and all the transfer issues were resolved. But the management carried on their efforts to convert the unionized section of field workers to the non-bargainable category with the help of monetary allurements, threat and coercion. The management also floated VRS with a view to get rid of unionized section of field workers and to obliterate union.

In January 2019, management issued letters to 69 field workers, holding them solely responsible for allegedly low sales performance and arbitrarily declared their headquarters as non-viable. Since April, 2019, the



Strike in Sun Pharma, BSSRU

Sun management stopped giving increment to the unionized section of field workers and froze Variable Dearness Allowance since 2016.

management issued transfer orders en masse and transferred 36 field workers and declared closure of their existing head quarters on the pretext of sales performance.

The attack of sun pharma field workers and the de-unionization efforts of sun pharma management has serious ramification, and it is no longer the issue of erstwhile Ranbaxy field workers, but that of all the field workers of sun pharma and all section of field workers across different companies.

The state and district council subcommittee will conduct campaign amongst doctors and chemists in the month of August and September, 2019 and keep them informed about the developments in sun pharma.



Sun strike and demonstration, Dindigul, TNMSRA

grievance committee as mandated by ID (amendment) act, 2010. Since acquisition of Ranbaxy by Sun pharma the new

When the Industrial court directed the management to pay VDA and increment the management moved to higher court.

On people's demand

FMRAI meets the Chemical and Fertilizer Minister

On 11 July, 2019, FMRAI delegation consisting of R. Ramesh Sundar, President, Santanu Chatterjee, General Secretary, Amitava Guha, National Working Committee member of CITU headed by Elamaran Karee, Rajya Sabha

Gowda at New Delhi. The delegation handed over two memoranda to the Minister containing demands of revival of public sector Pharma companies, bringing down medicine prices by instituting genuine price control based on



MP, CPI (M) met the Honourable Minister of Chemicals and Fertilisers Shri D.V. Sadananda

cost of production, abolition of GST on medicine, constituting

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DP Dubey Memorial Lecture



To commemorate the 3rd death anniversary of DP Dubey, all state units will organize hall meeting/ convention at the state capitals, major cities, in the period between 25th and 29th August, 2019. Our beloved leader, former General Secretary of Federation of Medical and Sales Representatives' Associations of India (FMRAI), D.P. Dubey, passed away on 26th August, 2016 at the age of 74.

Topic for the meeting for this year is: **Change of labour laws and consequences on the sales promotion employees.**

Devastating flood in Assam CRU members plunge in relief work

Recently, Assam has faced a devastating flood and it has massive cased land erosion, inundated villages and cities and caused enormous damage to life, livestock and property. In the mean time, it took away 50 human life and has costed too dearly in terms of human life as

unfortunately this has not been declared as national disaster by central government as yet, while some insufficient sum of financial assistance as relief has been given by the central government. In this critical hour of need and distress of the people CRU(NER) members plunged



well. More than 45 lakhs people in 30 districts, out of 33 districts in Assam, has been affected. It took life of many animals including one horn rhinos in Kaziranga national park. But,

themselves in relief work and made all efforts to stand by the side of the people with all its modest resources. CRU organized mass collection drive

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Editorial

The quick codes to please the employers

A field worker is asked to give valuable freebees and more often than not a field worker is forced to comply with the dictates of his or her managers. If the field worker fail to act as per dictate such managers retaliate upon the field workers if they deny becoming party to the unethical marketing practices. The NDA government in its earlier incarnation (16th Lok Sabha) proudly announced that the government will do everything to stop unethical marketing and promised to make law with teeth to ensure uniform code for pharmaceutical marketing practices. There were several rounds of meeting, consultation and bunch of statements. But, this code did not see the light of day. But some other codes are quickly prepared, especially labour reform is hurriedly brought in 17th Lok Sabha as soon as the new NDA government assumes power at the centre. When the field workers were bewildered under inescapable workload of coverage and compliance, when their service conditions are arbitrarily changed every now and then, the new NDA government proposed to repeal the only specific law of his (or her), the Sales Promotion Employees (Condition of Service) Act, 1976. The NDA government will arbitrarily repeal the law for the field worker without discussions or consultations with their trade union, FMRAI. The reference of FMRAI is recorder in the preamble of the law. This particular law for the field workers, the SPE Act, 1976, accommodated some occupational specificity of the field workers across industries. Government pleases to repeal it but claims that this law has been subsumed under in a general and common new code, the Occupational Safety, Health and Working Conditions Code, 2019. Another code, the Code on Wages, 2019 has also been passed in the lower house of the parliament, and by this code four other labour laws relevant for the field workers including the law on payment of wages and that on minimum wages have been repealed and replaced. The Wage code, 2019 intends to fix a national minimum wage which is now renamed as 'floor wage'. The code

declares holy intention of fixing this floor wage '*taking into account minimum living standards of a worker*', but it does not mention the current methodology of fixing such minimum wage. The code states that '*the Central Government may, before fixing the floor wage ... obtain the advice of the Central Advisory Board ... and consult State Governments*'. Who will sit in advisory board? The Central Advisory Board will consists of employer and employee in equal number (not 'worker' but 'employee'), '*five representatives of such State Governments as may be nominated by the Central Government*' and some '*independent persons*' again picked up by the Central Government. This minimum wage derived from the advice of such an advisory board, may be reviewed or revised '*at an interval not exceeding five years*'. The code does not make a grain of mention about consultation with the trade unions or employees' organizations on the question of wage, either fixation of wage or any matter related to wage. All the big talks on 'floor wage' in the code turned out to be hollow when the labour minister unilaterally declared the national minimum wage as Rs 4628 per month (Rs.178 per day) on 10.07.2019, well before the code was either presented or hurriedly passed in Lok Sabha (23.08.2019). So the minister himself invented the national minimum wage. We do not know how the minister arrived at such a figure when the government's own 7th Central Pay Commission recommended Rs.18000 per month as the minimum wages w.e.f. 1.01.2016. In January, 2019 a government-appointed Expert Committee proposed a '*... need-based national minimum wage for India at Rs. 375 per day or Rs 9,750 per month as of July 2018, irrespective of sectors, skills, occupations and rural-urban locations...*'. This supposed 'Expert Committee on determining the methodology for fixing national minimum wage' attempted to toll the bell to mark the death of all existing methodology that has been mutually agreed upon through number of tripartite consultations and further ratified and improved upon by the Supreme Court of India. The minimum wage is the bare minimum survival

wage for a worker. The wage of a worker should permit him to survive and allow the worker to create progeny. The worker has to remain alive and his or her calories cannot be cut just because the employer will need his or her vigorous labour the next day. The family of the worker should survive only to ensure that the supply line for next generation workers is not dried up. Worker and his family must have to survive! This is not a humanitarian request. This is a business argument; it is the very argument for the survival of the class of the employers. Even the slave traders allowed their slaves to create progeny for they understood that to be important for their own continued existence. But neoliberal capitalism under the present dispensation is madly greedy, senseless and self-destructing. So the omniscient expert committee under neoliberal dictates, with all its spectacular pedantic acrobatics, attempts to steal calories from the food basket of the workers and tries to make hell of a minimum wage. The field workers working in smaller companies (some of companies operate in a single state or in some districts) are in extreme distress as they draw wage that is minimum among the minima. These companies argue that they cannot afford to give minimum wage. The Supreme Court contested this argument and stated that '*there is a minimum wage which, in any event, must be paid, irrespective of the tent of profits, the financial condition of the establishment or the availability of workmen on lower wages. This minimum wage is independent of the kind of industry and applies to all alike big or small. It sets the lowest limit below which wages cannot be allowed to sink in all humanity*' (Kamani Metals & Alloys Ltd vs Their Workmen, 24.01.1967). Field workers' movement rejects the computation method of the expert committee and upholds the current method of calculation of minimum wage. Minimum wage must allow survival. Any company, any establishment, irrespective of turnover, must have to give minimum wage. The entrepreneurs, who cannot pay minimum wage, should be denied license to run business and commerce.

No business should run with forced labour or on the strength of the labour of the bonded labourers. While the field workers movement is resisting imposition of increasing work load and imposition unjust service conditions and fight against unjust punishment and for achieving to earn fair wages through collective bargaining or for legal right and trade union rights, the 2nd term of NDA government attempts to create a new situation. However, the field workers' movement is not altogether unprepared for this. FMRAI has no illusion about this government. Field workers' movement is determined to defend all the safeguards and all the benefits that have yet been accrued through the SPE act and other acts accessible through SPE act. The intent of achieving sensible minimum wage for every field workers in every industry and every establishment is extremely important and it laudable objective cannot ever be forsaken. At the strength of involvement of every ordinary field worker FMRAI will continue to fight with all its might. In active defense against neoliberal onslaught, fortified activism of the ordinary field workers will constitute the biggest strength of FMRAI. When these ordinary field workers are inspired, the adversaries are cowed down. These rank and file members of FMRAI give suggestions, opinions, make criticism, and they defend the organization and carry forward the movement at every nook and corner of the country. These ordinary field workers raise question in the face of the arrogant employers, challenge every instance of torturous compliance or lethal workload or any conspiracy for poverty-level wages. The neoliberalism has dropped its fancy attire and it is all disrobed in the face of the world. The fresh bout of aggression has made the ordinary field workers see right through the dirty design of the employers and the government! It is a time for clarity of vision! And clarity of vision is of great value in the course of struggle. It is boon in disguise! It is time for arousal and struggle. Field workers will fight against all onslaughts, all hurdles, in all its manifestations at every corner of their existence.

Obituary

Manoj Uppal, the field worker of Indoco Remedies based at Moradabad and a member of UPMSRA passed away on



15th July, 2019 following a fatal to road accident. FMRAI deeply condoles his death and convey heartfelt condolence to the bereaved family.

Pankaj Tripathi, the field worker of Alkem based at Gonda and a member of UPMSRA passed away on



19th July, 2019. Pankaj was seriously injured in a road accident and succumbed to death. We deeply condoles his death and convey earnest condolences to the bereaved family.

Mohan Sinha (39), a member of MPMSRU and a field Worker of Alkem based at Ratlam passed away on 4th



July, 2019 at his home town, Patna, Bihar. Mohan met with an accident on 24th April, 2018 after returning from his field work. He was admitted to Bombay Hospital, Indore for the treatment, where he was in coma and stayed in hospital for 2 months. After little improvement in his health, in sub-conscious state he was discharged from hospital following huge medical bills. He breathed his last at his home in Patna. Mohan leaves behind his aged mother, wife & two children aged 8 years & 5 years. FMRAI deeply condoles his death.

KSM&SRA Workshop on council, agitation for minimum wage



KSM&SRA organized workshop on Council & Council Subcommittee Networking along with the Council Conference of 19 companies on 14th July, 2019 at Bengaluru. All Council leaders and state functionaries participated in the Work Shop. The Workshop was conducted by Pranab Ray, Secretary, FMRAI. He presented his points, discussed and explained the entire matter related to present position of Council movement, the perspective and importance of the council subcommittee networking and the impending task in the current perspective, with the help of power point presentation. Further strengthening the councils is the need of the hour, he pointed out. He also briefed the company wise struggles and the council movement of FMRAI in the larger background of entire field workers movement in the national level. The council conference was addressed by K. Sunil Kumar, Secretary, FMRAI, Gururaj Desai, State Council

Subcommittee Convener and B Chandra Kumar, General Secretary, KSM&SRA. On 15th July, 2019 State Level demonstration before state labour department has been organised. A day long demonstration was conducted before state labour office at Bengaluru on the long pending demands and the members were addressed by K Sunil Kumar, Pranab Ray, B Chandra Kumar and Sathya Poorna and L M Peshwa, the Secretary and the President of KSM&SRA. B Chandra Kumar on behalf of KSM&SRA submitted the memorandum to Hon'ble Additional labour commissioner and Deputy labour commissioner. The memorandum demanded of Rs.18000 as minimum wages considering the field workers in skilled category, of taking suitable steps to vacate the stay orders on notification of 8 hours work, of taking steps to stop late night closing and of taking action to stop interminable sales meeting that continues well

beyond 8 hours. The labour authorities assured of taking suitable initiatives to ensure justice for Medical and Sales Representatives. The delegation demanded of Effective implementation of Sales promotion Employees Act, especially in view of the fact that union has raised complaints on 35 companies. The authorities assured that the notices will be sent and suitable actions will be taken against the managements who violated the SPE act and the rules under it. It was also pointed out by the delegation that many companies are not constituting grievance redress committee as per ID(amendment) Act 2010. The Hon'ble Additional labour commissioner admitted the delay in addressing some of the pending demands of the field workers and assured that his office will soon look into and shall work towards implantation of Laws. The programme was attended by large number of members, who took resolution to further intensify the struggle.

Legal workshop in KMSRA

A workshop was held on 13th July 2019, at KMSRA State Centre Enakulam on labour related movement and various aspects of law in relation to the movement. It was organized with all state committee members of KMSRA. The workshop

discussed the current situation of labour related movement, contemporary development in relation to labour, the political situation and the role of the working class in confronting the situation. The workshop also discussed the

question of organisation building and emphasized upon basics and uniform understanding and approach. Mr. Baby Castro, Labour Officer (Enforcement) narrated certain the recent developments in relation to law.

FMRAI meets Minister

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statutory code with punitive provisions on uniform code of ethical marketing practices and stop online selling of medicines. The matter of medicine and health related issues of the common people have been persistently pursued by FMRAI. The new government has targeted the public sector pharma companies for disinvestment. FMRAI is opposed to this move of the government. The private sector pharma companies manufacture medicines depending on the profitability and not on the basis of peoples' need. On the contrary, the public sector companies produce medicines and vaccines as per the requirement of the ailing people of the country. So, revival of

public sector companies is essential for self-reliance and public health. FMRAI has demanded that no GST should be taxed on medicine and medical devices to give relief to common people and government should ensure availability of medicines at affordable prices. FMRAI further demanded that uniform code on marketing practices should be made statutory with stringent punishment clauses to curb corruption which will have a positive effect on reduction of prices on medicines and medical devices. Shri Sadananda Gowda assured that profit generating PSU like KAPL will not be divested. FMRAI has already released a press statement on the outcome of the meeting.

Relief work

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across the region along with CITU. CRU organized free medical camps with the help of IMA in flood affected areas in many districts including Guwahati, Jorhat, Bongaigaon, Nalbari, North Lakhimpur. Hundreds of people were examined by the doctors, given medical treatment and free medicines were given to all patients. CRU, with the direct assistance of CITU, was also able to provide many relief materials including bleaching powder, different disinfectants, foods etc. It took CRU members more closer to the people, allowed them to identify themselves more concretely with the people in distress and brought valuable experiences for them.

Block council meeting in PCMSRU

Block council meeting of PCMSRU was held at Jalandhar office of the union on 21st July where 119 council members of different companies from different places of Punjab and Chandigarh came and participated. The meeting was addressed by Shiv Awasthi, and Vineet Sharma, respectively the General Secretary and the President of PCMSRU. The organizational positions of different companies were discussed. Shiv Awasthi, in his deliberation, discussed various aspects of the council movements in the context of the situation in the industry. The programmes of council sub committee in various companies

with special emphasis to Sun pharma strike and observance of "Black day" were elaborately discussed. He urged upon the council subcommittee members for playing an active role to ensure complete strike and complete halt in all marketing activities of Sun Pharma on the day. He also called upon for building a strong network of council sub committee at unit level and its consistent activities. Protest programmes against Mankind pharma was explained to the members and members were requested to implement the programmes at the unit level. The current political perspective of the trade union movement was explained by Vineet Sharma.

Blood donation camp in Bargarh unit, OSRU



In view of scarcity of blood in the area, Bargarh Unit of OSRU organised a blood donation camp at District Hospital in Bargarh on 16th June, 2019. 55 units of blood were donated by the members of Bargarh unit of OSRU.

Blood donation camp in Jaunpur unit, UPMSRA



On 1st July, 2019, on the occasion of Doctor's Day, UPMSRA Jaunpur unit and Rotary club, Jaunpur jointly organised a Blood donation camp at District hospital, Jaunpur. In this camp prominent personalities of Jaunpur were present. Members of Jaunpur unit of UPMSRA donated blood.

UPMSRA joins protest action against high electricity tariff



In June, soon after the LS election, Uttar Pradesh Power Corporation Limited (UPPCL) has proposed hike in electricity tariffs (domestic) by more than 25 per cent. Against such unprecedented and steep hike in electricity tariff rates enormous anger has been generated among the common people. The common people of Uttar Pradesh

are distressed in relation to reckless price rise. UPMSRA units organized protest action against such proposal of electricity tariff hike at an exorbitant rate, along with other fraternal organizations. Several unit of UPMSRA, including Ghazipur, Ballia, Lucknow joined different programmes along with other organizations.

MSMRA holds GCM at Ahmednagar



Flag hoisting, General Council Meeting MSMRA

The 11th MSMRA General Council Meeting (GCM) was held at Ahmednagar on 20 and 21 July, 2019. GCM was inaugurated by Dr. Sudhir Tambe, MLC. He exposed the anti-labour and anti-people policies of the BJP led Central Government. Dr. Shankar Shelke, President, IMA and Chairman of the Reception Committee also addressed the general council members. Other fraternal unions like CITU, AITUC, NRMU,

MSCDA, NIMA, HIPPUM, Hamal Mathadi union, Municipal Corporation workers union, Professors association greeted the general council meeting and made clear their resolve to stand by the field workers' movement and to fight for the cause of the common peoples' cause and to fight against the anti-people policies of NDA Government. 220 delegates from 35 units including two women delegates from Nagpur participated in the GCM.

46 GCMs gave deliberations on General Secretary and Treasurer's report. Resolutions on Wallace, SPIL, Svizera, Micro, against Privatization of railways, on urgent issues of the farmers and against politically-motivated communal polarization were unanimously adopted in the GCM. Both the reports were unanimously adopted. K.B. Kadam Joint General Secretary of FMRAI guided the GCM.

BSSRU GCM at Jamshedpur



General Secretary, BSSRU addressing the session in General Council Meeting

GCM of BSSRU was held on 13 & 14 July, 2019 at Jamshedpur. The open session of the general council meeting was addressed by J.S. Majumdar, Vice President, CITU and the business session was inaugurated by Deepak Bhattacharjee, President, Bihar State CITU. Former leader of FMRAI, Sanjay Chatterjee also attended. Ganesh Shankar Singh and Prakash Biplob, respectively the General Secretary of Bihar state & that of Jharkhand State of CITU,

addressed the members. 150 general council members from Bihar and Jharkhand attended the meeting. The reports were placed by Debasis Roy, General Secretary, and Manoj Chaudhury, Treasurer of BSSRU. 26 members participated in discussion and placed their views on the reports. Six resolutions were adopted. Mainly against Labour Reforms by the Central Government, Sun Pharma, Wallace and Bihar and Jharkhand state governments for banning

the sales promotion activity in the government hospitals. The concluding deliberation was made by Santanu Chatterjee, General Secretary, FMRAI. He stressed upon organization consolidation, broadening and heightening of movements against the onslaught on the sales promotion employees by the companies and gave a clarion call to fight against all the anti-worker policies of the Central Government. The general secretary's and treasurer's reports were unanimously adopted.

Hamirpur hosts HPMRA GCM



HPMRA General Council Meeting on session

HPMRA General Council Meeting was held on 13 and 14 July, 2019 at Hamirpur. 58 general council members from Shimla, Mandi, Dharamsala, Solan, Una and Hamirpur attended. Kashmir Singh, National secretary, CITU inaugurated the General Council Meeting. In his deliberation he criticized the central government's attempt of amalgamation of 44 labour laws into 4 codes and called upon all for building up resistance. Shiv Awasthi, Secretary, FMRAI, attended the GCM and

addressed the line of struggle and the struggle tactics of FMRAI. The General Secretary and Treasurer's reports were placed by Jagdish Thakur and Vinay Kapoor. 14 comrades deliberated on the reports. General council meeting took resolution to reach the membership objective and to fight against unemployment, rising prices of essential commodities, Sun Pharma and Mankind Pharma. The General Secretary and Treasurer's reports were unanimously adopted.

KMSRA 8th Council conference



The 8th state council conference with the 'Movement for achieving rights' group of companies was successfully held at Trichur on 21st July, 2019. The council conference was inaugurated by Shekar Reddy, Secretary, FMRAI. The conference was greeted by Raju

Bhat, All India Convener, Zydus Cadilla, Bharavi, All India Convener, Alembic, K.V. Krishnakumar, All India convener, Alkem, Shinumon, Joint All India Convener, Intas and Shivakumar, Joint All India Convener, RPG. More than 700 council members attended the conference.

The conference also witnessed a session of honoring former leaders of KMSRA including K.O. Vincent, former State Secretary, Zachria, former State Committee member, Parthasarathy, Mohana krishnan and Mathew Mundat. These former leaders also expressed satisfaction and bestowed sincere

thanks to the state committee of KMSRA K. M. Surendran, President, KMSRA presided over the meeting. Mohan. C. Nair, General Secretary, KMSRA, addressed the session. G. Ajayan, Convener, State Council Subcommittee, greeted the audience and the former leaders in the session.